

2017 -- H 5866

LC001985

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO CRIMINAL OFFENSES-WEAPONS

Introduced By: Representatives McKiernan, Perez, O'Brien, Almeida, and Williams

Date Introduced: March 08, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

3 **11-47-24. Alteration of marks of identification on firearms.**

4 (a) No person shall change, alter, remove, or obliterate the name of the maker, model,
5 manufacturer's number, or if there is no name of the maker, model, or manufacturer's number
6 then any other mark of identification on any firearm.

7 (b) No person shall, absent recertification paperwork, knowingly receive, transport, or
8 possess any firearm which has had the name of the maker or manufacturer's serial number
9 removed, altered, or obliterated, or if there is no name of the maker, model, or manufacturer's
10 number then any other mark of identification on any firearm.

11 (c) Possession of any firearm, absent recertification paperwork, upon which the name of
12 the maker, model, manufacturer's number, or if there is no name of the maker, model, or
13 manufacturer's number then any other mark of identification on any firearm has been changed,
14 altered, removed, or obliterated shall be prima facie evidence that the possessor has changed,
15 altered, removed, or obliterated.

16 (d) A person in possession of a firearm, with proof of ownership and/or transfer from a
17 FFL dealer, may apply for recertification of that firearm from a Rhode Island based licensed
18 firearms business owner who also is an FFL dealer or a local police chief and/or police
19 department official if the name of the maker, model, manufacturer's number, or if there is no

1 name of the maker, model, or manufacturer's number then any other mark of identification on the
2 firearm has been only partially damaged.

3 (e) The Rhode Island based licensed firearms business owner who is also an FFL dealer
4 or a local police chief and/or police department official shall, within sixty (60) days of the
5 application if he or she is reasonably able to verify the firearm ownership and identifying marks
6 recertify the firearm or return the firearm to the person who presented it, certify by written
7 notarized documentation that the firearm's name of the maker, model, manufacturer's number, or
8 if there is no name of the maker, model, or manufacturer's number then any other mark of
9 identification on the firearm has been partially damaged and is still identifiable and traceable to
10 the record owner.

11 (f) The sale or transfer of a recertified firearm and/or the submission of a report by the
12 record owner that the firearm was stolen immediately voids all recertification documentation.

13 (g) Violation of the provisions of this section may be punished by imprisonment for not
14 less than two (2) years nor ~~not~~ more than five (5) years.

15 (h) This section shall not apply to the lawful exchange of component parts of any
16 firearms, nor to any antique and collectible weapons legally possessed by collectors and dealers
17 of firearms as provided in section 11-47-25.

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

=====
LC001985
=====

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

1 This act would make alteration of firearm identification marks punishable by not less
2 than two (2) years imprisonment and by no more than five (5) years imprisonment.

3 This act would take effect upon passage.

=====
LC001985
=====