



House of Representatives

File No. 841

General Assembly

January Session, 2023

(Reprint of File No. 641)

Substitute House Bill No. 6667
As Amended by House Amendment
Schedules "A" and "B"

Approved by the Legislative Commissioner
May 30, 2023

AN ACT ADDRESSING GUN VIOLENCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-35 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) (1) No person shall carry any pistol or revolver upon [his or her]
4 such person's person, except when such person is within [the dwelling
5 house or place of business of such person] such person's dwelling house,
6 on land leased or owned by such person or within the place of business
7 of such person, without a permit to carry the same issued as provided
8 in section 29-28, as amended by this act.

9 (2) No person shall knowingly carry any firearm with intent to
10 display such firearm, except when such person is within such person's
11 dwelling house, on land leased or owned by such person or within the
12 place of business of such person, or such person is engaged in firearm
13 training or bona fide hunting activity. For the purposes of this
14 subdivision, a person shall not be deemed to be carrying a firearm with
15 intent to display such firearm if such person has taken reasonable
16 measures to conceal the fact that such person is carrying a firearm.

17 Neither a fleeting glimpse of a firearm nor an imprint of a firearm
18 through such person's clothing shall constitute a violation of this
19 subdivision. If a person displays a firearm temporarily while engaged
20 in self-defense or other conduct that is otherwise lawful, such display
21 shall not constitute a violation of this subdivision.

22 (3) The provisions of this subsection shall not apply to the carrying of
23 any [pistol or revolver] firearm by any: [parole]

24 (A) (i) Parole officer or peace officer of this state, or [any] (ii) parole
25 officer or peace officer of any other state while engaged in the pursuit of
26 official duties;

27 (B) Department of Motor Vehicles inspector appointed under section
28 14-8 and certified pursuant to section 7-294d; [, or parole officer or peace
29 officer of any other state while engaged in the pursuit of official duties,
30 or federal]

31 (C) Federal marshal or federal law enforcement agent; [, or to any
32 member]

33 (D) Member of the armed forces of the United States, as defined in
34 section 27-103, or of the state, as defined in section 27-2, when on duty
35 or going to or from duty; [, or to any member]

36 (E) Member of any military organization when on parade or when
37 going to or from any place of assembly; [, or to the transportation of
38 pistols or revolvers]

39 (F) Person transporting or inspecting a firearm as merchandise; [, or
40 to any person transporting any pistol or revolver while]

41 (G) Person transporting a firearm contained in the package in which
42 [it] such firearm was originally wrapped at the time of sale and while
43 transporting the same from the place of sale to the purchaser's residence
44 or place of business; [, or to any person]

45 (H) Person transporting a firearm as part of the process of removing

46 such person's household goods or effects from one place to another; [,
47 or to any person while]

48 (I) Person transporting [any such pistol or revolver] a firearm from
49 such person's place of residence or business to a place or [individual]
50 person where or by whom such [pistol or revolver] firearm is to be
51 repaired or while returning to such person's place of residence or
52 business after the same has been repaired; [, or to any person]

53 (J) Person transporting a [pistol or revolver] firearm in or through the
54 state for the purpose of taking part in competitions, taking part in
55 [formal pistol or revolver] firearm training, repairing such [pistol or
56 revolver] firearm or attending any meeting or exhibition of an organized
57 collectors' group if such person is a bona fide resident of the United
58 States and is permitted to possess and carry a [pistol or revolver] firearm
59 in the state or subdivision of the United States in which such person
60 resides; [, or to any person]

61 (K) Person transporting a [pistol or revolver] firearm to and from a
62 testing range at the request of the issuing authority; [, or to any person]
63 or

64 (L) Person transporting an antique pistol or revolver, as defined in
65 section 29-33, as amended by this act.

66 (4) For the purposes of this subsection, ["formal pistol or revolver
67 training"] "firearm training" means [pistol or revolver] firearm training
68 at a [locally approved or permitted] firing range, [, or] training facility or
69 fish and game club or sporting club, and ["transporting a pistol or
70 revolver"] "transporting a firearm" means transporting a [pistol or
71 revolver] firearm that is unloaded and, if such [pistol or revolver]
72 firearm is being transported in a motor vehicle, is not readily accessible
73 or directly accessible from the passenger compartment of the vehicle or,
74 if such [pistol or revolver] firearm is being transported in a motor
75 vehicle that does not have a compartment separate from the passenger
76 compartment, such [pistol or revolver] firearm shall be contained in a
77 locked container other than the glove compartment or console. Nothing

78 in this section shall be construed to prohibit the carrying of a [pistol or
79 revolver] firearm during [formal pistol or revolver] firearm training or
80 repair.

81 (b) The holder of a permit issued pursuant to section 29-28, as
82 amended by this act, shall carry such permit upon one's person while
83 carrying such pistol or revolver. Such holder shall present his or her
84 permit upon the request of a law enforcement officer who has
85 reasonable suspicion of a crime for purposes of verification of the
86 validity of the permit or identification of the holder, provided such
87 holder is carrying a pistol or revolver that is observed by such law
88 enforcement officer.

89 (c) Not later than February 1, 2025, and annually thereafter, each law
90 enforcement unit, as defined in section 7-294a, shall prepare and submit
91 a report to the Institute for Municipal and Regional Policy at The
92 University of Connecticut concerning any stops conducted on suspicion
93 of a violation of subdivision (2) of subsection (a) of this section during
94 the preceding calendar year, except that the initial report shall be based
95 on the fifteen months preceding January 1, 2025. Such report shall be
96 submitted electronically using a standardized method and form
97 disseminated jointly by the Institute for Municipal and Regional Policy
98 and the Police Officer Standards and Training Council. The
99 standardized method and form shall allow compilation of statistics on
100 each incident, including, but not limited to, the race and gender of the
101 person stopped, provided the identification of such characteristics shall
102 be based on the observation and perception of the police officer. The
103 Institute for Municipal and Regional Policy and the Police Officer
104 Standards and Training Council may revise the standardized method
105 and form and disseminate such revisions to law enforcement units. Each
106 law enforcement unit shall, prior to submission of any such report
107 pursuant to this subsection, redact any information from such report
108 that may identify a minor, witness or victim.

109 (d) The Institute for Municipal and Regional Policy at The University
110 of Connecticut shall, within available appropriations, review the

111 incidents reported pursuant to subsection (c) of this section. Not later
112 than December 1, 2025, and annually thereafter, the institute shall
113 report, in accordance with the provisions of section 11-4a, the results of
114 any such review, including any recommendations, to the Governor and
115 the joint standing committees of the General Assembly having
116 cognizance of matters relating to the judiciary, public safety and
117 municipalities.

118 Sec. 2. Section 29-37 of the general statutes is repealed and the
119 following is substituted in lieu thereof (*Effective October 1, 2023*):

120 (a) Any person violating any provision of section 29-28, as amended
121 by this act, or 29-31, as amended by this act, shall be guilty of a class E
122 felony, and any pistol or revolver found in the possession of any person
123 in violation of any of said provisions shall be forfeited.

124 (b) Any person violating any provision of subdivision (1) of
125 subsection (a) of section 29-35, as amended by this act, shall be guilty of
126 a class D felony, and, in the absence of any mitigating circumstances as
127 determined by the court, one year of the sentence imposed may not be
128 suspended or reduced by the court. The court shall specifically state the
129 mitigating circumstances, or the absence thereof, in writing for the
130 record. Any pistol or revolver found in the possession of any person in
131 violation of any provision of subsection (a) of section 29-35, as amended
132 by this act, shall be forfeited.

133 (c) Any person violating any provision of subdivision (2) of
134 subsection (a) of section 29-35, as amended by this act, shall be guilty of
135 a class B misdemeanor for a first offense and a class A misdemeanor for
136 any subsequent offense. The court may order suspension of prosecution
137 in addition to any other diversionary programs available to the
138 defendant, if the court finds that a violation of said subdivision is not of
139 a serious nature and that the person charged with such violation (1) will
140 probably not offend in the future, (2) has not previously been convicted
141 of a violation of this section, and (3) has not previously had a
142 prosecution under this section suspended pursuant to this subsection.

143 The court shall not order suspension of prosecution unless the accused
144 person has acknowledged that he or she understands the consequences
145 of the suspension of prosecution. Any person for whom prosecution is
146 suspended shall agree to the tolling of any statute of limitations with
147 respect to such violation and to a waiver of his or her right to a speedy
148 trial. Such person shall appear in court and shall be released to the
149 supervision of the Court Support Services Division for such period, not
150 exceeding two years, and under such conditions as the court shall order.
151 If the person refuses to accept, or, having accepted, violates such
152 conditions, the court shall terminate the suspension of prosecution and
153 the case shall be brought to trial. If such person satisfactorily completes
154 such person's period of probation, he or she may apply for dismissal of
155 the charges against such person and the court, on finding such
156 satisfactory completion, shall dismiss such charges. If the person does
157 not apply for dismissal of the charges against such person after
158 satisfactorily completing such person's period of probation, the court,
159 upon receipt of a report submitted by the Court Support Services
160 Division that the person satisfactorily completed such person's period
161 of probation, may on its own motion make a finding of such satisfactory
162 completion and dismiss such charges. Upon dismissal, all records of
163 such charges shall be erased pursuant to section 54-142a. An order of the
164 court denying a motion to dismiss the charges against a person who has
165 completed such person's period of probation or terminating the
166 participation of a defendant in such program shall be a final judgment
167 for purposes of appeal.

168 [(c)] (d) Any person violating any provision of subsection (b) of
169 section 29-35, as amended by this act, shall have committed an infraction
170 and shall be fined thirty-five dollars.

171 Sec. 3. Section 29-36a of the general statutes is repealed and the
172 following is substituted in lieu thereof (*Effective from passage*):

173 (a) No person shall complete the manufacture of a firearm without
174 subsequently (1) obtaining a unique serial number or other mark of
175 identification from the Department of Emergency Services and Public

176 Protection pursuant to subsection (b) of this section, and (2) engraving
177 upon or permanently affixing to the firearm such serial number or other
178 mark in a manner that conforms with the requirements imposed on
179 licensed importers and licensed manufacturers of firearms pursuant to
180 18 USC 923(i), as amended from time to time, and any regulation
181 adopted thereunder.

182 (b) Not later than thirty days after a person completes the
183 manufacture of a firearm, [or ninety days after the Department of
184 Emergency Services and Public Protection provides notice in
185 accordance with section 29-36b that the system to distribute a unique
186 serial number or other mark of identification pursuant to this section is
187 operational, whichever date is later,] such person shall notify the
188 department of such manufacture and provide any identifying
189 information to the department concerning the firearm and the owner of
190 such firearm, in a manner prescribed by the Commissioner of
191 Emergency Services and Public Protection. Upon receiving a properly
192 submitted request for a unique serial number or other mark of
193 identification from a person who completes manufacture of a firearm,
194 the department shall determine if such person is prohibited from
195 purchasing a firearm and if not, shall issue to such person a unique serial
196 number or other mark of identification immediately and in no instance
197 more than three business days after the department receives such
198 request. Issuance of a unique serial number or other mark of
199 identification pursuant to this subsection shall not be evidence that the
200 firearm is otherwise lawfully possessed.

201 (c) (1) On and after January 1, 2024, no person shall possess a firearm
202 without a serial number or other mark of identification unless such
203 person has (A) declared possession of such firearm pursuant to
204 subdivision (2) or (3) of this subsection, or (B) applied to obtain a unique
205 serial number or other mark of identification from the Department of
206 Emergency Services and Public Protection pursuant to subsections (a)
207 and (b) of this section and such person has not yet received such serial
208 number or other mark of identification.

209 (2) Any person who, prior to January 1, 2024, lawfully possesses a
210 firearm without a serial number or other mark of identification
211 manufactured prior to October 1, 2019, shall apply by January 1, 2024,
212 or, if such person is a member of the military or naval forces of this state
213 or of the United States and is unable to apply by January 1, 2024, because
214 such member is or was on official duty outside of this state, shall apply
215 within ninety days of returning to the state to the department to declare
216 possession of such firearm. Such application shall be made on such form
217 and in such manner as the Commissioner of Emergency Services and
218 Public Protection prescribes.

219 (3) Any person who moves into the state in lawful possession of a
220 firearm without a serial number or other mark of identification shall,
221 within ninety days, either (A) obtain a unique serial number or other
222 mark of identification from the department and engrave upon or
223 permanently affix to the firearm such serial number or other mark
224 pursuant to subsection (a) of this section, (B) render such firearm
225 permanently inoperable, (C) sell such firearm to a federally licensed
226 firearm dealer, or (D) remove such firearm from the state, except that
227 any person who is a member of the military or naval forces of this state
228 or of the United States, is in lawful possession of a firearm without a
229 serial number or other mark of identification and has been transferred
230 into the state after January 1, 2024, may, within ninety days of arriving
231 in the state, apply to the department to declare possession of such
232 firearm.

233 (4) For purposes of this subsection, "lawfully possesses", with respect
234 to a firearm without a serial number or other mark of identification,
235 means that a person has (A) actual and lawful possession of such
236 firearm, (B) constructive possession of such firearm pursuant to a lawful
237 purchase that was transacted prior to or on the date preceding the
238 effective date of this section, regardless of whether the firearm was
239 delivered to the purchaser prior to or on the date preceding the effective
240 date of this section, which lawful purchase is evidenced by a writing
241 sufficient to indicate that (i) a contract for sale was made between the
242 parties prior to or on the date preceding the effective date of this section,

243 for the purchase of the firearm, or (ii) full or partial payment for the
244 firearm was made by the purchaser to the seller of the firearm prior to
245 or on the date preceding the effective date of this section, or (C) actual
246 possession under subparagraph (A) of this subdivision, or constructive
247 possession under subparagraph (B) of this subdivision, as evidenced by
248 a written statement made under penalty of false statement on such form
249 as the commissioner prescribes.

250 (5) The department may adopt regulations, in accordance with the
251 provisions of chapter 54, to establish procedures with respect to
252 applications under this subsection. Notwithstanding the provisions of
253 sections 1-210 and 1-211, the name and address of a person who has
254 declared possession of a firearm without a serial number or other mark
255 of identification shall be confidential and shall not be disclosed, except
256 such records may be disclosed to (A) law enforcement agencies and
257 employees of the United States Probation Office acting in the
258 performance of their duties and parole officers within the Department
259 of Correction acting in the performance of their duties, and (B) the
260 Commissioner of Mental Health and Addiction Services to carry out the
261 provisions of subsection (c) of section 17a-500.

262 (6) (A) Except as provided in this subsection, no person within this
263 state shall distribute, import into this state, keep for sale, offer or expose
264 for sale or purchase a firearm without a serial number or other mark of
265 identification.

266 (B) The provisions of subparagraph (A) of this subdivision shall not
267 apply to the transfer of a firearm without a serial number or other mark
268 of identification (i) the possession of which has been declared to the
269 department pursuant to this section, by bequest or intestate succession,
270 or, upon the death of a testator or settlor: (I) To a trust, or (II) from a
271 trust to a beneficiary; or (ii) to a police department or the Department of
272 Emergency Services and Public Protection.

273 [(c)] (d) The provisions of subsections (a), [and] (b) and (c) of this
274 section shall not apply to the manufacture of a firearm manufactured

275 using an unfinished frame or lower receiver on which a serial number
276 or other mark has been engraved or permanently affixed pursuant to
277 subsection (c) of section 53-206j.

278 [(d)] (e) No person shall transfer to another person any firearm
279 manufactured in violation of this section.

280 [(e)] (f) The provisions of this section shall not apply to (1) the
281 manufacture of firearms by a federally licensed firearm manufacturer,
282 (2) (A) any antique firearm, as defined in 18 USC 921, as amended from
283 time to time, or (B) any firearm manufactured prior to [the effective date
284 of this section] December 16, 1968, provided such firearm is otherwise
285 lawfully possessed, or (3) delivery or transfer of a firearm to a law
286 enforcement agency.

287 [(f)] (g) No person shall knowingly, recklessly or with criminal
288 negligence facilitate, aid or abet the manufacture of a firearm (1) by a
289 person or for a person who is otherwise prohibited by law from
290 purchasing or possessing a firearm, or (2) that a person is otherwise
291 prohibited by law from purchasing or possessing.

292 [(g)] (h) If the court finds that a violation of this section is not of a
293 serious nature and that the person charged with such violation (1) will
294 probably not offend in the future, (2) has not previously been convicted
295 of a violation of this section, and (3) has not previously had a
296 prosecution under this section suspended pursuant to this subsection,
297 the court may order suspension of prosecution. The court shall not order
298 suspension of prosecution unless the accused person has acknowledged
299 that he or she understands the consequences of the suspension of
300 prosecution. Any person for whom prosecution is suspended shall agree
301 to the tolling of any statute of limitations with respect to such violation
302 and to a waiver of his or her right to a speedy trial. Such person shall
303 appear in court and shall be released to the supervision of the Court
304 Support Services Division for such period, not exceeding two years, and
305 under such conditions as the court shall order. If the person refuses to
306 accept, or, having accepted, violates such conditions, the court shall

307 terminate the suspension of prosecution and the case shall be brought
308 to trial. If such person satisfactorily completes such person's period of
309 probation, [he or she] such person may apply for dismissal of the
310 charges against such person and the court, on finding such satisfactory
311 completion, shall dismiss such charges. If the person does not apply for
312 dismissal of the charges against such person after satisfactorily
313 completing such person's period of probation, the court, upon receipt of
314 a report submitted by the Court Support Services Division that the
315 person satisfactorily completed such person's period of probation, may
316 on its own motion make a finding of such satisfactory completion and
317 dismiss such charges. Upon dismissal, all records of such charges shall
318 be erased pursuant to section 54-142a. An order of the court denying a
319 motion to dismiss the charges against a person who has completed such
320 person's period of probation or terminating the participation of a
321 defendant in such program shall be a final judgment for purposes of
322 appeal.

323 [(h)] (i) (1) Any person who is ineligible to possess a firearm under
324 state or federal law and violates any provision of this section shall be
325 guilty of a class C felony for which two years of the sentence imposed
326 may not be suspended or reduced by the court, and five thousand
327 dollars of the fine imposed may not be remitted or reduced by the court
328 unless the court states on the record its reasons for remitting or reducing
329 such fine, and any firearm found in the possession of any person in
330 violation of any provision of this section shall be forfeited.

331 (2) Any person who is not ineligible to possess a firearm under state
332 or federal law and violates any provision of this section shall be guilty
333 of a class C misdemeanor.

334 [(i)] (j) For purposes of this section, "manufacture" means to fabricate
335 or construct a firearm including the initial assembly, "firearm" means
336 firearm, as defined in section 53a-3, as amended by this act, and "law
337 enforcement agency" means law enforcement agency, as defined in
338 section 29-1i.

339 Sec. 4. Subsection (a) of section 29-28 of the general statutes is
340 repealed and the following is substituted in lieu thereof (*Effective October*
341 *1, 2023*):

342 (a) (1) No person who sells ten or more [pistols or revolvers] firearms
343 in a calendar year or is a federally licensed firearm dealer shall advertise,
344 sell, deliver, or offer or expose for sale or delivery, or have in such
345 person's possession with intent to sell or deliver, any pistol or revolver
346 at retail without having a permit therefor issued as provided in this
347 subsection.

348 (2) The chief of police or, where there is no chief of police, the chief
349 executive officer of the municipality, as defined in section 7-148, or, if
350 designated by such chief executive officer, the resident state trooper
351 serving such municipality or a state police officer of the state police
352 troop having jurisdiction over such municipality, may, upon the
353 application of any person, issue a permit in such form as may be
354 prescribed by the Commissioner of Emergency Services and Public
355 Protection for the sale at retail of [pistols and revolvers] firearms within
356 the jurisdiction of the authority issuing such permit. No permit for the
357 sale at retail of [any pistol or revolver] firearms shall be issued unless
358 the applicant holds a valid eligibility certificate for a pistol or revolver
359 issued pursuant to section 29-36f, as amended by this act, or a valid state
360 permit to carry a pistol or revolver issued pursuant to subsection (b) of
361 this section; and the applicant submits documentation sufficient to
362 establish that local zoning requirements have been met for the location
363 where the sale is to take place, except that any person selling or
364 exchanging a pistol or revolver for the enhancement of a personal
365 collection or for a hobby or who sells all or part of such person's personal
366 collection of pistols or revolvers shall not be required to submit such
367 documentation for the location where the sale or exchange is to take
368 place.

369 (3) Any person holding a valid permit for the sale at retail of pistols
370 or revolvers issued on or before September 30, 2023, shall be deemed to
371 be a holder of a valid permit for the sale at retail of firearms until such

372 permit for the sale at retail of pistols or revolvers expires or is revoked,
373 suspended, confiscated or surrendered. The holder of such permit may
374 renew such permit as a permit for the sale at retail of firearms pursuant
375 to section 29-30, as amended by this act.

376 Sec. 5. Subsection (d) of section 29-28 of the general statutes is
377 repealed and the following is substituted in lieu thereof (*Effective October*
378 *1, 2023*):

379 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the
380 name and address of a person issued a permit to sell firearms at retail
381 [pistols and revolvers] pursuant to subsection (a) of this section or a state
382 or a temporary state permit to carry a pistol or revolver pursuant to
383 subsection (b) of this section, or a local permit to carry pistols and
384 revolvers issued by local authorities prior to October 1, 2001, shall be
385 confidential and shall not be disclosed, except (1) such information may
386 be disclosed to law enforcement officials acting in the performance of
387 their duties, including, but not limited to, employees of the United
388 States Probation Office acting in the performance of their duties and
389 parole officers within the Department of Correction acting in the
390 performance of their duties, (2) the issuing authority may disclose such
391 information to the extent necessary to comply with a request made
392 pursuant to section 29-33, as amended by this act, 29-37a, as amended
393 by this act, or 29-38m, as amended by this act, for verification that such
394 state or temporary state permit is still valid and has not been suspended
395 or revoked, and the local authority may disclose such information to the
396 extent necessary to comply with a request made pursuant to section 29-
397 33, as amended by this act, 29-37a, as amended by this act, or 29-38m, as
398 amended by this act, for verification that a local permit is still valid and
399 has not been suspended or revoked, and (3) such information may be
400 disclosed to the Commissioner of Mental Health and Addiction Services
401 to carry out the provisions of subsection (c) of section 17a-500.

402 Sec. 6. Subsection (a) of section 29-30 of the general statutes is
403 repealed and the following is substituted in lieu thereof (*Effective October*
404 *1, 2023*):

405 (a) The fee for each permit originally issued under the provisions of
406 subsection (a) of section 29-28, as amended by this act, for the sale at
407 retail of [pistols and revolvers] firearms shall be two hundred dollars
408 and for each renewal of such permit two hundred dollars. The fee for
409 each state permit originally issued under the provisions of subsection
410 (b) of section 29-28, as amended by this act, for the carrying of pistols
411 and revolvers shall be one hundred forty dollars plus sufficient funds as
412 required to be transmitted to the Federal Bureau of Investigation to
413 cover the cost of a national criminal history records check. The local
414 authority shall forward sufficient funds for the national criminal history
415 records check to the commissioner no later than five business days after
416 receipt by the local authority of the application for the temporary state
417 permit. Seventy dollars shall be retained by the local authority. Upon
418 approval by the local authority of the application for a temporary state
419 permit, seventy dollars shall be sent to the commissioner. The fee to
420 renew each state permit originally issued under the provisions of
421 subsection (b) of section 29-28, as amended by this act, shall be seventy
422 dollars. Upon deposit of such fees in the General Fund, ten dollars of
423 each fee shall be credited within thirty days to the appropriation for the
424 Department of Emergency Services and Public Protection to a separate
425 nonlapsing account for the purposes of the issuance of permits under
426 subsections (a) and (b) of section 29-28, as amended by this act.

427 Sec. 7. Section 29-31 of the general statutes is repealed and the
428 following is substituted in lieu thereof (*Effective October 1, 2023*):

429 No sale of any [pistol or revolver] firearm shall be made except in the
430 room, store or place described in the permit for the sale of [pistols and
431 revolvers] firearms, and such permit or a copy [thereof] of such permit
432 certified by the authority issuing the same shall be exposed to view
433 within the room, store or place where [pistols or revolvers] firearms are
434 sold or offered or exposed for sale. No sale or delivery of any [pistol or
435 revolver] firearm shall be made unless the purchaser or person to whom
436 the same is to be delivered is personally known to the vendor of such
437 [pistol or revolver] firearm or the person making delivery thereof or
438 unless the person making such purchase or to whom delivery thereof is

439 to be made provides evidence of his or her identity. The vendor of any
440 [pistol or revolver] firearm shall keep a record of each [pistol or
441 revolver] firearm sold in a book kept for that purpose, which record
442 shall be in such form as is prescribed by 27 CFR 478.125. The vendor of
443 any [pistol or revolver] firearm shall make such record available for
444 inspection upon the request of any sworn member of an organized local
445 police department or the Division of State Police within the Department
446 of Emergency Services and Public Protection or any investigator
447 assigned to the state-wide firearms trafficking task force established
448 under section 29-38e or any investigator employed by a federal law
449 enforcement agency for official purposes related to such member's,
450 investigator's employment.

451 Sec. 8. (NEW) (*Effective October 1, 2023*) (a) In addition to any other
452 duty required by chapter 529 of the general statutes, a person who
453 possesses a permit to sell firearms at retail issued pursuant to subsection
454 (a) of section 29-28 of the general statutes, as amended by this act, shall
455 not:

456 (1) Furnish false or fraudulent information in any application to the
457 Department of Emergency Services and Public Protection or fail to
458 comply with representations made in any application;

459 (2) Fail to maintain a permit to carry a pistol or revolver issued
460 pursuant to subsection (b) of section 29-28 of the general statutes, as
461 amended by this act, or a valid eligibility certificate for a pistol or
462 revolver issued pursuant to section 29-36f of the general statutes, as
463 amended by this act;

464 (3) Fail to maintain a permit to sell firearms at retail issued pursuant
465 to subsection (a) of section 29-28 of the general statutes, as amended by
466 this act;

467 (4) Fail to maintain effective controls against theft of firearms,
468 including, but not limited to, installation or maintenance of the burglar
469 alarm system required under section 29-37d of the general statutes;

470 (5) Fail to acquire an authorization number for a firearm transfer
471 pursuant to sections 29-36l and 29-37a of the general statutes, as
472 amended by this act;

473 (6) Transfer a firearm to a person ineligible to receive such firearm,
474 unless the permittee relied in good faith on information provided to
475 such permittee by the department in verifying the eligibility of such
476 ineligible person;

477 (7) Sell, deliver or otherwise transfer an assault weapon in violation
478 of sections 53-202a to 53-202k, inclusive, of the general statutes, as
479 amended by this act, or fail to maintain accurate records of any such
480 sale, delivery or transfer;

481 (8) Sell, deliver or otherwise transfer a large capacity magazine in
482 violation of sections 53-202w of the general statutes, as amended by this
483 act, and 53-202x of the general statutes or fail to maintain accurate
484 records of any such sale, delivery or transfer;

485 (9) Fail to maintain current and proper acquisition and disposition
486 records required by the Bureau of Alcohol, Tobacco, Firearms and
487 Explosives;

488 (10) Fail to post placards or furnish written warnings pursuant to
489 section 29-37b of the general statutes, as amended by this act;

490 (11) Fail to provide a trigger lock, gun lock or gun locking device with
491 each purchase pursuant to section 29-37b of the general statutes, as
492 amended by this act;

493 (12) Fail to verify the age and criminal background of employees
494 pursuant to section 29-37f of the general statutes;

495 (13) Fail to report any firearm stolen in compliance with section 53-
496 202g, as amended by this act, and 18 USC 923(g)(6), as amended from
497 time to time; or

498 (14) Fail to conduct an annual physical inventory reconciliation as

499 required by subsection (b) of this section.

500 (b) Any person who possesses a permit to sell firearms at retail shall,
501 not later than the fifth business day of October of each year, cause a
502 physical inventory reconciliation to be performed that includes
503 comparing the physical inventory of firearms with acquisition and
504 disposition records required to be maintained pursuant to this chapter
505 and 27 CFR 478.125 (e), as amended from time to time. A permittee shall,
506 within five business days of performing this inventory reconciliation,
507 attest to the commissioner, in a form and manner specified by the
508 commissioner, that the required inventory reconciliation was performed
509 and any firearms determined to be missing from the inventory were
510 reported to the Attorney General and appropriate local authorities as
511 required by section 53-202g of the general statutes, as amended by this
512 act, and 18 USC 923 (g)(6), as amended from time to time.

513 (c) (1) If there is probable cause to believe that a person has failed to
514 comply with the duties specified in subsection (a) of this section, the
515 commissioner or the chief of police or, where there is no chief of police,
516 the chief executive officer of the municipality or if designated by such
517 chief executive officer, the resident state trooper serving such
518 municipality or a state police officer of the state police troop having
519 jurisdiction over such municipality in which such person resides may
520 issue notice of a violation. Such notice shall detail the reasons for issuing
521 such notice and provide a date, not earlier than thirty days following the
522 date of service of the notice, by which such person must cure the
523 violation.

524 (2) If the period for cure described in subdivision (1) of this subsection
525 has expired and the commissioner or chief determines that the violation
526 is not cured, the commissioner or chief or, where there is no chief of
527 police, the chief executive officer of the municipality or if designated by
528 such chief executive officer, the resident state trooper may temporarily
529 prohibit further sale of firearms at the permitted premises by issuing a
530 stop sales order. Such order shall be effective when served upon the
531 person in violation or posted by the commissioner or chief or, where

532 there is no chief of police, the chief executive officer of the municipality
533 or if designated by such chief executive officer, the resident state trooper
534 at the permitted premises. The commissioner or chief or, where there is
535 no chief of police, the chief executive officer of the municipality or if
536 designated by such chief executive officer, the resident state trooper
537 may assess a civil penalty against of not more than one hundred dollars
538 per day during which the violation continues. Any person who sells,
539 delivers or otherwise transfers a firearm in violation of a stop sales order
540 shall be guilty of a class C felony for which two years of the sentence
541 imposed may not be suspended or reduced by the court, and five
542 thousand dollars of the fine imposed may not be remitted or reduced by
543 the court unless the court states on the record its reasons for remitting
544 or reducing such fine.

545 (3) Any person against which a stop sales order is issued pursuant to
546 subdivision (2) of this subsection may request a hearing before the
547 commissioner to challenge the grounds for issuance of such stop sales
548 order and any associated civil penalties. Such hearing shall be
549 conducted not later than seven days after receipt of such request in
550 accordance with the provisions of chapter 54 of the general statutes.

551 (4) Stop sales orders shall be effective against any successor entity
552 that has one or more of the same principals or officers as the corporation,
553 partnership or sole proprietorship against which the stop sales order
554 was issued and are engaged in the same or equivalent trade or activity.

555 (5) The commissioner shall adopt regulations, in accordance with the
556 provisions of chapter 54 of the general statutes, to specify any hearing
557 provisions necessary to carry out the provisions of this subsection.

558 Sec. 9. Section 29-33 of the general statutes is repealed and the
559 following is substituted in lieu thereof (*Effective October 1, 2023*):

560 (a) No person, firm or corporation shall sell, deliver or otherwise
561 transfer any pistol or revolver to any person who is prohibited from
562 possessing a pistol or revolver as provided in section 53a-217c, as
563 amended by this act.

564 (b) [On and after October 1, 1995, no] No person may purchase or
565 receive any pistol or revolver unless such person holds a valid permit to
566 carry a pistol or revolver issued pursuant to subsection (b) of section 29-
567 28, as amended by this act, a valid permit to sell firearms at retail [a
568 pistol or revolver] issued pursuant to subsection (a) of section 29-28, as
569 amended by this act, or a valid eligibility certificate for a pistol or
570 revolver issued pursuant to section 29-36f, as amended by this act, or is
571 a federal marshal, parole officer or peace officer.

