



Agency Legislative Proposal - 2022 Session

Document Name: Fingerprint/background provision for Fireworks Permit

(If submitting electronically, please label with date, agency, and title of proposal – 092621_SDE_TechRevisions)

State Agency: DESPP

Liaison: Scott DeVico

Phone: 203-525-6959

E-mail: scott.devico@ct.gov

Lead agency division requesting this proposal: Division of State Police

Agency Analyst/Drafter of Proposal: Captain Josh Pattberg

Title of Proposal: Fingerprint/background provision for Fireworks Permit

Statutory Reference: 29-357

Proposal Summary:

Allowing for fingerprints and federal background check for disqualifiers related to 29-357 (Fireworks)

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

SLFU is requesting to have the ability for fingerprints to be taken and submission of a national background search to ensure sellers and users of fireworks and explosives are legally able to do so. Currently, there is not a provision in state statute (29-357) that allows for the background check to go beyond the state and local check.

◇ **Origin of Proposal**

☒ **New Proposal**

☐ **Resubmission**



Click here to enter text.

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: DESPP

Agency Contact (*name, title, phone*): Captain Josh Pattberg

Date Contacted: Click here to enter text.

Approve of Proposal ☐ YES ☒ NO ☐ Talks Ongoing

Summary of Affected Agency's Comments

Click here to enter text.

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)*

None

State

None

Federal

None

Additional notes on fiscal impact

None

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

N/A



◇ EVIDENCE BASE

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Insert fully drafted bill here

Sec. 29-357. (Formerly Sec. 29-97). Sale, use and possession of fireworks prohibited. Sale, use and possession of certain sparklers or fountains permitted. Permits for display. Variations or exemptions. Penalty. (a) Except as provided in subsection [(b)] (c) of this section, no person, firm or corporation shall offer for sale, expose for sale, sell at retail or use or explode or possess with intent to sell, use or explode any fireworks. A person who is sixteen years of age or older may offer for sale, expose for sale, sell at retail, purchase, use or possess with intent to sell or use sparklers or fountains of not more than one hundred grams of pyrotechnic mixture per item, which are nonexplosive and nonaerial, provided (1) such sparklers and fountains do not contain magnesium, except for magnalium or magnesium-aluminum alloy, (2) such sparklers and fountains containing any chlorate or perchlorate salts do not exceed five grams of composition per item, and (3) when more than one fountain is mounted on a common base, the total pyrotechnic composition does not exceed two hundred grams.

(b) The Commissioner of Emergency Services and Public Protection shall require the applicant for a certificate of competency, pursuant to subsection (c) of this section, to submit to state and national criminal history records checks. The criminal history records checks required pursuant to this section shall be conducted in accordance with section 29-17a. Any permit issued under the provisions of this section may be suspended or revoked by the Commissioner of Emergency Services and Public Protection or the local fire marshal for violation by the permittee of any provision of the general statutes, any regulation or any ordinance relating to fireworks.

[(b)] (c) The Commissioner of Emergency Services and Public Protection shall adopt reasonable regulations, in accordance with chapter 54, for the granting of permits for supervised displays of fireworks or for the indoor use of pyrotechnics, sparklers and fountains for special effects by municipalities, fair associations, amusement parks, other organizations or groups of individuals or artisans in pursuit of their trade. Such permit may be issued upon



application to said commissioner and after (1) inspection of the site of such display or use by the local fire marshal to determine compliance with the requirements of such regulations, and (2) approval of the chiefs of the police and fire departments, or, if there is no police or fire department, of the first selectman, of the municipality wherein the display is to be held as is provided in this section. No such display shall be handled or fired by any person until such person has been granted a certificate of competency by the Commissioner of Emergency Services and Public Protection, in respect to which a fee of two hundred dollars shall be payable to the State Treasurer when issued and which may be renewed every three years upon payment of a fee of one hundred ninety dollars payable to the State Treasurer, provided such certificate may be suspended or revoked by said commissioner at any time for cause. Such certificate of competency shall attest to the fact that such operator is competent to fire a display. Such display shall be of such a character and so located, discharged or fired as in the opinion of the chiefs of the police and fire departments or such selectman, after proper inspection, will not be hazardous to property or endanger any person or persons. In an aerial bomb, no salute, report or maroon may be used that is composed of a formula of chlorate of potash, sulphur, black needle antimony and dark aluminum. Formulas that may be used in a salute, report or maroon are as follows: (A) Perchlorate of potash, black needle antimony and dark aluminum, and (B) perchlorate of potash, dark aluminum and sulphur. No high explosive such as dynamite, fulminate of mercury or other stimulator for detonating shall be used in any aerial bomb or other pyrotechnics. Application for permits shall be made in writing at least fifteen days prior to the date of display, on such notice as the Commissioner of Emergency Services and Public Protection by regulation prescribes, on forms furnished by the commissioner, and a fee of one hundred dollars shall be payable to the State Treasurer with each such application. After such permit has been granted, sales, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable. Any permit issued under the provisions of this section may be suspended or revoked by the Commissioner of Emergency Services and Public Protection or the local fire marshal for violation by the permittee of any provision of the general statutes, any regulation or any ordinance relating to fireworks.

