

2014 -- S 2817

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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 - SEXUAL ASSAULT

Introduced By: Senators Bates, Hodgson, and McCaffrey

Date Introduced: March 25, 2014

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-37-4 of the General Laws in Chapter 11-37 entitled "Sexual  
2 Assault" is hereby amended to read as follows:

3 **11-37-4. Second degree sexual assault.** -- A person is guilty of a second degree sexual  
4 assault if he or she engages in sexual contact with another person and if any of the following  
5 circumstances exist:

6 (1) The accused knows or has reason to know that the victim is mentally incapacitated,  
7 mentally disabled or physically helpless.

8 (2) The accused uses force, [element of surprise](#), or coercion.

9 (3) The accused engages in the medical treatment or examination of the victim for the  
10 purpose of sexual arousal, gratification or stimulation.

11 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 prohibit sexual contact committed using the element of surprise.
- 2 This act would take effect upon passage.

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