572 (c) No person, firm or corporation shall sell, deliver or otherwise
573 transfer any pistol or revolver except upon written application on a form
574 prescribed and furnished by the Commissioner of Emergency Services
575 and Public Protection. Such person, firm or corporation shall ensure that
576 all questions on the application are answered properly prior to releasing
577 the pistol or revolver and shall retain the application, which shall be
578 attached to the federal sale or transfer document, for at least twenty
579 years or until such vendor goes out of business. Such application shall
580 be available for inspection during normal business hours by law
581 enforcement officials. No sale, delivery or other transfer of any pistol or
582 revolver shall be made unless the person making the purchase or to
583 whom the same is delivered or transferred is personally known to the
584 person selling such pistol or revolver or making delivery or transfer
585 thereof or provides evidence of his identity in the form of a motor
586 vehicle operator's license, identity card issued pursuant to section 1-1h
587 or valid passport. No sale, delivery or other transfer of any pistol or
588 revolver shall be made until the person, firm or corporation making
589 such transfer obtains an authorization number from the Commissioner
590 of Emergency Services and Public Protection. Said commissioner shall
591 perform the national instant criminal background check and make a
592 reasonable effort to determine whether there is any reason that would
593 prohibit such applicant from possessing a pistol or revolver as provided
594 in section 53a-217c, as amended by this act. If the commissioner
595 determines the existence of such a reason, the commissioner shall (1)
596 deny the sale and no pistol or revolver shall be sold, delivered or
597 otherwise transferred by such person, firm or corporation to such

598 applicant, and (2) inform the chief of police of the town in which the
599 applicant resides, or, where there is no chief of police, the warden of the
600 borough or the first selectman of the town, as the case may be, that there
601 exists a reason that would prohibit such applicant from possessing a
602 pistol or revolver.

603 (d) No person, firm or corporation shall sell, deliver or otherwise
604 transfer any pistol or revolver, other than at wholesale, unless such
605 pistol or revolver is equipped with a reusable trigger lock, gun lock or
606 gun locking device appropriate for such pistol or revolver, which lock
607 or device shall be constructed of material sufficiently strong to prevent
608 it from being easily disabled and have a locking mechanism accessible
609 by key or by electronic or other mechanical accessory specific to such
610 lock or device to prevent unauthorized removal. No pistol or revolver
611 shall be loaded or contain therein any gunpowder or other explosive or
612 any bullet, ball or shell when such pistol or revolver is sold, delivered
613 or otherwise transferred.

614 (e) Upon the sale, delivery or other transfer of any pistol or revolver,
615 the person making the purchase or to whom the same is delivered or
616 transferred shall sign a receipt for such pistol or revolver, which shall
617 contain the name and address of such person, the date of sale, the
618 caliber, make, model and manufacturer's number and a general
619 description of such pistol or revolver, the identification number of such
620 person's permit to carry pistols or revolvers, issued pursuant to
621 subsection (b) of section 29-28, as amended by this act, permit to sell
622 firearms at retail, [pistols or revolvers,] issued pursuant to subsection
623 (a) of said section, or eligibility certificate for a pistol or revolver, issued
624 pursuant to section 29-36f, as amended by this act, if any, and the
625 authorization number designated for the transfer by the Department of
626 Emergency Services and Public Protection. The person, firm or
627 corporation selling such pistol or revolver or making delivery or transfer
628 thereof shall (1) give one copy of the receipt to the person making the
629 purchase of such pistol or revolver or to whom the same is delivered or
630 transferred, (2) retain one copy of the receipt for at least five years, and
631 (3) send, by first class mail, or electronically transmit, within forty-eight

632 hours of such sale, delivery or other transfer, (A) one copy of the receipt
633 to the Commissioner of Emergency Services and Public Protection, and
634 (B) one copy of the receipt to the chief of police of the municipality in
635 which the transferee resides or, where there is no chief of police, the
636 chief executive officer of the municipality, as defined in section 7-148, in
637 which the transferee resides or, if designated by such chief executive
638 officer, the resident state trooper serving such municipality or a state
639 police officer of the state police troop having jurisdiction over such
640 municipality.

641 (f) (1) The Commissioner of Emergency Services and Public
642 Protection shall not issue more than three authorization numbers for
643 sale at retail of a pistol or revolver to any transferee within a thirty-day
644 period, except that if such transferee is certified as a firearms instructor
645 by the state pursuant to section 29-28, as amended by this act, or the
646 National Rifle Association, said commissioner shall not issue more than
647 six authorization numbers within a thirty-day period.

648 (2) No authorization number issued for any of the following purposes
649 shall count toward the limits in subdivision (1) of this subsection: (A)
650 Any firearm transferred to a federal, state or municipal law enforcement
651 agency, or any firearm legally transferred under the provisions of
652 section 29-36k, (B) the exchange of a pistol or revolver purchased by an
653 individual from a federally licensed firearm dealer for another pistol or
654 revolver from the same federally licensed firearm dealer not later than
655 thirty days after the original transaction, provided the federally licensed
656 firearm dealer reports the transaction to the Commissioner of
657 Emergency Services and Public Protection, (C) as otherwise provided in
658 subsection (h) or (i) of this section, or (D) a transfer to a museum at a
659 fixed location that is open to the public and displays firearms as part of
660 an educational mission.

661 ~~[(f)]~~ (g) The provisions of this section shall not apply to antique pistols
662 or revolvers. An antique pistol or revolver, for the purposes of this
663 section, means any pistol or revolver which was manufactured in or
664 before 1898 and any replica of such pistol or revolver provided such

665 replica is not designed or redesigned for using rimfire or conventional
666 centerfire fixed ammunition except rimfire or conventional centerfire
667 fixed ammunition which is no longer manufactured in the United States
668 and not readily available in the ordinary channel of commercial trade.

669 [(g)] (h) The provisions of this section shall not apply to the sale,
670 delivery or transfer of pistols or revolvers between (1) a federally-
671 licensed firearm manufacturer and a federally-licensed firearm dealer,
672 (2) a federally-licensed firearm importer and a federally-licensed
673 firearm dealer, [or] (3) federally-licensed firearm dealers, or (4)
674 federally-licensed firearm manufacturers.

675 [(h)] (i) If the court finds that a violation of this section is not of a
676 serious nature and that the person charged with such violation (1) will
677 probably not offend in the future, (2) has not previously been convicted
678 of a violation of this section, and (3) has not previously had a
679 prosecution under this section suspended pursuant to this subsection,
680 the court may order suspension of prosecution. The court shall not order
681 suspension of prosecution unless the accused person has acknowledged
682 that he understands the consequences of the suspension of prosecution.
683 Any person for whom prosecution is suspended shall agree to the
684 tolling of any statute of limitations with respect to such violation and to
685 a waiver of his right to a speedy trial. Such person shall appear in court
686 and shall be released to the supervision of the Court Support Services
687 Division for such period, not exceeding two years, and under such
688 conditions as the court shall order. If the person refuses to accept, or,
689 having accepted, violates such conditions, the court shall terminate the
690 suspension of prosecution and the case shall be brought to trial. If such
691 person satisfactorily completes his period of probation, he may apply
692 for dismissal of the charges against him and the court, on finding such
693 satisfactory completion, shall dismiss such charges. If the person does
694 not apply for dismissal of the charges against him after satisfactorily
695 completing his period of probation, the court, upon receipt of a report
696 submitted by the Court Support Services Division that the person
697 satisfactorily completed his period of probation, may on its own motion
698 make a finding of such satisfactory completion and dismiss such

699 charges. Upon dismissal, all records of such charges shall be erased
700 pursuant to section 54-142a. An order of the court denying a motion to
701 dismiss the charges against a person who has completed his period of
702 probation or terminating the participation of a defendant in such
703 program shall be a final judgment for purposes of appeal.

704 [(i)] (j) Any person who violates any provision of this section shall be
705 guilty of a class C felony for which two years of the sentence imposed
706 may not be suspended or reduced by the court, and five thousand
707 dollars of the fine imposed may not be remitted or reduced by the court
708 unless the court states on the record its reasons for remitting or reducing
709 such fine, except that any person who sells, delivers or otherwise
710 transfers a pistol or revolver in violation of the provisions of this section
711 knowing that such pistol or revolver is stolen or that the manufacturer's
712 number or other mark of identification on such pistol or revolver has
713 been altered, removed or obliterated, shall be guilty of a class B felony
714 for which three years of the sentence imposed may not be suspended or
715 reduced by the court, and ten thousand dollars of the fine imposed may
716 not be remitted or reduced by the court unless the court states on the
717 record its reasons for remitting or reducing such fine, and any pistol or
718 revolver found in the possession of any person in violation of any
719 provision of this section shall be forfeited.

720 Sec. 10. Section 29-36l of the general statutes is repealed and the
721 following is substituted in lieu thereof (*Effective October 1, 2023*):

722 (a) The Commissioner of Emergency Services and Public Protection
723 shall establish a state database that any person, firm or corporation who
724 sells or otherwise transfers firearms may access, by telephone or other
725 electronic means in addition to the telephone, for information to be
726 supplied immediately, on whether a permit to carry a pistol or revolver,
727 issued pursuant to subsection (b) of section 29-28, as amended by this
728 act, a permit to sell firearms at retail, [a pistol or revolver,] issued
729 pursuant to subsection (a) of section 29-28, as amended by this act, an
730 eligibility certificate for a pistol or revolver, issued pursuant to section
731 29-36f, as amended by this act, or a long gun eligibility certificate, issued

732 pursuant to section 29-37p, as amended by this act, is valid and has not
733 been revoked or suspended.

734 (b) Upon establishment of the database, the commissioner shall notify
735 each person, firm or corporation holding a permit to sell firearms at
736 retail [pistols or revolvers] issued pursuant to subsection (a) of section
737 29-28, as amended by this act, of the existence and purpose of the system
738 and the means to be used to access the database.

739 (c) The Department of Emergency Services and Public Protection
740 shall establish days and hours during which the telephone number or
741 other electronic means shall be operational for purposes of responding
742 to inquiries, taking into consideration the normal business hours of
743 retail firearm businesses.

744 (d) (1) The Department of Emergency Services and Public Protection
745 shall be the point of contact for initiating a background check through
746 the National Instant Criminal Background Check System (NICS),
747 established under section 103 of the Brady Handgun Violence
748 Prevention Act, on individuals purchasing firearms.

749 (2) The Department of Emergency Services and Public Protection,
750 Department of Mental Health and Addiction Services and Judicial
751 Department shall, in accordance with state and federal law regarding
752 confidentiality, enter into a memorandum of understanding with the
753 Federal Bureau of Investigation for the purpose of implementing the
754 National Instant Criminal Background Check System in the state. The
755 Department of Emergency Services and Public Protection shall report
756 the name, date of birth and physical description of any person
757 prohibited from possessing a firearm pursuant to 18 USC 922(g) or (n)
758 to the National Instant Criminal Background Check System Index,
759 Denied Persons Files.

760 (e) Any person, firm or corporation that contacts the Department of
761 Emergency Services and Public Protection to access the database
762 established under this section and determine if a person is eligible to
763 receive or possess a firearm shall not be held civilly liable for the sale or

764 transfer of a firearm to a person whose receipt or possession of such
765 firearm is unlawful or for refusing to sell or transfer a firearm to a person
766 who may lawfully receive or possess such firearm if such person, firm
767 or corporation relied, in good faith, on the information provided to such
768 person, firm or corporation by said department, unless the conduct of
769 such person, firm or corporation was unreasonable or reckless.

770 (f) Any person, firm or corporation that sells, delivers or otherwise
771 transfers any firearm pursuant to section 29-33, as amended by this act,
772 or 29-37a, as amended by this act, shall contact the Department of
773 Emergency Services and Public Protection to access the database
774 established under this section and receive an authorization number for
775 such sale, delivery or transfer. The provisions of this subsection shall not
776 apply to: (1) Any sale, delivery or transfer of an antique firearm
777 manufactured in or before 1898, including any firearm with a
778 matchlock, flintlock, percussion cap or similar type of ignition system
779 manufactured in or before 1898; (2) any sale, delivery or transfer of any
780 replica of any firearm described in subdivision (1) of this subsection if
781 such replica uses rimfire or conventional centerfire fixed ammunition
782 which is no longer manufactured in the United States and which is not
783 readily available in the ordinary channels of commercial trade; (3)
784 transactions between persons who are licensed as firearms importers or
785 collectors, manufacturers or dealers pursuant to 18 USC 921 et seq.; (4)
786 the transfer of firearms to and from gunsmiths for purposes of repair
787 only; and (5) any sale, delivery or transfer of any firearm to any agency
788 of the United States, the state of Connecticut or any local government.

789 Sec. 11. Section 29-37a of the general statutes is repealed and the
790 following is substituted in lieu thereof (*Effective October 1, 2023*):

791 (a) For the purposes of this section, "long gun" means a firearm, as
792 defined in section 53a-3, as amended by this act, other than a pistol or
793 revolver.

794 (b) (1) Except as provided in subdivision (2) of this subsection, no
795 person, firm or corporation may sell, deliver or otherwise transfer, at

796 retail, any long gun to any person under eighteen years of age.

797 (2) No person, firm or corporation may sell, deliver or otherwise
798 transfer [, at retail,] any semi-automatic centerfire rifle that has or
799 accepts a magazine with a capacity exceeding five rounds to any person
800 under twenty-one years of age. The provisions of this subdivision shall
801 not apply to the sale, delivery or transfer of such a rifle to any person
802 who is a member or employee of an organized local police department,
803 the Department of Emergency Services and Public Protection or the
804 Department of Correction or a member of the military or naval forces of
805 this state or of the United States for use in the discharge of their duties.

806 (c) [On and after April 1, 2014, no] ~~No~~ person may purchase or receive
807 any long gun unless such person holds a valid long gun eligibility
808 certificate issued pursuant to section 29-37p, as amended by this act, a
809 valid permit to carry a pistol or revolver issued pursuant to subsection
810 (b) of section 29-28, as amended by this act, a valid permit to sell
811 firearms at retail [a pistol or revolver] issued pursuant to subsection (a)
812 of section 29-28, as amended by this act, or a valid eligibility certificate
813 for a pistol or revolver issued pursuant to section 29-36f, as amended by
814 this act.

815 (d) No person, firm or corporation may sell, deliver or otherwise
816 transfer, at retail, any long gun to any person unless such person makes
817 application on a form prescribed and furnished by the Commissioner of
818 Emergency Services and Public Protection, which shall be attached by
819 the transferor to the federal sale or transfer document and filed and
820 retained by the transferor for at least twenty years or until such
821 transferor goes out of business. Such application shall be available for
822 inspection during normal business hours by law enforcement officials.
823 No such sale, delivery or other transfer of any long gun shall be made
824 until the person, firm or corporation making such sale, delivery or
825 transfer has ensured that such application has been completed properly
826 and has obtained an authorization number from the Commissioner of
827 Emergency Services and Public Protection for such sale, delivery or
828 transfer. The Department of Emergency Services and Public Protection

829 shall make every effort, including performing the national instant
830 criminal background check, to determine if the applicant is eligible to
831 receive such long gun. If it is determined that the applicant is ineligible
832 to receive such long gun, the Commissioner of Emergency Services and
833 Public Protection shall immediately notify the (1) person, firm or
834 corporation to whom such application was made and no such long gun
835 shall be sold, delivered or otherwise transferred to such applicant by
836 such person, firm or corporation, and (2) chief of police of the town in
837 which the applicant resides, or, where there is no chief of police, the
838 warden of the borough or the first selectman of the town, as the case
839 may be, that the applicant is not eligible to receive a long gun. When any
840 long gun is delivered in connection with any sale or purchase, such long
841 gun shall be enclosed in a package, the paper or wrapping of which shall
842 be securely fastened, and no such long gun when delivered on any sale
843 or purchase shall be loaded or contain any gunpowder or other
844 explosive or any bullet, ball or shell. Upon the sale, delivery or other
845 transfer of the long gun, the transferee shall sign in triplicate a receipt
846 for such long gun, which shall contain the name, address and date and
847 place of birth of such transferee, the date of such sale, delivery or
848 transfer and the caliber, make, model and manufacturer's number and a
849 general description thereof. Not later than twenty-four hours after such
850 sale, delivery or transfer, the transferor shall send by first class mail or
851 electronically transfer one receipt to the Commissioner of Emergency
852 Services and Public Protection and one receipt to the chief of police of
853 the municipality in which the transferee resides or, where there is no
854 chief of police, the chief executive officer of the municipality, as defined
855 in section 7-148, in which the transferee resides or, if designated by such
856 chief executive officer, the resident state trooper serving such
857 municipality or a state police officer of the state police troop having
858 jurisdiction over such municipality, and shall retain one receipt,
859 together with the original application, for at least five years.

860 (e) No sale, delivery or other transfer of any long gun shall be made
861 by a person who is not a federally licensed firearm manufacturer,
862 importer or dealer to a person who is not a federally licensed firearm

863 manufacturer, importer or dealer unless:

864 (1) The prospective transferor and prospective transferee comply
865 with the provisions of subsection (d) of this section and the prospective
866 transferor has obtained an authorization number from the
867 Commissioner of Emergency Services and Public Protection for such
868 sale, delivery or transfer; or

869 (2) The prospective transferor or prospective transferee requests a
870 federally licensed firearm dealer to contact the Department of
871 Emergency Services and Public Protection on behalf of such prospective
872 transferor or prospective transferee and the federally licensed firearm
873 dealer has obtained an authorization number from the Commissioner of
874 Emergency Services and Public Protection for such sale, delivery or
875 transfer.

876 (f) (1) [On and after January 1, 2014, for] For purposes of a transfer
877 pursuant to subdivision (2) of subsection (e) of this section, a
878 prospective transferor or prospective transferee may request a federally
879 licensed firearm dealer to contact the Department of Emergency
880 Services and Public Protection to obtain an authorization number for
881 such sale, delivery or transfer. If a federally licensed firearm dealer
882 consents to contact the department on behalf of the prospective
883 transferor or prospective transferee, the prospective transferor or
884 prospective transferee shall provide to such dealer the name, sex, race,
885 date of birth and state of residence of the prospective transferee and, if
886 necessary to verify the identity of the prospective transferee, may
887 provide a unique numeric identifier including, but not limited to, a
888 Social Security number, and additional identifiers including, but not
889 limited to, height, weight, eye and hair color, and place of birth. The
890 prospective transferee shall present to the dealer such prospective
891 transferee's valid long gun eligibility certificate issued pursuant to
892 section 29-37p, as amended by this act, valid permit to carry a pistol or
893 revolver issued pursuant to subsection (b) of section 29-28, as amended
894 by this act, valid permit to sell firearms at retail [a pistol or revolver]
895 issued pursuant to subsection (a) of section 29-28, as amended by this

896 act, or valid eligibility certificate for a pistol or revolver issued pursuant
897 to section 29-36f, as amended by this act. The dealer may charge a fee
898 for contacting the department on behalf of the prospective transferor or
899 prospective transferee.

900 (2) The Department of Emergency Services and Public Protection
901 shall make every effort, including performing the national instant
902 criminal background check, to determine if the prospective transferee is
903 eligible to receive such long gun. The Commissioner of Emergency
904 Services and Public Protection shall immediately notify the dealer of the
905 department's determination and the dealer shall immediately notify the
906 prospective transferor or prospective transferee of such determination.
907 If the department determines the prospective transferee is ineligible to
908 receive such long gun, no long gun shall be sold, delivered or otherwise
909 transferred by the prospective transferor to the prospective transferee.
910 If the department determines the prospective transferee is eligible to
911 receive such long gun and provides an authorization number for such
912 sale, delivery or transfer, the prospective transferor may proceed to sell,
913 deliver or otherwise transfer the long gun to the prospective transferee.

914 (3) Upon the sale, delivery or other transfer of the long gun, the
915 transferor or transferee shall complete a form, prescribed by the
916 Commissioner of Emergency Services and Public Protection, that
917 contains the name and address of the transferor, the name and address
918 of the transferee, the date and place of birth of such transferee, the
919 firearm permit or certificate number of the transferee, the firearm permit
920 or certificate number of the transferor, if any, the date of such sale,
921 delivery or transfer, the caliber, make, model and manufacturer's
922 number and a general description of such long gun and the
923 authorization number provided by the department. Not later than
924 twenty-four hours after such sale, delivery or transfer, the transferor
925 shall send by first class mail or electronically transfer one copy of such
926 form to the Commissioner of Emergency Services and Public Protection
927 and one copy to the chief of police of the municipality in which the
928 transferee resides or, where there is no chief of police, the chief executive
929 officer of the municipality, as defined in section 7-148, in which the

930 transferee resides or, if designated by such chief executive officer, the
931 resident state trooper serving such municipality or a state police officer
932 of the state police troop having jurisdiction over such municipality, and
933 shall retain one copy, for at least five years.

934 (g) [Prior to April 1, 2014, no] No sale, delivery or other transfer of
935 any long gun shall be made until the expiration of two weeks from the
936 date of the application, except that such waiting period shall not apply
937 to any federal marshal, parole officer or peace officer, or to the sale,
938 delivery or other transfer of (1) any long gun to a holder of a valid state
939 permit to carry a pistol or revolver issued under the provisions of
940 section 29-28, as amended by this act, a valid eligibility certificate issued
941 under the provisions of section 29-36f, as amended by this act, or a valid
942 long gun eligibility certificate issued under the provisions of section 29-
943 37p, as amended by this act, (2) any long gun to an active member of the
944 armed forces of the United States or of any reserve component thereof,
945 (3) any long gun to a holder of a valid hunting license issued pursuant
946 to chapter 490, or (4) antique firearms. For the purposes of this
947 subsection, "antique firearm" means any firearm which was
948 manufactured in or before 1898 and any replica of such firearm,
949 provided such replica is not designed or redesigned for using rimfire or
950 conventional centerfire fixed ammunition except rimfire or
951 conventional centerfire fixed ammunition which is no longer
952 manufactured in the United States and not readily available in the
953 ordinary channel of commercial trade.

954 (h) The provisions of subsections (c) to (g), inclusive, of this section
955 shall not apply to the sale, delivery or transfer of (1) long guns to (A) the
956 Department of Emergency Services and Public Protection, police
957 departments, the Department of Correction, the Division of Criminal
958 Justice, the Department of Motor Vehicles, the Department of Energy
959 and Environmental Protection or the military or naval forces of this state
960 or of the United States, (B) a sworn and duly certified member of an
961 organized police department, the Division of State Police within the
962 Department of Emergency Services and Public Protection or the
963 Department of Correction, a chief inspector or inspector in the Division

964 of Criminal Justice, a salaried inspector of motor vehicles designated by
965 the Commissioner of Motor Vehicles, a conservation officer or special
966 conservation officer appointed by the Commissioner of Energy and
967 Environmental Protection pursuant to section 26-5, or a constable who
968 is certified by the Police Officer Standards and Training Council and
969 appointed by the chief executive authority of a town, city or borough to
970 perform criminal law enforcement duties, pursuant to a letter on the
971 letterhead of such department, division, commissioner or authority
972 authorizing the purchase and stating that the sworn member, inspector,
973 officer or constable will use the long gun in the discharge of official
974 duties, and that a records check indicates that the sworn member,
975 inspector, officer or constable has not been convicted of a crime of family
976 violence, for use by such sworn member, inspector, officer or constable
977 in the discharge of such sworn member's, inspector's, officer's or
978 constable's official duties or when off duty, (C) a member of the military
979 or naval forces of this state or of the United States, or (D) a nuclear
980 facility licensed by the United States Nuclear Regulatory Commission
981 for the purpose of providing security services at such facility, or any
982 contractor or subcontractor of such facility for the purpose of providing
983 security services at such facility; (2) long guns to or between federally
984 licensed firearm manufacturers, importers or dealers; (3) curios or relics,
985 as defined in 27 CFR 478.11, to or between federally licensed firearm
986 collectors; or (4) antique firearms, as defined in subsection (g) of this
987 section.

988 (i) If the court finds that a violation of this section is not of a serious
989 nature and that the person charged with such violation (1) will probably
990 not offend in the future, (2) has not previously been convicted of a
991 violation of this section, and (3) has not previously had a prosecution
992 under this section suspended pursuant to this subsection, it may order
993 suspension of prosecution. The court shall not order suspension of
994 prosecution unless the accused person has acknowledged that he
995 understands the consequences of the suspension of prosecution. Any
996 person for whom prosecution is suspended shall agree to the tolling of
997 any statute of limitations with respect to such violation and to a waiver

998 of his right to a speedy trial. Such person shall appear in court and shall
999 be released to the supervision of the Court Support Services Division for
1000 such period, not exceeding two years, and under such conditions as the
1001 court shall order. If the person refuses to accept, or, having accepted,
1002 violates such conditions, the court shall terminate the suspension of
1003 prosecution and the case shall be brought to trial. If such person
1004 satisfactorily completes his period of probation, he may apply for
1005 dismissal of the charges against him and the court, on finding such
1006 satisfactory completion, shall dismiss such charges. If the person does
1007 not apply for dismissal of the charges against him after satisfactorily
1008 completing his period of probation, the court, upon receipt of a report
1009 submitted by the Court Support Services Division that the person
1010 satisfactorily completed his period of probation, may on its own motion
1011 make a finding of such satisfactory completion and dismiss such
1012 charges. Upon dismissal, all records of such charges shall be erased
1013 pursuant to section 54-142a. An order of the court denying a motion to
1014 dismiss the charges against a person who has completed his period of
1015 probation or terminating the participation of a defendant in such
1016 program shall be a final judgment for purposes of appeal.

1017 (j) Any person who violates any provision of this section shall be
1018 guilty of a class D felony, except that any person who sells, delivers or
1019 otherwise transfers a long gun in violation of the provisions of this
1020 section, knowing that such long gun is stolen or that the manufacturer's
1021 number or other mark of identification on such long gun has been
1022 altered, removed or obliterated, shall be guilty of a class B felony, and
1023 any long gun found in the possession of any person in violation of any
1024 provision of this section shall be forfeited.

1025 Sec. 12. Section 29-37i of the general statutes is repealed and the
1026 following is substituted in lieu thereof (*Effective October 1, 2023*):

1027 No person shall store or keep any firearm, as defined in section 53a-
1028 3, as amended by this act, on any premises under such person's control
1029 [if such person knows or reasonably should know that (1) a minor is
1030 likely to gain access to the firearm without the permission of the parent

1031 or guardian of the minor, (2) a resident of the premises is ineligible to
1032 possess a firearm under state or federal law, (3) a resident of the
1033 premises is subject to a risk protection order issued pursuant to section
1034 29-38c, or (4) a resident of the premises poses a risk of imminent
1035 personal injury to himself or herself or to another person,] unless such
1036 person [(A)] (1) keeps the firearm in a securely locked box or other
1037 container or in a manner which a reasonable person would believe to be
1038 secure, or [(B)] (2) carries the firearm on his or her person or within such
1039 close proximity thereto that such person can readily retrieve and use the
1040 firearm as if such person carried the firearm on his or her person. [For
1041 the purposes of this section, "minor" means any person under the age of
1042 eighteen years.]

1043 Sec. 13. Section 29-38b of the general statutes is repealed and the
1044 following is substituted in lieu thereof (*Effective October 1, 2023*):

1045 (a) The Commissioner of Emergency Services and Public Protection,
1046 in fulfilling [his] the commissioner's obligations under sections 29-28 to
1047 29-38, inclusive, as amended by this act, and section 53-202d, as
1048 amended by this act, shall verify that any person who [, on or after
1049 October 1, 1998,] applies for or seeks renewal of a permit to sell firearms
1050 at retail, [a pistol or revolver,] a permit to carry a pistol or revolver, an
1051 eligibility certificate for a pistol or revolver or a certificate of possession
1052 for an assault weapon, or who [, on or after July 1, 2013,] applies for or
1053 seeks renewal of a long gun eligibility certificate, has not been confined
1054 in a hospital for persons with psychiatric disabilities, as defined in
1055 section 17a-495, within the preceding sixty months by order of a probate
1056 court or has not been voluntarily admitted to a hospital for persons with
1057 psychiatric disabilities, as defined in section 17a-495, within the
1058 preceding six months for care and treatment of a psychiatric disability
1059 and not solely for being an alcohol-dependent person or a drug-
1060 dependent person as those terms are defined in section 17a-680, by
1061 making an inquiry to the Department of Mental Health and Addiction
1062 Services in such a manner so as to only receive a report on the
1063 commitment or admission status of the person with respect to whom the
1064 inquiry is made including identifying information in accordance with

1065 the provisions of subsection (b) of section 17a-500.

1066 (b) If the Commissioner of Emergency Services and Public Protection
1067 determines pursuant to subsection (a) of this section that a person has
1068 been confined in a hospital for persons with psychiatric disabilities, as
1069 defined in section 17a-495, within the preceding sixty months by order
1070 of a probate court or has been voluntarily admitted to a hospital for
1071 persons with psychiatric disabilities, as defined in section 17a-495,
1072 within the preceding six months for care and treatment of a psychiatric
1073 disability and not solely for being an alcohol-dependent person or a
1074 drug-dependent person as those terms are defined in section 17a-680,
1075 said commissioner shall report the status of such person's application
1076 for or renewal of a permit to sell firearms at retail, [a pistol or revolver,]
1077 a permit to carry a pistol or revolver, an eligibility certificate for a pistol
1078 or revolver, a certificate of possession for an assault weapon or a long
1079 gun eligibility certificate to the Commissioner of Mental Health and
1080 Addiction Services for the purpose of fulfilling his responsibilities under
1081 subsection (c) of section 17a-500.

1082 Sec. 14. Section 29-38m of the general statutes is repealed and the
1083 following is substituted in lieu thereof (*Effective October 1, 2023*):

1084 (a) For the purposes of this section and sections 29-38n to 29-38p,
1085 inclusive, "ammunition" means a loaded cartridge, consisting of a
1086 primed case, propellant or projectile, designed for use in any firearm,
1087 "firearm" has the meaning provided in section 53a-3, as amended by this
1088 act, and "magazine" means any firearm magazine, belt, drum, feed strip
1089 or similar device that accepts ammunition.

1090 (b) No person, firm or corporation shall sell ammunition or an
1091 ammunition magazine to any person under eighteen years of age.

1092 (c) [On and after October 1, 2013, no] No person, firm or corporation
1093 shall sell ammunition or an ammunition magazine to any person unless
1094 such person holds a valid permit to carry a pistol or revolver issued
1095 pursuant to subsection (b) of section 29-28, as amended by this act, a
1096 valid permit to sell firearms at retail [a pistol or revolver] issued

1097 pursuant to subsection (a) of section 29-28, as amended by this act, a
1098 valid eligibility certificate for a pistol or revolver issued pursuant to
1099 section 29-36f, as amended by this act, or a valid long gun eligibility
1100 certificate issued pursuant to section 29-37p, as amended by this act, and
1101 presents to the transferor such permit or certificate, or unless such
1102 person holds a valid ammunition certificate issued pursuant to section
1103 29-38n and presents to the transferor such certificate and such person's
1104 motor vehicle operator's license, passport or other valid form of
1105 identification issued by the federal government or a state or municipal
1106 government that contains such person's date of birth and photograph.

1107 (d) The provisions of [subsection] subsections (b) and (c) of this
1108 section shall not apply to the sale of ammunition to (1) the Department
1109 of Emergency Services and Public Protection, police departments, the
1110 Department of Correction, the Division of Criminal Justice, the
1111 Department of Motor Vehicles, the Department of Energy and
1112 Environmental Protection or the military or naval forces of this state or
1113 of the United States; (2) a sworn and duly certified member of an
1114 organized police department, the Division of State Police within the
1115 Department of Emergency Services and Public Protection or the
1116 Department of Correction, a chief inspector or inspector in the Division
1117 of Criminal Justice, a salaried inspector of motor vehicles designated by
1118 the Commissioner of Motor Vehicles, a conservation officer or special
1119 conservation officer appointed by the Commissioner of Energy and
1120 Environmental Protection pursuant to section 26-5, or a constable who
1121 is certified by the Police Officer Standards and Training Council and
1122 appointed by the chief executive authority of a town, city or borough to
1123 perform criminal law enforcement duties, for use by such sworn
1124 member, inspector, officer or constable in the discharge of such sworn
1125 member's, inspector's, officer's or constable's official duties or when off
1126 duty; (3) a member of the military or naval forces of this state or of the
1127 United States; (4) a nuclear facility licensed by the United States Nuclear
1128 Regulatory Commission for the purpose of providing security services
1129 at such facility, or any contractor or subcontractor of such facility for the
1130 purpose of providing security services at such facility; or (5) a federally

1131 licensed firearm manufacturer, importer, dealer or collector.

