

2023 -- S 0626

LC001527

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Senators DeLuca, Ciccone, de la Cruz, E Morgan, Rogers, and Lombardo

Date Introduced: March 07, 2023

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-47-10 and 11-47-8 of the General Laws in Chapter 11-47 entitled
2 "Weapons" are hereby amended to read as follows:

3 **11-47-10. ~~License or permit not required to carry to target range~~ Exceptions to license**
4 **requirement.**

5 (a) A lawful resident of this state, who is twenty-one (21) years of age or older, who is not
6 otherwise prohibited from owning or possessing a firearm, shall be allowed to carry a concealed
7 handgun without a permit, subject to the following conditions:

8 (1) The individual shall have a certificate of qualification issued in accordance with § 11-
9 47-15 (law enforcement personnel may possess a Certification of the RI Combat Course) from an
10 N.R.A. instructor or a police range officer. The certificate shall include the date of the qualification,
11 the printed name, phone number of the instructor, instructor N.R.A. number, the caliber of the
12 weapon and a passing score. The qualification certification may not be more than four (4) years
13 old.

14 (2) The individual shall have a pistol/revolver safety certificate or hunter safety certificate,
15 issued and/or recognized by the Rhode Island department of environmental management.

16 (3) The individual shall have in their possession, a valid photo identification issued by a
17 state or governmental agency and present the identification immediately, upon demand by a law
18 enforcement officer.

19 (b) Notwithstanding the provisions of subsection (a) of this section, no ~~No~~ license or permit

1 shall be required for the purpose of carrying or transporting any pistol or revolver from one's home
2 or place of business to a bona fide target practice range, nor from a bona fide target practice range
3 to one's home or place of business, to engage in any shoot meet, or practice, provided that the pistol
4 or revolver is broken down, unloaded and carried as openly as circumstances will permit, or
5 provided that the pistols or revolvers are unloaded and secured in a separate container suitable for
6 the purpose.

7 ~~11-47-8. License or permit required for carrying pistol—Other weapons prohibited~~

8 Firearm prohibitions.

9 (a) Except as provided in § 11-47-10, no ~~No~~ person shall, without a license or permit issued
10 as provided in §§ 11-47-11, 11-47-12, and 11-47-18, carry a pistol or revolver in any vehicle or
11 conveyance or on or about his or her person whether visible or concealed, except in his or her
12 dwelling house or place of business or on land possessed by him or her or as provided in §§ 11-47-
13 9 and 11-47-10. The provisions of these sections shall not apply to any person who is the holder of
14 a valid license or permit issued by the licensing authority of another state, or territory of the United
15 States, or political subdivision of the state or territory, allowing him or her to carry a pistol or
16 revolver in any vehicle or conveyance or on or about his or her person whether visible or concealed,
17 provided the person is merely transporting the firearm through the state in a vehicle or other
18 conveyance without any intent on the part of the person to detain him or herself or remain within
19 the state of Rhode Island. No person shall manufacture, sell, purchase, or possess a machine gun
20 except as otherwise provided in this chapter. Every person violating the provision of this section
21 shall, upon conviction, be punished by imprisonment for not less than one nor more than ten (10)
22 years, or by a fine up to ten thousand dollars (\$10,000), or both, and except for a first conviction
23 under this section, shall not be afforded the provisions of suspension or deferment of sentence, nor
24 a probation.

25 (b) No person shall have in his or her possession or under his or her control any sawed-off
26 shotgun or sawed-off rifle as defined in § 11-47-2. Any person convicted of violating this
27 subsection shall be punished by imprisonment for up to ten (10) years, or by a fine of up to five
28 thousand dollars (\$5,000), or both.

29 (c) No person shall have in his or her possession or under his or her control any firearm
30 while the person delivers, possesses with intent to deliver, or manufactures a controlled substance.
31 Any person convicted of violating this subsection shall be punished by imprisonment for not less
32 than two (2) years nor more than twenty (20) years, and the sentence shall be consecutive to any
33 sentence the person may receive for the delivery, possession with intent to deliver, or the
34 manufacture of the controlled substance. It shall not be a defense to a violation of this subsection

1 that a person has a license or permit to carry or possess a firearm.

2 (d) It shall be unlawful for any person to possess a bump-fire device, binary trigger, trigger
3 crank, or any other device that when attached to a semi-automatic weapon allows full-automatic
4 fire. Individuals who possess these items shall have ninety (90) days from the enactment of this
5 section to either sell, destroy, or otherwise remove these items from the state of Rhode Island. Every
6 person violating the provisions of this section shall, upon conviction, be punished by imprisonment
7 for not less than one nor more than ten (10) years, or by a fine up to ten thousand dollars (\$10,000),
8 or both, and, except for a first conviction under this section, shall not be afforded the provisions of
9 suspension or deferment of sentence, nor a probation.

10 (e) No person shall manufacture, sell, offer to sell, transfer, purchase, possess, or have
11 under his or her control a ghost gun or an undetectable firearm or any firearm produced by a 3D
12 printing process. Any person convicted of violating this subsection shall be punished by
13 imprisonment of not more than ten (10) years, or by a fine up to ten thousand dollars (\$10,000), or
14 both and except for a first conviction under this section shall not be afforded the provisions of
15 suspension or deferment of sentence, probation, nor fine. These provisions shall not apply to
16 federally licensed manufacturers (FLN) pursuant to Alcohol, Tobacco, Firearms, and Explosives
17 (ATF) regulations.

18 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 CRIMINAL OFFENSES -- WEAPONS

1 This act would permit Rhode Island residents, twenty-one (21) years of age or older, to
2 carry a concealed handgun, without a permit, subject to meeting four (4) conditions: (1) That the
3 person is not prohibited by law from possessing a firearm; (2) That the handgun carrier must possess
4 a certificate of qualification of shooting proficiency; (3) That the carrier has a safety certificate
5 recognized by the Rhode Island department of environmental management; and (4) That the carrier
6 has, in their possession, a governmental issued photo identification.

7 This act would take effect upon passage.

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