



Agency Legislative Proposal - 2014 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

AAC the Deadly Weapon Offender Registry DESPP 2014

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency:

DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION

Liaison: Steve Spellman

Phone: 860 685 8146

E-mail: Steven.Spellman@po.state.ct.us

Liaison: Scott DeVico

Phone: 203-525-6959

Email: scott.devico@ct.gov

Agency Analyst/Drafter of Proposal:

Connecticut State Police, regulatory and support services

Title of Proposal

AAC the Deadly Offender Weapon Registry

Statutory Reference

Public Act 13-3, Section 19(a)(1) and Section 19(b)

Proposal Summary

1. Reduce deadly weapon offender registration requirement from 14 days to 3 days from release date into the community or finding of not guilty by reason of mental disease or defect. (Section 19(a)(1));
2. Require deadly weapon offender to annually verify or update contents of registration by personally appearing at the office of the Department of Emergency Services and Public Protection in lieu of local police department or state police troop having jurisdiction based on offender's residency. (Section 19(b)).

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

● Reason for Proposal

1. Public Act 13-3, Section 19(a)(1) requires deadly weapon offenders to register with the Commissioner of Emergency Services and Public Protection within 14 days of release into the community or of a finding of not guilty by reason of mental disease. Fourteen days is a long period of time in which the offender may re-offend, relocate and/or impact the public's safety. Reducing the registration requirement from 14 to 3 days will facilitate efficient tracking of deadly weapon offenders and minimize registration related violations. Similar to the current sex offender registry requirements under C.G.S. Section 54-252, 3 days can provide a smaller margin of error and a greater ability to monitor post-release responsibilities.
2. Public Act, Section 19(b), requires deadly weapon offenders to annually verify or update his/her registration at the local police department or state police troop. However, registration at the local levels would be burdensome on local



resources and negatively impact the efficiency and accuracy of the deadly weapon offender registry. Combining initial registration and annual verification requirements at a central location, the office of the Department of Emergency Services and Public Protection, will promote registry accuracy by giving the offender a single point of contact for registration requirements and allow the Department to efficiently streamline its efforts to comply with the Public Act.

- **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name:
 Agency Contact (name, title, phone):
 Date Contacted:

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? YES NO

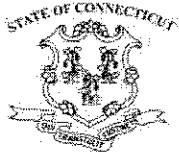
- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)
 Potential Savings

State
 None

Federal
 None

Additional notes on fiscal impact



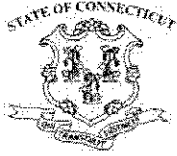
- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

None

AN ACT CONCERNING GUN VIOLENCE PREVENTION AND CHILDREN'S SAFETY.

Sec. 18. (NEW) (Effective January 1, 2014) (a) For the purposes of this section and sections 19 and 20 of this act, and sections 45a-99 and 52-11 of the general statutes, as amended by this act:

- (1) "Commissioner" means the Commissioner of Emergency Services and Public Protection;
- (2) "Convicted" means that a person has a judgment entered in this state against such person by a court upon a plea of guilty, a plea of nolo contendere or a finding of guilty by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from such judgment;
- (3) "Deadly weapon" means a deadly weapon, as defined in section 53a-3 of the general statutes;
- (4) "Department" means the Department of Emergency Services and Public Protection;
- (5) "Identifying factors" means fingerprints, a photographic image, and a description of any other identifying characteristics as may be required by the Commissioner of Emergency Services and Public Protection;
- (6) "Not guilty by reason of mental disease or defect" means a finding by a court or jury of not guilty by reason of mental disease or defect pursuant to section 53a-13 of the general statutes notwithstanding any pending appeal or habeas corpus proceeding arising from such finding;
- (7) "Offender convicted of committing a crime with a deadly weapon" or "offender" means a person who has been convicted of an offense committed with a deadly weapon;
- (8) "Offense committed with a deadly weapon" or "offense" means:
 - (A) A violation of subsection (c) of section 2-1e, subsection (e) of

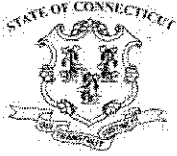


section 29-28, subsections (a) to (e), inclusive, or (i) of section 29-33, as amended by this act, section 29-34, as amended by this act, subsection (a) of section 29-35, section 29-36, as amended by this act, 29-36k, as amended by this act, 29-37a, as amended by this act, or 29-37e, subsection (c) of section 29-37g, section 29-37j, as amended by this act, subsection (b), (c) or (g) of section 53-202, section 53-202b, as amended by this act, 53-202c, as amended by this act, 53-202j, 53-202k, 53-202l, as amended by this act, 53-202aa, as amended by this act, or 53-206b, subsection (b) of section 53a-8, section 53a-55a, 53a-56a, 53a-60a, 53a-60c, 53a-72b, 53a-92a, 53a-94a, 53a-102a, 53a-103a, 53a-211, 53a-212, as amended by this act, 53a-216, 53a-217, as amended by this act, 53a-217a, as amended by this act, 53a-217b or 53a-217c, as amended by this act, or a second or subsequent violation of section 53-202g of the general statutes, as amended by this act; or (B) a violation of any section of the general statutes which constitutes a felony, as defined in section 53a-25 of the general statutes, provided the court makes a finding that, at the time of the offense, the offender used a deadly weapon, or was armed with and threatened the use of or displayed or represented by words or conduct that the offender possessed a deadly weapon;

