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§ 11-47-1. Short title.

This chapter may be cited as the “Firearms Act”.

History of Section.

P.L. 1927, ch. 1052, § 20; G.L. 1938, ch. 404, § 20; G.L. 1956, § 11-47-1; P.L. 1959, ch. 75, § 1.

§ 11-47-2. Definitions.

When used in this chapter, the following words and phrases are construed as follows:

(1) “3D printing process” means 3D printing or additive manufacturing which is a process of making three (3) dimensional solid objects from a computer file and shall include any of various processes in which material is joined or solidified under computer control to create a three (3) dimensional object, with material being added together including liquid molecules or powder grains.

(2) “Antique firearm” is defined as that term is defined under the provisions of 18 U.S.C. § 921.

(3) “Binary trigger” means a device that replaces a standard trigger on a semi-automatic weapon and is designed to fire one round on the pull of the trigger and another round upon release of the trigger.

(4) “Bump-fire stock” means any device that replaces a semi-automatic weapon’s standard stock and is designed to slide back and forth rapidly, harnessing the weapon’s recoil to rapidly fire the weapon.

(5) “Crime of violence” means and includes any of the following crimes or an attempt to commit any of them: murder, manslaughter, rape, first- or second-degree sexual assault, first- or second-degree child molestation, kidnapping, first- and second-degree arson, mayhem, robbery, burglary, breaking and entering, any felony violation involving the illegal manufacture, sale, or delivery of a controlled substance, or possession with intent to manufacture, sell, or deliver a controlled substance classified in schedule I or schedule II of § 21-28-2.08, any violation of § 21-28-4.01.1 or § 21-28-4.01.2 or conspiracy to commit any violation of these statutes, assault with a dangerous weapon, assault or battery involving grave

bodily injury, or assault with intent to commit any offense punishable as a felony; upon any conviction of an offense punishable as a felony offense under § 12-29-5.

(6) “Firearm” includes any machine gun, pistol, rifle, air rifle, air pistol, “blank gun,” “BB gun,” or other instrument from which steel or metal projectiles are propelled, or that may readily be converted to expel a projectile, except crossbows, recurve, compound, or longbows, and except instruments propelling projectiles that are designed or normally used for a primary purpose other than as a weapon. The frame or receiver of the weapon shall be construed as a firearm under the provisions of this section.

(7) “Fugitive from justice” means any person who has fled from any state, territory, the District of Columbia, or possession of the United States to avoid prosecution for a crime of violence or to avoid giving testimony in any criminal proceeding.

(8) “Ghost gun” means a firearm, including a frame or receiver, that lacks a unique serial number engraved or cased in metal alloy on the frame or receiver by a licensed manufacturer, maker, or importer under federal law or markings in accordance with 27 C.F.R. § 479.102. It does not include a firearm that has been rendered permanently inoperable, or a firearm that is not required to have a serial number in accordance with the federal Gun Control Act of 1968.

(9) “Licensing authorities” means the board of police commissioners of a city or town where the board has been instituted, the chief of police or superintendent of police of other cities and towns having a regular organized police force, and, in towns where there is no chief of police or superintendent of police, it means the town clerk who may issue licenses upon the recommendation of the town sergeant, and it also means any other person or body duly authorized by the city or town charter or by state law.

(10) “Machine gun” means any weapon that shoots, is designed to shoot, or can be readily restored to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. The term also includes the frame or receiver of the weapon, any combination of parts designed and intended for use in converting a weapon into a machine gun, and any combination of parts from which a machine gun can be assembled if the parts are in the possession or under the control of a person.

(11) “Major component” means, with respect to a firearm:

(i) The slide or cylinder or the frame or receiver of the firearm; and

(ii) In the case of a rifle or shotgun, includes the barrel of the firearm.

(12) “Person” includes an individual, partnership, firm, association, or corporation.

(13) “Pistol” includes any pistol or revolver, and any shotgun, rifle, or similar weapon with overall length less than twenty-six inches (26”), but does not include any pistol or revolver designed for the use of blank cartridges only.

(14) “Rifle” shall have the same meaning as in 26 U.S.C. § 5845(c), and by barrel length and overall length not be subject to registration pursuant to the National Firearms Act, 26 U.S.C. ch. 53 (prior § 5801 et seq.).

(15) “Sawed-off rifle” means any rifle with overall length of less than twenty-six inches (26”) or barrel length of less than sixteen inches (16”).

(16) “Sawed-off shotgun” means any shotgun with overall length of less than twenty-six inches (26”) or barrel length of less than eighteen inches (18”).

(17) “Sell” includes let or hire, give, lend, and transfer, and “purchase” includes hire, accept, and borrow, and “purchasing” shall be construed accordingly.

(18) “Shotgun” shall have the same meaning as in 26 U.S.C. § 5845(d), and by barrel length and overall length not be subject to registration pursuant to the National Firearms Act, 26 U.S.C. ch. 53 (prior § 5801 et seq.).

(19) “Trigger crank” means a trigger actuator that attaches to the trigger of a semi-automatic weapon and causes the weapon to fire by turning the crank handle.

(20) “Undetectable firearm” means any firearm that:

(i) After removal of all parts, other than a major component, is not as detectable by walk-through metal detectors commonly used at airports or other public buildings; or

(ii) Any major component of which, if subjected to inspection by the types of detection devices commonly used at airports or other public buildings for security screening, would not generate an image that accurately depicts the shape of the component; or

(iii) Is manufactured wholly of plastic, fiberglass, or through a 3D printing process; or

(iv) Upon which the frame or receiver lacks a unique serial number engraved or cased into on the frame or receiver by a licensed manufacturer, maker, or importer under federal law, or markings in accordance with 27 C.F.R. § 479.102. Provided, however, this subsection shall not apply to any firearm rendered permanently inoperable or a firearm manufactured prior to 1968.

History of Section.

P.L. 1927, ch. 1052, § 1; G.L. 1938, ch. 404, § 1; P.L. 1950, ch. 2452, § 1; G.L. 1956, § 11-47-2; P.L. 1959, ch. 75, § 1; P.L. 1974, ch. 184, § 1; P.L. 1975, ch. 278, § 1; P.L. 1988, ch. 660, § 1; P.L. 1989, ch. 542, § 7; P.L. 1991, ch. 333, § 1; P.L. 1995, ch. 153, § 1; P.L. 1996, ch. 275, § 1; P.L. 2012, ch. 213, § 1; P.L. 2012, ch. 232, § 1; P.L. 2018, ch. 5, § 1; P.L. 2018, ch. 8, § 1; P.L. 2020, ch. 9, § 1; P.L. 2020, ch. 10, § 1; P.L. 2022, ch. 133, § 1, effective June 21, 2022; P.L. 2022, ch. 1

§ 11-47-3. Carrying dangerous weapons or substances when committing crime of violence.

No person shall commit or attempt to commit a crime of violence when armed with or having available any firearm, explosive substance, noxious liquid, gas or substance, or acid. Every person violating the provisions of this section shall be punished: (1) for the first conviction by imprisonment for not less than three (3) nor more than ten (10) years; (2) for a second conviction under this section by imprisonment for not less than ten (10) nor more than twenty (20) years; and (3) for a third or subsequent conviction the person convicted shall be sentenced to not less than fifteen (15) years to life imprisonment. For the penalties provided in this section he or she shall not be afforded the provisions of suspension or deferment of sentence, nor of probation.

History of Section.

P.L. 1927, ch. 1052, § 2; G.L. 1938, ch. 404, § 2; G.L. 1956, § 11-47-3; P.L. 1959, ch. 75, § 1; P.L. 1968, ch. 183, § 1; P.L. 1977, ch. 16, § 1; P.L. 1989, ch. 544, § 1.

§ 11-47-3.1. Carrying a stolen firearm when committing a crime of violence.

No person shall commit a crime of violence when armed with or having available a stolen firearm. Every person violating the provisions of this section shall be punished: (1) for the first conviction by imprisonment for not less than five (5) nor more than fifteen (15) years; (2) for a second conviction under this section by imprisonment for not less than fifteen (15) nor more than twenty (20) years; and (3) for a third or subsequent conviction under this section by imprisonment for not less than twenty

(20) years and may be imprisoned for life. The sentence imposed shall be consecutive to the underlying sentence for the crime of violence.

History of Section.

P.L. 1992, ch. 438, § 1; P.L. 2013, ch. 455, § 1; P.L. 2013, ch. 464, § 1.

§ 11-47-3.2. Using a firearm when committing a crime of violence.

(a) No person shall use a firearm while committing or attempting to commit a crime of violence. Every person violating the provisions of this section shall be punished: (1) for the first offense by imprisonment for ten (10) years; however, if the violation was committed by use of a machine gun as defined in § 11-47-2(10), the term of imprisonment shall be thirty (30) years; (2) for a second conviction under this section by imprisonment for twenty (20) years; however, if the violation was committed by use of a machine gun as defined in § 11-47-2(10), the term of imprisonment shall be life; and (3) for a third or subsequent conviction, the person shall be sentenced to life, or life without the possibility of parole by the sentencing judge after consideration of aggravating and mitigating circumstances contained in §§ 12-19.2-3 and 12-19.2-4. Any sentence imposed upon a person pursuant to this section shall be imposed consecutively to and not concurrently with any sentence imposed for the underlying crime or attempted crime, and the person shall not be afforded the benefits of deferment of sentence or parole; provided, that unless sentenced to life without the possibility of parole pursuant to subdivision (3) of this subsection, a person sentenced to life under this section may be granted parole.

(b) Every person who, while committing an offense violating subsection (a) of this section, discharges a firearm shall be guilty of a felony and be imprisoned as follows:

- (1) Ten (10) years, if no injury to any other person results from the discharge;
- (2) Twenty (20) years, if a person other than a police officer is injured by the discharge of the firearm, or if a police officer who is engaged in the performance of his or her duty is deliberately endangered by the person's discharge of the firearm;
- (3) Life, if a police officer who is engaged in the performance of his or her duty is injured by the discharge of the firearm; and
- (4) Life, if the death or permanent incapacity of any person (other than the person convicted) results from the discharge of the firearm; provided that, involuntary manslaughter shall not be considered a "crime of violence" for the purpose of subdivision (b)(4) only.

(c) The penalties defined in subsection (b) of this section shall run consecutively, and not concurrently, to any other sentence imposed and, notwithstanding the provisions of chapter 8 of title 13, the person shall not be afforded the benefits of deferment of sentence or parole; provided, that a person sentenced to life under subdivision (b)(3) or (b)(4) of this section may be granted parole.

History of Section.

P.L. 2000, ch. 158, § 2; P.L. 2000, ch. 285, § 2; P.L. 2012, ch. 216, § 1; P.L. 2012, ch. 230, § 1.

§ 11-47-4. Being armed prima facie evidence of intention.

In the trial of a person for committing or attempting to commit a crime of violence, the fact that he or she was armed with or had available a pistol or revolver without license to carry it, or was armed with or had available a machine gun, shall be prima facie evidence of his or her intention to commit the crime of violence.

History of Section.

P.L. 1927, ch. 1052, § 2; G.L. 1938, ch. 404, § 2; G.L. 1956, § 11-47-3; G.L., § 11-47-4; P.L. 1959, ch. 75, § 1.

§ 11-47-5. Possession of firearms by certain persons prohibited.

(a) No person shall purchase, own, carry, transport, or have in his or her possession any firearm if that person:

- (1) Has been convicted in this state or elsewhere of a crime of violence;
- (2) Is a fugitive from justice;
- (3) Has, in this state or elsewhere, entered a plea of nolo contendere to or been convicted of an offense punishable as a felony under § 12-29-5; or
- (4) Has, in this state or elsewhere, entered a plea of nolo contendere to or been convicted of any of the following offenses punishable as a misdemeanor under § 12-29-5:
 - (i) Simple assault (§ 11-5-3);
 - (ii) Cyberstalking and cyberharassment (§ 11-52-4.2);
 - (iii) Violation of a protective order (as set forth in § 12-29-2(a)(10)); or

(iv) Disorderly conduct (§ 11-45-1).

(A) A disorderly conduct conviction shall result in prohibition under this section if and only if the offense involves the use or attempted use of force or the threatened use of a dangerous weapon.

(5) The provisions of this subsection shall apply to all persons who enter a plea of nolo contendere to or have been convicted of any of the offenses specified in subsections (a)(3) and (a)(4) of this section, unless and until that person's matter has been expunged, or upon the completion of the sentence of a one-year filing, or the end of a one-year probationary period that no longer constitutes a conviction pursuant to § 12-18-3.

(b) No person shall purchase, carry, transport, or have in his or her possession any firearm if that person is subject to an order issued pursuant to chapter 15 of title 15, chapter 8.1 of title 8, or an equivalent order in this state or elsewhere, which order was issued after the person restrained has received notice of the proceedings and had an opportunity to be heard.

(c) No person who is in community confinement pursuant to the provisions of § 42-56-20.2, or who is otherwise subject to electronic surveillance or monitoring devices as a condition of parole, shall purchase, carry, transport, or have in his or her possession any firearm. This subsection shall not apply to any person who has not been convicted of (or pleaded guilty or nolo contendere to) a crime of violence in a court of competent jurisdiction.

(d) Every person violating the provisions of this section shall, upon conviction, be punished by imprisonment for not less than two (2) nor more than ten (10) years; and for penalties provided in this section he or she shall not be afforded the benefit of suspension or deferment of sentence nor of probation.

History of Section.

P.L. 1927, ch. 1052, § 3; G.L. 1938, ch. 404, § 3; G.L. 1956, § 11-47-4; G.L., § 11-47-5, as enacted by P.L. 1959, ch. 75, § 1; P.L. 1968, ch. 183, § 2; P.L. 1995, ch. 50, § 1; P.L. 1996, ch. 275, § 1; P.L. 2017, ch. 374, § 2; P.L. 2017, ch. 385, § 2.

§ 11-47-5.1. Larceny of a firearm.

(a) Every person who shall steal any firearm shall be deemed guilty of larceny. "Firearm", as utilized in this section only, shall not apply to an air rifle, air pistol, "blank gun," or "BB gun." Every person violating the provisions of this section shall be sentenced, upon conviction, to not less than one year nor more than ten (10) years.

(b) No person shall steal any firearm as defined in this section and then sell, lend, or transfer the firearm or firearms. Any person convicted of violating the provisions of this subsection shall be punished by imprisonment for not less than ten (10) years nor more than twenty (20) years, and the sentence shall be consecutive to any other sentence he or she may receive or is serving.

History of Section.

P.L. 1975, ch. 278, § 2; P.L. 1990, ch. 278, § 1; P.L. 2000, ch. 158, § 1; P.L. 2000, ch. 285, § 1.

§ 11-47-5.2. Possession of a stolen firearm.

It shall be unlawful for any person to possess a stolen firearm, knowing it to be stolen. Any person in violation of this section shall be guilty of a felony and subject to imprisonment for not less than three (3) years nor more than fifteen (15) years.

History of Section.

