

2025 -- H 5263

LC001077

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Representatives Fellela, Caldwell, Shallcross Smith, Messier, and Kazarian

Date Introduced: January 31, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-60.1 of the General Laws in Chapter 11-47 entitled "Weapons"
2 is hereby amended to read as follows:

3 **11-47-60.1. Safe storage—Unsafe storage of a firearm. Safe storage – Unsafe storage**
4 **of a firearm – Dillon’s Law.**

5 (a) Nothing in this section shall be construed to reduce or limit any existing right to
6 purchase and own firearms and/or ammunition or to provide authority to any state or local agency
7 to infringe upon the privacy of any family, home or business except by lawful warrant.

8 (b) A person who stores or leaves a firearm in any place is guilty of the violation of unsafe
9 storage of a firearm unless the firearm is secured in a locked container or equipped with a tamper-
10 resistant mechanical lock or other safety device, properly engaged in order to render such firearm
11 inoperable by any person other than the owner or other lawfully authorized user. This section does
12 not apply to a firearm that is being carried by or can be readily carried by a lawfully authorized
13 user who is in proximity to the firearm. Any violation of this subsection shall result in, for a first
14 offense, a civil infraction punishable by a fine of not more than two hundred fifty dollars (\$250),
15 and for a second offense, a civil infraction punishable by a fine of not more than one thousand
16 dollars (\$1,000). A third or subsequent violation of this subsection shall, upon conviction, be
17 punished by imprisonment for no more than six (6) months, or a fine of not more than five hundred
18 dollars (\$500), or both.

19 (c) A person who stores or leaves on premises under their control a firearm and who knows

1 or reasonably should know that a child is likely to gain access to the firearm without the permission
2 of the child's parent or guardian, or who knows or reasonably should know that a person who is
3 prohibited, under state or federal law, from purchasing or possessing firearms is likely to gain
4 access to the firearm, is guilty of criminal storage of a firearm in the second degree if a child or
5 person who is prohibited, under state or federal law, from purchasing or possessing firearms obtains
6 access to the firearm. Any person who violates this section shall, upon conviction, be punished by
7 imprisonment for no more than one year, or be fined not more than one thousand dollars (\$1,000)
8 or both. For purposes of this section, a "child" is defined as any person who has not attained the
9 age of eighteen (18) years.

10 (d) A person is guilty of criminal storage of a firearm in the first degree if they commit the
11 crime of criminal storage in the second degree and the firearm obtained by a child or a person who
12 is prohibited, under state or federal law, from purchasing or possessing firearms is used by said
13 person in the commission of a crime or to cause injury to himself or herself or any other person.
14 Any violation of this subsection shall, upon conviction, be punishable by imprisonment for not
15 more than five (5) years, or a fine of not more than five thousand dollars (\$5,000), or both.

16 (e) The provisions of subsections (c) and (d) of this section shall not apply whenever any
17 of the following occurs:

18 (1) The child or person who is prohibited, under state or federal law, from purchasing or
19 possessing firearms obtains the firearm as a result of an illegal entry of any premises by any person
20 or an illegal taking of the firearm from the premises of the owner without permission of the owner;

21 (2) The firearm is secured in a locked container or equipped with a tamper-resistant
22 mechanical lock or other safety device, properly engaged in order to render such firearm inoperable
23 by any person other than the owner or other lawfully authorized user;

24 (3) The firearm is being carried by or can be readily carried by a lawfully authorized user
25 who is in proximity to the firearm; or

26 (4) [Deleted by P.L. 2024, ch. 107, § 1 and P.L. 2024, ch. 108, § 1.]

27 (5) The child or person who is prohibited, under state or federal law, from purchasing or
28 possessing firearms obtains or obtains and discharges the firearm in a lawful act of self-defense or
29 defense of another person.

30 (6) [Deleted by P.L. 2024, ch. 107, § 1 and P.L. 2024, ch. 108, § 1.]

31 (f)(1) If the person who allegedly violated this section is the parent or guardian of a child
32 who is injured or who dies as the result of an accidental shooting, the attorney general shall consider
33 among other factors, the impact of the injury or death on the person who has allegedly violated this
34 section when deciding whether to prosecute an alleged violation.

1 (2) It is the intent of the general assembly that a parent or guardian of a child who is injured
2 or who dies of an accidental shooting shall be prosecuted only in those instances in which the parent
3 or guardian behaved in a grossly negligent manner.

4 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 amend the heading of § 11-47-60.1 to include the words “Dillon’s Law.”
- 2 This act would take effect upon passage.

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