(9) "Registrant" means a person required to register under section 19 of this act;

(10) "Registry" means a central record system in this state that is established pursuant to this section and receives, maintains and disseminates to law enforcement agencies information on persons convicted or found not guilty by reason of mental disease or defect of an offense committed with a deadly weapon; and

(11) "Release into the community" means, with respect to a conviction or a finding of not guilty by reason of mental disease or defect of an offense committed with a deadly weapon, (A) any release by a court after such conviction or finding of not guilty by reason of mental disease or defect, a sentence of probation or any other sentence under section 53a-28 of the general statutes that does not result in the offender's immediate placement in the custody of the Commissioner of Correction; (B) release from a correctional facility at the discretion of the Board of Pardons and Paroles, by the Department of Correction to a program authorized by section 18-100c of the general statutes or upon completion of the maximum term or terms of the offender's sentence or sentences, or to the supervision of the Court Support Services Division in accordance with the terms of the offender's sentence; or (C) temporary leave to an approved residence by the Psychiatric Security Review Board pursuant to section 17a-587 of the general statutes, conditional release from a hospital for mental illness or a facility for persons with intellectual disability by the Psychiatric



Security Review Board pursuant to section 17a-588 of the general statutes, or release upon termination of commitment to the Psychiatric Security Review Board.

(b) The Department of Emergency Services and Public Protection shall, not later than January 1, 2014, establish and maintain a registry of all persons required to register under section 19 of this act as offenders convicted of an offense committed with a deadly weapon. The department shall, in cooperation with the Office of the Chief Court Administrator, the Department of Correction and the Psychiatric Security Review Board, develop appropriate forms for use by agencies and individuals to report registration information, including changes of address. Upon receipt of registration information, the department shall enter the information into the registry and notify the local police department or state police troop having jurisdiction where the registrant resides or plans to reside. Upon receiving notification pursuant to section 19 of this act that a registrant has changed his or her address, the department shall enter the information into the registry and notify the local police departments or state police troops having jurisdiction where the registrant previously resided and the jurisdiction where the registrant has relocated. The Commissioner of Emergency Services and Public Protection shall also ensure that the name and residence address of each registrant is available through the Connecticut on-line law enforcement communication teleprocessing system maintained by the department. If a registrant reports a residence in another state, the department may notify the state police agency of that state or such other agency in that state that maintains registry information, if known.

(c) The Department of Emergency Services and Public Protection may suspend the registration of any person registered under section 19 of this act while such person is incarcerated, under civil commitment or residing outside this state. During the period that such registration is under suspension, the department may withdraw the registration information from access to law enforcement agencies. Upon the release of the registrant from incarceration or civil commitment or resumption of residency in this state by the registrant, the department shall reinstate the registration and redistribute the registration information in accordance with subsection (b) of this section. Suspension of registration shall not affect the date of expiration of the registration obligation of the registrant under section 19 of this act.

(d) The Department of Emergency Services and Public Protection shall include in the registry the most recent photographic image of each registrant taken by the department, the Department of Correction, a law enforcement agency or the Court Support Services Division of the Judicial Department.



(e) Whenever the Commissioner of Emergency Services and Public Protection receives notice from a superior court pursuant to section 52-11 of the general statutes, as amended by this act, or a probate court pursuant to section 45a-99 of the general statutes, as amended by this act, that such court has ordered the change of name of a person, and the department determines that such person is listed in the registry, the department shall revise such person's registration information accordingly.

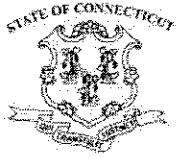
(f) The Commissioner of Emergency Services and Public Protection shall develop a protocol for the notification of other state agencies, the Judicial Department and local police departments whenever a person listed in the registry changes such person's name and notifies the commissioner of the new name pursuant to section 19 of this act or whenever the commissioner determines pursuant to subsection (e) of this section that a person listed in the registry has changed such person's name.

(g) The information in the registry shall not be a public record or file for the purposes of section 1-200 of the general statutes. Any information disclosed pursuant to this section or section 19 or 20 of this act, shall not be further disclosed unless such disclosure is permitted under this section or section 19 or 20 of this act.

Sec. 19. (NEW) (Effective January 1, 2014) (a) (1) Any person who has been convicted or found not guilty by reason of mental disease or defect of an offense committed with a deadly weapon and is released into the community on or after January 1, 2014, shall, **[within fourteen calendar days] within three days** following such release or, if such person is in the custody of the Commissioner of Correction, at such time prior to release as the Commissioner of Correction shall direct, and whether or not such person's place of residence is in this state, register such person's name, identifying factors, criminal history record, residence address and electronic mail address with the Commissioner of Emergency Services and Public Protection, on such forms and in such locations as the Commissioner of Emergency Services and Public Protection shall direct, and shall maintain such registration for five years.