1132 (e) Any person who violates any provision of this section shall be
1133 guilty of a class D felony.

1134 Sec. 15. Subsections (d) to (f), inclusive, of section 53-202f of the
1135 general statutes are repealed and the following is substituted in lieu
1136 thereof (*Effective from passage*):

1137 (d) (1) Not later than December 31, 2013, any person who lawfully
1138 possessed an assault weapon described in any provision of
1139 subparagraphs (B) to (F), inclusive, of subdivision (1) of section 53-202a,
1140 as amended by this act, on April 4, 2013, which was lawful under the
1141 provisions of sections 53-202a to 53-202k, inclusive, as amended by this
1142 act, in effect on January 1, 2013, may transfer possession of the assault
1143 weapon to a licensed gun dealer within or outside of this state for sale
1144 outside of this state, and may transport the assault weapon to such
1145 dealer for the purpose of making such transfer, without obtaining a
1146 certificate of possession under section 53-202d, as amended by this act.

1147 (2) Not later than April 30, 2024, any person who lawfully possessed
1148 a 2023 assault weapon on the date immediately preceding the effective
1149 date of this section, which was lawful under the provisions of sections
1150 53-202a to 53-202k, inclusive, as amended by this act, in effect on January
1151 1, 2023, may transfer possession of the 2023 assault weapon to a licensed
1152 gun dealer within or outside of this state for sale outside of this state,
1153 and may transport the 2023 assault weapon to such dealer for the
1154 purpose of making such transfer, without obtaining a certificate of
1155 possession under section 53-202d, as amended by this act.

1156 (e) (1) Not later than October 1, 2013, any licensed gun dealer,
1157 pawnbroker licensed under section 21-40, or consignment shop
1158 operator, as defined in section 21-39a, may transfer possession of an
1159 assault weapon to any person who [(1)] (A) legally possessed the assault
1160 weapon prior to or on April 4, 2013, [(2)] (B) placed the assault weapon
1161 in the possession of such dealer, pawnbroker or operator prior to or on
1162 April 4, 2013, pursuant to an agreement between such person and such

1163 dealer, pawnbroker or operator for the sale of the assault weapon to a
1164 third person, and [(3)] (C) is eligible to possess a firearm on the date of
1165 such transfer.

1166 (2) Any licensed gun dealer, pawnbroker licensed under section 21-
1167 40, or consignment shop operator, as defined in section 21-39a, may
1168 transfer possession of a 2023 assault weapon to any person who (A)
1169 legally possessed the 2023 assault weapon prior to the effective date of
1170 this section, (B) placed the 2023 assault weapon in the possession of such
1171 dealer, pawnbroker or operator pursuant to an agreement between such
1172 person and such dealer, pawnbroker or operator for the sale of the
1173 assault weapon to a third person, and (C) is eligible to possess a firearm
1174 on the date of such transfer.

1175 (f) The term "licensed gun dealer", as used in sections 53-202a to 53-
1176 202k, inclusive, as amended by this act, means a person who has a
1177 federal firearms license and a permit to sell firearms pursuant to section
1178 29-28, as amended by this act.

1179 Sec. 16. Subsection (b) of section 54-36e of the general statutes is
1180 repealed and the following is substituted in lieu thereof (*Effective October*
1181 *1, 2023*):

1182 (b) Firearms and ammunition turned over to the state police pursuant
1183 to subsection (a) of this section which are not destroyed or retained for
1184 appropriate use shall be sold at public auctions, conducted by the
1185 Commissioner of Administrative Services or said commissioner's
1186 designee. Pistols and revolvers, as defined in section 53a-3, as amended
1187 by this act, which are antiques, as defined in section 29-33, as amended
1188 by this act, or curios or relics, as defined in the Code of Federal
1189 Regulations, Title 27, Chapter 1, Part 178, or modern pistols and
1190 revolvers which have a current retail value of one hundred dollars or
1191 more may be sold at such public auctions, provided such pistols and
1192 revolvers shall be sold only to persons who have a valid permit to sell
1193 [a pistol or revolver] firearms at retail, or a valid permit to carry a pistol
1194 or revolver, issued pursuant to section 29-28, as amended by this act.

1195 Rifles and shotguns, as defined in section 53a-3, as amended by this act,
1196 shall be sold only to persons qualified under federal law to purchase
1197 such rifles and shotguns and who have a valid long gun eligibility
1198 certificate issued pursuant to section 29-37p, as amended by this act. The
1199 proceeds of any such sale shall be paid to the State Treasurer and
1200 deposited by the State Treasurer in the forfeit firearms account within
1201 the General Fund.

1202 Sec. 17. Subsection (e) of section 53-202l of the general statutes is
1203 repealed and the following is substituted in lieu thereof (*Effective October*
1204 *1, 2023*):

1205 (e) If the court finds that a violation of this section is not of a serious
1206 nature and that the person charged with such violation (1) will probably
1207 not offend in the future, (2) has not previously been convicted of a
1208 violation of this section, and (3) has not previously had a prosecution
1209 under this section suspended pursuant to this subsection, it may order
1210 suspension of prosecution in accordance with the provisions of
1211 subsection [(h)] (i) of section 29-33, as amended by this act.

1212 Sec. 18. Subsection (g) of section 53-202w of the general statutes is
1213 repealed and the following is substituted in lieu thereof (*Effective October*
1214 *1, 2023*):

1215 (g) If the court finds that a violation of this section is not of a serious
1216 nature and that the person charged with such violation (1) will probably
1217 not offend in the future, (2) has not previously been convicted of a
1218 violation of this section, and (3) has not previously had a prosecution
1219 under this section suspended pursuant to this subsection, it may order
1220 suspension of prosecution in accordance with the provisions of
1221 subsection [(h)] (i) of section 29-33, as amended by this act.

1222 Sec. 19. Subsection (f) of section 53-206g of the general statutes is
1223 repealed and the following is substituted in lieu thereof (*Effective October*
1224 *1, 2023*):

1225 (f) If the court finds that a violation of this section is not of a serious

1226 nature and that the person charged with such violation (1) will probably
1227 not offend in the future, (2) has not previously been convicted of a
1228 violation of this section, and (3) has not previously had a prosecution
1229 under this section suspended pursuant to this subsection, it may order
1230 suspension of prosecution in accordance with the provisions of
1231 subsection [(h)] (i) of section 29-33, as amended by this act.

1232 Sec. 20. Section 53a-217a of the general statutes is repealed and the
1233 following is substituted in lieu thereof (*Effective October 1, 2023*):

1234 (a) [A] Except as provided in subsection (b) of this section, a person
1235 is guilty of criminally negligent storage of a firearm when such person
1236 violates the provisions of section 29-37i, as amended by this act, and [a
1237 minor or, a resident of the premises who is ineligible to possess a firearm
1238 under state or federal law or who poses a risk of imminent personal
1239 injury to himself or herself or to other individuals,] another person
1240 obtains the firearm and causes the injury or death of such [minor,
1241 resident] person or any other person. [For the purposes of this section,
1242 "minor" means any person under the age of eighteen years.]

1243 (b) The provisions of this section shall not apply if the [minor] person
1244 obtains the firearm as a result of an unlawful entry to any premises by
1245 any person and, if such firearm is stolen, such firearm is reported stolen
1246 pursuant to the provisions of section 53-202g, as amended by this act.

1247 (c) Criminally negligent storage of a firearm is a class D felony.

1248 Sec. 21. Section 54-66a of the general statutes is repealed and the
1249 following is substituted in lieu thereof (*Effective October 1, 2023*):

1250 Any bail bond posted in any criminal proceeding in this state shall be
1251 automatically terminated and released whenever the defendant: (1) Is
1252 granted accelerated rehabilitation pursuant to section 54-56e; (2) is
1253 granted admission to the pretrial alcohol education program pursuant
1254 to section 54-56g; (3) is granted admission to the pretrial family violence
1255 education program pursuant to section 46b-38c; (4) is granted admission
1256 to the pretrial drug education and community service program

1257 pursuant to section 54-56i; (5) has the complaint or information filed
1258 against such defendant dismissed; (6) has the prosecution of the
1259 complaint or information filed against such defendant terminated by
1260 entry of a nolle prosequi; (7) is acquitted; (8) is sentenced by the court
1261 and a stay of such sentence, if any, is lifted; (9) is granted admission to
1262 the pretrial school violence prevention program pursuant to section 54-
1263 56j; (10) is charged with a violation of section 29-33, as amended by this
1264 act, 53-202l, as amended by this act, or 53-202w, as amended by this act,
1265 and prosecution has been suspended pursuant to subsection [(h)] (i) of
1266 section 29-33, as amended by this act; (11) is charged with a violation of
1267 section 29-37a, as amended by this act, and prosecution has been
1268 suspended pursuant to subsection (i) of section 29-37a, as amended by
1269 this act; (12) is granted admission to the supervised diversionary
1270 program for persons with psychiatric disabilities, or persons who are
1271 veterans, pursuant to section 54-56l; (13) is granted admission to a
1272 diversionary program for young persons charged with a motor vehicle
1273 violation or an alcohol-related offense pursuant to section 54-56p; (14) is
1274 granted admission to the pretrial drug intervention and community
1275 service program pursuant to section 54-56q; or (15) is granted admission
1276 to the pretrial impaired driving intervention program pursuant to
1277 section 54-56r.

1278 Sec. 22. Subdivision (8) of section 54-280 of the general statutes is
1279 repealed and the following is substituted in lieu thereof (*Effective October*
1280 *1, 2023*):

1281 (8) "Offense committed with a deadly weapon" or "offense" means:
1282 (A) A violation of subsection (c) of section 2-1e, subsection (e) of section
1283 29-28, subsections (a) to (e), inclusive, or [(i)] (j) of section 29-33, as
1284 amended by this act, section 29-34, subsection (a) of section 29-35, as
1285 amended by this act, section 29-36, 29-36k, 29-37a, as amended by this
1286 act, or 29-37e, subsection (c) of section 29-37g, section 29-37j, subsection
1287 (b), (c) or (g) of section 53-202, section 53-202b, 53-202c, as amended by
1288 this act, 53-202j, 53-202k, 53-202l, as amended by this act, 53-202aa or 53-
1289 206b, subsection (b) of section 53a-8, section 53a-55a, 53a-56a, 53a-60a,
1290 53a-60c, 53a-72b, 53a-92a, 53a-94a, 53a-102a, 53a-103a, 53a-211, 53a-212,

1291 53a-216, 53a-217, 53a-217a, as amended by this act, 53a-217b or 53a-217c,
1292 as amended by this act, or a second or subsequent violation of section
1293 53-202g, as amended by this act; or (B) a violation of any section of the
1294 general statutes which constitutes a felony, as defined in section 53a-25,
1295 provided the court makes a finding that, at the time of the offense, the
1296 offender used a deadly weapon, or was armed with and threatened the
1297 use of or displayed or represented by words or conduct that the offender
1298 possessed a deadly weapon;

1299 Sec. 23. Section 53-202a of the general statutes is repealed and the
1300 following is substituted in lieu thereof (*Effective from passage*):

1301 As used in this section and sections 53-202b to 53-202k, inclusive:

1302 (1) "Assault weapon" means:

1303 (A) (i) Any selective-fire firearm capable of fully automatic,
1304 semiautomatic or burst fire at the option of the user or any of the
1305 following specified semiautomatic firearms: Algimec Agmi; Armalite
1306 AR-180; Australian Automatic Arms SAP Pistol; Auto-Ordnance
1307 Thompson type; Avtomat Kalashnikov AK-47 type; Barrett Light-Fifty
1308 model 82A1; Beretta AR-70; Bushmaster Auto Rifle and Auto Pistol;
1309 Calico models M-900, M-950 and 100-P; Chartered Industries of
1310 Singapore SR-88; Colt AR-15 and Sporter; Daewoo K-1, K-2, Max-1 and
1311 Max-2; Encom MK-IV, MP-9 and MP-45; Fabrique Nationale FN/FAL,
1312 FN/LAR, or FN/FNC; FAMAS MAS 223; Feather AT-9 and Mini-AT;
1313 Federal XC-900 and XC-450; Franchi SPAS-12 and LAW-12; Galil AR
1314 and ARM; Goncz High-Tech Carbine and High-Tech Long Pistol;
1315 Heckler & Koch HK-91, HK-93, HK-94 and SP-89; Holmes MP-83; MAC-
1316 10, MAC-11 and MAC-11 Carbine type; Intratec TEC-9 and Scorpion;
1317 Iver Johnson Enforcer model 3000; Ruger Mini-14/5F folding stock
1318 model only; Scarab Skorpion; SIG 57 AMT and 500 series; Spectre Auto
1319 Carbine and Auto Pistol; Springfield Armory BM59, SAR-48 and G-3;
1320 Sterling MK-6 and MK-7; Steyr AUG; Street Sweeper and Striker 12
1321 revolving cylinder shotguns; USAS-12; UZI Carbine, Mini-Carbine and
1322 Pistol; Weaver Arms Nighthawk; Wilkinson "Linda" Pistol;

1323 (ii) A part or combination of parts designed or intended to convert a
1324 firearm into an assault weapon, as defined in subparagraph (A)(i) of this
1325 subdivision, or any combination of parts from which an assault weapon,
1326 as defined in subparagraph (A)(i) of this subdivision, may be rapidly
1327 assembled if those parts are in the possession or under the control of the
1328 same person;

1329 (B) Any of the following specified semiautomatic centerfire rifles, or
1330 copies or duplicates thereof with the capability of any such rifles, that
1331 were in production prior to or on April 4, 2013: (i) AK-47; (ii) AK-74; (iii)
1332 AKM; (iv) AKS-74U; (v) ARM; (vi) MAADI AK47; (vii) MAK90; (viii)
1333 MISR; (ix) NHM90 and NHM91; (x) Norinco 56, 56S, 84S and 86S; (xi)
1334 Poly Technologies AKS and AK47; (xii) SA 85; (xiii) SA 93; (xiv) VEPR;
1335 (xv) WASR-10; (xvi) WUM; (xvii) Rock River Arms LAR-47; (xviii)
1336 Vector Arms AK-47; (xix) AR-10; (xx) AR-15; (xxi) Bushmaster Carbon
1337 15, Bushmaster XM15, Bushmaster ACR Rifles, Bushmaster MOE Rifles;
1338 (xxii) Colt Match Target Rifles; (xxiii) Armalite M15; (xxiv) Olympic
1339 Arms AR-15, A1, CAR, PCR, K3B, K30R, K16, K48, K8 and K9 Rifles;
1340 (xxv) DPMS Tactical Rifles; (xxvi) Smith and Wesson M&P15 Rifles;
1341 (xxvii) Rock River Arms LAR-15; (xxviii) Doublestar AR Rifles; (xxix)
1342 Barrett REC7; (xxx) Beretta Storm; (xxxi) Calico Liberty 50, 50 Tactical,
1343 100, 100 Tactical, I, I Tactical, II and II Tactical Rifles; (xxxii) Hi-Point
1344 Carbine Rifles; (xxxiii) HK-PSG-1; (xxxiv) Kel-Tec Sub-2000, SU Rifles,
1345 and RFB; (xxxv) Remington Tactical Rifle Model 7615; (xxxvi) SAR-8,
1346 SAR-4800 and SR9; (xxxvii) SLG 95; (xxxviii) SLR 95 or 96; (xxxix) TNW
1347 M230 and M2HB; (xl) Vector Arms UZI; (xli) Galil and Galil Sporter;
1348 (xlii) Daewoo AR 100 and AR 110C; (xliii) Fabrique Nationale/FN 308
1349 Match and L1A1 Sporter; (xliv) HK USC; (xlv) IZHMASH Saiga AK;
1350 (xlvi) SIG Sauer 551-A1, 556, 516, 716 and M400 Rifles; (xlvii) Valmet
1351 M62S, M71S and M78S; (xlviii) Wilkinson Arms Linda Carbine; and
1352 (xlix) Barrett M107A1;

1353 (C) Any of the following specified semiautomatic pistols, or copies or
1354 duplicates thereof with the capability of any such pistols, that were in
1355 production prior to or on April 4, 2013: (i) Centurion 39 AK; (ii) Draco
1356 AK-47; (iii) HCR AK-47; (iv) IO Inc. Hellpup AK-47; (v) Mini-Draco AK-

1357 47; (vi) Yugo Krebs Krink; (vii) American Spirit AR-15; (viii) Bushmaster
1358 Carbon 15; (ix) Doublestar Corporation AR; (x) DPMS AR-15; (xi)
1359 Olympic Arms AR-15; (xii) Rock River Arms LAR 15; (xiii) Calico
1360 Liberty III and III Tactical Pistols; (xiv) Masterpiece Arms MPA Pistols
1361 and Velocity Arms VMA Pistols; (xv) Intratec TEC-DC9 and AB-10; (xvi)
1362 Colefire Magnum; (xvii) German Sport 522 PK and Chiappa Firearms
1363 Mfour-22; (xviii) DSA SA58 PKP FAL; (xix) I.O. Inc. PPS-43C; (xx) Kel-
1364 Tec PLR-16 Pistol; (xxi) Sig Sauer P516 and P556 Pistols; and (xxii)
1365 Thompson TA5 Pistols;

1366 (D) Any of the following semiautomatic shotguns, or copies or
1367 duplicates thereof with the capability of any such shotguns, that were in
1368 production prior to or on April 4, 2013: All IZHMASH Saiga 12
1369 Shotguns;

1370 (E) Any semiautomatic firearm regardless of whether such firearm is
1371 listed in subparagraphs (A) to (D), inclusive, of this subdivision, and
1372 regardless of the date such firearm was produced, that meets the
1373 following criteria:

1374 (i) A semiautomatic, centerfire rifle that has an ability to accept a
1375 detachable magazine and has at least one of the following:

1376 (I) A folding or telescoping stock;

1377 (II) Any grip of the weapon, including a pistol grip, a thumbhole
1378 stock, or any other stock, the use of which would allow an individual to
1379 grip the weapon, resulting in any finger on the trigger hand in addition
1380 to the trigger finger being directly below any portion of the action of the
1381 weapon when firing;

1382 (III) A forward pistol grip;

1383 (IV) A flash suppressor; or

1384 (V) A grenade launcher or flare launcher; or

1385 (ii) A semiautomatic, centerfire rifle that has a fixed magazine with

- 1386 the ability to accept more than ten rounds; or
- 1387 (iii) A semiautomatic, centerfire rifle that has an overall length of less
1388 than thirty inches; or
- 1389 (iv) A semiautomatic pistol that has an ability to accept a detachable
1390 magazine and has at least one of the following:
- 1391 (I) An ability to accept a detachable ammunition magazine that
1392 attaches at some location outside of the pistol grip;
- 1393 (II) A threaded barrel capable of accepting a flash suppressor,
1394 forward pistol grip or silencer;
- 1395 (III) A shroud that is attached to, or partially or completely encircles,
1396 the barrel and that permits the shooter to fire the firearm without being
1397 burned, except a slide that encloses the barrel; or
- 1398 (IV) A second hand grip; or
- 1399 (v) A semiautomatic pistol with a fixed magazine that has the ability
1400 to accept more than ten rounds; or
- 1401 (vi) A semiautomatic shotgun that has both of the following:
- 1402 (I) A folding or telescoping stock; and
- 1403 (II) Any grip of the weapon, including a pistol grip, a thumbhole
1404 stock, or any other stock, the use of which would allow an individual to
1405 grip the weapon, resulting in any finger on the trigger hand in addition
1406 to the trigger finger being directly below any portion of the action of the
1407 weapon when firing; or
- 1408 (vii) A semiautomatic shotgun that has the ability to accept a
1409 detachable magazine; or
- 1410 (viii) A shotgun with a revolving cylinder; or
- 1411 (ix) Any semiautomatic firearm that meets the criteria set forth in

1412 subdivision (3) or (4) of subsection (a) of section 53-202a of the general
1413 statutes, revision of 1958, revised to January 1, 2013; or

1414 (F) A part or combination of parts designed or intended to convert a
1415 firearm into an assault weapon, as defined in any provision of
1416 subparagraphs (B) to (E), inclusive, of this subdivision, or any
1417 combination of parts from which an assault weapon, as defined in any
1418 provision of subparagraphs (B) to (E), inclusive, of this subdivision, may
1419 be assembled if those parts are in the possession or under the control of
1420 the same person;

1421 (G) Any semiautomatic firearm other than a pistol, revolver, rifle or
1422 shotgun, regardless of whether such firearm is listed in subparagraphs
1423 (A) to (D), inclusive, of this subdivision, and regardless of the date such
1424 firearm was produced, that has at least one of the following:

1425 (i) Any grip of the weapon, including a pistol grip, a thumbhole stock
1426 or any other stock, the use of which would allow an individual to grip
1427 the weapon, resulting in any finger on the trigger hand in addition to
1428 the trigger finger being directly below any portion of the action of the
1429 weapon when firing;

1430 (ii) An ability to accept a detachable ammunition magazine that
1431 attaches at some location outside of the pistol grip;

1432 (iii) A fixed magazine with the ability to accept more than ten rounds;

1433 (iv) A flash suppressor or silencer, or a threaded barrel capable of
1434 accepting a flash suppressor or silencer;

1435 (v) A shroud that is attached to, or partially or completely encircles,
1436 the barrel and that permits the shooter to fire the firearm without being
1437 burned, except a slide that encloses the barrel;

1438 (vi) A second hand grip; or

1439 (vii) An arm brace or other stabilizing brace that could allow such
1440 firearm to be fired from the shoulder, with or without a strap designed

1441 to attach to an individual's arm;

1442 (H) Any semiautomatic firearm that meets the criteria set forth in
1443 subdivision (3) or (4) of subsection (a) of section 53-202a of the general
1444 statutes, revision of 1958, revised to January 1, 2013, that was legally
1445 manufactured prior to September 13, 1994; or

1446 (I) A combination of parts designed or intended to convert a firearm
1447 into an assault weapon, as defined in any provision of subparagraph (G)
1448 or (H) of this subdivision, or any combination of parts from which an
1449 assault weapon, as defined in any provision of subparagraph (G) or (H)
1450 of this subdivision, may be assembled if those parts are in the possession
1451 or under the control of the same person;

1452 (2) "Assault weapon" does not include (A) any firearm modified to
1453 render it permanently inoperable, or (B) a part or any combination of
1454 parts of an assault weapon, that are not assembled as an assault weapon,
1455 when in the possession of a licensed gun dealer, as defined in subsection
1456 (f) of section 53-202f, as amended by this act, or a gunsmith who is in
1457 the licensed gun dealer's employ, for the purposes of servicing or
1458 repairing lawfully possessed assault weapons under sections 53-202a to
1459 53-202k, inclusive, as amended by this act;

1460 (3) "Action of the weapon" means the part of the firearm that loads,
1461 fires and ejects a cartridge, which part includes, but is not limited to, the
1462 upper and lower receiver, charging handle, forward assist, magazine
1463 release and shell deflector;

1464 (4) "Detachable magazine" means an ammunition feeding device that
1465 can be removed without disassembling the firearm action;

1466 (5) "Firearm" means a firearm, as defined in section 53a-3, as amended
1467 by this act;

1468 (6) "Forward pistol grip" means any feature capable of functioning as
1469 a grip that can be held by the nontrigger hand;

1470 (7) "Lawfully possesses" means: [, with]

1471 (A) With respect to an assault weapon described in any provision of
1472 subparagraphs (B) to (F), inclusive, of [this] subdivision (1) of this
1473 section, [(A)] (i) actual possession that is lawful under sections 53-202b
1474 to 53-202k, [(B)] (ii) constructive possession pursuant to a lawful
1475 purchase transacted prior to or on April 4, 2013, regardless of whether
1476 the assault weapon was delivered to the purchaser prior to or on April
1477 4, 2013, which lawful purchase is evidenced by a writing sufficient to
1478 indicate that [(i)] (I) a contract for sale was made between the parties
1479 prior to or on April 4, 2013, for the purchase of the assault weapon, or
1480 [(ii)] (II) full or partial payment for the assault weapon was made by the
1481 purchaser to the seller of the assault weapon prior to or on April 4, 2013,
1482 or [(C)] (iii) actual possession under subparagraph [(A)] (A)(i) of this
1483 subdivision, or constructive possession under subparagraph [(B)] (A)(ii)
1484 of this subdivision, as evidenced by a written statement made under
1485 penalty of false statement on such form as the Commissioner of
1486 Emergency Services and Public Protection prescribes; or

1487 (B) With respect to a 2023 assault weapon, (i) actual possession that
1488 is lawful under sections 53-202b to 53-202k, inclusive, (ii) constructive
1489 possession pursuant to a lawful purchase transacted prior to the
1490 effective date of this section, regardless of whether such assault weapon
1491 was delivered to the purchaser prior to the effective date of this section,
1492 which lawful purchase is evidenced by a writing sufficient to indicate
1493 that (I) a contract for sale was made between the parties prior to the
1494 effective date of this section, for the purchase of such assault weapon, or
1495 (II) full or partial payment for such assault weapon was made by the
1496 purchaser to the seller of such assault weapon prior to the effective date
1497 of this section, or (iii) actual possession under subparagraph (B)(i) of this
1498 subdivision, or constructive possession under subparagraph (B)(ii) of
1499 this subdivision, as evidenced by a written statement made under
1500 penalty of false statement on such form as the Commissioner of
1501 Emergency Services and Public Protection prescribes;

1502 (8) "Pistol grip" means a grip or similar feature that can function as a
1503 grip for the trigger hand; [and]

1504 (9) "Second hand grip" means a grip or similar feature that can
1505 function as a grip that is additional to the trigger hand grip; and

1506 (10) "2023 assault weapon" means an assault weapon described in any
1507 provision of subparagraphs (G) to (I), inclusive, of subdivision (1) of this
1508 section.

1509 Sec. 24. Section 53-202c of the general statutes is repealed and the
1510 following is substituted in lieu thereof (*Effective from passage*):

1511 (a) Except as provided in section 53-202e, any person who, within this
1512 state, possesses an assault weapon, except as provided in sections 53-
1513 202a to 53-202k, inclusive, as amended by this act, and 53-202o, shall be
1514 guilty of a class D felony and shall be sentenced to a term of
1515 imprisonment of which one year may not be suspended or reduced by
1516 the court, except that a first-time violation of this subsection shall be a
1517 class A misdemeanor if (1) the person presents proof that such person
1518 lawfully possessed the assault weapon (A) prior to October 1, 1993, with
1519 respect to an assault weapon described in subparagraph (A) of
1520 subdivision (1) of section 53-202a, as amended by this act, [or] (B) on
1521 April 4, 2013, under the provisions of sections 53-202a to 53-202k,
1522 inclusive, as amended by this act, in effect on January 1, 2013, with
1523 respect to an assault weapon described in any provision of
1524 subparagraphs (B) to (F), inclusive, of subdivision (1) of section 53-202a,
1525 as amended by this act, or (C) on the date immediately preceding the
1526 effective date of this section, under the provisions of sections 53-202a to
1527 53-202k, inclusive, revision of 1958, revised to January 1, 2023, with
1528 respect to an assault weapon defined as a 2023 assault weapon in section
1529 53-202a, as amended by this act, and (2) the person has otherwise
1530 possessed the assault weapon in compliance with subsection (f) of
1531 section 53-202d.

1532 (b) The provisions of subsection (a) of this section shall not apply to
1533 the possession of assault weapons by: (1) The Department of Emergency
1534 Services and Public Protection, police departments, the Department of
1535 Correction, the Division of Criminal Justice, the Department of Motor

1536 Vehicles, the Department of Energy and Environmental Protection or
1537 the military or naval forces of this state or of the United States, (2) a
1538 sworn and duly certified member of an organized police department,
1539 the Division of State Police within the Department of Emergency
1540 Services and Public Protection or the Department of Correction, a chief
1541 inspector or inspector in the Division of Criminal Justice, a salaried
1542 inspector of motor vehicles designated by the Commissioner of Motor
1543 Vehicles, a conservation officer or special conservation officer appointed
1544 by the Commissioner of Energy and Environmental Protection pursuant
1545 to section 26-5, or a constable who is certified by the Police Officer
1546 Standards and Training Council and appointed by the chief executive
1547 authority of a town, city or borough to perform criminal law
1548 enforcement duties, for use by such sworn member, inspector, officer or
1549 constable in the discharge of such sworn member's, inspector's, officer's
1550 or constable's official duties or when off duty, (3) a member of the
1551 military or naval forces of this state or of the United States, or (4) a
1552 nuclear facility licensed by the United States Nuclear Regulatory
1553 Commission for the purpose of providing security services at such
1554 facility, or any contractor or subcontractor of such facility for the
1555 purpose of providing security services at such facility.

1556 (c) The provisions of subsection (a) of this section shall not apply to
1557 the possession of an assault weapon described in subparagraph (A) of
1558 subdivision (1) of section 53-202a, as amended by this act, by any person
1559 prior to July 1, 1994, if all of the following are applicable:

1560 (1) The person is eligible under sections 53-202a to 53-202k, inclusive,
1561 as amended by this act, to apply for a certificate of possession for the
1562 assault weapon by July 1, 1994;

1563 (2) The person lawfully possessed the assault weapon prior to
1564 October 1, 1993; and

1565 (3) The person is otherwise in compliance with sections 53-202a to 53-
1566 202k, inclusive, as amended by this act.

1567 (d) The provisions of subsection (a) of this section shall not apply to

1568 the possession of an assault weapon described in any provision of
1569 subparagraphs (B) to (F), inclusive, of subdivision (1) of section 53-202a,
1570 as amended by this act, by any person prior to April 5, 2013, if all of the
1571 following are applicable:

1572 (1) The person is eligible under sections 53-202a to 53-202k, inclusive,
1573 as amended by this act, to apply for a certificate of possession for the
1574 assault weapon by January 1, 2014;

1575 (2) The person lawfully possessed the assault weapon on April 4,
1576 2013, under the provisions of sections 53-202a to 53-202k, inclusive, as
1577 amended by this act, in effect on January 1, 2013; and

1578 (3) The person is otherwise in compliance with sections 53-202a to 53-
1579 202k, inclusive, as amended by this act.

1580 (e) The provisions of subsection (a) of this section shall not apply to
1581 the possession of a 2023 assault weapon by any person prior to May 1,
1582 2024, if all of the following are applicable:

1583 (1) The person is eligible under sections 53-202a to 53-202k, inclusive,
1584 as amended by this act, to apply for a certificate of possession for such
1585 assault weapon by May 1, 2024;

1586 (2) The person lawfully possessed such assault weapon on the date
1587 immediately preceding the effective date of this section, under the
1588 provisions of sections 53-202a to 53-202k, inclusive, as amended by this
1589 act, and section 53-202m of the general statutes, revision of 1958, revised
1590 to January 1, 2023; and

1591 (3) The person is otherwise in compliance with sections 53-202a to 53-
1592 202k, inclusive, as amended by this act.

1593 (f) The provisions of subsection (a) of this section shall not apply to
1594 the possession of a 2023 assault weapon by any person if all of the
1595 following are applicable:

1596 (1) Such assault weapon was reclassified for federal purposes as a

1597 rifle pursuant to the amendments to 27 CFR Parts 478 and 479 published
1598 at 88 Federal Register 6478 (January 31, 2023).

1599 (2) The person applied to register such assault weapon under the
1600 National Firearms Act, P. L. 73-474, as amended from time to time, using
1601 the form known as Form 1 published by the Bureau of Alcohol, Tobacco,
1602 Firearms and Explosives, and submitted a copy of such form to the
1603 Department of Emergency Services and Public Protection not later than
1604 August 1, 2023, and the Bureau of Alcohol, Tobacco, Firearms and
1605 Explosives has approved such application, has denied such application
1606 within the past thirty days, or has not yet processed such application.

