

CONNECTICUT CITIZENS DEFENSE LEAGUE

**BILL
SYNOPSIS
of**

HB6667

AN ACT ADDRESSING GUN VIOLENCE

CONNECTICUT CITIZENS DEFENSE LEAGUE BILL SYNOPSIS OF HB6667 AN ACT ADDRESSING GUN VIOLENCE

This bill makes various changes to the state's firearms laws.

COMMITTEE ACTION: Judiciary Committee- Joint Favorable Substitute

Yea-23 Nay-14 (03/28/2023)

PUBLIC HEARING: Total written testimony received 4,460.

In Support-300 (7%) In Opposition- 4,160 (93%) (03/06/2023)

This is a bad bill and should not pass. This proposed language is the worst gun control Connecticut residents have seen in the last 10 years.

- **Call your State Legislators**
- **Talk to them!**
- **Tell them to vote NO on HB6667**

BILL SECTIONS:

§ 1 — FIREARM OPEN CARRY PROHIBITIONS

- Prohibits anyone from
 - knowingly carrying any firearm openly
 - carrying firearms in any establishment permitted to serve alcohol on-premises

§ 2 — FIREARMS WITHOUT SERIAL NUMBERS

- Prohibits anyone from
 - having a firearm without a serial number beginning January 1, 2024

§§ 3, 19-21 & 23-24 — HANDGUN SALE LIMITATION

- Limits a person to only purchasing one handgun in 30 days

§§ 4-11 & 13-18 — GUN DEALER PERMIT AND LICENSE FOR FIREARM SALES

- Establishes a state firearm dealers license

§§ 10 & 11 — 10-DAY WAITING PERIOD

- Requires a 10-day waiting period for purchasing or receiving a firearm

§§ 11 & 30 — LONG GUNS

- Increases the minimum age to purchase long guns from 18 to 21

§§ 12 & 22 — GUN STORAGE

- Requires storage of all firearms in all homes, trigger locks, and other firearm safety mechanisms

§ 14 — EXEMPTION FROM AMMUNITION SALES MINIMUM AGE REQUIREMENT

- Exempts sales of ammunition to individuals from the minimum age requirement

§§ 15, 25-28 & 49 — “2023 ASSAULT WEAPONS BAN”

- Expands the “assault weapons” ban to include more firearms and provide a registration process

§ 29 — LARGE CAPACITY MAGAZINES

- Makes illegally possessing a large capacity magazine (LCM) a class D felony

§§ 30-31 & 33-35 — DISQUALIFYING OFFENSES

- Makes convictions for family violence crimes, disqualifying offenses for firearm credentials

§§ 30-31 & 33 — ADDITIONAL EDUCATIONAL REQUIREMENTS

- Requires additional training for new firearm credential application
 - a. at least four hours of classroom training within one year

- b. at least two hours of classroom training on state laws on firearm ownership and use
- c. at least two hours of live-fire training
- d. course approval by DESPP

§§ 32 & 36 — MANDATORY DESIGN FEATURES

- Requires semiautomatic handguns manufactured after January 1, 2024, to be equipped with a loaded chamber indicator and a magazine disconnect lockout

§ 37 — CARRYING LOADED LONG GUNS IN MOTOR VEHICLES

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

§ 38 — BODY ARMOR

- Modifies the definition of “body armor”; requires those buying or receiving to have firearm-related credentials

§§ 39-42 & 47-48 — SERIOUS FIREARM OFFENDER

- Sets more stringent release conditions for serious firearm offenders

§ 43 — RETURN TO CUSTODY

- Parolee to be returned to custody without a written warrant if arrested while on parole for a serious firearm offense

§ 44 — FIREARMS-RELATED CRIME DOCKET

- Establishes firearm-related crime dockets in certain courts

§ 45 — EMERGENCY PETITION

- Requires a police officer or prosecutor, when aware that someone released is a threat, to file an emergency petition

SUMMARY SECTIONS BY SECTIONS

§ 1 — FIREARM CARRY PROHIBITIONS

With exceptions to a certain class of citizens, this prohibits anyone from (1) knowingly carrying any firearm openly and (2) carrying a firearm in any establishment permitted for on-premises alcohol consumption; makes violations of these provisions a class D felony; requires law enforcement units to annually report on any stops conducted on suspicion of a violation of the bill's open carry prohibition (see THE REPORT below). The provisions of this section shall not apply to law enforcement or military personnel.

The bill generally prohibits anyone from knowingly carrying any firearm openly. Current law does not address whether a person must carry a firearm openly or concealed. Although the bill does not define firearm for purposes of this prohibition, the penal code defines it as any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, loaded or unloaded, from which a shot may be discharged (CGS § 53a-3).