[(c)] (d) The Commissioner of Emergency Services and Public Protection may grant variations or exemptions from, or approve equivalent or alternate compliance with, particular provisions of any regulation issued under the provisions of subsection **[(b)]** (c) of this section where strict compliance with such provisions would entail practical difficulty or unnecessary hardship or is otherwise adjudged unwarranted, provided any such variation, exemption, approved equivalent or alternate compliance shall, in the opinion of the commissioner, secure the public safety and shall be made in writing.

[(d)] (e) Any person, firm or corporation violating the provisions of this section shall be guilty of a class C misdemeanor, except that (1) any person, firm or corporation violating the provisions of subsection (a) of this section by offering for sale, exposing for sale or selling



at retail or possessing with intent to sell any fireworks with a value exceeding ten thousand dollars shall be guilty of a class A misdemeanor, and (2) any person, firm or corporation violating any provision of subsection ~~[(b)]~~ (c) of this section or any regulation adopted thereunder shall be guilty of a class A misdemeanor, except if death or injury results from any such violation, such person, firm or corporation shall be guilty of a class C felony.



Agency Legislative Proposal - 2022 Session

Document Name: FFL Alarm System Requirement

(If submitting electronically, please label with date, agency, and title of proposal – 092621_SDE_TechRevisions)

State Agency: DESPP

Liaison: Scott DeVico

Phone: 203-525-6959

E-mail: scott.devico@ct.gov

Lead agency division requesting this proposal: Division of State Police

Agency Analyst/Drafter of Proposal: Captain Pattberg

Title of Proposal: Penalty for FFL Alarm System

Statutory Reference: CGS 29-37d

Proposal Summary:

To Give the DESPP Commissioner authority to adopt regulations to establish penalties for violations of CGS 29-37d

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

By law, a gun dealer is required to have an active burglar alarm system connected to a police department or monitored by a central station. Currently, the law does not provide a penalty for failing to abide by the statute. Therefore, there is no way to enforce the law. SLFU has at least two (2) examples of gun dealers not having an alarm and one of which was burglarized.

◇ **Origin of Proposal**

☒ **New Proposal**

☐ **Resubmission**

Click here to enter text.



PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: Click here to enter text.

Agency Contact (*name, title, phone*): Captain Josh Pattberg

Date Contacted: Click here to enter text.

Approve of Proposal ☐ YES ☒ NO ☐ Talks Ongoing

Summary of Affected Agency's Comments

Click here to enter text.

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)*

None

State

Revenue for state from imposed fine

Federal

None

Additional notes on fiscal impact

None

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

N/A

◇ **EVIDENCE BASE**

Fines for violation of CGS 29-37d can be tracked through the state and local police departments by their Computer Aided Dispatch Systems.



Insert fully drafted bill here

Sec. 29-37d. Firearms dealer to install burglar alarm system on premises of its establishment. Exceptions.

(a) On and after July 1, 1993, each business organization which engages in the retail sale of firearms, as defined in section 53a-3, as a regular course of trade or business, shall have a burglar alarm system installed on the premises of its establishment in which ten or more firearms are stored and kept for sale. Such alarm system shall be directly connected to the local police department or monitored by a central station and shall activate upon unauthorized entry or interruption to such system. For the purposes of this section, "business organization" means a sole proprietorship, partnership, firm, corporation or other form of business or legal entity. The provisions of this section shall not apply to any person who (1) sells or exchanges a firearm for the enhancement of a personal collection or as a hobby, (2) sells all or part of a personal collection of firearms, or (3) sells firearms from his own residence and keeps for sale not more than ten firearms.