P.L. 2013, ch. 455, § 2; P.L. 2013, ch. 464, § 2.

§ 11-47-5.3. Surrender of firearms by persons convicted of domestic violence offenses.

(a) Pleading nolo contendere to or conviction of an offense under § 12-29-2 which is punishable as a felony shall prohibit the defendant from purchasing, owning, carrying, transporting, or having in their possession or control any firearm. Upon such a plea or conviction, the court shall issue an order declaring that the defendant surrender all firearm(s) owned by the defendant, or in the defendant's possession, care, custody, or control as described in this section.

(1) Surrender shall be made within twenty-four (24) hours of prohibition to a law enforcement agency or to a federally licensed firearms dealer. The arresting law enforcement agency shall be immediately notified of the order to surrender firearm(s). A law enforcement agency or federally licensed firearms dealer taking possession of a firearm(s) shall issue proof of surrender to the person surrendering the firearm(s). The proof of surrender shall include the name of the person; the name of the law enforcement agency or federally licensed firearms dealer; the date of surrender; the serial number; the manufacturer; and model of all surrendered firearm(s).

(2) The defendant may transport their firearm(s) during the twenty-four hour (24) surrender period directly to the law enforcement agency or federally licensed firearms dealer, provided that the firearm(s) is broken down, unloaded, and

carried as openly as circumstances will permit, or provided that the pistols or revolvers are unloaded and secured in a separate container suitable for the purpose.

(3) The defendant shall, within forty-eight (48) hours after being served with the order, either:

(i) File a copy of proof of surrender with the court and attest that all firearm(s) owned by the defendant, or in the defendant's possession, care, custody, or control at the time of the plea or conviction, have been surrendered in accordance with this section and that the defendant currently owns no firearm(s) or has any firearm(s) in their care, custody, or control; or

(ii) Attest that, at the time of the plea or conviction, the defendant owned no firearm(s) and had no firearm(s) in their care, custody, or control, and that the defendant currently owns no firearm(s) and has no firearm(s) in their possession, care, custody, or control.

(4) The list of firearm(s) surrendered shall be kept under seal and shall not be part of the public record.

(5)(i) If the defendant chooses to surrender a firearm(s) to a law enforcement agency, the law enforcement agency shall follow the policies established by the police officer's commission on standards and training for the return or disposal of the firearm(s).

(ii) The police officer's commission on standards and training shall establish policies for the return or disposal of firearms that are surrendered pursuant to any court order, provided that such policies require that the defendant be notified of the return or disposal, and that the owner receive any financial value received from the disposal, less the cost associated with taking possession of, storing, and disposing of the firearm(s) and provided that no disposal shall occur while any appeal of the conviction is pending.

(6) If the defendant, or their designee, transfers a firearm(s) to a federally licensed firearms dealer pursuant to this section, the defendant may instruct the federally licensed firearms dealer to sell the firearm(s) or to transfer ownership pursuant to state and federal law to a qualified named individual who is not a member of the defendant's dwelling house. The owner of any firearm(s) sold shall receive any financial value received from their sale, less the cost associated with taking possession of, storing, and transferring of the firearm(s).

(7) Every individual, to whom ownership of a firearm(s) is transferred pursuant to this section, shall be prohibited from transferring or returning any firearm(s) to the defendant and shall be informed of this prohibition.

(i) Any knowing violation of subsection (a)(7) of this section is a felony which shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term of not less than one year and not more than five (5) years, or both.

History of Section.

P.L. 2016, ch. 212, § 1; P.L. 2016, ch. 214, § 1.

§ 11-47-5.3. Surrender of firearms by persons convicted of domestic violence offenses.

(a) Pleading nolo contendere to or conviction of an offense under § 12-29-2 which is punishable as a felony shall prohibit the defendant from purchasing, owning, carrying, transporting, or having in their possession or control any firearm. Upon such a plea or conviction, the court shall issue an order declaring that the defendant surrender all firearm(s) owned by the defendant, or in the defendant's possession, care, custody, or control as described in this section.

(1) Surrender shall be made within twenty-four (24) hours of prohibition to a law enforcement agency or to a federally licensed firearms dealer. The arresting law enforcement agency shall be immediately notified of the order to surrender firearm(s). A law enforcement agency or federally licensed firearms dealer taking possession of a firearm(s) shall issue proof of surrender to the person surrendering the firearm(s). The proof of surrender shall include the name of the person; the name of the law enforcement agency or federally licensed firearms dealer; the date of surrender; the serial number; the manufacturer; and model of all surrendered firearm(s).

(2) The defendant may transport their firearm(s) during the twenty-four hour (24) surrender period directly to the law enforcement agency or federally licensed firearms dealer, provided that the firearm(s) is broken down, unloaded, and carried as openly as circumstances will permit, or provided that the pistols or revolvers are unloaded and secured in a separate container suitable for the purpose.

(3) The defendant shall, within forty-eight (48) hours after being served with the order, either:

(i) File a copy of proof of surrender with the court and attest that all firearm(s) owned by the defendant, or in the defendant's possession, care, custody, or control at the time of the plea or conviction, have been surrendered in accordance with this section and that the defendant currently owns no firearm(s) or has any firearm(s) in their care, custody, or control; or

(ii) Attest that, at the time of the plea or conviction, the defendant owned no firearm(s) and had no firearm(s) in their care, custody, or control, and that the defendant currently owns no firearm(s) and has no firearm(s) in their possession, care, custody, or control.

(4) The list of firearm(s) surrendered shall be kept under seal and shall not be part of the public record.

(5)(i) If the defendant chooses to surrender a firearm(s) to a law enforcement agency, the law enforcement agency shall follow the policies established by the police officer's commission on standards and training for the return or disposal of the firearm(s).

(ii) The police officer's commission on standards and training shall establish policies for the return or disposal of firearms that are surrendered pursuant to any court order, provided that such policies require that the defendant be notified of the return or disposal, and that the owner receive any financial value received from the disposal, less the cost associated with taking possession of, storing, and disposing of the firearm(s) and provided that no disposal shall occur while any appeal of the conviction is pending.

(6) If the defendant, or their designee, transfers a firearm(s) to a federally licensed firearms dealer pursuant to this section, the defendant may instruct the federally licensed firearms dealer to sell the firearm(s) or to transfer ownership pursuant to state and federal law to a qualified named individual who is not a member of the defendant's dwelling house. The owner of any firearm(s) sold shall receive any financial value received from their sale, less the cost associated with taking possession of, storing, and transferring of the firearm(s).

(7) Every individual, to whom ownership of a firearm(s) is transferred pursuant to this section, shall be prohibited from transferring or returning any firearm(s) to the defendant and shall be informed of this prohibition.

(i) Any knowing violation of subsection (a)(7) of this section is a felony which shall be punishable by a fine of not more than one thousand dollars

(\$1,000), or by imprisonment for a term of not less than one year and not more than five (5) years, or both.

History of Section.

P.L. 2016, ch. 212, § 1; P.L. 2016, ch. 214, § 1.

§ 11-47-5.4. Surrender of firearms after domestic violence offenses.

(a) A plea of nolo contendere, resulting in a filing or probation or conviction shall prohibit the defendant from purchasing, carrying, transporting, or having in his or her possession any firearm. Upon such a plea or conviction, the court shall order the defendant to surrender all firearms owned by the person or in the person's possession as described in this section.

(1) Surrender shall be made within twenty-four (24) hours of prohibition to the Rhode Island state police or local law enforcement or to a licensed gun dealer. The arresting law enforcement agency shall be immediately notified by the court of the order to surrender firearms. A law enforcement agency or licensed gun dealer taking possession of a firearm shall issue a proof of surrender to the person surrendering the firearm. The proof of surrender must include the name of the person, the date of surrender, and the serial number, manufacturer, and model of all surrendered firearms.

(2) A defendant transporting a firearm to surrender in accordance with this section shall not be liable to prosecution under §§ 11-47-5(d) or 11-47-8.

(3) The defendant shall, within forty-eight (48) hours after being served with the order, either:

(i) File a copy of proof of surrender with the court of jurisdiction, and attest that all firearms owned by the person or in the person's possession at the time of plea or conviction have been surrendered in accordance with this section and that the person currently owns no firearms and has no firearms in his or her possession; or

(ii) Attest that, at the time of plea or conviction, the person owned no firearms and had no firearms in their possession, and that the person currently owns no firearms and has no firearms in his or her possession.

(4) The court of jurisdiction's copy of proof of surrender shall be kept under seal and shall not be part of the public record.

(5) The Rhode Island state police are authorized to develop rules, regulations and procedures pertaining to the storage of firearms that are surrendered pursuant to this section. The Rhode Island state police may consult with the Rhode Island Police Chiefs' Association in developing rules and procedures. Law enforcement agencies and departments shall observe due care in the receipt and storage of any firearm surrendered pursuant to this section. No law enforcement agency shall dispose of any firearm surrendered pursuant to this section unless that firearm is abandoned as provided in this section. The Rhode Island state police may consult with the Rhode Island Police Chiefs' Association in developing rules and procedures.

(6) A firearm surrendered to the Rhode Island state police or a local police department under this section shall be deemed abandoned if:

(i) Six (6) years have passed from the date of the completion of the defendant's sentence for an offense enumerated in § 11-47-5(a)(4); and

(ii) During the two (2) years following the six-year (6) period described in subsection (a)(6)(i) of this section, the Rhode Island state police or local police department has provided notice to the defendant, on at least two (2) separate occasions, that if the firearm is not reclaimed it shall be disposed of; and

(iii) After the two-year (2) period described in subsection (a)(6)(ii) of this section and after notice to the defendant, the defendant fails to reclaim the firearm.

(7) The Rhode Island state police may dispose of an abandoned firearm at any time, provided that no disposal shall occur while any appeal of the conviction for a crime enumerated in § 11-47-5(a)(4) is pending and provided that the owner of the firearm receives any financial value generated from its disposal less the cost associated with disposing of the firearm.

History of Section.

P.L. 2017, ch. 374, § 3; P.L. 2017, ch. 385, § 3.

§ 11-47-5.5. Motion to lift firearms prohibition for persons convicted of specified misdemeanor domestic violence offenses — Consecutive prohibitions — Return of surrendered firearms.

(a) A person prohibited from purchasing, owning, carrying, transporting, or having in their possession any firearm solely because of a plea of nolo contendere to or a

conviction of an offense enumerated in § 11-47-5(a)(4) may file a motion in the district court to have that firearm prohibition lifted in accordance with this section. A person who is otherwise prohibited under state law from purchasing, owning, carrying, transporting, or having in their possession any firearm shall not be eligible for relief under this section.

(b) Except for those cases where the defendant is eligible to reclaim firearms after the one year completion of a filing or probation under § 12-18-3, a person shall become eligible to file a motion seeking relief under this section after five (5) years from the date of the completion of his or her sentence, unless, during that five (5)-year period, the person enters a plea of nolo contendere to or is convicted of any new offense enumerated in § 11-47-5(a)(4).

(1) A person already prohibited from purchasing, owning, carrying, transporting, or having in their possession any firearm under § 11-47-5(a)(4) who pleads nolo contendere to or is convicted of any new offense enumerated in § 11-47-5(a)(4) shall be subject to an additional six (6)-year firearm prohibition under § 11-47-5(a)(4). That additional prohibition shall run consecutively to the prohibition already in effect at the time the person pleaded nolo contendere to or was convicted of the new offense.

(2) A person made subject to consecutive firearms prohibitions in accordance with this subsection shall not become eligible to file a motion seeking relief under this section until their consecutive prohibition periods have fully elapsed.

(c) No filing fee shall be charged for the filing of a motion seeking relief under this section.

(d) The district court shall schedule a hearing on a motion seeking relief under this section no later than thirty (30) days from the date the motion is filed.

(e) The district court shall only consider whether the required amount of time to retrieve the firearms has expired, and that no other legal prohibition exists to prevent the respondent from recovering his or her firearms. If the court lifts a person's firearm prohibition pursuant to this section, the court shall issue the person written notice that the person is no longer prohibited from purchasing, owning, carrying, transporting, or having in his or her possession any firearm under § 11-47-5(a)(4).

(f) A firearm surrendered to the Rhode Island state police or a local police department by a person formerly prohibited under § 11-47-5(a)(4) who is granted relief under this section shall be returned to the person upon his or her request when:

(1) The person formerly prohibited under § 11-47-5(a)(4) provides written proof issued by the court indicating that the firearm prohibition has been lifted pursuant to this section; and

(2) The Rhode Island state police or a local police department determines that the person formerly prohibited under § 11-47-5(a)(4) is not otherwise prohibited from possessing a firearm under state or federal law.

(g) A court's grant of relief pursuant to this section shall not constitute an expungement, nor shall it in any way impact, negate, or otherwise modify the person's prior conviction of an offense enumerated in § 11-47-5(a)(4).

History of Section.

P.L. 2017, ch. 374, § 6; P.L. 2017, ch. 385, § 6.

§ 11-47-6. Mental incompetents and drug addicts prohibited from possession of firearms.

No person who is under guardianship or treatment or confinement by virtue of being a mental incompetent, or who has been adjudicated or is under treatment or confinement as a drug addict, shall purchase, own, carry, transport, or have in his or her possession or under his or her control any firearm. Any person affected by the provisions of this section, other than a person who has been pronounced criminally insane by competent medical authority, after the lapse of a period of five (5) years from the date of being pronounced cured by competent medical authority, may, upon presentation of an affidavit issued by competent medical authority to the effect that he or she is a mentally stable person and a proper person to possess firearms, make application for the purchase of the firearm(s). Any person affected by the provisions of this section, in making application for the purchase of firearms and in executing the application, voluntarily waives his or her right to refuse or refrain from disclosing any confidential information, including, but not limited to, any information arising from the physician-patient relationship, pertinent to a determination by the proper authorities regarding the approval or disapproval of this application. Any person affected by the provisions of this section, in making application for the purchase of firearms and in executing the application, further agrees to allow the proper authorities to investigate any and all medical records of the applicant pertinent to a determination by the authorities regarding the approval or disapproval of this application. In the event that the application is approved, and if the person has no other disqualifying record, he or she will be allowed to purchase and possess firearms.

History of Section.

P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 2014, ch. 346, § 1; P.L. 2014, ch. 391, § 1.

§ 11-47-7. Possession of firearm by alien.

(a) No unnaturalized foreign born person who entered the United States in violation of the laws of the United States or, having legally entered the United States in a lawful manner, but now remains in the United States in violation of the laws of the United States, shall purchase, own, carry, transport, or have in his or her possession or under his or her control any firearm.

(b) When any person is charged under this section, the law enforcement agency bringing the charge shall, prior to arraignment, notify the United States Office of Immigration and Naturalization of the charge and further notify the court, at arraignment, of the alleged status of the person so charged.

History of Section.

P.L. 1959, ch. 75, § 1; P.L. 1983, ch. 300, § 1; P.L. 1996, ch. 146, § 1.

§ 11-47-8. License or permit required for carrying pistol — Other weapons prohibited.

