

2023 -- S 0363

LC001134

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Senators Zurier, Acosta, McKenney, Miller, Euer, Lauria, and Mack

Date Introduced: February 16, 2023

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-58 of the General Laws in Chapter 11-47 entitled "Weapons"  
2 is hereby amended to read as follows:

3 **11-47-58. Firearms — State preemption.**

4 (a) The control of firearms, ammunition, or their component parts regarding their  
5 ownership, possession, transportation, carrying, transfer, sale, purchase, purchase delay, licensing,  
6 registration, and taxation shall rest solely with the state, except as otherwise provided in this  
7 chapter, or subsections (b) and (c) of this section.

8 (b)(1) Unless otherwise expressly prohibited pursuant to state law or infringing upon rights  
9 protected under the United States or Rhode Island Constitutions, a municipality may enact an  
10 ordinance, regulation, or other law governing or prohibiting the sale, purchase, transfer, or  
11 possession of a firearm, ammunition, or firearm component or accessory that a person may lawfully  
12 sell, purchase, transfer, or possess under state or federal law. The municipal ordinance, regulation,  
13 or other law may not impose a requirement on the sale, purchase, transfer, or possession of a  
14 firearm, ammunition or firearm component or accessory that is less restrictive than state law, and  
15 any less restrictive ordinance, regulation, or other law enacted by a municipal government before  
16 the effective date of this section, is void and unenforceable. A municipal ordinance, regulation, or  
17 other law governing the sale, purchase, transfer, or possession of a firearm, ammunition, or firearm  
18 component or accessory may only impose a criminal penalty for a violation upon a person who  
19 knew or reasonably should have known that the person's conduct was prohibited.

1           (2) Nothing in this section requires the attorney general to consider anything other than  
2 state or federal law in its background approval process and determinations.

3           (3) Nothing in this section authorizes a municipal government to restrict the manufacture  
4 or sale of items pursuant to a United States military or law enforcement procurement contract.

5           (c) Notwithstanding the provisions of §§ 11-47-11 or 11-47-18, any municipality may enact  
6 an ordinance prohibiting the carrying of a weapon in a municipal building. A violation of an  
7 ordinance enacted pursuant to the provisions of this subsection shall be a civil violation punishable  
8 by a maximum fine of fifty dollars (\$50.00).

9           (d) Every municipality that prohibits the carrying of a weapon in a municipal building  
10 pursuant to subsection (c) of this section shall prominently and conspicuously post notice of the  
11 prohibition at all entrances to the building.

12           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 authorize municipalities to enact ordinances regulating firearms.
- 2 This act would take effect upon passage.

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