(b) The Commissioner of Emergency Services and Public Protection shall adopt regulations, in accordance with the provisions of chapter 54, establishing the penalty for failure to have a burglar alarm system as described in subsection (a).



Agency Legislative Proposal - 2022 Session

Document Name: Out of State Permit-Fingerprint Requirement

(If submitting electronically, please label with date, agency, and title of proposal – 092621_SDE_TechRevisions)

State Agency: DESPP

Liaison: Scott DeVico

Phone: 203-525-6959

E-mail: scott.devico@ct.gov

Lead agency division requesting this proposal: Division of State Police

Agency Analyst/Drafter of Proposal: Captain Josh Pattberg

Title of Proposal: Technical fix regarding fingerprint requirements for out of state permits

Statutory Reference: CGS 29-29 (b)

Proposal Summary:

Technical fix to add out of state permit applicants to the list of those who undergo a state and federal criminal history check prior to receiving a Connecticut firearm permit.

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

Technical fix for CGS 29-29 (b) to incorporate out of state pistol permit applications.

◇ **Origin of Proposal**

☒ **New Proposal**

☐ **Resubmission**

Click here to enter text.



PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: Click here to enter text.

Agency Contact (*name, title, phone*): Click here to enter text.

Date Contacted: Click here to enter text.

Approve of Proposal ☐ YES ☐ NO ☐ Talks Ongoing

Summary of Affected Agency's Comments

Click here to enter text.

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)*

None

State

None

Federal

None

Additional notes on fiscal impact

None

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

N/A

◇ **EVIDENCE BASE**

Click here to enter text.



Insert fully drafted bill here

Sec. 29-29. Information concerning criminal records of applicants for permits. (a) No temporary state permit for carrying any pistol or revolver shall be issued under the provisions of section 29-28 unless the applicant for such permit gives to the local authority, upon its request, full information concerning the applicant's criminal record. The local authority shall require the applicant to submit to state and national criminal history records checks. The local authority shall take a full description of such applicant and make an investigation concerning the applicant's suitability to carry any such weapons.

(b) The local authority, or the commissioner in the case of an out-of-state applicant, 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, unless the local authority or commissioner determines that the fingerprints of such applicant have been previously taken and the applicant's identity established, and such applicant presents identification that the local authority or commissioner verifies as valid. The local authority or commissioner shall record the date the fingerprints were taken in the applicant's file and, within five business days of such date, shall forward such fingerprints or other positive identifying information to the State Police Bureau of Identification which shall conduct criminal history records checks in accordance with section 29-17a.

(c) The local authority may, in its discretion, issue a temporary state permit before a national criminal history records check relative to such applicant's record has been received. Upon receipt of the results of such national criminal history records check, the commissioner shall send a copy of the results of such national criminal history records check to the local authority, which shall inform the applicant and render a decision on the application within one week of the receipt of such results. If such results have not been received within eight weeks after a sufficient application for a permit has been made, the local authority shall inform the applicant of such delay, in writing. No temporary state permit shall be issued if the local authority has reason to believe the applicant has ever been convicted of a felony, or that any other condition exists for which the issuance of a permit for possession of a pistol or revolver is prohibited under state or federal law.

(d) The commissioner may investigate any applicant for a state permit and shall investigate each applicant for renewal of a state permit to ensure that such applicant is eligible under state law for such permit or for renewal of such permit.

(e) No state permit may be issued unless either the local authority or the commissioner has received the results of the national criminal history records check.



Agency Legislative Proposal - 2022 Session

Document Name: SLFU- Elimination of notary/date stamp requirement

(If submitting electronically, please label with date, agency, and title of proposal – 092621_SDE_TechRevisions)

State Agency: DESPP

Liaison: Scott DeVico

Phone: 203-525-6958

E-mail: scott.devico@ct.gov

Lead agency division requesting this proposal: Division of State Police

Agency Analyst/Drafter of Proposal: Captain Josh Pattberg

Title of Proposal: Removal of notary/date stamp requirement for pistol permits

Statutory Reference: CGS 29-30(f)(4)

Proposal Summary:

CSG 29-30(f)(4) requires that the photograph to be used for the permit renewal be notarized or date stamped upon submission to SLFU. SLFU is requesting that the requirement of date stamp and notarization be removed.

