

2023 -- S 0354

LC001528

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Senators DeLuca, Ciccone, de la Cruz, Paolino, E Morgan, and Gallo

Date Introduced: February 16, 2023

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-9 of the General Laws in Chapter 11-47 entitled "Weapons" is
2 hereby amended to read as follows:

3 **11-47-9. Persons exempt from restrictions.**

4 (a) The provisions of § 11-47-8 shall not apply to sheriffs; deputy sheriffs; the
5 superintendent and members of the state police; members of the Rhode Island airport police
6 department; members of the Rhode Island state marshals; Rhode Island state fire marshal; chief
7 deputy state fire marshals; deputy state fire marshals assigned to the bomb squad, and those
8 assigned to the investigation unit; Providence fire department arson investigators, provided that the
9 investigator receiving the permit is a graduate of a police-training academy; correctional officers,
10 chief inspector and inspectors within the office of inspections, within the department of corrections;
11 members of the city or town police force; capitol police investigators of the department of attorney
12 general appointed pursuant to § 42-9-8.1; the witness protection coordinator for the witness
13 protection review board as set forth in chapter 30 of title 12 and subject to the minimum
14 qualifications of § 42-9-8.1; automobile theft investigators of the Rhode Island state police pursuant
15 to § 31-50-1; railroad police while traveling to and from official assignments or while on
16 assignments; conservation officers; or other duly appointed law enforcement officers; nor to
17 members of the Army, Navy, Air Force, and Marine Corps of the United States, the National Guard,
18 or organized reserves, when on duty; nor to members of organizations by law authorized to
19 purchase or receive firearms from the United States or this state, provided these members are at, or

1 going to or from, their places of assembly or target practice; nor to officers or employees of the
2 United States authorized by law to carry a concealed firearm; nor to any civilian guard or criminal
3 investigator carrying sidearms or a concealed firearm in the performance of his or her official duties
4 under the authority of the commanding officer of the military establishment in the state of Rhode
5 Island where he or she is employed by the United States; nor to any civilian guard carrying sidearms
6 or a concealed firearm in the performance of his or her official duties under the authority of the
7 adjutant general where he or she is employed guarding a national guard facility, provided, that the
8 commanding officer of the military establishment shall have on file with the attorney general of
9 this state a list of the names and addresses of all civilian guards and criminal investigators so
10 authorized; nor to duly authorized military organizations when on duty; nor to members when at,
11 or going to or from, their customary places of assembly; nor to any individual employed in the
12 capacity of warden, associate warden, major, captain, lieutenant, sergeant, correctional officer or
13 investigator at any project owned or operated by a municipal detention facility corporation,
14 including the Donald W. Wyatt Detention Facility; nor to the regular and/or ordinary transportation
15 of pistols or revolvers as merchandise; nor to any person while transporting a pistol, or revolvers,
16 unloaded from the place of purchase to their residence, or place of business, from their residence
17 to their place of business or from their place of business to their residence, or to a federal firearms
18 licensee for the purpose of sale, to or from a bona fide gunsmith, or firearms repair facility, to any
19 police station or other location designated as a site of a bona fide "gun buy-back" program, but
20 only if said pistol or revolver is unloaded and any ammunition for said pistol or revolver is not
21 readily or directly accessible from the passenger compartment of such vehicle while transporting
22 same and further provided, that in the case of a vehicle without a compartment separate from the
23 passenger compartment, the firearm or the ammunition shall be stored in a locked container.

24 (b) Persons exempted by the provisions of this section from the provisions of § 11-47-8
25 shall have the right to carry concealed firearms everywhere within this state; provided, that this
26 shall not be construed as giving the right to carry concealed firearms to a person transporting
27 firearms as merchandise or as household or business goods.

28 (c) The attorney general shall have the authority to enter into agreements or otherwise
29 formally approve reciprocal recognition with other states that require an agreement to be in place
30 before that state will recognize a Rhode Island attorney general and a city or town police department
31 concealed handgun permit as valid.

32 (d) The State of Rhode Island shall recognize and honor a concealed handgun or concealed
33 weapon permit or license issued by any other state or county, provided:

34 (1) The permit or license holder is a non-resident who is twenty-one (21) years of age or

1 older;

2 (2) The reciprocal state or county provides the means for instantaneous verification of the
3 validity of all such permits or licenses issued within that state or county, accessible twenty-four
4 (24) hours a day;

5 (3) The permit or license holder has in their possession the concealed handgun or concealed
6 weapon permit or license along with a photo identification issued by a state or government agency
7 and presents for verification the permit or license and identification upon demand by a law
8 enforcement officer; and

9 (4) The permit or license holder is subject to the same laws and restrictions with respect to
10 carrying a concealed weapon or concealed firearm as a resident of Rhode Island, who is so licensed.

11 (e) The State of Rhode Island shall recognize an official government issued law
12 enforcement identification card issued to an active-duty law enforcement officer from any other
13 state or county. These individuals shall be exempted from the provisions of § 11-47-8 and shall
14 have the right to carry a concealed firearm everywhere within the state.

15 SECTION 2. 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 allow the attorney general to enter in agreements with other states to
2 recognize a concealed handgun permit as valid. This act would authorize the State of Rhode Island
3 to recognize and honor a concealed weapon permit from out of state provided the license holder is
4 twenty-one (21) years of age or older, the reciprocal state or county provides a means of twenty-
5 four (24) hours instantaneous verification, the permit holder has in their immediate possession the
6 valid out of state permit along with a state issued photo identification and the individual is subject
7 to the same laws and restrictions with respect to carrying a weapon as a resident of Rhode Island.
8 Further, any active duty law enforcement officers having a government issued identification card
9 would have the right to carry a concealed firearm within the State of Rhode Island.
10 This act would take effect upon passage.

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