

2025 -- H 5436 SUBSTITUTE A

LC001181/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO CRIMINAL OFFENSES -- RHODE ISLAND ASSAULT WEAPONS BAN
ACT OF 2025

Introduced By: Representatives Knight, Caldwell, Boylan, Speakman, McEntee, Ajello,
Kazarian, Craven, Dawson, and Felix
Date Introduced: February 12, 2025

Referred To: House Judiciary

(Governor/Secretary of State/General Treasurer/Attorney General/Lieutenant Governor)

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 11 of the General Laws entitled "CRIMINAL OFFENSES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 47.2

4 RHODE ISLAND ASSAULT WEAPONS BAN ACT OF 2025

5 **11-47.2-1. Short title.**

6 This chapter shall be known and may be cited as the "Rhode Island Assault Weapons Ban
7 Act of 2025."

8 **11-47.2-2. Definitions.**

9 When used in this chapter:

10 (1) "Ammunition feeding device" means a magazine, box, drum, tube, belt, feed strip, or
11 device which is capable of holding ammunition to be fed continuously and directly therefrom into
12 a semi-automatic firearm. The term shall not include an attached tubular device which is capable
13 of holding only .22 caliber rimfire ammunition.

14 (2) "Assault weapon" means:

15 (i) A semi-automatic shotgun with a fixed capacity exceeding six (6) rounds;

16 (ii) A semi-automatic shotgun that has the ability to accept a detachable magazine and has
17 at least one of the following features:

18 (A) A folding or telescoping stock;

1 (B) A pistol grip or a thumbhole stock;

2 (C) Any feature that has the ability of functioning as a protruding grip that can be held by
3 the non-trigger hand;

4 (iii) A semi-automatic rifle with a fixed magazine capacity exceeding ten (10) rounds;

5 (iv) A semi-automatic rifle that has the ability to accept a detachable magazine and has at
6 least one of the following features:

7 (A) A folding or telescoping stock;

8 (B) A grenade launcher;

9 (C) A shroud attached to the barrel or that partially or completely encircles the barrel,
10 allowing the bearer to hold the firearm with the non-trigger hand without being burned, except an
11 extension of the stock along the bottom of the barrel, which does not encircle or substantially
12 encircle the barrel;

13 (D) A pistol grip or thumbhole stock;

14 (E) A flash suppressor; or

15 (F) A threaded barrel.

16 (v) A semi-automatic pistol that has a fixed magazine capacity exceeding ten (10) rounds;

17 (vi) A semi-automatic pistol that has an ability to accept a detachable magazine and has at
18 least one of the following:

19 (A) The ability to accept an ammunition magazine at a location outside of the pistol grip;

20 (B) A threaded barrel that has the ability to accept a barrel extender, flash suppressor,
21 forward handgrip, or silencer;

22 (C) A shroud that is attached to, or partially or completely encircles, the barrel and that
23 permits the shooter to hold the firearm with the non-trigger hand without being burned but
24 excluding a slide that encloses the barrel; or

25 (D) A buffer tube, arm brace, or other part that protrudes horizontally behind the pistol grip
26 to allow or facilitate firing the weapon from the shoulder.

27 (vii) A semi-automatic firearm that has the ability to accept a belt ammunition feeding
28 device;

29 (viii) "Assault weapon" shall not include:

30 (A) A semi-automatic rifle which has an attached tubular device and which has the ability
31 to operate only with .22 caliber rimfire ammunition; or

32 (B) A semi-automatic pistol expressly designed for use in Olympic target shooting events
33 sponsored by the International Olympic Committee and whose use in those events is sanctioned by
34 the International Olympic Committee and USA Shooting, or any subsequent governing board for

1 international shooting competition in the United States.

2 (3) "Detachable magazine" means an ammunition feeding device that attaches to a firearm
3 and which can be removed without disassembly of the firearm, including an ammunition feeding
4 device that may be readily removed from a firearm with the use of a bullet, cartridge, accessory, or
5 other tool, or any other object that functions as a tool.

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

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

13 (6) "Folding or telescoping stock" means a stock that folds, telescopes, or otherwise
14 operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability
15 of a firearm.

16 (7) "Forward grip" means a grip or handle located forward of the trigger.

17 (8) "Grandfathered assault weapon" means any assault weapon lawfully possessed prior to
18 July 1, 2026, by an individual who is not otherwise prohibited from possessing a firearm.

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

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

23 (11) "Secure storage" means a firearm that is secured in a locked container or equipped
24 with a tamper-resistant mechanical lock or other safety device, properly engaged in order to render
25 such firearm inoperable by any person other than the owner or other lawfully authorized user
26 pursuant to § 11-47- 60.1.