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

(b) No person shall have in his or her possession or under his or her control any sawed-off shotgun or sawed-off rifle as defined in § 11-47-2. Any person convicted of violating this subsection shall be punished by imprisonment for up to ten (10) years, or by a fine of up to five thousand dollars (\$5,000), or both.

(c) No person shall have in his or her possession or under his or her control any firearm while the person delivers, possesses with intent to deliver, or manufactures a controlled substance. Any person convicted of violating this subsection shall be punished by imprisonment for not less than two (2) years nor more than twenty (20) years, and the sentence shall be consecutive to any sentence the person may receive for the delivery, possession with intent to deliver, or the manufacture of the controlled substance. It shall not be a defense to a violation of this subsection that a person has a license or permit to carry or possess a firearm.

(d) It shall be unlawful for any person to possess a bump-fire device, binary trigger, trigger crank, or any other device that when attached to a semi-automatic weapon allows full-automatic fire. Individuals who possess these items shall have ninety (90) days from the enactment of this section to either sell, destroy, or otherwise remove these items from the state of Rhode Island. Every person violating the provisions of this section shall, upon conviction, be punished by imprisonment for not less than one nor more than ten (10) years, or by a fine up to ten thousand dollars (\$10,000), or both, and, except for a first conviction under this section, shall not be afforded the provisions of suspension or deferment of sentence, nor a probation.

(e) No person shall manufacture, sell, offer to sell, transfer, purchase, possess, or have under his or her control a ghost gun or an undetectable firearm or any firearm produced by a 3D printing process. Any person convicted of violating this subsection shall be punished by imprisonment of not more than ten (10) years, or by a fine up to ten thousand dollars (\$10,000), or both and except for a first conviction under this section shall not be afforded the provisions of suspension or deferment of sentence, probation, nor fine. These provisions shall not apply to federally licensed manufacturers (Federal Firearm License Type 07) pursuant to Alcohol, Tobacco, Firearms, and Explosives (ATF) regulations.

History of Section.

P.L. 1927, ch. 1052, § 4; G.L. 1938, ch. 404, § 4; G.L. 1956, § 11-47-5; G.L., § 11-47-8; P.L. 1959, ch. 75, § 1; P.L. 1968, ch. 183, § 3; P.L. 1974, ch. 184, § 1; P.L. 1975, ch. 278, § 1; P.L. 1988, ch. 389, § 1; P.L. 1991, ch. 227, § 1; P.L. 1992, ch. 422, § 1; P.L. 1992, ch. 460, § 1; P.L. 2000, ch. 109, § 11; P.L. 2018, ch. 5, § 3; P.L. 2018, ch. 8, § 3; P.L. 2020, ch. 9, § 2; P.L. 2020, ch. 10, § 2; P.L. 2023, ch. 395, art. 2, § 3, effective June 27, 2023.

§ 11-47-8.1. Modification of semi-automatic weapon.

(a) It shall be unlawful for any person within this state to modify any semi-automatic weapon such that it can shoot, is designed to shoot, or can be readily restored to shoot full-automatic fire with a single pull or hold of the trigger. The possession of such a modified semi-automatic weapon shall be evidence of guilty knowledge by the person having possession that the semi-automatic weapon was modified. Every person violating the provisions of this subsection shall, upon conviction, be punished by imprisonment for not less than one year nor more than ten (10) years, or by a fine up to ten thousand dollars (\$10,000), or both, and, except for a first conviction under this section, shall not be afforded the provisions of suspension or deferment of sentence, nor a probation.

(b) This section shall not apply to the purchase of any such device by the Rhode Island state police, by any city or town police department of the state of Rhode Island, or by the department of environmental management for display as a part of a firearms training course under its auspices.

(c) Weapons otherwise considered legal that are found modified by devices pursuant to this section shall be subject to forfeiture pursuant to § 11-47-22.

(d) This section shall not be construed to prohibit use of a replacement trigger or trigger components designed and intended to decrease the weight of the trigger pull or to improve the quality and release of the trigger pull in a semi-automatic weapon.

History of Section.

P.L. 2018, ch. 5, § 2; P.L. 2018, ch. 8, § 2.

§ 11-47-9. Persons exempt from restrictions.

(a) The provisions of § 11-47-8 shall not apply to sheriffs; deputy sheriffs; the superintendent and members of the state police; members of the Rhode Island airport police department; members of the Rhode Island state marshals; Rhode Island state fire marshal; chief deputy state fire marshals; deputy state fire marshals assigned to the bomb squad, and those assigned to the investigation unit; Providence fire department arson investigators, provided that the investigator receiving the permit is a graduate of a police-training academy; correctional officers, chief inspector and inspectors within the office of inspections, within the department of corrections; members of the city or town police force; capitol police investigators of the department of attorney general appointed pursuant to § 42-9-8.1; the witness protection coordinator for the witness protection review board as set forth in chapter 30 of title 12 and subject to the minimum qualifications of § 42-9-8.1; automobile

theft investigators of the Rhode Island state police pursuant to § 31-50-1; railroad police while traveling to and from official assignments or while on assignments; conservation officers; or other duly appointed law enforcement officers; nor to members of the Army, Navy, Air Force, and Marine Corps of the United States, the National Guard, or organized reserves, when on duty; nor to members of organizations by law authorized to purchase or receive firearms from the United States or this state, provided these members are at, or going to or from, their places of assembly or target practice; nor to officers or employees of the United States authorized by law to carry a concealed firearm; nor to any civilian guard or criminal investigator carrying sidearms or a concealed firearm in the performance of his or her official duties under the authority of the commanding officer of the military establishment in the state of Rhode Island where he or she is employed by the United States; nor to any civilian guard carrying sidearms or a concealed firearm in the performance of his or her official duties under the authority of the adjutant general where he or she is employed guarding a national guard facility, provided, that the commanding officer of the military establishment shall have on file with the attorney general of this state a list of the names and addresses of all civilian guards and criminal investigators so authorized; nor to duly authorized military organizations when on duty; nor to members when at, or going to or from, their customary places of assembly; nor to any individual employed in the capacity of warden, associate warden, major, captain, lieutenant, sergeant, correctional officer or investigator at any project owned or operated by a municipal detention facility corporation, including the Donald W. Wyatt Detention Facility; nor to the regular and/or ordinary transportation of pistols or revolvers as merchandise; nor to any person while transporting a pistol, or revolvers, unloaded from the place of purchase to their residence, or place of business, from their residence to their place of business or from their place of business to their residence, or to a federal firearms licensee for the purpose of sale, to or from a bona fide gunsmith, or firearms repair facility, to any police station or other location designated as a site of a bona fide “gun buy-back” program, but only if said pistol or revolver is unloaded and any ammunition for said pistol or revolver is not readily or directly accessible from the passenger compartment of such vehicle while transporting same and further provided, that in the case of a vehicle without a compartment separate from the passenger compartment, the firearm or the ammunition shall be stored in a locked container.

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

History of Section.

P.L. 1927, ch. 1052, § 5; G.L. 1938, ch. 404, § 5; P.L. 1953, ch. 3135, § 1; G.L. 1956, § 11-47-6; G.L., § 11-47-9; P.L. 1959, ch. 75, § 1; P.L. 1972, ch. 134, § 2; P.L. 1974, ch. 252, § 2; P.L. 1975, ch. 278, § 1; P.L. 1977, ch. 100, § 1; P.L. 1979, ch. 371, § 1; P.L. 1990, ch. 208, § 5; P.L. 1992, ch. 286, § 2; P.L. 1993, ch. 423, § 2; P.L. 1999, ch. 412, § 1; P.L. 2005, ch. 329, § 1; P.L. 2005, ch. 390, § 1; P.L. 2007, ch. 263, § 2; P.L. 2007, ch. 392, § 2; P.L. 2007, ch. 503, § 1; P.L. 2007, ch. 520, § 1; P.L. 2008, ch. 94, § 1; P.L. 2008, ch. 156, § 1; P.L. 2008, ch. 475, § 2; P.L. 2010, ch. 23, art. 7, § 4; P.L. 2013, ch. 164, § 4; P.L. 2013, ch. 234, § 4; P.L. 2013, ch. 501, § 3; P.L. 2014, ch. 492, § 1; P.L. 2014, ch. 525, § 1; P.L. 2022, ch. 378, § 1, effective June 29, 2022; P.L. 2022, ch. 379, § 1, effective June 29, 2022.

§ 11-47-9.1. Additional exemptions.

The provisions of §§ 11-47-8 and 11-47-11 shall not apply to members of the state police, members of city or town police forces, and members of the Rhode Island airport police department. Persons exempted by the provisions of this section from the provisions of § 11-47-8 shall have the right to carry concealed firearms everywhere within this state; provided, that this shall not be construed as giving the right to carry concealed firearms to a person transporting firearms as merchandise or as household or business goods.

History of Section.

P.L. 1981, ch. 379, § 1; P.L. 1999, ch. 412, § 1.

§ 11-47-10. License or permit not required to carry to target range.

No license or permit shall be required for the purpose of carrying or transporting any pistol or revolver from one's home or place of business to a bona fide target practice range, nor from a bona fide target practice range to one's home or place of business, to engage in any shoot meet, or practice, provided that the pistol or revolver is broken down, unloaded and carried as openly as circumstances will permit, or provided that the pistols or revolvers are unloaded and secured in a separate container suitable for the purpose.

History of Section.

G.L. 1938, ch. 404, § 5(a); P.L. 1954, ch. 3322, § 1; G.L. 1956, § 11-47-7; G.L. 1956, § 11-47-10; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

§ 11-47-11. License or permit to carry concealed pistol or revolver.

(a) The licensing authorities of any city or town shall, upon application of any person twenty-one (21) years of age or over having a bona fide residence or place of business within the city or town, or of any person twenty-one (21) years of age or over having a bona fide residence within the United States and a license or permit to carry a pistol or revolver concealed upon his or her person issued by the authorities of any other state or subdivision of the United States, issue a license or permit to the person to carry concealed upon his or her person a pistol or revolver everywhere within this state for four (4) years from date of issue, if it appears that the applicant has good reason to fear an injury to his or her person or property or has any other proper reason for carrying a pistol or revolver, and that he or she is a suitable person to be so licensed. The license or permit shall be in triplicate in form to be prescribed by the attorney general and shall bear the fingerprint, photograph, name, address, description, and signature of the licensee and the reason given for desiring a license or permit and in no case shall it contain the serial number of any firearm. The original shall be delivered to the licensee. Any member of the licensing authority, its agents, servants, and employees shall be immune from suit in any action, civil or criminal, based upon any official act or decision, performed or made in good faith in issuing a license or permit under this chapter.

(b) Notwithstanding any other chapter or section of the general laws of the state of Rhode Island, the licensing authority of any city or town shall not provide or release to any individual, firm, association or corporation the name, address, or date of birth of any person who has held or currently holds a license or permit to carry a concealed pistol or revolver. This section shall not be construed to prohibit the release of any statistical data of a general nature relative to age, gender and racial or ethnic background nor shall it be construed to prevent the release of information to parties involved in any prosecution of § 11-47-8 or in response to a lawful subpoena in any criminal or civil action which the person is a party to that action.

History of Section.

P.L. 1927, ch. 1052, § 6; G.L. 1938, ch. 404, § 6; G.L. 1956, § 11-47-8; G.L., § 11-47-11, as enacted by P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1986, ch. 270, § 1; P.L. 1993, ch. 414, § 1; P.L. 1996, ch. 342, § 1; P.L. 1998, ch. 268, § 1.

§ 11-47-12. License or permit fee.

A fee of forty dollars (\$40.00) shall be charged and shall be paid for each license or permit to the licensing authority issuing it. Every license or permit shall be valid for four (4) years from the date when issued unless sooner revoked. The fee charged for issuing of the license or permit shall be applied for the use and benefit of the city, town, or state of Rhode Island.

History of Section.

P.L. 1927, ch. 1052, § 6; G.L. 1938, ch. 404, § 6; G.L. 1956, § 11-47-9; G.L., § 11-47-12, as enacted by P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1986, ch. 426, § 1; P.L. 1996, ch. 342, § 1.

§ 11-47-13. Revocation of license or permit.

Any license or permit may be revoked for just cause at any time by the authority granting it, and, upon revocation, the authority shall give immediate notice to the attorney general, who shall immediately note the revocation, with the date of revocation, upon the copy of the license or permit on file in his or her office.

History of Section.

P.L. 1927, ch. 1052, § 6; G.L. 1938, ch. 404, § 6; G.L. 1956, § 11-47-10; G.L. 1956, § 11-47-13; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

§ 11-47-14. Licenses and permits to banks and carriers.

The attorney general may issue a license or permit to any banking institution doing business in this state or to any public carrier who is in the business of transporting mail, money, securities, or other valuables, to possess and use machine guns under any regulations that the attorney general may prescribe.

History of Section.

P.L. 1927, ch. 1052, § 7; G.L. 1938, ch. 404, § 7; P.L. 1941, ch. 991, § 1; G.L. 1956, § 11-47-11; G.L. 1956, § 11-47-14; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

§ 11-47-15. Proof of ability required for license or permit.

No person shall be issued a license or permit to carry a pistol or revolver concealed upon his or her person until he or she has presented certification as prescribed in § 11-47-16 that he or she has qualified with a pistol or revolver of a caliber equal to or larger than the one he or she intends to carry, that qualification to consist of firing a score of one hundred ninety-five (195) or better out of a possible score of three hundred (300) with thirty (30) consecutive rounds at a distance of twenty-five (25) yards on the army "L" target, firing "slow" fire. The "slow" fire course shall allow ten (10) minutes for the firing of each of three (3) ten (10) shot strings.

History of Section.

P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

§ 11-47-15.1. Qualifications required of law enforcement officers appointed after June 6, 1970.

(a) Except as provided in § 11-47-15.3, all law enforcement officers of this state and its political subdivisions whose permanent appointment shall take place later than June 6, 1970, shall qualify on the official National Rifle Association B-21 police combat target firing a score of one hundred sixty-five (165) or better out of a possible score of two hundred fifty (250) with fifty (50) rounds in the distance, time period, and position required in the course:

(1) Stage A: Seven (7) yards, ten (10) shots crouch position, time twenty-five (25) seconds.

(2) Stage B: twelve (12) yards, five (5) shots point shoulder left hand, five (5) shots point shoulder right hand, both unsupported, and five (5) shots kneeling, time seventy-five (75) seconds.

(3) Stage C: twenty-one (21) yards, five (5) shots point shoulder left hand supported, five (5) shots point shoulder right hand supported, time forty-five (45) seconds.

(4) Stage D: twenty-five (25) yards, five (5) shots prone, five (5) shots left hand barricade, five (5) shots right hand barricade, time one minute forty-five (1:45) seconds.

(b) All stages are started with the weapon loaded with 5 rounds and holstered.

History of Section.

P.L. 1970, ch. 282, § 1; P.L. 1997, ch. 364, § 2.

§ 11-47-15.2. Definitions of law enforcement firing positions.

