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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO AERONAUTICS -- UNIFORM AERONAUTICAL REGULATORY ACT

Introduced By: Representatives Azzinaro, Hull, Abney, Read, Fellela, Casimiro, and
Solomon

Date Introduced: February 12, 2025

Referred To: House Veterans` Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 1-4-2 of the General Laws in Chapter 1-4 entitled "Uniform
2 Aeronautical Regulatory Act" is hereby amended to read as follows:

3 **1-4-2. Definitions.**

4 When used in this chapter:

5 (1) "Aeronautics" means transportation by aircraft, air instruction, the operation, repair, or
6 maintenance of aircraft, and the design, operation, repair, or maintenance of airports, landing fields,
7 or other air navigation facilities.

8 (2) "Aircraft" means any contrivance now known or invented, used, or designed for
9 navigation of, or flight in, the air, except a parachute or other contrivance designed for air
10 navigation but used primarily as safety equipment.

11 (3) "Air instruction" means the imparting of aeronautical information by any aviation
12 instructor or in any air school or flying club.

13 (4) "Airport" means any area of land, water, or both, which is used or is made available for
14 the landing and take off of aircraft, and which provides facilities for the shelter, supply, and repair
15 of aircraft and which, as to size, design, surface, marking, equipment, and management meets the
16 minimum requirements established from time to time by the president and CEO.

17 (5) "Air school" means any person engaged in giving, offering to give, or advertising,
18 representing, or holding himself or herself out as giving, with or without compensation or other
19 award, instruction in aeronautics — in flying, in ground subjects, or in both.

1 (6) “Aviation instructor” means any individual engaged in giving, or offering to give,
2 instruction in aeronautics — in flying, in ground subjects, or in both — either with or without
3 compensation or other reward, without advertising his or her occupation, without calling his or her
4 facilities “air school” or any equivalent term, and without employing or using other instructors.

5 (7) “Certificated aircraft” means any aircraft for which an aircraft certificate other than a
6 registration certificate has been issued by the government of the United States.

7 (8) [Deleted by P.L. 2024, ch. 74, § 2 and P.L. 2024, ch. 110, § 2.]

8 (9) “Civil aircraft” means any aircraft other than a public aircraft.

9 (10) “Dealer in aircraft” or “aircraft dealer” means any person who engages in a business,
10 a substantial part of which consists of the manufacture, selling, or exchanging of aircraft and who
11 is registered as a dealer with the federal government.

12 (11) [Deleted by P.L. 2024, ch. 74, § 2 and P.L. 2024, ch. 110, § 2.]

13 (12) “Flying club” means any person (other than an individual) who, neither for profit nor
14 reward, owns, leases, or uses one or more aircraft for the purpose of instruction, pleasure, or both.

15 (13) “Landing field” means any area of land, water, or both, which is used or is made
16 available for the landing and take off of aircraft, which may or may not provide facilities for the
17 shelter, supply, and repair of aircraft, and which, as to size, design, surface, marking, equipment,
18 and management meets the minimum requirements established from time to time by the president
19 and CEO.

20 (14) “Military aircraft” means public aircraft operated in the service of the United States
21 army, air force, national guard, navy, marine corps, [space force](#) or coast guard.

22 (15) “Operate” means, with respect to aircraft, to use, cause to use, or authorize to use an
23 aircraft, for the purpose of engine start, movement on the ground (taxi), or air navigation including
24 the piloting of aircraft, with or without the right of legal control (as owner, lessee, or otherwise).

25 (16) “Operator” means a person who operates or is in actual physical control of an aircraft.

26 (17) “Owner” means the legal title holder or any person, firm, copartnership, association,
27 or corporation having the lawful possession or control of an aircraft under a written sale agreement.

28 (18) “Person” means any individual, or any corporation or other association of individuals.

29 (19) “Political subdivision” means any city or town or any other public corporation,
30 authority, or district, or any combination of two (2) or more, which is or may be authorized by law
31 to acquire, establish, construct, maintain, improve, and operate airports.

32 (20) “President and CEO” means the president and chief executive officer of the Rhode
33 Island airport corporation.

34 (21) “Public aircraft” means an aircraft used exclusively in the governmental service.

1 SECTION 2. Section 9-18-5 of the General Laws in Chapter 9-18 entitled "Depositions" is
2 hereby amended to read as follows:

3 **9-18-5. Manner of taking depositions outside state for use in state.**

4 Depositions may be taken without this state to be used in the tribunals of this state, upon
5 written notice conforming to the applicable rules of procedure, and shall be taken in the manner
6 and with the formalities required by the law of this state or the state, district, territory, or country
7 in which the deposition shall be taken; or shall be taken, if taken in any other state, district, or
8 territory of the United States, before a commissioner appointed by the governor of this state, or
9 before a judge, chancellor, justice of the peace, notary public, or civil magistrate of the state,
10 district, or territory, respectively, or, if taken out of the United States, before a resident official of
11 the United States, or, if the deponent is in the military, air, or naval service of the United States,
12 before a colonel, lieutenant colonel, or major in the army or air force, [before the chief of operations](#)
13 [in space force](#), or before any officer in the navy not below the grade and rank of lieutenant
14 commander. And in every such case under the second method, the party causing the depositions to
15 be taken shall notify the adverse party, or his or her attorney of record, of the time and place
16 appointed for taking the deposition; and the notification issued by the official before whom the
17 deposition is to be taken shall be served, in the manner as provided in § 9-18-4, such reasonable
18 time before the taking of the deposition as will give the adverse party a full opportunity to be present
19 in person or by attorney and put interrogatories to the deponent, if he or she thinks fit.

20 SECTION 3. Section 9-19-19 of the General Laws in Chapter 9-19 entitled "Evidence" is
21 hereby amended to read as follows:

22 **9-19-19. Finding of presumed death under federal Missing Persons Act.**

23 A written finding of presumed death, made by the secretary of the army, the secretary of
24 the navy, the secretary of the air force, [or the chief of space operations in space force](#) or other
25 officer or employee of the United States authorized to make such finding, pursuant to the federal
26 Missing Persons Act, 5 U.S.C. § 5561 et seq., as now or hereafter amended, or a duly certified copy
27 of such finding shall be received in any court, office, or other place in this state as prima facie
28 evidence of the death of the person therein found to be dead, and the date, circumstances, and place
29 of his or her disappearance.

30 SECTION 4. Sections 11-47-9, 11-47-21, 11-47-35 and 11-47-51 of the General Laws in
31 Chapter 11-47 entitled "Weapons" are hereby amended to read as follows:

32 **11-47-9. Persons exempt from restrictions.**

33 (a) The provisions of § 11-47-8 shall not apply to sheriffs; deputy sheriffs; the
34 superintendent and members of the state police; members of the Rhode Island airport police

1 department; members of the Rhode Island state marshals; Rhode Island state fire marshal; chief
2 deputy state fire marshals; deputy state fire marshals assigned to the bomb squad, and those
3 assigned to the investigation unit; Providence fire department arson investigators, provided that the
4 investigator receiving the permit is a graduate of a police-training academy; correctional officers,
5 chief inspector and inspectors within the office of inspections, within the department of corrections;
6 members of the city or town police force; capitol police investigators of the department of attorney
7 general appointed pursuant to § 42-9-8.1; the witness protection coordinator for the witness
8 protection review board as set forth in chapter 30 of title 12 and subject to the minimum
9 qualifications of § 42-9-8.1; automobile theft investigators of the Rhode Island state police pursuant
10 to § 31-50-1; railroad police while traveling to and from official assignments or while on
11 assignments; conservation officers; or other duly appointed law enforcement officers; nor to
12 members of the Army, Navy, Air Force, [Space Force](#), and Marine Corps of the United States, the
13 National Guard, or organized reserves, when on duty; nor to members of organizations by law
14 authorized to purchase or receive firearms from the United States or this state, provided these
15 members are at, or going to or from, their places of assembly or target practice; nor to officers or
16 employees of the United States authorized by law to carry a concealed firearm; nor to any civilian
17 guard or criminal investigator carrying sidearms or a concealed firearm in the performance of his
18 or her official duties under the authority of the commanding officer of the military establishment
19 in the state of Rhode Island where he or she is employed by the United States; nor to any civilian
20 guard carrying sidearms or a concealed firearm in the performance of his or her official duties under
21 the authority of the adjutant general where he or she is employed guarding a national guard facility,
22 provided, that the commanding officer of the military establishment shall have on file with the
23 attorney general of this state a list of the names and addresses of all civilian guards and criminal
24 investigators so authorized; nor to duly authorized military organizations when on duty; nor to
25 members when at, or going to or from, their customary places of assembly; nor to any individual
26 employed in the capacity of warden, associate warden, major, captain, lieutenant, sergeant,
27 correctional officer or investigator at any project owned or operated by a municipal detention
28 facility corporation, including the Donald W. Wyatt Detention Facility; nor to the regular and/or
29 ordinary transportation of pistols or revolvers as merchandise; nor to any person while transporting
30 a pistol, or revolvers, unloaded from the place of purchase to their residence, or place of business,
31 from their residence to their place of business or from their place of business to their residence, or
32 to a federal firearms licensee for the purpose of sale, to or from a bona fide gunsmith, or firearms
33 repair facility, to any police station or other location designated as a site of a bona fide “gun buy-
34 back” program, but only if said pistol or revolver is unloaded and any ammunition for said pistol

