

2017 -- H 5730

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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: Representatives Slater, Hearn, Kazarian, and Diaz

Date Introduced: March 01, 2017

Referred To: House Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-47-11 and 11-47-18 of the General Laws in Chapter 11-47
2 entitled "Weapons" are hereby amended to read as follows:

3 **11-47-11. License or permit to carry concealed pistol or revolver.**

4 (a) The licensing authorities of any city or town shall, upon application of any person
5 twenty-one (21) years of age or over having a bona fide residence or place of business within the
6 city or town, or of any person twenty-one (21) years of age or over having a bona fide residence
7 within the United States and a license or permit to carry a pistol or revolver concealed upon his or
8 her person issued by the authorities of any other state or subdivision of the United States, issue a
9 license or permit to the person to carry concealed upon his or her person a pistol or revolver
10 everywhere within this state for four (4) years from date of issue, if it appears that the applicant
11 has good reason to fear an injury to his or her person or property or has any other proper reason
12 for carrying a pistol or revolver, and that he or she is a suitable person to be so licensed. The
13 license or permit shall be in triplicate in form to be prescribed by the attorney general and shall
14 bear the fingerprint, photograph, name, address, description, and signature of the licensee and the
15 reason given for desiring a license or permit and in no case shall it contain the serial number of
16 any firearm. The original shall be delivered to the licensee. Any member of the licensing
17 authority, its agents, servants, and employees shall be immune from suit in any action, civil or
18 criminal, based upon any official act or decision, performed or made in good faith in issuing a
19 license or permit under this chapter.

1 (b) Notwithstanding any other chapter or section of the general laws of the state of Rhode
2 Island, the licensing authority of any city or town shall not provide or release to any individual,
3 firm, association or corporation the name, address, or date of birth of any person who has held or
4 currently holds a license or permit to carry a concealed pistol or revolver. This section shall not
5 be construed to prohibit the release of any statistical data of a general nature relative to age,
6 gender and racial or ethnic background nor shall it be construed to prevent the release of
7 information to parties involved in any prosecution of § 11-47-8 or in response to a lawful
8 subpoena in any criminal or civil action which the person is a party to that action.

9 [\(c\) Any person applying for a license or permit pursuant to subsection \(a\) of this section](#)
10 [must undergo a national criminal records check, which shall include fingerprints submitted to the](#)
11 [Federal Bureau of Investigation \(FBI\) by the local police department. The applicant shall be](#)
12 [responsible for the cost of conducting the national criminal records check.](#)

13 **11-47-18. License or permit issued by attorney general on showing of need --**
14 **Issuance to retired police officers.**

15 (a) The attorney general may issue a license or permit to any person twenty-one (21)
16 years of age or over to carry a pistol or revolver, whether concealed or not, upon his or her person
17 upon a proper showing of need, subject to the provisions of §§ 11-47-12 and 11-47-15; that
18 license or permit may be issued notwithstanding the provisions of § 11-47-7.

19 [Any person issued a license or permit pursuant to this section shall undergo a national](#)
20 [criminal records check, which shall include fingerprints submitted to the Federal Bureau of](#)
21 [Investigation \(FBI\) by the bureau of criminal identification of the department of the attorney](#)
22 [general. The applicant shall be responsible for the cost of conducting the national criminal](#)
23 [records check.](#)

24 (b) All state police officers and permanent members of city and town police forces of this
25 state who have retired in good standing after at least twenty (20) years of service, or retired in
26 good standing due to a physical disability other than a psychological impairment, may be issued a
27 license or permit by the attorney general subject to the provisions of §§ 11-47-12 and 11-47-15.
28 The term "in good standing" means that at the time of retirement, the police officer was not facing
29 disciplinary action that could have resulted in his or her termination for misconduct or unfitness
30 for office. Any member of the licensing authority, and its agents, servants, and employees shall
31 be immune from suit in any action, civil or criminal, based upon any official act or decision,
32 performed or made in good faith in issuing a license or permit under this chapter.

33 (c) Notwithstanding any other chapter or section of the general laws of the state of Rhode
34 Island, the attorney general shall not provide or release to any individual, firm, association or

1 corporation the name, address, or date of birth of any person who has held or currently holds a
2 license or permit to carry a concealed pistol or revolver. This section shall not be construed to
3 prohibit the release of any statistical data of a general nature relative to age, gender and racial or
4 ethnic background nor shall it be construed to prevent the release of information to parties
5 involved in any prosecution of § 11-47-8 or in response to a lawful subpoena in any criminal or
6 civil action which said person is a party to such action.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO CRIMINAL OFFENSES - WEAPONS

1 This act would provide that applicants for a license or permit to carry a firearm under the
2 applicable provisions of the general laws must undergo a national criminal records check, which
3 shall include fingerprints submitted to the federal bureau of investigation (FBI).

4 This act would take effect upon passage.

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