

2022 -- S 2393

=====
LC004590
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

—————
A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS

Introduced By: Senators de la Cruz, Paolino, Raptakis, F Lombardi, Ciccone, Lombardo,
and E Morgan

Date Introduced: February 15, 2022

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-42 of the General Laws in Chapter 11-47 entitled "Weapons"

2 is hereby amended to read as follows:

3 **11-47-42. Weapons other than firearms prohibited.**

4 (a)(1) No person shall carry or possess or attempt to use against another any instrument or
5 weapon of the kind commonly known as a blackjack, slingshot, billy, sandclub, sandbag, metal
6 knuckles, slap glove, bludgeon, stun-gun, or the so called "Kung-Fu" weapons.

7 (2) No person shall with intent to use unlawfully against another, carry or possess a
8 crossbow, dagger, dirk, stiletto, sword-in-cane, bowie knife, or other similar weapon designed to
9 cut and stab another.

10 (3) No person shall wear or carry concealed upon his person, any of the above-mentioned
11 instruments or weapons, or any razor, or knife of any description having a blade of more than three
12 (3) inches in length measuring from the end of the handle where the blade is attached to the end of
13 the blade, or other weapon of like kind or description.

14 Any person violating the provisions of these subsections shall be punished by a fine of not
15 more than one thousand dollars (\$1,000) or by imprisonment for not more than one year, or both,
16 and the weapon so found shall be confiscated.

17 Any person violating the provisions of these subsections while he or she is incarcerated
18 within the confines of the adult correctional institutions shall be punished by a fine of not less than
19 one thousand dollars (\$1,000) nor more than three thousand dollars (\$3,000), or by imprisonment

1 for not less than one year nor more than five (5) years, or both, and the weapon so found shall be
2 confiscated.

3 (4) It shall be lawful for a person, who is over the age of eighteen (18) years to purchase,
4 carry, conceal, possess, use or attempt to use a stun gun against another person for self-defense.

5 (5) It shall be a defense that the person using or attempting to use a stun gun that he or she
6 had a reasonable belief that a person was about to inflict great bodily injury or death upon himself,
7 herself or a third party.

8 (6) There shall be no duty to retreat for a person using or attempting to use a stun gun.

9 (b) No person shall sell to a person under eighteen (18) years of age, without the written
10 authorization of the minor's parent or legal guardian, any stink bomb, blackjack, slingshot, bill,
11 sandclub, sandbag, metal knuckles, slap glove, bludgeon, stungun, paint ball gun, so called "kung-
12 fu" weapons, dagger, dirk, stiletto, sword-in-cane, bowie knife, razor, or knife of any description
13 having a blade of more than three inches (3") in length as described in subsection (a) of this section,
14 or any multi-pronged star with sharpened edges designed to be used as a weapon and commonly
15 known as a Chinese throwing star, except that an individual who is actually engaged in the
16 instruction of martial arts and licensed under § 5-43-1 may carry and possess any multi-pronged
17 star with sharpened edges for the sole purpose of instructional use. Any person violating the
18 provisions of this subsection shall be punished by a fine of not less than one thousand dollars
19 (\$1,000) nor more than three thousand dollars (\$3,000), or by imprisonment for not less than one
20 year nor more than five (5) years, or both, and the weapons so found shall be confiscated.

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

=====
LC004590
=====

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

1 This act would allow a person over eighteen (18) to purchase, carry, conceal, possess, use
2 or attempt to use a stun gun for self defense. Additionally, this act would establish no duty to retreat
3 when using a stun gun for self defense of the person or a third party.

4 This act would take effect upon passage.

=====
LC004590
=====