

2014 -- H 7311

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LC003704
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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 - WEAPONS

Introduced By: Representatives Ajello, Cimini, Finn, Diaz, and Blazejewski

Date Introduced: January 30, 2014

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-5 of the General Laws in Chapter 11-47 entitled "Weapons"
2 is hereby amended to read as follows:

3 **11-47-5. Possession of arms by person convicted of crime of violence or who is a**
4 **fugitive from justice. --** (a) No person who has been convicted in this state or elsewhere of a
5 crime of violence or who is a fugitive from justice shall purchase, own, carry, transport, or have
6 in his or her possession any firearm.

7 (b) ~~Notwithstanding the provisions of subsection (a) of this section, no person convicted~~
8 ~~of an offense punishable as a felony offense under section 12-29-5 shall purchase, own, carry,~~
9 ~~transport, or have in his or her possession any firearm, for a period of two (2) years following the~~
10 ~~date of that conviction.~~ No person who is convicted of an offense punishable as a misdemeanor
11 offense under § 12-29-5 shall purchase, own, carry, transport, or have in his or her possession any
12 firearm for a period of two (2) years following the date of that conviction. Upon a second
13 conviction, no person shall purchase, own, carry, transport, or have in his or her possession any
14 firearm for a period of four (4) years following the date of that conviction.

15 (c) No person who is in community confinement pursuant to the provisions of section
16 42-56-20.2 or who is otherwise subject to electronic surveillance or monitoring devices as a
17 condition of parole shall purchase, carry, transport, or have in his or her possession any firearm.
18 This subsection shall not apply to any person who has not been convicted of (or pleaded guilty or
19 nolo contendere to) a crime of violence in a court of competent jurisdiction.

1 (d) Every person violating the provisions of this section shall, upon conviction, be
2 punished by imprisonment for not less than two (2) nor more than ten (10) years; and for
3 penalties provided in this section he or she shall not be afforded the benefit of suspension or
4 deferment of sentence nor of probation.

5 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 prevent anyone convicted of a misdemeanor domestic violence offense
- 2 from purchasing, owning, carrying, transporting, or possessing a firearm.
- 3 This act would take effect upon passage.

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