

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 331

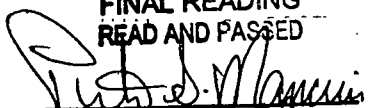
Approved JUNE 18, 2007


RESOLVED, That the Members of the Providence City Council
hereby Endorse and Urge Passage by the General Assembly of House Bill 2007-H
6343 and Senate Bill 2007-S 1012, An Act Relating to Criminal Offenses –
Weapons.

IN CITY
COUNCIL


JUN 7 2007

FINAL READING
READ AND PASSED


PRESIDENT


CLERK

APPROVED


6/18/07

MAYOR

IN CITY COUNCIL
MAY 17 2007
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION
Carly M. Stebbins CLERK

Councilman Yurdin By Request

Special
THE COMMITTEE ON
State Legislation
Recommends *-continued*
Carly M. Stebbins CLERK
5-22-07

THE COMMITTEE ON
STATE LEGISLATION
Recommends Approval, *As Amended*
Carly M. Stebbins CLERK
5-29-07

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Representatives Almeida, Segal, and Giannini

Date Introduced: May 01, 2007

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-47-2 and 11-47-24 of the General Laws in Chapter 11-47
2 entitled "Weapons" are hereby amended to read as follows:

3 **11-47-2. Definitions.** – When used in this chapter, the following words and phrases are
4 construed as follows:

5 (1) "Antique firearm" is defined as that term is defined under the provisions of 18 U.S.C.
6 section 921.

7 (2) "Crime of violence" means and includes any of the following crimes or an attempt to
8 commit any of them: murder, manslaughter, rape, first or second degree sexual assault, first or
9 second degree child molestation, kidnapping, first and second degree arson, mayhem, robbery,
10 burglary, breaking and entering, any felony violation involving the illegal manufacture, sale, or
11 delivery of a controlled substance, or possession with intent to manufacture, sell, or deliver a
12 controlled substance classified in schedule I or schedule II of section 21-28-2.08, any violation of
13 section 21-28-4.01.1 or 21-28-4.01.2 or conspiracy to commit any violation of these statutes,
14 assault with a dangerous weapon, assault or battery involving grave bodily injury, and/or assault
15 with intent to commit any offense punishable as a felony; upon any conviction of an offense
16 punishable as a felony offense under section 12-29-5.

17 (3) "Firearm" includes any machine gun, pistol, rifle, air rifle, air pistol, "blank gun,"
18 "BB gun," or other instrument from which steel or metal projectiles are propelled, or which may
19 readily be converted to expel a projectile, except recurve, compound, or longbows, and except

1 instruments propelling projectiles which are designed or normally used for a primary purpose
2 other than as a weapon. The frame or receiver of the weapon shall be construed as a firearm under
3 the provisions of this section.

4 (4) "Fugitive from justice" means any person who has fled from any state, territory, the
5 District of Columbia, or possession of the United States to avoid prosecution for a crime of
6 violence or to avoid giving testimony in any criminal proceeding.

7 (5) "Licensing authorities" means the board of police commissioners of a city or town
8 where the board has been instituted, the chief of police or superintendent of police of other cities
9 and towns having a regular organized police force, and, in towns where there is no chief of police
10 or superintendent of police, it means the town clerk who may issue licenses upon the
11 recommendation of the town sergeant, and it also means any other person or body duly authorized
12 by the city or town charter or by state law.

13 (6) "Machine gun" means any weapon which shoots, is designed to shoot, or can be
14 readily restored to shoot automatically more than one shot, without manual reloading, by a single
15 function of the trigger. The term also includes the frame or receiver of the weapon, any
16 combination of parts designed and intended for use in converting a weapon into a machine gun,
17 and any combination of parts from which a machine gun can be assembled if the parts are in the
18 possession or under the control of a person.

19 (7) "Person" includes an individual, partnership, firm, association, or corporation.

20 (8) "Pistol" includes any pistol or revolver, and any shotgun, rifle, or similar weapon
21 with overall length less than twenty-six inches (26"), but does not include any pistol or revolver
22 designed for the use of blank cartridges only.