1 or revolver is not readily or directly accessible from the passenger compartment of such vehicle
2 while transporting same and further provided, that in the case of a vehicle without a compartment
3 separate from the passenger compartment, the firearm or the ammunition shall be stored in a locked
4 container.

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

9 **11-47-21. Restrictions on possession or carrying of explosives or noxious substances.**

10 Any person, except a member of the state police, division of sheriffs, a member of the
11 police force of any city or town, or a member of the Army, Navy, Air Force, [Space Force](#) or Marine
12 Corps of the United States, or of the National Guard or organized reserves when on duty, who
13 possesses, or carries on or about his or her person or in a vehicle, a bomb or bombshell, except for
14 blasting or other commercial use, or who, with intent to use it unlawfully against the person or
15 property of another, possesses or carries any explosive substance, or any noxious liquid, gas, or
16 substance, shall be guilty of a violation of this chapter and punished as provided in § 11-47-26.

17 **11-47-35. Sale of concealable weapons — Safety courses and tests — Issuance of**
18 **permits to certain government officers.**

19 (a)(1) No person shall deliver a pistol or revolver to a purchaser until seven (7) days shall
20 have elapsed from twelve o'clock (12:00) noon of the day following the day of application for the
21 purchase, and when delivered, the pistol or revolver shall be unloaded and securely wrapped, with
22 the bill of sale to be enclosed within the wrapper with the pistol or revolver. Any citizen of the
23 United States and/or lawful resident of this state who is twenty-one (21) years of age or older, and
24 any nonresident member of the armed forces of the United States who is stationed in this state and
25 who is twenty-one (21) years of age or older, may, upon application, purchase or acquire a pistol
26 or revolver. At the time of applying for the purchase of a concealable firearm, the purchaser shall:
27 (i) Complete and sign in triplicate and deliver to the person selling the pistol or revolver the
28 application form described in this section, and in no case shall it contain the serial number of the
29 pistol or revolver; and (ii) Present to the person selling the pistol or revolver a pistol/revolver safety
30 certificate issued by the department of environmental management. The certificate shall be retained
31 in the possession of the buyer. The pistol/revolver safety certificate shall certify that the purchaser
32 has completed a basic pistol/revolver safety course as shall be administered by the department of
33 environmental management.

34 (Face of application form)

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Application to Purchase Pistol or Revolver

Date Hour A.M. P.M.

Name

Address

(Street and number) (City or town) (State)

Date of Birth Place of Birth

Height Weight Color hair.....

Color eyes

Scars

Tattoos

Other identifying marks.....

Are you a citizen of the United States

Are you a citizen of Rhode Island

How long

Where stationed

(Armed Forces only)

Number of pistols and/or revolvers to be purchased

Have you ever been convicted of a crime of violence

(See § 11-47-2)

Have you ever been adjudicated or under confinement as addicted to a

controlled substance

Have you ever been adjudicated or under confinement for alcoholism

Have you ever been confined or treated for mental illness

From whom is pistol or revolver being purchased

Seller's address

Seller's signature

Applicant's signature

(See § 11-47-23 for penalty for false information on this application)

(Reverse side of application form)

AFFIDAVIT: I certify that I have read and am familiar with the provisions of §§ 11-47-1 — 11-47-55, inclusive, of the general laws of the State of Rhode Island, and that I am aware of the penalties for violation of the provisions of the cited sections. I further certify that I have completed the required basic pistol/revolver safety course.

Signed

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(over)

County of

State of Rhode Island (Face of application form)

Application to Purchase Pistol or Revolver

Date Hour A.M. P.M.

Name

Address

(Street and number) (City or town) (State)

Date of Birth Place of Birth

Height Weight Color hair

Color eyes

Scars

Tattoos

Other identifying marks

Are you a citizen of the United States

Are you a citizen of Rhode Island

How long

Where stationed

(Armed Forces only)

Number of pistols and/or revolvers to be purchased

Have you ever been convicted of a crime of violence

(See § 11-47-2)

Have you ever been adjudicated or under confinement as addicted to a controlled substance

.....

Have you ever been adjudicated or under confinement for alcoholism

.....

Have you ever been confined or treated for mental illness

From whom is pistol or revolver being purchased

Seller's address

Seller's signature

Applicant's signature

(See § 11-47-23 for penalty for false information on this application)

(Reverse side of application form)

AFFIDAVIT: I certify that I have read and am familiar with the provisions of §§ 11-47-1 — 11-

1 47-55, inclusive, of the general laws of the State of Rhode Island, and that I am aware of the
2 penalties for violation of the provisions of the cited sections. I further certify that I have
3 completed the required basic pistol/revolver safety course.

4 Signed

5 (over)

6 County of

7 State of Rhode Island

8 Subscribed and sworn before me this day of A.D. 20.....

9 Notary Public

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11 Subscribed and sworn before me this day of A.D. 20.....

12 Notary Public

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14 (2) The person selling the pistol or revolver shall on the date of application sign and
15 forward by registered mail, by delivery in person, or by electronic mail if approved by the
16 applicable police department, the original and duplicate copies of the application to the chief of
17 police in the city or town in which the purchaser has his or her residence or to the superintendent
18 of the Rhode Island state police in the instance where the purchaser either resides in the town of
19 Exeter or resides out of state. The superintendent of the Rhode Island state police or the chief of
20 police in the city or town in which the purchaser has his or her residence shall mark or stamp the
21 original copy of the application form with the date and the time of receipt and return it by the most
22 expeditious means to the person who is selling the pistol or revolver. The triplicate copy duly signed
23 by the person who is selling the pistol or revolver shall within seven (7) days be sent by him or her
24 by registered mail, by delivery in person, or by electronic mail to the attorney general. The person
25 who is selling the pistol or revolver shall retain the original copy duly receipted by the police
26 authority to whom sent or delivered for a period of six (6) years with other records of the sale. It
27 shall be the duty of the police authority to whom the duplicate copy of the application form is sent
28 or delivered to make a background check of the applicant to ascertain whether he or she falls under
29 the provisions of § 11-47-5, § 11-47-6, § 11-47-7, or § 11-47-23. If, after the lapse of seven (7)
30 days from twelve o'clock (12:00) noon of the day following application, no disqualifying
31 information has been received from the investigating police authority by the person who is selling
32 the pistol or revolver, he or she will deliver the firearm applied for to the purchaser. Upon the
33 finding of no disqualifying information under the provisions of the above cited sections of this
34 chapter, and in no case later than thirty (30) days after the date of application, the duplicate and

1 triplicate copies of the application will be destroyed. Retention of the duplicate and triplicate copies
2 in violation of this section or any unauthorized use of the information contained in the copies by a
3 person or agency shall be punishable by a fine of not more than one thousand dollars (\$1,000). The
4 provisions of this section shall not apply to bona fide sales at wholesale to duly licensed retail
5 dealers, nor to purchases by retail dealers duly licensed under the provisions of § 11-47-39.

