

2016 -- S 3092

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LC006191  
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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 EDUCATION - ALCOHOL AND/OR DRUG USE AMNESTY FOR  
REPORTERS OF VIOLENCE AT INSTITUTIONS OF HIGHER EDUCATION

Introduced By: Senators Gallo, Goodwin, Nesselbush, Coyne, and Lynch Prata

Date Introduced: June 16, 2016

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended  
2 by adding thereto the following chapter:

3 CHAPTER 76.2

4 ALCOHOL AND/OR DRUG USE AMNESTY FOR REPORTERS OF INCIDENTS OF  
5 VIOLENCE AT INSTITUTIONS OF HIGHER EDUCATION

6 **16-76.2-1. "Incident of violence" defined. --** As used in this chapter, the term "incident  
7 of violence" shall include any event or occurrence where any person abuses or causes physical  
8 injury, to another person or threatens to abuse or to cause physical injury to another person.  
9 Incidents of violence shall include, but not be limited to, domestic violence, dating violence,  
10 stalking and sexual assault.

11 **16-76.2-2. Policies for drug/alcohol amnesty for individuals reporting incidents of**  
12 **violence. --** (a) Every institution of higher education in the state shall adopt and implement the  
13 following policy as part of its code of conduct:

14 "The health and safety of every student at the (name of institution) is of utmost  
15 importance. (Name of institution) recognizes that students who have been drinking and/or using  
16 drugs (whether such use is voluntary or involuntary) at the time that an incident of violence  
17 occurs, including, but not limited to, domestic violence, dating violence, stalking, or sexual  
18 assault may be hesitant to report such incidents due to fear of potential consequences for their

1 own conduct. (Name of institution) strongly encourages students to report incidents of violence to  
2 institution officials. A bystander acting in good faith or a reporting individual acting in good faith  
3 that discloses any incident of violence to (name of institution)'s officials or law enforcement will  
4 not be subject to (name of institution)'s code of conduct action for violations of alcohol and/or  
5 drug use policies occurring at or near the time of the commission of the incident of violence."

6 (b) Nothing in this chapter shall be construed to limit an institution's ability to provide  
7 amnesty in additional circumstances.

8 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 EDUCATION - ALCOHOL AND/OR DRUG USE AMNESTY FOR  
REPORTERS OF VIOLENCE AT INSTITUTIONS OF HIGHER EDUCATION

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1           This act would require institutions of higher learning to adopt a policy which grants  
2 amnesty for violations of drug/alcohol policies for those who report incidents of violence,  
3 including domestic violence, dating violence, stalking and sexual assault.

4           This act would take effect upon passage.

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