

2020 -- H 7326

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING CRIMINAL PROCEDURE -- INDICTMENTS, INFORMATIONS AND
COMPLAINTS

Introduced By: Representatives Place, Nardone, Lyle, Chippendale, and Knight

Date Introduced: January 29, 2020

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 12-12 of the General Laws entitled "Indictments, Informations and
2 Complaints" is hereby amended by adding thereto the following section:

3 **12-12-23. Acquittal in another jurisdiction as bar to prosecution.**

4 If a violation of any criminal law is a violation of a federal law or the law of another
5 state, an acquittal under federal law or the law of another state for the same set of facts or acts is a
6 bar to prosecution in this state, unless there exists newly discovered evidence which would
7 substantially indicate that prosecution in this state is warranted.

8 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 prohibit prosecutions for violations of criminal laws in this state if the
2 violation arises from the same set of facts or acts for which a defendant has been acquitted in
3 federal court or another jurisdiction, unless there exists newly discovered evidence substantially
4 warranting prosecution in this state.

5 This act would take effect upon passage.

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