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

Technical fix for CGS 29-30(f)(4)- the photograph notarization requirement cannot be used with the advancement of proposed SLFU technology that will ultimately allow for pistol permit renewals to occur online. Currently, the renewal is mailed into SLFU and the renewal application is processed manually. SLFU is seeking to greatly reduce if not eliminate the mail option so all renewals are facilitated over a secure website. A secure signature feature will be implemented with the new website that will allow the applicant to attest to his/her information submitted with their renewal.

◇ **Origin of Proposal** ☒ **New Proposal** ☐ **Resubmission**



PROPOSAL IMPACT

◇ AGENCIES AFFECTED *(please list for each affected agency)*

Agency Name: Agency Contact (<i>name, title, phone</i>): Click here to enter text. Date Contacted: Click here to enter text.
Approve of Proposal <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
Summary of Affected Agency's Comments Click here to enter text.
Will there need to be further negotiation? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

◇ FISCAL IMPACT *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal <i>(please include any municipal mandate that can be found within legislation)</i> None
State None
Federal None
Additional notes on fiscal impact None

◇ POLICY and PROGRAMMATIC IMPACTS *(Please specify the proposal section associated with the impact)*

N/A

◇ EVIDENCE BASE



Click here to enter text.

Insert fully drafted bill here

Sec. 29-30. Fees for pistol and revolver permits. Expiration and renewal of permits.

(f) The issuing authority shall send a notice of the expiration of a state permit to carry a pistol or revolver, issued pursuant to section 29-28, to the holder of such permit, by first class mail, not less than ninety days before such expiration, and shall enclose with such notice a form for the renewal of said state permit. The holder of such permit may mail the form for renewal to the issuing authority and the issuing authority shall accept such form as a valid application for renewal, provided the holder (1) completed the form according to instructions provided by the Department of Emergency Services and Public Protection, (2) enclosed the appropriate fee to renew, in accordance with subsection (a) of this section, (3) enclosed a copy of proof of citizenship or legal residency of the holder, [(4) enclose a full-face photograph of the holder [that is either notarized or date stamped,] and (5) is otherwise eligible for such permit pursuant to section 29-28. A state permit to carry a pistol or revolver, issued pursuant to section 29-28, shall be valid for a period of ninety days after the expiration date, except this provision shall not apply to any state permit to carry a pistol or revolver which has been revoked or for which revocation is pending, pursuant to section 29-32.

Commented [LM1]: Currently in statute: (4) enclosed a photograph of the holder that is either notarized or date stamped,



Agency Legislative Proposal - 2022 Session

Document Name: Technical fix for statutory references to town CEO

(If submitting electronically, please label with date, agency, and title of proposal – 092621_SDE_TechRevisions)

State Agency: DESPP

Liaison: Scott DeVico

Phone: 203-525-6959

E-mail: scott.devico@ct.gov

Lead agency division requesting this proposal: Division of State Police

Agency Analyst/Drafter of Proposal: Captain Josh Pattberg

Title of Proposal: Technical fix for statutory references to town CEO

Statutory Reference: CGS 29-28, 29-28a, 29-33, 29-37a, 29-37g

Proposal Summary:

Change to language regarding issuing authority.

PROPOSAL BACKGROUND

◇ Reason for Proposal

Technical fix for CGS 29-28, 29-28a, 29-33, 29-37a, 29-37g CGS 29-28 clarifying the title of the town CEO/executive authority that can issue a local/temporary permit. This technical fix is necessary for proper submission of fingerprints to the FBI.

◇ Origin of Proposal

☒ New Proposal

☐ Resubmission

Click here to enter text.



PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: Click here to enter text.

Agency Contact (*name, title, phone*): Captain Josh Pattberg

Date Contacted: Click here to enter text.

Approve of Proposal ☐ YES ☒ NO ☐ Talks Ongoing

Summary of Affected Agency's Comments

Click here to enter text.

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)*

None

State

None

Federal

None

Additional notes on fiscal impact

None

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

N/A

◇ **EVIDENCE BASE**

Click here to enter text.



