

LC004652

## IN GENERAL ASSEMBLY

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RELATING TO HEALTH AND SAFETY --THE RHODE ISLAND FIREARM INDUSTRY  
ACCOUNTABILITY ACT OF 2026

Referred To: Senate Judiciary

1           SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby  
2   amended by adding thereto the following chapter:

**23-106-1. Definitions.**

(1) “Firearm accessory” means an attachment or device designed or adapted to be inserted fixed onto, or used in conjunction with a firearm that is designed, intended, or functions to enhance the firing capabilities of a firearm, the lethality of the firearm, or a shooter's ability and use a firearm.

(2) "Firearm industry member" means a person, firm, corporation, company, partnership, joint stock company, trade association, or any other entity or association engaged in the manufacture, distribution, importation, marketing, wholesale or retail sale of firearm industry products.

(i) Sold, made or distributed in this state;

(ii) Intended to be sold or distributed in this state; or

(iii) Possessed in this state, and it was reasonably foreseeable that such product would be

1 possessed in this state:

2 (A) Ammunition, as defined in § 11-47-64;

3 (B) A detachable magazine, as defined in § 11-47.2-1;

4 (C) A firearm, as defined in § 11-47-2;

5 (D) A firearm component;

6 (E) A firearm accessory;

7 (F) A bump-fire device, binary trigger, trigger crank, as those terms are defined in § 11-

8 47-2; or

9 (G) Any other device that when attached to a semi-automatic weapon allows full-automatic

10 fire including, but not limited to, those devices prohibited pursuant to § 11-47-8.

11 (4) "Firearm trafficker" means an individual who engages in, conspires to engage in, or

12 attempts to engage in conduct that constitutes trafficking in firearms as described in 18 USC § 933.

13 (5) "Reasonable controls" means procedures, acts and practices that are designed,

14 implemented and enforced to do all of the following:

15 (i) Prevent the sale or distribution of a firearm industry product to a straw purchaser, a

16 firearm trafficker, a person prohibited from possessing a firearm under state or federal law, or a

17 person about whom there is reasonable cause to believe such person is at substantial risk of using

18 a firearm industry product to harm themselves or another or of possessing or using a firearm industry

19 product unlawfully;

20 (ii) Ensure that a firearm industry member complies with the provisions of: §§ 11-47-35,

21 11-47-35.2, 11-47-37, 11-47-38, 11-47-39, 11-47-48.1, and 11-47-64;

22 (iii) Prevent the sale or distribution of a firearm industry product designed, sold, advertised,

23 marketed or promoted in a manner that foreseeably promotes conversion of a legal firearm industry

24 product into an illegal firearm industry product; and

25 (iv) Ensures that the firearm industry member complies with the provisions of § 23-106-2

26 and all other applicable provisions of state and federal law, and does not otherwise advertise, market

27 or promote the unlawful manufacture, sale, possession, marketing or use of a firearm industry

28 product.

29 (6) "Straw purchaser" means an individual who engages in or attempts to engage in conduct

30 that violates the provisions of § 11-47-23 or 18 USC § 932.

31 **23-106-2. Controls, possession, and advertisements of firearm industry products.**

32 (a) A firearm industry member shall establish, implement and enforce reasonable controls

33 to ensure compliance with the provisions of this chapter.

34 (b) No firearm industry member shall provide a firearm industry product to another firearm

industry member when there is reasonable cause to believe that such other firearm industry member is engaged in conduct that is in violation of this chapter.

(c) No firearm industry member shall advertise, market or promote firearm industry products in this state in a manner that promotes unlawful sales, unlawful use or use that promotes risk to public safety.

**23-106-3. Penalties and violations.**

(a) An act or omission by a firearm industry member that fails to comply with any provision of § 23-106-2 constitutes a violation of said section and shall be actionable under this section.

(b) A civil action in a court of competent jurisdiction to enforce this section or remedy harm caused by a violation of § 23-106-2 may be brought by:

(1) A person who has suffered harm in this state because of a firearm industry member's violation of § 23-106-2;

(2) The corporation counsel or other chief legal officer of a municipality in the name of the municipality; or

(3) The attorney general, in the name and on behalf of the state.

(c) Any person bringing an action pursuant to this chapter shall provide notice of such action to the attorney general not later than thirty (30) days after the date of filing such action.

(d) In an action alleging that a firearm industry member failed to establish, implement and enforce reasonable controls in violation of the provisions of § 23-106-2, there shall be a rebuttable presumption that the firearm industry member failed to implement reasonable controls if:

(1) The firearm industry member's act or omission created or increased a reasonably foreseeable risk of the harm alleged occurring; and

(2) The firearm industry member could have established, implemented and enforced reasonable controls to prevent or lower the risk of the harm that allegedly occurred, but failed to do so.

(e) If a court determines that a firearm industry member has violated any provision of § 23-106-2, the firearm industry member shall forfeit and pay to the state a civil penalty of not more than ten thousand dollars (\$10,000) per violation.

(f) If a court determines that a firearm industry member has violated any provision of § 23-106-2, the court may award any or all of the following:

(1) Injunctive relief sufficient to prevent the firearm industry member and any other defendant from further violating the law;

(2) Compensatory damages;

(3) Punitive damages;

1           (4) Restitution; and  
2           (5) Any other appropriate relief necessary to enforce the provisions referenced in this  
3 chapter to remedy the harm caused by the conduct.

4           (g) In addition to the relief permitted under subsection (f) of this section, if a court  
5 determines that a firearm industry member has violated any provision of § 23-106-2:

6           (1) The court shall award costs and attorneys' fees to a prevailing plaintiff; and

7           (2) The court may suspend or revoke any permits issued to the firearm industry member  
8 under § 11-47-39.

9           SECTION 2. This act shall take effect on October 1, 2026, and shall be applicable to any  
10 civil action filed on or after October 1, 2026.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO HEALTH AND SAFETY --THE RHODE ISLAND FIREARM INDUSTRY  
ACCOUNTABILITY ACT OF 2026

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1           This act would establish the Rhode Island firearm industry accountability act of 2026. The  
2   act imposes certain requirements on a firearms industry member pertaining to controls, possession,  
3   and advertisements of firearm industry products.

4           This act would take effect on October 1, 2026, and would be applicable to any civil action  
5   filed on or after October 1, 2026.

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