23 (9) "Sawed-off rifle" means any rifle with overall length of less than twenty-six inches
24 (26") and/or barrel length of less than sixteen inches (16").

25 (10) "Sawed-off shotgun" means any shotgun with overall length of less than twenty-six
26 inches (26") and/or barrel length of less than eighteen inches (18").

27 (11) "Semiautomatic weapon" means any firearm that is capable of utilizing a portion of
28 the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and
29 requiring a separate pull of the trigger to fire each cartridge.

30 ~~(11)~~ (12) "Sell" includes let or hire, give, lend, and transfer, and "purchase" includes hire,
31 accept, and borrow, and "purchasing" shall be construed accordingly.

32 **11-47-24. Alteration of marks of identification on firearms.** -- No person shall change,
33 alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark
34 of identification on any firearm. Possession of any firearm upon which any of these marks shall

1 have been changed, altered, removed, or obliterated shall be prima facie evidence that the
2 possessor has changed, altered, removed, or obliterated it. Notwithstanding the foregoing, no
3 action taken in an effort to comply with section 11-47-63 shall constitute a violation of this
4 section. Violation of the provisions of this section may be punished by imprisonment for not more
5 than five (5) years.

6 SECTION 2. Chapter 11-47 of the General Laws entitled "Weapons" is hereby amended
7 by adding thereto the following sections:

8 **11-47-63. Microstamping capability of semiautomatic weapons required.** – (a) All
9 semiautomatic weapons as defined in section 11-47-2 manufactured or delivered to any licensed
10 dealer within the state shall be capable of microstamping ammunition.

11 (b) For purposes of subsection (a), a semiautomatic weapon is capable of microstamping
12 ammunition if:

13 (1) a microscopic array of characters that identify the make, model and serial number of
14 the semiautomatic weapon is etched into the firing pin and the breech face of the semiautomatic
15 weapon; and

16 (2) when ammunition is fired from the semiautomatic weapon, the characters are copied
17 from the firing pin and the breech face onto the cartridge case of the ammunition.

18 (c) Subsection (a) shall apply only to semiautomatic weapons which:

19 (1) are manufactured or imported into the state on or after the effective date of this
20 subsection; and

21 (2) have not been transferred to a person not licensed as a dealer under this chapter.

22 (d) Whoever violates subsection (a) shall be fined an amount equal to:

23 (1) in the case of a first such violation by the violator, one thousand dollars (\$1,000)
24 multiplied by the number of semiautomatic weapons involved in the violation;

25 (2) in the case of a second violation by the violator, two thousand dollars (\$2,000)
26 multiplied by the number of semiautomatic weapons involved in the violation;

27 (3) in the case of a third such violation by the violator, three thousand dollars (\$3,000)
28 multiplied by the number of semiautomatic weapons involved in the violation.

29 **11-47-64. Severability.** – If any part, subdivision, section or subsection of this chapter is
30 declared unconstitutional, the validity of the remaining parts shall not be affected.

31 SECTION 3. This act shall take effect on January 1, 2010.

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LC02779
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO CRIMINAL OFFENSES -- WEAPONS

- 1 This act would define semiautomatic weapons and require these weapons to be capable of
- 2 microstamping ammunition.
- 3 This act would take effect on January 1, 2010.

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LC02779
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2007 -- S 1012

LC03019

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Senators Jabour, Perry, and Goodwin

Date Introduced: May 10, 2007

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-47-2 and 11-47-24 of the General Laws in Chapter 11-47
2 entitled "Weapons" are hereby amended to read as follows:

3 **11-47-2. Definitions.** -- When used in this chapter, the following words and phrases are
4 construed as follows:

5 (1) "Antique firearm" is defined as that term is defined under the provisions of 18 U.S.C.
6 section 921.

