

2025 RHODE ISLAND ASSAULT WEAPONS BAN (H5436/S359)

FREQUENTLY ASKED QUESTIONS

Would the Assault Weapons Ban (AWB) really ban most firearms in the state of Rhode Island?

No. Most hunting rifles, shotguns, and break-action, bolt-action, and lever-action pistols are not considered assault weapons. Common shotguns and hunting rifles are exempt as the bills specify military-style assault weapons by design characteristics, or “features.” Again, any pump, lever, or bolt-action rifle or shotgun cannot be an assault weapon under these bills.

How is an assault weapon defined?

The AWB bills clearly define specific features a semiautomatic firearm would need to have to be affected. *Being semiautomatic alone isn't enough.* For example:

- A semiautomatic **rifle** can't have a pistol grip forward of the trigger OR a barrel shroud OR folding stock OR the ability to accept a bayonet, a flash suppressor, a grenade launcher, etc.
- Semiautomatic **handguns** are included in the ban, but only if they also have certain specific features, such as a fixed magazine with more than 10 rounds OR a magazine outside the grip OR the ability to attach a stock, etc.

Governor McKee included the AWB in his 2025 Budget Proposal. Does putting it there skirt the legislative process?

No. The state budget goes through the full legislative process and legislators have introduced stand-alone AWB bills in each chamber independent of the governor's budget proposal.

Does an AWB violate the Second Amendment?

No. AWBs in other states, such as Illinois and Massachusetts, have been challenged in federal courts and have passed Constitutional muster.

Rhode Island already has a large-capacity magazine ban. Why do we also need an assault weapons ban?

- Rhode Island law prohibits the possession of magazines capable of holding more than 10 rounds of ammunition, but it does not prohibit firearms with **fixed** magazines of more than 10 rounds.

- H5436/S359 would prohibit semiautomatic rifles and shotguns with large fixed magazines.
- While a large-capacity magazine is one feature that can make an assault weapon incredibly deadly, it's not the only one. The features that H5436/S359 targets are useful in military and criminal applications of guns, rather than civilian self-defense. For instance:
 - The ability to accept a detachable magazine means that a shooter can quickly change out multiple 10-round magazines, rather than take the longer time to reload a spent **fixed** magazine—increasing the number of casualties over a shorter period.
 - Folding and telescoping stocks increase the concealability of the weapon and decrease the likelihood that the individual will be caught before the shooting.
 - Flash suppressors and threaded barrels designed to accommodate flash suppressors or silencers decrease the likelihood that a shooter will be detected once they start shooting.
 - Barrel shrouds allow a shooter to grip the barrel of the firearm to make it easier to maneuver and handle.
 - Pistol grips on shotguns and rifles also increase accuracy and allow a shooter to fire more quickly.
- Assault weapons with detachable 10-round magazines have been used in some of this country's worst mass shootings. Lawfully purchased assault weapons with multiple 10-round magazines were used in the shootings in Parkland, Florida, and Sandy Hook, Connecticut.

How does Rhode Island's assault weapons bill compare to other states?

- Ten states and DC have enacted laws generally banning the sale, manufacture, and transfer of assault weapons.
- Rhode Island's H5436/S359 would create a "one-feature" test to determine whether a firearm is a prohibited assault weapon. Most states that use a "feature test" in their AWBs use a one-feature test, including California, Connecticut, Delaware, DC, Illinois, New York, and Washington.
- H5436/S359 has a "legacy" provision that allows individuals who already legally possess an assault weapon to register the firearm.
 - Such owners would be restricted in where they could possess the firearm and they can only transfer the weapon to a federally licensed firearm dealer. About half of the states with AWBs require registration of legacy weapons and place additional restrictions on the possession and transfer of those weapons.