

2010 -- S 2989

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO FOOD AND DRUGS - UNIFORM CONTROLLED SUBSTANCES ACT

Introduced By: Senators Lanzi, DiPalma, Metts, Blais, and Lynch

Date Introduced: June 08, 2010

Referred To: Placed on Senate Calendar

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 21-28 of the General Laws entitled "Uniform Controlled
2 Substances Act" is hereby amended by adding thereto the following section:

3 **21-28-4.07.2. Distribution to individuals without knowledge - Crime of violence. --**

4 (a) Definitions: For the purposes of this section the following words shall have the
5 following definitions:

6 (1) "Crime of violence" means:

7 (i) An offense that has an element, the use, attempted use, or threatened use of physical
8 force against the person or property of another; or

9 (ii) Any other offense that is a felony and that, by its nature, involves a substantial risk
10 that physical force against the person or property of another may be used in the course of
11 committing the offense.

12 (2) "Without that individual's knowledge" means: that the individual is unaware that a
13 substance with the ability to alter that individual's ability to appraise conduct, or to decline
14 participation in, or communicate unwillingness to participate in conduct, is administered to the
15 individual.

16 (b) Whoever, with the intent to commit a crime of violence against an individual, as
17 defined in this section and in chapter 11-37, violates this section by distributing a controlled
18 substance, as defined in section 21-28-1.02, or a controlled substance analogue to an individual
19 without that individual's knowledge, shall be punished by a term of imprisonment not to exceed

1 [ten \(10\) years.](#)

2 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 FOOD AND DRUGS - UNIFORM CONTROLLED SUBSTANCES ACT

1 This act would provide for up to ten (10) years in prison for persons convicted of
2 distributing a controlled substance to someone without their knowledge with the intent to commit
3 a crime of violence against that other person.

4 This act would take effect upon passage.

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