27 (12) "Semi-automatic" means any repeating firearm which utilizes a portion of the energy
28 of a firing cartridge to extract the fired cartridge case and chamber the next round, and which
29 requires a separate pull of the trigger to fire each cartridge.

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

32 (14) "Voluntary certificate of possession" means a certificate issued by the Rhode Island
33 state police or the police department of any municipality pursuant to § 11-47.2-4.

34 **11-47.2-3. Restrictions on manufacture, sale, purchase and possession of assault**

1 **weapons.**

2 (a) Except as provided in subsections (d) and (e) of this section, on or after July 1, 2026,
3 no person shall manufacture, sell, offer to sell, transfer, purchase, possess, or have under his or her
4 control an assault weapon. Any person convicted of violating this subsection shall be punished by
5 imprisonment of not more than ten (10) years, or by a fine up to ten thousand dollars (\$10,000), or
6 both; and further, the assault weapon shall be subject to forfeiture.

7 (b) In any prosecution under this section, there shall be a rebuttable presumption that the
8 assault weapon or weapons that are the subject of the prosecution were obtained by the defendant
9 after July 1, 2026.

10 (c) In any prosecution under § 11-47.2-3(a), it is an affirmative defense that a defendant
11 who is not otherwise prohibited from possessing a weapon was lawfully in possession of or had
12 completed a purchase of the assault weapon prior to July 1, 2026.

13 (d) The following limited exceptions to subsection (a) of this section shall apply:

14 (1) A person, who is not otherwise prohibited from possessing a firearm and who, prior to
15 July 1, 2026, lawfully possessed or lawfully completed a purchase for a grandfathered assault
16 weapon may possess the assault weapon after July 1, 2026, subject to the provisions of § 11-47.2-
17 5;

18 (2) A person, who is not otherwise prohibited from possessing a firearm, who inherits a
19 grandfathered assault weapon from a decedent who lawfully possessed the grandfathered assault
20 weapon may lawfully possess the assault weapon after July 1, 2026, subject to the provisions of §
21 11-47.2-5.

22 (3) A person, who is not otherwise prohibited from possessing a firearm, who receives a
23 grandfathered assault weapon in his or her capacity as the personal representative of an estate, or
24 as a trustee of a trust, or as the beneficiary of a trust, or as an heir at law, or as a beneficiary under
25 a will, or as a person who inherits the weapon from a decedent who lawfully possessed the
26 grandfathered assault weapon and who died intestate, may lawfully possess the assault weapon
27 after July 1, 2026, subject to the provisions of § 11-47.2-5.

28 (4) A federally licensed firearms dealer who manufactures, purchases, possesses or has
29 under his or her control an assault weapon, or who sells, offers to sell, or transfers an assault weapon
30 to another federally licensed firearms dealer, or to an entity identified in subsection (d)(5) of this
31 section, or to an individual outside the state who may lawfully possess such weapon, may possess,
32 sell, offer to sell, or transfer an assault weapon under such conditions.

33 (5) A law enforcement agency, acting under authority of the United States or a state or any
34 of its political subdivisions, may lawfully import, possess, or transfer an assault weapon.

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

7 (i) Exempt under §§ 11-47-9 and 11-47-9.1; or

8 (ii) A qualified law enforcement officer under 18 U.S.C. § 926B(c) and who is carrying the
9 identification required by 18 U.S.C. § 926B(d);

10 (7) A retired law enforcement officer who is not otherwise prohibited from receiving such
11 a weapon upon retirement may lawfully possess and have under his or her control an assault weapon
12 if the retired law enforcement officer is either:

13 (i) Exempt under §§ 11-47-9 and 11-47-9.1 and has a permit to carry pursuant to § 11-47-
14 18(b); or

15 (ii) A qualified retired law enforcement officer under 18 U.S.C. 926C(c) and who is
16 carrying the identification required by 18 U.S.C. 926C(d).

17 (e) Notwithstanding subsection (a) of this section, an active duty member of the armed
18 forces of the United States or the national guard, or a member of the United States military reserves,
19 may possess or have under his or her control an assault weapon when he or she is acting in the
20 commission of the member's official duty.

21 **11-47.2-4. Voluntary certificate of possession.**

22 (a) Until July 1, 2026, the owner of a grandfathered assault weapon, who is not otherwise
23 prohibited from possessing a firearm, may apply for a voluntary certificate of possession from the
24 Rhode Island state police or the police department where the person resides. Any person in
25 possession of multiple grandfathered assault weapons before July 1, 2026, may submit separate
26 applications to obtain a voluntary certificate of possession for other grandfathered assault weapons
27 in their possession.