6 (b)(1) The department of environmental management shall establish the basic
7 pistol/revolver safety course required by this section. The safety course shall consist of not less
8 than two (2) hours of instruction in the safe use and handling of pistols and revolvers and the course
9 shall be available to buyers continually throughout the year at convenient times and places but at
10 least monthly at locations throughout the state, or more frequently as required. Proficiency in the
11 use of pistols or revolvers shall not be prerequisite to the issuance of the safety certificate. No
12 person shall be required to complete the course more than once; provided, that any person
13 completing the course who is unable to produce the safety certificate issued by the department of
14 environmental management shall be required to take the course again unless the person provides
15 evidence to the department that he or she has successfully completed the course.

16 (2) The administration of the basic pistol/revolver safety course required by this section
17 shall not exceed the cost of thirty-five thousand dollars (\$35,000) in any fiscal year.

18 (c) Proof of passage of the department of environmental management's basic hunter safety
19 course will be equivalent to the pistol/revolver safety certificate mandated by this section.

20 (d) Any person who has reason to believe that he or she does not need the required handgun
21 safety course may apply by any written means to the department of environmental management to
22 take an objective test on the subject matter of the handgun safety course. The test shall be prepared,
23 as well as an instruction manual upon which the test shall be based, by the department. The manual
24 shall be made available by any means to the applicant who may, within the time limits for
25 application, take the objective test at the department or at any location where the handgun safety
26 course is being given. Any person receiving a passing grade on the test shall be issued a
27 pistol/revolver safety certificate by the department.

28 (e) [Deleted by P.L. 2005, ch. 20, § 11 and P.L. 2005, ch. 27, § 11.]

29 (f) The following persons shall be issued basic pistol/revolver permits by the department
30 of environmental management: sheriffs, deputy sheriffs, the superintendent and members of the
31 state police, prison or jail wardens or their deputies, members of the city or town police force,
32 members of the park police, conservation officers, members of the airport police and officers of the
33 United States government authorized by law to carry a concealed firearm and, at the discretion of
34 the department of environmental management, any person who can satisfactorily establish that he

1 or she formerly held one of these offices or were so authorized.

2 (g) Any person who is serving in the Army, Navy, Air Force, Marine Corps, [Space Force](#)
3 or Coast Guard on active duty shall not be required to obtain a basic pistol/revolver safety certificate
4 or basic pistol/revolver permit under this section so long as he or she remains on active duty.

5 (h) Any person who is serving in the active reserve components of the Army, Navy, Air
6 Force, Marine Corps, [Space Force](#), or Coast Guard, or any person in an active duty paid status in
7 the Rhode Island National Guard, shall not be required to obtain a basic pistol/revolver safety
8 certificate under this section so long as he or she remains in active status.

9 **11-47-51. Loaded rifles and shotguns in vehicles and roadways.**

10 (a) It is unlawful for any person to have in his or her possession a loaded rifle or loaded
11 shotgun or a rifle or shotgun from the magazine of which all shells and cartridges have not been
12 removed while upon or along any public highway, road, lane, or trail within this state; provided,
13 that the provisions of this section shall not apply to deputy sheriffs, the superintendent and members
14 of the state police, prison or jail wardens or their deputies, members of the city or town police force,
15 investigators of the department of attorney general appointed pursuant to § 42-9-8.1, the director,
16 assistant director and other inspectors and agents at the Rhode Island state fugitive task force
17 appointed pursuant to § 12-6-7.2 [repealed], nor to other duly appointed law enforcement officers,
18 including conservation officers, nor to members of the Army, Navy, Air Force, [Space Force](#), or
19 Marine Corps of the United States, or the National Guard or organized reserves, when on duty, nor
20 to officers or employees of the United States authorized by law to carry a concealed firearm, nor to
21 any civilian guard or criminal investigator carrying sidearms or a concealed firearm in the
22 performance of his or her official duties under the authority of the commanding officer of the
23 military establishment in the state of Rhode Island where he or she is employed by the United
24 States; nor to persons legally engaged in hunting activity pursuant to the provisions of chapter 13
25 or 18 of title 20.

26 (b) Any person convicted of violating the provisions of this section shall be punished by
27 imprisonment of not more than five (5) years, or by a fine of up to five thousand dollars (\$5,000),
28 or both.

29 SECTION 5. Section 11-70-1 of the General Laws in Chapter 11-70 entitled "False
30 Representation of Military Status" is hereby amended to read as follows:

31 **11-70-1. False representation of military status prohibited — Stolen valor.**

32 (a) A person commits the crime of stolen valor if he or she knowingly, with the intent to
33 obtain money or property:

34 (1) Fraudulently represents himself or herself to be an active member or veteran of the

1 United States Navy, Army, Air Force, Marines, [Space Force](#), or Coast Guard, including armed
2 forces reserves and National Guard, through the unauthorized manufacture, sale, or use of military
3 regalia or gear, including the wearing of military uniforms, or the use of falsified military
4 identification, and obtains money or property through such fraudulent representation; or

5 (2) Fraudulently represents himself or herself to be a recipient of the Congressional Medal
6 of Honor, Distinguished Service Cross, Navy Cross, Air Force Cross, Silver Star, Purple Heart,
7 Combat Infantryman Badge, Combat Action Badge, Combat Medical Badge, Combat Action
8 Ribbon, or Air Force Combat Action Medal, and obtains money or property through such
9 fraudulent representation.

10 (b) A person who commits the crime of stolen valor is guilty of a misdemeanor and shall
11 be punished by imprisonment for not more than one year or by a fine of one thousand dollars
12 (\$1,000), or both.

13 (c) Any monies collected pursuant to this chapter shall be forwarded to the office of the
14 adjutant general to be allocated to the Rhode Island military family relief fund established pursuant
15 to § 30-3-41.

16 SECTION 6. Section 16-92-3 of the General Laws in Chapter 16-92 entitled "Interstate
17 Compact on Educational Opportunity for Military Children" is hereby amended to read as follows:

18 **16-92-3. Definitions.**

19 As used in this chapter, unless the context clearly requires a different construction:

20 (1) "Active duty" means full-time duty status in the active uniformed service of the United
21 States, including members of [Space Force](#), the National Guard and Reserve on active duty orders
22 pursuant to 10 U.S.C. § 1209 and 1211.

23 (2) "Children of military families" means a school-aged child or children, enrolled in
24 kindergarten through twelfth grade, in the household of an active duty member.

25 (3) "Compact commissioner" means the voting representative of each compacting state
26 appointed pursuant to § 16-91-9 of this chapter.

27 (4) "Deployment" means the period one month prior to the service members' departure
28 from their home station on military orders through six (6) months after return to their home station.

29 (5) "Education or educational records" means those official records, files, and data directly
30 related to a student and maintained by the school or local education agency, including, but not
31 limited to, records encompassing all the material kept in the student's cumulative folder such as
32 general identifying data, records of attendance and of academic work completed, records of
33 achievement and results of evaluative tests, health data, disciplinary status, test protocols, and
34 individualized education programs.

1 (6) “Extracurricular activities” means a voluntary activity sponsored by the school or local
2 education agency or an organization sanctioned by the local education agency. Extracurricular
3 activities include, but are not limited to, preparation for and involvement in public performances,
4 contests, athletic competitions, demonstrations, displays, and club activities.

5 (7) “Interstate Commission on Educational Opportunity for Military Children” means the
6 commission that is created under this chapter, which is generally referred to as interstate
7 commission.

8 (8) “Local education agency” means a public authority legally constituted by the state as
9 an administrative agency to provide control of and direction for kindergarten through twelfth grade
10 public educational institutions.

11 (9) “Member state” means a state that has enacted this compact.

12 (10) “Military installation” means a base, camp, post, station, yard, center, homeport
13 facility for any ship, or other activity under the jurisdiction of the Department of Defense, including
14 any leased facility, which is located within any of the several states, the District of Columbia, the
15 Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern
16 Marianas Islands and any other U.S. Territory. Such term does not include any facility used
17 primarily for civil works, rivers and harbors projects, or flood control projects.

