

2020 -- S 2130

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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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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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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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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