

2013 -- S 0862

=====
LC02368
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

JOINT RESOLUTION

CREATING A BEHAVIORAL HEALTH AND FIREARMS SAFETY TASK FORCE TO
REVIEW, AND MAKE RECOMMENDATIONS FOR, STATUTES RELATING TO
FIREARMS AND BEHAVIORAL HEALTH ISSUES

Introduced By: Senators Cool Rumsey, Goldin, Walaska, Archambault, and Lombardi

Date Introduced: April 11, 2013

Referred To: Senate Judiciary

1 WHEREAS, Recent and well-publicized events, including the tragic shootings at Sandy
2 Hook Elementary School in neighboring Connecticut, have called into question how we as a
3 society deal with firearm violence and public safety; and

4 WHEREAS, The Rhode Island General Assembly seeks to ensure that the laws of our
5 State strike an appropriate balance between preserving the individual freedoms and liberties of
6 responsible firearm ownership, on one hand, and acknowledging that matters of public safety are
7 recognized, on the other hand; and

8 WHEREAS, Many of the current laws enacted in our State relating to firearms have not
9 been reviewed for decades, and though various governmental stakeholders have come together
10 during the 2013 legislative session to propose ways to strengthen these laws, the General
11 Assembly believes that it is appropriate to conduct a comprehensive review of these laws; and

12 WHEREAS, It is of particular concern how the Rhode Island statutory framework deals
13 with the intersection of behavioral health and firearms safety; and

14 WHEREAS, It is in the best interest of the citizens of Rhode Island to convene a task
15 force composed of representatives from the legislative, executive, judicial branches of
16 government and behavioral health community to conduct a review of current law and make
17 recommendations on legislation to improve public safety by developing a more comprehensive
18 approach addressing the nexus between behavioral health and firearms safety; now, therefore be it

19 RESOLVED, That the Behavioral Health And Firearms Safety Task Force (hereinafter

1 referred to as the "Task Force") shall consist of the following members (it being understood that
2 any member of the Task Force may appoint a designee to attend Task Force meetings in his/her
3 absence, and a quorum of the Task Force shall consist of a majority of its current membership):

4 (1) Three (3) members of the House of Representatives to be appointed by the Speaker of
5 the House, not more than two (2) from the same political party;

6 (2) Three (3) members of the Senate to be appointed by the President of the Senate, not
7 more than two (2) from the same political party;

8 (3) Two (2) members selected by the Governor;

9 (4) Attorney General;

10 (5) State Court Administrator;

11 (6) Director of the Department of Public Safety;

12 (7) Director of the Department of Environmental Management;

13 (8) Director of the Department of Behavioral Healthcare, Developmental Disabilities and
14 Hospitals;

15 (9) President of the Police Chiefs' Association;

16 (10) Mental Health Advocate;

17 (11) A public member representing mental health service providers, to be appointed by
18 the President of the Senate; and

19 (12) A public member representing substance abuse service providers, to be appointed by
20 the Speaker of House and be it further;

21 RESOLVED, That the Representative appointed from the political party of the Speaker
22 of House and the Senator appointed from the political party of the President of the Senate shall
23 call the first meeting of the Task Force, and the members of the Task Force shall, at their first
24 meeting, elect a Chairperson, a Secretary, and any other officers they may find necessary; and be
25 it further

26 RESOLVED, That the Task Force shall assemble no less than two (2) times per month,
27 or more often at the call of the Chairperson or upon petition of a majority of its members; and be
28 it further

29 RESOLVED, That the Task Force shall perform the following functions with respect to
30 the National Instant Criminal Background Check System ("NICS"):

31 (1) Conduct a review of different states' approaches for compliance with the NICS Index
32 (which includes information contributed by federal and state agencies identifying persons
33 prohibited from possessing firearms because of mental health or substance abuse history) to
34 ensure that the state conforms to best practices nationally;

1 (2) Propose legislation and recommendations to support the state's full participation in the
2 NICS Index; and

3 (3) Act in an advisory capacity to the relief board, under chapter 40.1-30 of the Rhode
4 Island General Laws, until it is fully operational; and be it further

5 RESOLVED, That the Task Force shall review chapter 11-47 of the Rhode Island
6 General Laws entitled "Weapons" and chapter 40.1-5 of the Rhode Island General Laws entitled
7 "Mental Health Law" and make recommendations to revise such chapters consistent with this
8 Joint Resolution, which recommendations shall include, but not be limited to, ensuring (i) The
9 privacy of information identifying persons with disqualifying behavioral health adjudications or
10 commitments; and (ii) That the definitions used in such chapters related to mental health and
11 substance abuse (or in contemporaneous legislation proposed by the Task Force or the Task Force
12 on Firearms Statutes) are consistent; and be it further

13 RESOLVED, That the Task Force shall transmit such recommendations to the Governor,
14 the Speaker of the House and the President of the Senate on or before January 1, 2014; and be it
15 further

16 RESOLVED, That before transmitting such recommendations to the Governor, the
17 Speaker of the House and the President of the Senate, the Task Force shall have conferred with
18 the Task Force on Firearms Statutes to ensure that their proposed recommendations for revising
19 the Rhode Island General Laws do not conflict; and be it further

20 RESOLVED, That the Secretary of State be, and hereby is, authorized and directed to
21 transmit duly certified copies of this resolution to the Governor, the President of the Senate, and
22 the Speaker of the House.

=====
LC02368
=====