

2021 -- H 5558

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Representatives Perez, Vella-Wilkinson, Williams, Cardillo, and Corvese

Date Introduced: February 12, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

3 **11-47-8. License or permit required for carrying pistol -- Other weapons prohibited.**

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

1 the provisions of suspension or deferment of sentence, nor 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 (FLN) pursuant to Alcohol, Tobacco, Firearms, and Explosives
28 (ATF) regulations.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would allow those persons with concealed carry permits issued by other states to
2 carry upon their person weapons in Rhode Island provided that the issuing state recognizes and
3 gives reciprocity to Rhode Island permit holders.

4 This act would take effect upon passage.

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