

2010 -- S 2312

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO CRIMINAL PROCEDURE -- STATUTE OF LIMITATIONS

Introduced By: Senator Dennis L. Algieri

Date Introduced: February 11, 2010

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 12-12-17 of the General Laws in Chapter 12-12 entitled
2 "Indictments, Informations and Complaints" is hereby amended to read as follows:

3 **12-12-17. Statute of limitations.** -- (a) There shall be no statute of limitations for the
4 following offenses: treason against the state, any homicide, arson, first degree arson, second
5 degree arson, third degree arson, burglary, counterfeiting, forgery, robbery, rape, first degree
6 sexual assault, first degree child molestation sexual assault, second degree child molestation
7 sexual assault, bigamy, manufacturing, selling, distribution or possession with intent to
8 manufacture, sell or distribute a controlled substance under the Uniform Controlled Substance
9 Act, chapter 28 of title 21, or any other offense for which the maximum penalty provided is life
10 imprisonment.

11 (b) The statute of limitations for the following offenses shall be ten (10) years: larceny
12 under section 11-41-2 (receiving stolen goods), section 11-41-3 (embezzlement and fraudulent
13 conversion), section 11-41-4 (obtaining property by false pretenses or personation), section 11-
14 41-11 (embezzlement by bank officer or employee), section 11-41-12 (fraudulent conversion by
15 agent or factor), and section 11-41-13 (obtaining signature by false pretenses), or any larceny
16 which is punishable as a felony; any violation of chapter 7 of title 11 (bribery); any violation of
17 section 11-18-1 (giving false document to agent, employee, or public official); perjury; any
18 violation of chapter 42 of title 11 (threats and extortion); any violation of chapter 15 of title 7
19 (racketeer influenced and corrupt organizations); any violation of chapter 57 of title 11 (racketeer

1 violence); or any violation of chapter 36 of title 6 (antitrust law); [or any violation of section 11-](#)
2 [14-11.1 \(unlawful appropriation\)](#).

3 (c) The statute of limitations for any other criminal offense shall be three (3) years unless
4 a longer statute of limitations is otherwise provided for in the general laws.

5 (d) Any person who participates in any offense, either as a principal accessory, or
6 conspirator shall be subject to the same statute of limitations as if the person had committed the
7 substantive offense.

8 (e) The statute of limitations for any violation of chapter 18.9 of title 23 (refuse
9 disposal), chapter 19 of title 23 (solid waste management corporation), chapter 19.1 of title 23
10 (hazardous waste management), chapter 12 of title 46 (water pollution), and chapter 13 of title 46
11 (public drinking water supply) shall be seven (7) years from the time that the facts constituting
12 the offense or violation shall have become known to law enforcement authorities, unless a longer
13 statute of limitations is otherwise provided for in the general laws.

14 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 make the statute of limitations for unlawful appropriation ten (10) years.
- 2 This act would take effect upon passage.

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