

2025 -- H 5443

LC001478

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO HEALTH AND SAFETY -- SUICIDE PREVENTION--VOLUNTARY
FIREARM RESTRICTIONS ACT

Introduced By: Representatives Boylan, Ajello, Knight, McEntee, Craven, Caldwell,
Dawson, Batista, Cruz, and Felix

Date Introduced: February 12, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 104

4 SUICIDE PREVENTION--VOLUNTARY FIREARM RESTRICTIONS ACT

5 **23-104-1. Short title.**

6 This chapter shall be known and may be cited as the "Suicide Prevention--Voluntary
7 Firearm Restrictions Act."

8 **23-104-2. Definitions.**

9 When used in this chapter, the following words and phrases are construed as follows:

10 (1) "Cohabitant" means an individual who is twenty-one (21) years of age or older who
11 resides in the same residence as one or more other individuals.

12 (2) "Department" means the department of attorney general and its bureau of criminal
13 identification (BCI).

14 (3) "Firearm" shall have the same meaning as defined in § 11-47-2.

15 (4) "Healthcare provider" means person who provides healthcare or professional services
16 related to healthcare and who is acting within the scope of the person's license, certification,
17 practice, education or training.

18 (5) "Illegal firearm" means and includes, but is not limited to, any ghost gun, undetectable

1 firearm, sawed-off shotgun, machine gun or any other firearm illegal to possess pursuant to chapter
2 47 of title 11.

3 (6) "Indefinite list" means the list established pursuant to the provisions of § 23-104-
4 3(b)(2).

5 (7) "Law enforcement agency" means any municipal or state police agency or any sworn
6 law enforcement officer of that agency.

7 (8) "Owner cohabitant" means a cohabitant who owns, in whole or in part, any firearm.

8 (9) "Restricted list" means the list established pursuant to the provisions of § 23-104-
9 3(b)(2).

10 (10) "Temporary list" means the list established pursuant to the provisions of § 23-104-
11 3(b)(1).

12 **23-104-3. Voluntary restrictions on firearm purchase and possession.**

13 (a) An individual who is not otherwise prohibited from possessing a firearm pursuant to
14 the provisions of chapter 47 of title 11 ("weapons") or any other provision of federal or state law,
15 may voluntarily request to be placed on a restricted list, as set forth herein, which would prohibit
16 the individual from purchasing, possessing or having within that individual's custody or control,
17 any firearm.

18 (b) An individual requesting inclusion on a restricted list may request placement on one of
19 the following lists:

20 (1) A restricted list that restricts the individual from purchasing or possessing a firearm for
21 one hundred eighty (180) days (temporary list) with automatic removal from the list at the end of
22 that time period; provided, however, the individual may request removal from the list on or after
23 thirty (30) days after the day on which the individual was added to the restricted list. No request by
24 the individual to be removed shall be denied; or

25 (2) A restricted list that restricts the individual from purchasing or possessing a firearm
26 indefinitely and which allows the individual to request removal from the list on or after ninety (90)
27 days after the day on which the individual was added to the restricted list. No request by the
28 individual to be removed shall be denied.

29 **23-104-4. Forms -- Information to be provided by and to the department of attorney**
30 **general.**

31 (a) The department shall develop a process and forms for inclusion on, and removal from,
32 the restricted lists, as described in § 23-104-3. Forms developed shall be maintained by the
33 department and shall be made available by download through the department's website and in paper
34 form at its various locations throughout the state. The forms shall provide for the individual's

1 personal information to include, but not be limited to, the following:

2 (1) Name;

3 (2) Address;

4 (3) Date of birth;

5 (4) Contact information, to include phone number(s) and email address(es);

6 (5) A copy of the individual's drivers' license or other governmentally-issued identification
7 card;

8 (6) The individual's signature; and

9 (7) An acknowledgement as provided in § 23-104-7.

10 (b) Any individual requesting inclusion on either restricted list as set forth in § 23-104-3,
11 shall:

12 (1) Deliver the completed form, in person, to either the law enforcement agency for the
13 city or town in which the individual resides, or to the Rhode Island state police. The law
14 enforcement agency shall then transmit true copies of the information to the department; or

15 (2) Direct the individual's healthcare provider to electronically deliver the individual's
16 completed form to the department. The department, upon receiving a request from any healthcare
17 provider for the individual, shall:

18 (i) Verify the individual's identity by requiring the healthcare provider to transmit a copy
19 of the individual's drivers' license or other governmentally issued identification card;

20 (ii) Require the healthcare provider to provide a medical release form signed by the
21 individual in the presence of a notary public, authorizing the healthcare provider to release the form
22 and other pertinent information to the department; and

23 (iii) In addition to the acknowledgement signed by the individual, the healthcare provider
24 shall also sign an acknowledgement as provided in § 23-104-7.

