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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

J O I N T R E S O L U T I O N

**CREATING A BEHAVIORAL HEALTH AND FIREARMS SAFETY TASK FORCE TO
REVIEW, AND MAKE RECOMMENDATIONS FOR, STATUTES RELATING TO
FIREARMS AND BEHAVIORAL HEALTH ISSUES**

Introduced By: Senators Cool Rumsey, Goldin, Walaska, Archambault, and Lombardi

Date Introduced: April 11, 2013

Referred To: Senate Judiciary

1 WHEREAS, Recent and well-publicized events, including the tragic shootings at Sandy
2 Hook Elementary School in neighboring Connecticut, have called into question how we as a
3 society deal with firearm violence and public safety; and

4 WHEREAS, The Rhode Island General Assembly seeks to ensure that the laws of our
5 state strike an appropriate balance between preserving the individual freedoms and liberties of
6 responsible firearm ownership, on the one hand, and on the other hand, acknowledging that
7 matters of public safety are recognized; and

8 WHEREAS, Many of the current laws enacted in our state relating to firearms have not
9 been reviewed for decades, and though various governmental stakeholders have come together
10 during the 2013 legislative session to propose ways to strengthen these laws, the General
11 Assembly believes that it is appropriate to conduct a comprehensive review of these laws; and

12 WHEREAS, It is of particular concern how the Rhode Island statutory framework deals
13 with the intersection of behavioral health and firearms safety; and

14 WHEREAS, It is in the best interest of the citizens of Rhode Island to convene a task
15 force composed of representatives from the legislative, executive, and judicial branches of
16 government, members of the behavioral health community, and representatives from firearm
17 associations; now, therefore be it

18 RESOLVED, That the Behavioral Health And Firearms Safety Task Force (hereinafter
19 referred to as the "Task Force") be and the same is hereby created consisting of twenty (20)

1 members: three (3) of whom shall be members of the House of Representatives, to be appointed
2 by the Speaker of the House, not more than two (2) of whom shall be from the same political
3 party; three (3) of whom shall be members of the Senate, to be appointed by the President of the
4 Senate, not more than two (2) of whom shall be from the same political party; two (2) of whom
5 shall be members to be selected by the Governor; one of whom shall be the Attorney General, or
6 designee; one of whom shall be the State Court Administrator, of designee; one of whom shall be
7 the Director of the Department of Public Safety, or designee; one of whom shall be the Director
8 of the Department of Environmental Management, or designee; one of whom shall be the
9 Director of the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals,
10 or designee; one of whom shall be the President of the Police Chiefs' Association, or designee;
11 one of whom shall be the Mental Health Advocate, or designee; one of whom shall be a public
12 member representing mental health service providers, to be appointed by the President of the
13 Senate; one of whom shall be a public member representing substance abuse service providers, to
14 be appointed by the Speaker of House; and three (3) of whom shall be public members of the
15 Federated Rhode Island Sportsmen's Club, Inc., one of whom shall be appointed by the Speaker
16 of the House, one of whom shall be appointed by the President of the Senate, and one of whom
17 shall be appointed by the Governor.

18 The purpose of said Task Force shall be to conduct a review of current law and make
19 recommendations on legislation to improve public safety by developing a more comprehensive
20 approach addressing the nexus between behavioral health and firearms safety and shall include
21 performing the following functions with respect to the National Instant Criminal Background
22 Check System ("NICS"):

23 (1) Conduct a review of different states' approaches for compliance with the NICS Index
24 (which includes information contributed by federal and state agencies identifying persons
25 prohibited from possessing firearms because of mental health or substance abuse history) to
26 ensure that the state conforms to best practices nationally;

27 (2) Propose legislation and recommendations to support the state's full participation in the
28 NICS Index; and

29 (3) Propose legislation and recommendations concerning the form and composition of the
30 relief from disabilities board based on a review of federal and state laws, rules, and regulations;
31 and be it further

32 RESOLVED, That the Task Force shall review chapter 11-47 of the Rhode Island
33 General Laws entitled "Weapons" and chapter 40.1-5 of the Rhode Island General Laws entitled
34 "Mental Health Law" and make recommendations to revise such chapters consistent with this

1 Joint Resolution, which recommendations shall include, but not be limited to, ensuring (1) The
2 privacy of information identifying persons with disqualifying behavioral health adjudications or
3 commitments; and (2) That the definitions used in such chapters related to mental health and
4 substance abuse (or in contemporaneous legislation proposed by the Task Force) are consistent
5 before transmitting such recommendations to the Governor, the Speaker of the House, and the
6 President of the Senate.

7 In lieu of any appointment of a member of the legislature to a permanent advisory
8 commission, a legislative study commission, or any commission created by a General Assembly
9 resolution, the appointing authority may appoint a member of the general public to serve in lieu
10 of a legislator, provided that the majority leader or the minority leader of the political party which
11 is entitled to the appointment consents to the member of the general public.

12 Forthwith upon passage of this resolution, a Representative appointed from the political
13 party of the Speaker of House and a Senator appointed from the political party of the President of
14 the Senate shall call the first meeting of the Task Force, and the members of the Task Force shall,
15 at their first meeting, elect a Chairperson, a Secretary, and any other officers they may find
16 necessary.

17 The Task Force shall assemble no less than two (2) times per month, or more often at the
18 call of the Chairperson or upon petition of a majority of its members, upon written notice of each
19 meeting stating the place, day, and time of the meeting along with the purpose and/or agenda of
20 the meeting. The written notice shall be sent to all members of the Task Force not less than seven
21 (7), nor more than ten (10) days prior to the meeting.

22 A quorum of the Task Force shall consist of a majority of its current membership and the
23 membership shall receive no compensation for their services.

24 Vacancies in said Task Force shall be filled in like manner as the original appointment.

25 All departments and agencies of the state shall furnish such advice and information,
26 documentary and otherwise, to said Task Force and its agents as is deemed necessary or desirable
27 by the Task Force to facilitate the purposes of this resolution.

28 The Joint Committee on Legislative Services is hereby authorized and directed to provide
29 suitable quarters for said Task Force; and be it further

30 RESOLVED, That the Task Force shall report its findings and recommendations to the
31 Governor, the Speaker of the House, and the President of the Senate no later than January 31,
32 2014, and said Task Force shall expire on June 30, 2014.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
JOINT RESOLUTION
CREATING A BEHAVIORAL HEALTH AND FIREARMS SAFETY TASK FORCE TO
REVIEW, AND MAKE RECOMMENDATIONS FOR, STATUTES RELATING TO
FIREARMS AND BEHAVIORAL HEALTH ISSUES

1 This resolution would create a twenty (20) member special Task Force whose purpose it
2 would be to conduct a review of current law and make recommendations on legislation to
3 improve public safety by developing a more comprehensive approach addressing the nexus
4 between behavioral health and firearms safety, and who would report back to the Governor, the
5 Speaker of the House, and the President of the Senate no later than January 31, 2014, and whose
6 life would expire on June 30, 2014.

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