

2022 -- H 8318

LC006077

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS-WEAPONS ON  
SCHOOL GROUNDS

Introduced By: Representatives Solomon, Casey, Corvese, Bennett, Hawkins, Casimiro,  
Azzinaro, Vella-Wilkinson, Perez, and O'Brien

Date Introduced: June 03, 2022

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-60 of the General Laws in Chapter 11-47 entitled "Weapons"  
2 is hereby amended to read as follows:

3 **11-47-60. Possession of firearms on school grounds.**

4 (a)(1) No person shall have in his or her possession any firearm or other weapons on school  
5 grounds.

6 (2) For the purposes of this section, "school grounds" means the property of a public or  
7 private elementary or secondary school or in those portions of any building, stadium, or other  
8 structure on school grounds that were, at the time of the violation, being used for an activity  
9 sponsored by or through a school in this state or while riding school-provided transportation.

10 (3) Every person violating the provisions of this section shall, upon conviction, be  
11 sentenced to imprisonment for not less than one year nor more than five (5) years, or shall be fined  
12 not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5,000).

13 (4) Any juvenile adjudicated delinquent pursuant to this statute shall, in addition to  
14 whatever other penalties are imposed by the family court, lose his or her license to operate a motor  
15 vehicle for up to six (6) months. If the juvenile has not yet obtained the necessary age to obtain a  
16 license, the court may impose as part of its sentence a delay in his or her right to obtain the license  
17 when eligible to do so, for a period of up to six (6) months.

18 (b) The provisions of this section shall not apply to any person who shall be exempt

1 pursuant to the provisions of § 11-47-9, who is a "peace officer" as defined in § 12-7-21; a retired  
2 law enforcement officer permitted under § 11-47-18(b) or pursuant to 18 U.S.C. §§ 926B and 926C;  
3 or an individual in accordance with a contract entered into between a school and the individual or  
4 an employer of the individual to provide security services to the school; or to the following activities  
5 when the activities are officially recognized and sanctioned by the educational institution:

- 6 (1) Firearm instruction and/or safety courses;
- 7 (2) Government-sponsored military-related programs such as ROTC;
- 8 (3) Interscholastic shooting and/or marksmanship events;
- 9 (4) Military history and firearms collection courses and/or programs; and
- 10 (5) The use of blank guns in theatrical and/or athletic events.

11 (c) The provisions of this section shall not apply to colleges, universities, or junior colleges.

12 ~~(d) The provisions of this section shall not apply to the possession of a firearm that is not~~  
13 ~~loaded and is in a locked container or a locked rack that is in a motor vehicle.~~

14 SECTION 2. Section 16-21-23 of the General Laws in Chapter 16-21 entitled "Health and  
15 Safety of Pupils" is hereby amended to read as follows:

16 **16-21-23. School safety teams, school crisis response teams, and school safety**  
17 **assessments.**

18 (a) Each school district of each town, city, and regional school department shall conduct a  
19 school safety assessment in conjunction with local police, fire, school safety team pursuant to the  
20 provisions of this section and any other expert said school department deems necessary. The  
21 assessment shall examine the current status of each school building's safety and shall be performed  
22 within thirty (30) days of passage of this act, and every ~~three (3) years~~ year thereafter, on or before  
23 September 1.

24 (1) There shall be a Rhode Island school safety committee whose functions shall include,  
25 but not be limited to, providing training to law enforcement, school administrators, and teachers;  
26 collecting and reviewing all hazard safety security assessments; and offering recommendations and  
27 assistance to each school district of every town, city, and regional school department, in an effort  
28 to increase the safety of students and faculty. The committee shall be comprised of twelve (12)  
29 members as follows: the superintendent of the Rhode Island state police or designee, who shall  
30 serve as chairperson of the committee; the president of the Police Chiefs' Association, or designee;  
31 the director of the Rhode Island emergency management agency, or designee; the commissioner of  
32 the department of elementary and secondary education, or designee; a representative from the  
33 Rhode Island School Superintendents' Association, to be selected by the association; the director  
34 of the department of behavioral healthcare, developmental disabilities and hospitals, or designee;

1 the state fire marshal, or designee; a representative of the Rhode Island Association of School  
2 Maintenance Directors, to be selected by the association; a representative from the Rhode Island  
3 Association of School Principals, to be selected by the association; a representative from the Rhode  
4 Island Association of School Committees, to be selected by the association; a representative from  
5 the National Education Association of Rhode Island ("NEARI"), who shall be a full-time classroom  
6 teacher, to be selected by the president of NEARI; and one representative from the Rhode Island  
7 Federation of Teachers and Health Professionals ("RIFTHP"), who shall be a full-time classroom  
8 teacher, to be selected by the president of the RIFTHP.

9 (2) Each school department of each town, city, and regional school district shall complete  
10 the emergency action plan and shall submit the all hazards site safety survey report to the Rhode  
11 Island school safety committee every ~~three (3) years~~ year for the committee's review and  
12 recommendation.

13 (3) The assessment shall be completed by ~~November~~ September 1 ~~of the~~ each year  
14 ~~mandated, and by December 31 of that year;~~ the commissioner of elementary and secondary  
15 education shall report to the speaker of the house, the senate president, and the governor that the  
16 assessments have been completed. Assessments performed within a year of the date of passage of  
17 this act shall satisfy this requirement.

