

2024 -- S 2108

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Senators DeLuca, Paolino, Rogers, and de la Cruz

Date Introduced: January 12, 2024

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

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

3 **11-47-8. ~~License or permit required for carrying pistol — Other weapons prohibited~~**
4 **Firearm prohibitions.**

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

1 a probation.

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

6 (c) No person shall have in his or her possession or under his or her control any firearm
7 while the person delivers, possesses with intent to deliver, or manufactures a controlled substance.
8 Any person convicted of violating this subsection shall be punished by imprisonment for not less
9 than two (2) years nor more than twenty (20) years, and the sentence shall be consecutive to any
10 sentence the person may receive for the delivery, possession with intent to deliver, or the
11 manufacture of the controlled substance. It shall not be a defense to a violation of this subsection
12 that a person has a license or permit to carry or possess a firearm.

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

21 (e) No person shall manufacture, sell, offer to sell, transfer, purchase, possess, or have
22 under his or her control a ghost gun or an undetectable firearm or any firearm produced by a 3D
23 printing process. Any person convicted of violating this subsection shall be punished by
24 imprisonment of not more than ten (10) years, or by a fine up to ten thousand dollars (\$10,000), or
25 both and except for a first conviction under this section shall not be afforded the provisions of
26 suspension or deferment of sentence, probation, nor fine. These provisions shall not apply to
27 federally licensed manufacturers (Federal Firearm License Type 07) pursuant to Alcohol, Tobacco,
28 Firearms, and Explosives (ATF) regulations.

29 **11-47-10. ~~License or permit not required to carry to target range~~ Exceptions to license**
30 **requirement.**

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

34 (1) The individual shall have a certificate of qualification issued in accordance with § 11-

1 47-15 (law enforcement personnel may possess a Certification of the RI Combat Course) from an
2 N.R.A. instructor or a police range office. The certificate shall include the date of the qualification,
3 the printed name, phone number of the instructor, instructor N.R.A. number, the caliber of the
4 weapon and a passing score. The qualification certification may not be more than four (4) years
5 old.

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

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

11 (b) Notwithstanding the provisions of subsection (a) of this section, no ~~No~~ license or permit
12 shall be required for the purpose of carrying or transporting any pistol or revolver from one's home
13 or place of business to a bona fide target practice range, nor from a bona fide target practice range
14 to one's home or place of business, to engage in any shoot meet, or practice, provided that the pistol
15 or revolver is broken down, unloaded and carried as openly as circumstances will permit, or
16 provided that the pistols or revolvers are unloaded and secured in a separate container suitable for
17 the purpose.

18 SECTION 3. 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

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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