(2) Prior to accepting a plea of guilty or nolo contendere from a person with respect to an offense committed with a deadly weapon, the court shall (A) inform the person that the entry of a finding of guilty after acceptance of the plea will subject the person to the registration requirements of this section, and (B) determine that the person fully understands the consequences of the plea.

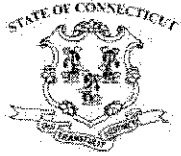
(3) If any person who is subject to registration under this section changes such person's name, such person shall, without undue delay,



notify the Commissioner of Emergency Services and Public Protection in writing of the new name. If any person who is subject to registration under this section changes such person's address, such person shall, without undue delay, notify the Commissioner of Emergency Services and Public Protection in writing of the new address. During such period of registration, each registrant shall complete and return any forms mailed to such registrant to verify such registrant's residence address and shall submit to the retaking of a photographic image upon request of the Commissioner of Emergency Services and Public Protection.

(b) Any offender convicted of committing a crime with a deadly weapon who is required to register under this section shall, not later than twenty calendar days after each anniversary date of such initial registration, until the date such registration requirement expires under subdivision (1) of subsection (a) of this section, **[personally appear at the local police department or state police troop having jurisdiction where the registrant resides to verify and update, as appropriate, the contents of his or her registration.]** personally appear before the Department of Emergency Services and Public Protection to verify and update, as appropriate, the contents of his or her registration. **[The local police department or state police troop]** The Department of Emergency Services and Public Protection, **[as the case may be],** may defer such requirement to personally appear to a later date for good cause shown. Not later than thirty calendar days prior to such anniversary date, the Department of Emergency Services and Public Protection shall mail written notice of the personal appearance requirement of this subsection to the registrant. **[and the local police department or state police troop having jurisdiction where the registrant resides. Not later than thirty calendar days after the anniversary date of each registrant, the local police department or state police troop having jurisdiction where the registrant resides shall notify the Commissioner of Emergency Services and Public Protection, on such form as the commissioner may prescribe, (1) whether the registrant complied with the personal appearance requirement of this subsection or whether such personal appearance requirement was deferred to a later date for good cause shown, and (2) if the personal appearance requirement was deferred to a later date for good cause shown, the local police department or state police troop shall indicate the later date established for such personal appearance and describe the good cause shown.]**

[(c)] (b) Any person who is subject to registration under this section who violates any provisions of subsection (a) or (b) of this section, except a violation consisting of failure to notify the Commissioner of Emergency Services and Public Protection of a change of name or



address, shall be guilty of a class D felony. Any person who is subject to registration under this section who fails to notify the Commissioner of Emergency Services and Public Protection of a change of name or address not later than five business days after such change of name or address shall be guilty of a class D felony.

Sec. 20. (NEW) (*Effective January 1, 2014*) (a) The registration information for each registrant shall include:

- (1) The offender's name, including any other name by which the offender has been legally known, and any aliases used by the offender;
 - (2) Identifying information, including a physical description of the offender;
 - (3) The current residence address of the offender;
 - (4) The date of conviction of the offense;
 - (5) A description of the offense; and
 - (6) If the offender was sentenced to a term of incarceration for such offense, a portion of which was not suspended, the date the offender was released from such incarceration.
- (b) The offender shall sign and date the registration.
- (c) At the time that the offender appears for the purpose of registering, the Department of Emergency Services and Public Protection shall photograph the offender and arrange for the fingerprinting of the offender and include such photograph and a complete set of fingerprints in the registry. If the offender is required to submit to the taking of a blood or other biological sample of sufficient quality for DNA (deoxyribonucleic acid) analysis pursuant to section 54-102g of the general statutes, and has not submitted to the taking of such sample, the commissioner shall also require such sample to be taken for analysis pursuant to section 54-102g of the general statutes.
- (d) The Department of Emergency Services and Public Protection may require the offender to provide documentation to verify the contents of his or her registration.

Sec. 21. Section 45a-99 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2014*):

- (a) The courts of probate shall have concurrent jurisdiction with the Superior Court, as provided in section 52-11, as amended by this act, to grant a change of name, except a change of name granted in accordance with subsection (a) of section 46b-63, except that no court of probate may issue an order or otherwise allow for the change of name of a person who is required to register with the Commissioner of Emergency Services and Public Protection as a sexual offender or as an offender convicted of committing a crime with a deadly weapon unless such person complies with the requirements of subdivision (1) of subsection (b) of this section.



(b) (1) Any person who is required to register with the Commissioner of Emergency Services and Public Protection as a sexual offender or as an offender convicted of committing a crime with a deadly weapon who files an application with the Court of Probate for a change of name shall (A) prior to filing such application, notify the Commissioner of Emergency Services and Public Protection, on such form as the commissioner may prescribe, that the person intends to file an application for a change of name, indicating the change of name sought, and (B) include with such application a sworn statement that such change of name is not being sought for the purpose of avoiding the legal consequences of a criminal conviction, including, but not limited to, a criminal conviction that requires such person to register as a sexual offender or as an offender convicted of committing a crime with a deadly weapon.