(a) “Barricade” means standing on both feet drawing the weapon and using the free hand to support it, with the use of the barricade.

(b) “Crouch position” means exerted effort to reduce the size of the body, weapon may be fired with one or two hands, the shooter may not drop to his or her knee(s).

(c) “Kneeling” means kneeling on one knee, the other extended towards the target. One arm may be supported on the forward knee. The weapon may be fired with either hand and may be supported by the free hand.

(d) “Point shoulder” means a semi-crouch position with weapon held at shoulder level.

(e) “Prone” means body extended on the ground, head towards the target. The weapon may be supported by both hands which are extended towards the target. The shooter shall assume this position by dropping to his or her knees. Weapon shall be drawn while in kneeling position, free hand shall be extended forward to support shooter as he or she continues into the prone position.

History of Section.

P.L. 1970, ch. 282, § 1.

§ 11-47-15.3. Commission on law enforcement standards and training.

(a) In lieu of the provisions of §§ 11-47-15.1, 11-47-15.2 and 11-47-17, each law enforcement department of this state and its political subdivisions may, on an annual basis, submit to the commission on law enforcement standards and training, referred to in this section as the “commission”, a proposal for the training and qualification of their officers on all firearms which they are authorized to carry or use in the performance of their official duties.

(b) Each proposal shall include training and qualification in the following areas:

- (1) Decision shooting;
- (2) Reduced light shooting;
- (3) Moving targets;
- (4) Use of cover;
- (5) Non-dominate hand shooting;
- (6) Alternate position shooting;
- (7) Reloading drills;
- (8) Malfunction drills.

(c) A minimum number of one hundred (100) rounds shall be fired by each officer during the training and qualification.

(d) Qualification shall be no less than twenty percent (20%) nor more than fifty percent (50%) of the total rounds fired. A minimum qualifying score shall be sixty-six percent (66%) of the rounds fired during the qualification phase.

(e) The commission shall review each proposal and, within fourteen (14) days, notify the department, in writing, whether the proposal is accepted or rejected. In the case of rejection, the commission shall make recommendations to the department which, if implemented, would make the proposal acceptable. Upon receipt of this notification, the department shall have fourteen (14) days to submit a new proposal that is acceptable to the commission.

(f) In the event that a department neglects to submit a proposal to the commission or fails to submit a proposal that is approved by the commission, the officers of that department shall be required to fulfill the requirements for qualification as set out in § 11-47-15.1, 11-47-15.2, 11-47-17 or 11-47-17.1.

(g) All law enforcement officers of this state and its political subdivisions whose permanent appointment shall take place after July 1, 1997, will be required to qualify under the provisions of this section with all weapons which they are authorized to carry or use in the execution of their official duties.

(h) Any law enforcement officer of this state and its political subdivisions whose permanent appointment took place prior to July 1, 1997, may elect to qualify under the applicable provisions of § 11-47-15.1, 11-47-15.2, 11-47-17 or 11-47-17.1.

History of Section.

P.L. 1997, ch. 364, § 1.

§ 11-47-16. Certification of qualification.

The range officer of the Rhode Island state police, the range officer of any city or town police department maintaining a regular and continuing firearms training program, a pistol instructor certified by the National Rifle Association and/or the United States Revolver Association, and any other qualified persons that the attorney general may designate are authorized to certify the qualification required by §§ 11-47-15 and 11-47-15.1. The certification required by §§ 11-47-15, 11-47-15.1 and § 11-47-15.3 shall be accomplished on a form to be prescribed by the attorney general.

History of Section.

P.L. 1959, ch. 75, § 1; P.L. 1970, ch. 282, § 2; P.L. 1997, ch. 364, § 2.

§ 11-47-16.1. Special commission on law enforcement weapons qualifications of retired officers.

(a) There is hereby created a special commission to be known as the “Law Enforcement Weapons Qualifications of Retired Officers Commission.”

(b) The purpose and charge of said commission shall be to study all aspects of firearms qualifications, standards, and certifications for all retired law enforcement officers appointed after June 17, 1959, from each of the city and town police departments of this state.

(c) The commission shall consist of eight (8) members: one of whom shall be the president of the State Fraternal Order of Police, or designee; one of whom shall be the president of the Providence Fraternal Order of Police, Lodge No. 3, or designee; one of whom shall be the superintendent of the Rhode Island state police, or designee; one of whom shall be a representative of a local branch of the International Brotherhood of Police Officers, to be appointed by the national president of the IBPO; one of whom shall be the executive director of the New England Police Chiefs Association, or designee; one of whom shall be the chairman of the Rhode Island commission on law enforcement standards and training, or designee; one of whom shall be the Rhode Island attorney general, or designee; and one of whom shall be the president of the Rhode Island State Rifle and Revolver Association or designee.

(d) Vacancies in said commission shall be filled in like manner as the original appointment.

(e) The membership of said commission shall receive no compensation for their services.

(f) All departments and agencies of the state shall furnish such advice and information, documentary and otherwise, to said commission and its agents as is deemed necessary or desirable by the commission to facilitate the purposes of this resolution.

(g) The commission shall report its findings and recommendations to the general assembly annually, on or before January 2, commencing in 2009.

History of Section.

P.L. 2008, ch. 368, § 1; P.L. 2008, ch. 383, § 1.

§ 11-47-17. Qualifications required of law enforcement officers appointed after June 17, 1959.

Except as provided in § 11-47-15.3, all law enforcement officers of this state and its political subdivisions whose permanent appointment shall take place after June 17, 1959, will be required to qualify with the pistol or revolver with which they are armed prior to their permanent appointment, that qualification to be the same as that required in § 11-47-15. Town constables or police constables, special officers, and all law enforcement officers, who by law are authorized to carry side arms and whose appointments are made on a recurring basis, will be required to qualify not later than one year following the date of enactment of this section and their commissions or warrants will be plainly marked or stamped “QUALIFIED WITH PISTOL OR REVOLVER” and will be signed and dated by the certifying authority attesting to that fact. The failure of any law enforcement officer to qualify under the provisions of this section revokes his or her privilege of carrying a pistol or revolver, whether concealed or not, on or about his or her person. All law enforcement officers of this state and its political subdivisions will repeat this qualification at periods of not more than one year.

History of Section.

P.L. 1959, ch. 75, § 1; P.L. 1997, ch. 364, § 2; P.L. 2007, ch. 73, art. 3, § 15; P.L. 2015, ch. 260, § 18; P.L. 2015, ch. 275, § 18; P.L. 2022, ch. 212, § 1, effective June 27, 2022; P.L. 2022, ch. 213, § 1, effective June 27, 2022.

§ 11-47-17.1. Mandatory or discretionary nature of § 11-47-15.1 requirements — Qualification reports to be filed.

(a) All law enforcement officers of this state and its political subdivisions, whose permanent appointment shall take place later than June 6, 1970, shall be required to qualify with the pistol or revolver with which they are armed prior to their permanent appointment, that qualification to be as required in §§ 11-47-15.1 and 11-47-15.3. All permanent appointed law enforcement officers of this state and its political subdivisions who are required to qualify under § 11-47-17 may, at the discretion of the officer, qualify under either § 11-47-15, § 11-47-15.1, or § 11-47-15.3. The failure of any law enforcement officer to qualify under the provisions of this section revokes his or her privilege of carrying a pistol or revolver, whether concealed or not, on or about his or her person. Qualification under this section will be required at periods of not more than one year.

(b) Copies of all of the qualification reports shall be filed with the office of the attorney general.

History of Section.

P.L. 1970, ch. 282, § 1; P.L. 1978, ch. 279, § 1; P.L. 1997, ch. 364, § 2; P.L. 2007, ch.

73, art. 3, § 15; P.L. 2022, ch. 212, § 1, effective June 27, 2022; P.L. 2022, ch. 213, § 1, effective June 27, 2022.

§ 11-47-18. License or permit issued by attorney general on showing of need — Issuance to retired police officers.

(a) The attorney general may issue a license or permit to any person twenty-one (21) years of age or over to carry a pistol or revolver, whether concealed or not, upon his or her person upon a proper showing of need, subject to the provisions of §§ 11-47-12 and 11-47-15; that license or permit may be issued notwithstanding the provisions of § 11-47-7.

(b) All state police officers and permanent members of city and town police forces of this state who have retired in good standing after at least twenty (20) years of service, or retired in good standing due to a physical disability other than a psychological impairment, may be issued a license or permit by the attorney general subject to the provisions of §§ 11-47-12 and 11-47-15. The term “in good standing” means that at the time of retirement, the police officer was not facing disciplinary action that could have resulted in his or her termination for misconduct or unfitness for office. Any member of the licensing authority, and its agents, servants, and employees shall be immune from suit in any action, civil or criminal, based upon any official act or decision, performed or made in good faith in issuing a license or permit under this chapter.

(c) Notwithstanding any other chapter or section of the general laws of the state of Rhode Island, the attorney general shall not provide or release to any individual, firm, association or corporation the name, address, or date of birth of any person who has held or currently holds a license or permit to carry a concealed pistol or revolver. This section shall not be construed to prohibit the release of any statistical data of a general nature relative to age, gender and racial or ethnic background nor shall it be construed to prevent the release of information to parties involved in any prosecution of § 11-47-8 or in response to a lawful subpoena in any criminal or civil action which said person is a party to such action.

History of Section.

G.L. 1938, ch. 404, § 7; P.L. 1950, ch. 2452, § 2; G.L. 1956, § 11-47-13; G.L. 1956, § 11-47-18; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1981, ch. 387, § 1; P.L. 1990, ch. 396, § 1; P.L. 1993, ch. 414, § 1; P.L. 1998, ch. 268, § 1; P.L. 2007, ch. 368, § 1; P.L. 2007, ch. 438, § 1.

§ 11-47-19. Machine gun manufacturers’ licenses or permits.

The attorney general may issue to any person, firm, or corporation, engaged in manufacturing in this state, a license or permit to manufacture and sell machine guns and any or all machine gun parts under any regulations that the attorney general may prescribe.

History of Section.

G.L. 1938, ch. 404, § 7; P.L. 1941, ch. 991, § 1; G.L. 1956, § 11-47-12; G.L. 1956, § 11-47-19; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

§ 11-47-20. Sale or possession of silencers.

It shall be unlawful within this state to manufacture, sell, purchase, or possess any muffler, silencer, or device for deadening or muffling the sound of a firearm when discharged. Violations of this section shall be punished by imprisonment for not less than one year and one day.

History of Section.

P.L. 1927, ch. 1052, § 8; G.L. 1938, ch. 404, § 8; G.L. 1956, § 11-47-14; G.L. 1956, § 11-47-20; P.L. 1959, ch. 75, § 1.

§ 11-47-20.1. Armor-piercing bullets.

It shall be unlawful within this state for any person to import, manufacture, sell, purchase, or otherwise transfer any bullets which have steel inner cores or cores of equivalent hardness and truncated cones and which are designed for use in pistols as armor-piercing or metal-piercing bullets. Any person who violates the provisions of this section shall be punished by imprisonment for not more than three (3) years, or a fine of not more than five thousand dollars (\$5,000), or both. This section shall not apply to the purchase of those bullets by the Rhode Island state police, by any city or town police department of the state of Rhode Island, or by the department of environmental management for display as a part of a firearms training course under its auspices.

History of Section.

P.L. 1982, ch. 218, § 1.

§ 11-47-20.2. Possession during commission of a felony.

Any person who uses bullets referred to in § 11-47-20.1 in the commission of a felony or who carries bullets of that kind in any weapon during the commission of a felony shall, in addition to the punishment provided for the commission of the felony, be

punished by imprisonment for not less than one year nor more than ten (10) years, or a fine of not more than ten thousand dollars (\$10,000), or both.

History of Section.

P.L. 1982, ch. 218, § 1.

§ 11-47-20.3. Injury or death of law enforcement officer.

Any person who uses bullets as defined in § 11-47-20.1 in the shooting of any law enforcement officer acting in the performance of his or her official duties so as to cause injury or death to the officer shall, upon conviction, be sentenced to life imprisonment.

History of Section.

P.L. 1990, ch. 462, § 1.

§ 11-47-20.4. Body armor.

(a) It shall be unlawful within this state for any person to purchase, own or possess body armor, if that person has been convicted of a felony that is a crime of violence. It shall be an affirmative defense under this section that the defendant obtained prior written certification from his or her employer that the defendant's purchase, use or possession of body armor was necessary for the safe performance of lawful business activity. It shall also be an affirmative defense for a confidential informant or witness with a conviction for a crime of violence to possess body armor when that person is engaged by a law enforcement agency, for a legitimate law enforcement purpose, and is under the direct supervision and acting under the direct authorization of the colonel or chief of police of that law enforcement agency. Any person who violates the provisions of this section shall be punished by imprisonment for not more than three (3) years, or a fine of not more than five thousand dollars (\$5,000), or both.

(b) **Definitions.** For the purposes of this section, the following definitions shall apply:

(1) "Crime of violence" means murder, manslaughter, first degree arson, kidnapping with intent to extort, robbery, larceny from the person, first degree sexual assault, second degree sexual assault, first and second degree child molestation, assault with intent to murder, assault with intent to rob, assault with intent to commit first degree sexual assault, burglary, and entering a dwelling house with intent to commit murder, robbery, sexual assault, or larceny.

(2) "Body armor" means any product sold or offered for sale, in interstate or foreign commerce, as personal protective body covering intended to protect

against gunfire, regardless of whether the product is to be worn alone or is sold as a complement to another product or garment.

History of Section.

P.L. 2012, ch. 135, § 1; P.L. 2012, ch. 144, § 1.

§ 11-47-21. Restrictions on possession or carrying of explosives or noxious substances.

Any person, except a member of the state police, division of sheriffs, a member of the police force of any city or town, or a member of the Army, Navy, Air Force, or Marine Corps of the United States, or of the National Guard or organized reserves when on duty, who possesses, or carries on or about his or her person or in a vehicle, a bomb or bombshell, except for blasting or other commercial use, or who, with intent to use it unlawfully against the person or property of another, possesses or carries any explosive substance, or any noxious liquid, gas, or substance, shall be guilty of a violation of this chapter and punished as provided in § 11-47-26.

History of Section.

P.L. 1927, ch. 1052, § 9; G.L. 1938, ch. 404, § 9; G.L. 1956, § 11-47-15; G.L. 1956, § 11-47-21; P.L. 1959, ch. 75, § 1; P.L. 1994, ch. 134, § 6; P.L. 2012, ch. 324, § 41.

§ 11-47-22. Forfeiture and destruction of unlawful firearms.

(a) No property right shall exist in any firearm unlawfully possessed, carried, or used, and all unlawful firearms are hereby declared to be nuisances and forfeited to the state.

