

2016 -- S 2491

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LC004256
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO CRIMINAL OFFENSES - WEAPONS

Introduced By: Senators Coyne, Conley, Nesselbush, Metts, and Goodwin

Date Introduced: February 25, 2016

Referred To: Senate 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) No person who is subject to an order issued pursuant to chapter 8.1 of title 8 or**
8 **chapter 15 of title 15, or an equivalent order in this state or elsewhere, that was issued after the**
9 **restrained person received notice of the proceedings and had an opportunity to be heard, shall**
10 **purchase, own, carry, transport, or have in their possession or control any firearm.**

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

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

1 ~~(d)~~(e) 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 January 1, 2017.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES - WEAPONS

1 This act would prohibit any person subject to a domestic assault/domestic abuse
2 restraining order conviction of a felony offense for domestic violence, and serving a sentence
3 under community confinement, from owning or carrying a firearm.

4 This act would take effect on January 1, 2017.

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