

# RESOLUTION OF THE CITY COUNCIL

No. 46


Approved February 13, 2020

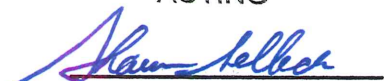
RESOLVED, That the Members of the Providence City Council  
hereby Endorse and Urge Passage by the General Assembly of House Bill 2020  
H-7264 and Senate Bill 2020 S-2130, An Act Relating to Criminal Offenses -  
Weapons.

IN CITY COUNCIL

FEB 06 2020

READ AND PASSED

  
ACTING PRES.

  
CLERK

I HEREBY APPROVE.

  
Mayor  
Date: 2/13/20

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO CRIMINAL OFFENSES - WEAPONS

Introduced By: Representatives Caldwell, Knight, Craven, Tobon, and McKiernan

Date Introduced: January 23, 2020

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

3 CHAPTER 47.1

4 LARGE CAPACITY FEEDING DEVICE BAN ACT OF 2020

5 **11-47.1-1. Short title.**

6 This chapter shall be known and may be cited as the "Rhode Island Large Capacity  
7 Feeding Device Ban Act of 2020.

8 **11-47.1-2. Definitions.**

9 As used in this chapter the following terms and phrases are construed as follows:

10 (1) "Large capacity feeding device" means a magazine, box, drum, tube, belt, feed strip,  
11 or similar device which has a capacity of more than ten (10) rounds of ammunition. The term  
12 large capacity feeding device shall include an ammunition feeding device with a removable floor  
13 plate or end plate, or any other feature that allows the device to be readily converted to accept  
14 more than ten (10) rounds of ammunition. The term shall not include an attached tubular device  
15 which is capable of holding only .22 caliber rim fire ammunition or a feeding device that has been  
16 rendered permanently inoperable.

17 (2) "Federally licensed firearm dealer" means a person who holds a valid federal firearm  
18 dealer's license pursuant to 18 U.S.C. § 923(a).

19 **11-47.1-3. Large capacity device prohibited.**

1       (a) No person shall manufacture, sell, offer to sell, transfer, purchase, possess, or have  
2 under their control a large capacity feeding device, except as otherwise authorized under this  
3 chapter. Any person convicted of violating the provisions of this section shall be punished by a  
4 fine of up to five thousand dollars (\$5000) or by imprisonment of not less than one year nor more  
5 than five (5) years, or both, and except for a first conviction under this section, shall not be  
6 afforded the provisions of a suspension or deferment of sentence, nor probation. Any unlawfully  
7 possessed large capacity feeding device shall be subject to forfeiture.

8       (b) The provisions of subsection (a) of this section shall not apply to:

9       (1) Any person who, on the effective date of this chapter, lawfully possessed a large  
10 capacity feeding device; provided that, within one hundred eighty (180) days of the effective date  
11 of this chapter the person:

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

14       (ii) Surrenders the large capacity feeding device to the police department in the city or  
15 town in which the person resides or, if there is no such police department or the person resides  
16 out of state, to the nearest Rhode Island state police barracks, in accordance with procedures  
17 promulgated by the chief of police or the superintendent of the state police.;

18       (iii) Transfers or sells the large capacity feeding device to a federally licensed firearm  
19 dealer or a firm outside the state of Rhode Island that is lawfully entitled to own or possess such a  
20 device;

21       (2) Any law enforcement officer that is exempt under §§ 11-47-9 or 11-47-9.1, or a  
22 retired law enforcement officer exempt under §§ 11-47-9 or 11-47-9.1 who is not otherwise  
23 prohibited from receiving such a feeding device from an agency upon retirement, and who has a  
24 permit to carry a firearm pursuant to § 11-47-18(b); or

25       (3) An active duty member of the armed forces of the United States, or the National  
26 Guard, who is authorized to possess and carry assault weapons.

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

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LC003640  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO CRIMINAL OFFENSES - WEAPONS

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- 1 This act would ban large capacity feeding devices for use in firearms.
- 2 This act would take effect upon passage.

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LC003640  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Senators Goldin, Seveney, Miller, Goodwin, and Conley

Date Introduced: January 22, 2020

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

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

3 CHAPTER 47.1

4 LARGE CAPACITY FEEDING DEVICE BAN ACT OF 2020

5 **11-47.1-1. Short title.**

6 This chapter shall be known and may be cited as the "Rhode Island Large Capacity  
7 Feeding Device Ban Act of 2020."

8 **11-47.1-2. Definitions.**

9 (a) As used in this chapter the following terms and phrases are construed as follows:

10 (1) "Large capacity feeding device" means a magazine, box, drum, tube, belt, feed strip,  
11 or similar device which has a capacity of more than ten (10) rounds of ammunition. The term  
12 large capacity feeding device shall include an ammunition feeding device with a removable floor  
13 plate or end plate, or any other feature that allows the device to be readily converted to accept  
14 more than ten (10) rounds of ammunition. The term shall not include an attached tubular device  
15 which is capable of holding only .22 caliber rim fire ammunition or a feeding device that has been  
16 rendered permanently inoperable.

17 (2) "Federally licensed firearm dealer" means a person who holds a valid federal firearm  
18 dealer's license issued pursuant to 18 U.S.C. § 923(a).

19 **11-47.1-3. Large capacity feeding device prohibited.**



1       (a) No person shall manufacture, sell, offer to sell, transfer, purchase, possess, or have  
2       under their control a large capacity feeding device, except as otherwise authorized under this  
3       chapter. Any person convicted of violating the provisions of this section shall be punished by a  
4       fine of up to five thousand dollars (\$5000) or by imprisonment of not less than one year nor more  
5       than five (5) years, or both, and except for a first conviction under this section, shall not be  
6       afforded the provisions of a suspension or deferment of sentence, nor probation. Any unlawfully  
7       possessed large capacity feeding device shall be subject to forfeiture.

8       (b) The provisions of subsection (a) of this section shall not apply to:

9       (1) Any person who, on the effective date of this chapter, lawfully possessed a large  
10       capacity feeding device; provided that, within one hundred eighty (180) days of the effective date  
11       of this chapter the person:

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

14       (ii) Surrenders the large capacity feeding device to the police department in the city or  
15       town in which the person resides or, if there is no such police department or the person resides  
16       out of state, to the nearest Rhode Island state police barracks, in accordance with procedures  
17       promulgated by the chief of police or the superintendent of the state police; or

18       (iii) Transfers or sells the large capacity feeding device to a federally licensed firearm  
19       dealer or any person or firm outside the state of Rhode Island that is lawfully entitled to own or  
20       possess such a device;

21       (2) Any law enforcement officer that is exempt under §§ 11-47-9 or 11-47-9.1, or a  
22       retired law enforcement officer exempt under §§ 11-47-9 or 11-47-9.1 who is not otherwise  
23       prohibited from receiving such a feeding device from an agency upon retirement, and who has a  
24       permit to carry a firearm pursuant to § 11-47-18(b); or

25       (3) An active duty member of the armed forces of the United States, or the National  
26       Guard, who is authorized to possess and carry assault weapons.

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

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LC003664  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO CRIMINAL OFFENSES -- WEAPONS

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- 1           This act would create the "Large Capacity Feeding Device Ban Act" of 2020 which  
2   would ban the sale, possession or transfer of large capacity feeding devices with exceptions for  
3   law enforcement and military personnel. Violations of this chapter would be punishable by up to  
4   five years imprisonment and/or a five thousand dollar fine.  
5           This act would take effect upon passage.

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LC003664  
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