18 (11) “Non-member state” means a state that has not enacted this compact.

19 (12) “Receiving state” means the state to which a child of a military family is sent, brought,
20 or caused to be sent or brought.

21 (13) “Rule” means a written statement by the interstate commission promulgated pursuant
22 to § 16-91-13 of this chapter that is of general applicability, implements, interprets or prescribes a
23 policy or provision of the compact, or an organizational, procedural, or practice requirement of the
24 interstate commission, and has the force and effect of statutory law in a member state, and includes
25 the amendment, repeal, or suspension of an existing rule.

26 (14) “Sending state” means the state from which a child of a military family is sent,
27 brought, or caused to be sent or brought.

28 (15) “State” means a state of the United States, the District of Columbia, the
29 Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern
30 Marianas Islands and any other U.S. Territory.

31 (16) “Student” means the child of a military family for whom the local education agency
32 receives public funding and who is formally enrolled in kindergarten through twelfth grade.

33 (17) “Transition” means: (i) The formal and physical process of transferring from school
34 to school; or (ii) The period of time in which a student moves from one school in the sending state

1 to another school in the receiving state.

2 (18) “Uniformed service or services” means the Army, Navy, Air Force, Marine Corps,
3 [Space Force](#), Coast Guard as well as the Commissioned Corps of the National Oceanic and
4 Atmospheric Administration, and Public Health Services.

5 (19) “Veteran” means a person who served in the uniformed services and who was
6 discharged or released there from under conditions other than dishonorable.

7 SECTION 7. Sections 20-13-4 and 20-13-8 of the General Laws in Chapter 20-13 entitled
8 "Hunting and Hunting Safety" are hereby amended to read as follows:

9 **20-13-4. Certificate of competency required for initial license.**

10 (a) No license to hunt shall be issued to any person unless that person has held a hunting
11 license in a prior year or unless he or she presents to the licensing agent a certificate of competency
12 issued under § 20-13-2, or under an equivalent hunter safety program adopted by any other state;
13 provided, that in the case of those qualifying only for use of archery equipment, the licensing agent
14 shall mark across the face of the license “archery only.” A hunting license designated “archery
15 only” is limited to the use of bows and arrows while hunting or pursuing game in this state. Each
16 agent shall transmit all competency certificates presented to the agent to the department of
17 environmental management, along with the reports required to be filed pursuant to § 20-2-3.

18 (b) Any person who is serving in, or who has been honorably discharged from, the army,
19 navy, air force, marine corps, [space force](#), or coast guard, or any women’s auxiliary branch, is not
20 required to obtain a certificate of competency under this section or § 20-13-2.

21 **20-13-8. Loaded weapons in vehicles.**

22 It is unlawful for any person to have in his or her possession a loaded rifle or loaded shotgun
23 or a rifle or shotgun from the magazine of which all shells and cartridges have not been removed,
24 in or on any vehicle or conveyance or its attachments while upon or along any public highway,
25 road, lane, or trail within this state; provided, however, that the provisions of this section shall not
26 apply to deputy sheriffs, the superintendent and members of the state police, prison or jail wardens
27 or their deputies, members of the city or town police force, or other duly appointed law enforcement
28 officers, including conservation officers and park police, nor to members of the army, navy, air
29 force, [space force](#), and marine corps of the United States, the national guard or organized reserves,
30 when on duty, or officers or employees of the United States authorized by law to carry a concealed
31 firearm, nor to any civilian guard or criminal investigator carrying sidearms or a concealed firearm
32 in the performance of his or her official duties under the authority of the commanding officer of
33 the military establishment in the state of Rhode Island where he or she is employed by the United
34 States.

1 SECTION 8. Sections 30-3-11 and 30-3-38 of the General Laws in Chapter 30-3 entitled
2 "National Guard" are hereby amended to read as follows:

3 **30-3-11. Classes from which commissioned officers selected.**

4 Persons hereafter commissioned as officers of the national guard shall be selected from the
5 following classes:

6 (1) Officers or enlisted persons of the national guard;

7 (2) Officers, active or retired, reserve officers, and former officers of the United States
8 army, air force, navy, marine corps, [space force](#), or coast guard, enlisted men and former enlisted
9 persons of the United States army, air force, navy, marine corps, [space force](#), or coast guard who
10 have received an honorable discharge therefrom;

11 (3) Graduates of any of the United States military and naval academies;

12 (4) Graduates of schools, colleges, universities, and officers' training camps, where they
13 have received military instruction under the supervision of an officer of the armed forces on active
14 duty who certified their fitness for appointment as commissioned officers;

15 (5) For the technical branches or staff corps and departments, such other civilians as may
16 be specially qualified for duty therein; and

17 (6) Or otherwise, as the above classes shall be changed or altered by the laws of the United
18 States and the regulations issued thereunder.

19 **30-3-38. Retirement of officers.**

20 (a) Every commissioned officer or warrant officer of the national guard shall, upon
21 reaching the age of retirement as provided by the laws of the United States, be placed on the retired
22 list with the rank held by him or her at the time of retirement.

23 (b) Any commissioned officer of the national guard who shall have served in the militia of
24 the state for ten (10) years, or who shall have served as an enlisted person or officer for thirteen
25 (13) years, may, upon his or her own application to the commander-in-chief, be placed upon the
26 list of retired officers and withdrawn from active service with the highest rank held by that officer.

27 (c) In computing the time necessary for retirement, officers shall be credited for all service
28 in the United States Army, Navy, Air Force, Marine Corps, [Space Force](#), and Coast Guard, and the
29 Rhode Island state guard in time of war.

30 (d) These officers shall be borne on the rolls of the national guard and, during any
31 emergency, may be placed on duty by the governor.

32 SECTION 9. Section 30-17.1-1 of the General Laws in Chapter 30-17.1 entitled "Veterans'
33 Affairs" is hereby amended to read as follows:

34 **30-17.1-1. Appropriations.**

1 The general assembly shall annually appropriate such sums as it may deem necessary for
2 the support of the veterans' home in the town of Bristol, any veterans' cemetery authorized and
3 established by the general assembly, and the assistance of the widows, widowers, and dependent
4 children of deceased veterans, known as the "veterans' assistance fund", for the assistance of
5 worthy dependent veterans, and the dependent-worthy families of those veterans who served in the
6 army, navy, marine corps, coast guard, [space forces](#), and air force of the United States and were
7 honorably discharged from that service, and for such clerical assistance as may be required in
8 connection with the administration of that program; and the state controller is hereby authorized
9 and directed to draw an order upon the general treasurer for the payment of such sums as may be
10 from time to time required, upon receipt by the state controller of proper vouchers approved by the
11 director of veterans' affairs.

12 SECTION 10. Section 30-21-12 of the General Laws in Chapter 30-21 entitled
13 "Employment of Veterans" is hereby amended to read as follows:

14 **30-21-12. Appointment to police or fire forces.**

15 Any citizen who has served in the military service of the United States, in the army, navy,
16 [marines, coast guard, space force](#), or air force thereof, and who has received an honorable discharge
17 therefrom, may be eligible for appointment as a police officer or firefighter in any city or town of
18 this state in the same manner as though that citizen were a qualified elector of the city or town on
19 the date of his or her appointment; provided, however, that the citizen, if registered at any time
20 during the military service, would be a qualified elector of that city or town at the date of that
21 appointment.

22 SECTION 11. Sections 30-24-1 and 30-24-10 of the General Laws in Chapter 30-24
23 entitled "Rhode Island Veterans' Home" are hereby amended to read as follows:

24 **30-24-1. Management and control.**

25 The management and control of the Rhode Island veterans' home, established in this state
26 for those who served in the army, navy, marine corps, coast guard, merchant marines, [space force](#),
27 or air force of the United States in any war or conflict and were honorably discharged therefrom,
28 who shall be in need of such care as is provided at the home, shall be the responsibility of the
29 director of human services, or his or her designee.

