

2014 -- H 7940

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LC004938  
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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 Ruggiero, Chippendale, E Coderre, Craven, and Serpa

Date Introduced: March 13, 2014

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 11-47-6 of the General Laws in Chapter 11-47 entitled "Weapons"  
2 is hereby amended to read as follows:  
3           **11-47-6. Mental incompetents, drug addicts, and drunkards prohibited from**  
4 **possession. --** No person who is under guardianship or treatment or confinement by virtue of  
5 being a mental incompetent, or who has been adjudicated or is under treatment or confinement as  
6 a drug addict, ~~or who has been adjudicated or is under treatment or confinement as an habitual~~  
7 ~~drunkard,~~ shall purchase, own, carry, transport, or have in his or her possession or under his or  
8 her control any firearm. Any person affected by the provisions of this section, other than a person  
9 who has been pronounced criminally insane by competent medical authority, after the lapse of a  
10 period of five (5) years from the date of being pronounced cured by competent medical authority,  
11 may, upon presentation of an affidavit issued by competent medical authority to the effect that he  
12 or she is a mentally stable person and a proper person to possess firearms, make application for  
13 the purchase of the firearm(s). Any person affected by the provisions of this section, in making  
14 application for the purchase of firearms and in executing the application, voluntarily waives his or  
15 her right to refuse or refrain from disclosing any confidential information, including, but not  
16 limited to, any information arising from the physician-patient relationship, pertinent to a  
17 determination by the proper authorities regarding the approval or disapproval of this application.  
18 Any person affected by the provisions of this section, in making application for the purchase of  
19 firearms and in executing the application, further agrees to allow the proper authorities to

1 investigate any and all medical records of the applicant pertinent to a determination by the  
2 authorities regarding the approval or disapproval of this application. In the event that the  
3 application is approved, and if the person has no other disqualifying record, he or she will be  
4 allowed to purchase and possess firearms.

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 eliminate the prohibition against a person who has been adjudicated or is  
2 under treatment as a habitual drunkard from owning, purchasing, carrying, transporting or having  
3 in his or her possession any firearm.

4           This act would take effect upon passage.

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