(b) When a firearm is lawfully seized, confiscated from or turned in by any person, it shall be placed in the custody of the superintendent of state police or the chief of police in the city or town in which it was seized, confiscated or turned in to. The officer who takes custody of the firearm shall promptly ascertain, using available record keeping systems, including, but not limited to, the National Crime Information Center, whether the firearm has been reported stolen and if stolen shall notify the reporting law enforcement agency of the recovery of said firearm. If the police department in the city or town in which the firearm was seized or confiscated has not been notified by a justice of the superior court or the attorney general that the firearm is necessary as evidence in a criminal or civil matter, it shall be returned to the lawful owner. However, any owner of a firearm who shall knowingly fail to report the loss or theft of the firearm to the proper law enforcement authorities shall not be entitled to its return.

(c) If a firearm is found not to be stolen and the owner cannot be readily ascertained within ninety (90) days subsequent to the seizure or confiscation of said firearm and the firearm is no longer necessary as evidence in a criminal or civil matter, the police department having custody of the firearm shall have the option of either: (1) destroying said firearm by rendering it permanently and irretrievably inoperable; (2) transferring custody of said firearms to the state crime laboratory for the purpose of criminal investigation; or (3) holding an auction of those firearms seized, confiscated or turned in to said police department; provided, however, any firearms to be transferred at auction shall be limited to antique firearms or curios or relics. For purposes of this section, "an antique firearm" shall be defined as any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured on or before 1899, and any replica of such firearm if such replica is not designed or redesigned for using rim-fire or conventional center fire fixed ammunition, or uses rim-fire or conventional center fire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade. "Curios or relics" shall be defined as firearms which are of special interest to collectors by reason of some quality other than is associated with firearms intended for sporting use or as offensive or defensive weapons. To be recognized as curios or relics, firearms must be manufactured at least fifty (50) years prior to the current date, but not including replicas thereof, and firearms which derive a substantial part of their monetary value from the fact that they are novel, rare, bizarre, or because of their association with some historical figure, period, or event.

(d) In the event that an auction is held, bidders shall be limited to bona fide holders of a valid Federal Firearms License for Retail Sale or a Federal Firearms Collector License. Any auction shall be advertised at least once a week for a period of three (3) weeks preceding the date of the auction in a newspaper of general circulation, said notice clearly stating the time, location and terms of said auction. All funds realized shall be used to purchase and provide necessary safety equipment, including, but not limited to, bulletproof vests, for the police department holding the auction and shall not revert to any general fund of the state, city or town, as the case may be.

(e) All firearms received by any police department in any manner shall be entered in the department's permanent records and listed by make, model, caliber and serial number and the manner in which said firearm was disposed of and, if by auction, the name and federal license number of the buyer. A copy of said record shall be forwarded to the office of the Rhode Island Attorney General and the Bureau of Alcohol, Tobacco and Firearms of the United States Treasury Department on at least an annual basis.

History of Section.

P.L. 1927, ch. 1052, § 10; G.L. 1938, ch. 404, § 10; G.L. 1956, § 11-47-16; G.L. 1956, § 11-47-22; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 2003, ch. 418, § 1; P.L. 2003, ch. 432, § 1; P.L. 2008, ch. 267, § 1; P.L. 2008, ch. 417, § 1.

§ 11-47-23. False information in securing firearm or license — Straw purchases.

(a) No person shall, in purchasing or otherwise securing delivery of a shotgun, rifle, pistol, or revolver, or in applying for a license or permit to carry it, give false information or offer false evidence of his or her identity.

(b) No person shall knowingly purchase or otherwise obtain a shotgun, rifle, pistol, or revolver on behalf of another person, or transfer a shotgun, rifle, pistol, or revolver to another person, whom the transferor knows or reasonably should know is prohibited from possessing a firearm under federal or state law.

(c) A first violation of the provisions of this section may be punished by a fine of not more than five thousand dollars (\$5,000), imprisonment for not more than five (5) years, or both. A second or subsequent violation of the provisions of this section may be punished by a fine of not more than ten thousand dollars (\$10,000), imprisonment for not more than ten (10) years, or both.

History of Section.

P.L. 1927, ch. 1025, § 11; G.L. 1938, ch. 404, § 11; G.L. 1956, § 11-47-17; G.L., § 11-47-23; P.L. 1959, ch. 75, § 1; P.L. 1990, ch. 37, § 2; P.L. 1990, ch. 300, § 1; P.L. 2013, ch. 455, § 3; P.L. 2013, ch. 464, § 3; P.L. 2021, ch. 339, § 1, effective July 12, 2021; P.L. 2021, ch. 340, § 1, effective July 12, 2021.

§ 11-47-24. Alteration of marks of identification on firearms.

(a) No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or if there is no name of the maker, model, or manufacturer's number then any other mark of identification on any firearm.

(b) No person shall, absent recertification paperwork, knowingly receive, transport, or possess any firearm which has had the name of the maker or manufacturer's serial number removed, altered, or obliterated, or if there is no name of the maker, model, or manufacturer's number then any other mark of identification on any firearm.

(c) Possession of any firearm, absent recertification paperwork, upon which the name of the maker, model, manufacturer's number, or if there is no name of the maker, model, or manufacturer's number then any other mark of identification on any firearm

has been changed, altered, removed, or obliterated shall be prima facie evidence that the possessor has changed, altered, removed, or obliterated.

(d) A person in possession of a firearm, with proof of ownership and/or transfer from a FFL dealer, may apply for recertification of that firearm from a Rhode Island based licensed firearms business owner who also is an FFL dealer or a local police chief and/or police department official if the name of the maker, model, manufacturer's number, or if there is no name of the maker, model, or manufacturer's number then any other mark of identification on the firearm has been only partially damaged.

(e) The Rhode Island based licensed firearms business owner who is also an FFL dealer or a local police chief and/or police department official shall, within sixty (60) days of the application if he or she is reasonably able to verify the firearm ownership and identifying marks recertify the firearm or return the firearm to the person who presented it, certify by written notarized documentation that the firearm's name of the maker, model, manufacturer's number, or if there is no name of the maker, model, or manufacturer's number then any other mark of identification on the firearm has been partially damaged and is still identifiable and traceable to the record owner.

(f) The sale or transfer of a recertified firearm and/or the submission of a report by the record owner that the firearm was stolen immediately voids all recertification documentation.

(g) Violation of the provisions of this section may be punished by imprisonment for not more than five (5) years.

(h) This section shall not apply to the lawful exchange of component parts of any firearms, nor to any antique and collectible weapons legally possessed by collectors and dealers of firearms as provided in § 11-47-25.

History of Section.

P.L. 1927, ch. 1052, § 12; G.L. 1938, ch. 404, § 13; G.L. 1956, § 11-47-18; G.L. 1956, § 11-47-24; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 2013, ch. 454, § 1; P.L. 2013, ch. 481, § 1.

§ 11-47-25. Antique firearms and collections.

This chapter shall not apply to antique firearms unsuitable for use, nor to collections of firearms utilized and maintained for educational, scientific, or any similar purpose without intent to use the firearms.

History of Section.

P.L. 1927, ch. 1052, § 13; G.L. 1938, ch. 404, § 13; G.L. 1956, § 11-47-19; G.L. 1956, § 11-47-25; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

§ 11-47-26. Penalties for violations.

Unless otherwise specified, any violation of any provision of this chapter shall be punished by a fine of not more than one thousand dollars (\$1,000), or imprisonment for not more than five (5) years, or both; provided, that a violation of any of the provisions of §§ 11-47-1 — 11-47-34 with relation to air rifle, air pistol, “blank gun,” “BB gun,” or other instrument other than a machine gun, shotgun, rifle, or pistol, from which steel or other metal projectiles are propelled, shall for the first offense be punished by a fine of not more than fifty dollars (\$50.00) and for the second or any subsequent offense by a fine of not more than one hundred dollars (\$100), or by imprisonment for not more than thirty (30) days, or both; and provided, further, that the provisions of chapter 1 of title 14 shall apply in the case of any person under the age of eighteen (18) years.

History of Section.

P.L. 1927, ch. 1052, § 14; P.L. 1929, ch. 1421, § 3; G.L. 1938, ch. 404, § 14; G.L. 1938, ch. 405, § 3; P.L. 1950, ch. 2452, § 3; G.L. 1956, §§ 11-47-20, 11-47-31;

§ 11-47-27. Standard of proof under §§ 11-47-1 — 11-47-34.

No negative allegation of any kind need be averred or proved in any complaint under §§ 11-47-1 — 11-47-34, and the carrying or use of any firearm contrary to the provisions of those sections shall be evidence that the possession, carrying or use of any firearm is unlawful, but the respondent in any case brought under those sections may show any fact that would render the possession, or use, or carrying of the firearm lawful.

History of Section.

P.L. 1927, ch. 1052, § 15; G.L. 1938, ch. 404, § 15; G.L. 1956, § 11-47-21; G.L. 1956, § 11-47-27; P.L. 1959, ch. 75, § 1.

§ 11-47-28. Arrest and detention for possession of firearms.

Every officer authorized to make an arrest may, without complaint and warrant, arrest any person who has in his or her possession any firearm whenever the officer has reasonable ground to suspect that the person possesses or is using or is carrying the firearm contrary to law. Any person so arrested may be detained a reasonable time, not exceeding twenty-four (24) hours, for the purpose of making an investigation

concerning the person, but no person so arrested shall be detained longer than twenty-four (24) hours without complaint being made against him or her before some proper court or justice. If the officer making the arrest shall at any time within the twenty-four (24) hours satisfy himself or herself that there is no ground for making a criminal complaint against the person, he or she shall be discharged from custody.

History of Section.

P.L. 1927, ch. 1052, § 16; G.L. 1938, ch. 404, § 16; G.L. 1956, § 11-47-22; G.L. 1956, § 11-47-28; P.L. 1959, ch. 75, § 1.

§ 11-47-29. Certification of conviction of alien.

In the case of the conviction under §§ 11-47-1 — 11-47-34 of a person who is not a citizen of the United States, it shall be the duty of the clerk of the court in which conviction is secured to certify the fact of the conviction to the proper officer of the United States government having supervision of the deportation of aliens.

History of Section.

P.L. 1927, ch. 1052, § 17; G.L. 1938, ch. 404, § 17; G.L. 1956, § 11-47-23; G.L. 1956, § 11-47-29; P.L. 1959, ch. 75, §

§ 11-47-30. Transfer or delivery of firearms to minors.

(a) It shall be unlawful within this state for any person to transfer, give, convey, or cause to be transferred, given, or conveyed any firearm to any person under eighteen (18) years of age, when the person knows or has reason to know that the recipient is under eighteen (18) years of age, except for the limited purposes set forth in §§ 11-47-33 and 11-47-34 [repealed] and with the prior approval or consent of the parent or legal guardian of the minor.

(b) Every person violating this section shall be punished, upon conviction, by imprisonment for not less than ten (10) years and not more than twenty (20) years. The prohibitions of this section shall not apply to any federally and state licensed retail dealer who makes reasonable efforts to verify a purchaser's age and shall not apply to the sale of an air rifle, air pistol, "blank gun", or "BB gun."

History of Section.

G.L. 1938, ch. 404, § 21; P.L. 1950, ch. 2452, § 4; G.L. 1956, § 11-47-24; G.L. 1956, § 11-47-30; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1999, ch. 389, § 1; P.L. 2000, ch. 158, § 1; P.L. 2000, ch. 285, § 1; P.L. 2022, ch. 135, § 1, effective June 21, 2022; P.L. 2022, ch. 136, § 1, effective June 21, 2022.

§ 11-47-31. Sale, transfer or delivery of ammunition to minors.

(a) It shall be unlawful within this state for any person to sell, transfer, give, convey, or cause to be sold, transferred, given or conveyed any ammunition, including any priming charge of powder, propelling charge of powder, or any form of missile or projectile to be ejected from a firearm to any person under eighteen (18) years of age when the person knows or has reason to know that the recipient is under eighteen (18) years of age, except for the limited purposes set forth in §§ 11-47-33 and 11-47-34 [repealed] and with the prior approval or consent of the parent or legal guardian of the minor.

(b) Every person violating this section shall be punished, upon conviction, by imprisonment for a term not to exceed ten (10) years. The prohibitions of this section shall not apply to any federally and state licensed retail dealer who makes reasonable efforts to verify a purchaser's age and shall not apply to the sale of ammunition for an air rifle, air pistol, "blank gun" or "BB gun."

History of Section.

G.L. 1938, ch. 404, § 22; P.L. 1950, ch. 2452, § 4; G.L. 1956, § 11-47-25; G.L. 1956, § 11-47-31; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1999, ch. 389, § 1; P.L. 2000, ch. 158, § 1; P.L. 2000, ch. 285, § 1.

§ 11-47-32. Possession of ammunition by minor.

Except as provided in § 11-47-33, it shall be unlawful within this state for any person under eighteen (18) years of age to possess and use ammunition, including any priming charge of powder, propelling charge of powder, or any form of missile or projectile to be ejected from a firearm.

History of Section.

G.L. 1938, ch. 404, § 23; P.L. 1950, ch. 2452, § 4; G.L. 1956, § 11-47-26; G.L. 1956, § 11-47-32; P.L. 1959, ch. 75, § 1; P.L. 1999, ch. 374, § 1.

§ 11-47-33. Possession of firearms by minors.

(a) It shall be unlawful within this state for any person under eighteen (18) years of age to possess and use any firearm unless the person is in the presence of a parent or guardian or supervising adult at any regular and recognized camp or rifle range approved by the Rhode Island state police or by the chief of police of the city or town in which the camp or rifle range is located; provided, that this provision shall not apply to minors engaged in lawful hunting activity under the supervision of a parent or guardian or qualified adult, minors participating in Reserve Officer Training Corps

programs, ceremonial parade activities, competitive and target shooting, participants in state militia activities and minors participating in a basic firearms education program; provided, further, that a person under eighteen (18) years of age may carry a firearm, unloaded, in a suitable case to and from his or her home and the camp or range and from the camp or range to other camp or range when accompanied by a parent, guardian, or supervising adult.

(b) For purposes of this section only, “qualified adult” means any person twenty-one (21) years of age or older and permitted by law to possess and use the firearm.

History of Section.

G.L. 1938, ch. 404, § 24; P.L. 1950, ch. 2452, § 4; G.L. 1956, § 11-47-27; G.L. 1956, § 11-47-33; P.L. 1959, ch. 75, § 1; P.L. 1999, ch. 374, § 1; P.L. 2022, ch. 135, § 1, effective June 21, 2022; P.L. 2022, ch. 136, § 1, effective June 21, 2022.

§ 11-47-34. [Repealed.]

History of Section.

G.L. 1938, ch. 404, § 25; P.L. 1950, ch. 2452, § 4; G.L. 1956, § 11-47-28; G.L. 1956, § 11-47-34; P.L. 1959, ch. 75, § 1; P.L. 1999, ch. 374, § 1; repealed by P.L. 2022, ch. 135, § 3, effective June 21, 2022; repealed by P.L. 2022, ch. 136, § 3, effective June 21, 2022.

§ 11-47-35. Sale of concealable weapons — Safety courses and tests — Issuance of permits to certain government officers.

