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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2002

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A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Representatives D Cicilline, Ajello, Williams, Tejada, and Dennigan

Date Introduced: March 13, 2002

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-5 of the General Laws in Chapter 11-47 entitled "Weapons"
2 is hereby amended to read as follows:

3 **11-47-5. Possession of arms by person convicted of crime of violence or who is a**
4 **fugitive from justice.** -- (a) No person who has been convicted in this state or elsewhere of a
5 crime of violence or who is a fugitive from justice or is the subject of a restraining order properly
6 issued as a result of violence or the threat of violence, shall purchase, own, carry, transport, or
7 have in his or her possession any firearm.

8 (b) Notwithstanding the provisions of subsection (a) of this section, no person convicted
9 of an offense punishable as a felony offense under section 12-29-5 shall purchase, own, carry,
10 transport, or have in his or her possession any firearm, for a period of two (2) years following the
11 date of that conviction.

12 (c) No person who is in community confinement pursuant to the provisions of section
13 42-56-20.2 or who is otherwise subject to electronic surveillance or monitoring devices as a
14 condition of parole shall purchase, carry, transport, or have in his or her possession any firearm.
15 This subsection does not apply to any person who has not been convicted of (or pleaded guilty or
16 nolo contendere to) a crime of violence in a court of competent jurisdiction.

17 (d) Every person violating the provisions of this section shall, upon conviction, be
18 punished by imprisonment for not less than two (2) nor more than ten (10) years. For penalties
19 provided in this section that person shall not be afforded the benefit of suspension or deferment of

1 sentence, nor of probation.

2 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 prohibit anyone who is the subject of a restraining order issued as the
2 result of violence from purchasing, owning, carrying, transporting, or having in his or her
3 possession any firearm.

4 This act would take effect upon passage.

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