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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS -- EDUCATION -- HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives Cardillo, Chippendale, Perez, and O'Brien

Date Introduced: March 03, 2022

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-60 of the General Laws in Chapter 11-47 entitled "Weapons"
2 is hereby amended to read as follows:

3 **11-47-60. Possession of firearms on school grounds.**

4 (a)(1) No person shall have in his or her possession any firearm or other weapons on school
5 grounds.

6 (2) For the purposes of this section, "school grounds" means the property of a public or
7 private elementary or secondary school or in those portions of any building, stadium, or other
8 structure on school grounds that were, at the time of the violation, being used for an activity
9 sponsored by or through a school in this state or while riding school-provided transportation.

10 (3) Every person violating the provisions of this section shall, upon conviction, be
11 sentenced to imprisonment for not less than one year nor more than five (5) years, or shall be fined
12 not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5,000).

13 (4) Any juvenile adjudicated delinquent pursuant to this statute shall, in addition to
14 whatever other penalties are imposed by the family court, lose his or her license to operate a motor
15 vehicle for up to six (6) months. If the juvenile has not yet obtained the necessary age to obtain a
16 license, the court may impose as part of its sentence a delay in his or her right to obtain the license
17 when eligible to do so, for a period of up to six (6) months.

18 (b) The provisions of this section shall not apply to any person who shall be exempt

1 pursuant to the provisions of ~~§ §§~~ §§ 11-47-9, 11-47-11 and 11-47-18, subject to subsection (d) of this
2 section who is a "peace officer" as defined in § 12-7-21; ~~a retired law enforcement officer permitted~~
3 ~~under § 11-47-18(b)~~ or pursuant to 18 U.S.C. §§ 926B and 926C; or an individual in accordance
4 with a contract entered into between a school and the individual or an employer of the individual
5 to provide security services to the school; or to the following activities when the activities are
6 officially recognized and sanctioned by the educational institution:

- 7 (1) Firearm instruction and/or safety courses;
- 8 (2) Government-sponsored military-related programs such as ROTC;
- 9 (3) Interscholastic shooting and/or marksmanship events;
- 10 (4) Military history and firearms collection courses and/or programs; and
- 11 (5) The use of blank guns in theatrical and/or athletic events.

12 (c) The provisions of this section shall not apply to colleges, universities, or junior colleges.

13 (d) ~~The provisions of this section shall not apply to the possession of a firearm that is not~~
14 ~~loaded and is in a locked container or a locked rack that is in a motor vehicle.~~ A person licensed
15 pursuant to §§ 11-47-11 or 11-47-18 shall, if he or she has attended the one hour active shooter
16 training program, and complied with the provisions of subsection (e) of this section, be authorized
17 to have in their possession any firearm or other weapons on school grounds pursuant to this chapter.
18 The substance of the course shall be developed and run by the Rhode Island state police and local
19 police departments. The program shall be developed and made available within six (6) months of
20 the effective date of this subsection and:

21 (1) The active shooter training program shall be administered by the Rhode Island state
22 police, local police departments and/or NRA certified range safety officers;

23 (2) The active shooter training program instructor shall issue a certificate of attendance
24 which shall be valid for the four (4) year period upon issuance of a concealed carry permit or any
25 remaining time on an issued concealed carry weapons permit; and

26 (3) The active shooter program shall not contain a live fire requirement.

27 (e) Any person who has completed the active shooter training program shall, before
28 entering upon any school grounds, notify the police department in the city or town in which the
29 school is located.

30 (f) The prohibition of subsection (a) of this section shall not apply to any person licensed
31 pursuant to §§ 11-47-11 or 11-47-18, who has not complied with subsection (e) of this section;
32 provided that, the person does not exit their vehicle for any extended period of time while on school
33 grounds.

34 SECTION 2. Section 16-21-23 of the General Laws in Chapter 16-21 entitled "Health and

1 Safety of Pupils" is hereby amended to read as follows:

2 **16-21-23. School safety teams, school crisis response teams, and school safety**
3 **assessments.**

4 (a) Each school district of each town, city, and regional school department shall conduct a
5 school safety assessment in conjunction with local police, fire, school safety team pursuant to the
6 provisions of this section and any other expert said school department deems necessary. The
7 assessment shall examine the current status of each school building's safety and shall be performed
8 within thirty (30) days of passage of this act, and every three (3) years thereafter.

9 (1) There shall be a Rhode Island school safety committee whose functions shall include,
10 but not be limited to, providing training to law enforcement, school administrators, and teachers;
11 collecting and reviewing all hazard safety security assessments; and offering recommendations and
12 assistance to each school district of every town, city, and regional school department, in an effort
13 to increase the safety of students and faculty. The committee shall be comprised of twelve (12)
14 members as follows: the superintendent of the Rhode Island state police or designee, who shall
15 serve as chairperson of the committee; the president of the Police Chiefs' Association, or designee;
16 the director of the Rhode Island emergency management agency, or designee; the commissioner of
17 the department of elementary and secondary education, or designee; a representative from the
18 Rhode Island School Superintendents' Association, to be selected by the association; the director
19 of the department of behavioral healthcare, developmental disabilities and hospitals, or designee;
20 the state fire marshal, or designee; a representative of the Rhode Island Association of School
21 Maintenance Directors, to be selected by the association; a representative from the Rhode Island
22 Association of School Principals, to be selected by the association; a representative from the Rhode
23 Island Association of School Committees, to be selected by the association; a representative from
24 the National Education Association of Rhode Island ("NEARI"), who shall be a full-time classroom
25 teacher, to be selected by the president of NEARI; and one representative from the Rhode Island
26 Federation of Teachers and Health Professionals ("RIFTHP"), who shall be a full-time classroom
27 teacher, to be selected by the president of the RIFTHP.