18 (4) All meetings regarding the school safety assessment are not subject to the open  
19 meetings law pursuant to chapter 46 of title 42, and documents produced including, but not limited  
20 to, meeting minutes and the school safety assessment are not subject to the access to public records  
21 law pursuant to chapter 2 of title 38.

22 (b) The school committee of each town, city, and regional school department shall review  
23 and adopt in executive session a comprehensive school safety plan regarding crisis intervention,  
24 emergency response, and management as recommended by the safety committee. The plan shall be  
25 developed by a school safety team comprised of representatives of the school committee;  
26 representatives of student, teacher, and parent organizations; school safety personnel; school  
27 administration; and members of local law enforcement, fire, and emergency personnel. Members  
28 of the school safety team shall be appointed by the school committee and/or school superintendent  
29 of the town, city, or regional school district. In creating the school safety plan, the school safety  
30 team(s) shall consult the model school safety plan developed by the department of elementary and  
31 secondary education pursuant to § 16-21-23.1.

32 (c) The school crisis response team shall be comprised of those selected school personnel  
33 willing to serve as members of a psychological response team to address the psychological and  
34 emotional needs of the school community, and may seek mental health resources from the

1 department of elementary and secondary education. Members of the school crisis response team  
2 may coordinate mental health services for those students and school employees affected by acts of  
3 violence in the schools, using resources available through the department of elementary and  
4 secondary education.

5 (d) There shall be established a Rhode Island school emergency response committee whose  
6 principal function shall include, but not be limited to, developing and reporting to the Rhode Island  
7 general assembly each January 31, school facility security measures, which shall be presented for  
8 implementation by legislation. This committee shall facilitate providing of armed security  
9 personnel and security for all kindergarten through grade twelve (K-12) schools along with  
10 additional security devices and plans.

11 (1) Said committee shall be comprised of eight (8) members as follows: the superintendent  
12 of the Rhode Island state police, or designee, who shall serve as chairperson of the committee; the  
13 president of the police chiefs' association, or designee; the director of the Rhode Island emergency  
14 management agency, or designee; the commissioner of the department of elementary and secondary  
15 education, or designee; a representative from the Rhode Island School Superintendents'  
16 Association, to be selected by the association; the state fire marshal, or designee; two (2)  
17 representatives from the firearms community with certifications chosen by the NRA state  
18 association.

19 (2) The committee shall report on the creation and implementation of a five (5) year plan  
20 which shall include the following school security measures:

21 (i) The limiting and securing of primary access to all school facilities, including, but not  
22 limited to, employee, visitor and student ID access cards, bullet resistant film and/or glass, along  
23 with surveillance and camera systems.

24 (ii) Secondary classroom security measures, including, but not limited to, breach resistant  
25 doors and devices, ballistic film on glass along with alarm systems.

26 (iii) The mandating and scheduling of armed police coverage for the schools.

27 (3) The committee shall coordinate with the Rhode Island state police and local police  
28 departments to develop a schedule for armed police coverage for the schools.

29 (4) The committee shall meet every three (3) months and shall report to the Rhode Island  
30 general assembly, every January 31, the additional cost per year to add additional armed security.

31 (5) There shall be included in the state budget a reoccurring yearly sum of five hundred  
32 thousand dollars (\$500,000) to be specifically utilized for armed police coverage.

33 (i) Any additional armed police coverage costs shall be split between the Rhode Island state  
34 police and the local city or town police department.

1           (6) All meetings regarding the school security committee are not subject to the open  
2 meetings law pursuant to chapter 46 of title 42, and documents produced including, but not limited  
3 to, meeting minutes and the school security measures are not subject to the access to public records  
4 law pursuant to chapter 2 of title 38.

5           (e) There shall be established a rapid response team/SWAT team for each city or town  
6 police department, whose principal function shall include, but not be limited to, active shooter  
7 training, sniper training, and securing SWAT team equipment and body armor.

8           (1) The rapid response team/SWAT team shall be created and administered by the Rhode  
9 Island state police along with local police departments.

10          (2) The rapid response team/SWAT team shall develop active shooter training and  
11 emergency response drills.

12          (3) Each local city and town police department rapid response team/SWAT team shall  
13 consist of a minimum of six (6) officers.

14          (4) Each local city and town police department shall execute emergency response drills  
15 three (3) times per year.

16          (5) There shall be included in the state budget a reoccurring yearly sum of five hundred  
17 thousand dollars (\$500,000) to be specifically utilized for the procurement of rapid response  
18 team/SWAT team weapons and equipment, along with training of the officers.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS-WEAPONS ON  
SCHOOL GROUNDS

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1           This act would strengthen school security measures, including the establishment of an eight  
2 (8) member Rhode Island school emergency response committee to develop additional  
3 recommendations for school security measures and requiring an annual school safety assessment  
4 by all school districts. The act would also establish a rapid response team/SWAT team for each city  
5 or town police department, whose principal function shall include, but not be limited to, active  
6 shooter training, sniper training, and securing SWAT team equipment and body armor. The act  
7 would appropriate the annual sums of five hundred thousand dollars (\$500,000) for the  
8 strengthening of school security measures as well as the rapid response teams/SWAT teams.

9           This act would take effect upon passage.

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