(2) The Commissioner of Emergency Services and Public Protection shall have standing to challenge such person's application for a change of name in the court of probate where such change of name is sought. The commissioner shall challenge the change of name through the Attorney General. The court of probate may deny such person's application for a change of name if the court finds, by a preponderance of the evidence, that the person is applying for such change of name for the purpose of avoiding the legal consequences of a criminal conviction.

(c) Whenever the court, pursuant to this section, orders a change of name of a person, the court shall notify the Commissioner of Emergency Services and Public Protection of the issuance of such order if the court finds that such person is listed in the registry established and maintained pursuant to section 54-257 or in the registry established and maintained pursuant to section 18 of this act.

Sec. 22. Section 52-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2014*):

(a) The superior court in each judicial district shall have jurisdiction of complaints praying for a change of name, brought by any person residing in the judicial district, and may change the name of the



Agency Legislative Proposal - 2014 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

AAC Regulation of Firearms-DESPP 2014

(If submitting an electronically, please label with date, agency, and title of proposal -- 092611_SDE_TechRevisions)

State Agency:

Department of Emergency Services and Public Protection

Liaison: Steve Spellman

Phone: 860-685-8000

E-mail: steven.spellman@ct.gov

Liaison: Scott DeVico

Phone: 203-525-6959

Email: scott.devico@ct.gov

Lead agency division requesting this proposal: DESPP Special Licensing and Firearms Unit.

Agency Analyst/Drafter of Proposal:

collective

Title of Proposal

AAC Regulation of Firearms

Statutory Reference:

Section 1- CGS 53-206d

Section 2 and 4- CGS 29-33 and 29-37

Section 3- CGS 29-36g

Section 5- CGS 29-37g

Proposal Summary

Section 1- Conforms statute prohibiting carrying a firearm while under the influence of intoxicating liquor or drug to .08

Sections 2 and 4- Adds date of birth and place of birth to the statutorily mandated paperwork as stated in C.G.S. 29-33(e) and 29-37 (b).

Section 3- Adds language to Sec 29-36g regarding the fees as necessary for submission of fingerprints to Federal Bureau of Investigation as well as Connecticut's State Police Bureau of Identification where fees are required to process fingerprints.

Section 5- Changes to the Gun Show Requirements: Language has been added that would require a gun show promoter to also notify the Commissioner of Emergency Service and Public Protection not later than thirty days before commencement of a gun show, of the date, time, duration and location of a planned gun show. Requirements for notifying local authorities remain unchanged.



PROPOSAL BACKGROUND

- Reason for Proposal

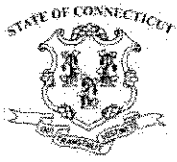
Section 1: Statute prohibiting carrying a firearm while under the influence of intoxicating liquor or drug should have the same standard as other statutory prohibitions in order to provide consistency between this statute and similar legal limits for determining intoxication within section 14-227a, Operation While Under the Influence of Liquor or Drug or While having an Elevated Blood Alcohol Content.

Sections 2 and 4: All forms presently require date of birth (DOB) and place of birth (POB). This would legally make that addition to the receipt required by C.G.S. 29-33. Federal procedural regulations have been re-defined for the National Instant Background System (NICS), which is requiring the place of birth for every firearm sale transaction. Adding the DOB and POB fields alongside name, address, make, serial number, model, etc will further define mandatory fields required.

Section 3: Adds the fees required by the FBI and State of Connecticut for the processing of fingerprints. The FBI will not accept fingerprints without the attached fee required. Additional language in subsection (b), allows for the same time frame as subsection (a) allowing issuance only after the state and federal results have been returned. It also eliminates the necessity of a temporary eligibility certificate, which have never been issued.

Section 5: Requires gun show promoters to notify the Commissioner of Emergency Services and Public Protection within thirty days before commencement of a gun show of the date, time, duration and location of the gun show. The purpose of this is simply to make sure the agency has qualified personnel assigned to work during hours of shows, which are often on weekends. This requirement would be in addition to and not in place of the current requirement that the promoter notify the chief of police, warden of the borough or the first selectman of the town in which the gun show is to take place not later than thirty days before the commencement of the planned gun show. The Department of Emergency Services and Public Protection is tasked with the safety and regulation of firearms sales, as well as the issuance of permits to carry pistols or revolvers within Connecticut. The department must be able to determine the eligibility of permit and firearms owners or applicants for the purchase of firearms. Without being notified or aware of planned gun shows, agency personnel may be unavailable to make the proper determinations, to ensure that the laws regarding firearms sales are adhered to, and to offer assistance to the firearms dealers in attendance, as firearms dealers from other states often attend, but are unfamiliar with Connecticut firearms laws, procedures, and the forms they must abide by.

--



- **Origin of Proposal** ___ New Proposal ___X_ Resubmission

SB 897 was JF'd out of the Public Safety Committee but the bill was never taken up in the Senate.