7 (2) "Crime of violence" means and includes any of the following crimes or an attempt to
8 commit any of them: murder, manslaughter, rape, first or second degree sexual assault, first or
9 second degree child molestation, kidnapping, first and second degree arson, mayhem, robbery,
10 burglary, breaking and entering, any felony violation involving the illegal manufacture, sale, or
11 delivery of a controlled substance, or possession with intent to manufacture, sell, or deliver a
12 controlled substance classified in schedule I or schedule II of section 21-28-2.08, any violation of
13 section 21-28-4.01.1 or 21-28-4.01.2 or conspiracy to commit any violation of these statutes,
14 assault with a dangerous weapon, assault or battery involving grave bodily injury, and/or assault
15 with intent to commit any offense punishable as a felony; upon any conviction of an offense
16 punishable as a felony offense under section 12-29-5.

17 (3) "Firearm" includes any machine gun, pistol, rifle, air rifle, air pistol, "blank gun,"
18 "BB gun," or other instrument from which steel or metal projectiles are propelled, or which may
19 readily be converted to expel a projectile, except recurve, compound, or longbows, and except

1 instruments propelling projectiles which are designed or normally used for a primary purpose
2 other than as a weapon. The frame or receiver of the weapon shall be construed as a firearm under
3 the provisions of this section.

4 (4) "Fugitive from justice" means any person who has fled from any state, territory, the
5 District of Columbia, or possession of the United States to avoid prosecution for a crime of
6 violence or to avoid giving testimony in any criminal proceeding.

7 (5) "Licensing authorities" means the board of police commissioners of a city or town
8 where the board has been instituted, the chief of police or superintendent of police of other cities
9 and towns having a regular organized police force, and, in towns where there is no chief of police
10 or superintendent of police, it means the town clerk who may issue licenses upon the
11 recommendation of the town sergeant, and it also means any other person or body duly authorized
12 by the city or town charter or by state law.

13 (6) "Machine gun" means any weapon which shoots, is designed to shoot, or can be
14 readily restored to shoot automatically more than one shot, without manual reloading, by a single
15 function of the trigger. The term also includes the frame or receiver of the weapon, any
16 combination of parts designed and intended for use in converting a weapon into a machine gun,
17 and any combination of parts from which a machine gun can be assembled if the parts are in the
18 possession or under the control of a person.

19 (7) "Person" includes an individual, partnership, firm, association, or corporation.

20 (8) "Pistol" includes any pistol or revolver, and any shotgun, rifle, or similar weapon
21 with overall length less than twenty-six inches (26"), but does not include any pistol or revolver
22 designed for the use of blank cartridges only.

23 (9) "Sawed-off rifle" means any rifle with overall length of less than twenty-six inches
24 (26") and/or barrel length of less than sixteen inches (16").

25 (10) "Sawed-off shotgun" means any shotgun with overall length of less than twenty-six
26 inches (26") and/or barrel length of less than eighteen inches (18").

27 (11) "Semiautomatic weapon" means any firearm that is capable of utilizing a portion of
28 the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and
29 requiring a separate pull of the trigger to fire each cartridge.

30 ~~(11)~~ (12) "Sell" includes let or hire, give, lend, and transfer, and "purchase" includes hire,
31 accept, and borrow, and "purchasing" shall be construed accordingly.

32 **11-47-24. Alteration of marks of identification on firearms.** -- No person shall change,
33 alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark
34 of identification on any firearm. Possession of any firearm upon which any of these marks shall

1 have been changed, altered, removed, or obliterated shall be prima facie evidence that the
2 possessor has changed, altered, removed, or obliterated it. Notwithstanding the foregoing, no
3 action taken in an effort to comply with section 11-47-63 shall constitute a violation of this
4 section. Violation of the provisions of this section may be punished by imprisonment for not more
5 than five (5) years.

6 SECTION 2. Chapter 11-47 of the General Laws entitled "Weapons" is hereby amended
7 by adding thereto the following sections:

8 11-47-63. Microstamping capability of semiautomatic weapons required. – (a) All
9 semiautomatic weapons as defined in section 11-47-2 manufactured or delivered to any licensed
10 dealer within the state shall be capable of microstamping ammunition.

