

2013 -- S 0657

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO CRIMINAL PROCEDURE -- PROBATION AND PAROLE

Introduced By: Senators McCaffrey, and Walaska

Date Introduced: March 06, 2013

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 12-19-8 of the General Laws in Chapter 12-19 entitled "Sentence
2 and Execution" is hereby amended to read as follows:

3 **12-19-8. Suspension of sentence and probation by superior or district court. --** (a)
4 Except where the suspension of sentence shall otherwise be prohibited by law, whenever any
5 defendant shall appear for sentence before the superior or district court, the court may impose a
6 sentence and suspend the execution of the sentence, in whole or in part, or place the defendant on
7 probation without the imposition of a suspended sentence. The suspension shall place the
8 defendant on probation for the time and on any terms and conditions that the court may fix.

9 (b) The period of probation, where no sentence is imposed or where sentence is entirely
10 suspended, may be for any period up to the maximum time of sentence provided by applicable
11 statutes. Where sentence is imposed and suspended in part, the term ordered to be served and the
12 period of probation together shall not exceed the maximum time of sentence provided by
13 applicable statutes.

14 (c) At any time during the term of a sentence imposed, the probation and parole unit of
15 the department of corrections may seek permission of the superior or district court to impose
16 additional conditions of probation upon the defendant to provide for more effective supervision of
17 the defendant. Failure of the defendant to comply with the additional conditions of probation will
18 result in a violation of probation being filed in accordance with the provisions of section 12-19-9.

1 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 grant the probation and parole unit of the department of corrections
- 2 additional input on probation conditions for more effective supervision.
- 3 This act would take effect upon passage.

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