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: N/A

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal ___ YES ___x_ NO ___ Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? ___ YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)

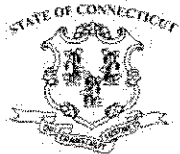
Section 1: None

Section 2: None

Section 3: None

Section 4: None

Section 5: None



State

Section 1: Minimal, can be absorbed; some revenue gain
Section 2: None
Section 3: None
Section 4: None
Section 5: None

Federal

Section 1: None
Section 2: None
Section 3: None
Section 4: None
Section 5: None

Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

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

Sec. 1. Section 53-206d of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2013):

(a) (1) No person shall carry a pistol, revolver, machine gun, shotgun, rifle or other firearm, which is loaded and from which a shot may be discharged, upon his person (A) while under the influence of intoxicating liquor or any drug, or both, or (B) while the ratio of alcohol in the blood of such person is [ten-hundredths] eight-hundredths of one per cent or more of alcohol, by weight.

(2) Any person who violates any provision of this subsection shall be guilty of a class B misdemeanor.

(b) (1) No person shall engage in hunting while under the influence of intoxicating liquor or any drug, or both, or while impaired by the consumption of intoxicating liquor. A person shall be deemed under the influence when at the time of the alleged offense the person (A) is under the influence of intoxicating liquor or any drug, or both, or (B) has an elevated blood alcohol content. For the purposes of this subdivision, "elevated blood alcohol content" means (i) a ratio of alcohol in the blood of such person



that is [~~ten-hundredths~~] eight-hundredths of one per cent or more of alcohol, by weight, or (ii) if such person has been convicted of a violation of this subsection, a ratio of alcohol in the blood of such person that is seven-hundredths of one per cent or more of alcohol, by weight. A person shall be deemed impaired when at the time of the alleged offense the ratio of alcohol in the blood of such person was more than seven-hundredths of one per cent of alcohol, by weight, but less than [~~ten-hundredths~~] eight-hundredths of one per cent of alcohol, by weight.

(2) Any person who violates any provision of this subsection shall be guilty of a class A misdemeanor.

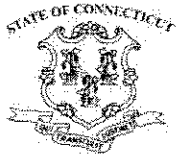
(3) Enforcement officers of the Department of Environmental Protection are empowered to arrest for a violation of the provisions of this subsection.

Sec. 2. Subsection (e) of section 29-33 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(e) Upon the sale, delivery or other transfer of any pistol or revolver, the person making the purchase or to whom the same is delivered or transferred shall sign a receipt for such pistol or revolver which shall contain the name, date and place of birth, and address of such person, the date of sale, the caliber, make, model and manufacturer's number and a general description of such pistol or revolver, the identification number of such person's permit to carry pistols or revolvers, issued pursuant to subsection (b) of section 29-28, permit to sell at retail pistols or revolvers, issued pursuant to subsection (a) of said section, or eligibility certificate for a pistol or revolver, issued pursuant to section 29-36f, if any, and the authorization number designated for the transfer by the Department of Emergency Services and Public Protection. The person, firm or corporation selling such pistol or revolver or making delivery or transfer thereof shall give one copy of the receipt to the person making the purchase of such pistol or revolver or to whom the same is delivered or transferred, shall retain one copy of the receipt for at least five years, and shall send, by first class mail, or electronically transmit, within forty-eight hours of such sale, delivery or other transfer, one copy of the receipt to the Commissioner of Emergency Services and Public Protection and one copy of the receipt to the chief of police or, where there is no chief of police, the warden of the borough or the [~~first selectman~~] chief executive officer of the town, as the case may be, of the town in which the transferee resides.

Sec. 3. Section 29-36g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Requests for eligibility certificates under section 29-36f shall be submitted to the Commissioner of Emergency Services and Public Protection on application forms prescribed by the commissioner. No eligibility certificate for a pistol or revolver shall be issued under the provisions of said section unless the applicant for such certificate gives to the Commissioner of Emergency Services and Public Protection, upon the commissioner's request, full information concerning the applicant's criminal record and relevant information concerning the applicant's mental health history. The commissioner shall require each applicant to submit to state and national criminal history records checks in accordance with section 29-17a. The commissioner shall take a full description of such applicant. The commissioner shall take the fingerprints of such applicant or conduct any other method of positive identification required by the State Police Bureau of Identification or the Federal Bureau of Investigation. The commissioner shall



record the date the fingerprints were taken in the applicant's file and shall conduct criminal history records checks in accordance with section 29-17a. The commissioner shall, within sixty days of receipt of the national criminal history records check from the Federal Bureau of Investigation, either approve the application and issue the eligibility certificate or deny the application and notify the applicant of the reason for such denial in writing.

(b) (1) With respect to any application for an eligibility certificate filed with the Commissioner of Emergency Services and Public Protection on or before July 1, 1995, the commissioner shall, not later than October 1, 1995, (A) approve the application and issue the eligibility certificate, (B) issue a temporary eligibility certificate, or (C) deny the application and notify the applicant of the reason for such denial in writing.

