

2015 -- H 5370

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO CRIMINAL OFFENSES -- THREATS AND EXTORTION

Introduced By: Representatives Keable, Shekarchi, Craven, McKiernan, and Lally

Date Introduced: February 11, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-42-4 of the General Laws in Chapter 11-42 entitled "Threats and
2 Extortion" is hereby amended to read as follows:

3 **11-42-4. Threats to public officials.** -- (a) Whoever knowingly and willfully delivers or
4 conveys, directly or indirectly, a verbal or written threat to take the life of, or to inflict bodily
5 harm upon, a public official or a member of his or her immediate family because of the
6 performance or nonperformance of some public duty, because of hostility of the person making
7 the threat toward the status or position of the public official, or because of some other factor
8 related to the official's public existence, shall be guilty of a felony and shall be imprisoned for not
9 more than five (5) years, or fined not more than five thousand dollars (\$5,000), or both.

10 (b) For purposes of this section:

11 (1) "Public official" means a person who is elected or appointed to office in accordance
12 with the constitution, a statute, or a city or town charter, or who is a judge, [magistrate](#), assistant
13 attorney general, special assistant attorney general, or law enforcement officer, or in the case of
14 an elective office any person who has filed the required documents for nomination or election to
15 that office or who is appointed by the governor to serve as the director or his or her designee of a
16 state department which is established, and the qualifications and duties of which are prescribed by
17 statute to discharge a public duty for the state of Rhode Island;

18 (2) "Immediate family" means a public official's spouse, child, or children.

SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would add court magistrates to the list of covered public officials that are
2 protected from felonious threats.

3 This act would take effect upon passage.

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