

2010 -- S 2641

LC01577

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Senator Harold M. Metts

Date Introduced: March 04, 2010

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-24 and 11-47-33 of the General Laws in Chapter 11-47
2 entitled "Weapons" are 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. It shall also be unlawful for any person knowingly to
6 receive, transport, or possess any firearm which has had the importer's or manufacturer's serial
7 number removed, altered, or obliterated. Possession of any firearm upon which any of these
8 marks shall have been changed, altered, removed, or obliterated shall be prima facie evidence that
9 the possessor has changed, altered, removed, or obliterated it. Violation of the provisions of this
10 section may be punished by imprisonment for not more than five (5) years.

11 (b) This section shall not apply to antique and collectible weapons legally possessed by
12 collectors and dealers of firearms as set forth in section 11-47-25.

13 **11-47-33. Possession of firearms by minors.** -- (a) It shall be unlawful within this state
14 for any person under eighteen (18) years of age to possess ~~and use~~ any firearm unless he or she
15 shall hold a permit as provided in section 11-47-34, and unless the person is in the presence of a
16 parent or guardian or supervising adult at any regular and recognized camp or rifle range
17 approved by the Rhode Island state police or by the chief of police of the city or town in which
18 the camp or rifle range is located; provided, that this provision shall not apply to minors engaged
19 in lawful hunting activity under the supervision of a parent or guardian or qualified adult, minors

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

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

9 SECTION 2. Chapter 11-47 of the General Laws entitled "Weapons" is hereby amended
10 by adding thereto the following section:

11 **11-47-60.4. Discharge of firearms on school grounds.** – (a) No person shall unlawfully
12 discharge a firearm or other weapons on school grounds.

13 (b) For purposes of this section, "firearm" includes any machine gun, pistol, rifle, air
14 pistol, blank gun, BB gun, sawed-off shotgun, sawed-off rifle or other instrument from which
15 steel or metal projectiles are propelled, or which may readily be converted to expel a projectile,
16 except recurve, compound, or longbows, and except instruments propelling projectiles which are
17 designed or normally used for a primary purpose other than as a weapon.

18 (c) For the purposes of this section, "school grounds" means the property of a public or
19 private elementary or secondary school or in those portions of any building, stadium, or other
20 structure on school grounds which were, at the time of the violation, being used for an activity
21 sponsored by or through a school in this state or while riding school provided transportation.

22 (d) Every person violating the provisions of this section shall be punished by
23 imprisonment for not more than ten (10) years and shall be fined not less than five thousand
24 dollars (\$5,000) nor more than fifty thousand dollars (\$50,000) or both.

25 (e) The provisions of this section shall not apply to any person who shall be exempt
26 pursuant to the provisions of sections 11-47-9, 11-47-9.1, 11-47-11, and 11-47-18 or to the
27 following activities when the activities are officially recognized and sanctioned by the
28 educational institution:

29 (1) Firearm instruction and/or safety courses;

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

31 (3) Interscholastic shooting and/or marksmanship events;

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

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

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

1 [colleges.](#)

2 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES -- WEAPONS

1 This act would make it unlawful for any person to knowingly receive, transport or
2 possess any firearm which has had the importer's or manufacturer's serial number tampered with;
3 exempts antique and collectible weapons legally possessed by collectors and dealers of firearms;
4 makes the possession of a firearm by a minor unlawful unless he holds a valid permit and is in the
5 presence of a parent, guardian or supervising adult, or falls into other exceptions. This act would
6 also establish criminal penalties for the unlawful discharge of a firearm on school grounds.

7 This act would take effect upon passage.

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