(2) With respect to any application for an eligibility certificate filed with the Commissioner of Emergency Services and Public Protection after July 1, 1995, the commissioner shall, [within ninety days] not later than sixty days after notification from the Federal Bureau of Investigation, (A) approve the application and issue the eligibility certificate, [(B) issue a temporary eligibility certificate,] or [(C)] (B) deny the application and notify the applicant of the reason for such denial in writing.

[(3) A temporary certificate issued under this subsection shall be valid until such time as the commissioner either approves or denies the application.]

(c) An eligibility certificate for a pistol or revolver shall be of such form and content as the commissioner may prescribe, shall be signed by the certificate holder and shall contain an identification number, the name, address, place and date of birth, height, weight and eye color of the certificate holder and a full-face photograph of the certificate holder.

(d) A person holding an eligibility certificate issued by the commissioner shall notify the commissioner [within] not later than two business days [of] after any change of [his] address. The notification shall include [his] both the old address and [his] new address of the certificate holder.

(e) Notwithstanding the provisions of sections 1-210 and 1-211, the name and address of a person issued an eligibility certificate for a pistol or revolver under the provisions of section 29-36f shall be confidential and shall not be disclosed, except (1) such information may be disclosed to law enforcement officials acting in the performance of their duties, (2) the Commissioner of Emergency Services and Public Protection may disclose such information to the extent necessary to comply with a request made pursuant to section 29-33, as amended by this act, for verification that such certificate is still valid and has not been suspended or revoked, and (3) such information may be disclosed to the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of section 17a-500.

(f) An eligibility certificate for a pistol or revolver shall not authorize the holder thereof to carry a pistol or revolver upon his person in circumstances for which a permit to carry a pistol or revolver issued pursuant to subsection (b) of section 29-28 is required under section 29-35.

Sec. 4. Subsection (b) of section 29-37a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Upon the delivery of the firearm, the purchaser shall sign in triplicate a receipt for such firearm which



shall contain the name, date and place of birth and address of such purchaser, the date of sale, caliber, make, model and manufacturer's number and a general description thereof. Not later than twenty-four hours after such delivery, the vendor shall send by first class mail or electronically transfer one receipt to the Commissioner of Emergency Services and Public Protection and one receipt to the chief of police or, where there is no chief of police, the warden of the borough or the first selectman, of the town in which the purchaser resides, and shall retain one receipt, together with the original application, for at least five years. The waiting period specified in subsection (a) of this section during which delivery may not be made and the provisions of this subsection shall not apply to any federal marshal, parole officer or peace officer, or to the delivery at retail of (1) any firearm to a holder of a valid state permit to carry a pistol or revolver issued under the provisions of section 29-28 or a valid eligibility certificate issued under the provisions of section 29-36f, (2) any firearm to an active member of the armed forces of the United States or of any reserve component thereof, (3) any firearm to a holder of a valid hunting license issued pursuant to chapter 490, or (4) antique firearms. For the purposes of this section, "antique firearm" means any firearm which was manufactured in or before 1898 and any replica of such firearm provided such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition except rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and not readily available in the ordinary channel of commercial trade.

Sec. 5 Section 29-37g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) For the purposes of this section, (1) "gun show" means any event (A) at which fifty or more firearms are offered or exhibited for sale, transfer or exchange to the public, and (B) at which two or more persons are exhibiting one or more firearms for sale, transfer or exchange to the public; and (2) "gun show promoter" means any person who organizes, plans, promotes or operates a gun show.

(b) Not later than thirty days before commencement of a gun show, the gun show promoter shall notify the Commissioner of Emergency Services and Public Protection and the chief of police of the town in which the gun show is to take place or, where there is no chief of police, the warden of the borough or the first selectman of the town in which the gun show is to take place of the date, time, duration and location of the gun show.

(c) No person, firm or corporation shall sell, deliver or otherwise transfer a firearm at a gun show until such person, firm or corporation has complied with the provisions of section 29-36f.



Agency Legislative Proposal - 2014 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

AAC diversity initiative and recruitment of veterans at state fire academy-DESPP 2014

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency:

Department of Emergency Services and Public Protection

Liaison: Steven Spellman

Phone: (860) 685-8614

E-mail: Steven.Spellman@ct.gov

Liaison: Scott DeVico

Phone: 203-525-6959

Email: scott.devico@ct.gov

Lead agency division requesting this proposal:

Commission on Fire Prevention and Control

Agency Analyst/Drafter of Proposal:

Jeffrey Morrissette

Title of Proposal

AAC Diversity Initiative and Recruitment of Veterans at the Connecticut State Fire Academy

Statutory Reference 7-323l (1), (2), (4) & 7-323o (3)

Proposal Summary

The Department of Emergency Services and Public Protection's Commission on Fire Prevention and Control in coordination with the Connecticut Career Fire Chiefs Association proposes the establishment of a pilot Statewide Fire Service Diversity Recruitment and Testing Initiative with the goal of increasing the number of minority, female and military veterans, as both career and volunteer firefighters, within the state of Connecticut.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- Reason for Proposal**

The Department of Emergency Services and Public Protection's Commission on Fire Prevention and Control working in concert with the Connecticut Career Fire Chiefs Association has established a goal of increasing the number of minority, female and military veteran firefighter candidates within Connecticut's fire service, both career and volunteer. Currently, each department that employs firefighters generally establishes their own hiring standards and conducts its own recruitment, testing and selections. A lack of a statewide standard is believed to have led to an adverse impact in the employment of the stated groups in many career fire departments. It is believed this proposed pilot program is a first nationwide on a statewide level.