(a)(1) No person shall deliver a pistol or revolver to a purchaser until seven (7) days shall have elapsed from twelve o’clock (12:00) noon of the day following the day of application for the purchase, and when delivered, the pistol or revolver shall be unloaded and securely wrapped, with the bill of sale to be enclosed within the wrapper with the pistol or revolver. Any citizen of the United States and/or lawful resident of this state who is twenty-one (21) years of age or older, and any nonresident member of the armed forces of the United States who is stationed in this state and who is twenty-one (21) years of age or older, may, upon application, purchase or acquire a pistol or revolver. At the time of applying for the purchase of a concealable firearm, the purchaser shall: (i) Complete and sign in triplicate and deliver to the person selling the pistol or revolver the application form described in this section, and in no case shall it contain the serial number of the pistol or revolver; and (ii) Present to the person selling the pistol or revolver a pistol/revolver safety certificate issued by the department of environmental management. The certificate shall be retained in the possession of the buyer. The pistol/revolver safety certificate shall certify that the

purchaser has completed a basic pistol/revolver safety course as shall be administered by the department of environmental management.

(Face of application form)

Application to Purchase Pistol or Revolver

Date Hour A.M. P.M.

Name

Address

(Street and number) (City or town) (State)

Date of Birth Place of Birth

Height Weight Color hair

.....

Color eyes

Scars

Tattoos

Other identifying marks

Are you a citizen of the United States

Are you a citizen of Rhode Island

How long

Where stationed

(Armed Forces only)

Number of pistols and/or revolvers to be purchased

Have you ever been convicted of a crime of violence

(See § 11-47-2)

Have you ever been adjudicated or under confinement as addicted to a controlled substance

.....

Have you ever been adjudicated or under confinement for alcoholism

Have you ever been confined or treated for mental illness

From whom is pistol or revolver being purchased

Seller's address

Seller's signature

Applicant's signature

(See § 11-47-23 for penalty for false information on this application)

(Reverse side of application form)

AFFIDAVIT: I certify that I have read and am familiar with the provisions of §§ 11-47-1 — 11-47-55, inclusive, of the general laws of the State of Rhode Island, and that I am aware of the penalties for violation of the provisions of the cited sections. I further certify that I have completed the required basic pistol/revolver safety course.

Signed

(over)

County of

State of Rhode Island

Subscribed and sworn before me this day of A.D. 20... .

Notary Public

.....

(2) The person selling the pistol or revolver shall on the date of application sign and forward by registered mail, by delivery in person, or by electronic mail if approved by the applicable police department, the original and duplicate copies of the application to the chief of police in the city or town in which the purchaser has his or her residence or to the superintendent of the Rhode Island state police in the instance where the purchaser either resides in the town of Exeter or resides out of state. The superintendent of the Rhode Island state police or the chief of police in the city or town in which the purchaser has his or her residence shall mark or stamp the original copy of the application form with the date and the time of receipt and return it by the most expeditious means to the person who is selling the pistol or revolver. The triplicate copy duly signed by the person who is selling the pistol or revolver shall within seven (7) days be sent by him or her by registered mail, by delivery in person, or by electronic mail to the attorney general. The person who is selling the pistol or revolver shall retain the original copy duly receipted by the police authority to whom sent or delivered for a period of six (6) years with other records of the sale. It shall be the duty of the police authority to whom the duplicate copy of the application form is sent or delivered to make a background check of the applicant to ascertain whether he or she falls under the provisions of § 11-47-5, § 11-47-6, § 11-47-7, or § 11-47-23. If, after the lapse of seven (7) days from twelve o'clock (12:00) noon of the day following application, no disqualifying information has been received from the investigating police authority by the person who is selling the pistol or revolver, he or she will deliver the firearm applied for to the purchaser. Upon the finding of no disqualifying information under the provisions of the above cited sections of this chapter, and in no case later than thirty (30) days after the date of application, the duplicate and triplicate copies of the application will be destroyed. Retention of the duplicate and triplicate copies in violation of this section or any unauthorized use of the information contained in the copies by a person or agency shall be

punishable by a fine of not more than one thousand dollars (\$1,000). The provisions of this section shall not apply to bona fide sales at wholesale to duly licensed retail dealers, nor to purchases by retail dealers duly licensed under the provisions of § 11-47-39.

(b)(1) The department of environmental management shall establish the basic pistol/revolver safety course required by this section. The safety course shall consist of not less than two (2) hours of instruction in the safe use and handling of pistols and revolvers and the course shall be available to buyers continually throughout the year at convenient times and places but at least monthly at locations throughout the state, or more frequently as required. Proficiency in the use of pistols or revolvers shall not be prerequisite to the issuance of the safety certificate. No person shall be required to complete the course more than once; provided, that any person completing the course who is unable to produce the safety certificate issued by the department of environmental management shall be required to take the course again unless the person provides evidence to the department that he or she has successfully completed the course.

(2) The administration of the basic pistol/revolver safety course required by this section shall not exceed the cost of thirty-five thousand dollars (\$35,000) in any fiscal year.

(c) Proof of passage of the department of environmental management's basic hunter safety course will be equivalent to the pistol/revolver safety certificate mandated by this section.

(d) Any person who has reason to believe that he or she does not need the required handgun safety course may apply by any written means to the department of environmental management to take an objective test on the subject matter of the handgun safety course. The test shall be prepared, as well as an instruction manual upon which the test shall be based, by the department. The manual shall be made available by any means to the applicant who may, within the time limits for application, take the objective test at the department or at any location where the handgun safety course is being given. Any person receiving a passing grade on the test shall be issued a pistol/revolver safety certificate by the department.

(e) [Deleted by P.L. 2005, ch. 20, § 11 and P.L. 2005, ch. 27, § 11.]

(f) The following persons shall be issued basic pistol/revolver permits by the department of environmental management: sheriffs, deputy sheriffs, the superintendent and members of the state police, prison or jail wardens or their deputies, members of the city or town police force, members of the park police,

conservation officers, members of the airport police and officers of the United States government authorized by law to carry a concealed firearm and, at the discretion of the department of environmental management, any person who can satisfactorily establish that he or she formerly held one of these offices or were so authorized.

(g) Any person who is serving in the Army, Navy, Air Force, Marine Corps, or Coast Guard on active duty shall not be required to obtain a basic pistol/revolver safety certificate or basic pistol/revolver permit under this section so long as he or she remains on active duty.

(h) Any person who is serving in the active reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard, or any person in an active duty paid status in the Rhode Island National Guard, shall not be required to obtain a basic pistol/revolver safety certificate under this section so long as he or she remains in active status.

History of Section.

P.L. 1929, ch. 1421, § 1; G.L. 1938, ch. 405, § 1; G.L. 1956, § 11-47-29; G.L., § 11-47-35; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1979, ch. 206, § 1; P.L. 1980, ch. 376, § 1; P.L. 1985, ch. 439, § 1; P.L. 1987, ch. 530, § 1; P.L. 1989, ch. 139, § 1; P.L. 1990, ch. 37, § 2; P.L. 1990, ch. 300, § 1; P.L. 1996, ch. 146, § 1; P.L. 2000, ch. 109, § 11; P.L. 2000, ch. 128, § 1; P.L. 2001, ch. 180, § 9; P.L. 2005, ch. 20, § 11; P.L. 2005, ch. 27, § 11; P.L. 2007, ch. 497, § 1; P.L. 2007, ch. 519, § 1; P.L. 2020, ch. 61, § 2; P.L. 2020, ch. 68, § 2; P.L. 2021, ch. 339, § 1, effective July 12, 2021; P.L. 2021, ch. 340, § 1, effective July 12, 2021.

§ 11-47-35.1. Persons exempt from § 11-47-35.

The provisions of § 11-47-35 shall not apply to full-time members of the state police, full-time members of the state marshal's office, full-time members of city or town police departments, or state marshals or correctional officers or persons licensed under § 11-47-11.

History of Section.

P.L. 1987, ch. 135, § 1; P.L. 1992, ch. 383, § 1; P.L. 1993, ch. 202, § 1.

§ 11-47-35.2. Sale of rifles/shotguns.

(a) No person shall deliver a rifle or shotgun to a purchaser until seven (7) days shall have elapsed from twelve o'clock (12:00) noon of the day following the day of application for the purchase, and when delivered, the rifle or shotgun shall be unloaded and securely wrapped, with the bill of sale for it to be enclosed within the

wrapper with the rifle or shotgun. Any citizen of the United States and/or lawful resident of this state who is twenty-one (21) years of age or older, and any nonresident member of the armed forces of the United States who is stationed in this state and who is twenty-one (21) years of age or older, may, upon application, purchase or acquire a rifle or shotgun. At the time of applying for the purchase of a shotgun or rifle the purchaser shall complete and sign in triplicate and deliver to the seller the application form described in this section, and in no case shall it contain the serial number of the rifle or shotgun.

(Face of application form)

Application to Purchase Shotgun or Rifle

Date Hour A.M. P.M.
Name
Address
 (Street and number) (City or town) (State)
Date of Birth Place of Birth
Height Weight Color hair
.....
Color eyes
Scars
Tattoos
Other identifying marks
Are you a citizen of the United States
Are you a citizen of Rhode Island
How long
Where stationed
(Armed Forces only)
Number of rifles and/or shotguns to be purchased
Have you ever been convicted of a crime of violence
(See § 11-47-2 General Laws of Rhode Island)
Have you ever been adjudicated or under confinement as addicted to a controlled
substance
Have you ever been adjudicated or under confinement for alcoholism
.....
Have you ever been confined or treated for mental illness
From whom is shotgun or rifle being purchased
Seller's address
Seller's signature
Applicant's signature
(See § 11-47-23 for penalty for false information on this application)

(Reverse side of application form)

AFFIDAVIT: I certify that I have read and am familiar with the provisions of §§ 11-47-1 — 11-47-59, inclusive, of the general laws of the State of Rhode Island, and that I am aware of the penalties for violation of the provisions of the cited sections.

Signed

County of

State of Rhode Island

Subscribed and sworn before me this day of A.D. 20... .

Notary Public

.....

(b) The person who is selling the rifle or shotgun shall, on the date of application, sign and forward by registered mail or by delivery in person, or by electronic mail if approved by the applicable police department, the original and duplicate copies of the application to the chief of police in the city or town in which the purchaser has his or her residence or to the superintendent of the Rhode Island state police in the instance where the purchaser either resides in the town of Exeter or resides out of state. The superintendent of the Rhode Island state police or the chief of police in the city or town in which the purchaser has his or her residence shall mark or stamp the original copy of the application form with the date and time of receipt and return it by the most expeditious means to the seller. The triplicate copy duly signed by the seller shall within seven (7) days be sent by him or her by registered mail, by delivery in person, or by electronic mail, to the attorney general. The person who is selling the rifle or shotgun shall retain the original copy duly received by the police authority to whom sent or delivered for a period of six (6) years with other records of the sale. It shall be the duty of the police authority to whom the duplicate copy of the application form is sent or delivered to make a background check of the applicant to ascertain whether he or she falls under the provisions of § 11-47-5, § 11-47-6, § 11-47-7, or § 11-47-23. If, after the lapse of seven (7) days from twelve o'clock (12:00) noon of the day following application, no disqualifying information has been received from the investigating police authority by the person who is selling the rifle or shotgun, he or she will deliver the firearm applied for to the purchaser. Upon the finding of no disqualifying information under the provisions of the above cited sections of this chapter, and in no case later than thirty (30) days after the date of application, the duplicate and triplicate copies of the application will be destroyed. Retention of the duplicate and triplicate copies in violation of this chapter or any unauthorized use of the information contained in them by a person or agency shall be punishable by a fine of not more than one thousand dollars (\$1,000). The provisions of this section shall not apply to bona fide sales at wholesale to duly licensed retail dealers, nor to purchases by retail dealers duly licensed under the provisions of § 11-47-39.

(c) The provisions of this section shall not apply to full-time members of the state police, full-time members of city or town police departments, persons licensed under §§ 11-47-9 and 11-47-11, or to sales of air rifles or “BB guns” or to sales of antique firearms as defined in § 11-47-2.

History of Section.

P.L. 1990, ch. 37, § 1; P.L. 1990, ch. 300, § 1; P.L. 1996, ch. 146, § 1; P.L. 2000, ch. 128, § 1; P.L. 2020, ch. 61, § 2; P.L. 2020, ch. 68, § 2; P.L. 2021, ch. 339, § 1, effective July 12, 2021; P.L. 2021, ch. 340, § 1, effective July 12, 2021; P.L. 2022, ch. 135, § 1, effective June 21, 2022; P.L. 2022, ch. 136, § 1, effective June 21, 2022.

§ 11-47-35.3. Annual report on application process administration.

The attorney general shall provide the judiciary committees of the senate and house of representatives an annual report including the number of applications made pursuant to this section for the prior calendar year. The report shall include, but not be limited to, the number of applications received from sellers, the number of applications resulting in a determination that the potential buyer or transferee was prohibited from receipt or possession of a firearm pursuant to Rhode Island or federal law, the estimated costs of administering this chapter, and the number of instances in which a person requests amendment of the record pertaining to the person pursuant to §§ 11-47-35 and 11-47-35.2.

History of Section.

P.L. 1990, ch. 300, § 2.

§ 11-47-36. Purchase of concealable firearms from out of state dealers.

No citizen of this state shall purchase any concealable firearm outside of the state of Rhode Island unless he or she has duly executed the application form prescribed in § 11-47-35, the application form to be obtained by the purchaser from the city or town clerk of the city or town in which he or she resides or has his place of business. The original and duplicate copies of the application shall be delivered in person, duly executed, by the purchaser to the superintendent of the Rhode Island state police or to the chief of police of the city or town in which the purchaser resides. The purchaser shall send the triplicate copy of the application by registered mail to the attorney general within twenty-four (24) hours of the time of filing with the appropriate police authority. It shall be the duty of the police authority to whom the original and duplicate copies of the application are delivered to check the applicant’s record to ascertain whether he or she falls under the provisions of § 11-47-5, 11-47-6, 11-47-7, or 11-47-23. If, after the lapse of seventy-two (72) hours from twelve o’clock (12:00) noon of the day following the date of application, no disqualifying record has been

found by the investigating police authority, the original and duplicate copies of the application marked or stamped “approved” and signed by the investigating police authority will be returned to the applicant by the most expeditious means. The approved duplicate copy of the application shall be sent by the purchaser to the out-of-state dealer as proof of lawful purchase, and the original shall be retained by the purchaser along with the bill of sale for the firearm purchased for a period of six (6) years as proof of lawful purchase. The triplicate copy of the application shall be retained by the attorney general for a period which shall in no case exceed ninety (90) days, provided that no evidence of the nature as would disqualify the applicant has been found.

History of Section.

P.L. 1959, ch. 75, § 1.

§ 11-47-37. Sale to minors and others forbidden.

No person shall sell a firearm to any person under the age of twenty-one (21) or to one who he or she has reasonable cause to believe falls under the provisions of § 11-47-5, § 11-47-6, § 11-47-7, or § 11-47-23.