Insert fully drafted bill here

Sec. 29-28. Permit for sale at retail of pistol or revolver. Permit to carry pistol or revolver. Confidentiality of name and address of permit holder. Permits for out-of-state residents. (a) No person who sells ten or more pistols or revolvers in a calendar year or is a federally licensed firearm dealer shall advertise, sell, deliver, or offer or expose for sale or delivery, or have in such person's possession with intent to sell or deliver, any pistol or revolver at retail without having a permit therefor issued as provided in this subsection. The chief of police **[or, where there is no chief of police, the warden of the borough or the first selectman of the town, as the case may be,]** or, where there is no chief of police, other local chief executive authority may, upon the application of any person, issue a permit in such form as may be prescribed by the Commissioner of Emergency Services and Public Protection for the sale at retail of pistols and revolvers within the jurisdiction of the authority issuing such permit. No permit for the sale at retail of any pistol or revolver shall be issued unless the applicant holds a valid eligibility certificate for a pistol or revolver issued pursuant to section 29-36f or a valid state permit to carry a pistol or revolver issued pursuant to subsection (b) of this section and the applicant submits documentation sufficient to establish that local zoning requirements have been met for the location where the sale is to take place, except that any person selling or exchanging a pistol or revolver for the enhancement of a personal collection or for a hobby or who sells all or part of such person's personal collection of pistols or revolvers shall not be required to submit such documentation for the location where the sale or exchange is to take place.

(b) Upon the application of any person having a bona fide permanent residence within the jurisdiction of any such authority, such chief of police **[, warden or selectman]** or, where there is no chief of police, other local chief executive authority may issue a temporary state permit to such person to carry a pistol or revolver within the state, provided such authority shall find that such applicant intends to make no use of any pistol or revolver which such applicant may be permitted to carry under such permit other than a lawful use and that such person is a suitable person to receive such permit.

Sec. 29-28a. Application for permit. Notice of decision to applicant. (a) Requests for temporary state permits under section 29-28 shall be submitted to the chief of police **[, or, where there is no chief of police, to the warden of the borough or the first selectman of the town, as the case may be,]** or, where there is no chief of police, other local chief executive authority on application forms prescribed by the Commissioner of Emergency Services and Public Protection. Upon written request by any person for a temporary state permit not on a prescribed application form, or upon request by any person for such application form, the local authority shall supply such forms. When any such request is made in person at the office of the local authority, the local authority shall supply such application form immediately. When any such request is made in any other manner, the local authority shall supply such application form not later than one week after receiving such request. If such application form is not supplied within the time limits required by this section, the request therefor shall constitute a sufficient application. If any local authority fails to supply an application form upon the request of any person, such person may request an application form from the Commissioner of Emergency Services and Public Protection or any barracks of the Division of State Police, and the time limits and procedures set forth in this section for handling requests for such forms shall be applicable.



Sec. 29-33. Sale, delivery or transfer of pistols and revolvers. Procedure. Penalty.

(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 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 of the town, as the case may be,]** or, where there is no chief of police, other local chief executive authority of the town in which the transferee resides.

Sec. 29-37a. Sale, delivery or transfer of long guns. Procedure. Penalty.

(d) No person, firm or corporation may sell, deliver or otherwise transfer, at retail, any long gun to any person unless such person makes application on a form prescribed and furnished by the Commissioner of Emergency Services and Public Protection, which shall be attached by the transferor to the federal sale or transfer document and filed and retained by the transferor for at least twenty years or until such transferor goes out of business. Such application shall be available for inspection during normal business hours by law enforcement officials. No such sale, delivery or other transfer of any long gun shall be made until the person, firm or corporation making such sale, delivery or transfer has ensured that such application has been completed properly and has obtained an authorization number from the Commissioner of Emergency Services and Public Protection for such sale, delivery or transfer. The Department of Emergency Services and Public Protection shall make every effort, including performing the national instant criminal background check, to determine if the applicant is eligible to receive such long gun. If it is determined that the applicant is ineligible to receive such long gun, the Commissioner of Emergency Services and Public Protection shall immediately notify the person, firm or corporation to whom such application was made and no such long gun shall be sold, delivered or otherwise transferred to such applicant by such person, firm or corporation. When any long gun is delivered in connection with any sale or purchase, such long gun shall be enclosed in a package, the paper or wrapping of which shall be securely fastened, and no such long gun when delivered on any sale or purchase shall be loaded or contain any gunpowder or other explosive or any bullet, ball or shell. Upon the sale, delivery or other transfer of the long gun, the transferee shall sign in triplicate a receipt for such long gun, which shall contain the name, address and date and place of birth of such transferee, the date of such sale, delivery or transfer and the caliber, make, model and manufacturer's number and a general description thereof. Not later than twenty-four hours after such sale, delivery or transfer, the transferor 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,]** or, where there is no chief of



police, other local chief executive authority of the town in which the transferee resides, and shall retain one receipt, together with the original application, for at least five years.

