

2017 -- H 5729

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LC001694
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO CRIMINAL OFFENSES - WEAPONS

Introduced By: Representative Ramon A. Perez

Date Introduced: March 01, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

3 **11-47-8. License or permit required for carrying pistol -- Possession of machine gun.**

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

1 under this section shall not be afforded the provisions of suspension or deferment of sentence, nor
2 a probation.

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

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

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

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

4 This act would take effect upon passage.

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