30 **30-24-10. Admissible to home — Fees.**

31 (a) Any person who has served in the army, navy, marine corps, coast guard, [space force](#),
32 or air force of the United States for a period of ninety (90) days or more and that period began or
33 ended during any foreign war in which the United States shall have been engaged or in any
34 expedition or campaign for which the United States government issues a campaign medal, and who

1 was honorably discharged from it, and who shall be deemed to be in need of care provided at the
2 Rhode Island veterans' home, may be admitted to that facility subject to such rules and regulations
3 as shall be adopted by the director of human services to govern the admission of applicants to the
4 facility. Any person who has served in the armed forces of the United States designated herein and
5 otherwise qualified, who has served less than the ninety-day (90) period described in this section,
6 and who was honorably discharged from service, and who, as a result of the service, acquired a
7 service-connected disability or disease, may be admitted. No person shall be admitted to the facility
8 unless the person has been accredited to the enlistment or induction quota of the state or has resided
9 in the state for at least two (2) consecutive years next prior to the date of the application for
10 admission to the facility.

11 (b)(1) The director shall, at the end of each fiscal year, determine the net, per-diem
12 expenses of maintenance of residents in the facility and shall assess against each resident who has
13 "net income", as defined in this section, a fee equal to eighty percent (80%) of the resident's net
14 income, provided that fee shall not exceed the actual cost of care and maintenance for the resident;
15 and provided that an amount equal to twenty percent (20%) of the maintenance fee assessed shall
16 be allocated to, and deposited in, the veterans' restricted account. For the purposes of this section,
17 "net income" is defined as gross income minus applicable federal and state taxes and minus:

18 (i) An amount equal to one hundred fifty dollars (\$150) per month of residency and fifty
19 percent (50%) of any sum received due to wounds incurred under battle conditions for which the
20 resident received the purple heart; and

21 (ii) The amount paid by a resident for the support and maintenance of his or her spouse,
22 parent(s), minor child(ren), or child(ren) who is/are blind or permanently and totally disabled as
23 defined in title XVI of the Federal Social Security Act, 42 U.S.C. §§ 1381 — 1383d, subject to a
24 maximum amount to be determined by rules and regulations as shall be adopted by the director.

25 (2) The fees shall be paid monthly to the home and any failure to make payment when due
26 shall be cause for dismissal from the facility. Prior to dismissal, the resident shall be afforded
27 administrative due process.

28 (c) Admissions to the veterans' home shall be made without discrimination as to race,
29 color, national origin, religion, sex, disability, marital status, age, sexual orientation, gender identity
30 or expression, assets, or income.

31 (d) Laundry services shall be provided to the residents of the Rhode Island veterans' home
32 at no charge to the residents, with such funds to cover the cost of providing laundry services for
33 residents of the Rhode Island veterans' home derived from monies appropriated to the department
34 of human services.

1 SECTION 12. Sections 30-25-3 and 30-25-14 of the General Laws in Chapter 30-25
2 entitled "Burial of Veterans" are hereby amended to read as follows:

3 **30-25-3. Burial at public expense.**

4 Whenever any person who served in the army, navy, air force, [coast guard, space force](#), or
5 marine corps of the United States during any period of war, and was honorably discharged
6 therefrom, shall die within this state without leaving means sufficient to defray necessary funeral
7 expenses, he or she shall be buried and the expenses thereof paid in the manner provided in this
8 chapter.

9 **30-25-14. Rhode Island veterans' memorial cemetery.**

10 (a) The Rhode Island veterans' memorial cemetery, located on the grounds of the Joseph
11 H. Ladd school in the town of Exeter, shall be under the management and control of the director of
12 the department of human services. The director of the department of human services shall appoint
13 an administrator for the Rhode Island veterans' memorial cemetery who shall be an honorably
14 discharged veteran of the United States Armed Forces and shall have the general supervision over,
15 and shall prescribe rules for, the government and management of the cemetery. The administrator
16 shall make all needful rules and regulations governing the operation of the cemetery and generally
17 may do all things necessary to ensure the successful operation thereof. The director shall
18 promulgate rules and regulations, not inconsistent with the provisions of 38 U.S.C. § 2402, to
19 govern the eligibility for burial in the Rhode Island veterans' memorial cemetery. In addition to all
20 persons eligible for burial pursuant to rules and regulations established by the director, any person
21 who served in the army, navy, air force, [coast guard, space force](#), or marine corps of the United
22 States for a period of not less than two (2) years and whose service was terminated honorably, shall
23 be eligible for burial in the Rhode Island veterans' memorial cemetery. The director shall appoint
24 and employ all subordinate officials and persons needed for the proper management of the
25 cemetery. National guard members who are killed in the line of duty or who are honorably
26 discharged after completion of at least six (6) years of service in the Rhode Island national guard
27 and/or reserve and their spouse shall be eligible for interment in the Rhode Island veterans'
28 memorial cemetery. National guard members and/or reservists who are honorably discharged after
29 completion of at least six (6) years of service with another state, and who are a Rhode Island
30 resident for at least two (2) consecutive years immediately prior to death, shall be eligible, along
31 with their spouse, for interment in the Rhode Island veterans' memorial cemetery. For the purpose
32 of computing service under this section, honorable service in the active forces or reserves shall be
33 considered toward the six (6) years of national guard service. The general assembly shall make an
34 annual appropriation to the department of human services to provide for the operation and

1 maintenance for the cemetery. The director shall charge and collect a grave liner fee per interment
2 of the eligible spouse and/or eligible dependents of the qualified veteran, national guard member,
3 and/or reservist equal to the department's cost for the grave liner.

4 (b) No domestic animal shall be allowed on the grounds of the Rhode Island veterans'
5 memorial cemetery, whether at large or under restraint, except for seeing eye guide dogs, hearing
6 ear signal dogs or any other service animal, as required by federal law or any personal assistance
7 animal, as required by chapter 9.1 of title 40. Any person who violates the provisions of this section
8 shall be subject to a fine of not less than five hundred dollars (\$500).

9 (c) The state of Rhode Island office of veterans services shall bear the cost of all tolls
10 incurred by any motor vehicles that are part of a veteran's funeral procession, originating from
11 Aquidneck Island ending at the veterans' memorial cemetery, for burial or internment. The
12 executive director of the turnpike and bridge authority shall assist in the administration and
13 coordination of this toll reimbursement program.

14 SECTION 13. Section 30-27-2 of the General Laws in Chapter 30-27 entitled "Veterans'
15 Organizations" is hereby amended to read as follows:

16 **30-27-2. Recognition of Italian American organization.**

17 The Italian American war veterans of the United States, incorporated, as federally
18 chartered, whose membership and officers consist solely of honorably discharged American war
19 veterans who served in the United States army, navy, marine corps, coast guard, [space force](#) or air
20 force, is hereby declared to be an officially recognized veterans' organization in this state.

21 SECTION 14. Sections 31-3-53 and 31-3-80 of the General Laws in Chapter 31-3 entitled
22 "Registration of Vehicles" are hereby amended to read as follows:

23 **31-3-53. Veterans' plates.**

24 (a) The registrar of motor vehicles shall issue for any motor vehicle eligible for registration
25 as an automobile, or for any motorcycle eligible for registration as a motorcycle, or for a
26 commercial vehicle having a gross weight of twelve thousand pounds (12,000 lbs.) or less, plates
27 designated as "Veteran" upon application on proper forms furnished by the administrator of the
28 division of motor vehicles to veterans.

29 (b) The special plate designated "Veteran" shall be designed as follows:

30 (1) Letters and numbers shall be blue in a white background with the words "Rhode Island"
31 clearly visible at the top center of the plate and the word "Veteran" visible at the bottom center of
32 the plate.

33 (2) The background will be a red, white, and blue waving American Flag.

34 (3) On the top right corner will be a decal with the military branch of the service in which

1 the Veteran served (Army, Navy, Air Force, Marines, Coast Guard, [Space Force](#) and Merchant
2 Marines).

3 (4) For war veterans, a white decal with blue letters with the words “War Veteran” placed
4 under the military branch decal on the right side of the plate above the validation sticker.