11 (b) For purposes of subsection (a), a semiautomatic weapon is capable of microstamping
12 ammunition if:

13 (1) a microscopic array of characters that identify the make, model and serial number of
14 the semiautomatic weapon is etched into the firing pin and the breech face of the semiautomatic
15 weapon; and

16 (2) when ammunition is fired from the semiautomatic weapon, the characters are copied
17 from the firing pin and the breech face onto the cartridge case of the ammunition.

18 (c) Subsection (a) shall apply only to semiautomatic weapons which:

19 (1) are manufactured or imported into the state on or after the effective date of this
20 subsection; and

21 (2) have not been transferred to a person not licensed as a dealer under this chapter.

22 (d) Whoever violates subsection (a) shall be fined an amount equal to:

23 (1) in the case of a first such violation by the violator, one thousand dollars (\$1,000)
24 multiplied by the number of semiautomatic weapons involved in the violation;

25 (2) in the case of a second violation by the violator, two thousand dollars (\$2,000)
26 multiplied by the number of semiautomatic weapons involved in the violation;

27 (3) in the case of a third such violation by the violator, three thousand dollars (\$3,000)
28 multiplied by the number of semiautomatic weapons involved in the violation.

29 11-47-64. Severability. – If any part, subdivision, section or subsection of this chapter is
30 declared unconstitutional, the validity of the remaining parts shall not be affected.

31 SECTION 3. This act shall take effect on January 1, 2010.

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LC03019
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES -- WEAPONS

- 1 This act would define semiautomatic weapons and require these weapons to be capable of
- 2 microstamping ammunition.
- 3 This act would take effect on January 1, 2010.

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LC03019
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THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 332

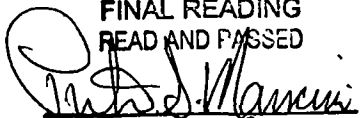
Approved JUNE 18, 2007

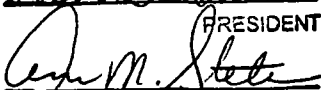
RESOLVED, That the Members of the Providence City Council
hereby Endorse and Urge Passage by the General Assembly of House Bill 2007-H
6338 and Senate Bill 2007-S 1010, Amending Rhode Island General Law, Section
31-41.2, An Act Relating to Automated Traffic Violation Monitoring Systems.

IN CITY
COUNCIL

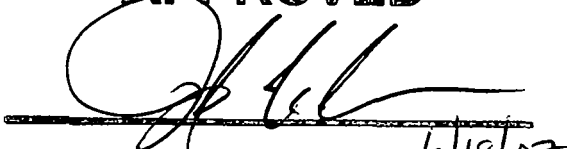
JUN 17 2007

FINAL READING
READ AND PASSED


PRESIDENT


CLERK

APPROVED


6/18/07

MAYOR

IN CITY COUNCIL
MAY 17 2007
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION
Ann M. Stettin CLERK

Councilman Yurdin By Request

Special
THE COMMITTEE ON
State Legislation
Recommends *Continued*
Ann M. Stettin
5-22-07 CLERK

THE COMMITTEE ON
STATE LEGISLATION
Recommends Approval, *As Amended*
Ann M. Stettin
5-29-07 CLERK

2007 -- H 6338

LC02369

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES

Introduced By: Representative Joseph S. Almeida

Date Introduced: May 01, 2007

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-41.2-4 of the General Laws in Chapter 31-41.2 entitled
2 "Automated Traffic Violation Monitoring Systems [Repealed effective July 19, 2008]" is hereby
3 amended to read as follows:

4 **31-41.2-4. Procedure -- Notice. [Repealed effective July 19, 2008.]** -- (a) Except as
5 expressly provided in this chapter, all prosecutions based on evidence produced by an automated
6 traffic violation detection system shall follow the procedures established in chapter 41.1 of this
7 title, chapter 8-18 of these general laws and the rules promulgated by the chief judge of the
8 district court for the hearing of civil traffic violations. Citations may be issued by an officer solely
9 based on evidence obtained by use of an automated traffic violation detection system. All
10 citations issued based on evidence obtained from an automated traffic violation detection system
11 shall be issued within ~~fourteen (14)~~ thirty (30) days of the violation.

