

2014 -- S 2751

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO CRIMINAL OFFENSES-CHILD SAFE ZONES

Introduced By: Senators Archambault, Satchell, Cool Rumsey, Raptakis, and Lombardi

Date Introduced: March 06, 2014

Referred To: Senate Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 11 of the General Laws "CRIMINAL OFFENSES" is hereby amended  
2 by adding the following chapter:

3 CHAPTER 11-37.3

4 CHILD SAFE ZONES

5 **11-37.3-1. Definitions. --** As used in this chapter:

6 (1) "Employee" means an individual hired directly by the entity, a contractual employee  
7 of the entity; an individual hired by a third party who has contracted with the entity; an  
8 independent contractor of the entity or a volunteer of the entity.

9 (2) "Child Safe Zone" means the following entities:

10 (i) Any private, municipal, county, or state fair or carnival when a minor is present on the  
11 premises;

12 (ii) Any children's arcade, amusement center having coin or token operated devices for  
13 entertainment, movie theatre, or facilities providing programs or services intended primarily for  
14 minors, when a minor is present;

15 (iii) A public or nonpublic elementary or secondary school, child care facility, or public  
16 library;

17 (iv) Any place intended primarily for use by minors including, but not limited to, a  
18 playground, a children's play area, recreational or sport-related activity area, a swimming or  
19 wading pool, or a beach; and

1 (v) Any health care facility intended primarily for minors or when a minor is present.

2 (3) "Minor" means a person under the age of eighteen (18) years old.

3 (4) "Offender" means a person who is or is required to be registered as a sex offender in  
4 this state or any other jurisdiction and whose victim was a minor.

5 **11-37.3-2. Prohibition from Employment. --** (a) Any offender is prohibited from  
6 owning or operating an entity that is a child safe zone.

7 (b) Any entity that is a child safe zone is prohibited from employing a person who is an  
8 offender.

9 **11-37.3-3. Penalties. --** (a) Any offender who knowingly owns or operates an entity that  
10 is a child safe zone shall be guilty of a felony and, upon conviction, be subject to imprisonment  
11 for not more than five (5) years, a fine of not more than five thousand dollars (\$5,000), or both.

12 (b) Any offender who knowingly misrepresents or omits his or her sex offender  
13 registration status to obtain employment in a child safe zone shall be guilty of a felony and, upon  
14 conviction, be subject to imprisonment for not more than five (5) years, a fine of not more than  
15 five thousand dollars (\$5,000), or both.

16 (c) The individual who made the final hiring decision for an entity that is a child safe  
17 zone that knowingly employs an offender as prohibited in § 11-37.3-2(b) shall be subject to a fine  
18 of one thousand dollars (\$1,000) for each day the offender is employed.

19 **11-37.3-4. Immunity from liability. --** An entity that is a child safe zone that declines to  
20 hire or declines to continue an offender's employment on the basis of the employment prohibition  
21 in § 11-37.3-2(b) shall not be liable for civil damages or subject to any claim, demand, cause of  
22 action, or proceeding of any nature as a result of the prohibition.

23 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-CHILD SAFE ZONES

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1           This act would create child safe zones where sex offenders whose victim was a minor are  
2 prohibited from being employed. This act also prohibits a sex offender whose victim was a minor  
3 from owning or operating a entity that is a child safe zone.

4           This act would take effect upon passage.

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