

2016 -- S 2975

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LC004216
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO CRIMINAL OFFENSES-ASSAULTS

Introduced By: Senator Maryellen Goodwin

Date Introduced: May 10, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-5 of the General Laws entitled "Assaults" is hereby amended by
2 adding thereto the following section:

3 **11-5-18. Assaults on dwarfs or little people. -- (a) Definitions. (1) "Disproportionate**
4 **dwarf" means any person who has one or more body parts being relatively large or small in**
5 **comparison to those of an average sized adult.**

6 **(2) "Dwarf" or "little person" means any individual who is short in stature resulting from**
7 **a medical condition caused by slow growth and who is less than four feet (4'), ten inches (10") in**
8 **height. "Dwarf" does not include any person who is short in stature but whose height is inherited**
9 **and not a result of a medical condition.**

10 **(3) "Proportionate dwarf" means any person who has a body that appears normally**
11 **proportioned but is unusually small.**

12 **(4) Serious bodily injury "means physical injury that:"**

13 **(i) Creates a substantial risk of death, serious disfigurement;**

14 **(ii) Causes protracted loss or impairment of the function of any bodily part, member or**
15 **organ; or**

16 **(iii) Causes serious permanent disfigurement.**

17 **(b) Any person who shall knowingly and willfully commits an assault or battery, or both,**
18 **upon a dwarf, a disproportionate dwarf or a proportionate dwarf, resulting in bodily injury, shall**
19 **be deemed to have committed a felony and shall be imprisoned up to three (3) years or be fined**

1 not exceeding one thousand five hundred dollars (\$1,500), or both.

2 (c) Any person who shall knowingly and willfully commits an assault or battery, or both,
3 upon a dwarf, a disproportionate dwarf or a proportionate dwarf, resulting in serious bodily
4 injury, shall be deemed to have committed a felony and shall be imprisoned up to twenty (20)
5 years or be fined not exceeding five thousand dollars (\$5,000), or both.

6 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 an assault or battery upon a dwarf resulting in bodily injury a felony
2 and would be punishable by up to three (3) years imprisonment and an assault resulting in serious
3 bodily injury punishable by to twenty (20) years imprisonment.

4 This act would take effect upon passage.

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