28 (b) Until July 1, 2026, the state police or local police department shall issue a voluntary
29 certificate of possession to any individual who is not otherwise prohibited from possessing a
30 firearm and who lawfully possessed an assault weapon prior to July 1, 2026.

31 (c) The department of public safety shall establish procedures with respect to the
32 application for and issuance of certificates of possession for grandfathered assault weapons that are
33 lawfully owned and possessed before July 1, 2026. Procedures under this subsection shall include
34 all of the following:

1 (1) That the application shows that the person lawfully possessed or had completed a
2 purchase of an assault weapon before July 1, 2026;

3 (2) That the certificate of possession contains a description of the assault weapon, including
4 the make, model, and serial number. For an assault weapon manufactured before 1968, identifying
5 marks may be substituted for the serial number;

6 (3)(i) That the certificate of possession contains the full name, address, and date of birth of
7 the person who owns the assault weapon, and any other information deemed appropriate; and

8 (ii) That each application shall be signed by the applicant, and the signature shall constitute
9 a representation of the accuracy of the information contained in the application; and

10 (iii) That the applicant shall also be required to:

11 (A) Pay a fifty-dollar (\$50.00) fee per applicant without regard to the number of assault
12 weapons for which the applicant is seeking to obtain a certificate of possession;

13 (B) Submit to a fingerprint-supported criminal background check to ascertain whether the
14 person is disqualified from the lawful possession of firearms;

15 (4) That the police department will not retain copies of the certificate or other identifying
16 information relating to any individual who applies for a voluntary certificate of possession.

17 (d) Notwithstanding the provisions of subsection (b) of this section, a person who inherits
18 a grandfathered assault weapon from a decedent that was lawfully possessed pursuant to this
19 chapter may apply for a certificate of possession within one hundred eighty (180) days of taking
20 possession of the weapon. To receive a certificate, the person must show that the decedent was
21 lawfully in possession and that the person is the lawful recipient of the transfer and is not otherwise
22 prohibited from possession of a firearm.

23 (e) A certificate of possession is evidence that a person lawfully possessed or had
24 completed a purchase of an assault weapon before July 1, 2026, or otherwise lawfully came into
25 possession of the grandfathered assault weapon after July 1, 2026; and provided that the person is
26 not otherwise prohibited from possessing a weapon, is entitled to continue to possess the
27 grandfathered assault weapon on or after July 1, 2026.

28 **11-47.2-5. Use and possession of grandfathered assault weapons.**

29 (a) Any person who lawfully possesses a grandfathered assault weapon as provided for in
30 this chapter, may possess the assault weapon:

31 (1) At that person's residence, or place of business or other property owned by that person,
32 provided that the grandfathered assault weapon shall be kept in secure storage as required by § 11-
33 47-60.1; or

34 (2) While on a target range which holds a regulatory or business license for the purpose of

1 practicing shooting at that target range; or
2 (3) While on the premises of a licensed shooting club; or
3 (4) While attending any exhibition, display or educational project which is about firearms
4 and which is sponsored by, or conducted under the auspices of, or approved by a law enforcement
5 agency or a nationally or state recognized entity that fosters proficiency in, or promotes education
6 about, firearms; or
7 (5) While transporting the grandfathered assault weapon to any federally licensed firearm
8 dealer for servicing, repair or sale; or
9 (6) While transporting an assault weapon for lawful use between any of the places set forth
10 in subsections (a)(1) through (a)(5) of this section or for lawful use out of state; provided that, the
11 grandfathered assault weapon is placed in a secure storage as required by §11-47-60.1.
12 (b) Any person who violates the provisions of subsection (a) of this section, shall be fined
13 not more than two thousand five hundred dollars (\$2,500) or imprisoned not more than three (3)
14 years, or both, and shall be subject to forfeiture of the assault weapon pursuant to § 11-47-22.
15 **11-47.2-6. Severability.**
16 If any provisions of the chapter or the application thereof to any person or circumstances
17 is held invalid, such invalidity shall not affect any other provisions or applications of this chapter,
18 which can be given effect without the invalid provision or application, and to this end the provisions
19 of this chapter are declared to be severable.
20 SECTION 2. This act shall take effect on upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES -- RHODE ISLAND ASSAULT WEAPONS BAN
ACT OF 2025

1 This act would establish the Rhode Island Assault Weapons Ban Act of 2025. The act
2 would define various assault weapons and would restrict the manufacture, sale, purchase, and
3 possession of these assault weapons after July 1, 2026. The act would exempt grandfathered assault
4 weapons which were lawfully possessed before July 1, 2026. This act would also provide for the
5 issuance of voluntary certificates of possession to be admissible in any criminal or civil matter to
6 prove lawful possession of a grandfathered assault weapon.

7 This act would take effect upon passage.

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