1607 (3) The person lawfully possessed such assault weapon on the date
1608 immediately preceding the effective date of this section, under the
1609 provisions of sections 53-202a to 53-202k, inclusive, as amended by this
1610 act, and section 53-202m of the general statutes, revision of 1958, revised
1611 to January 1, 2023; and

1612 (4) The person is otherwise in compliance with sections 53-202a to 53-
1613 202k, inclusive, as amended by this act.

1614 [(e)] (g) The provisions of subsection (a) of this section shall not apply
1615 to a person who is the executor or administrator of an estate that
1616 includes an assault weapon, or the trustee of a trust that includes an
1617 assault weapon, for which a certificate of possession has been issued
1618 under section 53-202d, as amended by this act, if the assault weapon is
1619 possessed at a place set forth in subdivision (1) of subsection (f) of
1620 section 53-202d or as authorized by the Probate Court.

1621 [(f)] (h) The provisions of subsection (a) of this section shall not apply
1622 to the possession of a semiautomatic pistol that is defined as an assault
1623 weapon in any provision of subparagraphs (B) to (F), inclusive, of
1624 subdivision (1) of section 53-202a, as amended by this act, that the
1625 Commissioner of Emergency Services and Public Protection designates
1626 as being designed expressly for use in target shooting events at the
1627 Olympic games sponsored by the International Olympic Committee
1628 pursuant to regulations adopted under subdivision (4) of subsection (b)

1629 of section 53-202b that is (1) possessed and transported in accordance
1630 with subsection (f) of section 53-202d, or (2) possessed at or transported
1631 to or from a collegiate, Olympic or target pistol shooting competition in
1632 this state which is sponsored by, conducted under the auspices of, or
1633 approved by a law enforcement agency or a nationally or state
1634 recognized entity that fosters proficiency in, or promotes education
1635 about, firearms, provided such pistol is transported in the manner
1636 prescribed in subsection (a) of section 53-202f.

1637 Sec. 25. Subsections (a) and (b) of section 53-202d of the general
1638 statutes are repealed and the following is substituted in lieu thereof
1639 (*Effective from passage*):

1640 (a) (1) (A) Except as provided in subparagraph (B) of this subdivision,
1641 any person who lawfully possesses an assault weapon, as defined in
1642 subparagraph (A) of subdivision (1) of section 53-202a, as amended by
1643 this act, prior to October 1, 1993, shall apply by October 1, 1994, or, if
1644 such person is a member of the military or naval forces of this state or of
1645 the United States and is unable to apply by October 1, 1994, because such
1646 member is or was on official duty outside of this state, shall apply within
1647 ninety days of returning to the state to the Department of Emergency
1648 Services and Public Protection, for a certificate of possession with
1649 respect to such assault weapon.

1650 (B) No person who lawfully possesses an assault weapon pursuant to
1651 subdivision (1), (2) or (4) of subsection (b) of section 53-202c, as amended
1652 by this act, shall be required to obtain a certificate of possession
1653 pursuant to this subdivision with respect to an assault weapon used for
1654 official duties, except that any person described in subdivision (2) of
1655 subsection (b) of section 53-202c, as amended by this act, who purchases
1656 an assault weapon, as defined in subparagraph (A) of subdivision (1) of
1657 section 53-202a, as amended by this act, for use in the discharge of
1658 official duties who retires or is otherwise separated from service shall
1659 apply within ninety days of such retirement or separation from service
1660 to the Department of Emergency Services and Public Protection for a
1661 certificate of possession with respect to such assault weapon.

1662 (2) (A) Except as provided in subparagraph (B) of this subdivision,
1663 any person who lawfully possesses an assault weapon, as defined in any
1664 provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of
1665 section 53-202a, as amended by this act, on April 4, 2013, under the
1666 provisions of sections 53-202a to 53-202k, inclusive, as amended by this
1667 act, in effect on January 1, 2013, or any person who regains possession
1668 of an assault weapon as defined in any provision of said subparagraphs
1669 pursuant to subsection (e) of section 53-202f, or any person who lawfully
1670 purchases a firearm on or after April 4, 2013, but prior to June 18, 2013,
1671 that meets the criteria set forth in subdivision (3) or (4) of subsection (a)
1672 of section 53-202a of the general statutes, revision of 1958, revised to
1673 January 1, 2013, shall apply by January 1, 2014, or, if such person is a
1674 member of the military or naval forces of this state or of the United
1675 States and is unable to apply by January 1, 2014, because such member
1676 is or was on official duty outside of this state, shall apply within ninety
1677 days of returning to the state to the Department of Emergency Services
1678 and Public Protection for a certificate of possession with respect to such
1679 assault weapon. Any person who lawfully purchases a semiautomatic
1680 pistol that is defined as an assault weapon in any provision of
1681 subparagraphs (B) to (F), inclusive, of subdivision (1) of section 53-202a,
1682 as amended by this act, that the Commissioner of Emergency Services
1683 and Public Protection designates as being designed expressly for use in
1684 target shooting events at the Olympic games sponsored by the
1685 International Olympic Committee pursuant to regulations adopted
1686 under subdivision (4) of subsection (b) of section 53-202b shall apply
1687 within ninety days of such purchase to the Department of Emergency
1688 Services and Public Protection for a certificate of possession with respect
1689 to such assault weapon.

1690 (B) No person who lawfully possesses an assault weapon pursuant to
1691 subdivision (1), (2) or (4) of subsection (b) of section 53-202c, as amended
1692 by this act, shall be required to obtain a certificate of possession
1693 pursuant to this subdivision with respect to an assault weapon used for
1694 official duties, except that any person described in subdivision (2) of
1695 subsection (b) of section 53-202c, as amended by this act, who purchases

1696 an assault weapon, as defined in any provision of subparagraphs (B) to
1697 (F), inclusive, of subdivision (1) of section 53-202a, as amended by this
1698 act, for use in the discharge of official duties who retires or is otherwise
1699 separated from service shall apply within ninety days of such retirement
1700 or separation from service to the Department of Emergency Services and
1701 Public Protection for a certificate of possession with respect to such
1702 assault weapon.

1703 (3) Any person who obtained a certificate of possession for an assault
1704 weapon, as defined in subparagraph (A) of subdivision (1) of section 53-
1705 202a, as amended by this act, prior to April 5, 2013, that is defined as an
1706 assault weapon pursuant to any provision of subparagraphs (B) to (F),
1707 inclusive, of subdivision (1) of section 53-202a, as amended by this act,
1708 shall be deemed to have obtained a certificate of possession for such
1709 assault weapon for the purposes of sections 53-202a to 53-202k,
1710 inclusive, as amended by this act, and shall not be required to obtain a
1711 subsequent certificate of possession for such assault weapon.

1712 (4) (A) Except as provided in subparagraphs (B) and (C) of this
1713 subdivision, any person who lawfully possesses a 2023 assault weapon
1714 on the date immediately preceding the effective date of this section,
1715 under the provisions of sections 53-202a to 53-202k, inclusive, as
1716 amended by this act, in effect on January 1, 2023, or any person who
1717 regains possession of a 2023 assault weapon pursuant to subdivision (2)
1718 of subsection (e) of section 53-202f, as amended by this act, shall apply
1719 by May 1, 2024, or, if such person is a member of the military or naval
1720 forces of this state or of the United States and is unable to apply by May
1721 1, 2024, because such member is or was on official duty outside of this
1722 state, shall apply within ninety days of returning to the state to the
1723 Department of Emergency Services and Public Protection for a
1724 certificate of possession with respect to such assault weapon. The
1725 Department of Emergency Services and Public Protection shall accept
1726 applications both in paper and electronic form, to the extent practicable,
1727 and shall not require such applications be notarized.

1728 (B) No person who lawfully possesses an assault weapon pursuant to

1729 subdivision (1), (2) or (4) of subsection (b) of section 53-202c, as amended
1730 by this act, shall be required to obtain a certificate of possession
1731 pursuant to this subdivision with respect to an assault weapon used for
1732 official duties, except that any person described in subdivision (2) of
1733 subsection (b) of section 53-202c, as amended by this act, who purchases
1734 a 2023 assault weapon for use in the discharge of official duties who
1735 retires or is otherwise separated from service shall apply within ninety
1736 days of such retirement or separation from service to the Department of
1737 Emergency Services and Public Protection for a certificate of possession
1738 with respect to such assault weapon.

1739 (C) Any person who lawfully possesses a 2023 assault weapon
1740 pursuant to the provisions of subsection (f) of section 53-202c, as
1741 amended by this act, and whose Form 1 application to the Bureau of
1742 Alcohol, Tobacco, Firearms and Explosives has not yet been processed
1743 may, instead of following the procedure specified in subparagraph (A)
1744 of this subdivision, apply by May 1, 2024, to the Department of
1745 Emergency Services and Public Protection for a temporary certificate of
1746 possession with respect to such assault weapon. Such temporary
1747 certificate of possession shall expire on the earlier of January 1, 2027, and
1748 the date seven days succeeding a denial of the Form 1 application. When
1749 the Form 1 application is approved with respect to such assault weapon,
1750 such person may apply to the Department of Emergency Services and
1751 Public Protection to convert such temporary certificate of possession
1752 into a certificate of possession with respect to such assault weapon. If a
1753 complete application to convert is received, the Commissioner of
1754 Emergency Services and Public Protection shall approve the application.
1755 For the purposes of this subparagraph, a full and complete Form 1
1756 application submitted to the Department of Emergency Services and
1757 Public Protection in a form and manner determined by the department
1758 shall be sufficient to constitute a complete application for a temporary
1759 certificate of possession, and a copy of the notice that a Form 1
1760 application has been approved shall constitute a complete application
1761 to convert a temporary certificate of possession into a certificate of
1762 possession. The Department of Emergency Services and Public

1763 Protection shall accept applications under this subparagraph both in
1764 paper and electronic form, to the extent practicable, and shall not require
1765 such applications to be notarized.

1766 (5) Any person who obtained a certificate of possession for an assault
1767 weapon, as defined in any provision of subparagraphs (A) to (F),
1768 inclusive, of subdivision (1) of section 53-202a, as amended by this act,
1769 prior to the effective date of this section, that is also a 2023 assault
1770 weapon shall be deemed to have obtained a certificate of possession for
1771 such assault weapon for the purposes of sections 53-202a to 53-202k,
1772 inclusive, as amended by this act, and shall not be required to obtain a
1773 subsequent certificate of possession for such assault weapon.

1774 ~~[(4)]~~ (6) The certificate of possession shall contain a description of the
1775 firearm that identifies it uniquely, including all identification marks, the
1776 full name, address, date of birth and thumbprint of the owner, and any
1777 other information as the department may deem appropriate.

1778 ~~[(5)]~~ (7) The department shall adopt regulations, in accordance with
1779 the provisions of chapter 54, to establish procedures with respect to the
1780 application for and issuance of certificates of possession pursuant to this
1781 section. Notwithstanding the provisions of sections 1-210 and 1-211, the
1782 name and address of a person issued a certificate of possession shall be
1783 confidential and shall not be disclosed, except such records may be
1784 disclosed to (A) law enforcement agencies and employees of the United
1785 States Probation Office acting in the performance of their duties and
1786 parole officers within the Department of Correction acting in the
1787 performance of their duties, and (B) the Commissioner of Mental Health
1788 and Addiction Services to carry out the provisions of subsection (c) of
1789 section 17a-500.

1790 (b) (1) No assault weapon, as defined in subparagraph (A) of
1791 subdivision (1) of section 53-202a, as amended by this act, possessed
1792 pursuant to a certificate of possession issued under this section may be
1793 sold or transferred on or after January 1, 1994, to any person within this
1794 state other than to a licensed gun dealer, as defined in subsection (f) of

1795 section 53-202f, as amended by this act, or as provided in section 53-
1796 202e, or by bequest or intestate succession, or, upon the death of a
1797 testator or settlor: (A) To a trust, or (B) from a trust to a beneficiary who
1798 is eligible to possess the assault weapon.

1799 (2) No assault weapon, as defined in any provision of subparagraphs
1800 (B) to (F), inclusive, of subdivision (1) of section 53-202a, as amended by
1801 this act, possessed pursuant to a certificate of possession issued under
1802 this section may be sold or transferred on or after April 5, 2013, to any
1803 person within this state other than to a licensed gun dealer, as defined
1804 in subsection (f) of section 53-202f, as amended by this act, or as
1805 provided in section 53-202e, or by bequest or intestate succession, or,
1806 upon the death of a testator or settlor: (A) To a trust, or (B) from a trust
1807 to a beneficiary who is eligible to possess the assault weapon.

1808 (3) No 2023 assault weapon possessed pursuant to a certificate of
1809 possession issued under this section may be sold or transferred on or
1810 after the effective date of this section, to any person within this state
1811 other than to a licensed gun dealer, or as provided in section 53-202e, or
1812 by bequest or intestate succession, or, upon the death of a testator or
1813 settlor: (A) To a trust, or (B) from a trust to a beneficiary who is eligible
1814 to possess the assault weapon.

1815 Sec. 26. Subsection (b) of section 29-36n of the general statutes is
1816 repealed and the following is substituted in lieu thereof (*Effective from*
1817 *passage*):

1818 (b) The Commissioner of Emergency Services and Public Protection,
1819 in conjunction with the Chief State's Attorney and the Connecticut
1820 Police Chiefs Association, shall update the protocol developed pursuant
1821 to subsection (a) of this section to reflect the provisions of sections 29-
1822 7h, 29-28, as amended by this act, 29-28a, as amended by this act, 29-29,
1823 29-30, as amended by this act, 29-32 and 29-35, as amended by this act,
1824 subsections (b) and (h) of section 46b-15, subsections (c) and (d) of
1825 section 46b-38c and sections 53-202a, as amended by this act, 53-202l [,
1826 53-202m] and 53a-217, as amended by this act, and shall include in such

1827 protocol specific instructions for the transfer, delivery or surrender of
1828 pistols and revolvers and other firearms and ammunition when the
1829 assistance of more than one law enforcement agency is necessary to
1830 effect the requirements of section 29-36k.

1831 Sec. 27. Section 53-202w of the general statutes is repealed and the
1832 following is substituted in lieu thereof (*Effective October 1, 2023*):

1833 (a) As used in this section and section 53-202x:

1834 (1) "Large capacity magazine" means any firearm magazine, belt,
1835 drum, feed strip or similar device that has the capacity of, or can be
1836 readily restored or converted to accept, more than ten rounds of
1837 ammunition, but does not include: (A) A feeding device that has been
1838 permanently altered so that it cannot accommodate more than ten
1839 rounds of ammunition, (B) a .22 caliber tube ammunition feeding
1840 device, (C) a tubular magazine that is contained in a lever-action
1841 firearm, or (D) a magazine that is permanently inoperable;

1842 (2) "Lawfully possesses", with respect to a large capacity magazine,
1843 means that a person has (A) actual and lawful possession of the large
1844 capacity magazine, (B) constructive possession of the large capacity
1845 magazine pursuant to a lawful purchase of a firearm that contains a
1846 large capacity magazine that was transacted prior to or on April 4, 2013,
1847 regardless of whether the firearm was delivered to the purchaser prior
1848 to or on April 4, 2013, which lawful purchase is evidenced by a writing
1849 sufficient to indicate that (i) a contract for sale was made between the
1850 parties prior to or on April 4, 2013, for the purchase of the firearm, or (ii)
1851 full or partial payment for the firearm was made by the purchaser to the
1852 seller of the firearm prior to or on April 4, 2013, or (C) actual possession
1853 under subparagraph (A) of this subdivision, or constructive possession
1854 under subparagraph (B) of this subdivision, as evidenced by a written
1855 statement made under penalty of false statement on such form as the
1856 Commissioner of Emergency Services and Public Protection prescribes;
1857 and

1858 (3) "Licensed gun dealer" means a person who has a federal firearms

1859 license and a permit to sell firearms pursuant to section 29-28.

1860 (b) Except as provided in this section, on and after April 5, 2013, any
1861 person who, within this state, distributes, imports into this state, keeps
1862 for sale, offers or exposes for sale, or purchases a large capacity
1863 magazine shall be guilty of a class D felony. On and after April 5, 2013,
1864 any person who, within this state, transfers a large capacity magazine,
1865 except as provided in subsection (f) of this section, shall be guilty of a
1866 class D felony.

1867 (c) Except as provided in this section and section 53-202x₂ [(1) Any
1868 person who possesses a large capacity magazine on or after January 1,
1869 2014, that was obtained prior to April 5, 2013, shall commit an infraction
1870 and be fined not more than ninety dollars for a first offense and shall be
1871 guilty of a class D felony for any subsequent offense, and (2) any person
1872 who possesses a large capacity magazine on or after January 1, 2014, that
1873 was obtained on or after April 5, 2013, shall be guilty of a class D felony]
1874 any person who possesses a large capacity magazine shall be guilty of a
1875 (1) class D felony if such person is ineligible to possess a firearm under
1876 state or federal law, or (2) class A misdemeanor if such person is not
1877 ineligible to possess a firearm under state or federal law.

1878 (d) A large capacity magazine may be possessed, purchased or
1879 imported by:

1880 (1) The Department of Emergency Services and Public Protection,
1881 police departments, the Department of Correction, the Division of
1882 Criminal Justice, the Department of Motor Vehicles, the Department of
1883 Energy and Environmental Protection or the military or naval forces of
1884 this state or of the United States;

1885 (2) A sworn and duly certified member of an organized police
1886 department, the Division of State Police within the Department of
1887 Emergency Services and Public Protection or the Department of
1888 Correction, a chief inspector or inspector in the Division of Criminal
1889 Justice, a salaried inspector of motor vehicles designated by the
1890 Commissioner of Motor Vehicles, a conservation officer or special

1891 conservation officer appointed by the Commissioner of Energy and
1892 Environmental Protection pursuant to section 26-5, or a constable who
1893 is certified by the Police Officer Standards and Training Council and
1894 appointed by the chief executive authority of a town, city or borough to
1895 perform criminal law enforcement duties, for use by such sworn
1896 member, inspector, officer or constable in the discharge of such sworn
1897 member's, inspector's, officer's or constable's official duties or when off
1898 duty;

1899 (3) A member of the military or naval forces of this state or of the
1900 United States;

1901 (4) A nuclear facility licensed by the United States Nuclear
1902 Regulatory Commission for the purpose of providing security services
1903 at such facility, or any contractor or subcontractor of such facility for the
1904 purpose of providing security services at such facility;

1905 (5) Any person who is sworn and acts as a policeman on behalf of an
1906 armored car service pursuant to section 29-20 in the discharge of such
1907 person's official duties; or

1908 (6) Any person, firm or corporation engaged in the business of
1909 manufacturing large capacity magazines in this state that manufactures,
1910 purchases, tests or transports large capacity magazines in this state for
1911 sale within this state to persons specified in subdivisions (1) to (5),
1912 inclusive, of this subsection or for sale outside this state, or a federally-
1913 licensed firearm manufacturer engaged in the business of
1914 manufacturing firearms or large capacity magazines in this state that
1915 manufactures, purchases, tests or transports firearms or large capacity
1916 magazines in this state for sale within this state to persons specified in
1917 subdivisions (1) to (5), inclusive, of this subsection or for sale outside
1918 this state.

1919 (e) A large capacity magazine may be possessed by:

1920 (1) A licensed gun dealer;

1921 (2) A gunsmith who is in a licensed gun dealer's employ, who
1922 possesses such large capacity magazine for the purpose of servicing or
1923 repairing a lawfully possessed large capacity magazine;

1924 (3) A person, firm, corporation or federally-licensed firearm
1925 manufacturer described in subdivision (6) of subsection (d) of this
1926 section that possesses a large capacity magazine that is lawfully
1927 possessed by another person for the purpose of servicing or repairing
1928 the large capacity magazine;

1929 (4) Any person who has declared possession of the magazine
1930 pursuant to section 53-202x; or

1931 (5) Any person who is the executor or administrator of an estate that
1932 includes a large capacity magazine, or the trustee of a trust that includes
1933 a large capacity magazine, the possession of which has been declared to
1934 the Department of Emergency Services and Public Protection pursuant
1935 to section 53-202x, which is disposed of as authorized by the Probate
1936 Court, if the disposition is otherwise permitted by this section and
1937 section 53-202x.

1938 (f) Subsection (b) of this section shall not prohibit:

1939 (1) The transfer of a large capacity magazine, the possession of which
1940 has been declared to the Department of Emergency Services and Public
1941 Protection pursuant to section 53-202x, by bequest or intestate
1942 succession, or, upon the death of a testator or settlor: (A) To a trust, or
1943 (B) from a trust to a beneficiary;

1944 (2) The transfer of a large capacity magazine to a police department
1945 or the Department of Emergency Services and Public Protection;

1946 (3) The transfer of a large capacity magazine to a licensed gun dealer
1947 in accordance with section 53-202x; or

1948 (4) The transfer of a large capacity magazine prior to October 1, 2013,
1949 from a licensed gun dealer, pawnbroker licensed under section 21-40, or
1950 consignment shop operator, as defined in section 21-39a, to any person

1951 who (A) possessed the large capacity magazine prior to or on April 4,
1952 2013, (B) placed a firearm that such person legally possessed, with the
1953 large capacity magazine included or attached, in the possession of such
1954 dealer, pawnbroker or operator prior to or on April 4, 2013, pursuant to
1955 an agreement between such person and such dealer, pawnbroker or
1956 operator for the sale of the firearm to a third person, and (C) is eligible
1957 to possess the firearm on the date of such transfer.

1958 (g) [If] The court may order suspension of prosecution in addition to
1959 any other diversionary programs available to the defendant, if the court
1960 finds that a violation of this section is not of a serious nature and that
1961 the person charged with such violation (1) will probably not offend in
1962 the future, (2) has not previously been convicted of a violation of this
1963 section, and (3) has not previously had a prosecution under this section
1964 suspended pursuant to this subsection, it may order suspension of
1965 prosecution in accordance with the provisions of subsection [(h)] (i) of
1966 section 29-33, as amended by this act.

1967 Sec. 28. Subsections (a) and (b) of section 29-37p of the general
1968 statutes are repealed and the following is substituted in lieu thereof
1969 (*Effective October 1, 2023*):

1970 (a) Any person who is eighteen years of age or older may apply to the
1971 Commissioner of Emergency Services and Public Protection for a long
1972 gun eligibility certificate.

1973 (b) The Commissioner of Emergency Services and Public Protection
1974 shall issue a long gun eligibility certificate unless said commissioner
1975 finds that the applicant: (1) [Has] (A) For any application filed prior to
1976 July 1, 2024, has failed to successfully complete a course approved by
1977 the Commissioner of Emergency Services and Public Protection in the
1978 safety and use of firearms including, but not limited to, a safety or
1979 training course in the use of firearms available to the public offered by
1980 a law enforcement agency, a private or public educational institution or
1981 a firearms training school, utilizing instructors certified by the National
1982 Rifle Association or the Department of Energy and Environmental

1983 Protection and a safety or training course in the use of firearms
1984 conducted by an instructor certified by the state or the National Rifle
1985 Association, or (B) for any application filed on or after July 1, 2024, has
1986 failed to successfully complete, not earlier than two years prior to the
1987 submission of such application, a course approved by the Commissioner
1988 of Emergency Services and Public Protection in the safety and use of
1989 firearms, which courses may include those certified by the National
1990 Rifle Association or other organizations, conducted by an instructor
1991 certified by the National Rifle Association or by the state, provided any
1992 such course includes instruction in state law requirements pertaining to
1993 safe storage in the home and in vehicles, lawful use of firearms and
1994 lawful carrying of firearms in public; (2) has been convicted of (A) a
1995 felony, (B) a misdemeanor violation of section 21a-279 on or after
1996 October 1, 2015, [or] (C) a misdemeanor violation of section 53a-58, 53a-
1997 61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d
1998 during the preceding twenty years, or (D) a misdemeanor violation of
1999 any law of this state that has been designated as a family violence crime
2000 pursuant to section 46b-38h; (3) has been convicted as delinquent for the
2001 commission of a serious juvenile offense, as defined in section 46b-120;
2002 (4) has been discharged from custody within the preceding twenty years
2003 after having been found not guilty of a crime by reason of mental disease
2004 or defect pursuant to section 53a-13; (5) has been confined in a hospital
2005 for persons with psychiatric disabilities, as defined in section 17a-495,
2006 within the preceding sixty months by order of a probate court; (6) has
2007 been voluntarily admitted to a hospital for persons with psychiatric
2008 disabilities, as defined in section 17a-495, within the preceding six
2009 months for care and treatment of a psychiatric disability and not solely
2010 for being an alcohol-dependent person or a drug-dependent person as
2011 those terms are defined in section 17a-680; (7) is subject to a restraining
2012 or protective order issued by a court in a case involving the use,
2013 attempted use or threatened use of physical force against another
2014 person, including an ex parte order issued pursuant to section 46b-15 or
2015 46b-16a; (8) is subject to a firearms seizure order issued prior to June 1,
2016 2022, pursuant to section 29-38c after notice and hearing, or a risk
2017 protection order or risk protection investigation order issued on or after

2018 June 1, 2022, pursuant to section 29-38c; (9) is prohibited from shipping,
2019 transporting, possessing or receiving a firearm pursuant to [18 USC
2020 922(g)(4)] 18 USC 922(g)(2), (g)(4) or (g)(9); or (10) is an alien illegally or
2021 unlawfully in the United States.

2022 Sec. 29. Subsection (b) of section 29-28 of the general statutes is
2023 repealed and the following is substituted in lieu thereof (*Effective October*
2024 *1, 2023*):

2025 (b) Upon the application of any person having a bona fide permanent
2026 residence within the jurisdiction of any such authority, such chief of
2027 police or, where there is no chief of police, such chief executive officer
2028 or designated resident state trooper or state police officer, as applicable,
2029 may issue a temporary state permit to such person to carry a pistol or
2030 revolver within the state, provided such authority shall find that such
2031 applicant intends to make no use of any pistol or revolver which such
2032 applicant may be permitted to carry under such permit other than a
2033 lawful use and that such person is a suitable person to receive such
2034 permit. If the applicant has a bona fide permanent residence within the
2035 jurisdiction of any federally recognized Native American tribe within
2036 the borders of the state, and such tribe has a law enforcement unit, as
2037 defined in section 7-294a, the chief of police of such law enforcement
2038 unit may issue a temporary state permit to such person pursuant to the
2039 provisions of this subsection, and any chief of police of any other law
2040 enforcement unit having jurisdiction over an area containing such
2041 person's bona fide permanent residence shall not issue such temporary
2042 state permit if such tribal law enforcement unit accepts applications for
2043 temporary state permits. No state or temporary state permit to carry a
2044 pistol or revolver shall be issued under this subsection if the applicant:
2045 (1) (A) For any application filed prior to July 1, 2024, has failed to
2046 successfully complete a course approved by the Commissioner of
2047 Emergency Services and Public Protection in the safety and use of
2048 pistols and revolvers including, but not limited to, a safety or training
2049 course in the use of pistols and revolvers available to the public offered
2050 by a law enforcement agency, a private or public educational institution
2051 or a firearms training school, utilizing instructors certified by the

2052 National Rifle Association or the Department of Energy and
2053 Environmental Protection and a safety or training course in the use of
2054 pistols or revolvers conducted by an instructor certified by the state or
2055 the National Rifle Association, and (B) for any application filed on or
2056 after July 1, 2024, has failed to successfully complete, not earlier than
2057 two years prior to the submission of such application, a course approved
2058 by the Commissioner of Emergency Services and Public Protection in
2059 the safety and use of firearms, which courses may include those certified
2060 by the National Rifle Association or other organizations, conducted by
2061 an instructor certified by the National Rifle Association or by the state,
2062 provided any such course includes instruction in state law requirements
2063 pertaining to safe storage in the home and in vehicles, lawful use of
2064 firearms and lawful carrying of firearms in public. Any person wishing
2065 to provide such course, may apply in the form and manner prescribed
2066 by the commissioner. The commissioner shall approve or deny any
2067 application for provision of such a course not later than July 1, 2024, in
2068 the case of an application submitted before October 1, 2023; (2) has been
2069 convicted of (A) a felony, [or] (B) a misdemeanor violation of section
2070 21a-279 on or after October 1, 2015, [or] (C) a misdemeanor violation of
2071 section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176,
2072 53a-178 or 53a-181d during the preceding twenty years, a misdemeanor
2073 violation of any law of this state that has been designated as a family
2074 violence crime pursuant to section 46b-38h; (3) has been convicted as
2075 delinquent for the commission of a serious juvenile offense, as defined
2076 in section 46b-120; [.] (4) has been discharged from custody within the
2077 preceding twenty years after having been found not guilty of a crime by
2078 reason of mental disease or defect pursuant to section 53a-13; [.] (5) (A)
2079 has been confined in a hospital for persons with psychiatric disabilities,
2080 as defined in section 17a-495, within the preceding sixty months by
2081 order of a probate court, or (B) has been voluntarily admitted on or after
2082 October 1, 2013, to a hospital for persons with psychiatric disabilities, as
2083 defined in section 17a-495, within the preceding six months for care and
2084 treatment of a psychiatric disability and not solely for being an alcohol-
2085 dependent person or a drug-dependent person, as those terms are
2086 defined in section 17a-680; [.] (6) is subject to a restraining or protective

2087 order issued by a court in a case involving the use, attempted use or
2088 threatened use of physical force against another person, including an ex
2089 parte order issued pursuant to section 46b-15 or 46b-16a; [] (7) is subject
2090 to a firearms seizure order issued prior to June 1, 2022, pursuant to
2091 section 29-38c after notice and hearing, or a risk protection order or risk
2092 protection investigation order issued on or after June 1, 2022, pursuant
2093 to section 29-38c; [] (8) is prohibited from shipping, transporting,
2094 possessing or receiving a firearm pursuant to [18 USC 922(g)(4),] 18 USC
2095 922(g)(2), (g)(4) or (g)(9); (9) is an alien illegally or unlawfully in the
2096 United States; [] or (10) is less than twenty-one years of age. Nothing in
2097 this section shall require any person who holds a valid permit to carry a
2098 pistol or revolver on [October 1, 1994] July 1, 2024, to participate in any
2099 additional training in the safety and use of pistols and revolvers. No
2100 person may apply for a temporary state permit to carry a pistol or
2101 revolver more than once within any twelve-month period, and no
2102 temporary state permit to carry a pistol or revolver shall be issued to
2103 any person who has applied for such permit more than once within the
2104 preceding twelve months. Any person who applies for a temporary state
2105 permit to carry a pistol or revolver shall indicate in writing on the
2106 application, under penalty of false statement in such manner as the
2107 issuing authority prescribes, that such person has not applied for a
2108 temporary state permit to carry a pistol or revolver within the past
2109 twelve months. Upon issuance of a temporary state permit to carry a
2110 pistol or revolver to the applicant, the local authority shall forward the
2111 original application to the commissioner. Not later than sixty days after
2112 receiving a temporary state permit, an applicant shall appear at a
2113 location designated by the commissioner to receive the state permit. The
2114 commissioner may then issue, to any holder of any temporary state
2115 permit, a state permit to carry a pistol or revolver within the state. Upon
2116 issuance of the state permit, the commissioner shall make available to
2117 the permit holder a copy of the law regarding the permit holder's
2118 responsibility to report the loss or theft of a firearm and the penalties
2119 associated with the failure to comply with such law. Upon issuance of
2120 the state permit, the commissioner shall forward a record of such permit
2121 to the local authority issuing the temporary state permit. The

2122 commissioner shall retain records of all applications, whether approved
2123 or denied. The copy of the state permit delivered to the permittee shall
2124 be laminated and shall contain a full-face photograph of such permittee.
2125 A person holding a state permit issued pursuant to this subsection shall
2126 notify the issuing authority within two business days of any change of
2127 such person's address. The notification shall include the old address and
2128 the new address of such person.

