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2018 Rhode Island Public Laws

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2018 RHODE ISLAND PUBLIC LAWS

2018 R.I. Pub. Laws ch. 005, 008. An Act Relating to Criminal Offenses—Weapons. This Act was amended to make it unlawful to modify semi-automatic weapons in a manner that it can shoot, is designed to shoot, or can be readily restored to shoot full automatic fire with a single pull or hold of the trigger. This section was also amended to make it unlawful to modify any semi-automatic weapon with a “bump-fire stock,” “binary trigger,” “trigger crank,” or any other device that allows full automatic fire of a semi-automatic weapon. Every person in violation of this section is to be punished by imprisonment for not less than one year nor more than ten years, and may be required to pay a fine up to ten thousand dollars. Additionally, weapons modified in the manner prohibited by this section are subject to forfeiture.

2018 R.I. Pub. Laws ch. 006, 007. An Act Relating to Courts and Civil Procedure—Extreme Risk Protection Orders—Criminal Offenses—Weapons. This Act allows a petitioner to file a petition with the court requesting an extreme risk protection order, enjoining the respondent from purchasing, receiving, or attempting to purchase or receive any firearms while the order is in effect. Such a petition must state specific statements, actions, or facts that support the belief that the respondent poses a significant danger of causing imminent personal injury to his or her self or others by having a firearm in his or her custody or control. Further, a petition must be supported by a written affidavit signed by the petitioner. Grounds for issuance include, but are not limited to, a recent act or threat of violence, mental health history, evidence of substance abuse, and criminal history.

2018 R.I. Pub. Laws ch. 035, 036. An Act Relating to Motor and Other Vehicles—Operators’ and Chauffeurs’ Licenses. This Law was amended to permit recipients of the Deferred Action for Childhood Arrivals (DACA) to apply for and obtain a Rhode Island

driver's license.

2018 R.I. Pub. Laws ch. 083, 089. An Act Relating to Public Utilities and Carriers—Motor Carrier Transportation Contracts. This Act makes void and unenforceable any provision, clause, covenant, or agreement contained in a motor carrier transportation contract that purports to indemnify, defend, or hold harmless an indemnitee from or against any liability for loss or damage resulting from the indemnitee's negligence or intentional acts or omissions.

2018 R.I. Pub. Laws ch. 125, 294. An Act Relating to Criminal Procedure—Trials. This Act created restrictions on the defenses of: (1) provocation; (2) diminished capacity; and (3) self-defense. A defendant cannot succeed on the defenses of provocation, diminished capacity, or self-defense if the sudden quarrel, reduced mental capacity, or use of force results solely from the discovery of, knowledge about, or potential disclosure of the victim's actual or perceived gender, gender identity, gender expression, or sexual orientation.

2018 R.I. Pub. Laws ch. 138, 195. An Act Relating to Food and Drugs—the Good Samaritan Overdose Prevention Act of 2016. This Act, as amended, provides immunity to any person who, in good faith, seeks medical assistance for someone experiencing a drug or alcohol overdose or other drug- or alcohol-related medical emergency. Additionally, a person who experiences a drug or alcohol overdose or other drug- or alcohol- related medical emergency and is in need of medical assistance shall not be charged or prosecuted for any crime related to the possession of a controlled substance or drug paraphernalia, possession or transportation of alcohol by an underage person, or the operation of a drug-involved premises, if the evidence for the charge was gained as a result of the overdose and the need for medical assistance.

2018 R.I. Pub. Laws ch. 154, 273. An Act Relate to Courts and Civil Procedure—Causes of Action. This Act extends the statute of limitations on medical, veterinarian, accounting, insurance, real estate agent, or broker malpractice actions for one who is under disability by reason of mental incompetence, allowing him or her to bring the action within three years from the removal

of the disability, provided no action has been brought on his or her behalf within the period of three years from the time of the occurrence of the incident.

2018 R.I. Pub. Laws ch. 130, 192. Relating to State Affairs and Government—The Healthy Pregnancies for Incarcerated Women Act. This Act prohibits the use of handcuffs, shackles, or other restraints on a prisoner or detainee, who is known to be in her third trimester of pregnancy, during transport to or from a court proceeding, except in accordance with the provisions of § 42-56.3-3(b).

