

2012 -- S 2496

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LC01781  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO CRIMINAL OFFENSES - FRAUD AND FALSE DEALING

Introduced By: Senators Hodgson, Doyle, Algieri, Ottiano, and E O'Neill

Date Introduced: February 16, 2012

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 11-18 of the General Laws entitled "Fraud and False Dealing" is  
2 hereby amended by adding thereto the following section:

3           **11-18-1.4. False statement to obtain governmental benefits.** – (a) Any person who  
4 shall knowingly file or cause to be filed, either directly or indirectly, with any agency or  
5 representative of state or municipal government, whatsoever, any statement or affidavit in writing  
6 which is false or erroneous, or defective in any important particular, and which, to his or her  
7 knowledge, is intended to induce, be relied upon, or cause the agency or its employees or agents  
8 to issue or authorize a governmental benefit shall be guilty of a felony and, upon conviction, shall  
9 be punished by imprisonment for not more than five (5) years, or by a fine of not more than ten  
10 thousand dollars (\$10,000), or both.

11           (b) Any person who shall knowingly fail to provide updated information to any agency or  
12 representative of state or municipal government with the intent to conceal a change in  
13 circumstance which could result in a reduction or end to a governmental benefit previously  
14 conferred, shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for  
15 not more than three (3) years, or by a fine of not more than five thousand dollars (\$5,000), or  
16 both.

17           (c) No person who has been convicted pursuant to this section shall apply for a  
18 governmental benefit for five (5) years from the date of his or her sentence.

19           (d) An agency or representative of state or municipal government shall be defined as any

1 organization or individual legally authorized to determine eligibility for, and confer governmental  
2 benefits upon, an individual in the context of employment, retirement, disability, medical or  
3 social assistance. Such agencies specifically include, but are not limited to, the retirement boards  
4 of the state and the cities and towns, and any division of state government administering health,  
5 or social assistance benefits.

6 (e) “Governmental benefit” is defined as any compensation, payment, reimbursement,  
7 preferential tax status, or any other tangible consideration conferred by an agency or  
8 representative of state or municipal government in the context of employment, retirement,  
9 disability retirement, healthcare, or social assistance.

10 (f) All criminal actions for violations of this section shall be prosecuted by the attorney  
11 general.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO CRIMINAL OFFENSES - FRAUD AND FALSE DEALING

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1           This act would establish criminal penalties for filing a false statement to obtain  
2 governmental benefits.

3           This act would take effect upon passage.

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