

2023 -- H 5576

LC001776

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Representatives Place, Rea, Chippendale, and Nardone

Date Introduced: February 15, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-9 of the General Laws in Chapter 11-47 entitled "Weapons" is  
2 hereby amended to read as follows:

3 **11-47-9. Persons exempt from restrictions.**

4 (a) The provisions of § 11-47-8 shall not apply to sheriffs; deputy sheriffs; the  
5 superintendent and members of the state police; members of the Rhode Island airport police  
6 department; members of the Rhode Island state marshals; Rhode Island state fire marshal; chief  
7 deputy state fire marshals; deputy state fire marshals assigned to the bomb squad, and those  
8 assigned to the investigation unit; Providence fire department arson investigators, provided that the  
9 investigator receiving the permit is a graduate of a police-training academy; correctional officers,  
10 chief inspector and inspectors within the office of inspections, within the department of corrections;  
11 members of the city or town police force; capitol police investigators of the department of attorney  
12 general appointed pursuant to § 42-9-8.1; the witness protection coordinator for the witness  
13 protection review board as set forth in chapter 30 of title 12 and subject to the minimum  
14 qualifications of § 42-9-8.1; automobile theft investigators of the Rhode Island state police pursuant  
15 to § 31-50-1; railroad police while traveling to and from official assignments or while on  
16 assignments; conservation officers; or other duly appointed law enforcement officers; nor to  
17 members of the Army, Navy, Air Force, and Marine Corps of the United States, the National Guard,  
18 or organized reserves, when on duty; nor to members of organizations by law authorized to  
19 purchase or receive firearms from the United States or this state, provided these members are at, or

1 going to or from, their places of assembly or target practice; nor to officers or employees of the  
2 United States authorized by law to carry a concealed firearm; nor to any civilian guard or criminal  
3 investigator carrying sidearms or a concealed firearm in the performance of his or her official duties  
4 under the authority of the commanding officer of the military establishment in the state of Rhode  
5 Island where he or she is employed by the United States; nor to any civilian guard carrying sidearms  
6 or a concealed firearm in the performance of his or her official duties under the authority of the  
7 adjutant general where he or she is employed guarding a national guard facility, provided, that the  
8 commanding officer of the military establishment shall have on file with the attorney general of  
9 this state a list of the names and addresses of all civilian guards and criminal investigators so  
10 authorized; nor to duly authorized military organizations when on duty; nor to members when at,  
11 or going to or from, their customary places of assembly; nor to any individual employed in the  
12 capacity of warden, associate warden, major, captain, lieutenant, sergeant, correctional officer or  
13 investigator at any project owned or operated by a municipal detention facility corporation,  
14 including the Donald W. Wyatt Detention Facility; nor to the regular and/or ordinary transportation  
15 of pistols or revolvers as merchandise; nor to any person while transporting a pistol, or revolvers,  
16 unloaded from the place of purchase to their residence, or place of business, from their residence  
17 to their place of business or from their place of business to their residence, or to a federal firearms  
18 licensee for the purpose of sale, to or from a bona fide gunsmith, or firearms repair facility, to any  
19 police station or other location designated as a site of a bona fide "gun buy-back" program, but  
20 only if said pistol or revolver is unloaded and any ammunition for said pistol or revolver is not  
21 readily or directly accessible from the passenger compartment of such vehicle while transporting  
22 same and further provided, that in the case of a vehicle without a compartment separate from the  
23 passenger compartment, the firearm or the ammunition shall be stored in a locked container.

24 (b) The provisions of § 11-47-8 shall not apply to any person who carries a concealed or  
25 non-concealed weapon, or a person who may lawfully possess a firearm and who carries a  
26 concealed or non-concealed firearm, on or about their person while in the act of evacuating during  
27 a mandatory evacuation order during a state of emergency declared by the governor pursuant to §  
28 30-15-9 or by a local authority pursuant to § 30-15-12. As used in this section, the term "in the act  
29 of evacuating" means the immediate and urgent movement of a person or persons away from the  
30 evacuation zone within forty-eight (48) hours after a mandatory evacuation is ordered. The forty-  
31 eight (48) hour period may be extended pursuant to the powers granted the governor or local  
32 authorities pursuant to chapter 15 of title 30.

33 ~~(b)~~(c) Persons exempted by the provisions of this section from the provisions of § 11-47-8  
34 shall have the right to carry concealed firearms everywhere within this state; provided, that this

1 shall not be construed as giving the right to carry concealed firearms to a person transporting  
2 firearms as merchandise or as household or business goods.

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 permit the open and concealed carrying of weapons by certain persons in  
2 the act of evacuating the area pursuant to an order of the governor or local authority under chapter  
3 15 of title 30.

4           This act would take effect upon passage.

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