2129 Sec. 30. Subsection (b) of section 29-36f of the general statutes is
2130 repealed and the following is substituted in lieu thereof (*Effective October*
2131 *1, 2023*):

2132 (b) The Commissioner of Emergency Services and Public Protection
2133 shall issue an eligibility certificate unless said commissioner finds that
2134 the applicant: (1) [Has] (A) For any application filed prior to July 1, 2024,
2135 has failed to successfully complete a course approved by the
2136 Commissioner of Emergency Services and Public Protection in the
2137 safety and use of pistols and revolvers including, but not limited to, a
2138 safety or training course in the use of pistols and revolvers available to
2139 the public offered by a law enforcement agency, a private or public
2140 educational institution or a firearms training school, utilizing instructors
2141 certified by the National Rifle Association or the Department of Energy
2142 and Environmental Protection and a safety or training course in the use
2143 of pistols or revolvers conducted by an instructor certified by the state
2144 or the National Rifle Association, or (B) for any application filed on or
2145 after July 1, 2024, has failed to successfully complete, not earlier than
2146 two years prior to the submission of such application, a course approved
2147 by the Commissioner of Emergency Services and Public Protection in
2148 the safety and use of firearms, which courses may include those certified
2149 by the National Rifle Association or other organizations, conducted by
2150 an instructor certified by the National Rifle Association or by the state,
2151 provided any such course includes instruction in state law requirements
2152 pertaining to safe storage in the home and in vehicles, lawful use of
2153 firearms and lawful carrying of firearms in public; (2) has been
2154 convicted of (A) a felony, (B) a misdemeanor violation of section 21a-279
2155 on or after October 1, 2015, [or] (C) a misdemeanor violation of section

2156 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178
2157 or 53a-181d during the preceding twenty years, or (D) a misdemeanor
2158 violation of any law of this state that has been designated as a family
2159 violence crime pursuant to section 46b-38h; (3) has been convicted as
2160 delinquent for the commission of a serious juvenile offense, as defined
2161 in section 46b-120; (4) has been discharged from custody within the
2162 preceding twenty years after having been found not guilty of a crime by
2163 reason of mental disease or defect pursuant to section 53a-13; (5) (A) has
2164 been confined in a hospital for persons with psychiatric disabilities, as
2165 defined in section 17a-495, within the preceding sixty months by order
2166 of a probate court; or (B) has been voluntarily admitted on or after
2167 October 1, 2013, to a hospital for persons with psychiatric disabilities, as
2168 defined in section 17a-495, within the preceding six months for care and
2169 treatment of a psychiatric disability and not solely for being an alcohol-
2170 dependent person or a drug-dependent person as those terms are
2171 defined in section 17a-680; (6) is subject to a restraining or protective
2172 order issued by a court in a case involving the use, attempted use or
2173 threatened use of physical force against another person, including an ex
2174 parte order issued pursuant to section 46b-15 or section 46b-16a; (7) is
2175 subject to a firearms seizure order issued prior to June 1, 2022, pursuant
2176 to section 29-38c after notice and hearing, or a risk protection order or
2177 risk protection investigation order issued on or after June 1, 2022,
2178 pursuant to section 29-38c; (8) is prohibited from shipping, transporting,
2179 possessing or receiving a firearm pursuant to [18 USC 922(g)(4)] 18 USC
2180 922(g)(2), (g)(4) or (g)(9); or (9) is an alien illegally or unlawfully in the
2181 United States.

2182 Sec. 31. Section 53a-217 of the general statutes is repealed and the
2183 following is substituted in lieu thereof (*Effective October 1, 2023*):

2184 (a) A person is guilty of criminal possession of a firearm, ammunition
2185 or an electronic defense weapon when such person possesses a firearm,
2186 ammunition or an electronic defense weapon and (1) has been convicted
2187 of (A) a felony committed prior to, on or after October 1, 2013, (B) a
2188 misdemeanor violation of section 21a-279 on or after October 1, 2015,
2189 [or] (C) a misdemeanor violation of section 53a-58, 53a-61, 53a-61a, 53a-

2190 62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d committed on
2191 or after October 1, 2013, and during the preceding twenty years, or (D)
2192 a misdemeanor violation of any law of this state that has been
2193 designated as a family violence crime pursuant to section 46b-38h and
2194 was committed on or after October 1, 2023, (2) has been convicted as
2195 delinquent for the commission of a serious juvenile offense, as defined
2196 in section 46b-120, (3) has been discharged from custody within the
2197 preceding twenty years after having been found not guilty of a crime by
2198 reason of mental disease or defect pursuant to section 53a-13, (4) knows
2199 that such person is subject to (A) a restraining or protective order of a
2200 court of this state that has been issued against such person, after notice
2201 has been provided to such person, in a case involving the use, attempted
2202 use or threatened use of physical force against another person, or (B) a
2203 foreign order of protection, as defined in section 46b-15a, that has been
2204 issued against such person in a case involving the use, attempted use or
2205 threatened use of physical force against another person, (5) (A) has been
2206 confined on or after October 1, 2013, in a hospital for persons with
2207 psychiatric disabilities, as defined in section 17a-495, within the
2208 preceding sixty months by order of a probate court, or with respect to
2209 any person who holds a valid permit or certificate that was issued or
2210 renewed under the provisions of section 29-28, as amended by this act,
2211 or 29-36f, as amended by this act, in effect prior to October 1, 2013, such
2212 person has been confined in such hospital within the preceding twelve
2213 months, or (B) has been voluntarily admitted on or after October 1, 2013,
2214 to a hospital for persons with psychiatric disabilities, as defined in
2215 section 17a-495, within the preceding six months for care and treatment
2216 of a psychiatric disability, unless the person (i) was voluntarily admitted
2217 solely for being an alcohol-dependent person or a drug-dependent
2218 person as those terms are defined in section 17a-680, or (ii) is a police
2219 officer who was voluntarily admitted and had his or her firearm,
2220 ammunition or electronic defense weapon used in the performance of
2221 the police officer's official duties returned in accordance with section 7-
2222 291d, (6) knows that such person is subject to a firearms seizure order
2223 issued prior to June 1, 2022, pursuant to section 29-38c after notice and
2224 an opportunity to be heard has been provided to such person, or a risk

2225 protection order or risk protection investigation order issued on or after
2226 June 1, 2022, pursuant to section 29-38c, or (7) is prohibited from
2227 shipping, transporting, possessing or receiving a firearm pursuant to [18
2228 USC 922(g)(4)] 18 USC 922(g)(2), (g)(4) or (g)(9). For the purposes of this
2229 section, "convicted" means having a judgment of conviction entered by
2230 a court of competent jurisdiction, "ammunition" means a loaded
2231 cartridge, consisting of a primed case, propellant or projectile, designed
2232 for use in any firearm, and a motor vehicle violation for which a
2233 sentence to a term of imprisonment of more than one year may be
2234 imposed shall be deemed an unclassified felony.

2235 (b) Criminal possession of a firearm, ammunition or an electronic
2236 defense weapon is a class C felony, for which two years and one day of
2237 the sentence imposed may not be suspended or reduced by the court,
2238 and five thousand dollars of the fine imposed may not be remitted or
2239 reduced by the court unless the court states on the record its reasons for
2240 remitting or reducing such fine.

2241 Sec. 32. Section 53a-217c of the general statutes is repealed and the
2242 following is substituted in lieu thereof (*Effective October 1, 2023*):

2243 (a) A person is guilty of criminal possession of a pistol or revolver
2244 when such person possesses a pistol or revolver, as defined in section
2245 29-27, and (1) has been convicted of (A) a felony committed prior to, on
2246 or after October 1, 2013, (B) a misdemeanor violation of section 21a-279
2247 committed on or after October 1, 2015, [or] (C) a misdemeanor violation
2248 of section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-
2249 176, 53a-178 or 53a-181d committed during the preceding twenty years,
2250 or (D) a misdemeanor violation of any law of this state that has been
2251 designated as a family violence crime pursuant to section 46b-38h and
2252 was committed on or after October 1, 2023, (2) has been convicted as
2253 delinquent for the commission of a serious juvenile offense, as defined
2254 in section 46b-120, (3) has been discharged from custody within the
2255 preceding twenty years after having been found not guilty of a crime by
2256 reason of mental disease or defect pursuant to section 53a-13, (4) (A) has
2257 been confined prior to October 1, 2013, in a hospital for persons with

2258 psychiatric disabilities, as defined in section 17a-495, within the
2259 preceding twelve months by order of a probate court, or has been
2260 confined on or after October 1, 2013, in a hospital for persons with
2261 psychiatric disabilities, as defined in section 17a-495, within the
2262 preceding sixty months by order of a probate court, or, with respect to
2263 any person who holds a valid permit or certificate that was issued or
2264 renewed under the provisions of section 29-28, as amended by this act,
2265 or 29-36f, as amended by this act, in effect prior to October 1, 2013, such
2266 person has been confined in such hospital within the preceding twelve
2267 months, or (B) has been voluntarily admitted on or after October 1, 2013,
2268 to a hospital for persons with psychiatric disabilities, as defined in
2269 section 17a-495, within the preceding six months for care and treatment
2270 of a psychiatric disability, unless the person (i) was voluntarily admitted
2271 solely for being an alcohol-dependent person or a drug-dependent
2272 person as those terms are defined in section 17a-680, or (ii) is a police
2273 officer who was voluntarily admitted and had his or her firearm,
2274 ammunition or electronic defense weapon used in the performance of
2275 the police officer's official duties returned in accordance with section 7-
2276 291d, (5) knows that such person is subject to (A) a restraining or
2277 protective order of a court of this state that has been issued against such
2278 person, after notice has been provided to such person, in a case
2279 involving the use, attempted use or threatened use of physical force
2280 against another person, or (B) a foreign order of protection, as defined
2281 in section 46b-15a, that has been issued against such person in a case
2282 involving the use, attempted use or threatened use of physical force
2283 against another person, (6) knows that such person is subject to a
2284 firearms seizure order issued prior to June 1, 2022, pursuant to section
2285 29-38c after notice and an opportunity to be heard has been provided to
2286 such person, or a risk protection order or risk protection investigation
2287 order issued on or after June 1, 2022, pursuant to section 29-38c, (7) is
2288 prohibited from shipping, transporting, possessing or receiving a
2289 firearm pursuant to [18 USC 922(g)(4)] 18 USC 922(g)(2), (g)(4) or (g)(9),
2290 or (8) is an alien illegally or unlawfully in the United States. For the
2291 purposes of this section, "convicted" means having a judgment of
2292 conviction entered by a court of competent jurisdiction.

2293 (b) Criminal possession of a pistol or revolver is a class C felony, for
2294 which two years of the sentence imposed may not be suspended or
2295 reduced by the court, and five thousand dollars of the fine imposed may
2296 not be remitted or reduced by the court unless the court states on the
2297 record its reasons for remitting or reducing such fine.

2298 Sec. 33. Subsection (a) of section 29-37b of the general statutes is
2299 repealed and the following is substituted in lieu thereof (*Effective October*
2300 *1, 2023*):

2301 (a) Each person, firm or corporation which engages in the retail sale
2302 of any [pistol or revolver] firearm, at the time of sale of any such [pistol
2303 or revolver] firearm, shall (1) equip such [pistol or revolver] firearm
2304 with a reusable trigger lock, gun lock or gun locking device appropriate
2305 for such firearm, which lock or device shall be constructed of material
2306 sufficiently strong to prevent it from being easily disabled and have a
2307 locking mechanism accessible by key or by electronic or other
2308 mechanical accessory specific to such lock or device to prevent
2309 unauthorized removal, and (2) provide to the purchaser thereof a
2310 written warning which shall state in block letters not less than one inch
2311 in height: "UNLAWFUL STORAGE OF A LOADED FIREARM MAY
2312 RESULT IN IMPRISONMENT OR FINE."

2313 Sec. 34. Subsection (a) of section 53-205 of the general statutes is
2314 repealed and the following is substituted in lieu thereof (*Effective July 1,*
2315 *2023*):

2316 (a) No person shall carry or possess in any vehicle or snowmobile any
2317 [shotgun, rifle or muzzleloader of any gauge or caliber] firearm, other
2318 than a pistol or revolver, while such [shotgun, rifle or muzzleloader]
2319 firearm contains in the barrel, chamber or magazine any loaded shell or
2320 cartridge capable of being discharged or, if such firearm is a
2321 muzzleloader, when such muzzleloader has a percussion cap in place or
2322 when the powder pan of a flintlock contains powder. As used in this
2323 subsection, "muzzleloader" means a rifle or shotgun that is incapable of
2324 firing a self-contained cartridge and must be loaded at the muzzle end.

2325 Sec. 35. Section 53-341b of the general statutes is repealed and the
2326 following is substituted in lieu thereof (*Effective October 1, 2023*):

2327 (a) No person, firm or corporation shall sell or deliver body armor to
2328 another person unless the transferee (1) meets in person with the
2329 transferor to accomplish the sale or delivery, and (2) possesses a permit
2330 or certificate issued under the provisions of section 29-28, as amended
2331 by this act, 29-36f, as amended by this act, 29-37p, as amended by this
2332 act, or 29-38n.

2333 (b) The provisions of subsection (a) of this section shall not apply to
2334 the sale or delivery of body armor to (1) a sworn member or authorized
2335 official of an organized local police department, the Division of State
2336 Police within the Department of Emergency Services and Public
2337 Protection, the Division of Criminal Justice, the Department of
2338 Correction, the Board of Pardons and Paroles or the Department of
2339 Motor Vehicles, (2) an authorized official of a municipality or the
2340 Department of Administrative Services that purchases body armor on
2341 behalf of an organized local police department, the Division of State
2342 Police within the Department of Emergency Services and Public
2343 Protection, the Division of Criminal Justice, the Department of
2344 Correction, the Board of Pardons and Paroles or the Department of
2345 Motor Vehicles, (3) a judicial marshal or probation officer or an
2346 authorized official of the Judicial Branch who purchases body armor on
2347 behalf of a probation officer or a judicial marshal, [or] (4) a member of
2348 the National Guard or the armed forces reserve, (5) a federal firearms
2349 licensee, or (6) an employee of an emergency medical service
2350 organization, as defined in section 53a-3, as amended by this act.

2351 (c) As used in this section, "body armor" means any [material] item
2352 designed to provide bullet penetration resistance and to be worn on or
2353 under clothing on the body, [and to provide bullet penetration
2354 resistance] like a vest or other article of clothing.

2355 (d) Any person, firm or corporation that violates the provisions of this
2356 section shall be guilty of a class B misdemeanor.

2357 Sec. 36. Section 53a-3 of the general statutes is repealed and the
2358 following is substituted in lieu thereof (*Effective October 1, 2023*):

2359 Except where different meanings are expressly specified, the
2360 following terms have the following meanings when used in this title:

2361 (1) "Person" means a human being, and, where appropriate, a public
2362 or private corporation, a limited liability company, an unincorporated
2363 association, a partnership, a government or a governmental
2364 instrumentality;

2365 (2) "Possess" means to have physical possession or otherwise to
2366 exercise dominion or control over tangible property;

2367 (3) "Physical injury" means impairment of physical condition or pain;

2368 (4) "Serious physical injury" means physical injury which creates a
2369 substantial risk of death, or which causes serious disfigurement, serious
2370 impairment of health or serious loss or impairment of the function of
2371 any bodily organ;

2372 (5) "Deadly physical force" means physical force which can be
2373 reasonably expected to cause death or serious physical injury;

2374 (6) "Deadly weapon" means any weapon, whether loaded or
2375 unloaded, from which a shot may be discharged, or a switchblade knife,
2376 gravity knife, billy, blackjack, bludgeon, or metal knuckles. The
2377 definition of "deadly weapon" in this subdivision shall be deemed not
2378 to apply to section 29-38 or 53-206;

2379 (7) "Dangerous instrument" means any instrument, article or
2380 substance which, under the circumstances in which it is used or
2381 attempted or threatened to be used, is capable of causing death or
2382 serious physical injury, and includes a "vehicle" as that term is defined
2383 in this section and includes a dog that has been commanded to attack,
2384 except a dog owned by a law enforcement agency of the state or any
2385 political subdivision thereof or of the federal government when such
2386 dog is in the performance of its duties under the direct supervision, care

2387 and control of an assigned law enforcement officer;

2388 (8) "Vehicle" means a "motor vehicle" as defined in section 14-1, a
2389 snowmobile, any aircraft, or any vessel equipped for propulsion by
2390 mechanical means or sail;

2391 (9) "Peace officer" means a member of the Division of State Police
2392 within the Department of Emergency Services and Public Protection or
2393 an organized local police department, a chief inspector or inspector in
2394 the Division of Criminal Justice, a state marshal while exercising
2395 authority granted under any provision of the general statutes, a judicial
2396 marshal in the performance of the duties of a judicial marshal, a
2397 conservation officer or special conservation officer, as defined in section
2398 26-5, a constable who performs criminal law enforcement duties, a
2399 special policeman appointed under section 29-18, 29-18a, 29-18b or 29-
2400 19, an adult probation officer, an official of the Department of Correction
2401 authorized by the Commissioner of Correction to make arrests in a
2402 correctional institution or facility, any investigator in the investigations
2403 unit of the office of the State Treasurer, an inspector of motor vehicles in
2404 the Department of Motor Vehicles, who is certified under the provisions
2405 of sections 7-294a to 7-294e, inclusive, a United States marshal or deputy
2406 marshal, any special agent of the federal government authorized to
2407 enforce the provisions of Title 21 of the United States Code, or a member
2408 of a law enforcement unit of the Mashantucket Pequot Tribe or the
2409 Mohegan Tribe of Indians of Connecticut created and governed by a
2410 memorandum of agreement under section 47-65c who is certified as a
2411 police officer by the Police Officer Standards and Training Council
2412 pursuant to sections 7-294a to 7-294e, inclusive;

2413 (10) "Firefighter" means any agent of a municipality whose duty it is
2414 to protect life and property therein as a member of a duly constituted
2415 fire department whether professional or volunteer;

2416 (11) A person acts "intentionally" with respect to a result or to conduct
2417 described by a statute defining an offense when his conscious objective
2418 is to cause such result or to engage in such conduct;

2419 (12) A person acts "knowingly" with respect to conduct or to a
2420 circumstance described by a statute defining an offense when he is
2421 aware that his conduct is of such nature or that such circumstance exists;

2422 (13) A person acts "recklessly" with respect to a result or to a
2423 circumstance described by a statute defining an offense when he is
2424 aware of and consciously disregards a substantial and unjustifiable risk
2425 that such result will occur or that such circumstance exists. The risk
2426 must be of such nature and degree that disregarding it constitutes a
2427 gross deviation from the standard of conduct that a reasonable person
2428 would observe in the situation;

2429 (14) A person acts with "criminal negligence" with respect to a result
2430 or to a circumstance described by a statute defining an offense when he
2431 fails to perceive a substantial and unjustifiable risk that such result will
2432 occur or that such circumstance exists. The risk must be of such nature
2433 and degree that the failure to perceive it constitutes a gross deviation
2434 from the standard of care that a reasonable person would observe in the
2435 situation;

2436 (15) "Machine gun" means a weapon of any description, irrespective
2437 of size, by whatever name known, loaded or unloaded, from which a
2438 number of shots or bullets may be rapidly or automatically discharged
2439 from a magazine with one continuous pull of the trigger and includes a
2440 submachine gun;

2441 (16) "Rifle" means a weapon designed or redesigned, made or
2442 remade, and intended to be fired from the shoulder and designed or
2443 redesigned and made or remade to use the energy of the explosive in a
2444 fixed metallic cartridge to fire only a single projectile through a rifled
2445 bore for each single pull of the trigger;

2446 (17) "Shotgun" means a weapon designed or redesigned, made or
2447 remade, and intended to be fired from the shoulder and designed or
2448 redesigned and made or remade to use the energy of the explosive in a
2449 fixed shotgun shell to fire through a smooth bore either a number of ball
2450 shot or a single projectile for each single pull of the trigger;

2451 (18) "Pistol" or "revolver" means any firearm having a barrel less than
2452 twelve inches;

2453 (19) "Firearm" means any sawed-off shotgun, machine gun, rifle,
2454 shotgun, pistol, revolver or other weapon, whether loaded or unloaded
2455 from which a shot may be discharged;

2456 (20) "Electronic defense weapon" means a weapon which by
2457 electronic impulse or current is capable of immobilizing a person
2458 temporarily, including a stun gun or other conductive energy device;

2459 (21) "Martial arts weapon" means a nunchaku, kama, kasari-fundo,
2460 octagon sai, tonfa or chinese star;

2461 (22) "Employee of an emergency medical service organization" means
2462 an ambulance driver, emergency medical technician or paramedic as
2463 defined in section 19a-175;

2464 (23) "Railroad property" means all tangible property owned, leased
2465 or operated by a railroad carrier including, but not limited to, a right-of-
2466 way, track, roadbed, bridge, yard, shop, station, tunnel, viaduct, trestle,
2467 depot, warehouse, terminal or any other structure or appurtenance or
2468 equipment owned, leased or used in the operation of a railroad carrier
2469 including a train, locomotive, engine, railroad car, signals or safety
2470 device or work equipment or rolling stock;

2471 (24) "Serious firearm offense" means a violation of section 29-36, 29-
2472 36a, as amended by this act, or 53-202w, as amended by this act,
2473 possession of a stolen firearm or a firearm that is altered in a manner
2474 that renders the firearm unlawful, or any crime of which an essential
2475 element is that the person discharged, used or was armed with and
2476 threatened the use of a firearm; and

2477 (25) "Serious firearm offender" means a person who has (A) two
2478 convictions for a serious firearm offense, (B) a conviction for a serious
2479 firearm offense and was previously convicted of a violation of section
2480 29-36, 29-36a, as amended by this act, subdivision (1) of subsection (a)

2481 of section 53a-217, as amended by this act, or subdivision (1) of
2482 subsection (a) of section 53a-217c, as amended by this act, or (C) a
2483 conviction for a serious firearm offense and was previously convicted of
2484 two or more additional felony offenses.

2485 Sec. 37. Section 53a-32 of the general statutes is repealed and the
2486 following is substituted in lieu thereof (*Effective October 1, 2023*):

2487 (a) At any time during the period of probation or conditional
2488 discharge, the court or any judge thereof may issue a warrant for the
2489 arrest of a defendant for violation of any of the conditions of probation
2490 or conditional discharge, or may issue a notice to appear to answer to a
2491 charge of such violation, which notice shall be personally served upon
2492 the defendant. Whenever a probation officer has probable cause to
2493 believe that a person on probation who is a serious firearm offender has
2494 violated a condition of probation, or knows that a person on probation
2495 for a felony conviction has been arrested for the commission of a serious
2496 firearm offense, such probation officer shall apply to the court or any
2497 judge thereof for a warrant for the arrest of such person for violation of
2498 a condition or conditions of probation or conditional discharge. Any
2499 such warrant shall authorize all officers named therein to return the
2500 defendant to the custody of the court or to any suitable detention facility
2501 designated by the court. Whenever a probation officer has probable
2502 cause to believe that a person has violated a condition of such person's
2503 probation, such probation officer (1) may notify any police officer that
2504 such person has, in such officer's judgment, violated the conditions of
2505 such person's probation, and [such] (2) shall notify such police officer if
2506 such person is a serious firearm offender or is on probation for a felony
2507 conviction and has been arrested for the commission of a serious firearm
2508 offense. Such notice shall be sufficient warrant for the police officer to
2509 arrest such person and return such person to the custody of the court or
2510 to any suitable detention facility designated by the court. Whenever a
2511 probation officer so notifies a police officer, the probation officer shall
2512 notify the victim of the offense for which such person is on probation,
2513 and any victim advocate assigned to assist the victim, provided the
2514 probation officer has been provided with the name and contact

2515 information for such victim or victim advocate. Any probation officer
2516 may arrest any defendant on probation without a warrant or may
2517 deputize any other officer with power to arrest to do so by giving such
2518 other officer a written statement setting forth that the defendant has, in
2519 the judgment of the probation officer, violated the conditions of the
2520 defendant's probation. Such written statement, delivered with the
2521 defendant by the arresting officer to the official in charge of any
2522 correctional center or other place of detention, shall be sufficient
2523 warrant for the detention of the defendant. After making such an arrest,
2524 such probation officer shall present to the detaining authorities a similar
2525 statement of the circumstances of violation. [Provisions] Except as
2526 provided in subsection (e) of this section, provisions regarding release
2527 on bail of persons charged with a crime shall be applicable to any
2528 defendant arrested under the provisions of this section. Upon such
2529 arrest and detention, the probation officer shall immediately so notify
2530 the court or any judge thereof.

2531 (b) When the defendant is presented for arraignment on the charge
2532 of violation of any of the conditions of probation or conditional
2533 discharge, the court shall review any conditions previously imposed on
2534 the defendant and may order, as a condition of the pretrial release of the
2535 defendant, that the defendant comply with any or all of such conditions
2536 in addition to any conditions imposed pursuant to section 54-64a, as
2537 amended by this act. Unless the court, pursuant to subsection (c) of
2538 section 54-64a, as amended by this act, orders that the defendant remain
2539 under the supervision of a probation officer or other designated person
2540 or organization, the defendant shall be supervised by the Court Support
2541 Services Division of the Judicial Branch in accordance with subsection
2542 (a) of section 54-63b.

2543 (c) Upon notification by the probation officer of the arrest of the
2544 defendant or upon an arrest by warrant as herein provided, the court
2545 shall cause the defendant to be brought before it without unnecessary
2546 delay for a hearing on the violation charges. At such hearing the
2547 defendant shall be informed of the manner in which such defendant is
2548 alleged to have violated the conditions of such defendant's probation or

2549 conditional discharge, shall be advised by the court that such defendant
2550 has the right to retain counsel and, if indigent, shall be entitled to the
2551 services of the public defender, and shall have the right to cross-examine
2552 witnesses and to present evidence in such defendant's own behalf.
2553 Unless good cause is shown, a charge of violation of any of the
2554 conditions of probation or conditional discharge shall be disposed of or
2555 scheduled for a hearing not later than one hundred twenty days after
2556 the defendant is arraigned on such charge, except, if the defendant is a
2557 serious firearm offender, or is on probation for a felony conviction and
2558 has been arrested for the commission of a serious firearm offense, such
2559 charge shall be disposed of or scheduled for a hearing not later than
2560 sixty days after the defendant is arraigned on such charge.

2561 (d) If such violation is established and the violation consisted of the
2562 commission of a serious firearm offense or the defendant is a serious
2563 firearm offender, the court shall revoke the sentence of probation or
2564 conditional discharge, otherwise, the court may: (1) Continue the
2565 sentence of probation or conditional discharge; (2) modify or enlarge the
2566 conditions of probation or conditional discharge; (3) extend the period
2567 of probation or conditional discharge, provided the original period with
2568 any extensions shall not exceed the periods authorized by section
2569 53a-29; or (4) revoke the sentence of probation or conditional discharge.
2570 If such sentence is revoked, the court shall require the defendant to serve
2571 the sentence imposed or impose any lesser sentence. Any such lesser
2572 sentence may include a term of imprisonment, all or a portion of which
2573 may be suspended entirely or after a period set by the court, followed
2574 by a period of probation with such conditions as the court may establish.
2575 No such revocation shall be ordered, except upon consideration of the
2576 whole record and unless such violation is established by the
2577 introduction of reliable and probative evidence and by a preponderance
2578 of the evidence.

2579 (e) Provisions regarding release on bail of any serious firearm
2580 offender arrested pursuant to this section who is charged with a crime,
2581 or any felony offender arrested pursuant to this section for a serious
2582 firearm offense, shall be applicable to such serious firearm offender

2583 provided that, for the purpose of applying such provisions, there shall
2584 be a rebuttable presumption that such serious firearm offender poses a
2585 danger to the safety of other persons.

2586 Sec. 38. Section 54-64a of the general statutes is repealed and the
2587 following is substituted in lieu thereof (*Effective October 1, 2023*):

2588 (a) (1) Except as provided in subdivision (2) of this subsection and
2589 subsection (b) or (c) of this section, when any arrested person is
2590 presented before the Superior Court, said court shall, in bailable
2591 offenses, promptly order the release of such person upon the first of the
2592 following conditions of release found sufficient to reasonably ensure the
2593 appearance of the arrested person in court: (A) Upon execution of a
2594 written promise to appear without special conditions, (B) upon
2595 execution of a written promise to appear with nonfinancial conditions,
2596 (C) upon execution of a bond without surety in no greater amount than
2597 necessary, or (D) upon execution of a bond with surety in no greater
2598 amount than necessary, but in no event shall a judge prohibit a bond
2599 from being posted by surety. In addition to or in conjunction with any
2600 of the conditions enumerated in subparagraphs (A) to (D), inclusive, of
2601 this subdivision the court may, when it has reason to believe that the
2602 person is drug-dependent and where necessary, reasonable and
2603 appropriate, order the person to submit to a urinalysis drug test and to
2604 participate in a program of periodic drug testing and treatment. The
2605 results of any such drug test shall not be admissible in any criminal
2606 proceeding concerning such person.

2607 (2) If the arrested person is charged with no offense other than a
2608 misdemeanor, the court shall not impose financial conditions of release
2609 on the person unless (A) the person is charged with a family violence
2610 crime, as defined in section 46b-38a, or (B) the person requests such
2611 financial conditions, or (C) the court makes a finding on the record that
2612 there is a likely risk that (i) the arrested person will fail to appear in
2613 court, as required, or (ii) the arrested person will obstruct or attempt to
2614 obstruct justice, or threaten, injure or intimidate or attempt to threaten,
2615 injure or intimidate a prospective witness or juror, or (iii) the arrested

2616 person will engage in conduct that threatens the safety of himself or
2617 herself or another person. In making a finding described in this
2618 subsection, the court may consider past criminal history, including any
2619 prior record of failing to appear as required in court that resulted in any
2620 conviction for a violation of section 53a-172 or any conviction during the
2621 previous ten years for a violation of section 53a-173 and any other
2622 pending criminal cases of the person charged with a misdemeanor.

2623 (3) The court may, in determining what conditions of release will
2624 reasonably ensure the appearance of the arrested person in court,
2625 consider the following factors: (A) The nature and circumstances of the
2626 offense, (B) such person's record of previous convictions, (C) such
2627 person's past record of appearance in court, (D) such person's family
2628 ties, (E) such person's employment record, (F) such person's financial
2629 resources, character and mental condition, (G) such person's community
2630 ties, and (H) in the case of a violation of section 53a-222a, as amended
2631 by this act, when the condition of release was issued for a family
2632 violence crime, as defined in section 46b-38a, the heightened risk posed
2633 to victims of family violence by violations of conditions of release.

2634 (b) (1) [When] Except as provided in subsection (c) of this section, any
2635 arrested person charged with the commission of a class A felony, a class
2636 B felony, except a violation of section 53a-86 or 53a-122, a class C felony,
2637 except a violation of section 53a-87, 53a-152 or 53a-153, or a class D
2638 felony under sections 53a-60 to 53a-60c, inclusive, section 53a-72a, 53a-
2639 95, 53a-103, 53a-103a, 53a-114, 53a-136 or 53a-216, or a family violence
2640 crime, as defined in section 46b-38a, is presented before the Superior
2641 Court, said court shall, in bailable offenses, promptly order the release
2642 of such person upon the first of the following conditions of release found
2643 sufficient to reasonably ensure the appearance of the arrested person in
2644 court and that the safety of any other person will not be endangered: (A)
2645 Upon such person's execution of a written promise to appear without
2646 special conditions, (B) upon such person's execution of a written
2647 promise to appear with nonfinancial conditions, (C) upon such person's
2648 execution of a bond without surety in no greater amount than necessary,
2649 or (D) upon such person's execution of a bond with surety in no greater

2650 amount than necessary, but in no event shall a judge prohibit a bond
2651 from being posted by surety. In addition to or in conjunction with any
2652 of the conditions enumerated in subparagraphs (A) to (D), inclusive, of
2653 this subdivision, the court may, when it has reason to believe that the
2654 person is drug-dependent and where necessary, reasonable and
2655 appropriate, order the person to submit to a urinalysis drug test and to
2656 participate in a program of periodic drug testing and treatment. The
2657 results of any such drug test shall not be admissible in any criminal
2658 proceeding concerning such person.

