

2015 -- S 0755

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LC001539
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO CRIMINAL OFFENSES - WEAPONS

Introduced By: Senators Miller, McCaffrey, Metts, and Goodwin

Date Introduced: March 24, 2015

Referred To: Senate Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-47 of the General Laws entitled "Weapons" is hereby amended
2 by adding thereto the following section:

3 **11-47-35.4. Sale or transfer to a party who is not intended owner or possessor. – (a)**
4 No person, entity, or dealer shall sell, loan, or transfer a firearm to any person whom the person,
5 entity, or dealer knows or has cause to believe is not the actual purchaser or transferee of the
6 firearm, or to anyone who is not the one actually being loaned the firearm, if the person, entity, or
7 dealer has knowledge that the firearm is to be subsequently sold, loaned, or transferred to avoid
8 the provisions of §§ 11-47-35 or 11-47-35.2.

9 (b) No person, entity, or dealer shall acquire a firearm for the purpose of selling, loaning,
10 or transferring the firearm, if the person, entity, or dealer has the intent to avoid the provisions of
11 §§ 11-47-35 or 11-47-35.2.

12 (c) Every person violating the provisions of this section shall, upon conviction, be
13 punished by imprisonment for not less than one, nor more than ten (10) years, or by a fine up to
14 ten thousand dollars (\$10,000), or both. Any person violating the provisions of this section upon a
15 second or subsequent conviction shall be punished by imprisonment for not less than two (2)
16 years, nor more than fifteen (15) years or a fine up to fifteen thousand dollars (\$15,000), or both.
17 Except for a first conviction under this section, the person shall not be afforded the provisions of
18 suspension or deferment of sentence, nor probation.

19 (d) This section shall not apply to the temporary loan of a firearm to a person who may

1 [lawfully possess a firearm while that person is lawfully hunting or lawfully target shooting within](#)
2 [this state or lawfully engaged in any of the activities authorized by § 11-47-9.](#)

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would prohibit any person, entity, or dealer from acquiring or delivering a
2 firearm to any person not the actual purchaser or transferee with knowledge that said person
3 intends to subsequently deliver the firearm to another person in avoidance of mandatory waiting
4 period, licensing, and recording requirements.

5 This act would take effect upon passage.

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