25 (3) The department may not, except as provided in subsection (b)(2) of this section, accept
26 a form from any other person other than the individual named on the form.

27 **23-104-5. Inclusion -- Removal from list.**

28 (a) Upon receipt of a verified form, as provided herein, requesting that an individual be
29 included on a restricted list, the department shall, within twenty-four (24) hours, add the individual
30 to the restricted list as requested.

31 (b) An individual added, at their request, to the temporary list, may not request removal
32 from the list unless the individual has been restricted for at least thirty (30) days.

33 (c) The department shall, absent a request by the individual to extend their inclusion on the
34 list, remove the individual's name and other identifying information from the list at the end of the

1 one hundred eighty (180) days. The department shall not require any action on the part of the
2 individual for this automatic removal from the list.

3 (d) The individual may request to remain on the list in the same manner and on the same
4 form as initially requested;

5 (e) An individual added, at their request, to the indefinite list, may not request removal
6 from the list unless the individual has been restricted for at least ninety (90) days. The individual's
7 name and information shall not be removed from the indefinite list unless and until the individual,
8 consistent with this section, requests that their name and information be removed from the list.

9 **23-104-6. Concealed permit holders.**

10 If an individual restricted pursuant to the provisions of this chapter is a concealed firearm
11 permit holder, the individual's permit shall be:

12 (1) Suspended upon entry and inclusion on the restricted list;

13 (2) Reinstated immediately upon removal from the restricted list, unless:

14 (i) The permit has expired, been revoked or suspended for other reasons unrelated to the
15 voluntary restrictions imposed pursuant to this chapter; or

16 (ii) The individual has become a prohibited person pursuant to the provisions of chapter 47
17 of title 11 or any other provision of federal or state law.

18 **23-104-7. Acknowledgement of individual requesting to be restricted.**

19 (a) An individual requesting to be temporarily restricted from purchasing or possessing any
20 firearm shall complete and sign the form which shall include the following language:

21 ACKNOWLEDGMENT

22 By presenting this completed form to a law enforcement agency, I understand that I am
23 requesting that my name be placed on a restricted list that prohibits my ability to purchase or
24 possess firearms for a minimum of thirty (30) days, and up to six (6) months.

25 I understand that by voluntarily making myself a temporarily restricted person, I may not
26 have any firearm in my possession, custody or control and may not attempt to purchase any firearm
27 while I am on the restricted list. I also understand that any time after thirty (30) days, I may request
28 removal from the list and all previous rights I possessed to purchase and possess firearms shall be
29 restored.

30 In addition, if I am in possession of a concealed carry permit, that permit shall be suspended
31 during the time that I am on the restricted list; provided, however, that permit shall be reinstated
32 unless the permit has expired, been suspended or revoked for reasons unrelated to the voluntary
33 restrictions, or I have become prohibited from possessing a firearm pursuant to and in accordance
34 with the provisions of chapter 47 of title 11 or any other provision of federal or state law.

1 Additionally, I acknowledge that should I possess or attempt to purchase a firearm in any
2 other state during the time in which I am restricted, that I shall be subject to any law of that
3 jurisdiction regarding restricted or prohibited persons.

4 (b) An individual requesting to be indefinitely restricted from purchasing or possessing any
5 firearm shall, complete and sign the form which shall include the following language:

6 ACKNOWLEDGMENT

7 By presenting this completed form to a law enforcement agency, I understand that I am
8 requesting that my name be placed on an indefinitely restricted list that prohibits my ability to
9 purchase or possess firearms for a minimum of ninety (90) days, and for an indefinite time unless
10 I request removal from the restricted list.

11 I understand that by voluntarily making myself a temporarily restricted person, I may not
12 have any firearm in my possession, custody or control and may not attempt to purchase any firearm
13 while I am on the restricted list. I also understand that any time after ninety (90) days, I may request
14 removal from the list and all previous rights I possessed to purchase and possess firearms shall be
15 restored.

