

2024 -- S 2935 SUBSTITUTE A

LC005819/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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) "Persistent illegality" means an ongoing or continuing course of illegal conduct.

6 (2) "Repeated" means more than one illegal act or an illegal act which affects more than  
7 one person.

8 (b) Whenever any person shall engage in repeated illegal acts, or otherwise demonstrates  
9 persistent illegality in the carrying on, conducting or transaction of business or governmental  
10 activity, the attorney general may apply, in the name of the people of the State of Rhode Island, to  
11 the superior court of the State of Rhode Island, for an order enjoining the continuance of such illegal  
12 acts, and directing restitution, damages, and penalties as set forth in § 6-13.1-8, and, in an  
13 appropriate case, cancelling any certificate filed with the Rhode Island secretary of state, and the  
14 court may award the relief applied for or so much thereof as it may deem proper.

15 (c) In connection with any such application, the attorney general is authorized to take proof  
16 and make a determination of the relevant facts and to issue civil investigative demands to any  
17 person as defined in §§ 6-13.1-1 or 43-3-6, and in accordance with and subject to the limitations of  
18 the rules set forth in § 6-13.1-7. Such authorization may precede any such application and shall not

1 [abate or terminate by reason of any action or proceeding brought by the attorney general under this](#)  
2 [section.](#)

3 [\(d\) This section does not apply to entities or individuals subject to the exemptions set forth](#)  
4 [in § 6-13.1-4.](#)

5 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 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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