5 (c) The applicant shall not be required to pay a service charge or a transfer charge for each
6 plate.

7 (d)(1) The applicant shall be entitled to a plate for each vehicle owned by the applicant.

8 (2) The applicant shall also be entitled to a plate for one vehicle owned by an entity the
9 applicant owns. The entity must be registered and authorized to conduct business in the state of
10 Rhode Island. The applicant must provide to the division of motor vehicles documentation
11 demonstrating the applicant’s ownership of the entity.

12 (e) The owner of a motor vehicle eligible for registration as a commercial vehicle and
13 having a gross weight of twelve thousand pounds (12,000 lbs.) or less who is issued veteran plates
14 shall continue to pay the appropriate commercial registration fee for those plates.

15 (f)(1) For the purposes of this section, a “veteran” shall be defined as any person who has
16 served on active duty in the armed forces of the United States. The term “veteran” shall also include
17 members of the National Guard and Reserves: (i) Called to active duty authorized by the President
18 of the United States or the Secretary of Defense; or (ii) Who have twenty (20) years of service with
19 a letter and record of separation of service.

20 (2) For the purposes of this section, “War Veteran” shall be defined as any veteran of any
21 conflict or undeclared war who has earned a campaign ribbon or expeditionary medal for service
22 in either a declared or undeclared war as noted on the war veteran’s DD-214. Upon the death of the
23 holder of any veteran plates, the plates shall be transferred to the surviving spouse for the spouse’s
24 lifetime until he or she remarries.

25 (g) The “veteran” or “war veteran” described in subdivisions (f)(1)(i) or (ii) and (f)(2) must
26 have been honorably discharged from the armed forces of this nation in order to receive plates
27 pursuant to this section and, for purposes of this section, a medical discharge or a general discharge
28 shall be deemed an honorable discharge.

29 (h) [Deleted by P.L. 2021, ch. 119, § 1 and P.L. 2021, ch. 120, § 1.]

30 (i) A person shall be eligible for a veterans’ plate if his or her deceased spouse was eligible
31 for a veterans’ plate, notwithstanding the fact that the eligible, deceased spouse died prior to the
32 enactment of this section in 1988.

33 **31-3-80. Reserve Forces plates.**

34 (a) The administrator of the division of motor vehicles is empowered and authorized to

1 make available to all active and retired members of the United States Reserve Forces of Rhode
2 Island a special motor vehicle registration plate for any motor vehicle eligible for registration as an
3 automobile or a commercial vehicle having a gross weight of eight thousand five hundred pounds
4 (8,500 lbs.) or less.

5 (b) The special motor vehicle registration plate shall carry on it the designation "US
6 Reserve Forces" and shall carry on it the titles, (Army, Marines, Navy, Air Force, [Space Force](#), and
7 Coast Guard) arranged on the left hand side of the plate from top to bottom in this order of
8 precedence, with numerals to the right of the titles.

9 (c) The administrator of the division of motor vehicles shall issue the plate upon payment
10 of a service charge of twenty dollars (\$20.00) and a transfer charge of five dollars (\$5.00) for the
11 plate. All revenues shall be deposited as general revenues.

12 (d) For the purposes of this section an active or retired member of the United States Reserve
13 Forces shall be defined as currently serving or having retired under honorable conditions from any
14 of the Reserve Forces other than the Rhode Island Army or Air National Guard.

15 (e) In a national state of emergency, any active member of the United States Reserve Forces
16 driving a vehicle bearing the special motor vehicle registration plate shall be authorized and
17 empowered to travel upon the highways of the state notwithstanding any driving ban imposed by
18 any state or municipal authority.

19 (f) No US Reserve Forces plates shall be issued until at least nine hundred (900) such plates
20 have been ordered.

21 SECTION 15. Sections 34-12-5 and 34-12-9 of the General Laws in Chapter 34-12 entitled
22 "Acknowledgments and Notarial Acts" are hereby amended to read as follows:

23 **34-12-5. Power of armed forces officers to take acknowledgments.**

24 In addition to the acknowledgment of instruments and the performance of other notarial
25 acts in the manner and form and as otherwise authorized by law, instruments may be acknowledged,
26 documents attested, oaths and affirmations administered, depositions and affidavits executed, and
27 other notarial acts performed, before or by any commissioned officer in active service of the armed
28 forces of the United States with the rank of second lieutenant or higher in the army, air force, or
29 marine corps, or with the rank of ensign or higher in the navy or coast guard, or with equivalent
30 rank in any other component part of the armed forces of the United States, [including Space Force](#),
31 by any person without the limits of the United States, and to any person who is a member of the
32 armed forces who is within or without the limits of the United States and their lawful dependents.

33 **34-12-9. Validation of prior acknowledgments before foreign notary public.**

34 Any acknowledgment taken or made prior to April 27, 1928, of or upon any instrument

1 used in conveying, directly or indirectly, any interest in real estate in this state, including power of
2 attorney, and any other instruments heretofore acknowledged prior to April 27, 1928, before any
3 notary public in any foreign country or territory without the United States, which instrument
4 appears of record to have been duly recorded in any of the records of land evidence in this state,
5 and the acknowledgment therein appearing was taken before a notary public outside the United
6 States, which notary public was duly commissioned in the foreign place where the acknowledgment
7 was taken, to take the acknowledgment, and the acknowledgment is accredited, approved or
8 affirmed, or the commission of the foreign notary public is attested or certified by any ambassador,
9 minister, charge d'affaires, consul general, vice-consul general, consul, vice consul, or consular
10 agent of the United States, or any commissioned officer in active service of the armed forces of the
11 United States with the rank of second lieutenant or higher in the army, air force, or marine corps,
12 or with the rank of ensign or higher in the navy or coast guard, or with equivalent rank in any other
13 component of the armed forces of the United States [including Space Force](#), duly establishing the
14 fact that the notary public was at the time of taking the acknowledgment duly authorized by the
15 law, rules, or regulations of his or her particular country or territorial section thereof, in which the
16 acknowledgment was taken, to duly administer oaths or take acknowledgments, then the
17 acknowledgment and conveyance in connection with which the acknowledgment was taken shall,
18 for the purpose of the acknowledgment and execution thereof, be deemed a valid acknowledgment,
19 and shall have the same effect as if acknowledged before a notary public in this state.

20 SECTION 16. Section 37-14.3-3 of the General Laws in Chapter 37-14.3 entitled "Veteran-
21 Owned Business Enterprises" is hereby amended to read as follows:

22 **37-14.3-3. Definitions.**

23 As used in this chapter, the following words shall have the following meanings:

24 (1) "Compliance" means the condition existing when a contractor has met and
25 implemented the requirements of this chapter.

26 (2) "Contract" means a mutually binding legal relationship or any modification thereof
27 obligating the seller to furnish supplies or services, including construction, and the buyer to pay for
28 them. For purposes of this chapter, a lease is a contract.

29 (3) "Contractor" means one who participates, through a contract or subcontract, in any
30 procurement or program covered by this chapter and includes lessees and material suppliers.

31 (4) "Economically disadvantaged" means that the veteran's personal net worth is not in
32 excess of the economic disadvantaged criteria as established in 49 C.F.R. part 26.

33 (5) "Noncompliance" means the condition existing when a recipient or contractor has failed
34 to implement the requirements of this chapter.

1 (6) "Small business concern" means a concern, including its affiliates, that is independently
2 owned and operated; not dominant in the field of operations in which it is bidding on state
3 government contracts; and qualified as a small business under the criteria and size standards in 13
4 C.F.R. part 121.

5 (7) "Veteran" means a person who served on active duty with the U.S. Army, Air Force,
6 Navy, Marine Corps, [Space Force](#), or Coast Guard, for a minimum of one hundred eighty (180)
7 days and who was discharged or released under conditions other than dishonorable. Reservists or
8 members of the National Guard called to federal active duty (for other than training) or disabled
9 from a disease or injury incurred or aggravated in the line of duty or while in training status also
10 qualify as a veteran pursuant to 38 C.F.R. part 74.

