

2008 -- S 2742

LC00512

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2008

A N A C T

RELATING TO CRIMINAL OFFENSES - WEAPONS

Introduced By: Senator William A. Walaska

Date Introduced: February 26, 2008

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-47 of the General Laws entitled "Weapons" is hereby amended  
2 by adding thereto the following section:

3 **11-47-63. Prohibition on possession or sale of non-coded ammunition. -- (a) All**  
4 **handgun and assault weapon ammunition manufactured or sold in the state after January 1, 2009,**  
5 **shall be coded by the manufacturer:**

6 **(i) The calibers covered by the coding requirement shall include:**

7 **.22, .25, .357, .380, .40, .45, 9 mm and 10 mm.**

8 **(b) No later than January 1, 2011 all non-coded ammunition for the calibers listed in this**  
9 **chapter, whether owned by private citizens or retail outlets, must be disposed.**

10 **(c) "Rhode Island state crime lab" shall be responsible for establishing and maintaining**  
11 **an Ammunition Coding System Database (ACSD) containing the following information:**

12 **(1) Manufacturer registry – Manufacturers shall:**

13 **(a) Register with the Rhode Island state crime lab in a manner prescribed by the**  
14 **department through rule; and**

15 **(b) Maintain records on the business premises for a period of seven (7) years concerning**  
16 **all sales, loans, and transfers of ammunition, to, from, or within the state.**

17 **(2) Vendor registry – Vendors shall:**

18 **(a) Register with the Rhode Island state crime lab in a manner prescribed by the**  
19 **department through rule; and**

1           (b) Record the following information in a format prescribed by the Rhode Island state  
2 crime lab:

3           (i) The date of the transaction.

4           (ii) The name of the transferee.

5           (iii) The purchaser's driver's license number or other government issued identification  
6 card number.

7           (iv) The date of birth of the purchaser.

8           (v) The unique identifier of all handgun ammunition or bullets transferred.

9           (vi) All other information prescribed by the Rhode Island state crime lab.

10          (c) Maintain records on the business premises for a period of three (3) years from the date  
11 of the recorded purchase.

12          (d) To the greatest extent possible or practical, the ACSD shall be built within the  
13 framework of existing firearms databases. The ACSD shall be operational no later than January 1,  
14 2009.

15          (e) Privacy of individuals is of the utmost importance. Access to information in the  
16 ACSD is reserved for key law enforcement personnel and to be released only in connection with a  
17 criminal investigation.

18          (f) Any vendor that willfully fails to comply with, or falsifies the records required to be  
19 kept by this section is guilty of a misdemeanor punishable by imprisonment not to exceed one  
20 year, and/or a fine of one thousand dollars (\$1,000).

21          (g) Any manufacturer that fails to comply with the provisions of this section shall be  
22 liable for a civil fine of not more than one thousand dollars (\$1,000) for a first violation, not more  
23 than five thousand dollars (\$5,000) for a second violation, and not more than ten thousand dollars  
24 (\$10,000) for a third and subsequent violation.

25          (h) Any person who willfully destroys, obliterates, or otherwise renders unreadable, the  
26 serialization required pursuant to this section, on any bullet or assembled ammunition is  
27 punishable by imprisonment not to exceed one year, and/or a fine of one thousand dollars  
28 (\$1,000).

29          (i) There is hereby established the coded ammunition fund for deposit of the end-user  
30 fees described in this section. Moneys in the fund, upon appropriation, shall be available to the  
31 Rhode Island state crime lab for infrastructure, implementation, operational, enforcement, and  
32 future development costs of this chapter.

33          (j) Ammunition manufactures based within this state may submit a one-time tax credit  
34 application for cost of purchasing ammunition coding equipment. All applications must be

1 submitted by January 1, 2010.

2 (k) For purposes of this section, "coded ammunition" shall mean a bullet carrying a  
3 unique identifier that has been applied by etching onto the base of the bullet projectile.

4 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 establish the ammunition accountability act.
- 2 This act would take effect upon passage.

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