2659 (2) The court may, in determining what conditions of release will
2660 reasonably ensure the appearance of the arrested person in court and
2661 that the safety of any other person will not be endangered, consider the
2662 following factors: (A) The nature and circumstances of the offense, (B)
2663 such person's record of previous convictions, (C) such person's past
2664 record of appearance in court after being admitted to bail, (D) such
2665 person's family ties, (E) such person's employment record, (F) such
2666 person's financial resources, character and mental condition, (G) such
2667 person's community ties, (H) the number and seriousness of charges
2668 pending against the arrested person, (I) the weight of the evidence
2669 against the arrested person, (J) the arrested person's history of violence,
2670 (K) whether the arrested person has previously been convicted of
2671 similar offenses while released on bond, (L) the likelihood based upon
2672 the expressed intention of the arrested person that such person will
2673 commit another crime while released, and (M) the heightened risk
2674 posed to victims of family violence by violations of conditions of release
2675 and court orders of protection.

2676 (3) When imposing conditions of release under this subsection, the
2677 court shall state for the record any factors under subdivision (2) of this
2678 subsection that it considered and the findings that it made as to the
2679 danger, if any, that the arrested person might pose to the safety of any
2680 other person upon the arrested person's release that caused the court to
2681 impose the specific conditions of release that it imposed.

2682 (c) (1) When any arrested person charged with the commission of a

2683 serious firearm offense, as defined in section 53a-3, as amended by this
2684 act, is (A) a serious firearm offender, (B) has two previous convictions
2685 for a violation of section 29-36, 29-36a, as amended by this act, 53-202,
2686 53-202a, as amended by this act, 53-202b, 53-202c, as amended by this
2687 act, 53-202w, as amended by this act, 53-202aa, 53-206i, 53a-54a, 53a-54b,
2688 53a-54c, 53a-54d, 53a-55, 53a-55a, 53a-56, 53a-56a, 53a-59, 53a-60, 53a-
2689 60a, 53a-134, 53a-212, 53a-216, 53a-217, as amended by this act, 53a-217b
2690 or 53a-217c, as amended by this act, (C) a previous conviction for a
2691 violation of section 29-35, as amended by this act, in addition to a prior
2692 conviction for a violation of section 29-36, 29-36a, as amended by this
2693 act, 53-202, 53-202a, as amended by this act, 53-202b, 53-202c, as
2694 amended by this act, 53-202w, as amended by this act, 53-202aa, 53-206i,
2695 53a-54a, 53a-54b, 53a-54c, 53a-54d, 53a-55, 53a-55a, 53a-56, 53a-56a, 53a-
2696 59, 53a-60, 53a-60a, 53a-134, 53a-212, 53a-216, 53a-217, as amended by
2697 this act, 53a-217b or 53a-217c, as amended by this act, or (D) two or more
2698 convictions during the five-year period immediately prior to the current
2699 arrest for a violation of section 21a-277, 21a-278, 53a-122 or 53a-123, is
2700 presented before the Superior Court, the court shall, in bailable offenses,
2701 promptly order the release of such person after establishing a bond
2702 amount found sufficient to reasonably ensure the appearance of the
2703 arrested person in court, and that the safety of any other person will not
2704 be endangered and upon such person's execution of a bond with or
2705 without surety in no greater amount than necessary. The prosecutorial
2706 official shall petition for the arrested person to deposit at least thirty per
2707 cent of the bond amount directly with the court, and there shall be a
2708 rebuttable presumption that the safety of other persons will be
2709 endangered without the granting of such petition. Additionally, the
2710 court may, when it has reason to believe that the person is drug-
2711 dependent and where necessary, reasonable and appropriate, order the
2712 person to submit to a urinalysis drug test and to participate in a program
2713 of periodic drug testing and treatment. The results of any such drug test
2714 shall not be admissible in any criminal proceeding concerning such
2715 person.

2716 (2) When any arrested person charged with the commission of a

2717 serious firearm offense, as defined in section 53a-3, as amended by this
2718 act, other than a person described in subdivision (1) of this subsection,
2719 is presented before the Superior Court, the court shall, in bailable
2720 offenses, promptly order the release of such person upon the first of the
2721 following conditions of release found sufficient to reasonably ensure the
2722 appearance of the arrested person in court and that the safety of any
2723 other person will not be endangered: (A) Upon such person's execution
2724 of a written promise to appear without special conditions, (B) upon such
2725 person's execution of a written promise to appear with nonfinancial
2726 conditions, (C) upon such person's execution of a bond without surety
2727 in no greater amount than necessary, or (D) upon such person's
2728 execution of a bond with surety in no greater amount than necessary,
2729 but in no event shall a judge prohibit a bond from being posted by
2730 surety. The prosecutorial official may petition the court to deem such
2731 person a serious risk to the safety of another person or persons. The
2732 prosecutorial official may present any information developed by
2733 federal, state and local law enforcement agencies in the course of a
2734 criminal investigation or enforcement action, including, but not limited
2735 to, social media posts, pictures or videos threatening violence, claiming
2736 responsibility for violence or suggesting possession of a firearm. If the
2737 court finds that the arrested person poses a serious risk to the safety of
2738 another person or persons, the arrested person may only be released
2739 pursuant to subparagraph (C) or (D) of this subdivision and the arrested
2740 person shall be required to deposit at least thirty per cent of any bond
2741 amount directly with the court. Additionally, the court may, when it has
2742 reason to believe that the person is drug-dependent and where
2743 necessary, reasonable and appropriate, order the person to submit to a
2744 urinalysis drug test and to participate in a program of periodic drug
2745 testing and treatment. The results of any such drug test shall not be
2746 admissible in any criminal proceeding concerning such person.

2747 (3) The court may, in determining what conditions of release will
2748 reasonably ensure the appearance of the arrested person in court and
2749 that the safety of any other person will not be endangered, consider the
2750 following factors: (A) The nature and circumstances of the offense, (B)

2751 such person's record of previous convictions, (C) such person's past
2752 record of appearances in court after being admitted to bail, (D) such
2753 person's family ties, (E) such person's employment record, (F) such
2754 person's financial resources, character and mental condition, (G) such
2755 person's community ties, (H) the number and seriousness of charges
2756 pending against the arrested person, (I) the weight of the evidence
2757 against the arrested person, (J) the arrested person's history of violence,
2758 (K) whether the arrested person has previously been convicted of
2759 similar offenses while released on bond, and (L) the likelihood based
2760 upon the expressed intention of the arrested person that such person
2761 will commit another crime while released.

2762 (4) When imposing conditions of release under this subsection, the
2763 court shall state for the record any factors under subdivision (3) of this
2764 subsection that it considered and the findings that it made as to the
2765 danger, if any, that the arrested person might pose to the safety of any
2766 other person upon the arrested person's release that caused the court to
2767 impose the specific conditions of release that the court imposed.

2768 [(c)] (d) If the court determines that a nonfinancial condition of
2769 release should be imposed pursuant to subparagraph (B) of subdivision
2770 (1) of subsection (a) or (b) of this section, the court shall order the pretrial
2771 release of the person subject to the least restrictive condition or
2772 combination of conditions that the court determines will reasonably
2773 ensure the appearance of the arrested person in court and, with respect
2774 to the release of the person pursuant to subsection (b) or (c) of this
2775 section, that the safety of any other person will not be endangered,
2776 which conditions may include an order that the arrested person do one
2777 or more of the following: (1) Remain under the supervision of a
2778 designated person or organization; (2) comply with specified
2779 restrictions on such person's travel, association or place of abode; (3) not
2780 engage in specified activities, including the use or possession of a
2781 dangerous weapon, an intoxicant or a controlled substance; (4) provide
2782 sureties of the peace pursuant to section 54-56f under supervision of a
2783 designated bail commissioner or intake, assessment and referral
2784 specialist employed by the Judicial Branch; (5) avoid all contact with an

2785 alleged victim of the crime and with a potential witness who may testify
2786 concerning the offense; (6) maintain employment or, if unemployed,
2787 actively seek employment; (7) maintain or commence an educational
2788 program; (8) be subject to electronic monitoring; or (9) satisfy any other
2789 condition that is reasonably necessary to ensure the appearance of the
2790 person in court and that the safety of any other person will not be
2791 endangered. The court shall state on the record its reasons for imposing
2792 any such nonfinancial condition.

2793 [(d)] (e) If the arrested person is not released, the court shall order
2794 him committed to the custody of the Commissioner of Correction until
2795 he is released or discharged in due course of law.

2796 [(e)] (f) The court may require that the person subject to electronic
2797 monitoring pursuant to subsection [(c)] (d) of this section pay directly to
2798 the electronic monitoring service provider a fee for the cost of such
2799 electronic monitoring services. If the court finds that the person subject
2800 to electronic monitoring is indigent and unable to pay the costs of
2801 electronic monitoring services, the court shall waive such costs. Any
2802 contract entered into by the Judicial Branch and the electronic
2803 monitoring service provider shall include a provision stating that the
2804 total cost for electronic monitoring services shall not exceed five dollars
2805 per day. Such amount shall be indexed annually to reflect the rate of
2806 inflation.

2807 Sec. 39. Section 54-64f of the general statutes is repealed and the
2808 following is substituted in lieu thereof (*Effective October 1, 2023*):

2809 (a) Upon application by the prosecuting authority alleging that a
2810 defendant has violated the conditions of the defendant's release, the
2811 court may, if probable cause is found, order that the defendant appear
2812 in court for an evidentiary hearing upon such allegations. An order to
2813 appear shall be served upon the defendant by any law enforcement
2814 officer delivering a copy to the defendant personally, or by leaving it at
2815 the defendant's usual place of abode with a person of suitable age and
2816 discretion then residing therein, or mailing it by registered or certified

2817 mail to the last-known address of the defendant.

2818 (b) [If] Except as provided in subsection (d) of this section, if the court,
2819 after an evidentiary hearing at which hearsay or secondary evidence
2820 shall be admissible, finds by clear and convincing evidence that the
2821 defendant has violated reasonable conditions imposed on the
2822 defendant's release it may impose different or additional conditions
2823 upon the defendant's release. If the defendant is on release with respect
2824 to an offense for which a term of imprisonment of ten or more years may
2825 be imposed and the court, after an evidentiary hearing at which hearsay
2826 or secondary evidence shall be admissible, finds by clear and convincing
2827 evidence that the defendant has violated reasonable conditions of the
2828 defendant's release and that the safety of any other person is
2829 endangered while the defendant is on release, it may revoke such
2830 release. The revocation of a defendant's release pursuant to this
2831 subsection shall cause any bond posted in the criminal proceeding to be
2832 automatically terminated and the surety to be released.

2833 (c) [If] Except as provided in subsection (d) of this section, if the
2834 defendant is a serious firearm offender or is on release with respect to a
2835 serious firearm offense as defined in section 53a-3, as amended by this
2836 act, or the defendant is on release with respect to an offense for which a
2837 term of imprisonment of ten or more years may be imposed and the
2838 court, after an evidentiary hearing at which hearsay or secondary
2839 evidence shall be admissible, finds by clear and convincing evidence
2840 that the safety of any other person is endangered while the defendant is
2841 on release and that there is probable cause to believe that the defendant
2842 has committed a federal, state or local crime while on release, there shall
2843 be a rebuttable presumption that the defendant's release should be
2844 revoked.

2845 (d) If the defendant is a serious firearm offender as defined in section
2846 53a-3, as amended by this act, and is on release with respect to any
2847 offense and the court, after an evidentiary hearing at which hearsay or
2848 secondary evidence shall be admissible, finds by the preponderance of
2849 the evidence that there is probable cause to believe that the defendant

2850 has committed a serious firearm offense, as defined in section 53a-3, as
2851 amended by this act, while on release, or if the defendant is on release
2852 with respect to any offense referenced in subsection (c) of section 54-64a,
2853 as amended by this act, and the court, after an evidentiary hearing at
2854 which hearsay or secondary evidence shall be admissible, finds by the
2855 preponderance of evidence that there is probable cause to believe that
2856 the defendant has committed a serious firearm offense, the defendant's
2857 release shall be revoked.

2858 [(d)] (e) The revocation of a defendant's release pursuant to this
2859 section shall cause any bond posted in the criminal proceeding to be
2860 automatically terminated and the surety to be released.

2861 (f) If the defendant commits a serious firearm offense while on
2862 pretrial release and is subsequently convicted of any offense for which
2863 the defendant was on pretrial release and a serious firearm offense
2864 committed while on pretrial release, any bond posted in the criminal
2865 proceeding for the offense for which the defendant was on pretrial
2866 release shall be forfeited.

2867 Sec. 40. Section 54-127 of the general statutes is repealed and the
2868 following is substituted in lieu thereof (*Effective October 1, 2023*):

2869 The request of the Commissioner of Correction or any officer of the
2870 Department of Correction so designated by the commissioner, or of the
2871 Board of Pardons and Paroles or its chairman shall be sufficient warrant
2872 to authorize any officer of the Department of Correction or any officer
2873 authorized by law to serve criminal process within this state, to return
2874 any [convict or inmate] parolee on parole into actual custody; and any
2875 such officer, police officer, constable or state marshal shall arrest and
2876 hold any parolee [or inmate] when so requested, without any written
2877 warrant, and the commissioner shall make such request if the parolee is
2878 a serious firearm offender, as defined in section 53a-3, as amended by
2879 this act, and is arrested while on parole for a felony offense, or if the
2880 parolee is arrested for a serious firearm offense as defined in section 53a-
2881 3, as amended by this act.

2882 Sec. 41. (NEW) (*Effective from passage*) (a) For the purposes of this
2883 section, "firearm-related crime docket" means a docket in a geographical
2884 area separate and apart from other criminal matters for the hearing of
2885 firearm-related matters.

2886 (b) Not later than December 31, 2023, the Chief Court Administrator
2887 shall establish a firearm-related crime docket to serve the geographical
2888 area courts in Fairfield, Hartford, New Haven and Waterbury. The Chief
2889 Court Administrator shall establish policies and procedures to
2890 implement such firearm-related crime docket.

2891 Sec. 42. (NEW) (*Effective October 1, 2023*) Notwithstanding any
2892 provision of the general statutes, any peace officer who is a sworn
2893 member of a law enforcement agency or any prosecutorial official who
2894 is aware of any person released on parole or serving probation who
2895 poses a serious threat to public safety, may file an emergency petition
2896 with the supervisory staff of the probation or parole office, as applicable,
2897 and a copy of such petition with the office of the Chief State's Attorney.
2898 Such petition shall cite risk factors pointing to the person released on
2899 parole or serving probation as a serious threat to public safety and may
2900 present any information developed by federal, state and local law
2901 enforcement agencies in the course of a criminal investigation or
2902 enforcement action, including, but not limited to, social media posts,
2903 pictures or videos threatening violence, claiming responsibility for
2904 violence or suggesting possession of a firearm. Not later than forty-eight
2905 hours after receiving such petition, the supervisory staff of the probation
2906 or parole office, as applicable, shall (1) seek a warrant for such person
2907 serving probation for a violation of such probation, as applicable, or (2)
2908 provide the rationale for not taking an action described in subdivision
2909 (1) of this section.

2910 Sec. 43. Subsection (a) of section 53a-222 of the general statutes is
2911 repealed and the following is substituted in lieu thereof (*Effective October*
2912 *1, 2023*):

2913 (a) A person is guilty of violation of conditions of release in the first

2914 degree when, while charged with the commission of a felony, such
2915 person is released pursuant to subsection (b) of section 54-63c,
2916 subsection (c) of section 54-63d or subsection [(c)] (d) of section 54-64a,
2917 as amended by this act, and intentionally violates one or more of the
2918 imposed conditions of release.

2919 Sec. 44. Subsection (a) of section 53a-222a of the general statutes is
2920 repealed and the following is substituted in lieu thereof (*Effective October*
2921 *1, 2023*):

2922 (a) A person is guilty of violation of conditions of release in the
2923 second degree when, while charged with the commission of a
2924 misdemeanor or motor vehicle violation for which a sentence to a term
2925 of imprisonment may be imposed, such person is released pursuant to
2926 subsection (b) of section 54-63c, subsection (c) of section 54-63d or
2927 subsection [(c)] (d) of section 54-64a, as amended by this act, and
2928 intentionally violates one or more of the imposed conditions of release.

2929 Sec. 45. Section 53-202g of the general statutes is repealed and the
2930 following is substituted in lieu thereof (*Effective October 1, 2023*):

2931 (a) Any person who lawfully possesses an assault weapon under
2932 sections 53-202a to 53-202k, inclusive, as amended by this act, or a
2933 firearm, as defined in section 53a-3, as amended by this act, that is lost
2934 or stolen from such person shall report the loss or theft to the organized
2935 local police department for the town in which the loss or theft occurred
2936 or, if such town does not have an organized local police department, to
2937 the state police troop having jurisdiction for such town within seventy-
2938 two hours of when such person discovered or should have discovered
2939 the loss or theft. Such department or troop shall forthwith forward a
2940 copy of such report to the Commissioner of Emergency Services and
2941 Public Protection. The provisions of this subsection shall not apply to
2942 the loss or theft of an antique firearm as defined in section 29-37a, as
2943 amended by this act.

2944 (b) Any person who fails to make a report required by subsection (a)
2945 of this section, within the prescribed time period shall [commit an

2946 infraction and be fined not more than ninety dollars] be guilty of a class
2947 A misdemeanor for a first offense and be guilty of a class C felony for
2948 any subsequent offense, except that, if such person intentionally fails to
2949 make such report within the prescribed time period, such person shall
2950 be guilty of a class B felony. Any person who violates subsection (a) of
2951 this section for the first offense shall not lose such person's right to hold
2952 or obtain any firearm permit under the general statutes.

2953 Sec. 46. Subsection (b) of section 29-28a of the general statutes is
2954 repealed and the following is substituted in lieu thereof (*Effective October*
2955 *1, 2023*):

2956 (b) (1) The local authority shall, not later than eight weeks after a
2957 sufficient application for a temporary state permit has been made,
2958 inform the applicant that such applicant's request for a temporary state
2959 permit has been approved or denied, and if denied, supply to the
2960 applicant a detailed written reason for such denial. The local authority
2961 shall forward a copy of the application indicating approval or denial of
2962 the temporary state permit to the Commissioner of Emergency Services
2963 and Public Protection. If the local authority has denied the application
2964 for a temporary state permit, no state permit may be issued. If the local
2965 authority has failed to expressly deny the application or issue a
2966 temporary state permit during the eight-week period following the
2967 submission of such application, upon presentation by the applicant of
2968 an affidavit attesting to such failure to expressly deny the application at
2969 least (A) thirty-two weeks, in the case of an application filed on or before
2970 March 30, 2024, and (B) sixteen weeks, in the case of an application filed
2971 on or after April 1, 2024, after submission of such application, the
2972 commissioner shall accept such affidavit in lieu of a temporary state
2973 permit and notify the local authority immediately of the receipt of such
2974 affidavit. The commissioner shall, not later than eight weeks after
2975 receiving an application indicating approval from the local authority, or
2976 an affidavit attesting to a failure to expressly deny the application,
2977 inform the applicant in detailed writing that the applicant's application
2978 for a state permit has been approved or denied, or that the results of the
2979 national criminal history records check have not been received. If

2980 grounds for denial become known after a temporary state permit has
2981 been obtained, the temporary state permit shall be immediately revoked
2982 pursuant to section 29-32. The failure of the issuing authority to
2983 complete the review of an application for a temporary state permit shall
2984 not be grounds for the commissioner to deny issuance of a state permit.

2985 (2) Notwithstanding subparagraph (B) of subdivision (1) of this
2986 subsection, during a major disaster or an emergency declaration by the
2987 President of the United States, or an emergency declaration issued by
2988 the Governor due to any disease epidemic, public health emergency or
2989 natural disaster impacting a local authority, the Commissioner of
2990 Emergency Services and Public Protection shall not accept any affidavit
2991 filed under subdivision (1) of this subsection until thirty-two weeks
2992 have passed since submission of the application for a temporary state
2993 permit.

2994 Sec. 47. (NEW) (*Effective from passage*) (a) Any comprehensive plan
2995 and program developed by the Commissioner of Emergency Services
2996 and Public Protection pursuant to subsection (b) of section 28-5 of the
2997 general statutes shall include a response plan for a mass shooting event.
2998 A mass shooting event is deemed to occur when, within a period of
2999 twenty-four hours, four or more individuals are shot within a three-mile
3000 radius.

3001 (b) In any response plan for a mass shooting event, the commissioner
3002 shall include provisions directing the coordination of a meeting with the
3003 Department of Emergency Services and Public Protection, the local
3004 police department, community leaders, including religious leaders and
3005 representatives of the Project Longevity Initiative, established under
3006 section 4-68bb of the general statutes, for the purpose of determining (1)
3007 why the shooting event occurred, (2) what circumstances led to the
3008 shooting event, (3) whether there were warning signs that such shooting
3009 event would occur, (4) preventative measures the community can enact
3010 to prevent further shooting events, and (5) if there are resources
3011 available to assist the community in its response to the shooting event.
3012 At the conclusion of such meeting, the meeting participants shall report

3013 their findings to the Commissioner of Emergency Services and Public
3014 Protection. The commissioner shall review and report the findings and
3015 any other information the commissioner deems pertinent, in accordance
3016 with the provisions of section 11-4a of the general statutes, to the
3017 Governor, majority and minority leaders of the House of
3018 Representatives and the Senate and the joint standing committee of the
3019 General Assembly having cognizance of matters relating to public safety
3020 and security. Such report shall include recommendations, if any, for
3021 legislative action to reduce mass shooting events.

3022 (c) The Commissioner of Emergency Services and Public Protection
3023 shall coordinate with the Commissioner of Public Health for the
3024 deployment of grief counselors and mental health professionals to
3025 provide mental health services to the family members or other
3026 individuals with a close association with any victim of a mass shooting.
3027 Such deployments shall be made to local community outreach groups
3028 in and around the impacted geographical location and to any school or
3029 institution of higher education where any victim or perpetrator of a
3030 mass shooting event was enrolled.

3031 (d) The Commissioner of Emergency Services and Public Protection
3032 shall coordinate an investigation into each mass shooting event with the
3033 office of the Chief State's Attorney. Each such investigation shall
3034 consider: (1) How the perpetrator acquired any firearm used in the
3035 event, (2) whether the firearm that was used was legally acquired, (3) if
3036 the magazine used in the shooting was a large capacity magazine, as
3037 defined in section 53-202w of the general statutes, as amended by this
3038 act, and (4) the backgrounds of the perpetrator and the victims. The
3039 commissioner and Chief State's Attorney shall report, in accordance
3040 with the provisions of section 11-4a of the general statutes, a summary
3041 of each such investigation, all findings of such investigation, including
3042 any determination of cause of the mass shooting event and any
3043 recommendations to prevent future mass shooting events to the
3044 Governor, majority and minority leaders of the House of
3045 Representatives and the Senate and the joint standing committee of the
3046 General Assembly having cognizance of matters relating to public safety

3047 and security and to the chief elected officer and legislative body, each as
 3048 described in section 7-193 of the general statutes, of the municipality
 3049 where the mass shooting event occurred.

3050 Sec. 48. (NEW) (*Effective October 1, 2023*) The administrative head of
 3051 each law enforcement unit, as defined in section 7-291e of the general
 3052 statutes, shall ensure that each police station, headquarters or barracks
 3053 under such administrative head's jurisdiction posts in a conspicuous
 3054 place that is readily available for viewing by the public a statement
 3055 informing individuals of (1) their right to request and obtain an
 3056 application to apply for a permit to carry a pistol or revolver, their right
 3057 to submit an application for a permit to carry a pistol or revolver no
 3058 more than one week after their request to do so, their right to be
 3059 informed in writing of the result of their application within eight weeks
 3060 from its submittal, their right to file an appeal in the event of a denial of
 3061 a permit for the carrying of a pistol or revolver and an individual's state
 3062 and federal constitutional right to own, possess and carry a firearm for
 3063 the protection of the individual's home or family as the individual so
 3064 lawfully chooses, and (2) the application process for a risk protection
 3065 order pursuant to section 29-38c of the general statutes, including the
 3066 process by which a family member or medical professional can apply.

3067 Sec. 49. Section 53-202m of the general statutes is repealed. (*Effective*
 3068 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	29-35
Sec. 2	<i>October 1, 2023</i>	29-37
Sec. 3	<i>from passage</i>	29-36a
Sec. 4	<i>October 1, 2023</i>	29-28(a)
Sec. 5	<i>October 1, 2023</i>	29-28(d)
Sec. 6	<i>October 1, 2023</i>	29-30(a)
Sec. 7	<i>October 1, 2023</i>	29-31
Sec. 8	<i>October 1, 2023</i>	New section
Sec. 9	<i>October 1, 2023</i>	29-33
Sec. 10	<i>October 1, 2023</i>	29-36l

Sec. 11	October 1, 2023	29-37a
Sec. 12	October 1, 2023	29-37i
Sec. 13	October 1, 2023	29-38b
Sec. 14	October 1, 2023	29-38m
Sec. 15	from passage	53-202f(d) to (f)
Sec. 16	October 1, 2023	54-36e(b)
Sec. 17	October 1, 2023	53-202l(e)
Sec. 18	October 1, 2023	53-202w(g)
Sec. 19	October 1, 2023	53-206g(f)
Sec. 20	October 1, 2023	53a-217a
Sec. 21	October 1, 2023	54-66a
Sec. 22	October 1, 2023	54-280(8)
Sec. 23	from passage	53-202a
Sec. 24	from passage	53-202c
Sec. 25	from passage	53-202d(a) and (b)
Sec. 26	from passage	29-36n(b)
Sec. 27	October 1, 2023	53-202w
Sec. 28	October 1, 2023	29-37p(a) and (b)
Sec. 29	October 1, 2023	29-28(b)
Sec. 30	October 1, 2023	29-36f(b)
Sec. 31	October 1, 2023	53a-217
Sec. 32	October 1, 2023	53a-217c
Sec. 33	October 1, 2023	29-37b(a)
Sec. 34	July 1, 2023	53-205(a)
Sec. 35	October 1, 2023	53-341b
Sec. 36	October 1, 2023	53a-3
Sec. 37	October 1, 2023	53a-32
Sec. 38	October 1, 2023	54-64a
Sec. 39	October 1, 2023	54-64f
Sec. 40	October 1, 2023	54-127
Sec. 41	from passage	New section
Sec. 42	October 1, 2023	New section
Sec. 43	October 1, 2023	53a-222(a)
Sec. 44	October 1, 2023	53a-222a(a)
Sec. 45	October 1, 2023	53-202g
Sec. 46	October 1, 2023	29-28a(b)
Sec. 47	from passage	New section
Sec. 48	October 1, 2023	New section
Sec. 49	from passage	Repealer section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	See Below	See Below
Judicial Dept.	GF - Cost	260,000	483,000
State Comptroller - Fringe Benefits ¹	GF - Cost	162,884	265,556
Department of Emergency Services and Public Protection	GF - Cost	166,200	160,106
Department of Emergency Services and Public Protection	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 24 \$	FY 25 \$
Various Municipalities	Potential Revenue Gain	See Below	See Below

Explanation

The bill creates various new firearm related offenses and expands existing firearm related offenses which results in a potential cost for incarceration or probation and a potential revenue gain from fines. On average, the marginal cost to the state for incarcerating an offender for

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

the year is \$2,500² while the average marginal cost for supervision in the community is less than \$800³ each year. The bill also creates a state license for firearm retailers, expands the current local retail permits, and establishes a firearm related crime docket which results in impacts as described below.

Sections 4-11 and 13-16 create a state license for firearm retailers and expand the current local retail permit to include retailers selling any type of firearm, rather than just handguns, resulting in a potential revenue gain the Department of Emergency Services and Public Protection (DESPP) and municipalities to the extent retailers pay additional licensing fees. The state license and annual renewal fee are \$200, except that anyone with a current local permit who applies for the license before October 1, 2023, will not be charged an initial application fee.

Section 41 requires the Judicial Department to establish a firearm related crime docket in Fairfield, New Haven, and Waterbury on or before December 31, 2023 which requires separate personnel and results in an estimated cost of \$260,000 to the Judicial Department and \$96,000 in fringe benefits for FY 24. The cost to the Judicial Department includes a partial year of salaries, related equipment, and other expenses.⁴ In FY 25, there is an estimated cost of \$483,000 to the Judicial Department and \$197,000 in fringe benefits for the first full fiscal year of implementation.⁵

Section 47 makes changes to the state's response to mass shooting events, resulting in a cost of up to \$233,084 in FY 24 and up to \$228,662

² Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

³ Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

⁴ Personal Services \$167,000; Other Expenses \$8,000; Equipment \$25,000

⁵ Personal Services \$345,000; Other Expenses \$17,000

in FY 25 to DESPP and the Office of the State Comptroller, as well as potential costs depending on the number of such events.

The section requires DESPP to hire one to two Emergency Management Program Specialists to develop and disseminate plans and coordinate with other state and local agencies. The starting salary of this position is \$78,100, with associated fringe benefits costing \$33,442. There is also an estimated one-time cost of \$5,000 to \$10,000 in FY 24 for equipment and training.

The section also requires DESPP to coordinate, in collaboration with the office of the Chief State's Attorney, an investigation into each mass shooting event, resulting in potential overtime costs to DESPP's State Police averaging \$79 per hour per trooper. It is anticipated that the office of the Chief State's Attorney will be able to comply with this requirement with existing staff. There were three qualifying events in 2022 and two in 2021.

Finally, the section requires DESPP to coordinate with the Department of Public Health (DPH) to deploy grief counselors and mental health professionals after a mass shooting event to the affected community, expected to result in no fiscal impact to either agency.^{6,7}

House "A" strikes the underlying bill and associated fiscal impact resulting in the impact described above.

House "B" makes various changes including probation for firearm related offenses and modifications to possession charges and does not alter the fiscal impact in the underlying bill.

⁶ DPH can provide DESPP with information on the CT Association of School Based Health Centers (SBHCs) that it supports. DPH funds a portion of Connecticut's SBHCs, some of which provide mental health services to youth. The association includes 132 comprehensive sites and 152 expanded school health sites in Connecticut for a total of 284 sites. DPH funds a total of 90 sites: 78 comprehensive sites for medical and mental health services, and 12 expanded sites for medical or mental health services.

⁷ DPH also licenses Professional Counselors, but it does not contract with them for the provision of grief counseling or mental health services.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of offenses and inflation.

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OLR Bill Analysis**sHB 6667 (as amended by House "A" and "B")*****AN ACT ADDRESSING GUN VIOLENCE.**

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§§ 28-30 — ADDITIONAL EDUCATIONAL REQUIREMENTS

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§ 45 — PENALTY FOR FAILING TO REPORT LOST OR STOLEN FIREARM OR ASSAULT WEAPON

Increases the penalty for a first offense of failing to report the loss or theft of a firearm or assault weapon from an infraction to a class A misdemeanor

§ 46 — HANDGUN CARRY PERMIT

Requires the DESPP commissioner to make a decision on a handgun permit application if the applicant presents an affidavit that the local authority failed to expressly deny or approve a temporary state permit application after a specified period; requires the local authority or DESPP to give a detailed written response when denying an application

§ 47 — MASS SHOOTING EVENT RESPONSE

Requires (1) DESPP's civil preparedness plan to include a response plan for a mass shooting event, (2) grief counselors and mental health professionals be deployed to help family members or other people closely connected to victims of mass shootings, and (3) the DESPP commissioner and chief state's attorney to coordinate and report on mass shooting investigations

§ 48 — POLICE NOTICE OF FIREARM RIGHTS AND RISK PROTECTION ORDER APPLICATION PROCESS

Requires law enforcement units to post public notices informing people of various firearm-related rights, including specified information about the permit process and the right to own, possess, and carry firearms

BACKGROUND

SUMMARY

This bill makes various changes in the state's gun (firearm) laws. Among other things, it:

1. generally prohibits anyone from (a) knowingly carrying any firearm with intent to display it and (b) having a ghost gun beginning January 1, 2024;
2. generally limits a person to only purchasing three handguns in a

- 30-day period;
3. requires various gun safety measures, including safe storage of all firearms and trigger locks;
 4. expands the assault weapons ban to include more firearms and provides a process for those who lawfully own these weapons to get a certificate of possession or transfer or sell the weapon;
 5. establishes reduced penalties for possessing ghost guns and undeclared large capacity magazines (LCM) for violators who are eligible under state and federal law to possess firearms;
 6. specifies the firearm safety training for gun credentials must be completed two years before applying and requires training courses to include additional training (e.g., safe firearm storage);
 7. sets stricter release conditions for serious firearm offenders, including only allowing those with certain prior convictions to be released by posting bond;
 8. establishes firearm-related crime dockets in certain courts;
 9. requires a police officer or prosecutor, when aware that someone released on parole or probation is a threat to public safety, to file an emergency petition to take specified steps;
 10. increases the penalty for a first-time unintentional failure to report the loss or theft of a firearm from an infraction to a class A misdemeanor;
 11. requires the Department of Emergency Services and Public Protection (DESPP) (a) to make a decision on a permit requirement to carry a pistol or revolver (i.e., handgun permit) application if the applicant presents an affidavit that the local authority failed to expressly deny or approve a temporary state permit application after a specified period and (b) civil preparedness plan to include a response plan for a mass shooting

event; and

12. requires law enforcement units to post public notices informing people of various firearm-related rights, including specified information about the permit process, and how to apply for a risk-protection order.

