

2019 -- H 5739

LC001629

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO CRIMINAL OFFENSES -- LARGE CAPACITY FEEDING DEVICE BAN

Introduced By: Representatives Caldwell, McEntee, Tanzi, Cassar, and Kazarian

Date Introduced: February 27, 2019

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 11 of the General Laws entitled "CRIMINAL OFFENSES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 47.1

4 LARGE CAPACITY FEEDING DEVICE BAN ACT OF 2019

5 **11-47.1-1. Short title.**

6 This chapter shall be known and may be cited as the "Rhode Island Large Capacity
7 Feeding Device Ban Act of 2019."

8 **11-47.1-2. Definitions.**

9 As used in this chapter:

10 (1)"Large capacity feeding device" means a magazine, box, drum, tube, belt, feed strip, or
11 other container which is capable of holding more than ten (10) rounds of ammunition to be fed
12 continuously and directly therefrom into a semi-automatic firearm. The term "large capacity
13 feeding device" shall include an ammunition feeding device with a removable floor plate or end
14 plate, if the device can readily be extended to accept more than ten (10) rounds of ammunition.
15 The term shall not include an attached tubular device which is capable of holding only .22 caliber
16 rim fire ammunition.

17 (2) "Federally licensed firearm dealer" means a person who holds a valid federal firearm
18 dealers license issued pursuant to 18 U.S.C. § 923(a).

19 **11-47.1-3. Large capacity feeding device prohibited.**

1 (a) No person, except for a federally licensed firearms dealer, shall manufacture, sell,
2 offer to sell, transfer, purchase, possess, or have under his or her control a large capacity feeding
3 device, except as otherwise authorized under this chapter. Any person convicted of violating the
4 provisions of this section shall be punished by a fine of up to five thousand dollars (\$5,000) or by
5 imprisonment of not more than five (5) years, and except for a first conviction under this section,
6 shall not be afforded the provisions of suspension or deferment of sentence, nor probation. The
7 large capacity feeding device shall be subject to forfeiture.

8 (b) Subsection (a) of this section shall not apply to a person who:

9 (1) On the effective date of this chapter, lawfully possessed a large capacity feeding
10 device within one hundred eighty (180) days of the effective date of this chapter:

11 (i) Modifies the large capacity feeding device such that it cannot hold more than ten (10)
12 rounds of ammunition;

13 (ii) Surrenders the large capacity feeding device to the police department in the city or
14 town where the person resides, in accordance with the procedures for surrender of weapons set
15 forth by the police department or the Rhode Island state police, or, if there is no such police
16 department or the person resides out of state, to the Rhode Island state police; or

17 (iii) Transfers or sells the large capacity feeding device to a federally licensed firearm
18 dealer or person or firm lawfully entitled to own or possess a feeding device.

19 (2) Is a law enforcement officer exempt under §§ 11-47-9 and 11-47-9.1; or a retired law
20 enforcement officer exempt under §§ 11-47-9 and 11-47-9.1 who is not otherwise prohibited from
21 receiving such a feeding device from an agency upon retirement, and who has a permit to carry
22 pursuant to § 11-47-18(b).

23 (3) An active duty member of the armed forces of the United States or the National Guard
24 who is authorized to possess and carry assault weapons.

25 SECTION 2. 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 -- LARGE CAPACITY FEEDING DEVICE BAN

1 This act would prohibit the sale or possession of a large capacity feeding device capable
2 of holding more than ten (10) rounds of ammunition for use on a semi-automatic firearm
3 punishable by a fine up to five thousand dollars (\$5,000) or imprisonment up to five (5) years
4 with exceptions for law enforcement and military personnel.

5 This act would take effect upon passage.

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