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2019 – S_____

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

AN ACT

RELATING TO CRIMINAL OFFENSES – WEAPONS

It is enacted by the General Assembly as follows:

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

Chapter 47.2

Large Capacity Feeding Device

11-47.2-1. Short title.

This chapter shall be known and may be cited as the “Rhode Island Large Capacity Feeding Device Ban Act of 2018.”

11-47.2-2. Definitions.

“Large capacity feeding device” means a magazine, box, drum, tube, belt, feed strip, or other container which is capable of holding more than ten (10) rounds of ammunition to be fed continuously and directly therefrom into a semi-automatic firearm. The term “large capacity feeding device” shall include an ammunition feeding device with a removable floor plate or end plate, if the device can readily be extended to accept more than ten (10) rounds of ammunition. The term shall not include an attached tubular device which is capable of holding only .22 caliber rimfire ammunition.

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

11-47.2-3. Large-capacity feeding devices prohibited.

No person, except for a federally licensed firearms dealer, shall manufacture, sell, offer to sell, transfer, purchase, possess, or have under his or her control a large capacity feeding device, except as otherwise authorized under this chapter. Any person convicted of violating the provisions of this section shall be punished by imprisonment of not more than five (5) years, or by a fine of up to five thousand dollars (\$5,000), and except for a first conviction under this section, shall not be afforded the provisions of suspension or deferment of sentence, nor probation, and the large capacity feeding device shall be subject to forfeiture.

Paragraph (a) shall not apply to a person who:

(1) on the effective date of this statute, lawfully possessed a large capacity feeding device and who, within 180 days of the effective date of this statute:

(i) modifies the large capacity feeding device such that it cannot hold more than 10 rounds of ammunition;

(ii) surrenders the large capacity feeding device to the police department in the city or town where the person resides in accordance with the procedures for surrender of weapons set forth by the police department or the Rhode Island State Police, or, if there is no such police department or the person resides out of state, to the Rhode Island State Police; or

(iii) transfers or sells the large capacity feeding device to a federally licensed firearm dealer or person or firm lawfully entitled to own or possess such a feeding device.

a law enforcement officer exempt under §§ 11-47-9 and 11-47-9.1; or (ii) a retired law enforcement officer exempt under §§ 11-47-9 and 11-47-9.1 who is not otherwise prohibited from receiving such a feeding device from such agency upon retirement, and who has a permit to carry pursuant to § 11-47-18(b).

(3) an active duty member of the Armed Forces of the United States or the National Guard who is authorized to possess and carry assault weapons.

SECTION 2. This act shall take effect upon passage.