

2017 -- S 0403

LC001237

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO CRIMINAL OFFENSES -WEAPONS

Introduced By: Senators Miller, and Nesselbush

Date Introduced: March 02, 2017

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.**

4 (a) No person shall knowingly purchase or otherwise obtain a firearm on behalf of or  
5 transfer to a person who the transferor knows or reasonably should know is prohibited from  
6 possessing or receiving a firearm under federal or state law.

7 (b) Every person violating the provision of this section shall, upon conviction, be subject  
8 to imprisonment for up to ten (10) years, or by a fine up to ten thousand dollars (\$10,000), or  
9 both. Any person violating the provisions of this section shall upon a second or subsequent  
10 conviction be subject to imprisonment for not less than two (2) years nor more than fifteen (15)  
11 years or a fine up to fifteen thousand dollars (\$15,000), or both. Except for a first conviction  
12 under this section, the person shall not be afforded the provisions of suspension or deferment of  
13 sentence, nor probation.

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

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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 provide that no person shall knowingly purchase or otherwise obtain a  
2 firearm on behalf of or transfer to a person who the transferor knows or reasonably should know  
3 is prohibited from possessing or receiving a firearm under federal or state law. Violation would  
4 be punishable by imprisonment up to ten (10) years, or a fine of up to ten thousand dollars  
5 (\$10,000), or both for the first offense and for any subsequent offense by mandatory  
6 imprisonment of two (2) to fifteen (15) years or a fine of up to fifteen thousand dollars (\$15,000),  
7 or both.

8           This act would take effect upon passage.

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