16 In addition, if I am in possession of a concealed carry permit, that permit shall be suspended
17 during the time that I am on the restricted list; provided, however, that permit shall be reinstated
18 unless the permit has expired, been suspended or revoked for reasons unrelated to the voluntary
19 restrictions, or I have become prohibited from possessing a firearm pursuant to and in accordance
20 with the provisions of chapter 47 of title 11 or any other provision of federal or state law.

21 Additionally, I acknowledge that should I possess or attempt to purchase a firearm in any
22 other state during the time in which I am restricted, that I shall be subject to any law of that
23 jurisdiction regarding restricted or prohibited persons.

24 (c) An individual requesting inclusion on a restricted list by and through a healthcare
25 provider and the healthcare provider that completes and/or provides a voluntary restriction form on
26 behalf of a patient shall complete and sign a form including the following language:

27 ACKNOWLEDGEMENT

28 By presenting this completed form to my healthcare provider, I understand that I am
29 requesting that my healthcare provider present my name to the department of attorney general to
30 be placed on a restricted list that prohibits my ability to purchase or possess a firearm. I have signed
31 an acknowledgment, included herewith, and understand the restrictions to which I am voluntarily
32 subjecting myself. I have discussed with my healthcare provider the following acknowledgment
33 which contains my healthcare provider's signature.

34 _____

1 To be signed by healthcare provider:

2 By presenting this completed form to the department of attorney general, I understand that
3 I am acknowledging that I have verified the identify of _____ seeking inclusion
4 on a list restricting the patient's right to purchase and / or possess firearms.

5 I affirm that _____ is currently my patient, and that I am a licensed
6 healthcare provider acting within the scope of my license, certification, practice, education and/or
7 training and that to the best of my knowledge, _____ is requesting inclusion on
8 the restricted list freely and voluntarily.

9 _____

10 **23-104-8. Removal from restricted list.**

11 (a) An individual requesting removal from either the temporary or indefinite restricted lists
12 shall complete and deliver a removal form to the law enforcement agency and or department which
13 processed the inclusion form.

14 (b) The law enforcement agency:

15 (1) Shall verify the individual's identity before accepting the removal form;

16 (2) May not accept a removal form from someone other than the individual named on the
17 form;

18 (3) Shall transmit the removal form electronically to the department and BCI within
19 twenty-four (24) hours of its receipt from the individual; and

20 (4) Remove the individual and their information from its database within twenty-four (24)
21 hours of receipt of the removal form from the individual.

22 (c) The department/BCI shall remove the individual from the restricted list in its database
23 and provide the information mandating the individual's removal from the list to the National Instant
24 Criminal Background Check System.

25 **23-104-9. Maintenance -- Destruction of records.**

26 (a) The department and/or law enforcement agencies shall maintain all records relative to
27 the voluntary restriction lists generated pursuant to this chapter. Any records generated relative to
28 any request to be included on the lists or records requesting the removal from the restricted lists,
29 shall not be open or available for access by the public pursuant to chapter 2 of title 38 ("access to
30 public records").

31 (b) Upon receipt of a request by the individual to be removed from the restricted lists, or
32 upon expiration of the one hundred and eighty (180) days for the temporary list, and upon
33 completion of the individual's removal from the list, the department/ BCI and law enforcement
34 agencies shall destroy the entire file and all records associated with the individual's inclusion on

1 the restricted list. For purposes of this subsection, the entire file and all records includes, but is not
2 limited to, all electronic records, paper records or any other reference to the individual's inclusion
3 and removal from the restricted list.

4 (c) The individual's inclusion or removal from the lists shall not be used by the department
5 or law enforcement agencies for purposes of any background checks for the purchase or possession
6 of firearms by the individual and shall not be considered in any application for a concealed carry
7 permit or the renewal of any such permit.

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

=====
LC001478
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- SUICIDE PREVENTION--VOLUNTARY
FIREARM RESTRICTIONS ACT

1 This act would create a process for an individual to voluntarily be either temporarily or
2 indefinitely added to a list restricting their rights to purchase or possess firearms. The individual
3 may also request removal from the restricted list and all individual records related to the person's
4 inclusion on the list would be destroyed and not subject to the access to public records act.

5 This act would take effect upon passage.

=====
LC001478
=====