

2013 -- H 5286 SUBSTITUTE A AS AMENDED

LC00953/SUB A/3

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

A N A C T

RELATING TO CRIMINAL OFFENSES

Introduced By: Representatives Craven, O'Neill, Lombardi, Marshall, and O'Brien

Date Introduced: February 06, 2013

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-24 of the General Laws in Chapter 11-47 entitled "Weapons"  
2 is hereby amended to read as follows:

3 **11-47-24. Alteration of marks of identification on firearms.** -- (a) No person shall  
4 change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, ~~or~~  
5 ~~other mark of identification on any firearm. Possession of any firearm upon which any of these~~  
6 ~~marks shall have been changed, altered, removed, or obliterated shall be prima facie evidence that~~  
7 ~~the possessor has changed, altered, removed, or obliterated it. Violation of the provisions of this~~  
8 ~~section may be punished by imprisonment for not more than five (5) years. or if there is no name~~  
9 of the maker, model, or manufacturer's number then any other mark of identification on any  
10 firearm.

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

15 (c) Possession of any firearm, absent recertification paperwork, upon which the name of  
16 the maker, model, manufacturer's number, or if there is no name of the maker, model, or  
17 manufacturer's number then any other mark of identification on any firearm has been changed,  
18 altered, removed, or obliterated shall be prima facie evidence that the possessor has changed,  
19 altered, removed, or obliterated it.

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

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

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

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

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

22           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 make it unlawful for any person to knowingly receive, transport or  
2 possess any firearm which has had the name of the maker or the manufacturer's serial number  
3 removed, altered, or obliterated, absent a recertification, except for antique and collectible  
4 weapons legally possessed by collectors and dealers of firearms.

5           This act would take effect upon passage.

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