28 (2) Each school department of each town, city, and regional school district shall complete
29 the emergency action plan and shall submit the all hazards site safety survey report to the Rhode
30 Island school safety committee every three (3) years for the committee's review and
31 recommendation.

32 (3) The assessment shall be completed by November 1 of the year mandated, and by
33 December 31 of that year, the commissioner of elementary and secondary education shall report to
34 the speaker of the house, the senate president, and the governor that the assessments have been

1 completed. Assessments performed within a year of the date of passage of this act shall satisfy this
2 requirement.

3 (4) All meetings regarding the school safety assessment are not subject to the open
4 meetings law pursuant to chapter 46 of title 42, and documents produced including, but not limited
5 to, meeting minutes and the school safety assessment are not subject to the access to public records
6 law pursuant to chapter 2 of title 38.

7 (b) The school committee of each town, city, and regional school department shall review
8 and adopt in executive session a comprehensive school safety plan regarding crisis intervention,
9 emergency response, and management. The plan shall be developed by a school safety team
10 comprised of representatives of the school committee; representatives of student, teacher, and
11 parent organizations; school safety personnel; school administration; and members of local law
12 enforcement, fire, and emergency personnel. Members of the school safety team shall be appointed
13 by the school committee and/or school superintendent of the town, city, or regional school district.
14 In creating the school safety plan, the school safety team(s) shall consult the model school safety
15 plan developed by the department of elementary and secondary education pursuant to § 16-21-23.1.

16 (c) The school crisis response team shall be comprised of those selected school personnel
17 willing to serve as members of a psychological response team to address the psychological and
18 emotional needs of the school community, and may seek mental health resources from the
19 department of elementary and secondary education. Members of the school crisis response team
20 may coordinate mental health services for those students and school employees affected by acts of
21 violence in the schools, using resources available through the department of elementary and
22 secondary education.

23 (d) There shall be established a Rhode Island school security committee (security
24 committee) whose principal function shall include, but not be limited to, developing, implementing
25 and reporting to the general assembly by January 31 of each year, school security measures. The
26 security committee shall facilitate providing armed security personnel and security for all
27 kindergarten through grade twelve (K-12) schools along with additional security devices and plans.

28 (1) The security committee shall be comprised of fourteen (14) members as follows: the
29 superintendent of the Rhode Island state police or designee, who shall serve as chairperson of the
30 committee; the president of the Rhode Island Police Chief's association, or designee; the director
31 of the Rhode Island emergency management agency, or designee; the commissioner of the
32 department of elementary and secondary education, or designee; a representative from the Rhode
33 Island Superintendent's Association, to be selected by the association; the director of the
34 department of behavioral healthcare, developmental disabilities and hospitals or designee; the state

1 fire marshal, or designee; a representative of the Rhode Island Association of School Maintenance
2 Directors, to be selected by the association; a representative from the Rhode Island Association of
3 School Principals, to be selected by the association; a representative from the Rhode Island
4 Association of School Committees, to be selected by the association; a representative from the
5 National Education Association of Rhode Island (NEARI), who shall be a full-time classroom
6 teacher, to be selected by president of the NEARI; and one representative from the Rhode Island
7 Federation of Teachers And Health Professionals (RIFTHP), who shall be a full-time classroom
8 teacher, to be selected by the president of the RIFTHP; and two (2) representatives from the
9 firearms community chosen by the national rifle association's state association (NRARI).

10 (2) The security committee shall report on the creation and implementation of a five (5)
11 year plan which shall include the following security measures:

12 (i) The limiting and securing of primary access to all school facilities, including, but not
13 limited to, employee, visitor and student identification cards, bullet resistant film and/or glass, and
14 surveillance and camera systems; and

15 (ii) Secondary classroom security measures, including, but not limited to, breach resistant
16 doors and devices, ballistic film and/or glass and alarm systems.

17 (3) The security committee shall coordinate with the Rhode Island sheriff's department,
18 Rhode Island capitol police, the state police, the national guard and local law enforcement to
19 develop a schedule for armed security coverage for the schools.

20 (4) The security committee shall meet every three (3) months and shall report to the general
21 assembly every January 31, and provide the additional cost per-year to add additional armed
22 security.

23 (5) The cost of the security shall be divided between the State of Rhode Island and the
24 cities' and towns' school committees.

25 (6) An individual with a valid concealed carry weapons permit, shall before entering a
26 school facility building, communicate to the local police department that he or she is in possession
27 of a firearm.

28 (e) Any licensed person who is not a peace officer pursuant to § 12-7-21 and fails to
29 communicate with the local police department as provided in subsection (d)(6) of this section shall
30 be in violation of § 11-47-60(a).

31 (f) Any meetings regarding the security committee shall not be subject to chapter 46 of title
32 42 ("open meetings"), and documents produced, including, but not limited to, meeting minutes and
33 school security measures shall not be subject to chapter 2 of title 38 ("access to public records").

1 SECTION 3. 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 -- EDUCATION -- HEALTH AND
SAFETY OF PUPILS

1 This act would establish a fourteen (14) member school security committee to formulate
2 and administer increased school security measures, including facilitating armed security personnel,
3 providing security doors, bullet resistant windows and formulating a budget for the security
4 measures which shall be submitted to the general assembly each year. It would also establish a
5 program to be administered by the state and local police for active shooter training and provide
6 exemptions for those who have completed the program to enter upon school property, provided
7 they have given notice to the local police department.

8 This act would take effect upon passage.

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