

2011 -- H 5877

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LC01996
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO CRIMINAL OFFENSES -- WEAPONS -- FLEA MARKETS

Introduced By: Representatives McLaughlin, Brien, Blazejewski, Gallison, and Azzinaro

Date Introduced: March 08, 2011

Referred To: House 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.** -- (a) (1) No person shall carry or
4 possess or attempt to use against another any instrument or weapon of the kind commonly known
5 as a blackjack, slingshot, billy, sandclub, sandbag, metal knuckles, slap glove, bludgeon, stun-
6 gun, or the so called "Kung-Fu" weapons, nor shall any person, with intent to use unlawfully
7 against another, carry or possess a dagger, dirk, stiletto, sword-in-cane, bowie knife, or other
8 similar weapon designed to cut and stab another, nor shall any person wear or carry concealed
9 upon his person, or sell or offer for sale at a street market or "flea market," so-called, any of the
10 above-mentioned instruments or weapons, or any razor, or knife of any description having a blade
11 of more than three (3) inches in length measuring from the end of the handle where the blade is
12 attached to the end of the blade, or other weapon of like kind or description. Any person violating
13 the provisions of this subsection shall be punished by a fine of not more than one thousand dollars
14 (\$1,000) or by imprisonment for not more than one year, or both, and the weapon so found shall
15 be confiscated.

16 (2) Any person violating the provisions of this subsection while he or she is incarcerated
17 within the confines of the adult correctional institutions shall be punished by a fine of not less
18 than one thousand dollars (\$1,000) nor more than three thousand dollars (\$3,000), or by
19 imprisonment for not less than one year nor more than five (5) years, or both, and the weapon so

1 found shall be confiscated.

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

15 SECTION 2. 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 -- FLEA MARKETS

- 1 This act would prohibit the sale of various prohibited weapons at flea markets.
- 2 This act would take effect upon passage.

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