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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ATTORNEY  
GENERAL

Introduced By: Senator Dawn M. Euer

Date Introduced: March 28, 2024

Referred To: Senate Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-9 of the General Laws entitled "Department of Attorney General"

2 is hereby amended by adding thereto the following section:

3 **42-9-20. Authority as chief law enforcement officer.**

4 (a) As used in this section:

5 (1) "Fraud" or "fraudulent" means any device, scheme or artifice to defraud and any  
6 deception, misrepresentation, concealment, suppression, false pretense, false promise or  
7 unconscionable contractual provisions.

8 (2) "Persistent fraud" or "illegality" means continuance or carrying on of any fraudulent or  
9 illegal act or conduct.

10 (3) "Repeated" means repetition of any separate and distinct fraudulent or illegal act or  
11 conduct which affects more than one person.

12 (b) Whenever any person shall engage in repeated fraudulent or illegal acts, or otherwise  
13 demonstrate persistent fraud or illegality in the carrying on, conducting or transaction of business  
14 or governmental activity, the attorney general may apply, in the name of the people of the State of  
15 Rhode Island, to the superior court of the State of Rhode Island, for an order enjoining the  
16 continuance of such fraudulent or illegal acts, and directing restitution, damages, and penalties as  
17 set forth in § 6-13.1-8, and, in an appropriate case, cancelling any certificate filed under and by  
18 virtue of the provisions of § 7-1.2-201 and the court may award the relief applied for or so much

1 thereof as it may deem proper.

2 (c) In connection with any such application, the attorney general is authorized to take proof  
3 and make a determination of the relevant facts and to issue civil investigative demands to any  
4 person as defined in §§ 6-13.1-1 or 43-3-6, and in accordance with and subject to the limitations of  
5 the rules set forth in § 6-13.1-7. Such authorization may precede any such application and shall not  
6 abate or terminate by reason of any action or proceeding brought by the attorney general under this  
7 section.

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 STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ATTORNEY  
GENERAL

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1           This act would allow the attorney general to investigate and bring an enforcement action  
2 against persistent fraud or illegality in the carrying on, conducting, or transaction of business or  
3 governmental activity.

4           This act would take effect upon passage.

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