

2014 -- H 7856

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LC004024
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO CRIMINAL OFFENSES - WEAPONS

Introduced By: Representatives MacBeth, Dickinson, McLaughlin, and McNamara

Date Introduced: March 04, 2014

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-60 and 11-47-60.2 of the General Laws in Chapter 11-47
2 entitled "Weapons" are hereby amended to read as follows:

3 **11-47-60. Possession of firearms on school grounds. --** (a) (1) No ~~person~~ student, or
4 any other person under eighteen (18) years of age, shall have in his or her possession any firearm
5 or other weapons on school grounds.

6 (2) For the purposes of this section, "school grounds" means the property of a public or
7 private elementary or secondary school or in those portions of any building, stadium, or other
8 structure on school grounds which were, at the time of the violation, being used for an activity
9 sponsored by or through a school in this state or while riding school provided transportation.

10 (3) For the purposes of this section, "weapon" shall include a knife of any length that has
11 the ability to cut or stab another.

12 ~~(3)~~(4) Every person violating the provisions of this section shall, upon conviction, be
13 sentenced to imprisonment for not less than one year nor more than five (5) years, or shall be
14 fined not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5,000).

15 ~~(4)~~(5) Any juvenile adjudicated delinquent pursuant to this statute shall, in addition to
16 whatever other penalties are imposed by the family court, lose his or her license to operate a
17 motor vehicle for up to six (6) months. If the juvenile has not yet obtained the necessary age to
18 obtain a license, the court may impose as part of its sentence a delay in his or her right to obtain
19 the license when eligible to do so, for a period of up to six (6) months.

1 (b) The provisions of this section shall not apply to any person who shall be exempt
2 pursuant to the provisions of sections 11-47-9, 11-47-11, and 11-47-18 or [any person on school](#)
3 [grounds performing a school authorized function, or](#) to the following activities when the activities
4 are officially recognized and sanctioned by the educational institution:

- 5 (1) Firearm instruction and/or safety courses;
- 6 (2) Government-sponsored military-related programs such as ROTC;
- 7 (3) Interscholastic shooting and/or marksmanship events;
- 8 (4) Military history and firearms collection courses and/or programs; ~~and~~
- 9 (5) The use of blank guns in theatrical and/or athletic events- ; ~~and~~
- 10 [\(6\) Performance of culinary exhibitions, presentations or educational functions.](#)

11 (c) The provisions of this section shall not apply to colleges, universities, or junior
12 colleges.

13 **11-47-60.2. Possession of weapons on school grounds -- Notification.** -- (a) If a student
14 is found to be carrying a weapon, as defined in section 11-47-42, a firearm or replica of a firearm,
15 or commits an aggravated assault on school grounds as defined in section 11-47-60, the principal
16 or designee shall immediately notify the student's parents and the local police and turn the
17 weapon over, if any, to the local enforcement agency.

18 [\(b\) For the purposes of this section, "weapon" shall include a knife of any length that has](#)
19 [the capability to cut or stab another.](#)

20 ~~(b)~~(c) Any person who has reasonable cause to know that any person is in violation of
21 this statute shall notify the principal or designee. The principal or designee shall immediately
22 notify the student's parents and the local police. Any person acting in good faith who makes a
23 report under this section shall have immunity from any civil liability that might otherwise be
24 incurred or imposed as a result of making the report.

25 ~~(c)~~(d) School superintendents shall receive notice from the clerk of the family court
26 regarding the disposition of all cases involving juveniles from their school districts adjudged
27 pursuant to this statute. This information shall remain confidential and be shared with school
28 officials who deal directly with the student.

29 ~~(d)~~(e) The provisions of this section should not apply to the following activities when the
30 activities are officially recognized and sanctioned by the educational institution:

- 31 (1) Firearm instructed and/or safety course;
- 32 (2) Government-sponsored military-related programs such as ROTC;
- 33 (3) Interscholastic shooting and/or marksmanship events;
- 34 (4) Military history and firearms collection courses and/or programs; and

1 (5) The use of blank guns in theatrical and/or athletic events.

2 (e) The provisions of this section shall not apply to colleges, universities or junior
3 colleges.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO CRIMINAL OFFENSES - WEAPONS

1 This act would restrict the prohibition against possessing firearms or other weapons on
2 school grounds to students or other persons under eighteen (18) years of age, and would include
3 knives of any length, if capable of cutting or stabbing another person, among the prohibited
4 weapons. It would also exempt students while they are engaged in culinary functions.

5 This act would take effect upon passage.

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