- **Origin of Proposal** New Proposal Resubmission

If this is a resubmission, please share:

No action taken on proposal.

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name:
Agency Contact
Date Contacted:

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? YES NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)

Potential Savings – Municipalities and fire districts are expected to benefit from not having to duplicate, on a local level, expenses associated with recruitment and mentoring in preparation for local entry-level examinations. Should the proposed Phase II development and administration of a single statewide examination process be implemented, significant savings could be achieved.

State

Fiscal impact will be personnel, development and administration expenses associated with program implementation.

State agency fire departments may see a minimal fiscal savings as they would benefit from a state administered recruitment and mentoring program.

Federal

Additional notes on fiscal impact

None

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



Currently, the Commission on Fire Prevention and Control *recommends* minimum standards of education and physical condition required of each candidate for any firefighter position as well as establishes standards for fire service training and education programs, on a voluntary basis as well as conducts an examination program to certify firefighters to 32 levels of professional competency. An area identified by the Connecticut Career Fire Chiefs Association requiring attention and resources was the development of a state led focus to recruit, mentor and test entry-level candidates, specifically focusing upon increasing the number of minority, female and military veteran firefighter candidates within Connecticut's fire service, both career and volunteer. This could be achieved through a coordinated and focused approach consisting of three phases. The first phase would consist of recruiting and mentoring potential firefighter candidates with a focus on minorities, females and military veteran's preparing them for application and testing for entry-level firefighter examinations. A comprehensive assessment would be initiated to determine the feasibility of the state of Connecticut serving as the developer and administrator of fire fighter entry-level examinations. If deemed appropriate and local support received a Phase two would consist of development and administration of a statewide entry level firefighter examination program relieving local municipalities and fire districts from this significant burden. Phase three consists of a comprehensive review of the program to determine its overall success and benefit.

Insert fully drafted bill here

**Statewide Fire Service Diversity Recruitment and Testing Initiative
DESPP-CFPC 13-01**

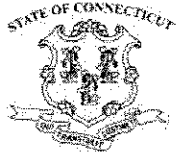
An Act Concerning a Statewide Fire Service Diversity Recruitment and Testing Program.

- (a) The Department of Emergency Services and Public Protection through the Commission on Fire Prevention and Control division, and in consultation with the Connecticut Career Fire Chiefs Association, shall develop a pilot Fire Service Diversity Recruitment and Testing Program, on or before January 1, 2014, with a goal of directly increasing the number of minority, female and military veteran applicants for firefighter entry-level examinations.
- (b) Any municipality with paid career municipal emergency personnel and state agency administered fire departments may elect to participate in the pilot program.
- (c) In order to implement the pilot program, the Department of Emergency Services and Public Protection may recruit and employ a diverse group of part-time or contracted



personnel dedicated to the recruitment and mentoring efforts applied to the local and regional level.

- (d) The Department of Emergency Services and Public Protection may conduct a statewide recruitment campaign with the goal of increasing awareness of fire service careers within the minority, female and military veteran population.
- (e) The fee for administering Candidate Physical Ability Testing (CPAT) to qualify entry level firefighter candidates shall be waived for anyone demonstrating that they are at or below the federally established poverty level as adjusted for Connecticut.
- (f) The Connecticut Fire Academy shall set aside a minimum of five positions in future recruit classes for military veteran applicants. Said applicants shall not require sponsorship from a fire department. Tuition shall be paid by the GI Bill or waived by the Department of Emergency Services and Public Protection - Commission on Fire Prevention and Control. The State of Connecticut shall bear any liability exposure for injuries sustained by these recruits during said training.
- (g) The Department of Emergency Services and Public Protection, Division of Fire Prevention and Control/Ct Fire Academy, in consultation with the Department of Administrative Services shall study possible efficiencies and savings to be gained by the development and administration of a standardized statewide Firefighter entry-level examination program with the goal of establishing a state level master employment list that municipalities and fire districts may elect to use. The Department shall report its findings to the Public Safety and Security Committee on or before February 5, 2014.