The bill also makes various minor, technical, and conforming changes.

*House Amendment "A" (1) adds the provisions on reporting lost or stolen firearm penalties, handgun carry permit decisions, mass shooting event responses, and police notice of firearm rights; (2) eliminates the provisions from the underlying bill on the open carry prohibition in alcoholic liquor permit premises, gun dealer licenses, 10-day waiting periods, increasing the minimum age for long gun sales, and requiring loaded chamber indicators; (3) prohibits the carrying of firearms with intent to display rather than prohibiting open carry as in the underlying bill; (4) bifurcates the ghost gun and LCM penalties based on eligibility to carry firearms; (5) adds requirements and prohibitions to gun dealer permittees; (6) allows those with a federal exemption to get a certificate of possession for 2023 assault weapons; (7) removes the minimum hour educational requirements from the underlying bill and instead requires certain classes (e.g., safe storage); (8) expands the body armor purchase exemption; (9) adds an additional offense that qualifies as a serious firearm offense; (10) modifies the offenses that qualify as prior offenses for the purposes of the serious firearm offender provision; and (11) makes various minor, technical, and conforming changes.

*House Amendment "B" (1) adds an exception to the handgun permit law to allow anyone to possess a gun without a permit on land he or she owns or leases, (2) allows defendants to enter diversionary programs for violations of the (a) bill's prohibition on carrying a firearm with intent to display and (b) prohibition on possessing an undeclared LCM, and (3) makes a technical change.

EFFECTIVE DATE: October 1, 2023, unless otherwise specified

below.

§§ 1 & 2 — PROHIBITION ON CARRYING A FIREARM WITH INTENT TO DISPLAY IT

With exceptions, prohibits anyone from knowingly carrying any firearm with intent to display it; makes violations of this prohibition a class B misdemeanor for a first offense and a class A misdemeanor for subsequent offenses; requires law enforcement units to annually report on any stops conducted on suspicion of a violation of the bill's intent to display prohibition

The bill generally prohibits anyone from knowingly carrying any firearm with intent to display it, with certain exceptions. Although the bill does not define firearm for purposes of this prohibition, the penal code defines it as any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, loaded or unloaded from which a shot may be discharged (CGS § 53a-3).

This prohibition does not apply to a person (1) in his or her home, (2) on land he or she leases or owns, (3) in his or her place of business, or (4) when engaged in firearm training (see below) or a bona fide hunting activity. A person is not deemed to be carrying with intent to display if the person has taken reasonable measures to conceal that he or she is carrying a firearm. Neither a fleeting glimpse of a firearm nor an imprint of a firearm through someone's clothing is a violation. It is also not a violation if a person displays a firearm temporarily while engaged in self-defense or other lawful conduct.

Exceptions

Under the bill, the same individuals and circumstances that are exempt from the permit requirement to carry a pistol or revolver (i.e., handgun permit) are also exempt from the bill's intent to display prohibition. This includes the following individuals:

1. Connecticut parole and peace officers;
2. other states' parole or peace officers on official business;
3. Department of Motor Vehicles (DMV) inspectors;

4. federal marshals and law enforcement officers;
5. servicemembers on, or going to or from, duty; and
6. a military organization's members on parade or going to or from a place of assembly.

It also includes anyone transporting a firearm:

1. as merchandise;
2. in its original package from the point of purchase to his or her home or business;
3. for repair or when moving household goods;
4. to a competition or exhibit under an out-of-state permit;
5. to and from firearm training (see below);
6. to or from a testing range at a firearm permit-issuing authority's request; or
7. that is an antique handgun (e.g., those manufactured in or before 1898).

The bill also exempts a person inspecting a firearm as merchandise from current law's requirement to carry a handgun permit and the bill's intent to display prohibition.

Firearm Training

The bill expands what is considered "firearm training" for the intent to display and handgun permit exemptions. Under current law, for purposes of the handgun permit requirement, the firearm training exemption is for taking part in formal handgun training at a locally approved and permitted firing range or training facility. The bill expands it, for both purposes, to include training at a fish and game club or sporting club and eliminates the requirement that the firing range be locally approved and permitted.

Penalty

Under the bill, anyone violating the intent to display prohibition is guilty of a (1) class B misdemeanor for a first offense (punishable by up to six months in prison, up to a \$1,000 fine, or both) and (2) class A misdemeanor for subsequent offenses (punishable by up to 364 days imprisonment, up to a \$2,000 fine, or both).

As under existing law for other gun offenses, the bill allows the court to suspend prosecution of a violation of this provision, in addition to any other available diversionary programs, if it finds the violation is not of a serious nature and the person charged (1) will probably not offend in the future; (2) has not previously been convicted of this provision (presumably, the intent to display provision); and (3) has not previously had a prosecution suspended for these violations under the bill's provisions.

The bill prohibits the court from ordering a suspended prosecution unless the accused person has acknowledged that he or she understands the consequences of the suspension. Anyone who has his or her prosecution suspended must agree to the tolling of any statute of limitations on the violation and to waive his or her right to a speedy trial. The person must appear in court and be released to the Court Support Services Division's (CSSD) supervision for up to two years under court-ordered conditions. If the person refuses to accept or violates the conditions after accepting them, the court must terminate the suspension and the case must be brought to trial.

Under the bill, if the person satisfactorily completes probation, he or she may apply for the court to dismiss the charges, and the court must dismiss them if it finds such completion. If a person does not apply for dismissal after satisfactorily completing probation, the court, upon receiving the CSSD report of completion, may on its own motion make a finding and dismiss the charges. Upon dismissal, all records of the charges must be erased according to the erasure of criminal records law (CGS § 54-142a).

A court order denying a motion to dismiss against a person who has completed the probation or terminating the participation is a final judgment for appeal purposes.

Report

Starting by February 1, 2025, the bill requires each law enforcement unit to annually prepare and submit to the Institute for Municipal and Regional Policy at UConn a report on any stops done on suspicion of a violation of the bill's intent to display prohibition during the preceding calendar year. The initial report must be based on the 15 months before January 1, 2025.

Law enforcement units must submit the reports electronically using a standardized method and form sent out jointly by the institute and the Police Officer Standards and Training Council (POST). The method and form must allow for compiling statistics on each incident, including the race and gender of the person stopped, based on the police officer's observation and perception. The institute and POST may revise the method and form and send the revisions to law enforcement units. Before submitting the report, each law enforcement unit must redact any information that may identify a minor, witness, or victim.

Within available appropriations, the institute must review the incidents reported and, beginning by December 1, 2025, annually report the review's results and its recommendations to the governor and the Judiciary, Public Safety and Security, and Planning and Development committees.

A "law enforcement unit" is a state or municipal agency or department (or tribal agency or department created and governed under a memorandum of agreement) whose primary functions include enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime (CGS § 7-294a).

§ 1 — HANDGUN PERMIT CARRY EXEMPTION

Allows anyone to possess a gun without a handgun permit on land he or she owns or leases

Under current law, anyone carrying handguns must generally have a permit, except no permit or other credential is required in one's home or place of business. The bill expands the exemption to also allow a person to carry a handgun without a permit on land he or she leases or owns.

§ 3 — GHOST GUNS

Beginning January 1, 2024, generally prohibits anyone from possessing ghost guns, with certain exceptions; sets a process for declaring ghost gun possession to DESPP or obtaining a unique serial number or other identification mark; expands the current prohibitions on manufacturing and transferring ghost guns to include those manufactured between December 16, 1968, and October 1, 2019; establishes a reduced penalty based on a person's eligibility to possess firearms, making violations a class C felony for those who are ineligible and a class C misdemeanor for those who are eligible

Expansion of Current Ghost Gun Restrictions

Current law generally prohibits anyone from creating what is commonly referred to as a "ghost gun." It does so by prohibiting them from completing the manufacture of a firearm without subsequently (1) obtaining a unique serial number or other identification mark from DESPP and (2) engraving or permanently affixing it to the firearm. It also generally prohibits the following:

1. transferring ghost guns, except to law enforcement;
2. manufacturing a firearm from polymer plastic that is less detectible by a walk-through metal detector than a security exemplar (i.e., an object used to test and calibrate metal detectors);
3. aiding the manufacture of a firearm for certain people who are prohibited from owning or possessing a firearm;
4. purchasing, receiving, selling, delivering, or transferring an unfinished frame or lower receiver without an identification mark or unique serial number or satisfying certain other requirements; and

5. possessing an unfinished frame or lower receiver if the person is ineligible to possess a firearm under state or federal law.

Current law allows exceptions to these requirements for certain firearms, including those manufactured before October 1, 2019, if they are otherwise lawfully possessed. The bill narrows this exception to firearms manufactured before December 16, 1968, thus expanding these current prohibitions to those manufactured between December 16, 1968, and October 1, 2019. (December 16, 1968, is the effective date for most provisions of the federal Gun Control Act of 1968 (P.L. 90-618).)

Prohibition on Ghost Gun Possession

Beginning January 1, 2024, the bill generally prohibits anyone from possessing a firearm without a serial number or other identification mark (“ghost gun”), including those made between December 16, 1968, and October 1, 2019. The bill allows these guns if the person has (1) declared possession as described below or (2) applied for a unique serial number or other identification mark from DESPP but not yet received it.

With limited exceptions, the bill prohibits anyone in Connecticut from distributing, importing into the state, keeping or offering for sale, or purchasing a ghost gun. This prohibition does not apply to firearm transfers (1) declared to DESPP; (2) by bequest or intestate succession; or (3) upon the death of a testator or settlor, to a trust or from a trust to a beneficiary. It also allows the transfer to a police department or DESPP.

Declaration of Possession. Under the bill, anyone who, before January 1, 2024, lawfully possesses a ghost gun manufactured before October 1, 2019, must apply to DESPP to declare possession by January 1, 2024. If the person is a state or U.S. Armed Forces member (i.e., servicemember) and cannot apply by January 1, 2024, because he or she is on official duty outside of Connecticut, the member must apply within 90 days after returning to the state. The application must be made as the DESPP commissioner prescribes.

For these purposes, a person “lawfully possesses” the firearm if he or she has (1) actual and lawful possession of it; (2) constructive possession of it through a lawful purchase before the prohibition’s effective date, regardless of whether the firearm was delivered to the purchaser before or on that date; or (3) actual or constructive possession, as evidenced by a written statement made under penalty of false statement on a DESPP-prescribed form.

The bill requires the lawful purchase to be evidenced in writing sufficient to indicate that before the date the bill’s prohibition took effect (1) a contract for sale was made between the parties or (2) the purchaser made a full or partial payment for the firearm to the seller.

Moving Into the State. The bill allows anyone who moves into the state in lawful possession of a ghost gun to, within 90 days, either (1) get a unique serial number or other identification mark from DESPP and engrave or permanently affix it to the firearm, (2) render the firearm permanently inoperable, (3) sell the firearm to a licensed gun dealer, or (4) remove the firearm from the state. The bill allows any servicemember who is in lawful possession of a ghost gun and has been transferred into the state after January 1, 2024, to apply to DESPP within 90 days of arriving in Connecticut to declare possession of the firearm.

Regulations. The bill allows DESPP to adopt regulations establishing procedures to declare possession or get a unique serial number or mark. Regardless of the Freedom of Information Act’s (FOIA) provisions on access to public records and their disclosures, the name and address of a person who has declared possession of a ghost gun must be confidential and not disclosable. However, the records may be disclosed to (1) law enforcement agencies, U.S. Probation Office employees, and Department of Correction (DOC) parole officers doing their duties and (2) the Mental Health and Addiction Services (DMHAS) commissioner to check the status of firearm applications from anyone who has been involuntarily committed or voluntarily admitted.

Exemptions. As under existing law for the ghost gun restrictions

described above, these provisions do not apply to the following:

1. if the frame or lower receiver have a serial number or mark engraved or permanently affixed in a way that conforms to the requirements that federal law and associated regulations impose on licensed firearm importers and manufacturers;
2. the manufacture of firearms by a federally licensed manufacturers;
3. any antique firearm;
4. any firearm manufactured before December 16, 1968, if the firearm is otherwise lawfully possessed; or
5. delivery or transfers to a law enforcement agency.

Illegal Manufacture

Current law prohibits anyone from facilitating, aiding, or abetting the manufacture of a firearm (1) by or for someone otherwise prohibited by law from owning or possessing a firearm or (2) that a person is otherwise prohibited by law from purchasing or possessing. The bill specifies that this prohibition is for doing these things knowingly, recklessly, or with criminal negligence.

Suspended Criminal Proceedings

As under existing law for ghost gun restrictions, the court may suspend the prosecution of a person who violates the bill's ghost gun provisions and dismiss the charges under certain conditions. Specifically, the court may do so if, among other things, it finds the violation is not serious in nature, the alleged violator will probably not reoffend, and he or she has not previously been convicted or had prosecution suspended of such a violation.

Penalty

The bill establishes a reduced penalty for ghost gun violations based on a person's eligibility to possess firearms. For those who are ineligible

under state or federal law, as under current law, any violation of the ghost guns provisions is a class C felony (punishable by up to 10 years in prison, up to a \$10,000 fine, or both). There is a \$5,000 minimum fine unless the court states on the record its reasons for remitting or reducing it. Violators must forfeit any of these firearms in their possession.

For anyone who is eligible to possess a firearm, any violation of the ghost gun provisions is a class C misdemeanor (punishable by up to three months in prison, up to a \$500 fine, or both).

EFFECTIVE DATE: Upon passage

§§ 4-11, 13-14, 16 & 33 — GUN DEALER PERMIT FOR FIREARM SALES

Expands the local gun dealer's permit to cover all firearm sales, rather than just handgun sales; places additional prohibitions and requirements on dealers, including annually conducting a physical inventory reconciliation

Federal law requires anyone in the business of selling firearms to have a federal firearms license (FFL). Under current state law, FFLs who sell handguns and those who sell 10 or more handguns in a calendar year must also have a local permit (i.e., a dealer's permit issued by the municipality's police chief or another authorized official) to sell handguns.

The bill expands the dealer permit requirement to FFLs selling any type of firearm, rather than just handguns

Under the bill, anyone holding a valid dealer permit for retail handgun sales issued on or before September 30, 2023, is deemed to be a holder of a permit for retail firearm sales until the permit expires or is revoked, suspended, confiscated, or surrendered. The permittee may then renew the permit as a permit for retail firearm sales. By law, the local dealer's permit is \$200.

Dealer Prohibitions

The bill places additional prohibitions on dealer permittees. It prohibits them from:

1. furnishing false or fraudulent information in any DESPP application or failing to comply with representations made in any application;
2. failing to maintain a (a) handgun permit or handgun eligibility certificate and (b) local dealer permit;
3. failing to maintain effective controls against firearm theft, including installing or maintaining a burglar alarm system as required under existing law;
4. failing to acquire an authorization number for a firearm transfer;
5. transferring a firearm to a person ineligible to receive it, unless the permittee relied in good faith on information DESPP provided in verifying the person's eligibility;
6. selling, delivering, or otherwise illegally transferring an assault weapon or LCM or failing to maintain accurate records of the sale, delivery, or transfer;
7. failing to maintain current and proper acquisition and disposition records the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) requires;
8. failing to post placards or furnish written warnings on unlawful storage of loaded firearms;
9. failing to provide a trigger lock, gun lock, or gun locking device with each purchase;
10. failing to verify employees' age and criminal background;
11. failing to report any firearm stolen as required by state and federal law (CGS § 53-202g & 18 U.S.C. § 923(g)(6)); or
12. failing to do the annual physical inventory reconciliation the bill requires (see below).

Violations. Under the bill, if there is probable cause to believe that a person has failed to comply with these requirements, the DESPP commissioner or relevant law enforcement authority (i.e., police chief or, where there is no chief, the municipality's CEO or the resident state trooper or relevant state police officer designated by the municipality's CEO) may issue a violation notice.

Under the bill, the notice must detail the reasons for issuing the notice and give the date by which the person must cure the violation, which must be at least 30 days following the notice's service. If the cure period has expired and the commissioner or relevant law enforcement authority determines the violation continues, he or she may temporarily prohibit further firearm sales by issuing a stop sales order. The order must be effective when served on the person or posted at the permitted premises. The commissioner or relevant law enforcement authority may assess a civil penalty of up to \$100 per day the violation continues. A dealer in violation of a stop sales order is guilty of a class C felony with a two-year mandatory minimum prison sentence and a \$5,000 minimum fine, which may not be remitted or reduced unless the court states on the record its reasons for doing so.

Anyone against whom a stop sales order is issued against may request a hearing with the DESPP commissioner to contest the grounds for the order and any associated civil penalties. The hearing must be held within seven days of the request's receipt in accordance with the Uniform Administrative Procedure Act.

Under the bill, stop sales orders are effective against any successor entity that has one or more of the same principals or officers as the corporation, partnership, or sole proprietorship against which the stop order was issued and are engaged in the same or equivalent trade or activity.

The bill requires the DESPP commissioner to adopt regulations to specify any hearing provisions needed to carry out these provisions.

Physical Inventory Reconciliation

The bill also requires dealers, within the first five business days in October, to annually do a physical inventory reconciliation that includes comparing the physical inventory of firearms with acquisition and disposition records that state and federal law require to be maintained (27 C.F.R. § 478.125(e)). A permittee must, within five business days of performing the inventory, attest to the DESPP commissioner, in a form and manner he prescribes, that the recorded inventory was performed and any firearms that were determined to be missing were reported to the attorney general and appropriate local authorities as required by state and federal law (CGS § 53-202g & 18 U.S.C. § 923(g)(6)). State law requires all lawful firearm owners to report any firearm lost or stolen within 72 hours after they discover or should have discovered the loss or theft; federal law requires FFLs to report within 48 hours to the relevant authorities.

Limits on Where Gun Dealers May Sell Firearms

Under current law, gun dealers may sell handguns only in the room, store, or other place described in their permit to sell handguns. The bill extends this limitation to dealers selling any firearms, not just handguns, and specifies that the sales must occur in the place described in both the local permit and state license. It also requires them to display their state license where the handguns will be sold or offered or exposed for sale, in addition to the local permit they must display under current law.

Vendor Records

Current law requires vendors of any dealer to keep a record of each handgun sold in a book, as required under federal regulations. The vendor must make the record available for inspection at the request of state and local law enforcement and a statewide firearms trafficking taskforce member. The bill (1) extends these recordkeeping requirements to all firearms, and (2) requires vendors to also make the records available for inspection by any federal law enforcement agency investigator for official purposes related to the member's or investigator's employment.

Semi-automatic Centerfire Rifle Sales

Current law generally prohibits any person, firm, or corporation from selling, delivering, or transferring, at retail, any semi-automatic centerfire rifle that has or accepts a magazine with a capacity of more than five rounds to anyone under age 21. The bill expands this prohibition by applying it to all sales, deliveries, or transfers of these rifles, not just those at retail.

§§ 9, 17-19 & 21-22 — HANDGUN SALE LIMITATION

Generally limits a person to only three handgun retail purchases in a 30-day period and makes violations a class C felony; allows certified NRA instructors to be sold up to six handguns in a 30-day period

Under state law, DESPP serves as the point of contact for initiating a National Instant Criminal Background Check System (NICS) background check. With limited exceptions, when anyone sells, delivers, or transfers a firearm, he or she must contact DESPP, which must run the check and then provide an authorization number for the delivery or transfer. (NICS is the federal database used to determine if prospective gun buyers are disqualified from acquiring or possessing firearms under state or federal law.)

With certain exceptions, the bill limits the number of handguns a person may sell, deliver, or transfer to any person to three in a 30-day period. It does so by prohibiting the DESPP commissioner from issuing more than three authorization numbers for the retail sale of a handgun for any transferee within a 30-day period, except he may issue up to six for a National Rifle Association (NRA) certified firearms instructor.

This limitation does not apply to:

1. a firearm (a) transferred to a federal, state, or municipal law enforcement agency, or (b) legally transferred by a person ineligible to possess it;
2. the exchange of a handgun purchased by an individual from an FFL for another handgun from the same FFL within 30 days after the original transaction, as long as the FFL reports the transaction

to the DESPP commissioner;

3. certain antique handguns (e.g., those manufactured in or before 1898 that are exempt from state laws on handgun sales procedures);
4. handgun sales, deliveries, and transfers between federally licensed gun dealers, manufacturers, and importers; or
5. a transfer to a museum at a fixed location that is open to the public and displays firearms as part of an educational mission.

Under current law, the handgun sale, delivery, and transfer provisions do not apply between an FFL and (1) federally licensed gun manufacturers, (2) federally licensed gun importers, or (3) another FFL. The bill extends this exemption to these transactions between federally licensed manufacturers.

Penalty

As under existing law for illegal handgun sales, deliveries, or transfers, a violation of the bill's sale limitation is a class C felony with a two-year mandatory minimum prison sentence and a \$5,000 minimum fine, which may not be remitted or reduced unless the court states on the record its reasons for doing so.

Suspended Criminal Proceedings

As under existing law for handgun sale, delivery, or transfer restrictions, the court may suspend the prosecution of a person who violates the bill's sales limitation and dismiss the charges under the same conditions as suspended sentences for ghost gun violations (see above).

§§ 12 & 20 — GUN STORAGE

Extends the firearm safe storage law to all firearms people store or keep on their premises, rather than only under specified circumstances; expands the scope of the crime of negligently storing a firearm to apply when anyone, not just a minor, obtains an unlawfully stored firearm and injures or kills himself or herself or someone else

Storage Requirements

The bill extends the firearm safe storage law to cover all firearms people store or keep on their premises, rather than only under specified circumstances. Under current law, the safe storage requirements apply if the person who controls the premises knows or reasonably should know that a (1) minor is likely to gain access to the firearm without a parent's or guardian's permission or (2) resident is ineligible to possess firearms, is subject to a risk protection order, or poses a risk of imminent personal harm or harm to others.

As under existing law, the person controlling the premises must either:

1. keep a firearm in a securely locked box or other container or in a manner that a reasonable person would believe to be secure or
2. carry it on his or her person or so closely that he or she can readily retrieve and use the firearm as if he or she were carrying it.

Penalty for Criminally Negligent Storage of a Firearm

Under current law, a person is guilty of criminally negligent storage of a firearm if a minor obtains an unlawfully stored firearm and uses it to injure or kill himself or herself or someone else, unless the minor obtained the firearm through unlawful entry. The bill expands the scope of this crime to include any person, not just minors. It also limits the exemption to cover any person who obtains the firearm through unlawful entry and, if the firearm is stolen, requires that it is reported stolen as existing law requires. As under current law, violators are guilty of a class D felony.

As under existing law, a person who fails to securely store a firearm is strictly liable for damages, regardless of intent, when a minor, or a resident who is ineligible to possess firearms or poses a risk of imminent personal harm or harm to others, gets a firearm and causes self-harm or harm to others (CGS § 52-571g).

§ 14 — EXEMPTION FROM AMMUNITION SALES MINIMUM AGE REQUIREMENT

Exempts sales of ammunition to specified state agencies and other entities and individuals from the minimum age requirement for ammunition sales

Existing law generally prohibits any person, firm, or corporation from selling ammunition or an ammunition magazine to anyone (1) without a valid gun credential or ammunition certificate and (2) under age 18. Current law exempts sales of ammunition to specified state agencies, entities, and individuals from the gun credential or ammunition certificate requirement. The bill additionally exempts these agencies, entities, and individuals from the minimum age requirement, thus allowing sales of ammunition to them regardless of the purchaser's age.

As under current law, the minimum age requirement does not apply to sales to:

1. DESPP, DOC, DMV, the Department of Energy and Environmental Protection (DEEP), the Division of Criminal Justice (DCJ), police departments, and the state or U.S. Armed Forces;
2. a sworn and duly certified member of an organized police department, the State Police, DCJ inspectors, DMV commissioner-designated inspectors, DEEP commissioner-designated conservation officers, and locally appointed constables certified by POST who perform criminal law enforcement duties;
3. a member of the state or U.S. military or naval forces;
4. a nuclear facility licensed by the U.S. Nuclear Regulatory Commission or its contractors or subcontractors for providing security services at the facility; or
5. a federally licensed firearms manufacturer, importer, dealer, or collector.

§§ 15, 23-26 & 49 — 2023 ASSAULT WEAPONS BAN

Expands the assault weapons ban to include more firearms and creates a process for those who lawfully own these weapons to get a certificate of possession or transfer or sell the weapon

State law generally prohibits anyone from having or selling an assault weapon (see *Background*). Specifically, and with minor exceptions, no one in Connecticut may:

1. give, distribute, transport, import, expose, keep, or sell an assault weapon (CGS § 53-202b) or
2. possess an assault weapon, unless he or she lawfully owned it before the applicable ban took effect and got a certificate of possession from DESPP for it (i.e., registered it) (CGS §§ 53-202c & -202d).

2023 Assault Weapons Ban

The bill expands the assault weapons ban to include additional firearms, which the bill designates as “2023 assault weapons.” These include any semiautomatic firearm regardless of (1) whether the firearm is specifically banned by law and (2) the date the firearm was produced if it meets the criteria described below.

Specifically, under the bill, an assault weapon is any semiautomatic firearm, other than a pistol, revolver, rifle, or shotgun, that has at least one of the following:

1. a grip or stock that allows someone to hold it with more than just the trigger finger directly below the firing action;
2. an ability to accept a detachable ammunition magazine that attaches at some location outside of the pistol grip;
3. a fixed magazine that can accept more than 10 rounds;
4. a flash suppressor or silencer, or a threaded barrel capable of accepting a flash suppressor or silencer;
5. a shroud that is attached to, or partially or completely encircles,

the barrel and that allows the shooter to fire the firearm without being burned, except a slide enclosing the barrel;

6. a second hand grip; or
7. an arm brace or other stabilizing brace that allows the firearm to be fired from the shoulder, with or without an arm strap.

Additionally, it includes any semiautomatic firearm legally manufactured before September 13, 1994, that was not listed by name under the 1994 assault weapons ban but instead defined by its features. The bill repeals the current exemption for these pre-1994 firearms (§ 49).

Lastly, an “assault weapon” also includes a combination of parts designed or intended to convert a firearm into an assault weapon, as expanded under the bill, or any combination of parts from which an assault weapon may be assembled if the same person possessed and controlled those parts.

Lawful Possession of a 2023 Assault Weapon

Under the bill, to “lawfully possess” a 2023 assault weapon is:

1. actual lawful possession under the state laws on assault weapons;
2. constructive possession by a lawful purchase transacted before the bill’s effective date, regardless of whether the assault weapon was delivered before that date, with written evidence sufficient to indicate that (a) a sales contract for purchasing the weapon was made between the parties before that date or (b) the purchaser made full or partial payment for the weapon before then; or
3. actual or constructive possession as described above as evidenced by a written statement made under penalty of false statement on a DESPP form.

By law, false statement is a class A misdemeanor (CGS § 53a-157b).

Certificate of Possession

Under the bill, anyone who, before the bill's effective date, lawfully possesses a 2023 assault weapon may apply to DESPP by May 1, 2024, for a certificate of possession for the weapon. This includes anyone who regains possession of one from a gun dealer, consignment shop operator, or licensed pawnbroker placed with them on or before October 1, 2023, as described below. Servicemembers unable to apply for a certificate by May 1, 2024, because they were out of state on official duty have 90 days after returning to Connecticut to apply for the certificate. The certificate allows a person to keep the firearm if he or she is eligible and otherwise complies with the law. DESPP (1) must accept applications in both paper and electronic form, to the extent possible, and (2) is prohibited from requiring applications to be notarized.

As under existing law, the certificate must contain a description of the firearm that identifies it uniquely, including all identification marks; the owner's full name, address, date of birth, and thumbprint; and any other information DESPP deems appropriate.

As under existing law, the name and address are confidential and may be disclosed only to (1) law enforcement agencies and U.S. Probation Office employees carrying out their duties and (2) the DMHAS commissioner to carry out gun-related duties.

Federal Reclassification

The bill establishes conditions under which certain individuals may lawfully possess a 2023 assault weapon if the assault weapon was reclassified for federal purposes as a rifle under the recent amendments to federal regulations on commerce in firearms and ammunition (i.e., 27 C.F.R. Parts 478 & 479 (published at 88 Federal Register 6478 (January 31, 2023))). Under the bill, the person must:

1. have applied to register the assault weapon under the federal National Firearms Act (P.L. No. 73-474) using the form known as Form 1 that ATF publishes, submitted a copy of the form to DESPP by August 1, 2023, and ATF must have approved the

- application, denied the application within the past 30 days, or not yet processed the application; and
2. lawfully possessed the assault weapon on the day before the bill takes effect; and
 3. be in compliance with the assault weapons laws.

For these individuals whose applications have not yet been processed by ATF, the bill allows them to apply to DESPP, by May 1, 2024, for a temporary certification of possession. This certificate expires on the earlier of January 1, 2027, and seven days after a Form 1 application denial.

If the Form 1 application is approved, the person may then apply to DESPP to convert the temporary certificate into an assault weapon certificate of possession. A full and complete Form 1 application submitted to DESPP constitutes a complete application for a temporary certificate and a copy of a Form 1 application approval constitutes a complete application to convert. If a complete application to convert is received, DESPP must approve the application.

DESPP (1) must accept applications in both paper and electronic form, to the extent possible, and (2) is prohibited from requiring applications to be notarized.

Locations Where Registered Weapon May Be Kept. Under existing law and the bill, anyone who possesses a registered assault weapon may possess it only:

1. at his or her home, business place, other property he or she owns, or on someone else's property with the owner's permission;
2. at a target range of a public or private club or organization organized for target shooting;
3. at a target range that holds a regulatory or business license for target shooting;

4. at a licensed shooting club;
5. while attending a firearms exhibition, display, or educational project sponsored by, conducted under the auspices of, or approved by a law enforcement agency or nationally or state-recognized entity that fosters proficiency in, or promotes education about, firearms; or
6. while transporting the weapon, in compliance with pertinent law, between any of the above places, or to a gun dealer for servicing or repair.

Certificate of Possession Exemptions. Under the bill, as under the current assault weapons ban law, law enforcement entities, sworn and duly certified enforcement officers, or nuclear power plants operating in Connecticut and their security contractors who lawfully use assault weapons for official duties do not have to obtain a certificate of possession for 2023 assault weapons. But if an officer buys a 2023 assault weapon for his or her official duties and then subsequently retires or is separated from service, he or she must apply to DESPP within 90 days of retiring or being separated.

Under the bill, anyone who previously got a certificate of possession for an assault weapon before the bill passes that is also a 2023 assault weapon does not have to get a subsequent certificate. He or she is deemed to have gotten a certificate for the weapon under the assault weapons laws.

Gun Manufacturer and Dealer Exemption

As under existing law, the bill allows gun manufacturers to manufacture and transport 2023 assault weapons for sale (1) to exempt parties in Connecticut and (2) out of state (CGS § 53-202i). It allows gun dealers who lawfully possess assault weapons to (1) transfer the weapons between dealers or out of state, (2) display them at gun shows licensed by a state or local government entity, or (3) sell them to residents out of state. It also allows gun dealers to take possession of

registered weapons or transfer them for servicing or repair to a licensed gunsmith (1) in their employ or (2) under contract to provide gunsmithing services to them (CGS § 53-202f).

