

2014 -- S 2775

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LC004083
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

RELATING TO CRIMINAL OFFENSES - WEAPONS -MENTAL HEALTH

Introduced By: Senators Cool Rumsey, Lombardi, Ottiano, Miller, and Goodwin

Date Introduced: March 18, 2014

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-6 of the General Laws in Chapter 11-47 entitled "Weapons"
2 is hereby amended to read as follows:
3 **11-47-6. ~~Mental incompetents, and drug addicts, and drunkards prohibited from~~**
4 **possession of firearms** **Mental incompetents and drug addicts prohibited from possession of**
5 **firearms.** -- No person who is under guardianship or treatment or confinement by virtue of being
6 a mental incompetent, or who has been adjudicated or is under treatment or confinement as a drug
7 addict, ~~or who has been adjudicated or is under treatment or confinement as an habitual drunkard,~~
8 shall purchase, own, carry, transport, or have in his or her possession or under his or her control
9 any firearm. Any person affected by the provisions of this section, other than a person who has
10 been pronounced criminally insane by competent medical authority, after the lapse of a period of
11 five (5) years from the date of being pronounced cured by competent medical authority, may,
12 upon presentation of an affidavit issued by competent medical authority to the effect that he or
13 she is a mentally stable person and a proper person to possess firearms, make application for the
14 purchase of the firearm(s). Any person affected by the provisions of this section, in making
15 application for the purchase of firearms and in executing the application, voluntarily waives his or
16 her right to refuse or refrain from disclosing any confidential information, including, but not
17 limited to, any information arising from the physician-patient relationship, pertinent to a
18 determination by the proper authorities regarding the approval or disapproval of this application.
19 Any person affected by the provisions of this section, in making application for the purchase of

1 firearms and in executing the application, further agrees to allow the proper authorities to
2 investigate any and all medical records of the applicant pertinent to a determination by the
3 authorities regarding the approval or disapproval of this application. In the event that the
4 application is approved, and if the person has no other disqualifying record, he or she will be
5 allowed to purchase and possess firearms.

6 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 - MENTAL HEALTH

1 This act would remove the term “habitual drunkard” from the list of those prohibited
2 from possessing firearms.

3 This act would take effect upon passage.

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