(f) (3) Upon the sale, delivery or other transfer of the long gun, the transferor or transferee shall complete a form, prescribed by the Commissioner of Emergency Services and Public Protection, that contains the name and address of the transferor, the name and address of the transferee, the date and place of birth of such transferee, the firearm permit or certificate number of the transferee, the firearm permit or certificate number of the transferor, if any, the date of such sale, delivery or transfer, the caliber, make, model and manufacturer's number and a general description of such long gun and the authorization number provided by the department. Not later than twenty-four hours after such sale, delivery or transfer, the transferor shall send by first class mail or electronically transfer one copy of such form to the Commissioner of Emergency Services and Public Protection and one copy 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 transferee resides,]** or, where there is no chief of police, other local chief executive authority and shall retain one copy, for at least five years.

Sec. 29-37g. Gun show requirements.

(b) Not later than thirty days before commencement of a gun show, the gun show promoter shall notify the chief of police **[or, where there is no chief of police, the warden of the borough or the first selectman]** or, where there is no chief of police, other local chief executive authority of the town in which the gun show is to take place of the date, time, duration and location of the gun show.



Agency Legislative Proposal - 2022 Session

Document Name: SPBI Revisions to Third Party Fingerprinting

(If submitting electronically, please label with date, agency, and title of proposal – 092621_SDE_TechRevisions)

State Agency: Department of Emergency Services and Public Protection

Liaison: Scott DeVico

Phone: 203-525-6959

E-mail: scott.devico@ct.gov

Lead agency division requesting this proposal: Connecticut State Police

Agency Analyst/Drafter of Proposal: Dane Silcox, Manager SPBI Unit

Title of Proposal: Establish Private Party Fingerprinting Providers

Statutory Reference: 29-11

Proposal Summary:

The recent implementation of new systems and the establishment of the Connecticut Criminal History Request System (CCHRS) has enabled the ability of an authorized LiveScan device to electronically submit any CCHRS pre-enrolled non-criminal purposed fingerprint search of state and federal criminal history systems. Despite this capability many law enforcement agencies choose to provide only hard copy fingerprints since the LiveScan device is often only available in criminal holding areas where civilians have limited access for non-criminal purposed fingerprint capture. The submission of hard cards results in a manual effort queuing cards to be scanned for searching the state and federal systems slowing the return of results. However, early results show that the new LiveScan submission capability does reduce results turn-around time and hard card submissions as a percentage of total submissions is down from 60% to 35%. This proposal legislates the establishment of the authorization of private entities to submit fingerprints electronically to the states systems utilizing the capability established through the implementation of the CCHRS. The primary objective will reduce hard card submissions from the current percentage of 60% to less than 10%. Organizations seeking criminal history results to determine licensing and employment based decisions need timely and accurate information to make decisions. Increasing the number of locations and organizations that can submit electronically and ultimately mandating electronic submission will improve the timeliness of these non-criminal based searches for criminal history.



PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

There have not been changes in federal/state/local laws recently that make this legislation necessary. However, continued reliance on criminal history checks to base employment and licensing decisions is one of the reasons for the implementation of the new CCHRS enabling more efficient results return. Other states like Maryland, Michigan and Georgia have implemented private provider fingerprinting services. Many states are looking at improving electronic return of fingerprints to speed result return and improve efficiency. Several Police Departments in the state utilize a 3rd party fingerprinting services to do applicant fingerprints. Unfortunately, in many cases these services are only enabled to provide hard card submission to SPBI. If this legislation is not enacted there will continue to be a large hard card submission rate which will slow result return.

◇ 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?

Original enacted proposal limited a third party contractor to a \$15 dollar fee on top of collecting the states fingerprinting fee. This proposal will not eliminate the ability of the State Police to electronically submit fingerprints but will augment and enable more fingerprints to be submitted electronically.

PROPOSAL IMPACT

◇ AGENCIES AFFECTED *(please list for each affected agency)*

Agency Name: Click here to enter text.