History of Section.

P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 2022, ch. 135, § 1, effective June 21, 2022; P.L. 2022, ch. 136, § 1, effective June 21, 2022.

§ 11-47-37.1. Persons exempt from age restrictions.

The provision of § 11-47-35.2 prohibiting the sale of rifles and shotguns to any person under twenty-one (21) years of age and the provisions of § 11-47-37 shall not apply to full-time members of the state police, full-time members of the state marshal’s office, full-time members of city or town police departments, or state marshals or correctional officers or persons while serving on active duty as a member of the United States armed forces or organized reserved or National Guard.

History of Section.

P.L. 2022, ch. 135, § 2, effective June 21, 2022; P.L. 2022, ch. 136, § 2, effective June 21, 2022.

§ 11-47-38. Dealers to be licensed.

No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell or otherwise transfer, any pistol, revolver, or other firearm without being licensed as provided in this chapter.

History of Section.

P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

§ 11-47-39. Issuance and conditions of dealer's license.

The duly constituted licensing authorities of any city, town, or political subdivision of this state may grant licenses in form prescribed by the attorney general effective for not more than one year from date of issue permitting the licensee to sell pistols and revolvers at retail within this state, subject to the following conditions in addition to those specified in §§ 11-47-35 and 11-47-36, for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in this chapter:

- (1) The business shall be carried on only in the building designated in the license.
- (2) The license or a copy of it, certified by the issuing authority, shall be displayed on the premises where it can easily be read.
- (3) No pistol or revolver shall be sold in violation of any provision of this chapter, nor shall a pistol or revolver be sold under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his or her identity.
- (4) The fee for issuing the license shall be five dollars (\$5.00). The fee charged for the issuing of the license shall be applied for the use and benefit of the city or town.

History of Section.

P.L. 1959, ch. 75, § 1.

§ 11-47-40. Register of sales of firearms — Display of firearms.

(a) Every person, firm, or corporation selling a pistol, revolver, or other firearm whether the seller is a retail dealer, pawnbroker, or otherwise shall keep a register in which shall be entered at the time of sale the date of sale, name, age, and residence of every purchaser of the a pistol, revolver, or other firearm, together with the caliber, make, model, manufacturer's number, or other mark of identification on the pistol, revolver, or other firearm. Every person, firm, or corporation who shall fail to keep a register and to enter the acts required by this section shall, upon conviction, be punished as provided in this chapter. The register shall be open at all reasonable hours for the mandatory monthly inspection of licensed firearm dealers to be conducted by state and/or local police officials.

(b) This section shall not apply to wholesale dealers' bona fide sales at wholesale to duly licensed retail dealers. It shall be unlawful for any person, firm, or corporation dealing in firearms to display any pistol, revolver, or imitation, or any firearm of a size which may be concealed upon the person, or placard advertising the sale of one, in any part of the premises of the person, firm, or corporation where it can be readily seen from the outside. "Firearm" as utilized in this section only does not apply to an air rifle, air pistol, "blank gun," or "BB gun."

History of Section.

P.L. 1929, ch. 1421, § 2; G.L. 1938, ch. 405, § 2; G.L. 1956, § 11-47-30; G.L. 1956, § 11-47-40; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

§ 11-47-41. Government firearm registration prohibited.

No government agency of this state or its political subdivisions shall keep or cause to be kept any list or register of privately owned firearms or any list or register of the owners of those firearms; provided, that the provisions of this section shall not apply to firearms which have been used in committing any crime of violence, nor to any person who has been convicted of a crime of violence.

History of Section.

P.L. 1959, ch. 75, § 1.

§ 11-47-42. Weapons other than firearms prohibited.

(a)(1) No person shall carry or possess or attempt to use against another any instrument or weapon of the kind commonly known as a blackjack, slingshot, billy, sandclub, sandbag, metal knuckles, slap glove, bludgeon, stun-gun, or the so called "Kung-Fu" weapons.

(2) No person shall with intent to use unlawfully against another, carry or possess a crossbow, dagger, dirk, stiletto, sword-in-cane, bowie knife, or other similar weapon designed to cut and stab another.

(3) No person shall wear or carry concealed upon his person, any of the above-mentioned instruments or weapons, or any razor, or knife of any description having a blade of more than three (3) inches in length measuring from the end of the handle where the blade is attached to the end of the blade, or other weapon of like kind or description.

Any person violating the provisions of these subsections shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for

not more than one year, or both, and the weapon so found shall be confiscated.

Any person violating the provisions of these subsections while he or she is incarcerated within the confines of the adult correctional institutions shall be punished by a fine of not less than one thousand dollars (\$1,000) nor more than three thousand dollars (\$3,000), or by imprisonment for not less than one year nor more than five (5) years, or both, and the weapon so found shall be confiscated.

(b) No person shall sell to a person under eighteen (18) years of age, without the written authorization of the minor's parent or legal guardian, any stink bomb, blackjack, slingshot, bill, sandclub, sandbag, metal knuckles, slap glove, bludgeon, stungun, paint ball gun, so called "kung-fu" weapons, dagger, dirk, stiletto, sword-in-cane, bowie knife, razor, or knife of any description having a blade of more than three inches (3") in length as described in subsection (a) of this section, or any multi-pronged star with sharpened edges designed to be used as a weapon and commonly known as a Chinese throwing star, except that an individual who is actually engaged in the instruction of martial arts and licensed under § 5-43-1 may carry and possess any multi-pronged star with sharpened edges for the sole purpose of instructional use. Any person violating the provisions of this subsection shall be punished by a fine of not less than one thousand dollars (\$1,000) nor more than three thousand dollars (\$3,000), or by imprisonment for not less than one year nor more than five (5) years, or both, and the weapons so found shall be confiscated.

History of Section.

G.L. 1896, ch. 283, §§ 23, 24; P.L. 1907, ch. 1436, § 1; P.L. 1908, ch. 1572, § 1; G.L. 1909, ch. 349, §§ 32, 33; P.L. 1910, ch. 591, § 1; P.L. 1911, ch. 709, § 1; P.L. 1915, ch. 1258, § 15; G.L. 1923, ch. 401, § 32; G.L. 1938, ch. 612, § 31; G.L. 1956, § 11-47-32; G.L., § 11-47-42; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1985, ch. 310, § 1; P.L. 1987, ch. 79, § 1; P.L. 1991, ch. 281, § 1; P.L. 2012, ch. 292, § 1.

§ 11-47-43. Collectors and police officers exempt from § 11-47-42.

The provisions of § 11-47-42, so far as they forbid the possession of certain instruments or weapons, shall not apply to any person who possesses or is making a collection of the weapons as curios or for educational, professional, scientific, or any other lawful purpose, without intent to use the instrument or weapon unlawfully. Nor shall the provisions of § 11-47-42, so far as they relate to the possession or carrying of any billy, apply to sheriffs, town constables, police constables, police, or other officers or guards whose duties require them to arrest or to keep and guard prisoners

or property, nor to any person summoned by those officers to aid them in the discharge of their duties while actually engaged in their duties.

History of Section.

G.L. 1896, ch. 283, § 23; P.L. 1908, ch. 1572, § 1; G.L. 1909, ch. 349, § 32; P.L. 1910, ch. 591, § 1; G.L. 1909, ch. 349, § 33; P.L. 1915, ch. 1258, § 16; G.L. 1923, ch. 401, § 33; G.L. 1938, ch. 612, § 32; G.L. 1956, § 11-47-33; G.L. 1956, § 11-47-43; P.L. 1959, ch. 75, § 1; P.L. 2015, ch. 260, § 18; P.L. 2015, ch. 275, § 18.

§ 11-47-44. Standard of proof under §§ 11-47-42 and 11-47-43.

No negative allegation of any kind need be averred or proved in any complaint under §§ 11-47-42 and 11-47-43, and the possession of any blackjack, slungshot, billy, sandclub, sandbag, metal knuckles, bludgeon, dirk, dagger, stiletto, or other similar weapon designed to cut and stab another, and the carrying or use of any the instrument or weapons or of any of the instruments or weapons forbidden by § 11-47-42 to be carried, worn, or used shall be evidence that the possession, use, wearing, or carrying, as the case may be, of any the instrument or weapon, is unlawful, but the respondent in any the case may show any fact that would render the possession or use, or wearing or carrying of the instrument or weapon lawful.

History of Section.

G.L. 1896, ch. 283, § 26; G.L. 1909, ch. 349, § 35; G.L. 1909, ch. 349, § 34; P.L. 1915, ch. 1258, § 17; G.L. 1923, ch. 401, § 34; G.L. 1938, ch. 612, § 33; G.L. 1956, § 11-47-34; G.L. 1956, § 11-47-44; P.L. 1959, ch. 75, § 1.

§ 11-47-45. Arrest and detention for possession of weapon prohibited by § 11-47-42.

Every officer authorized to make an arrest for any criminal offense may arrest without complaint and warrant any person who has in his or her possession any instrument or weapon described in § 11-47-42 whenever the officer has reasonable ground to suspect that the person possesses, or is using, wearing or carrying the instrument or weapon contrary to law. Any person so arrested may be detained a reasonable time, not exceeding twenty-four (24) hours, for the purpose of making an investigation concerning the person, but no person so arrested shall be detained longer than twenty-four (24) hours without complaint being made against him or her before some proper court or justice. If the officer making the arrest shall at any time within the twenty-four (24) hours satisfy himself or herself that there is no ground for making a criminal complaint against the person, he or she shall be discharged from custody.

History of Section.

G.L. 1909, ch. 349, § 35; P.L. 1915, ch. 1258, § 17; G.L. 1923, ch. 401, § 35; G.L. 1938, ch. 612, § 34; G.L. 1956, § 11-47-35; G.L. 1956, § 11-47-45; P.L. 1959, ch. 75, § 1.

§ 11-47-46. Sections 11-47-42 — 11-47-45 inapplicable to firearms.

The provisions of §§ 11-47-42 — 11-47-45 shall not be construed to relate to the possession and carrying of air guns, pistols or firearms of any description.

History of Section.

P.L. 1927, ch. 1052, § 18; G.L. 1938, ch. 404, § 18; G.L. 1956, § 11-47-36; G.L. 1956, § 11-47-46; P.L. 1959, ch. 75, § 1.

§ 11-47-47. Display of weapons.

No person, firm, or corporation shall display in a place of business by means of a window display any pistol, revolver, or other firearm, as defined in § 11-47-2, or any dagger, dirk, bowie knife, stiletto, metal knuckles, or blackjack; provided, that dealers in sporting goods may include in a window display pistols or revolvers upon a permit issued by the chief of police or town sergeant of any city or town. Any person, firm, or corporation violating the provisions of this section shall be punished by a fine not exceeding twenty-five dollars (\$25.00) for the first offense and one hundred dollars (\$100) for every subsequent offense.

History of Section.

P.L. 1929, ch. 1380, §§ 1, 2; G.L. 1938, ch. 607, §§ 11, 12; G.L. 1956, § 11-47-37; G.L. 1956, § 11-47-47; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

§ 11-47-48. Report of gunshot wounds.

Every physician attending or treating a case of bullet wound, gunshot wound, powder burn, or any other injury arising from or caused by the discharge of a gun, pistol, or other firearm, or whenever any case is treated in a hospital, sanitarium, dispensary, or other institution the person in charge of it, shall report the case at once to the police authorities of the town or city where the physician, hospital, sanitarium, dispensary or institution is located. This section shall not apply to wounds, burns, or injuries received by any member of the armed forces of the United States or of this state while engaged in the actual performance of duty. Whoever violates any provision of this section shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100).

History of Section.

P.L. 1929, ch. 1384, § 1; G.L. 1938, ch. 607, § 13; G.L. 1956, § 11-47-38; G.L. 1956, § 11-47-48; P.L. 1959, ch. 75, § 1.

§ 11-47-48.1. Report of lost or stolen weapons.

Every person who owns a firearm shall report the loss or theft of their firearm to the local law enforcement agency within twenty-four (24) hours of the discovery of the loss or theft. Whoever knowingly violates this section shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100).

History of Section.

P.L. 1997, ch. 87, § 1.

§ 11-47-49. Firing across highways prohibited.

Every person who shall discharge any firearm or other contrivance arranged to discharge shot, bullets, arrows, darts, or other missiles in or across any public road, street, square, or lane shall, upon conviction, be guilty of a misdemeanor and shall be subject to a fine not exceeding five hundred dollars (\$500), or one year in prison, or both.

History of Section.

G.L. 1896, ch. 110, § 1; G.L. 1909, ch. 134, § 1; G.L. 1923, ch. 177, § 1; G.L. 1938, ch. 406, § 1; G.L. 1956, § 11-47-39; G.L. 1956, § 11-47-49; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

§ 11-47-49.1. Firing in Blackstone Valley Flood Plain prohibited.

Every person who shall hunt or discharge any firearm within the Blackstone Valley Flood Plains or Marshes, also known as the “Valley Marshes,” shall be subject to:

- (1) A fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500) for the first offense;
- (2) A fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or imprisonment for sixty (60) days, or both, for the second offense; and
- (3) For any subsequent offense a fine of not less than one hundred fifty dollars (\$150) nor more than five hundred dollars (\$500), or imprisonment for ninety (90) days, or both.

History of Section.

P.L. 1980, ch. 43, § 1.

§ 11-47-50. Firing without landowner's permission — Firing in compact area.

(a) Every person, not being at the time under military duty, who shall discharge any firearm, "BB gun", or other contrivance arranged to discharge shot, bullets, arrows, darts, or other missiles within the compact part of any city or town, or who shall discharge a firearm or other contrivance elsewhere, except upon land owned or occupied by him or her or by permission of the owner or occupant of the land on or into which he or she may shoot, shall be guilty of a misdemeanor, and shall be subject to a fine not exceeding five hundred dollars (\$500), or one year in prison, or both; provided, that any city or town may by ordinance permit the discharge on non-posted land.

(b) The provisions of this section shall not apply to the owner of land who uses, or who gives permission to another to use without charge, a recurve, compound or longbow, provided that they are not used within two hundred fifty feet (250') of a dwelling house.

History of Section.

G.L. 1896, ch. 110, § 3; G.L. 1909, ch. 134, § 3; G.L. 1923, ch. 177, § 3; G.L. 1938, ch. 406, § 3; P.L. 1954, ch. 3280, § 1; G.L. 1956, § 11-47-40; G.L. 1956, § 11-47-50; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1; P.L. 1991, ch. 333, § 1.

§ 11-47-51. Loaded rifles and shotguns in vehicles and roadways.