The bill's open carry prohibition does not apply to a person (1) in his or her home, (2) on land he or she leases or owns that is connected with the home, (3) in his or her place of business, or (4) when engaged in firearm training or a bona fide hunting activity. A person is not deemed to be carrying openly if the person has taken reasonable measures to conceal that he or she is carrying a firearm. A fleeting glimpse of a firearm does not constitute a violation.

The bill also generally prohibits carrying a firearm in any establishment permitted for on-premises alcohol consumption, other than establishments that are also the person's home or place of business.

Exceptions: Under the bill, the same individuals and circumstances that are exempt from the permit requirement to carry a pistol or revolver (i.e., handgun permit) are also exempt from the bill's open carry prohibition. This includes the following individuals: (a) Connecticut parole and peace officers; (b) other states' parole or peace officers on official business; (c) Department of Motor Vehicles (DMV) inspectors; (d) federal marshals and law enforcement officers; (e) servicemembers on, or going to or from, duty; (f) and a military organization's members on parade or going to or from a place of assembly. It also includes anyone transporting a firearm: (a) as merchandise; (b) in its original package from the point of purchase to his or her home or business; (c) for repair or when moving household goods; (d) to a competition or exhibit under an out-of-state permit; (e) to and from firearm training; (f) to or from a testing range at a firearm permit-issuing authority's request; (g) or that is an antique handgun.

Penalty: Anyone violating these provisions is guilty of a class D felony (punishable by up to five years imprisonment, up to a \$5,000 fine, or both) (CGS § 29-37(b)). There is a one-year mandatory minimum to these sentences unless the court finds mitigating circumstances. The court must specifically state the mitigating circumstances, or their absence, in writing for the record. Any handgun found in violation must be forfeited.

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

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

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

IMPACT ON LEGAL FIREARM OWNERS: Permit holders will have to choose to secure their firearm in the car and risk theft, choose not to patronize the 7,000+ restaurants that also have a liquor license, or give up their unalienable right to self-protection. This will lead to greater handgun thefts from motor vehicles.

§ 2 — FIREARMS WITHOUT SERIAL NUMBERS “GHOST GUNS”

Beginning January 1, 2024, prohibits anyone from possessing a firearm without a serial number, and makes violations a class C felony; sets a process for declaring firearms without serial numbers possession to DESPP or obtaining a unique serial number or other identification marks; expands the current prohibitions on manufacturing and transferring firearms to include those manufactured between December 16, 1968, and October 1, 2019

Expansion of current firearm without serial number restrictions- current law prohibits anyone from creating what is commonly referred to as a “ghost gun.” It does so by prohibiting them from completing the manufacture of a firearm without subsequently (1) obtaining a unique serial number or other identification marks from the Department of Emergency Services and Public Protection (DESPP) and (2) engraving or permanently affixing it to the firearm.

Current law allows exceptions to these requirements for certain firearms, including those manufactured before October 1, 2019, if they are otherwise lawfully possessed. The bill narrows this exception to firearms manufactured before December 16, 1968, thus expanding these current prohibitions to those manufactured between December 16, 1968, and October 1, 2019.

Prohibition on Possession of Firearms Without a Serial Number: With limited exceptions, the bill prohibits anyone in Connecticut from distributing, importing into the state, keeping or offering for sale, or purchasing a “ghost gun”. This prohibition does not apply to firearm transfers (1) declared to DESPP; (2) by bequest or intestate succession; or (3) upon the death of a testator or settlor, to a trust, or from a trust to a beneficiary. It also allows the transfer to a police department or DESPP.

Declaration of Possession: Under the bill, anyone who, before January 1, 2024, lawfully possesses a firearm without a serial number manufactured before October 1, 2019, must apply to DESPP to declare possession by January 1, 2024. If the person is a state or U.S. Armed Forces member (i.e., servicemember) and cannot apply by January 1, 2024, because he or she is on official duty outside of

Connecticut, the member must apply within 90 days after returning to the state. The application must be made as the DESPP commissioner prescribes.

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

Moving Into the State: The bill allows anyone who moves into the state in lawful possession of a firearm without a serial number to within 90 days, either (1) obtain a unique serial number or other identification marks from DESPP and engrave or permanently affix it to the firearm, (2) render the firearm permanently inoperable, (3) sell the firearm to a licensed firearm dealer, or (4) remove the firearm from the state.

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

Exemptions: As under existing law for the "ghost gun" restrictions, these provisions do not apply to the following: (a) if the frame or lower receiver has a serial number or mark engraved; (b) the manufacture of firearms by a federally licensed manufacturer; (c) any antique firearm (e.g., those manufactured in or before 1898); (d) any firearm manufactured before December 16, 1968; (e) or delivery or transfers to a law enforcement agency.

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

Penalty: As under existing law for "ghost gun" violations, any violation of the bill's "ghost gun" provisions is a class C felony (punishable by up to 10 years imprisonment, up to a \$10,000 fine, or both). There is a \$5,000 minimum fine unless the court states on the record its reasons for remitting or reducing it. Violators must forfeit any of these firearms in their possession.