12 (b) It shall be sufficient to commence a prosecution based on evidence obtained from an
13 automated traffic violation detection system that a copy of the citation and supporting
14 documentation be mailed to the address of the registered owner kept on file by the registry of
15 motor vehicles pursuant to section 31-3-34 of these general laws. For purposes of this section, the
16 date of issuance shall be the date of mailing.

17 (c) The officer issuing the citation shall certify under penalties of perjury that the
18 evidence obtained from the automated traffic violation detection system was sufficient to
19 demonstrate a violation of the motor vehicle code. Such certification shall be sufficient in all

1 prosecutions pursuant to this chapter to justify the entry of a default judgment upon sufficient
2 proof of actual notice in all cases where the citation is not answered within the time period
3 permitted.

4 (d) The citation shall contain all the information provided for on the uniform summons
5 as referred to in section 31-41.1-1 of the general laws and the rules of procedure promulgated by
6 the chief judge of the district court for the traffic tribunal.

7 (e) In addition to the information in the uniform summons, the following information
8 shall be attached to the citation:

9 (i) Copies of two (2) or more photographs, or microphotographs, or other recorded
10 images taken as proof of the violation; and

11 (ii) A signed statement by a trained law enforcement officer that, based on inspection of
12 recorded images, the motor vehicle was being operated in violation of section 31-13-4 of this
13 subtitle; and

14 (iii) A statement that recorded images are evidence of a violation of this chapter; and

15 (iv) A statement that the person who receives a summons under this chapter may either
16 pay the civil penalty in accordance with the provisions of section 31-41.1-3, or elect to stand trial
17 for the alleged violation.

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

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LC02369
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO MOTOR AND OTHER VEHICLES

- 1 This act would increase the number of days in which a citation is issued based on
- 2 evidence obtained from an automated traffic violation detection system from fourteen (14) to
- 3 thirty (30) days.
- 4 This act would take effect upon passage.

LC02369

2007 -- S 1010

LC02235

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES

Introduced By: Senator Maryellen Goodwin

Date Introduced: May 10, 2007

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-41.2-4 of the General Laws in Chapter 31-41.2 entitled
2 "Automated Traffic Violation Monitoring Systems [Repealed effective July 19, 2008]" is hereby
3 amended to read as follows:

4 31-41.2-4. Procedure -- Notice. [Repealed effective July 19, 2008.] -- (a) Except as
5 expressly provided in this chapter, all prosecutions based on evidence produced by an automated
6 traffic violation detection system shall follow the procedures established in chapter 41.1 of this
7 title, chapter 8-18 of these general laws and the rules promulgated by the chief judge of the
8 district court for the hearing of civil traffic violations. Citations may be issued by an officer solely
9 based on evidence obtained by use of an automated traffic violation detection system. All
10 citations issued based on evidence obtained from an automated traffic violation detection system
11 shall be issued within ~~fourteen (14)~~ thirty (30) days of the violation.

12 (b) It shall be sufficient to commence a prosecution based on evidence obtained from an
13 automated traffic violation detection system that a copy of the citation and supporting
14 documentation be mailed to the address of the registered owner kept on file by the registry of
15 motor vehicles pursuant to section 31-3-34 of these general laws. For purposes of this section, the
16 date of issuance shall be the date of mailing.

17 (c) The officer issuing the citation shall certify under penalties of perjury that the
18 evidence obtained from the automated traffic violation detection system was sufficient to
19 demonstrate a violation of the motor vehicle code. Such certification shall be sufficient in all

1 prosecutions pursuant to this chapter to justify the entry of a default judgment upon sufficient
2 proof of actual notice in all cases where the citation is not answered within the time period
3 permitted.

4 (d) The citation shall contain all the information provided for on the uniform summons
5 as referred to in section 31-41.1-1 of the general laws and the rules of procedure promulgated by
6 the chief judge of the district court for the traffic tribunal.

