

**STATE OF RHODE ISLAND**

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Senators Seveney, Coyne, DiPalma, Pearson, and Conley

Date Introduced: January 11, 2018

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 11-47-2 of the General Laws in Chapter 11-47 entitled "Weapons"

2 is hereby amended to read as follows:

3           **11-47-2. Definitions.**

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

5           (1) "Antique firearm" is defined as that term is defined under the provisions of 18 U.S.C.  
6 § 921.

7           (2) "Bump stock" means any device which replaces a semi-automatic weapon's standard  
8 stock and is designed to slide back and forth rapidly, harnessing the weapon's recoil to rapidly fire  
9 the weapon.

10           ~~(2)~~(3) "Crime of violence" means and includes any of the following crimes or an attempt  
11 to commit any of them: murder, manslaughter, rape, first or second degree sexual assault, first or  
12 second degree child molestation, kidnapping, first and second degree arson, mayhem, robbery,  
13 burglary, breaking and entering, any felony violation involving the illegal manufacture, sale, or  
14 delivery of a controlled substance, or possession with intent to manufacture, sell, or deliver a  
15 controlled substance classified in schedule I or schedule II of § 21-28-2.08, any violation of § 21-  
16 28-4.01.1 or 21-28-4.01.2 or conspiracy to commit any violation of these statutes, assault with a  
17 dangerous weapon, assault or battery involving grave bodily injury, and/or assault with intent to  
18 commit any offense punishable as a felony; upon any conviction of an offense punishable as a  
19 felony offense under § 12-29-5.

1           ~~(3)~~(4) "Firearm" includes any machine gun, pistol, rifle, air rifle, air pistol, "blank gun,"  
2 "BB gun," or other instrument from which steel or metal projectiles are propelled, or which may  
3 readily be converted to expel a projectile, except crossbows, recurve, compound, or longbows,  
4 and except instruments propelling projectiles which are designed or normally used for a primary  
5 purpose other than as a weapon. The frame or receiver of the weapon shall be construed as a  
6 firearm under the provisions of this section.

7           ~~(4)~~(5) "Fugitive from justice" means any person who has fled from any state, territory,  
8 the District of Columbia, or possession of the United States to avoid prosecution for a crime of  
9 violence or to avoid giving testimony in any criminal proceeding.

10           (5)(6) "Licensing authorities" means the board of police commissioners of a city or town  
11 where the board has been instituted, the chief of police or superintendent of police of other cities  
12 and towns having a regular organized police force, and, in towns where there is no chief of police  
13 or superintendent of police, it means the town clerk who may issue licenses upon the  
14 recommendation of the town sergeant, and it also means any other person or body duly authorized  
15 by the city or town charter or by state law.

16           ~~(6)~~(7) "Machine gun" means any weapon which shoots, is designed to shoot, or can be  
17 readily restored to shoot automatically more than one shot, without manual reloading, by a single  
18 function of the trigger. The term also includes the frame or receiver of the weapon, any  
19 combination of parts designed and intended for use in converting a weapon into a machine gun,  
20 and any combination of parts from which a machine gun can be assembled if the parts are in the  
21 possession or under the control of a person.

22           ~~(7)~~(8) "Person" includes an individual, partnership, firm, association, or corporation.

23           ~~(8)~~(9) "Pistol" includes any pistol or revolver, and any shotgun, rifle, or similar weapon  
24 with overall length less than twenty-six inches (26"), but does not include any pistol or revolver  
25 designed for the use of blank cartridges only.

26           ~~(9)~~(10) "Sawed-off rifle" means any rifle with overall length of less than twenty-six  
27 inches (26") and/or barrel length of less than sixteen inches (16").

28           ~~(10)~~(11) "Sawed-off shotgun" means any shotgun with overall length of less than twenty-  
29 six inches (26") and/or barrel length of less than eighteen inches (18").

30           ~~(11)~~(12) "Sell" includes let or hire, give, lend, and transfer, and "purchase" includes hire,  
31 accept, and borrow, and "purchasing" shall be construed accordingly.

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

34           **11-47-8.1. Bump stock.**

1           It shall be unlawful for any person to knowingly possess, transport, manufacture, ship or  
2 sell a bump stock as defined in §11-47-2, regardless of whether the person is in possession of a  
3 firearm. Every person violating the provisions of this section shall upon conviction be punished  
4 by imprisonment for a period of not more than five (5) years and/or by a fine up to fifteen  
5 thousand dollars (\$15,000), or both, except that any person in possession of a bump stock on the  
6 date of passage of this act shall have twenty-four (24) hours from the effective date of this act to  
7 surrender the bump stock to state or local police, and possession of a bump stock during this  
8 surrender period shall not constitute an offense under this section.

9           SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would make it unlawful to possess, transport, manufacture, ship or sell a bump  
2 stock. Violation would subject the offender to imprisonment for a period of not more than five (5)  
3 years and/or a fine up to fifteen thousand dollars (\$15,000) or both.

4           This act would take effect upon passage.

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