AN ACT
RELATING TO CRIMINAL OFFENSES - WEAPONS

Introduced By: Representatives Caldwell, Knight, Craven, Tobon, and McKiernan

Date Introduced: January 23, 2020

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Title 11 of the General Laws entitled "CRIMINAL OFFENSES" is hereby amended by adding thereto the following chapter:

CHAPTER 47.1

LARGE CAPACITY FEEDING DEVICE BAN ACT OF 2020

11-47.1-1. Short title.
This chapter shall be known and may be cited as the "Rhode Island Large Capacity Feeding Device Ban Act of 2020.

As used in this chapter the following terms and phrases are construed as follows:

(1) "Large capacity feeding device" means a magazine, box, drum, tube, belt, feed strip, or similar device which has a capacity of more than ten (10) rounds of ammunition. The term large capacity feeding device shall include an ammunition feeding device with a removable floor plate or end plate, or any other feature that allows the device to be readily converted to accept more than ten (10) rounds of ammunition. The term shall not include an attached tubular device which is capable of holding only .22 caliber rim fire ammunition or a feeding device that has been rendered permanently inoperable.

(2) "Federally licensed firearm dealer" means a person who holds a valid federal firearm dealer's license pursuant to 18 U.S.C. § 923(a).

11-47.1-3. Large capacity device prohibited.
(a) No person shall manufacture, sell, offer to sell, transfer, purchase, possess, or have under their control a large capacity feeding device, except as otherwise authorized under this chapter. Any person convicted of violating the provisions of this section shall be punished by a fine of up to five thousand dollars ($5000) or by imprisonment of not less than one year nor more than five (5) years, or both, and except for a first conviction under this section, shall not be afforded the provisions of a suspension or deferment of sentence, nor probation. Any unlawfully possessed large capacity feeding device shall be subject to forfeiture.

(b) The provisions of subsection (a) of this section shall not apply to:

(1) Any person who, on the effective date of this chapter, lawfully possessed a large capacity feeding device; provided that, within one hundred eighty (180) days of the effective date of this chapter the person:

(i) Permanently modifies the large capacity feeding device such that it cannot hold more than ten (10) rounds of ammunition;

(ii) Surrenders the large capacity feeding device to the police department in the city or town in which the person resides or, if there is no such police department or the person resides out of state, to the nearest Rhode Island state police barracks, in accordance with procedures promulgated by the chief of police or the superintendent of the state police;

(iii) Transfers or sells the large capacity feeding device to a federally licensed firearm dealer or a firm outside the state of Rhode Island that is lawfully entitled to own or possess such a device;

(2) Any law enforcement officer that is exempt under §§ 11-47-9 or 11-47-9.1, or a retired law enforcement officer exempt under §§ 11-47-9 or 11-47-9.1 who is not otherwise prohibited from receiving such a feeding device from an agency upon retirement, and who has a permit to carry a firearm pursuant to § 11-47-18(b); or

(3) An active duty member of the armed forces of the United States, or the National Guard, who is authorized to possess and carry assault weapons.

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

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

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1 This act would ban large capacity feeding devices for use in firearms.

2 This act would take effect upon passage.