7 (e) In addition to the information in the uniform summons, the following information
8 shall be attached to the citation:

9 (i) Copies of two (2) or more photographs, or microphotographs, or other recorded
10 images taken as proof of the violation; and

11 (ii) A signed statement by a trained law enforcement officer that, based on inspection of
12 recorded images, the motor vehicle was being operated in violation of section 31-13-4 of this
13 subtitle; and

14 (iii) A statement that recorded images are evidence of a violation of this chapter; and

15 (iv) A statement that the person who receives a summons under this chapter may either
16 pay the civil penalty in accordance with the provisions of section 31-41.1-3, or elect to stand trial
17 for the alleged violation.

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

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LC02235
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO MOTOR AND OTHER VEHICLES

- 1 This act would increase the number of days in which a citation is issued based on
2 evidence obtained from an automated traffic violation detection system from fourteen (14) to
3 thirty (30) days.
4 This act would take effect upon passage.

LC02235

TITLE 31

Motor and Other vehicles

CHAPTER 31-41.2

Automated Traffic Violation Monitoring Systems [Repealed effective July 19, 2008]

SECTION 31-41.2-4

§ 31-41.2-4 Procedure – Notice. [Repealed effective July 19, 2008].

– (a) Except as expressly provided in this chapter, all prosecutions based on evidence produced by an automated traffic violation detection system shall follow the procedures established in chapter 41.1 of this title, chapter 8-18 of these general laws and the rules promulgated by the chief judge of the district court for the hearing of civil traffic violations. Citations may be issued by an officer solely based on evidence obtained by use of an automated traffic violation detection system. All citations issued based on evidence obtained from an automated traffic violation detection system shall be issued within ~~fourteen (14)~~ thirty (30) days of the violation.

(b) It shall be sufficient to commence a prosecution based on evidence obtained from an automated traffic violation detection system that a copy of the citation and supporting documentation be mailed to the address of the registered owner kept on file by the registry of motor vehicles pursuant to § 31-3-34 of these general laws. For purposes of this section, the date of issuance shall be the date of mailing.

(c) The officer issuing the citation shall certify under penalties of perjury that the evidence obtained from the automated traffic violation detection system was sufficient to demonstrate a violation of the motor vehicle code. Such certification shall be sufficient in all prosecutions pursuant to this chapter to justify the entry of a default judgment upon sufficient proof of actual notice in all cases where the citation is not answered within the time period permitted.

(d) The citation shall contain all the information provided for on the uniform summons as referred to in § 31-41.1-1 of the general laws and the rules of procedure promulgated by the chief judge of the district court for the traffic tribunal.

(e) In addition to the information in the uniform summons, the following information shall be attached to the citation:

(i) Copies of two (2) or more photographs, or microphotographs, or other recorded images taken as proof of the violation; and

(ii) A signed statement by a trained law enforcement officer that, based on inspection of recorded images, the motor vehicle was being operated in violation of § 31-13-4 of this subtitle; and

(iii) A statement that recorded images are evidence of a violation of this chapter; and

(iv) A statement that the person who receives a summons under this chapter may either pay the civil penalty in accordance with the provisions of § 31-41.1-3, or elect to stand trial for the alleged violation.

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

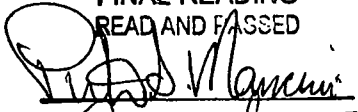

No. 333

Approved JUNE 18, 2007

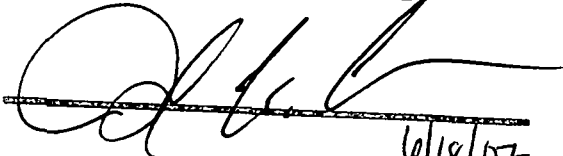
RESOLVED, That the Members of the Providence City Council
hereby Endorse and Urge Passage by the General Assembly of House Bill 2007-H
8212 and Senate Bill 2007-S1001, An Act Relating to State Affairs and
Government.

