

## KEY FACTS ABOUT S359

As amended, Rhode Island Senate Bill 359 would prohibit the manufacture, transfer, and sale of the semi-automatic assault rifles that have been used in the country's deadliest mass shootings — particularly AR-15s and AK-47s — which account for the vast majority of assault weapons sold today. If enacted, this bill will prevent unnecessary bloodshed without hindering Rhode Islanders' ability to hunt, shoot recreationally, or protect themselves.

### KEY POINTS

- Semi-automatic rifles are deadly because they fire high-velocity ammunition, are easy to reload, and have shoulder stocks and other features that make them more suited for combat situations than pistols.
- The bill would not touch a number of firearms commonly used for self-defense, hunting, and competitive shooting, including most semi-automatic shotguns and pistols, all revolvers, and all manually operated firearms.
- If someone wanted an AR-15 or AK-47 rifle after the date of enactment, they would have to purchase one with a fixed magazine or without any of the military-style features listed in the bill — like the models currently sold in Massachusetts and New York.
  - These guns are slower to reload, and harder to conceal and control during rapid fire, giving bystanders valuable time to escape a mass shooting situation and making them less appealing to those seeking to carry out such an attack.
- This bill would not prohibit possession of any type of firearm, nor would it place any additional restrictions on the use or transport of any firearm. Everyone who currently possesses a “prohibited firearm” can continue to do so.

### SIMILAR LEGISLATION

Over 100 million Americans currently live in states that prohibit assault weapons, and each of these state laws has not only been upheld in court but is currently in force. S359 is most similar to a state law enacted in Washington State in April 2023 ([HB 1240](#)) that prohibits the manufacture, sale, and transfer of certain assault weapons — helping to reduce the market and availability of these guns — but does not regulate their possession.

Washington State Governor Jay Inslee and Attorney General Bob Ferguson [endorsed](#) HB 1240, and the act has repeatedly been upheld in court, as have all other state assault weapons bans.

## PROHIBITED FIREARMS

S359 would prohibit the manufacture, sale, and transfer of “prohibited firearms,” which includes:

<p>Any shotgun with a revolving cylinder</p> 	<p>Example shown: <a href="#">Amsel Striker</a></p>
<p>Semi-automatic shotguns with fixed magazines that hold over 6 rounds</p> 	<p>Example shown: <a href="#">Beretta A300 Ultima Patrol with seven-round magazine</a></p>
<p>Semi-automatic rifles with fixed magazine that hold over 10 rounds</p> 	<p>Example shown: <a href="#">Norinco SKS with 20-round magazine</a></p>
<p>Semi-automatic rifles that accept detachable magazines and have military-style features</p>   	<p>AR-style rifles:</p> <ul style="list-style-type: none"> <li>• <a href="#">Colt M4 Carbine</a></li> <li>• <a href="#">Daniel Defense DDM4V7</a></li> <li>• <a href="#">Ruger AR-556</a></li> <li>• <a href="#">Smith &amp; Wesson M&amp;P15</a></li> <li>• <a href="#">Palmetto State Armory Sabre</a></li> </ul> <p>AK-style rifles:</p> <ul style="list-style-type: none"> <li>• <a href="#">Arsenal SAM7</a></li> <li>• <a href="#">Century Arms VSKA</a></li> <li>• <a href="#">Kalashnikov USA KR-103</a></li> <li>• <a href="#">Palmetto State Armory AK-47</a></li> <li>• <a href="#">Zastava ZPAP M70</a></li> </ul> <p>Other semi-automatic rifles:</p> <ul style="list-style-type: none"> <li>• <a href="#">Ruger Mini-14 Tactical</a></li> <li>• <a href="#">Springfield M1A SOCOM 16 CQB</a></li> <li>• <a href="#">Sig Sauer MCX-Spear</a></li> <li>• <a href="#">Kel-Tec SUB2000</a></li> </ul>
<p>Semi-automatic pistols with fixed magazines that hold over 10 rounds</p> 	<p>Example shown: <a href="#">Mauser C96 with 20-round magazine</a></p>

## THE ASSAULT RIFLE MARKET

As soon as it is enacted, S359 will begin narrowing the market for assault rifles — the weapons used in the country’s [deadliest mass shootings](#) — in Rhode Island and protecting the state’s residents. Many of the perpetrators of the country’s deadliest mass shootings obtained assault rifles shortly before carrying out their attacks:

- The perpetrator of the Pulse nightclub mass shooting in Orlando purchased his Sig Sauer MCX less [than a week](#) before he killed 49 people and wounded 53 more.
- The perpetrator of the Uvalde shooting purchased his Daniel Defense AR-15 just [five days](#) before killing 21 people — most of them children — and wounding 17 more.
- The perpetrator of the Aurora shooting purchased his Smith & Wesson AR-15 [a few months](#) before carrying out his attack, killing 12 and wounding 58.
- The perpetrator of the Lewiston shooting purchased his Ruger AR-10 [a few months](#) before carrying out his attack.

Each of these rifles would be prohibited under S359. Yet data shows that data shows that these deadly weapons represent a very small portion of the total firearms market. The National Shooting Sports Foundation (NSSF), the gun industry’s trade association, estimates that over [30 million](#) AR- and AK-style rifles (what the organization calls “modern sporting rifles”) have been produced since 1990<sup>1</sup> — compared to the nearly [400 million](#) firearms owned by Americans today. In other words, these rifles account for **less than 8% of the total firearms market**.

Additionally, a 2021 [NSSF survey](#) found that the owners of AR- and AK-style rifles tend to stockpile the weapons, and **own 3.8 on average**. Taking the NSSF’s own estimate for the number of ARs and AKs in circulation and applying it to the survey results, there are, at most, 10.3 million such owners, representing **just 4% of all adults in the U.S.**

**In other words, S359 would make it harder for people to obtain the deadliest rifles available today without touching the vast majority of firearms.**

## FREQUENTLY ASKED QUESTIONS

- **Can a person who possesses a “prohibited firearm” sell it?**

If a person would like to transfer or sell a “prohibited firearm” in the future, they may do so by selling directly to a licensed gun dealer (Federal Firearms Licensee, or FFL) or to an out-of-state resident who is otherwise legally permitted to possess it. (Rhode Island law already requires that all such private sales be facilitated through an FFL). Transferring the gun to any other person, including through inheritance, is not permitted.

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<sup>1</sup> The NSSF’s estimate is itself inflated because it does not distinguish between military, police, or civilian rifles and appears to include rifles in the hands of prohibited owners, such as criminals and domestic abusers, and those that have been illegally trafficked. Further, the NSSF has never published the underlying data showing how it arrived at its estimate.

- **Can a person in Rhode Island go to a state like New Hampshire, where these guns are legal, and purchase a “prohibited firearm”?**

No, [federal law prohibits](#) an FFL from making a sale to an out-of-state resident unless the sale is legal in both states. Because the sale of a “prohibited firearm” would be illegal in Rhode Island, an FFL in New Hampshire (or any other state) would not be permitted to sell the gun to a Rhode Island resident.

- **Does S359 involve any sort of registry, certificate, or record of possession?**

No, this bill does not prohibit or otherwise restrict possession of these firearms, so there is no need to have evidence or proof that a person had possession before a certain time. The current laws governing possession would not change at all.

- **Does this bill only apply to assault rifles?**

No, the bill also captures specific kinds of shotguns and pistols as well, though they are more narrowly defined than in previous versions of the bill.