

2023 -- S 0123

LC000340

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO CRIMINAL OFFENSES - WEAPONS

Introduced By: Senators Raptakis, Tikoian, McKenney, F. Lombardi, Sosnowski, and Ciccone

Date Introduced: February 01, 2023

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-47-3.1 and 11-47-5.2 of the General Laws in Chapter 11-47
2 entitled "Weapons" are hereby amended to read as follows:

3 **11-47-3.1. Carrying a stolen firearm when committing a crime of violence.**

4 No person shall commit a crime of violence when armed with or having available a stolen
5 firearm. Every person violating the provisions of this section shall be punished: (1) for the first
6 conviction by imprisonment for not less than ~~five (5)~~ ten (10) nor more than ~~fifteen (15)~~ twenty
7 (20) years and must serve at least five (5) years without the eligibility for parole or probation; (2)
8 for a second conviction under this section by imprisonment for not less than fifteen (15) nor more
9 than ~~twenty (20)~~ twenty-five (25) years and must serve at least ten (10) years without the eligibility
10 for parole or probation; and (3) for a third or subsequent conviction under this section by
11 imprisonment for not less than ~~twenty (20)~~ twenty-five (25) years and may be imprisoned for life
12 and must serve at least fifteen (15) years without the eligibility for parole or probation. The sentence
13 imposed shall be consecutive to the underlying sentence for the crime of violence.

14 **11-47-5.2. Possession of a stolen firearm.**

15 It shall be unlawful for any person to possess a stolen firearm, knowing it to be stolen. Any
16 person in violation of this section shall be guilty of a felony and subject to imprisonment for not
17 less than ~~three (3)~~ five (5) years nor more than ~~fifteen (15)~~ twenty (20) years. Any person convicted
18 under this section who is a first offender shall serve at least three (3) years without the eligibility
19 for parole or probation and any person convicted of a second or subsequent offense shall serve at

1 [least ten \(10\) years without the eligibility for parole or probation.](#)

2 SECTION 2. 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 increase the sentences for carrying a firearm when committing a crime of
2 violence and for possessing a stolen firearm and would require that a person convicted of these
3 offenses serve a period of time in which they would not be eligible for parole or probation. Penalties
4 would increase for second and subsequent offenses.

5 This act would take effect upon passage.

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