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# STATE OF RHODE ISLAND

### IN GENERAL ASSEMBLY

#### **JANUARY SESSION, A.D. 2024**

### AN ACT

### RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Representatives Craven, and Shanley

Date Introduced: January 10, 2024

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Sections 11-47-35.1 and 11-47-35.2 of the General Laws in Chapter 11-47

2 entitled "Weapons" are hereby amended to read as follows:

### 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 capitol police, full-time members of city or town police

departments, or state marshals or correctional officers or persons licensed under § 11-47-11.

### 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

12 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

17 no case shall it contain the serial number of the rifle or shotgun.

(Face of application form)

19 Application to Purchase Shotgun or Rifle

1	Date
2	Name
3	Address
4	(Street and number) (City or town) (State)
5	Date of Birth
6	Height Color hair
7	Color eyes
8	Scars
9	Tattoos
10	Other identifying marks
11	Are you a citizen of the United States
12	Are you a citizen of Rhode Island
13	How long
14	Where stationed
15	(Armed Forces only)
16	Number of rifles and/or shotguns to be purchased
17	Have you ever been convicted of a crime of violence
18	(See § 11-47-2 General Laws of Rhode Island)
19	Have you ever been adjudicated or under confinement as addicted to a controlled substance
20	
21	Have you ever been adjudicated or under confinement for alcoholism
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23	Have you ever been confined or treated for mental illness
24	From whom is shotgun or rifle being purchased
25	Seller's address
26	Seller's signature
27	Applicant's signature
28	(See § 11-47-23 for penalty for false information on this application)
29	(Reverse side of application form)
30	AFFIDAVIT: I certify that I have read and am familiar with the provisions of §§ 11-47-1 — 11-
31	47-59, inclusive, of the general laws of the State of Rhode Island, and that I am aware of the
32	penalties for violation of the provisions of the cited sections.
33	Signed
34	County of

State of Rhode Island

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

Notary Public

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(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 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 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 the capitol 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.

1	SECTION 2. This act shall take effect upon passage
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	LC003956
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# EXPLANATION

# BY THE LEGISLATIVE COUNCIL

OF

# AN ACT

# RELATING TO CRIMINAL OFFENSES -- WEAPONS

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This act would exempt full-time members of the capitol police from the seven (7) day
waiting period and other requirements for purchasing concealable firearms or rifles and shotguns.

This act would take effect upon passage.

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