



- 1 (D) A shroud attached to the barrel or that partially or completely encircles  
2 the barrel, allowing the bearer to hold the firearm with the non-trigger hand  
3 without being burned, but excluding a slide that encloses the barrel.
- 4 (v) A semi-automatic pistol that has a fixed magazine capacity exceeding ten (10)  
5 rounds.
- 6 (vi) A semi-automatic pistol that has an ability to accept a detachable magazine, or  
7 that may be readily modified to accept a detachable magazine, and has at least one  
8 of the following:
- 9 (A) The capacity to accept an ammunition magazine at a location outside  
10 of the pistol grip;
- 11 (B) A threaded barrel capable of accepting a barrel extender, a non pin-  
12 welded flash suppressor, forward handgrip, or silencer;
- 13 (C) A shroud that is attached to, or partially or completely encircles, the  
14 barrel and that permits the shooter to hold the firearm with the non-trigger  
15 hand without being burned but excluding a slide that encloses the barrel;
- 16 (D) A manufactured weight of fifty ounces (50 oz.) or more when the  
17 pistol is unloaded; or
- 18 (E) A buffer tube, arm brace, or other part that protrudes horizontally  
19 behind the pistol grip and is designed or redesigned to allow or facilitate  
20 firing the weapon from the shoulder.
- 21 (vii) A semi-automatic firearm that has the capacity to accept belt ammunition  
22 feeding device.
- 23 (viii) Any firearm that has been modified to be operable as an assault weapon as  
24 defined in this section.
- 25 (ix) A combination of parts in the possession or under the control of the same  
26 person from which an assault weapon as defined in this section may be readily  
27 assembled.
- 28 (x) "Assault weapon" shall not include a semi-automatic rifle which has an  
29 attached tubular device and which is capable of operating only with .22 caliber  
30 rimfire ammunition.
- 31 (3) "Detachable magazine" means an ammunition feeding device that attaches to a firearm  
32 and which can be removed without disassembly of the firearm, including an ammunition feeding  
33 device that may be readily removed from a firearm with the use of a bullet, cartridge, accessory, or  
34 other tool, or any other object that functions as a tool.

1           (4) "Federally licensed firearm dealer" means a person who holds a valid federal firearm  
2 dealers license issued pursuant to 18 U.S.C. § 923(a).

3           (6) "Fixed magazine" means an ammunition feeding device that is permanently fixed to the  
4 firearm in such a manner that it cannot be removed without disassembly of the firearm, or contained  
5 in and not removable from a firearm, or that is otherwise not a detachable magazine, but does not  
6 include an attached tubular device designed to accept, and capable of operating only with, .22  
7 caliber rimfire ammunition.

8           (7) "Folding, telescoping, or detachable stock" means a stock that folds, telescopes,  
9 detaches or otherwise operates to reduce the length, size, or any other dimension, or otherwise  
10 enhances the concealability, of a firearm.

11           (8) "Forward grip" means a grip or handle located forward of the trigger.

12           (9) "Grandfathered assault weapon" means any assault weapon for which a certificate of  
13 possession has been issued pursuant to § 11-47.2-4.

14           (10) "Grenade launcher" means a device designed to fire, launch or propel a grenade.

15           (11) "Pistol grip" means a well-defined handle, similar to that found on a handgun, that  
16 protrudes conspicuously beneath the action of the weapon, and which permits the firearm to be held  
17 and fired with one hand.

18           (12) "Secure storage" means a firearm that is stored in a locked container or equipped with  
19 a tamper-resistant mechanical lock or other safety device, properly engaged so as to render such  
20 weapon inoperable by any person other than the owner or other lawfully authorized user.

21           (13) "Semi-automatic" means a firearm which fires a single projectile for each single pull  
22 of the trigger and is self-reloading or automatically chambers a round, cartridge, or bullet.

23           (14) "Threaded barrel" means threads on the muzzle end of a barrel and shall include, but  
24 not be limited to, any barrel on which a flash suppressor, muzzle brake or silencer has been attached.

25           **11-47.2-3. Restrictions on manufacture, sale, purchase and possession of assault**  
26 **weapons.**

27           (a) No person shall manufacture, sell, offer to sell, transfer, purchase, possess, or have  
28 under his or her control an assault weapon, except as otherwise authorized under this section. Any  
29 person convicted of violating this subsection shall be punished by imprisonment of not more than  
30 ten (10) years, or by a fine up to ten thousand dollars (\$10,000), and the assault weapon shall be  
31 subject to forfeiture.

