

HB 533 -- FIREARMS (Riddle)

COMMITTEE OF ORIGIN: Committee on General Laws

COMMITTEE ACTION: Voted "Do Pass" by the Committee on General Laws by a vote of 9 to 4.

This bill specifies that a person who is found guilty or pleads guilty or nolo contendere to a prior felony offense and who commits a subsequent felony offense in which the person possesses, displays, brandishes, threatens to use, attempts to use, or discharges any firearm will be guilty of the offense of unlawful possession or use of a firearm during the commission of a felony. The offense will be in addition to and not in lieu of any underlying felony offense or other offense for which the person may be charged.

The bill specifies that a person who commits the offense by possessing a firearm during the commission of a felony will be subject to 10 years imprisonment; by displaying, brandishing, threatening to use, or attempting to use a firearm during the commission of a felony will be subject to 20 years imprisonment; and by discharging a firearm during the commission of a felony will be subject to a term of life imprisonment. The terms of imprisonment must be imposed consecutively to any other terms of imprisonment imposed for any other felony offense.

The bill exempts law enforcement officers or United States military personnel who are performing their lawful duties or who are traveling to or from their places of employment or assignment from these provisions.

The bill specifies that a person commits the crime of unlawful use of weapons if he or she knowingly possesses a firearm while also knowingly in possession of controlled substances that are sufficient for a felony violation.

This bill specifies that the state cannot prohibit any state employee from having a firearm in his or her vehicle on state property, provided the vehicle is locked and the firearm is not visible. These provisions apply only to the state as an employer, when the state employee's vehicle is on property owned or leased by the state, and the state employee is conducting activities within the scope of his or her employment.