

2023 -- H 5891

LC002115

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Representative Jason Knight

Date Introduced: March 01, 2023

Referred To: House Judiciary

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-47 of the General Laws entitled "Weapons" is hereby amended
2 by adding thereto the following section:

3 **11-47-39.1. Prohibited firearm dealer business locations.**

4 (a) No person, except as provided in subsections (c) and (d) of this section, shall operate a
5 business selling firearms on premises where any portion of the premises are located within five
6 hundred feet (500') of any portion of the premises of any public, private or parochial school, or any
7 child daycare center.

8 (b) As used in this section, the following words and phrases are construed as follows:

9 (1) "Child daycare center" shall have the same meaning as defined in § 42-12.5-2.

10 (2) "Firearm" means any rifle, shotgun or pistol as those words are defined in § 11-47-2.

11 (3) "Private school" means any nonpublic institution of elementary or secondary
12 kindergarten through grade twelve (K-12) education accredited or recognized as a private school
13 by the department of elementary and secondary education or the school committee of the
14 municipality having jurisdiction over private schools.

15 (c) The provisions of subsection (a) of this section shall not apply to a federally licensed
16 firearm dealer with an established business selling firearms at a retail location on or prior to July 1,
17 2023 which business operation would otherwise violate the provisions of subsection (a) of this
18 section; provided, however, that this exception shall only apply to a business that maintains
19 continuous retail sales of firearms at the exempt grandfathered location.

1 (d) The provisions of this section shall not apply to any sale or delivery of firearms to any
2 law enforcement agency or governmental entity.

3 (e) The attorney general may bring an action to enforce the provisions of this section.

4 SECTION 2. Section 11-47-39 of the General Laws in Chapter 11-47 entitled "Weapons"
5 is hereby amended to read as follows:

6 **11-47-39. Issuance and conditions of dealer's license.**

7 (a) The duly constituted licensing authorities of any city, town, or political subdivision of
8 this state may grant licenses in form prescribed by the attorney general effective for not more than
9 one year from date of issue permitting the licensee to sell pistols and revolvers at retail within this
10 state, subject to the following conditions in addition to those specified in §§ 11-47-35 and 11-47-
11 36, for breach of any of which the license shall be forfeited and the licensee subject to punishment
12 as provided in this chapter:

13 (1) The business shall be carried on only in the building designated in the license.

14 (2) The license or a copy of it, certified by the issuing authority, shall be displayed on the
15 premises where it can easily be read.

16 (3) No pistol or revolver shall be sold in violation of any provision of this chapter, nor shall
17 a pistol or revolver be sold under any circumstances unless the purchaser is personally known to
18 the seller or shall present clear evidence of his or her identity.

19 (4) The fee for issuing the license shall be five dollars (\$5.00). The fee charged for the
20 issuing of the license shall be applied for the use and benefit of the city or town.

21 (b) No licensing authority shall issue a license pursuant to the provisions of subsection (a)
22 of this section for a business to be conducted at a location in violation of the provisions of § 11-47-
23 39.1.

24 SECTION 3. 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 the sale of firearms by a dealer within five hundred feet (500') of a
2 school or daycare center. Existing gun dealers with established business location as of July 1, 2023
3 would be grandfathered.

4 This act would take effect upon passage.

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