Temporary Transfer and Possession of Assault Weapons

As under existing law, the bill also allows the temporary possession and transfer of a registered 2023 assault weapon for certain out-of-state events, such as shooting competitions, exhibitions, displays, or educational projects about firearms sponsored by, done under the auspices of, or approved by, a law enforcement agency or a nationally or state-recognized entity that fosters proficiency in firearms use or promotes firearms education (CGS § 53-202h).

Sales, Bequests, or Intestate Succession

The bill prohibits a 2023 assault weapon lawfully possessed with a certificate of possession to be sold or transferred on or after the bill's effective date to anyone in Connecticut except (1) a licensed gun dealer; (2) to DESPP or local police departments; or (3) by bequest or intestate succession, or upon death, to a trust or from a trust to a beneficiary who is eligible to possess the weapon.

Transfer for Sale Out-of-State

Until April 30, 2024, the bill allows anyone who lawfully possesses a 2023 assault weapon on the day before the bill takes effect to transfer possession of the weapon to a licensed gun dealer in or outside of Connecticut for an out-of-state sale. He or she may transport the weapon to the dealer for transfer purposes without obtaining a certificate of possession.

Dealer, Pawnbroker, and Consignment Shops

The bill allows a licensed gun dealer, licensed pawnbroker, or consignment shop operator to transfer possession of a 2023 assault weapon to a person who:

1. legally possessed it before the bill's effective date;

2. placed the weapon in the possession of the dealer, pawnbroker, or operator under an agreement to sell the weapon to a third person; and
3. is eligible to possess it on the date it is transferred back to the person.

Relinquishment of Assault Weapon to Law Enforcement Agency

Existing law, unchanged by the bill, allows an individual to arrange in advance to relinquish an assault weapon to a police department or DESPP (CGS § 53-202e).

Penalties

The same penalties that apply under current law involving currently banned assault weapons apply to the 2023 assault weapons.

By law, it is a class D felony with a mandatory minimum one-year prison term to possess a banned assault weapon, except that a first violation is a class A misdemeanor if the person proves that he or she lawfully possessed the weapon before October 1, 1993, or on April 4, 2013, (depending on the specific weapon) and is otherwise in compliance. The bill adds another exception for a first-time violator who can prove he or she lawfully possessed the weapon before the bill passed and is otherwise in compliance.

Additionally, by law, it is a class C felony with a mandatory minimum two-year prison term to give, transfer, keep, sell, or distribute banned assault weapons (CGS § 53-202b(a)(1)).

For transfers, sales, or gifts to people under age 18, the court must impose an additional six-year mandatory minimum, in addition and consecutive to the term for the underlying offense (CGS § 53-202b(a)(2)).

Background — Assault Weapons

Under current law, an “assault weapon” is any selective-fire firearm capable of fully automatic, semiautomatic, or burst fire or any parts designed or intended to convert a firearm into an assault weapon or

from which an assault weapon may be rapidly assembled if possessed or under the control of the same person. It includes (1) specified semiautomatic firearms banned by name and (2) others classified based on their features (e.g., semiautomatic, centerfire rifles that can accept a detachable magazine and have at least one other specified feature and semiautomatic pistols or centerfire rifles with a fixed magazines that can hold more than 10 rounds).

The law excludes from the definition of an assault weapon any parts or combination of parts of a lawfully possessed assault weapon, that are not assembled as an assault weapon, when possessed for servicing or repair by a licensed gun dealer or gunsmith in the dealer's employ. The definition also does not include any firearm rendered permanently inoperable.

EFFECTIVE DATE: Upon passage

§ 27 — LARGE CAPACITY MAGAZINES (LCM)

Bifurcates the penalties for LCM violations based on a person's eligibility to possess firearms, making violations a class D felony for those who are ineligible and a class A misdemeanor for those who are eligible; allows defendants to enter diversionary programs

Under current law, it is a class D felony to possess an undeclared LCM, except it is an infraction with a \$90 fine for a first offense if the LCM was obtained before April 5, 2013. The bill instead makes it a class D felony if the person is ineligible to possess a firearm, and a class A misdemeanor if the person is eligible to possess a firearm.

Under current law, the court may suspend prosecution for violations of this law under certain conditions. The bill also allows the court to allow any available diversionary programs to the defendant.

Existing law allows certain individuals including law enforcement to possess, purchase, or import LCMs and other individuals, such as those who have declared possession, to possess LCMs (CGS § 53-202w(d) & (e)).

By law, an LCM is any firearm magazine, belt, drum, feed strip, or

similar device that can hold, or can be readily restored or converted to accept, more than 10 rounds of ammunition. It excludes:

1. feeding devices permanently altered so that they cannot hold more than 10 rounds,
2. .22 caliber tube ammunition feeding devices,
3. tubular magazines contained in a lever-action firearm, and
4. permanently inoperable magazines.

§§ 28-32 — DISQUALIFYING OFFENSES

Expands the list of disqualifying offenses for possessing or carrying a firearm to include misdemeanor convictions for offenses designated as family violence crimes and those prohibited under federal law due to misdemeanor domestic violence convictions or being a fugitive of justice; adds these offenses as reasons someone may be guilty of certain criminal firearm possession laws; increases, by one day, the two-year mandatory minimum prison sentence for criminal possession of a firearm, ammunition, or electronic weapon and makes those convicted of this crime eligible for special parole

Existing law prohibits certain individuals with disqualifying offenses from receiving credentials to possess or carry firearms. For long gun and handgun eligibility certificates and handgun permits, the bill prohibits the DESPP commissioner from issuing these credentials if the person (1) has been convicted of a misdemeanor of any law designated a family violence crime or (2) is prohibited under federal law from shipping, transporting, possessing, or receiving a firearm because he or she is a fugitive from justice or has been convicted of a misdemeanor crime of domestic violence (see *Background*).

It also expands the crimes of criminal possession of a firearm, ammunition, or an electronic defense weapon and criminal possession of a handgun to include possession by such a person. For family violence crimes, it includes those committed on or after October 1, 2023. Under current law, a violation of these crimes is a class C felony with a two-year mandatory minimum prison sentence and a \$5,000 minimum fine, which may not be remitted or reduced unless the court states on the record its reasons for doing so. The bill increases, by one day, the two-year mandatory minimum prison sentence for criminal possession

of a firearm, ammunition, or electronic weapon. In doing so, it makes those convicted of this crime eligible for special parole, which is a closer and more rigorous form of supervision (CGS § 54-125e).

Background

Family Violence Crime. By law, a “family violence crime” is a crime, other than a delinquent act, that involves an act of family violence to a family or household member. It does not include acts by parents or guardians disciplining minor children unless these acts constitute abuse.

Generally, “family violence” is physical harm or the threat of violence between family or household members, including stalking or a pattern of threatening, but excluding verbal abuse or arguments unless there is present danger and likelihood of physical violence (CGS § 46b-38a).

Fugitive From Justice. Under federal law, a “fugitive from justice” is anyone who has fled from any state to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding (18 U.S.C. § 921 (a)(15)).

Misdemeanor Crime of Domestic Violence. Under federal law, a “misdemeanor crime of domestic violence” is an offense that (1) is a misdemeanor under federal, state, or tribal law; (2) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon; and (3) was committed by someone with a domestic relationship with the victim (e.g., former or current spouse), with certain exceptions (18 U.S.C. 921(a)(33)).

§§ 28-30 — ADDITIONAL EDUCATIONAL REQUIREMENTS

Specifies that firearm safety training requirements for long gun and handgun eligibility certificates and handgun permits must be completed within two years before applying; requires training courses to include instruction on state law requirements on safe firearm storage and lawfully using firearms and carrying firearms in public

Under current law, applicants for long gun and handgun eligibility certificates and handgun permits must have successfully completed a DESPP-approved firearm safety and use course, which may include one

(1) available to the public offered by a local law enforcement agency, private or public educational institution, firearms training school, using instructors certified by the NRA or DEEP or (2) conducted by an NRA or state-certified instructor.

For applications for these credentials filed on or after July 1, 2024, the bill instead requires applicants to complete, within two years before submitting their applications, a DESPP-approved course on firearm safety and use, which may include certified NRA courses or those by other organizations that are conducted by a certified NRA instructor or by the state. The course must include instruction on state law requirements on safe firearm storage in the home and in vehicles and lawfully using firearms and carrying firearms in public. It specifies anyone holding a valid handgun permit before July 1, 2024, does not have to do any additional training.

The bill allows anyone who wants to provide the course for handgun permits to apply to the commissioner as he prescribes. He must approve or deny the application for the course by July 1, 2024, if the application was submitted by October 1, 2023.

§ 33 — TRIGGER LOCKS

Expands the requirement that gun dealers give trigger locks and a related written warning to all firearm buyers at the time of sale, rather than just handgun buyers

Under current law, any gun dealer selling a handgun must give the purchaser a reusable trigger lock, gun lock, or appropriate gun locking device at the time of sale. The bill expands this requirement to all firearm sales, rather than just handguns, but does not define what constitutes a firearm for this purpose.

As under current law for handgun sales, the gun dealer must equip the firearm with the trigger lock at the time of sale. The device must be made of material strong enough to prevent it from being easily disabled and have a locking mechanism accessible by a key or other electronic or mechanical accessory specific to the lock to prevent unauthorized removal. Dealers must also give the buyers a specified written warning.

As under existing law, each violation by a dealer is punishable by up to a \$500 fine.

§ 34 — CARRYING LOADED LONG GUNS IN MOTOR VEHICLES

Expands the prohibition on carrying or possessing loaded shotguns, rifles, or muzzleloaders in motor vehicles to include all long guns

Current law prohibits anyone from carrying or possessing a loaded shotgun, rifle, or muzzleloader in any vehicle or snowmobile. The bill specifies that this prohibition applies to all long guns (i.e., firearms other than handguns).

As under existing law, this prohibition does not apply to servicemembers while on duty or travelling to or from assignments or to enforcement officers, security guards, or other people employed to protect property while in the performance of their duties. A violation is a class D misdemeanor (punishable by up to 30 days imprisonment, up to a \$250 fine, or both).

EFFECTIVE DATE: July 1, 2023

§ 35 — BODY ARMOR

Requires those buying or receiving body armor to have certain gun-related credentials; expands purchase exemptions to include judicial marshals, probation officers, federal firearms licensees, and emergency medical service organization employees

Under current law, “body armor” is any material designed to be worn on the body and to provide bullet penetration resistance. The bill instead defines it as any item designed to provide bullet penetration resistance and be worn on or under clothing, like a vest or other article of clothing.

Current law generally requires the sale or delivery of the body armor to be in person. The bill also requires a person who buys or receives body armor to have a local gun dealer permit, handgun permit, eligibility certificate for handgun or long gun, or ammunition certificate. The bill extends the current penalty for criminal possession of body armor to the gun-related credential requirement, making it a class B misdemeanor if a purchaser violates either requirement.

Current law exempts from the in-person requirement certain law enforcement officials, among others. The bill exempts these individuals from the bill's gun-related credential requirement and expands the list to include judicial marshals, probation officers, federal firearm licensees, and emergency medical service organization employees (i.e., ambulance drivers, emergency medical technicians, and paramedics).

As under existing law, it is a class A misdemeanor for anyone convicted of specific felonies or a serious juvenile offense to possess body armor.

§§ 36-39 & 43-44 — SERIOUS FIREARM OFFENDER

Sets more stringent release conditions for serious firearm offenders; allows or requires prosecutors to petition the court for bond amounts of up to 30% depending on prior convictions; lowers the evidentiary threshold for courts to revoke a defendant's release under certain circumstances involving serious firearm offenses and requires revocation under these circumstances; requires certain bail to be forfeited when the defendant commits a serious firearm offense while released; requires probation officers to seek arrests for certain serious firearm offenders or offenses

The bill imposes different conditions for release for serious firearm arrests depending on whether the arrested person has prior convictions for certain crimes. For those without these prior convictions, the bill generally follows the same release procedures as current law, while only allowing those with these prior convictions to be released by posting bond.

Serious Firearm Offenses and Offenders

Under the bill, a "serious firearm offense" is:

1. illegally possessing an LCM (CGS § 53-202w, as amended by the bill);
2. possessing a stolen firearm or a firearm that is altered in a way that makes it unlawful;
3. altering, removing, or defacing a firearm's identification mark, serial number, or name (CGS § 29-36);
4. manufacturing, possessing, or transferring a firearm without the

number or mark (CGS § 29-36a, as amended by the bill);

5. knowingly, recklessly, or with criminal negligence, facilitating, aiding, or abetting the manufacture of a firearm (a) by someone prohibited by law from purchasing or possessing a firearm or (b) that a person is otherwise prohibited by law from purchasing or possessing (CGS § 29-36a, as amended by the bill); or
6. any crime of which an essential element is that the person discharged, used, or was armed with and threatened the use of a firearm.

A “serious firearm offender” is a person who has been convicted of a:

1. serious firearm offense twice;
2. serious firearm offense and was previously convicted of a violation of (a) altering, removing, or defacing a firearm’s identification mark, serial number, or name; (b) manufacturing, possessing, or transferring a firearm without an identification serial number or mark; (c) knowingly, recklessly, or with criminal negligence, facilitating, aiding, or abetting the manufacture of a firearm, as described above; or (d) criminally possessing a firearm, ammunition, or electronic defense weapon or handgun due to specified disqualifying offenses; or
3. serious firearm offense and was previously convicted of at least two other felony offenses.

Notification

Current law allows probation officers to notify the police if they have probable cause to believe that a person on probation has violated his or her probation conditions. The bill requires them to do so if the person is a serious firearm offender or is on probation for a felony conviction and has been arrested for committing a serious firearm offense. As under existing law, this notice is sufficient warrant for the police to arrest the

person and return him or her into the court's custody.

Arrest Warrant

The bill requires a probation officer who has probable cause to believe that a serious firearm offender on probation has violated a probation condition to apply to any judge for a warrant to arrest the person for the probation condition or conditional discharge violation. The officer must also apply for a warrant if he or she knows that a person on probation for a felony conviction has been arrested for committing a serious firearm offense. As under existing law, the warrant authorizes the officer to return the defendant into the court's custody or to any suitable detention facility.

Hearing Deadline

Under current law, when someone is arrested for violating the conditions of parole or conditional discharge, the court generally must dispose the charge or schedule a hearing within 120 days after arraignment. The bill shortens this period to 60 days for a defendant who is a serious firearm offender or is on probation for a felony conviction and has been arrested for a serious firearm offense.

Probation Revocation

The bill requires the court to revoke the sentence of probation or conditional discharge if the violation consists of committing a serious firearm offense or the defendant is a serious firearm offender. Under current law, the court has discretion on whether to revoke the probation or continue, modify, or extend it.

Bail

The bill creates a rebuttable presumption that a serious firearm offender poses a danger to the safety of others regarding release on bail. For applying the bail release laws, this applies to any serious firearm offender arrested and charged with a crime or any felony offender arrested for a serious firearm offense.

Conditions for Release for Serious Firearm Arrests

The bill imposes different conditions for release for serious firearm arrests depending on whether the arrested person has prior convictions for certain crimes. For those without these prior convictions, the bill generally follows the same release procedures as current law, except prosecutors can petition the court to deem the person as a serious risk to the safety of others. If granted, the person may be released only upon executing a bond of at least 30%.

Conditions of Release. As under current law for other arrests, when any arrested person charged with committing a serious firearm offense, other than a person with certain prior convictions (see below), is presented before the Superior Court in bailable offenses, the court must promptly order the person's release with one of four specified conditions (i.e., written promise to appear without special conditions or with non-financial conditions or bond with or without surety in no greater amount than necessary). Under current law, the court must consider which of these conditions of release are sufficient to reasonably assure the arrested person's appearance in court. For those charged with a serious firearm offense, the bill additionally requires the court to consider which conditions will ensure that the person will not endanger the safety of others.

Petition. The bill allows the prosecutor to (1) petition the court to deem the person a serious risk to the safety of others and (2) present any information developed by federal, state, and local law enforcement agencies during a criminal investigation or enforcement action, including, social media posts, pictures, or videos threatening violence, claiming responsibility for violence, or suggesting firearm possession.

Bond Amount. If the court finds that the arrested person is a serious risk to the safety of others, he or she may only be released upon the execution of a bond and the arrested person must deposit at least 30% of any bond amount directly with the court.

Drug Testing and Treatment. As under current law, when the court has reason to believe that the person is drug-dependent, and where

necessary, reasonable, and appropriate, it may order the person to submit to a urinalysis drug test and to participate in a program of periodic drug testing and treatment. The result of the drug test is not admissible in any criminal proceeding concerning the person.

Release Condition Factors. Under the bill, in determining what release conditions will reasonably assure the arrested person's appearance in court and that the safety of others will not be endangered, the court may generally consider the same factors as current law allows for certain felony arrests. This includes the (1) number and seriousness of pending charges, (2) weight of the evidence, (3) person's history of violence, (4) person's previous convictions for similar offenses while released on bond, and (5) likelihood based on his or her express intentions that he or she will commit another crime while released.

As under existing law for releases for certain felony arrests, the bill requires the court, when imposing conditions of release, to state for the record any of the factors that it considered and the findings it made as to the danger, if any, that the arrested person might pose to the safety of others upon his or her release.

Nonfinancial Condition of Release. The bill appears to allow the court to impose nonfinancial conditions of release for serious firearm offenders without certain prior convictions under the same conditions as under current law for other offenders. (However, the bill does not make a related conforming change allowing the court to impose nonfinancial conditions for these serious firearm offenders.) Specifically, the court must order the least restrictive condition or conditions needed to reasonably assure the person's appearance in court and that the safety of another person will not be endangered. The conditions may include supervision by a designated person or organization, travel or living accommodation restrictions, and electronic monitoring, among others.

As under current law, the court (1) must state on the record its reasons for imposing any nonfinancial condition and (2) may require the

person who is subject to electronic monitoring to pay for the cost of these services.

Release Conditions for Serious Firearm Arrests With Certain Prior Convictions

The bill sets more stringent release conditions for those committing a serious firearm offense with certain prior convictions. Defendants may only be released on bond in an amount needed to reasonably assure the person’s appearance in court and that the safety of others will not be endangered.

The bill also (1) requires a prosecutor to petition for the arrested person to deposit at least 30% of the bond amount directly with the court and (2) establishes a rebuttable presumption that the safety of others will be endangered without the granting the petition. As under current law and the bill’s provisions for serious gun offenders without prior convictions, the court may order the person to submit to a urinalysis drug test and participate in a drug testing and treatment program under the same circumstances and procedures described above.

These release conditions apply to those who are arrested for a serious firearm offense and (1) are serious firearm offenders or (2) have two or more convictions during the five-year period immediately before the current arrest for (a) illegally manufacturing, distributing, selling, prescribing, or dispensing certain illegal substances (CGS §§ 21a-277 & -278) or (b) 1st or 2nd degree larceny (CGS §§ 53a-122 & -123). These conditions also apply for those with (1) two prior convictions for the violations shown in the table below or (2) a prior conviction of a violation listed below and a previous conviction of carrying a handgun without a permit, carrying a firearm with intent to display, or failing to present a permit to a law enforcement officer who has reasonable suspicion of a crime (CGS § 29-35, as amended by the bill).

Table: Prior Convictions for More Stringent Release Conditions

Alter, remove, or deface firearm serial number (CGS § 29-36)	Manslaughter 1st degree (CGS § 53a-55)
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Manufacture or transfer "ghost gun" or possess one without declaring it or applying for serial number (CGS § 29-36a, as amended by the bill)	Manslaughter 1st degree with a firearm (CGS § 53a-55a)
Possession or use of machine gun or transfer one to someone under age 16 (CGS § 53-202)	Manslaughter 2nd degree (CGS § 53a-56)
Assault weapons (definitions only) (CGS § 53-202a, as amended by the bill)	Manslaughter 2nd degree with a firearm (CGS § 53a-56a)
Sale or transfer of assault weapons (CGS § 53-202b)	Assault 1st degree (CGS § 53a-59)
Possession of assault weapons (CGS § 53-202c)	Assault 2nd degree (CGS § 53a-60)
Possessing, purchasing, selling, or importing large capacity magazines (CGS § 53-202w, as amended by the bill)	Assault 2nd degree with a firearm (CGS § 53a-60a)
Firearms trafficking (CGS § 53-202aa)	Robbery 1st degree (CGS § 53a-134)
Manufacturing firearm from certain plastic (CGS § 53-206i)	Stealing a firearm (CGS § 53a-212)
Murder (CGS § 53a-54a)	Criminal use of firearm or electronic defense weapon (CGS § 53a-216)
Murder with special circumstances (CGS § 53a-54b)	Criminal possession of firearm, ammunition, or electronic defense weapon (CGS § 53a-217, as amended by the bill)
Felony murder (CGS § 53a-54c)	Possession of weapon on school grounds (CGS § 53a-217b)
Arson murder (CGS § 53a-54d)	Criminal possession of handgun (CGS § 53a-217c, as amended by the bill)

Not Released. As under existing law, if an arrested person is not released, the court must order him or her committed to DOC custody until the person is released or discharged under the law.

Revocation of Release

The bill (1) lowers the evidentiary threshold for courts to revoke a defendant's release if he or she is a serious gun offender or released under the offenses listed in the table above and (2) makes the revocation mandatory upon certain findings.

By law, with certain exceptions, the court may impose new or additional conditions on a defendant's release if it finds by clear and convincing evidence that he or she violated the release conditions. For offenses where a prison term of 10 or more years may be imposed, existing law allows the court to revoke the defendant's release if it finds by clear and convincing evidence that the safety of others is endangered by his or her release and there is probable cause to believe he or she committed a federal, state, or local crime while released. There is a rebuttable presumption that these defendants' release should be revoked. The bill extends these provisions to defendants who are serious firearm offenders or on release for a serious firearm offense, except as described below.

If the defendant is (1) a serious firearm offender and is on release for any offense or (2) on release for one of the offenses listed in the table above, the court must revoke the release if it finds by the preponderance of the evidence that there is probable cause to believe the defendant has committed a serious firearm offense while released. As under current law for revocations, before the revocation, the court must hold an evidentiary hearing where hearsay or secondary evidence is admissible.

Bond Forfeiture

Under the bill, the bond posted in the criminal proceeding for any offense for which the defendant was on pretrial release is forfeited if the defendant commits a serious firearm offense while released. The forfeiture occurs if the defendant is subsequently convicted of any offense he or she was released for, and a serious firearm offense committed while released.

As under existing law, the revocation of a defendant's release causes any bond posted in a criminal proceeding to be automatically terminated and the surety to be released.

§ 40 — RETURN TO CUSTODY

Requires the DOC commissioner to request a parolee to be returned to custody without a written warrant if he or she is a serious firearm offender and is arrested while on parole for a serious firearm offense

Under current law, the DOC commissioner or an officer he designates, or the pardons and paroles board or its chairperson, may authorize and require a DOC officer or other officer authorized to serve process to arrest, hold, and return a parolee into custody without a written warrant. The bill requires the commissioner to do this if the parolee is a serious firearm offender who is arrested while on parole for a felony offense or if the parolee is arrested for a serious firearm offense.

§ 41 — FIREARMS-RELATED CRIME DOCKET

Requires the chief court administrator to establish firearm-related crime dockets in certain courts

The bill requires the chief court administrator, by December 31, 2023, to establish a firearm-related crime docket to serve the geographical area courts in Fairfield, Hartford, New Haven, and Waterbury. He must establish policies and procedures to implement this docket.

EFFECTIVE DATE: Upon passage

§ 42 — EMERGENCY PETITION

Requires a police officer or prosecutor, when aware that someone released on parole or probation is a threat to public safety, to file an emergency petition for the probation or parole office to take specified steps

The bill allows any sworn peace officer of a law enforcement agency or any prosecutorial official who is aware of a parolee or person on probation who poses a serious threat to public safety to file an emergency petition with the probation or parole office's supervisory staff, as applicable, and a copy with the Chief State's Attorney's office. The petition must include the risk factors pointing to the person as a serious public safety threat and may present any information developed by federal, state, and local law enforcement agencies in a criminal investigation or enforcement action. This information may include social media posts, pictures, or videos threatening violence, claiming responsibility for violence, or suggesting firearm possession.

Within 48 hours after receiving the petition, the applicable supervisory staff must (1) seek a warrant for the person serving probation for a violation of the probation or (2) provide the reason for

not seeking one.

§ 45 — PENALTY FOR FAILING TO REPORT LOST OR STOLEN FIREARM OR ASSAULT WEAPON

Increases the penalty for a first offense of failing to report the loss or theft of a firearm or assault weapon from an infraction to a class A misdemeanor

Under existing law, a person who lawfully possess an assault weapon or firearm that is lost or stolen, must report the loss or theft to the relevant law enforcement agency within 72 hours of when he or she discovered or should have discovered the loss or theft. The bill increases the penalty for a first-time unintentional failure to report by the deadline from an infraction with a fine of up to \$90 to a class A misdemeanor.

As under existing law, a subsequent unintentional failure is a class C felony and an intentional failure to report is a class B felony. By law, a first-time violator does not lose the right to possess a gun permit.

§ 46 — HANDGUN CARRY PERMIT

Requires the DESPP commissioner to make a decision on a handgun permit application if the applicant presents an affidavit that the local authority failed to expressly deny or approve a temporary state permit application after a specified period; requires the local authority or DESPP to give a detailed written response when denying an application

Handgun Permit Application Process

By law, handgun permits are issued under a two-part process, requiring approval from both the local authority (e.g., the police chief) and DESPP. The local official investigates applicants, including doing a background check, and issues a temporary state permit, and the State Police conducts state and national criminal history record checks on the applicants and issues the five-year state permit. Existing law requires the local authority to make its decision within eight weeks. The bill requires the local authority, if denying the application, to give the applicant a detailed written reason for doing so.

Affidavit. The bill allows an applicant to submit an affidavit attesting to the DESPP commissioner a local authority failed to expressly deny his or her application or issue a temporary state permit within eight weeks of its submission. After waiting a specified period after applying

to the local authority, the applicant may submit the affidavit to DESPP in the place of a temporary state permit. The applicant must wait at least (1) 32 weeks for applications filed by March 30, 2024, and (2) 16 weeks for applications filed on or after April 1, 2024. The commissioner must accept the affidavit and notify the local authority immediately after receiving the affidavit.

As under current law for applications approved by local authorities, DESPP must make its decision on the affidavit (or inform the applicant that the department is still waiting for the results of the national criminal background check) within eight weeks after receiving the affidavit.

Additionally, the bill provides that a local authority's failure to complete its review of the temporary permit application is not grounds for the commissioner to deny the state permit. It also requires DESPP to give details in its written response on any state permit approval or denial.

Exception for Major Disasters and Declared Emergencies

The bill carves out an exception for these gun permit issuance provisions during a major disaster, presidential emergency declaration, or gubernatorial emergency declaration due to any disease epidemic, public health emergency, or natural disaster impacting a local authority. Under these circumstances, the DESPP commissioner must not accept any affidavit until 32 weeks have passed following the application date.

§ 47 — MASS SHOOTING EVENT RESPONSE

Requires (1) DESPP's civil preparedness plan to include a response plan for a mass shooting event, (2) grief counselors and mental health professionals be deployed to help family members or other people closely connected to victims of mass shootings, and (3) the DESPP commissioner and chief state's attorney to coordinate and report on mass shooting investigations

The bill requires DESPP's civil preparedness plan to include a response plan for a mass shooting event, which the bill describes as a shooting of four or more people within a three-mile radius within 24 hours. The response plan must include coordination between certain parties to determine, among other things, what led to the shooting. This

group must report to the DESPP commissioner, who then must report to the governor and certain legislators.

The bill also requires, as part of the response to a mass shooting, that (1) grief counselors and mental health professionals be deployed to help family members or other people closely connected to the victims and (2) the DESPP commissioner and chief state's attorney coordinate, and report on, an investigation of each mass shooting event.

EFFECTIVE DATE: Upon passage

Response Plan

By law, the DESPP commissioner must oversee the development of the state's civil preparedness plan and program (i.e., the State Response Framework), which is subject to the governor's approval. The bill requires the plan and program to include a response plan for mass shooting events.

The bill requires the commissioner, as part of any response plan for a mass shooting event, to include provisions for coordinating a meeting with DESPP; local police; community leaders, including religious leaders; and representatives from the Project Longevity Initiative (a comprehensive, community-based initiative to reduce gun violence that operates in Bridgeport, Hartford, New Haven, and Waterbury).

The meeting's purpose is to determine the following:

1. why the shooting event occurred and what circumstances led to it,
2. whether there were warning signs that it would occur,
3. steps the community can take to prevent further shooting events, and
4. whether there are available resources to help the community respond to the event.

The bill requires the participants, after the meeting ends, to report their findings to the DESPP commissioner. The commissioner must review and report the findings, and any other information he deems pertinent, to the governor, House and Senate majority and minority leaders, and Public Safety and Security Committee. The report must include any recommendations for legislative action to reduce mass shooting events.

Grief Counselors and Mental Health Professionals

The bill requires the DESPP commissioner to coordinate with the public health commissioner in deploying grief counselors and mental health professionals to provide mental health services after mass shooting events for the victim's family members or other people closely associated with the victims. These counselors and professionals must be deployed to (1) local community outreach groups in and around the impacted area and (2) any school or higher education institution where any of the shooting's victims or perpetrators were enrolled.

Shooting Investigation

The bill requires the DESPP commissioner to coordinate, along with the chief state's attorney's office, an investigation into each mass shooting event. The investigation must consider the following:

1. how the perpetrator got any firearm used in the event,
2. whether those firearms were gotten legally,
3. whether a large capacity magazine was used in the shooting (state law generally bans the possession or sale of these magazines, which hold more than 10 rounds of ammunition), and
4. the backgrounds of the perpetrator and victims.

For each investigation, the commissioner and chief state's attorney must report (1) the investigation's summary and findings, including any determination of what caused the event, and (2) any recommendations

to prevent future mass shooting events. They must report to the governor; the House and Senate majority and minority leaders; the Public Safety and Security Committee; and the chief elected official and legislative body of the municipality where the mass shooting occurred.

§ 48 — POLICE NOTICE OF FIREARM RIGHTS AND RISK PROTECTION ORDER APPLICATION PROCESS

Requires law enforcement units to post public notices informing people of various firearm-related rights, including specified information about the permit process and the right to own, possess, and carry firearms

The bill requires the administrative head of each law enforcement unit to ensure that all police stations, headquarters, or barracks under its jurisdiction post certain information about firearm-related rights, in a conspicuous place that is readily available for the public to view. Specifically, he or she must post a statement informing people of the following rights:

1. to request and get an application for a handgun carry permit;
2. to submit the application no later than one week after their request to do so;
3. to be informed in writing, within eight weeks after applying, of the decision on the application;
4. to file an appeal if the application is denied; and
5. their state and federal constitutional right to own, possess, and carry a firearm to protect their home or family as they so lawfully choose.

In the same way, he or she must post a statement informing people of the application process for a risk protection order, including the process for a family member or medical professional to apply.

Under the bill, as under existing law, an “administrative head of each law enforcement unit” includes the DESPP commissioner, board of police commissioners, police chief or superintendent, or other authority

in charge of a law enforcement unit (CGS § 7-291e).

BACKGROUND

Related Bills

sHB 6816 (File 539), favorably reported by the Judiciary Committee, requires DESPP to study and report on the merits and feasibility of requiring semiautomatic handguns sold in the state to contain a microstamping component.

sHB 6817 (File 635), reported favorably by the Judiciary and Appropriations committee, has similar provisions requiring (1) the DESPP commissioner to make a decision on a handgun permit application if the applicant presents an affidavit that the local authority failed to expressly deny after a specified period timeframe, (2) DESPP to develop a response plan for mass shooting events, and (3) law enforcement agencies to post a notice informing individuals about their right to request and obtain an application for a handgun permit and related rights.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute
Yea 23 Nay 14 (03/28/2023)

Appropriations Committee

Joint Favorable
Yea 39 Nay 13 (05/01/2023)