

2016 -- H 7799

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Representatives Maldonado, Diaz, Kazarian, Fogarty, and Regunberg

Date Introduced: March 02, 2016

Referred To: House Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-24 of the General Laws in Chapter 11-47 entitled "Weapons"
2 is 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 ~~if~~
5 ~~there is no name of the maker, model, or manufacturer's number then~~ any other mark of
6 identification on any firearm.

7 (b) No person shall, absent recertification paperwork, knowingly receive, transport, or
8 possess any firearm which has had the name of the maker, ~~or~~ manufacturer's serial number, or
9 any other mark of identification on any firearm removed, altered, or obliterated, ~~or if there is no~~
10 ~~name of the maker, model, or manufacturer's number then any other mark of identification on any~~
11 ~~firearm.~~

12 (c) Possession of any firearm, absent recertification paperwork, upon which the name of
13 the maker, model, manufacturer's number, or ~~if there is no name of the maker, model, or~~
14 ~~manufacturer's number then~~ any other mark of identification ~~on any firearm~~ has been changed,
15 altered, removed, or obliterated shall be prima facie evidence that the possessor has changed,
16 altered, removed, or obliterated.

17 (d) A person in possession of a firearm, with proof of ownership and/or transfer from a
18 FFL dealer, may apply for recertification of that firearm from a Rhode Island based licensed
19 firearms business owner who also is an FFL dealer or a local police chief and/or police

1 department official if the name of the maker, model, manufacturer's number, or ~~if there is no~~
2 ~~name of the maker, model, or manufacturer's number then~~ any other mark of identification on the
3 firearm has been only partially damaged.

4 (e) The Rhode Island based licensed firearms business owner who is also an FFL dealer
5 or a local police chief and/or police department official shall, within sixty (60) days of the
6 application if he or she is reasonably able to verify the firearm ownership and identifying marks
7 recertify the firearm or return the firearm to the person who presented it, certify by written
8 notarized documentation that the firearm's name of the maker, model, manufacturer's number, or
9 ~~if there is no name of the maker, model, or manufacturer's number then~~ any other mark of
10 identification on the firearm has been partially damaged and is still identifiable and traceable to
11 the record owner.

12 (f) The sale or transfer of a recertified firearm and/or the submission of a report by the
13 record owner that the firearm was stolen immediately voids all recertification documentation.

14 (g) Violation of the provisions of this section may be punished by imprisonment for not
15 more than five (5) years.

16 (h) This section shall not apply to the lawful exchange of component parts of any
17 firearms, nor to any antique and collectible weapons legally possessed by collectors and dealers
18 of firearms as provided in section 11-47-25.

19 (i) For purposes of this section, the term "mark of identification" means and shall include,
20 but not be limited to, orange or otherwise brightly colored plugs or tips inserted into the barrel of
21 any firearm.

22 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 include orange or otherwise brightly colored plugs or tips inserted into the
2 barrel of any firearm into the definition of "mark of identification" for those persons who change,
3 alter, remove, or obliterate any mark of identification on a firearm.

4 This act would take effect upon passage.

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