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1999 Survey of Rhode Island Law: Legislation: Gun Control: An Act Relating to Weapons - Increase the Age from 15 to 18 as the Age for Possession of Firearms by Minors

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Gun Control. *An Act Relating to Weapons–Increase the Age from 15 to 18 as the Age for Possession of Firearms by Minors.* Raises the age for possession of ammunition and firearms from fifteen to eighteen. The legislation also extends to all those under eighteen various restrictions on the granting of firearms permits that had formerly applied only to those under fifteen. Effective, July 2, 1999. 1999 R.I. Pub. Laws ch. 374.

This legislation (the Act) amends sections 11-47-32, 11-47-33 and 11-47-34 of the Rhode Island General Laws to raise the age of possession or use of ammunition or firearms from fifteen to eighteen.[1] "Ammunition" includes "any priming charge of powder, propelling charge of powder, or any form of missile or projectile to be ejected from a firearm."[2]

This prohibition does not apply where the minor holds a permit pursuant to section 11-47-34, and is in the presence of a parent, guardian, or supervising adult at a rifle range.[3] The rifle range must be approved by the state police or the police chief of the town in which the range is located.[4] The Act also amends section 11-47-33 to require that a minor be accompanied by a parent or guardian, or supervising adult when carrying an unloaded firearm to and from their home to the range, and to and from one range to another.[5]

The Act amends section 11-47-33 to provide an exception to the prohibition of a minor's possessing or using ammunition or firearms where the minor is engaged in a lawful hunting activity under the supervision of a parent, guardian, or "qualified adult."[6] A "qualified adult" for this purpose is defined as "any person twenty-one (21) years of age or older permitted by law to possess and use said firearm."[7] The Act's prohibitions do not apply where the minor is participating in Reserve Officer Training Corps pro-

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1. R.I. Gen. Laws § 11-47-32 (1956) (1994 Reenactment & Supp. 1999); R.I. Gen. Laws § 11-47-33(a) (1956) (1994 Reenactment & Supp. 1999).

2. R.I. Gen. Laws § 11-47-32.

3. *See* R.I. Gen. Laws § 11-47-33(a).

4. *See id.*

5. *See id.*

6. *Id.*

7. R.I. Gen. Laws § 11-47-33(b) (1956) (1994 Reenactment & Supp. 1999).

grams, state militia activities, basic firearms education, ceremonial parade activities, and competitive and target shooting.[8]

The Act also amends section 11-47-34 to extend to all persons under eighteen the prerequisites for obtaining a firearms permit that had formerly applied only to persons under fifteen.[9] The state police or the chief of police of the city or town in which a minor resides may not issue a permit to a minor without written consent of a parent or guardian.[10] The minor must also show "satisfactory proof" that he or she is in a firearms training course at a "regular and recognized camp or rifle range."[11] A valid membership card of a junior gun club or a junior division of a senior gun club incorporated in Rhode Island is sufficient to prove enrollment in a firearms training course.[12]

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8. *See id.*
9. *See* R.I. Gen. Laws § 11-47-34 (1956) (1994 Reenactment & Supp. 1999).
10. *See id.*
11. *Id.*
12. *See id.*