

2014 -- H 7857

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS--FIREARMS ACT

Introduced By: Representatives Tanzi, Ajello, Cimini, Almeida, and Williams

Date Introduced: March 04, 2014

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-47 of the General Laws entitled "Weapons" is hereby amended
2 by adding thereto the following section:

3 **11-47-63. Firearm violence prevention fund.** – (a) The general treasurer shall establish
4 a firearm violence prevention fund account within the general fund for the purpose of
5 disbursements granted pursuant to this section.

6 (b) The court shall assess as court costs the sum of fifty dollars (\$50.00) in addition to
7 those provided by law against all defendants charged and who plead nolo contendere, guilty or
8 who are found guilty of the commission of the following offenses:

9 (1) Carrying dangerous weapons or substances when committing a crime of violence;

10 (2) Carrying a stolen firearm when committing a crime of violence;

11 (3) Using a firearm when committing a crime of violence;

12 (4) Possession of arms by a person convicted of a crime of violence or who is a fugitive
13 from justice;

14 (5) Larceny of a firearm;

15 (6) License or permit required for carrying pistol – possession of machine gun;

16 (7) Sale or possession of silencers;

17 (8) Armor-piercing bullets;

18 (9) Possession during the commission of a felony;

19 (10) Injury or death of law enforcement officer;

- 1 (11) Body armor;
- 2 (12) Restrictions on possession or carrying of explosives or noxious substances;
- 3 (13) False information in securing firearm or license;
- 4 (14) Altercation of marks of identification on firearms;
- 5 (15) Sale, transfer or delivery of firearms to minors;
- 6 (16) Sale, transfer or delivery of ammunition to minors;
- 7 (17) Sale of concealable weapons;
- 8 (18) Sale of rifles/shotguns;
- 9 (19) Weapons other than firearms prohibited;
- 10 (20) Display of weapons;
- 11 (21) Report of gunshot wounds;
- 12 (22) Report of lost or stolen weapons;
- 13 (23) Firing across highways prohibited;
- 14 (24) Firing in Blackstone Valley Flood Plain prohibited;
- 15 (25) Firing without landowner's permission – firing in compact area;
- 16 (26) Loaded weapons in vehicles;
- 17 (27) Discharge of firearm or incendiary or explosive substance or device from motor
- 18 vehicle;
- 19 (28) Carrying of weapon while under the influence of liquor or drugs;
- 20 (29) Licensing of shooting galleries;
- 21 (30) Possession of knife during the commission of a crime;
- 22 (31) Possession of firearms on school grounds;
- 23 (32) Safe storage; and
- 24 (33) Drive-by shootings.
- 25 (c) These costs shall be assessed whether or not the defendant is sentenced to prison and
- 26 in no case shall they be waived by the court.
- 27 (d) When there are multiple counts or multiple charges to be disposed of simultaneously,
- 28 the judge shall have the authority to suspend the obligation of the defendant to pay on all counts
- 29 or charges above three (3).
- 30 (e) The funds raised under this section shall be distributed monthly to the office of the
- 31 general treasurer who shall, on a yearly basis, distribute the funds in equal amounts to 501(c)(3),
- 32 nonprofit organizations who have programs in non-violence, violence prevention and victim's
- 33 services in a majority of cities and towns in Rhode Island. The general treasurer shall annually
- 34 solicit applications and certify the list of 501(c)(3), nonprofit organizations who meet these

1 requirements.

2 (f) All moneys assessed pursuant to subsection (b) of this section as costs against
3 defendants as provided in this section shall be paid by the clerks of the family, district and
4 superior courts to the general treasurer who shall keep the funds in the firearm violence
5 prevention fund account for yearly distribution.

6 (g) The general treasurer shall transmit to the governor and to the legislature an annual
7 report setting forth:

8 (1) The amount of money in the fund at the start of the year;

9 (2) The amount of payments ordered to be contributed to the fund during the year;

10 (3) The amount of funds collected during the year;

11 (4) The amount of money disbursed from the fund during the year; and

12 (5) Any proposed legislative and other change to the program.

13 SECTION 2. This act shall take effect on September 1, 2014, and shall apply to all cases
14 pending adjudication by the various courts.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO CRIMINAL OFFENSES -- WEAPONS--FIREARMS ACT

1 This act would create a firearm violence prevention fund generated from an additional
2 court cost of fifty dollars (\$50.00) assessed against individuals convicted of crimes and offenses
3 involving firearms. The fines would be held by the general treasurer for yearly distribution to
4 certain 501(c)(3) nonprofit organizations with programs in non-violence and violence prevention.

5 This act would take effect on September 1, 2014, and would apply to all cases pending
6 adjudication by the various courts.

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