32           (b) Subsection (a) of this section shall not apply to:

33           (1) A person who, on the effective date of this chapter, lawfully possessed an  
34 assault weapon and who, within one year of the effective date of this chapter:

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(i) Registers the assault weapon with the police department in the city or town where the person resides or, if there is no such police department or the person resides out of state, with the Rhode Island state police in accordance with the provisions of this chapter; or

(ii) Renders the assault weapon permanently inoperable, as provided in subsection (f) of this section; or

(iii) Surrenders the assault weapon to the police department in the city or town where the person resides, or, if there is no such police department or the person resides out of state, to the Rhode Island state police, in accordance with the procedures for surrender of weapons set forth by the police department or the Rhode Island state police;

(iv) Surrenders the assault weapon to any police station or other location designated as a site of a bona fide “gun buy-back” program, but only if said weapon is unloaded and any ammunition for said weapon is not readily or directly accessible from the passenger compartment of such vehicle while transporting same and further provided, that in the case of a vehicle without a compartment separate from the passenger compartment, the weapon or the ammunition shall be stored in a locked container; or

(v) Transfers or sells the assault weapon to a federally licensed firearm dealer or person or firm lawfully entitled to own or possess such weapon.

(2) A federally licensed firearms dealer who manufactures, purchases, possesses or has under his or her control an assault weapon, or who sells, offers to sell, or transfers an assault weapon to another federally licensed firearms dealer, to an entity identified in subsection (b)(3) of this section, or to an individual outside the state who may lawfully possess such weapon.

(3) A law enforcement agency, acting under authority of the United States, the State or any of its political subdivisions, to import, possess, or transfer an assault weapon.

(4) A law enforcement officer to possess or have under his or her control an assault weapon received through the authority of the United States or any department or agency thereof; a state or a department, agency, or political subdivision thereof; a municipality or a department or agency thereof or a federally recognized Indian tribe or a department or agency thereof for purposes of employment provided said officer is not otherwise prohibited from receiving such a weapon and who is either:

1                   (i) Exempt under §§ 11-47-9 and 11-47-9.1; or  
2                   (ii) A qualified law enforcement officer under 18 U.S.C. 926B(c) and who  
3                   is carrying the identification required by 18 U.S.C. 926B(d);

4                   (d) Notwithstanding subsection (a), an active duty member of the armed forces of the  
5                   United States or the national guard, or a member of the United States military reserves, may possess  
6                   or have under his or her control an assault weapon when he or she is acting in the commission of  
7                   the member's official duty.

8                   (e) If the holder of a certificate to possess an assault weapon dies, or if the owner of an  
9                   assault weapon which has been registered pursuant to this chapter dies, then the heir(s) or estate of  
10                  the deceased person shall have one hundred eighty (180) days from the date of death to transfer the  
11                  firearm to a federally licensed firearm dealer or person or firm lawfully entitled to own or possess  
12                  such firearm; voluntarily surrender the firearm to the police department in the city or town where  
13                  the deceased resided, or to the Rhode Island state police; remove the assault weapon from the state;  
14                  within ninety (90) days of obtaining title, register the assault weapon in accordance with the  
15                  provisions of § 11-47.2-4; or, render such weapon permanently inoperable.

16                  (f) If the owner of an assault weapon elects to render such weapon permanently inoperable,  
17                  the owner shall file a certification under penalty of perjury on a form prescribed by the  
18                  superintendent of the state police indicating the date on which the assault weapon was rendered  
19                  permanently inoperable. This certification shall be filed with either the chief law enforcement  
20                  officer of the municipality in which the owner resides or, if there is no such police department or  
21                  in the case of an owner who resides outside this state but stores or possesses an assault weapon in  
22                  this state, with the superintendent of the state police. For purposes of this section, "permanently  
23                  inoperable" shall mean that the assault weapon is altered in such a manner that it is incapable of  
24                  discharging a shot by means of an explosive and incapable of being readily restored to a firing  
25                  condition.

26                  **11-47.2-4. Registration of assault weapons.**

27                  (a) Notwithstanding the provisions of § 11-47-41, the owner of an assault weapon lawfully  
28                  possessed on or before the effective date of this statute shall have one year from the effective date  
29                  of this statute to register that weapon. To register an assault weapon, the owner shall:

- 30                               (1) Complete an assault weapon registration statement, in the form to be prescribed  
31                               by the superintendent of the state police;  
32                               (2) Submit to a fingerprint-supported criminal background check to ascertain  
33                               whether the person is disqualified from the lawful possession of firearms; and,  
34                               (3) Pay a registration fee of twenty-five dollars (\$25.00) per each person

1 registering one or more assault weapons:

2 (b) The information to be provided in the registration statement shall include:

3 (1) The full name, date of birth, address, motor vehicle operator's license number  
4 or state identification card number of the registrant;

5 (2) The make, model, caliber, and serial number of the assault weapon being  
6 registered; and

7 (3) Each registration statement shall be signed by the registrant, and the signature  
8 shall constitute a representation of the accuracy of the information contained in the  
9 registration statement.

10 (c) For an applicant who resides in a municipality with an organized full-time police  
11 department, the registration shall take place at the main office of the police department. For all  
12 other applicants, the registration shall take place at a Rhode Island state police barracks.

