

2021 -- S 0742

=====
LC001077
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

—————
A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Senator Stephen R. Archambault

Date Introduced: March 26, 2021

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-9 of the General Laws in Chapter 11-47 entitled "Weapons" is
2 hereby amended to read as follows:

3 **11-47-9. Persons exempt from restrictions.**

4 (a) The provisions of § 11-47-8 shall not apply to sheriffs; deputy sheriffs; the
5 superintendent and members of the state police; members of the Rhode Island airport police
6 department; members of the Rhode Island state marshals; Rhode Island state fire marshal; chief
7 deputy state fire marshals; deputy state fire marshals assigned to the bomb squad, and those
8 assigned to the investigation unit; Providence fire department arson investigators, provided that the
9 investigator receiving the permit is a graduate of a police-training academy; correctional officers,
10 [chief inspector and inspectors](#), within the department of corrections; members of the city or town
11 police force; capitol police investigators of the department of attorney general appointed pursuant
12 to § 42-9-8.1; the witness protection coordinator for the witness protection review board as set forth
13 in chapter 30 of title 12 and subject to the minimum qualifications of § 42-9-8.1; automobile theft
14 investigators of the Rhode Island state police pursuant to § 31-50-1; railroad police while traveling
15 to and from official assignments or while on assignments; conservation officers; or other duly
16 appointed law enforcement officers; nor to members of the Army, Navy, Air Force, and Marine
17 Corps of the United States, the National Guard, or organized reserves, when on duty; nor to
18 members of organizations by law authorized to purchase or receive firearms from the United States
19 or this state, provided these members are at, or going to or from, their places of assembly or target

1 practice; nor to officers or employees of the United States authorized by law to carry a concealed
2 firearm; nor to any civilian guard or criminal investigator carrying sidearms or a concealed firearm
3 in the performance of his or her official duties under the authority of the commanding officer of
4 the military establishment in the state of Rhode Island where he or she is employed by the United
5 States; nor to any civilian guard carrying sidearms or a concealed firearm in the performance of his
6 or her official duties under the authority of the adjutant general where he or she is employed
7 guarding a national guard facility, provided, that the commanding officer of the military
8 establishment shall have on file with the attorney general of this state a list of the names and
9 addresses of all civilian guards and criminal investigators so authorized; nor to duly authorized
10 military organizations when on duty; nor to members when at, or going to or from, their customary
11 places of assembly; nor to any individual employed in the capacity of warden, associate warden,
12 major, captain, lieutenant, sergeant, correctional officer or investigator at any project owned or
13 operated by a municipal detention facility corporation, including the Donald W. Wyatt Detention
14 Facility; nor to the regular and/or ordinary transportation of pistols or revolvers as merchandise;
15 nor to any person while transporting a pistol, or revolvers, unloaded from the place of purchase to
16 their residence; or place of business, from their residence to their place of business or from their
17 place of business to their residence, or to a federal firearms licensee for the purpose of sale, to or
18 from a bona fide gunsmith, or firearms repair facility, to any police station or other location
19 designated as a site of a bona fide "gun buy-back" program, but only if said pistol or revolver is
20 unloaded and any ammunition for said pistol or revolver is not readily or directly accessible from
21 the passenger compartment of such vehicle while transporting same and further provided, that in
22 the case of a vehicle without a compartment separate from the passenger compartment, the firearm
23 or the ammunition shall be stored in a locked container.

24 (b) Persons exempted by the provisions of this section from the provisions of § 11-47-8
25 shall have the right to carry concealed firearms everywhere within this state; provided, that this
26 shall not be construed as giving the right to carry concealed firearms to a person transporting
27 firearms as merchandise or as household or business goods.

28 SECTION 2. Section 12-7-21 of the General Laws in Chapter 12-7 entitled "Arrest" is
29 hereby amended to read as follows:

30 **12-7-21. "Peace officer" defined.**

31 "Peace officer", as used within this chapter, means the following individuals or members
32 of:

- 33 (1) Rhode Island state police;
34 (2) Any member of a municipal or local police department;

- 1 (3) Rhode Island airport corporation police;
- 2 (4) Rhode Island park police;
- 3 (5) Rhode Island capitol police;
- 4 (6) Rhode Island conservation officers;
- 5 (7) Rhode Island department of environmental management officers;
- 6 (8) Rhode Island fire marshals;
- 7 (9) Brown University police officers;
- 8 (10) University of Rhode Island campus police officers;
- 9 (11) Rhode Island College campus security;
- 10 (12) Campus security at the Community College of Rhode Island;
- 11 (13) Rhode Island sheriff's department;
- 12 (14) The investigators of the department of attorney general appointed pursuant to § 42-9-
- 13 8.1;
- 14 (15) Any federal law enforcement officer;
- 15 (16) Correctional investigators, [chief inspector and inspectors within the office of](#)
- 16 [inspections](#), and correctional officers of the Rhode Island department of corrections;
- 17 (17) The witness protection coordinator of the department of attorney general;
- 18 (18) The warden, associate wardens, majors, captains, lieutenants, sergeants, correctional
- 19 officers and investigators employed by a project operated by a municipal detention facility
- 20 corporation, including, but not limited to, the Donald W. Wyatt Detention Facility; provided, such
- 21 parties listed in this subsection (18) herein shall be deemed to be peace officers while in
- 22 performance of their duties for the municipal detention facility only, and shall not be deemed to be
- 23 peace officers at any time when they are not in performance of said duties;
- 24 (19) Retired non-permanent sworn members of any municipal police department shall be
- 25 deemed to be peace officers only while in the performance of their duties for any municipal police
- 26 department, and shall be permitted to carry their firearm while in the performance of their duties
- 27 for the municipal police department, and shall be subject to in-service training requirements of title
- 28 42, chapter 28;
- 29 (20) Auto theft investigators appointed pursuant to § 31-50-1;
- 30 (21) Providence fire department arson investigators; provided, that the arson investigator
- 31 is a graduate of a police-training academy; and
- 32 (22) Rhode Island School of Design police officers.

1 SECTION 3. This act shall take effect upon passage.

=====
LC001077
=====

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

1 This act would include the chief inspector and inspectors as those exempt from carrying a
2 firearm without a permit and would define them as peace officers.

3 This act would take effect upon passage.

=====
LC001077
=====