Agency Contact (name, title, phone): Click here to enter text.

Date Contacted: Click here to enter text.

Approve of Proposal ☐ YES ☐ NO ☐ Talks Ongoing

Summary of Affected Agency's Comments

Click here to enter text.



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)*

Sec. 29-17c. Collection of fingerprints by municipal police department or Division of State Police. Fees.

State

Sec. 29-11. State Police Bureau of Identification. Fees. Agreements re fingerprinting. Regulations.

Federal

NA

Additional notes on fiscal impact

Establishment of regulation and certification requirements impacts auditing of agencies certified to submit electronically

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

See Attached

◇ **EVIDENCE BASE**

What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

The reduction of applicant paper based submissions from the current 60% level to less than 10%.

Insert fully drafted bill here

Replace 29-11(d) as follows:

(d) The Commissioner of Emergency Services and Public Protection may enter into one or more agreements with independent contractors requiring such contractors to receive and transmit by electronic means fingerprints and demographic information to the State Police Bureau of Identification for the processing of



criminal history records checks. The commissioner shall require such contractors to: ~~(1) Collect and remit the fee charged for fingerprinting, as provided in subsection (c) of this section, to the State Police Bureau of Identification, and (2)~~ comply with terms and conditions as the commissioner shall prescribe to protect and ensure the security, privacy, confidentiality and value of the fingerprints and demographic information received and transmitted by such contractors. The commissioner may authorize such contractors to charge a convenience fee, which shall not exceed ~~fifteen~~ thirty dollars, for fingerprinting.

New Version 29-11(d) as follows

(d) The Commissioner of Emergency Services and Public Protection may enter into one or more agreements with independent contractors requiring such contractors to receive and transmit by electronic means fingerprints and demographic information to the State Police Bureau of Identification for the processing of criminal history records checks. The commissioner shall require such contractors to comply with terms and conditions as the commissioner shall prescribe to protect and ensure the security, privacy, confidentiality and value of the fingerprints and demographic information received and transmitted by such contractors. The commissioner may authorize such contractors to charge a convenience fee, which shall not exceed thirty dollars, for fingerprinting.



Agency Legislative Proposal - 2022 Session

Document Name: POST Revisions-7-291c

(If submitting electronically, please label with date, agency, and title of proposal – 092621_SDE_TechRevisions)

State Agency: Department of Emergency Services and Public Protection

Liaison: Scott DeVico

Phone: 203-525-6959

E-mail: Scott.Devico@ct.gov

Lead agency division requesting this proposal: Police Officer Standards and Training Council (POST)

Agency Analyst/Drafter of Proposal: Colin Milne, DESPP Legal

Title of Proposal: 7-291c POSTC

Statutory Reference: Conn. Gen. Stat. Sec. 7-291c

Proposal Summary:

The proposal affirms the Police Officer Standards and Training Council the ability to enforce the prohibition on employment of police officers who have been terminated, resigned, or retired while under investigation for malfeasance or serious misconduct by denying or withholding certification. The proposal also includes a mechanism for police officers to review and remove said prohibition by petitioning the council. Finally, the proposal includes new examples of serious misconduct (Effective upon passage.) Amend Sec. 7-291c.

PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

The proposal grants the Police Officer Standards and Training Council the ability to enforce the prohibition on employment of Police Officers who have been terminated, resigned, or retired while under investigation for malfeasance or serious misconduct by denying or withholding certification. (Effective upon passage.) Amend Sec. 7-291c.

Rationale: Section 7-291c prevents law enforcement officers, who were terminated, resigned, or retired under investigation of malfeasance or serious misconduct from being rehired. However, the current statutory scheme does not establish penalties or enforcement action where a law enforcement unit does not comply with the statute. By clarifying the Council's ability to withhold certification, the Council can specifically enforce the provisions of 7-291c.



"A police officer dismissed under 7-291c or a hiring law enforcement unit may petition the Police Officer Standards and Training Council to review and remove the prohibition under this section for good cause shown. For purposes of this section, "Good Cause" means (1) the police officer did not retire or resign while under investigation malfeasance or other serious misconduct (2) the police officer was exonerated under subsection (d) of this section or (3) the conduct does not rise to the definitions of "malfeasance" and "serious misconduct" as defined in subsection (f) of this section. "

Rationale: The current law does not provide a safeguard to officers who may have been terminated, resigned, or retired for conduct that ultimately did not rise to the level of malfeasance or serious misconduct, or were later found to be exonerated. Such a mechanism will alleviate due process concerns.

