

2012 -- S 2685 SUBSTITUTE A AS AMENDED

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LC01972/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO CRIMINAL OFFENSES - WEAPONS

Introduced By: Senator Michael J. McCaffrey

Date Introduced: March 01, 2012

Referred To: Senate Judiciary

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 **11-47-20.4. Body armor.** – (a) It shall be unlawful within this state for any person to
4 purchase, own or possess body armor, if that person has been convicted of a felony that is a crime
5 of violence. It shall be an affirmative defense under this section that the defendant obtained prior
6 written certification from his or her employer that the defendant’s purchase, use or possession of
7 body armor was necessary for the safe performance of lawful business activity. It shall also be an
8 affirmative defense for a confidential informant or witness with a conviction for a crime of
9 violence to possess body armor when that person is engaged by a law enforcement agency, for a
10 legitimate law enforcement purpose, and is under the direct supervision and acting under the
11 direct authorization of the colonel or chief of police of that law enforcement agency. Any person
12 who violates the provisions of this section shall be punished by imprisonment for not more than
13 three (3) years, or a fine of not more than five thousand dollars (\$5,000), or both.

14 (b) Definitions – For the purposes of this section, the following definitions shall apply:

15 (1) “Crime of violence” means murder, manslaughter, first degree arson, kidnapping with
16 intent to extort, robbery, larceny from the person, first degree sexual assault, second degree
17 sexual assault, first and second degree child molestation, assault with intent to murder, assault
18 with intent to rob, assault with intent to commit first degree sexual assault, burglary, and entering
19 a dwelling house with intent to commit murder, robbery, sexual assault, or larceny.

1 (2) “Body armor” means any product sold or offered for sale, in interstate or foreign
2 commerce, as personal protective body covering intended to protect against gunfire, regardless of
3 whether the product is to be worn alone or is sold as a complement to another product or garment.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES - WEAPONS

- 1 This act would make it unlawful for any person to purchase, own or possess body armor,
- 2 if that person has been convicted of a felony that is a crime of violence.
- 3 This act would take effect upon passage.

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