2018 R.I. Pub. Laws ch. 164, 270. An Act Relating to Courts and Civil Procedure—Use of Language Interpreters in Legal Proceedings. This Act prohibits interpreters/translators appointed to interpret/translate for limited-English-proficient persons in state court proceedings from being called upon to testify concerning any statements made to them in connection with his or her interpretation or transliteration without the consent of the person making the statement or unless compelled by court order.

2018 R.I. Pub. Laws ch. 188, 247. An Act Relating to Criminal Procedure—Expungement of Criminal Record. This Act, as amended, permits a person to file a motion for the expungement of records related to an offense that has been decriminalized subsequent to the date of his or her conviction. The court in which the original conviction took place will hold a hearing on the motion.

2018 R.I. Pub. Laws ch. 157, 259. An Act Relating to Criminal Offenses—Sexual Offender Registration and Community Notification. This Act revised the scope of persons required to register his or her current address with local law enforcement as a sex offender to include those who have been convicted of certain federal offenses, foreign offenses, or military offenses. This Act also delineates additional information a person falling under this section is required to provide to local law enforcement, specifically, inter alia, the person's name, date of birth, driver's license, identification cards, telephone numbers, address, instant message addresses and identifiers, and email addresses.

2018 R.I. Pub. Laws ch. 027, 028. An Act Relating to

Criminal Offense—Electronic Imaging Devices. This Act prohibits the dissemination of indecent images of another person. Specifically, a person may not disseminate sexually explicit images of another if the image was made or obtained under circumstances in which a reasonable person would understand that the image was to remain private. This provision does not apply to voluntary exposure of intimate areas or of sexually explicit conduct in a public or commercial setting, or in a place where a person does not have a reasonable expectation of privacy.

2018 R.I. Pub. Laws ch. 101, 113. An Act Relating to Property—Electronic Recording. This Act, cited as the Uniform Real Property Electronic Recording Act, permits the use of valid electronic documents and electronic signatures for purposes of recording real property. This Act also sets forth guidelines for the recorder of documents pertaining to standards for administration and recording.

2018 R.I. Pub. Laws ch. 105, 111. An Act Relating to Criminal Offenses—Homicide. This Act, referred to as “Kristen’s Law,” amends the crime of homicide to include delivery of a controlled substance resulting in death. Under this chapter, a person is guilty where, as a result of an unlawful delivery of a controlled substance in exchange for anything of value to an adult, death results because of the use of the controlled substance.

2018 R.I. Pub. Laws ch. 133, 274. An Act Relating to Motor and Other Vehicles—Motor Vehicle Offenses. This Act, as amended, makes driving under the influence of alcohol or drugs while a child under the age of thirteen is present as a passenger punishable by immediate license suspension pending prosecution. A first conviction under this chapter may result in up to a one-year term of imprisonment and up to a one-thousand dollar fine. A second conviction may result in a prison term of up to five years and a fine of up to five-thousand dollars. The sentencing judge will order a license suspension of up to two years, require a special course on driving while under the influence, and alcohol or drug education and/or treatment.

2018 R.I. Pub. Laws ch. 155, 257. An Act Relating to Courts and Civil Procedure—Procedure Generally. This Act, the State

False Claim Act, is amended to conform liability to the state for a civil penalty in an amount equal to the civil penalty set forth in the Federal False Claims Act.

2018 R.I. Pub. Laws ch. 163, 263. An Act Relating to Behavioral Healthcare, Developmental Disabilities and Hospitals. This Act, as amended, grants equitable authority to the district and family courts to grant petitions for instructions for the provision or withholding of treatment as justice and equity may require.

2018 R.I. Pub. Laws ch. 275. An Act Relating to Food and Drugs—The Good Samaritan Overdose Prevention Act of 2016. This Act is amended to allow a person to provide, administer, or utilize a narcotic testing product to assist another person in determining whether a narcotic or substance contains chemicals, toxic substances, or hazardous compounds. A person who provides a narcotic testing product will not be subject to civil liability or criminal prosecution.