Agency Legislative Proposal - 2014 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

AAC Fire Investigations- DESPP 2014

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Department of Emergency Services and Public Protection

Liaison: Steve Spellman
Phone: 860-685-8614
E-mail: steven.spellman@ct.gov

Liaison: Scott DeVico
Phone: 203-525-6959
Email: scott.devico@ct.gov

Lead agency division requesting this proposal: Connecticut State Police

Agency Analyst/Drafter of Proposal: Janet Ainsworth

Title of Proposal

An Act Concerning Fire Investigations

Statutory Reference: 29-302

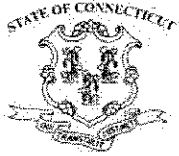
Proposal Summary

To provide proper statutory authorization when the Department of Emergency Services and Public Protection is called in to assist a local fire marshal with an investigation into the cause, origin and circumstances of any fire or explosion, the department should be able to supervise and direct such investigation. The State Fire Marshal is now part of a separate agency and the arson unit, comprised of specially trained state policemen operate under the supervision of the Commissioner of the Department of Emergency Services and Public Protection. This proposal will bring the statutes into conformity with existing practice and supervision.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- Reason for Proposal



Historically, the origin and cause investigations have been conducted by sworn members of the Department of Emergency Services and Public Protection or its predecessor agency, the Department of Public Safety. This will allow DESPP personnel to supervise and direct an investigation where the department is called in to assist a local fire marshal, as it has traditionally done.

- **Origin of Proposal** **New Proposal** **Resubmission**

--

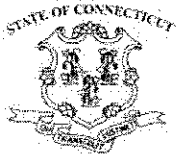
PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Department of Administrative Services Agency Contact: Terrence Tulloch-Reid Date Contacted: November 15, 2013 Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> Talks Ongoing
Summary of Affected Agency's Comments
Will there need to be further negotiation? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

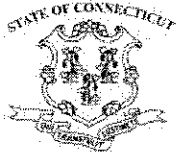
- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation) N/A
State N/A
Federal N/A
Additional notes on fiscal impact



- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

Sec. 29-302. (Formerly Sec. 29-49). Investigations. The local fire marshal shall, in accordance with the provisions of section 29-311, investigate the cause, origin and circumstances of any fire or explosion within his jurisdiction, by reason of which property has been destroyed or damaged, or any person injured or killed, or any incidents which threatened any property with destruction or damage or any person with injury or death by reason of fire or explosion, and shall especially investigate whether such fire was the result of an incendiary device or the result of carelessness, design or any criminal act; and the State Fire Marshal, or the [deputy fire marshal under his direction,] Commissioner of Emergency Services and Public Protection may supervise and direct such investigation.



Agency Legislative Proposal - 2014 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

AAC Motor Vehicles Formerly Used for Law Enforcement DESPP 2014

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Department of Emergency Services and Public Protection

Liaison: Steven Spellman
Phone: 860 685 8614
E-mail: steven.spellman@ct.gov

Liaison: Scott DeVico
Phone: 203-525-6959
Email: scott.devico@ct.gov

Lead agency division requesting this proposal: Division of State Police

Agency Analyst/Drafter of Proposal: various

Title of Proposal AAC Motor Vehicles Formerly Used for Law Enforcement

Statutory Reference 14-163b

Proposal Summary

This proposal would require an owner of a vehicle formerly used as a police car or for law enforcement purposes to remove all exterior indication and equipment related to former use.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- Reason for Proposal

Sale of former police vehicles to the general public has become a more frequent event. This proposal would mirror existing law as to ambulances and prevent situations where the general public may think a car is a police vehicle and more importantly prevent possible use of vehicles for impersonation by individuals with criminal intent.

- Origin of Proposal New Proposal Resubmission



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: DMV

Agency Contact (name, title, phone): Mike Bzdyra

Date Contacted: 12/2/13

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? YES NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

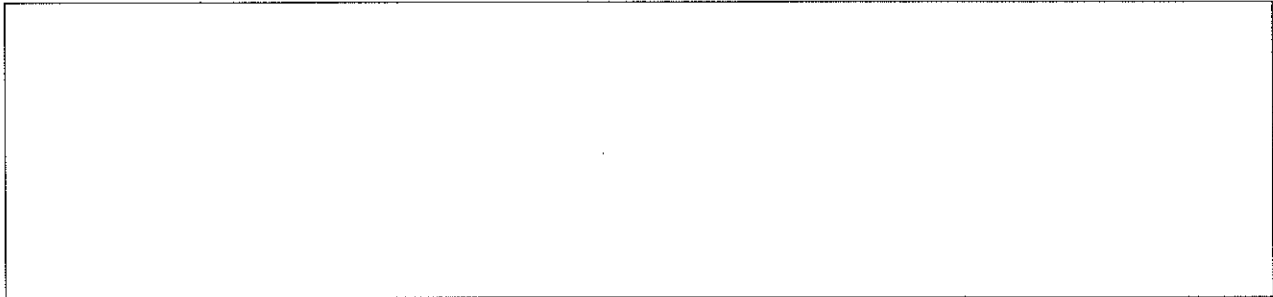
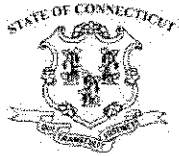
Municipal none

State none

Federal none

Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



Insert fully drafted bill here

Sec. 14-163b. Motor vehicles formerly used as ambulances. Any person who is the owner or who becomes the owner of any motor vehicle originally designed for use primarily as an ambulance or as a law enforcement or police vehicle and who ceases to use such vehicle for its original or former purpose shall remove therefrom all exterior indication of and all exterior equipment solely used or related to the original or former use of such vehicle. The provisions of this section shall not apply to any motor vehicle registered as an antique, rare or special interest motor vehicle, in accordance with section 14-20.