

2020 -- S 2268

LC002993

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT

Introduced By: Senators Crowley, Quezada, Nesselbush, and Euer

Date Introduced: February 04, 2020

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-37 of the General Laws entitled "Sexual Assault" is hereby
2 amended by adding thereto the following section:

3 **11-37-18. Rape test kits - Disclosure to complainant.**

4 (a) Definitions. The following words and phrases, when used in this section, shall have
5 the following meanings:

6 (1) "Forensic medical examination" means an examination provided to the victim of a
7 sexually-oriented criminal offense by a health care provider for the purpose of gathering and
8 preserving evidence of a sexual assault for use in investigation of the assault and for use in a court
9 of law.

10 (2) "Sexual assault collection kit" means a human biological specimen or specimens
11 collected by a health care provider during a forensic medical examination from the victim of a
12 sexually-oriented criminal offense.

13 (b) On or after January 1, 2021, any sexual assault evidence collection kit that has been
14 utilized by any law enforcement agency or department during the course of an investigation of
15 sexually-oriented assault, shall be submitted to the state crime laboratory or similar qualified
16 laboratory for testing as provided under this chapter, within seventy-two (72) hours after the
17 collection of specimens.

18 (c) Any laboratory which receives a sexual assault collection kit shall perform all tests
19 necessary and requested by the submitting law enforcement agency within fifteen (15) days of its

1 submission.

2 (d) The laboratory shall transmit a report to the submitting law enforcement agency
3 within fifteen (15) days of the completion of testing of any specimens.

4 (e) The investigating law enforcement agency and/or the department of attorney general,
5 shall, upon receipt of the results and report from the laboratory, provide a copy of the report to the
6 victim within fifteen (15) days.

7 SECTION 2. This act shall take effect on January 1, 2021.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT

1 This act would require that any sexual assault collection kits utilized during a sexual
2 assault investigation shall be submitted to the state crime laboratory for testing within fifteen (15)
3 days. The laboratory must submit a report to law enforcement within fifteen (15) days and then
4 shall be required to provide a copy of the report to the victim.

5 This act would take effect on January 1, 2021.

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