11 (8) "Veteran-owned small business enterprise" means a small business concern, not less
12 than fifty-one percent (51%) of which is owned and controlled by one or more economically
13 disadvantaged veterans, and may include a business owned by a surviving spouse or permanent
14 caregiver of a veteran as provided by 38 C.F.R. part 74.

15 SECTION 17. Section 34-27-4 of the General Laws in Chapter 34-27 entitled "Mortgage
16 Foreclosure and Sale" is hereby amended to read as follows:

17 **34-27-4. Publication of notice under power of sale and rights of active military**
18 **servicemembers.**

19 (a) Whenever any real estate shall be sold under any power of sale mortgage executed
20 subsequent to May 4, 1911, and the mortgage shall provide for the giving of notice of the sale by
21 publication in some public newspaper at least once a week for three (3) successive weeks before
22 the sale, the first publication of the notice shall be at least twenty-one (21) days before the day of
23 sale, including the day of the first publication in the computation, and the third publication of the
24 notice shall be no fewer than seven (7) days before the original date of sale listed in the
25 advertisement, including the day of the third publication in the computation, and no more than
26 fourteen (14) days before the original date of sale listed in the advertisement. The sale may take
27 place no more than fourteen (14) days from the date on which the third successive notice is
28 published, excluding the day of the third publication in the computation. Provided, however, that
29 if the sale is adjourned as provided in § 34-11-22, and the adjourned sale is held during the same
30 calendar week as the originally scheduled day of sale, no additional advertising is required.
31 Otherwise, publication of the notice of the adjourned sale, together with a notice of the adjournment
32 or adjournments, shall be continued at least once each week commencing with the calendar week
33 following the originally scheduled day of sale; the sale, as so adjourned, shall take place during the
34 same calendar week in which the last notice of the adjourned sale is published, at least one day

1 after the date on which the last notice is published.

2 (b) Provided, however, that no notice shall be valid or effective unless the mortgagor has
3 been mailed written notice of the time and place of sale by certified mail return receipt requested
4 at the address of the real estate and, if different, at the mortgagor's address listed with the tax
5 assessor's office of the city or town where the real estate is located or any other address mortgagor
6 designates by written notice to mortgagee at his, her, or its last known address, at least twenty (20)
7 days for mortgagors other than individual consumer mortgagors, and at least thirty (30) days for
8 individual consumer mortgagors, days prior to the first publication, including the day of mailing in
9 the computation. The mortgagee shall include in the foreclosure deed an affidavit of compliance
10 with this provision.

11 (c) Provided further, that the notice mailed to the mortgagor in accordance with subsection
12 (b) above shall also contain a copy of subsection (d) below (printed in not less than 12 point type)
13 headed by the following notice (printed in not less than 14 point type): "A servicemember on active
14 duty or deployment or who has recently ceased such duty or deployment has certain rights under
15 subsection 34-27-4(d) of the Rhode Island general laws set out below. To protect your rights if you
16 are such a servicemember, you should give written notice to the servicer of the obligation or the
17 attorney conducting the foreclosure, prior to the sale, that you are a servicemember on active duty
18 or deployment or who has recently ceased such duty or deployment. This notice may be given on
19 your behalf by your authorized representative. If you have any questions about this notice, you
20 should consult with an attorney." The mortgagee shall include in the foreclosure deed an affidavit
21 of compliance with this provision.

22 (d) Foreclosure sales affecting servicemembers.

23 (1) The following definitions shall apply to this subsection and to subsection (c):

24 (i) "Servicemember" means a member of the army, navy, air force, marine corps, [space](#)
25 [force](#), or coast guard and members of the national guard or reserves called to active duty.

26 (ii) "Active duty" has the same meaning as the term is defined in 10 U.S.C. §§ 12301 —
27 12304. In the case of a member of the national guard, or reserves "active duty" means and includes
28 service under a call to active service authorized by the president or the secretary of defense for a
29 period of time of more than thirty (30) consecutive days under 32 U.S.C. § 502(f), for the purposes
30 of responding to a national emergency declared by the president and supported by federal funds.

31 (2) This subsection applies only to an obligation on real and related personal property
32 owned by a service member that:

33 (i) Originated before the period of the servicemember's military service or in the case of a
34 member of the national guard or reserves originated before being called into active duty and for

1 which the servicemember is still obligated; and

2 (ii) Is secured by a mortgage or other security in the nature of a mortgage.

3 (3) Stay of right to foreclose by mortgagee. Upon receipt of written notice from the
4 mortgagor or mortgagor's authorized representative that the mortgagor is participating in active
5 duty or deployment or that the notice as provided in subsection (c) was received within nine (9)
6 months of completion of active duty or deployment, the mortgagee shall be barred from proceeding
7 with the execution of sale of the property as defined in the notice until such nine (9) month period
8 has lapsed or until the mortgagee obtains court approval in accordance with subdivision (d)(5)
9 below.

10 (4) Stay of proceedings and adjustment of obligation. In the event a mortgagee proceeds
11 with foreclosure of the property during, or within nine (9) months after a servicemember's period
12 of active duty or deployment notwithstanding receipt of notice contemplated by subdivision (d)(3)
13 above, the servicemember or his or her authorized representative may file a petition against the
14 mortgagee seeking a stay of such foreclosure, after a hearing on such petition, and on its own
15 motion, the court may:

16 (i) Stay the proceedings for a period of time as justice and equity require; or

17 (ii) Adjust the obligation as permitted by federal law to preserve the interests of all parties.

18 (5) Sale or foreclosure. A sale, foreclosure or seizure of property for a breach of an
19 obligation of a servicemember who is entitled to the benefits under subsection (d) and who provided
20 the mortgagee with written notice permitted under subdivision (d)(3) shall not be valid if made
21 during, or within nine (9) months after, the period of the servicemember's military service except:

22 (i) Upon a court order granted before such sale, foreclosure or seizure after hearing on a
23 petition filed by the mortgagee against such servicemember; or

24 (ii) If made pursuant to an agreement of all parties.

25 (6) Penalties. A mortgagee who knowingly makes or causes to be made a sale, foreclosure
26 or seizure of property that is prohibited by subsection (d)(3) shall be fined the sum of one thousand
27 dollars (\$1,000), or imprisoned for not more than one year, or both. The remedies and rights
28 provided hereunder are in addition to and do not preclude any remedy for wrongful conversion
29 otherwise available under law to the person claiming relief under this section, including
30 consequential and punitive damages.

31 (7) Any petition hereunder shall be commenced by action filed in the superior court for the
32 county in which the property subject to the mortgage or other security in the nature of a mortgage
33 is situated. Any hearing on such petition shall be conducted on an expedited basis following such
34 notice and/or discovery as the court deems proper.

1 SECTION 18. Section 34-37-3 of the General Laws in Chapter 34-37 entitled "Rhode
2 Island Fair Housing Practices Act" is hereby amended to read as follows:

3 **34-37-3. Definitions.**

4 When used in this chapter:

5 (1) "Age" means anyone over the age of eighteen (18).

6 (2) "Armed forces" means the Army, Navy, Marine Corps, Coast Guard, Merchant
7 Marines, [Space Force](#), or Air Force of the United States and the Rhode Island National Guard.

8 (3) "Commission" means the Rhode Island commission for human rights created by § 28-
9 5-8.

10 (4) "Disability" means a disability as defined in § 42-87-1.

11 Provided, further, that the term "disability" does not include current, illegal use of, or
12 addiction to, a controlled substance, as defined in 21 U.S.C. § 802.

13 (5) "Discriminate" includes segregate, separate, or otherwise differentiate between or
14 among individuals because of race, color, religion, sex, sexual orientation, gender identity or
15 expression, marital status, lawful source of income, military status as a veteran with an honorable
16 discharge or an honorable or general administrative discharge, servicemember in the armed forces,
17 country of ancestral origin, disability, age, housing status, or familial status or because of the race,
18 color, religion, sex, sexual orientation, gender identity or expression, marital status, lawful source
19 of income, military status as a veteran with an honorable discharge or an honorable or general
20 administrative discharge, servicemember in the armed forces, country of ancestral origin, disability,
21 age, housing status, or familial status of any person with whom they are, or may wish to be,
22 associated.

