

2024 -- S 2098

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO CRIMINAL PROCEDURE -- TRIAL

Introduced By: Senators Ruggerio, Pearson, Tikoian, Burke, Gallo, Sosnowski, Murray,
Lauria, and Lawson

Date Introduced: January 12, 2024

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 12-17-3 of the General Laws in Chapter 12-17 entitled "Trial" is
2 hereby amended to read as follows:

3 **12-17-3. Waiver of jury trial — Special findings and rulings.**

4 In all criminal cases the accused may, if he or she shall so elect and, with the [consent of](#)
5 [the attorney general or one of the attorney general's designated assistants and](#) leave of the court,
6 waive a trial by jury, and in those cases the court shall have jurisdiction to hear and try the cause
7 without a jury and render judgment and pass sentence. In cases so tried the court shall, upon request
8 of the accused, make special finding upon any issue of fact and special ruling upon any question of
9 law arising in the case.

10 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 requires prosecutorial consent in order for a defendant to waive a jury trial.
- 2 This act would take effect upon passage.

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