(a) It is unlawful for any person to have in his or her possession a loaded rifle or loaded shotgun or a rifle or shotgun from the magazine of which all shells and cartridges have not been removed while upon or along any public highway, road, lane, or trail within this state; provided, that the provisions of this section shall not apply to deputy sheriffs, the superintendent and members of the state police, prison or jail wardens or their deputies, members of the city or town police force, investigators of the department of attorney general appointed pursuant to § 42-9-8.1, the director, assistant director and other inspectors and agents at the Rhode Island state fugitive task force appointed pursuant to § 12-6-7.2 [repealed], nor to other duly appointed law enforcement officers, including conservation officers, nor to members of the Army, Navy, Air Force, or Marine Corps of the United States, or the National Guard or organized reserves, when on duty, nor to officers or employees of the United States authorized by law to carry a concealed firearm, nor to any civilian guard or criminal investigator carrying sidearms or a concealed firearm in the performance of his or her official duties under the authority of the commanding officer of the military

establishment in the state of Rhode Island where he or she is employed by the United States; nor to persons legally engaged in hunting activity pursuant to the provisions of chapter 13 or 18 of title 20.

(b) Any person convicted of violating the provisions of this section shall be punished by imprisonment of not more than five (5) years, or by a fine of up to five thousand dollars (\$5,000), or both.

History of Section.

P.L. 1959, ch. 75, § 1; P.L. 1992, ch. 286, § 2; P.L. 1993, ch. 423, § 2; P.L. 2012, ch. 324, § 41; P.L. 2022, ch. 133, § 1, effective June 21, 2022; P.L. 2022, ch. 134, § 1, effective June 21, 2022.

§ 11-47-51.1. Discharge of firearm or incendiary or explosive substance or device from motor vehicle.

(a)(1) No person shall unlawfully discharge a firearm or incendiary or explosive substance or device from a motor vehicle in a manner which creates a substantial risk of death or serious personal injury to another person. Every person violating the provisions of this section shall be punished by imprisonment for not less than ten (10) years nor more than twenty (20) years and shall be fined not less than five thousand dollars (\$5,000.00) nor more than fifty thousand dollars (\$50,000.00), or both.

(2) In all cases under this subsection, the justice imposing sentence shall impose not less than the minimum sentence of ten (10) years imprisonment and may only impose a sentence less than that minimum if he or she finds that substantial and compelling circumstances exist which justify imposition of the alternative sentence. The finding may be based upon the character and background of the defendant, the cooperation of the defendant with law enforcement authorities, the nature and circumstances of the offense and/or the nature and quality of the evidence presented at trial. If a sentence which is less than imprisonment for a term of ten (10) years is imposed, the trial justice shall set forth on the record the circumstances which he or she found as justification for imposition of the lesser sentence.

(b) Any person injured as a result of a violation of this section shall be entitled to the civil remedies provided by § 7-15-4.

History of Section.

P.L. 1990, ch. 312, § 1.

§ 11-47-52. Carrying of weapon while under the influence of liquor or drugs.

It is unlawful to carry or transport any firearm in this state when intoxicated or under the influence of intoxicating liquor or narcotic drugs.

History of Section.

P.L. 1959, ch. 75, § 1.

§ 11-47-53. Limitation of prosecutions under §§ 11-47-49 — 11-47-52 — Fines.

No complaint for a violation of any of the provisions of §§ 11-47-49 — 11-47-52 shall be sustained unless brought within thirty (30) days after the commission of the offense, and all fines for the violation shall inure to the state.

History of Section.

G.L. 1896, ch. 110, § 6; G.L. 1909, ch. 134, § 6; G.L. 1923, ch. 177, § 6; G.L. 1938, ch. 406, § 7; G.L. 1956, § 11-47-42; G.L. 1956, § 11-47-53; P.L. 1959, ch. 75, § 1; P.L. 1975, ch. 278, § 1.

§ 11-47-54. Licensing of shooting galleries.

Every person who shall keep any pistol gallery, rifle gallery, or other building or other enclosure in any city or town of this state where firearms are used without a license from the duly constituted licensing authority of the city or town shall, upon conviction, be fined two hundred dollars (\$200) for the first offense, and five hundred dollars (\$500) for each subsequent offense; provided, that the provisions of this section shall not apply to organizations that receive arms and ammunition from the United States or this state.

History of Section.

P.L. 1959, ch. 75, § 1.

§ 11-47-55. Enforcement of chapter.

Deputy sheriffs, the superintendent and members of the state police, members of the city or town police force, or other duly appointed law enforcement officers, including conservation officers, shall have the power to enforce the provisions of this chapter.

History of Section.

P.L. 1959, ch. 75, § 1; P.L. 2012, ch. 324, § 41.

§ 11-47-56. Constitutionality.

If any part of this chapter is for any reason declared void, its invalidity shall not affect the validity of the remaining portions of this chapter.

History of Section.

P.L. 1959, ch. 75, § 1.

§ 11-47-57. “Mace” or similar substances.

Any person eighteen (18) years of age or over may carry on his or her person and use, unless otherwise prohibited by law, any non-lethal noxious substance or liquid for his or her protection or the protection of others; however, the use of any non-lethal noxious substance or liquid for any other purpose shall be punishable by a fine of not more than twenty-five dollars (\$25.00).

History of Section.

P.L. 1981, ch. 406, § 1.

§ 11-47-58. Firearms — State preemption.

The control of firearms, ammunition, or their component parts regarding their ownership, possession, transportation, carrying, transfer, sale, purchase, purchase delay, licensing, registration, and taxation shall rest solely with the state, except as otherwise provided in this chapter.

History of Section.

P.L. 1986, ch. 443, § 1.

§ 11-47-59. Possession of knife during commission of crime.

No person shall commit or attempt to commit any crime of violence while having in his or her possession a knife with a blade more than three (3) inches long. Every person violating the provisions of this section shall, upon conviction, be sentenced for a term not less than one year nor more than five (5) years and/or fined not exceeding three thousand dollars (\$3,000).

History of Section.

P.L. 1988, ch. 248, § 1.

§ 11-47-60. Possession of firearms on school grounds.

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

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

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

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

(b) The provisions of this section shall not apply to any person who shall be exempt pursuant to the provisions of § 11-47-9, who is a “peace officer” as defined in § 12-7-21; a retired law enforcement officer permitted under § 11-47-18(b) or pursuant to 18 U.S.C. §§ 926B and 926C; or an individual in accordance with a contract entered into between a school and the individual or an employer of the individual to provide security services to the school; or to the following activities when the activities are officially recognized and sanctioned by the educational institution:

(1) Firearm instruction and/or safety courses;

(2) Government-sponsored military-related programs such as ROTC;

(3) Interscholastic shooting and/or marksmanship events;

(4) Military history and firearms collection courses and/or programs; and

(5) The use of blank guns in theatrical and/or athletic events.

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

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

History of Section.

P.L. 1990, ch. 209, § 1; P.L. 1990, ch. 258, § 1; P.L. 1995, ch. 67, § 1; P.L. 2021, ch. 338, § 2, effective July 12, 2021; P.L. 2021, ch. 343, § 2, effective July 12, 2021.

§ 11-47-60.2. Possession of weapons on school grounds — Notification.

(a) If a student is found to be carrying a weapon, as defined in § 11-47-42, a firearm or replica of a firearm, or commits an aggravated assault on school grounds as defined in § 11-47-60, the principal or designee shall immediately notify the student's parents and the local police and turn the weapon over, if any, to the local enforcement agency.

(b) Any person who has reasonable cause to know that any person is in violation of this statute shall notify the principal or designee. The principal or designee shall immediately notify the student's parents and the local police. Any person acting in good faith who makes a report under this section shall have immunity from any civil liability that might otherwise be incurred or imposed as a result of making the report.

(c) School superintendents shall receive notice from the clerk of the family court regarding the disposition of all cases involving juveniles from their school districts adjudged pursuant to this statute. This information shall remain confidential and be shared with school officials who deal directly with the student.

(d) The provisions of this section should not apply to the following activities when the activities are officially recognized and sanctioned by the educational institution:

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

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

History of Section.

P.L. 1995, ch. 313, § 1.

§ 11-47-60.3. Trigger lock required.

No licensed retail dealer shall deliver any pistol to any purchaser without providing a trigger lock or other safety device designed to prevent an unauthorized user from operating the pistol.

History of Section.

P.L. 2000, ch. 208, § 1; P.L. 2000, ch. 221, § 1.

§ 11-47-61. Drive-by shootings.

Every person who shall discharge a firearm from a motor vehicle in a manner which creates a substantial risk of death or serious injury shall, upon conviction, be fined not less than five thousand dollars (\$5,000) nor more than fifty thousand dollars (\$50,000) or imprisoned for not less than ten (10) years nor more than twenty (20) years, or both.

History of Section.

P.L. 1990, ch. 284, § 3.

§ 11-47-62. Rifle ranges — Immunity from prosecution — Criminal or civil.

(a) Notwithstanding the provisions of any general or special law, rule or regulation to the contrary, it shall be lawful for an owner of a rifle, pistol, silhouette, archery, skeet, trap, black powder, or other similar range to operate the range in excess of the applicable noise or noise pollution, law, ordinance or bylaw, provided the owner of the range continues to be in compliance with any applicable noise control law, ordinance or bylaws in existence at the time of the construction of the range. No owner shall be liable in any action for nuisance, and no court shall enjoin the use or operation of the range on the basis of noise or noise pollution, provided the owner continues to be in compliance with any noise control law, ordinance or bylaws in effect at the time of the construction of the range.

(b) No standards in rules adopted by any state, city or town agency for limiting levels of noise in terms of decibel level which may occur in the outdoor atmosphere shall apply to the ranges exempted from liability under the provisions of this section.

(c) Nothing in this section shall be construed to authorize or permit an owner of a rifle, pistol, silhouette, archery, skeet, trap, black powder, or other similar range to change the use and/or type of the range, or to expand the use and/or type of the range.

History of Section.

P.L. 1997, ch. 225, § 1.

§ 11-47-63. Relief from disqualifiers program.

(a) Establishment of board. There is hereby established a board known as the relief from disqualifiers board to consider petitions for relief from a firearms prohibition due to an adjudication of commitment in Rhode Island.

(1) The board shall be comprised of five (5) members to be appointed by the governor subject to the following qualifications:

(i) One of whom shall be a licensed psychiatrist;

(ii) One of whom shall be a licensed psychologist;

(iii) One of whom shall be an active member of law enforcement in the state of Rhode Island;

(iv) One of whom shall be the director of the department of behavioral health, developmental disabilities and hospitals, or his/her designee; and

(v) One of whom shall be the attorney general or his/her designee.

(2) Each member shall serve for a term of three (3) years; provided, however, that of the initial members appointed to the board by the governor, two (2) shall be appointed for a term of two (2) years and three (3) shall be appointed to a term of three (3) years. As the term of office of a member of the board expires, his or her successor shall be appointed in a like manner for a term of three (3) years provided that a member shall continue to serve until an appointment is made by the governor. Any vacancy shall be filled by the governor for the unexpired term.

(b) Relief from disqualifiers program. A person who is subject to the disqualifiers of 18 U.S.C. § 922(d)(4) and 18 U.S.C. § 922(g)(4) and/or § 40.1-5-8 because of an adjudication commitment under the laws of this state may petition for relief from a firearms prohibition from the relief from disqualifiers board. The board shall consider the petition for relief in accordance with the following:

(1) The board shall give the petitioner the opportunity to present evidence to the board in a closed and confidential hearing on the record;

(2) A record of the hearing shall be maintained by the board for purposes of appellate review; and

(3) The board shall conduct said hearing within thirty (30) days of the filing of a petition for relief.

(c) In determining whether to grant relief, the board shall consider evidence regarding the following:

(1) The circumstances regarding the firearms disqualifiers pursuant to 18 U.S.C. § 922(d)(4) and 18 U.S.C. § 922(g)(4);

(2) The petitioner's record, that must include at a minimum, the petitioner's mental health record, including a certificate of a medical doctor or psychiatrist licensed in this state certifying that the person is no longer suffering from a mental disorder that interferes or handicaps the person from handling deadly weapons;

(3) All records pertaining to the petitioner's criminal history; and

(4) Evidence of the petitioner's reputation through character witness statements, testimony, or other character evidence.

(d) The board shall have the authority to require that the petitioner undergo a clinical evaluation and risk assessment, the results of which may also be considered as evidence in determining whether to approve or deny the petition for relief.

(e) After a hearing on the record, the board shall grant relief provided that it finds, by a preponderance of the evidence, that:

(1) The petitioner is not likely to act in a manner dangerous to public safety; and

(2) Granting the relief will not be contrary to the public interest.

(f) The board shall issue a decision in writing justifying the reasons for a denial or grant of relief.

(g) Any person whose petition for relief has been denied by the board shall have a right to a de novo judicial review in the superior court. The superior court shall consider the record of the board hearing on the petition for relief, the decision of the board, and, at the court's discretion, any additional evidence it deems necessary to conduct its review.

(h) Upon notice that a petition for relief has been granted, the district court shall, as soon as practicable:

(1) Cause the petitioner's record to be updated, corrected, modified, or removed from any database maintained, and made available to, the National Instant Criminal Background Check System (NICS) and reflect that the petitioner is no longer subject to a firearms prohibition as it relates to 18 U.S.C. § 922(d)(4) and 18 U.S.C. § 922(g)(4); and

(2) Notify the attorney general of the United States that the petitioner is no longer subject to a firearms prohibition pursuant to 18 U.S.C. § 922(d)(4) and 18 U.S.C. § 922(g)(4).

(i) The district court shall adopt rules relating to the transmission of information relating to civil commitments pursuant to § 40.1-5-8(l) and to the National Instant Criminal Background Check System (NICS), and the relief from disqualifiers process as set forth herein. In preparing such rules, the district court shall consult with the department of behavioral health, developmental disabilities and hospitals, the attorney general, and such other entities as may be necessary or advisable. Such regulations shall include provisions to protect the identity, confidentiality, and security of all records and data provided pursuant to this section and § 40.1-5-26.

(j) Any member of the relief from firearms disqualifications board, its agents, servants, and employees shall be immune from suit in any action, civil or criminal, based upon any official act or decision, related to this section, performed or made in good faith.

History of Section.

P.L. 2014, ch. 423, § 1; P.L. 2014, ch. 455, § 1.

§ 11-47-64. Sale of ammunition.

(a) For the purposes of this section "ammunition" means a loaded cartridge, consisting of a primed case, propellant or projectile, designed for use in any firearm as defined in § 11-47-2.

(b) No person, firm or corporation shall sell ammunition to any person unless such person is twenty-one (21) years of age or older and, after December 31, 2022, holds a valid pistol/revolver safety certificate or Rhode Island hunter education course card issued by the department of environmental management.

(c) The provisions of subsection (b) of this section shall not apply to full-time members of the state police, full-time members of the state marshal's office, full-time members of city or town police departments, or state marshals or correctional officers, persons serving on active duty as a member of the United States armed forces or

organized reserves or National Guard, or persons licensed to carry a firearm pursuant to § 11-47-11 or § 11-47-18.

(d) Any person who violates any provision of this section shall be guilty of a felony and may be punished by up to five (5) years imprisonment and/or a five thousand dollar (\$5,000) fine.

History of Section.

P.L. 2022, ch. 135, § 2, effective June 21, 2022; P.L. 2022, ch. 136, § 2, effective June 21, 2022.