23 (6) The term "domestic abuse" for the purposes of this chapter shall have the same meaning
24 as that set forth in § 15-15-1 and include all forms of domestic violence as set forth in § 12-29-2,
25 except that the domestic abuse need not involve a minor or parties with minor children.

26 (7)(i) "Familial status" means one or more individuals who have not attained the age of
27 eighteen (18) years being domiciled with:

28 (A) A parent or another person having legal custody of the individual or individuals; or

29 (B) The designee of the parent or other person having the custody, with the written
30 permission of the parent or other person, provided that, if the individual is not a relative or legal
31 dependent of the designee, that the individual shall have been domiciled with the designee for at
32 least six (6) months.

33 (ii) The protections afforded against discrimination on the basis of familial status shall
34 apply to any person who is pregnant or is in the process of securing legal custody of any individual

1 who has not attained the age of eighteen (18) years.

2 (8) The terms, as used regarding persons with disabilities, “auxiliary aids and services,”
3 “reasonable accommodation,” and “reasonable modifications” have the same meaning as those
4 terms are defined in § 42-87-1.1.

5 (9) The term “gender identity or expression” includes a person’s actual or perceived
6 gender, as well as a person’s gender identity, gender-related self image, gender-related appearance,
7 or gender-related expression; whether or not that gender identity, gender-related self image, gender-
8 related appearance, or gender-related expression is different from that traditionally associated with
9 the person’s sex at birth.

10 (10) “Housing accommodation” includes any building or structure, or portion of any
11 building or structure, or any parcel of land, developed or undeveloped, that is occupied or is
12 intended, designed, or arranged to be occupied, or to be developed for occupancy, as the home or
13 residence of one or more persons.

14 (11) “Otherwise qualified” includes any person with a disability who, with respect to the
15 rental of property, personally or with assistance arranged by the person with a disability, is capable
16 of performing all the responsibilities of a tenant as contained in § 34-18-24.

17 (12) “Owner” includes any person having the right to sell, rent, lease, or manage a housing
18 accommodation.

19 (13) “Person” includes one or more individuals, partnerships, associations, organizations,
20 corporations, labor organizations, mutual companies, joint stock companies, trusts, receivers, legal
21 representatives, trustees, other fiduciaries, or real estate brokers or real estate salespersons as
22 defined in chapter 20.5 of title 5.

23 (14) “Senior citizen” means a person sixty-two (62) years of age or older.

24 (15) The term “sexual orientation” means having, or being perceived as having, an
25 orientation for heterosexuality, bisexuality, or homosexuality.

26 (16) The term “victim” means a family or household member and all other persons
27 contained within the definition of those terms as defined in § 12-29-2.

28 (17) The term “housing status” means the status of having or not having a fixed or regular
29 residence, including the status of living on the streets or in a homeless shelter or similar temporary
30 residence.

31 (18) The term “lawful source of income” means and includes any income, benefit, or
32 subsidy derived from child support; alimony; Social Security; Supplemental Security Income; any
33 other federal, state, or local public assistance program, including, but not limited to, medical or
34 veterans assistance; any federal, state, or local rental assistance or housing subsidy program,

1 including Section 8 Housing Choice Vouchers as authorized by 42 U.S.C. § 1437; and any
2 requirement associated with such public assistance, rental assistance, or housing subsidy program.

3 SECTION 19. Section 44-53-8 of the General Laws in Chapter 44-53 entitled "Levy and
4 Distraint" is hereby amended to read as follows:

5 **44-53-8. Exemptions.**

6 (a) There shall be exempt from levy the following property:

7 (1) Those items of wearing apparel and school books that are necessary for the taxpayer or
8 for the members of the taxpayer's family.

9 (2) If the taxpayer is the head of the family, the fuel, provisions, furniture and personal
10 effects in the taxpayer's household, and of the arms for personal use, livestock, and poultry of the
11 taxpayer, that does not exceed fifteen hundred dollars (\$1,500) in value.

12 (3) The books and tools necessary for the trade, business or profession of the taxpayer that
13 does not exceed in the aggregate one thousand dollars (\$1,000) in value.

14 (4) Any amount payable to individuals with respect to their unemployment, including any
15 portion payable with respect to dependents, under an unemployment compensation law of the
16 United States, or of any state.

17 (5) Mail, addressed to any person, which has not been delivered to the addressee.

18 (6) Annuity or pension payments under the Railroad Retirement Act, 45 U.S.C. § 231 et
19 seq., benefits under the Railroad Unemployment Insurance Act, 45 U.S.C. § 351 et seq., special
20 pension payments received by a person whose name has been entered on the Army, Navy, [Marine](#)
21 [Corps](#), Air Force, [Space Force](#), and Coast Guard Medal of Honor Roll, 38 U.S.C. § 1562, and
22 annuities based on retired or retainer pay under chapter 73 of title 10 of the United States Code, 10
23 U.S.C. § 1431 et seq.

24 (7) Any amount payable to an individual as workers' compensation, including any portion
25 payable with respect to dependents under a workers' compensation law of the United States, or of
26 any state.

27 (8) If the taxpayer is required by judgment of a court of competent jurisdiction, entered
28 prior to the date of levy, to contribute to the support of the taxpayer's minor children, the amount
29 of their salary, wages, or other income that is necessary to comply with the judgment.

30 (9) Any amount payable to or received by an individual as wages or salary for personal
31 services, or as income derived from other sources, during any period, to the extent that the total of
32 the amounts payable to or received by them during that period does not exceed the applicable
33 exempt amount determined under subsection (d) of this section.

34 (10) In addition to the exemptions listed in this section, any property exempt from levy and

1 execution under § 9-26-4 shall also be exempt under this chapter.

2 (b) The person seizing property of the type described in subsection (a) of this section shall
3 appraise and set aside to the owner the amount of the property declared to be exempt. If the taxpayer
4 objects at the time of seizure to the valuation fixed by the person making the seizure, the tax
5 administrator shall summon three (3) disinterested individuals who shall make the valuation.

6 (c) Notwithstanding any other law, no property or rights to property shall be exempt from
7 levy other than the property specifically made exempt by subsection (a) of this section.

8 (d)(1)(i) In the case of individuals who are paid or receive all of their wages, salary, and
9 other income on a weekly basis, the amount of the wages, salary, and other income payable to or
10 received by them during any week which is exempt from levy under subdivision (a)(9) of this
11 section shall be:

12 (A) Seventy-five dollars (\$75.00), plus

13 (B) Twenty-five dollars (\$25.00) for each individual who is specified in a written statement
14 which is submitted to the person on whom notice of levy is served and which is verified in the
15 manner the tax administrator shall prescribe by regulations and:

16 (I) Over half of whose support for the payroll period was received from the taxpayer,

17 (II) Who is the spouse of the taxpayer, or who bears a relationship to the taxpayer specified
18 in 26 U.S.C. § 152(a)(1) — (9) relating to definition of dependents, and

19 (III) Who is not a minor child of the taxpayer with respect to whom amounts are exempt
20 from levy under subsection (a)(8) of this section for the payroll period.

21 (ii) For the purposes of item (i)(B)(II) of this subdivision, “payroll period” shall be
22 substituted for “taxable year” each place it appears in 26 U.S.C. § 152(a)(9).

23 (2) In the case of any individual not described in subdivision (1) of this subsection, the
24 amount of the wages, salary, and other income payable to or received by them during any applicable
25 pay period or other fiscal period, as determined under regulations prescribed by the tax
26 administrator, which is exempt from levy under subdivision (a)(9) of this section shall be an
27 amount, determined under those regulations, which as nearly as possible will result in the same
28 total exemption from levy for the individual over a period of time as the individual would have
29 under subdivision (a)(1) of this section if, during that period of time, the individual were paid or
30 received wages, salary, or other income on a regular weekly basis.

31 SECTION 20. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO AERONAUTICS -- UNIFORM AERONAUTICAL REGULATORY ACT

1 This act would add "space force" to many sections of the general laws, listing of military
2 branches.

3 This act would take effect upon passage.

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LC001288
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