

2016 -- S 2563

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LC004569  
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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 Goldin, Coyne, Miller, Metts, and Goodwin

Date Introduced: February 25, 2016

Referred To: Senate Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 11-47-11 and 11-47-18 of the General Laws in Chapter 11-47  
2 entitled "Weapons" are hereby amended to read as follows:  
3           **11-47-11. License or permit to carry concealed pistol or revolver.** -- (a) The licensing  
4 authorities of any city or town shall, upon application of any person twenty-one (21) years of age  
5 or over having a bona fide residence or place of business within the city or town, or of any person  
6 twenty-one (21) years of age or over having a bona fide residence within the United States and a  
7 license or permit to carry a pistol or revolver concealed upon his or her person issued by the  
8 authorities of any other state or subdivision of the United States, issue a license or permit to the  
9 person to carry concealed upon his or her person a pistol or revolver everywhere within this state  
10 for four (4) years from date of issue, if it appears that the applicant has good reason to fear an  
11 injury to his or her person or property or has any other proper reason for carrying a pistol or  
12 revolver, and that he or she is a suitable person to be so licensed. The license or permit shall be in  
13 triplicate in form to be prescribed by the attorney general and shall bear the fingerprint,  
14 photograph, name, address, description, and signature of the licensee and the reason given for  
15 desiring a license or permit and in no case shall it contain the serial number of any firearm. The  
16 original shall be delivered to the licensee. Any member of the licensing authority, its agents,  
17 servants, and employees shall be immune from suit in any action, civil or criminal, based upon  
18 any official act or decision, performed or made in good faith in issuing a license or permit under  
19 this chapter.

1 (b) Notwithstanding any other chapter or section of the general laws of the state of  
2 Rhode Island, the licensing authority of any city or town shall not provide or release to any  
3 individual, firm, association or corporation the name, address, or date of birth of any person who  
4 has held or currently holds a license or permit to carry a concealed pistol or revolver. This section  
5 shall not be construed to prohibit the release of any statistical data of a general nature relative to  
6 age, gender and racial or ethnic background nor shall it be construed to prevent the release of  
7 information to parties involved in any prosecution of § 11-47-8 or in response to a lawful  
8 subpoena in any criminal or civil action which the person is a party to that action.

9 (c) The person applying for a license or permit in subsection (a) of this section, must  
10 undergo a national criminal records check, which shall include fingerprints submitted to the  
11 federal bureau of investigation (FBI) by the local police department. The applicant shall be  
12 responsible for the cost of conducting the national criminal records check.

13 **11-47-18. License or permit issued by attorney general on showing of need --**  
14 **Issuance to retired police officers. --** (a) The attorney general may issue a license or permit to  
15 any person twenty-one (21) years of age or over to carry a pistol or revolver, whether concealed  
16 or not, upon his or her person upon a proper showing of need, subject to the provisions of §§ 11-  
17 47-12 and 11-47-15; that license or permit may be issued notwithstanding the provisions of § 11-  
18 47-7. The person must undergo a national criminal records check, which shall include fingerprints  
19 submitted to the federal bureau of investigation (FBI) by the bureau of criminal identification of  
20 the department of attorney general. The applicant shall be responsible for the cost of conducting  
21 the national criminal records check.

22 (b) All state police officers and permanent members of city and town police forces of  
23 this state who have retired in good standing after at least twenty (20) years of service, or retired in  
24 good standing due to a physical disability other than a psychological impairment, may be issued a  
25 license or permit by the attorney general subject to the provisions of §§ 11-47-12 and 11-47-15.  
26 The term "in good standing" means that at the time of retirement, the police officer was not facing  
27 disciplinary action that could have resulted in his or her termination for misconduct or unfitness  
28 for office. Any member of the licensing authority, and its agents, servants, and employees shall  
29 be immune from suit in any action, civil or criminal, based upon any official act or decision,  
30 performed or made in good faith in issuing a license or permit under this chapter.

31 (c) Notwithstanding any other chapter or section of the general laws of the state of  
32 Rhode Island, the attorney general shall not provide or release to any individual, firm, association  
33 or corporation the name, address, or date of birth of any person who has held or currently holds a  
34 license or permit to carry a concealed pistol or revolver. This section shall not be construed to

1 prohibit the release of any statistical data of a general nature relative to age, gender and racial or  
2 ethnic background nor shall it be construed to prevent the release of information to parties  
3 involved in any prosecution of § 11-47-8 or in response to a lawful subpoena in any criminal or  
4 civil action which said person is a party to such action.

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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RELATING TO CRIMINAL OFFENSES - WEAPONS

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1           This act would require that every person applying for a concealed weapons permit,  
2 whether through the local police department or through the office of the attorney general, to  
3 undergo a national criminal records check, including the submission of fingerprints for which the  
4 applicant shall bear the cost.

5           This act would take effect upon passage.

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