IN CITY
COUNCIL
JUN 7 2007

FINAL READING
READ AND PASSED


PRESIDENT

CLERK

APPROVED


MAYOR 6/18/07

IN CITY COUNCIL
MAY 17 2007
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION
John M. Stelt CLERK

Councilman Yurdin By Request

Special
THE COMMITTEE ON
State Legislation
Recommends Continued
John M. Stelt
5-22-07 CLERK

THE COMMITTEE ON
STATE LEGISLATION
Recommends Approval, As Amended
John M. Stelt
5-29-07 CLERK

Fire box

2006 -- H 8212

LC03374

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2006

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT

Introduced By: Representative John J. McCauley

Date Introduced: June 08, 2006

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 45 of the General Laws entitled "TOWNS AND CITIES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 63

4 MASTER FIRE ALARM BOX CHARGES

5 45-63-1. Power to assess charges against users. -- In addition to the powers, privileges,
6 prerogatives, and authority that are now granted to each city and town, or any agency of a city or
7 town, in connection with fire alarm master box systems of these municipalities, each city and
8 town is authorized and empowered to enact ordinances assessing users of master alarm fire box
9 systems of the fire departments of the cities and towns, a charge for the use of said systems in an
10 amount that bears a reasonable relation to the cost to the city or town of the service rendered to
11 the users. In enacting this ordinance, any city or town may also provide that all unpaid charges
12 shall be a lien upon the real estate of the users.

13 45-63-2. Adoption of implementing provisions. -- Each city and town may by
14 ordinance define the person or persons, firm, corporation, partnership, individual, assignee,
15 trustee, or other person upon whom a charge is assessed, and may adopt any other ordinances,
16 rules, or regulations that may be necessary to carry out the provisions of this chapter, and may
17 impose a penalty or penalties for any violation of the ordinance, rule, or regulation.

18 45-63-3. Severability. -- If any part, subdivision, or section of this chapter is declared
19 unconstitutional, the validity of the remaining parts shall not be affected.

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO STATE AFFAIRS AND GOVERNMENT

- 1 This act would allow cities and towns to assess, by ordinance, users a reasonable charge
- 2 for use of master alarm fire box systems of the fire departments of the cities and towns.
- 3 This act would take effect upon passage.

LC03374

2007 -- S 1001

LC02221

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

#12
Senate Bill

A N A C T

RELATING TO TOWNS AND CITIES - STATE AFFAIRS AND GOVERNMENT

Introduced By: Senators Ruggerio, and Goodwin

Date Introduced: May 10, 2007

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 45 of the General Laws entitled "TOWNS AND CITIES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 64

4 MASTER FIRE ALARM BOX CHARGES

5 45-64-1. Power to assess charges against users. -- In addition to the powers, privileges,
6 prerogatives, and authority that are now granted to each city and town, or any agency of a city or
7 town, in connection with fire alarm master box systems of these municipalities, each city and
8 town is authorized and empowered to enact ordinances assessing users of master alarm fire box
9 systems of the fire departments of the cities and towns, a charge for the use of said systems in an
10 amount that bears a reasonable relation to the cost to the city or town of the service rendered to
11 the users. In enacting this ordinance, any city or town may also provide that all unpaid charges
12 shall be a lien upon the real estate of the users.

13 45-64-2. Adoption of implementing provisions. -- Each city and town may by
14 ordinance define the person or persons, firm, corporation, partnership, individual, assignee,
15 trustee, or other person upon whom a charge is assessed, and may adopt any other ordinances,
16 rules, or regulations that may be necessary to carry out the provisions of this chapter, and may
17 impose a penalty or penalties for any violation of the ordinance, rule, or regulation.

18 45-64-3. Severability. -- If any part, subdivision, or section of this chapter is declared
19 unconstitutional, the validity of the remaining parts shall not be affected.

1 SECTION 2. This act shall take effect upon passage.

LC02221

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TOWNS AND CITIES - STATE AFFAIRS AND GOVERNMENT

- 1 This act would allow cities and towns to assess, by ordinance, users a reasonable charge
- 2 for use of master alarm fire box systems of the fire departments of the cities and towns.
- 3 This act would take effect upon passage.

LC02221