The proposal provides the following changes to the definition of serious misconduct and its examples: "falsification of evidence", "[repeated] use of excessive or physical force in a manner found to not be justifiable after an investigation conducted pursuant to section 51-277a", "a failure to intervene or stop another officer's use of excessive or physical force in a manner found to not be justifiable after an investigation conducted pursuant to section 51-277a" and "intimidation or harassment causing injury based upon actual or perceived protected class membership, identity, or expression"

Rationale: The additional examples correspond with the June Special Session Public Act 20-01 "Police Accountability Bill".

☒ **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?*

[Click here to enter text.](#)

PROPOSAL IMPACT

☒ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: [Click here to enter text.](#)

Agency Contact (name, title, phone): [Click here to enter text.](#)

Date Contacted: [Click here to enter text.](#)

Approve of Proposal ☐ **YES** ☐ **NO** ☐ **Talks Ongoing**

Summary of Affected Agency's Comments

[Click here to enter text.](#)

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)*

None

State

None

Federal

None

Additional notes on fiscal impact

[Click here to enter text.](#)

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

[Click here to enter text.](#)

◇ **EVIDENCE BASE**

What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

[Click here to enter text.](#)

Insert fully drafted bill here

Section 1. Section 7-291c.

(a) No law enforcement unit, as defined in section 7-294a, shall hire any person as a police officer, as defined in said section 7-294a, who was previously employed as a police officer by such unit or in any other jurisdiction and who (1) was dismissed for malfeasance or other serious misconduct calling into question such person's fitness to serve as a police officer; or (2) resigned or retired from such officer's position while under investigation for such malfeasance or other serious misconduct.

(b) Any law enforcement unit that has knowledge that any former police officer of such unit who (1) (A) was dismissed for malfeasance or other serious misconduct, or (B) resigned or retired from such



officer's position while under investigation for such malfeasance or other serious misconduct; and (2) is an applicant for the position of police officer with any other law enforcement unit, shall inform such other unit and the Police Officer Standards and Training Council established under section 7-294b of such dismissal, resignation or retirement.

(c) The Police Officer Standards and Training Council shall not certify any former police officer who (1) was dismissed for malfeasance or other serious misconduct calling into question such person's fitness to serve as a police officer; or (2) resigned or retired from such officer's position while under investigation for such malfeasance or other serious misconduct.

[(c)] (d) The provisions of this section shall not apply to any police officer who is exonerated of each allegation against such officer of such malfeasance or other serious misconduct.

(e) A police officer or law enforcement unit may petition the Police Officer Standards and Training Council to review and remove the prohibition under this section for good cause shown. For purposes of this section, "Good Cause" means (1) the police officer did not retire or resign while under investigation malfeasance or other serious misconduct (2) the police officer was exonerated under subsection (d) of this section or (3) the conduct does not rise to the definitions of "malfeasance" and "serious misconduct" as defined in subsection (f) of this section.

[(d)](f) For purposes of this section, (1) "malfeasance" means the commonly approved usage of "malfeasance"; and (2) "serious misconduct" means improper or illegal actions taken by a police officer in connection with such officer's official duties that could result in a miscarriage of justice, [or] discrimination, or a gross deviation of the generally accepted standards and behavior of law enforcement officers, including, but not limited to, (A) a conviction of a felony, (B) fabrication or falsification of evidence, (C) [repeated] use of excessive or physical force in a manner found to not be justifiable after an investigation conducted pursuant to section 51-277a, (D) a failure to intervene or stop another officer's use of excessive or physical force in a manner found to not be justifiable after an investigation conducted pursuant to section 51-277a, (E) intimidation or harassment causing injury based upon actual or perceived protected class membership, identity, or expression, [D](F) acceptance of a bribe, or [E](G) the commission of fraud.

(g) The provisions of this section do not preclude an action to cancel or revoke the certification of an officer pursuant to section §7-294d(c).

(h) The Commissioner of Emergency Services and Public Protection, in consultation with the Police Officer Standards Training Council may adopt regulations, in accordance with the provisions of chapter 54, as are necessary to implement the provisions of this section.