13 (d) Within ninety (90) days of the effective date of this chapter, the superintendent of the  
14 state police shall prepare the registration statement as described in subsection (a) of this section and  
15 a certificate of inoperability as described in § 11-47.2-3(f), and shall provide a suitable supply of  
16 such statements to each organized full-time municipal police department and each state police  
17 barracks.

18 (e) One copy of the completed assault weapons registration statement shall be returned to  
19 the registrant and shall constitute a certificate of possession of that assault weapon. A second copy  
20 shall be sent to the superintendent, and, if the registration takes place at a municipal police  
21 department, a third copy shall be retained by that municipal police department. A fourth copy of  
22 the registration statement shall be sent to the attorney general.

23 (f) A certificate of possession shall only authorize the possession of the assault weapon  
24 specified in the certificate. Any person in possession of multiple assault weapons on the effective  
25 date of this chapter must submit a separate registration statement to obtain a certificate of  
26 possession for each of the assault weapons of which they wish to retain possession; provided,  
27 however, that only one registration fee of twenty-five dollars (\$25.00) shall be collected pursuant  
28 to subsection (a)(3) of this section.

29 (g) The name and address of a person issued a certificate of possession shall be kept  
30 confidential and shall not be disclosed without a lawful court order, except such records may be  
31 disclosed to state or federal law enforcement officers and state and federal probation and parole  
32 officers acting in the performance of their duties.

33 **11-47.2-5. Use and possession of assault weapons with certificate of possession.**

34 (a) Any person who has been issued a certificate of possession for an assault weapon as

1 provided for in this chapter, may possess the assault weapon only under the following conditions:

2 (1) At that person's residence, or place of business or other property owned by that  
3 person, except the grandfathered assault weapon shall be kept in secure storage  
4 when not in the immediate possession and control and as required by § 11-47-60.1;

5 (2) While on a target range which holds a regulatory or business license for the  
6 purpose of practicing shooting at that target range;

7 (3) While on the premises of a licensed shooting club;

8 (4) While attending any exhibition, display or educational project which is about  
9 firearms and which is sponsored by, conducted under the auspices of, or approved  
10 by a law enforcement agency or a nationally or state recognized entity that fosters  
11 proficiency in, or promotes education about, firearms;

12 (5) While transporting the grandfathered assault weapon to any federally licensed  
13 firearm dealer for servicing, repair or sale; or

14 (6) While transporting an assault weapon for lawful use between any of the places  
15 set forth in subsections (a)(1) through (a)(5) of this section or for lawful use out-  
16 of-state; provided, the assault weapon is placed in a secure storage.

17 (b) Any person who violates the provisions of subsection (a) of this section, shall be fined  
18 not more than two thousand five hundred dollars (\$2,500) or imprisoned not more than three (3)  
19 years, or both, and shall be subject to forfeiture of the assault weapon pursuant to § 11-47-22.

20 **11-47.2-6. Licensed firearm dealers -- Certificate of transfer.**

21 (a) If an owner of a grandfathered assault weapon sells or transfers the assault weapon to a  
22 federally licensed firearm dealer, such dealer shall, at the time of delivery of the firearm, in addition  
23 to any other reports required by law, execute a certificate of transfer and cause copies of the  
24 certificate of transfer to be mailed or delivered to the superintendent of the state police and the  
25 attorney general.

26 (b) The certificate of transfer shall contain:

27 (1) The date of sale or transfer;

28 (2) The full name, date of birth, address, motor vehicle operator's license number  
29 or state identification card number of the seller or transferor;

30 (3) The federally licensed firearm dealer's federal firearms license number and  
31 seller or transferor's certificate of possession number; and

32 (4) A description of the grandfathered assault weapon, including the caliber of the  
33 assault weapon and its make, model and serial number.

34 (c) The federally licensed firearm dealer shall retain possession of the seller or transferor's

1 certificate of possession and affix the certificate of possession to the certificate of transfer before  
2 mailing or delivering copies of the certificate of transfer to the superintendent of the state police  
3 and the attorney general.

4 (d) A federally licensed firearm dealer may receive and possess a lawfully grandfathered  
5 assault weapon at their business premises, lawfully transport the grandfathered assault weapon  
6 between dealers or out of the state, or lawfully sell or transfer the firearm outside the state.

7 (e) A federally licensed firearm dealer may take possession of a grandfathered assault  
8 weapon for the purposes of servicing or repair from any person to whom certificate of possession  
9 for such weapon has been issued pursuant this chapter.

10 (f) A federally licensed firearm dealer may temporarily transfer possession of a  
11 grandfathered assault weapon received pursuant to subsection (a) of this section to another federally  
12 licensed firearm dealer for the purpose of servicing or repairing the firearm.

13 **11-47.2-7. Severability.**

14 If any provisions of the act or the application thereof to any person or circumstances is held  
15 invalid, such invalidity shall not affect any other provisions or applications of this act, which can  
16 be given effect without the invalid provision or application, and to this end the provisions of this  
17 act are declared to be severable.

18 SECTION 2. This article shall take effect upon passage.