IMPACT ON LEGAL FIREARM OWNERS: The 2019 regulations did not work- this will only trip up the legal firearm owners that can't keep up with Connecticut's rabid revolving gun laws.

[§§ 3, 19-21 & 23-24 — HANDGUN SALE LIMITATION](#)

Limits a person to only one handgun purchase in 30 days and makes violations a class C felony. The provisions of this section shall not apply to law enforcement or military personnel.

Exemptions: This limitation does not apply to (a) a firearm transferred to a federal, state, or municipal law enforcement agency, or legally transferred by a person ineligible to possess it; (b) the exchange of a

handgun purchased by an individual from a federally licensed firearm dealer (FFL) for another handgun from the same FFL within 30 days after the original transaction, as long as the FFL reports the transaction to the DESPP commissioner; (c) antique handguns manufactured in or before 1898; (d) handgun sales, deliveries, and transfers between federally licensed firearm dealers, manufacturers, and importers; (e) a firearm transferred by bequest or intestate succession, or, upon the death of a testator or settlor to a trust or from a trust to a beneficiary; (f) or a transfer to a museum at a fixed location that is open to the public and displays firearms as part of an educational mission.

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

IMPACT ON LEGAL FIREARM OWNERS: This is an anti-commerce law. Purchasers will no longer be able to buy when firearms are on sale and will now have to pay full retail because Connecticut is trying to regulate the demand for legal sales.

§§ 4-11 & 13-18 — GUN DEALER PERMIT AND LICENSE FOR FIREARM SALES

Creates a state gun dealer license for retail firearm sales while also expanding the local gun dealer's permit requirement to cover all firearm sales, rather than just handgun sales.

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

The bill expands the dealer permit requirement to FFLs selling any type of firearm, rather than just handguns, and starting October 1, 2023, it requires that they also have a nontransferable state license for retail firearm sales. The license and renewal fee is \$200, but anyone who has a local permit and applies for the license before October 1, 2023, does not have to pay a fee for the initial application.

Current law also generally requires applicants to submit documentation showing that the premises where the handguns will be sold comply with local zoning requirements. The bill eliminates an exception that currently applies to anyone selling or exchanging a handgun for his or her personal collection or hobby, or who sells all or part of the collection, thus subjecting these sellers to the zoning compliance requirement.

State License: Under the bill, when someone applies in a way the DESPP commissioner requires, he must issue a state license to sell firearms at retail if the application includes: (a) the person's valid federal firearms license; (b) a handgun permit for each individual listed as a responsible person; (c) a valid local dealer's permit; (d) and any other materials the commissioner requires.

Renewal: The bill requires each person who holds a state license to sell firearms at retail to apply to renew the license every five years as the DESPP commissioner prescribes.

Penalty or Suspension or Revocation: The bill allows the commissioner to:

1. suspend or revoke a license;
2. issue fines of up to \$25,000 per violation;
3. accept an offer in compromise or refuse to grant or renew a state license; or
4. place the licensee on probation, place conditions on the licensee, or take other actions permitted by law.

Under the bill, any of the following is sufficient cause for action by the commissioner:

1. furnishing false or fraudulent information in an application or failing to comply with representations made in an application;
2. false, misleading, or deceptive representations to the public or DESPP;
3. failure to maintain effective controls against firearm thefts, including failing to install or maintain the required burglar alarm system;
4. an adverse administrative decision or delinquency assessment from the Department of Revenue Services;
5. failure to cooperate or give information to DESPP, local law enforcement authorities, or any other enforcement agency on any matter arising out of conduct at the licensee's premises;
6. revocation or suspension of the handgun permit or federal firearms license;
7. failure to get an authorization number for a firearm transfer as required by state law;
8. failure to verify that a firearm recipient is eligible to receive the firearm;
9. transfer of a firearm to a person ineligible to receive the firearm, unless the licensee relied in good faith on the information DESPP provided in verifying the ineligible person's eligibility;
10. evidence that the licensee is not a suitable person to hold a state license; and
11. failure to comply with certain other firearm-related provisions (i.e., CGS §§ 29-28 to -37s) or any other state or federal law on how licensed individuals may lawfully sell or transfer firearms.

Appeals: The bill allows anyone aggrieved by DESPP's refusal to issue or renew a license, or by a license limitation or revocation, to appeal to the Board of Firearm Examiners within 90 days of receiving the notice. In the appeal, the board must investigate and determine the facts, de novo (anew), and unless it finds the action to be for just and proper cause, it must order the license to be issued, renewed, or restored. The same appeal provisions apply by law to dealer permits and other firearm credentials.

Fiscal Impact: This bill creates a state license for firearm retailers and expands the current local retail permit to include retailers selling any type of firearm, rather than just handguns, resulting in a potential revenue gain for the Department of Emergency Services and Public Protection (DESPP) and municipalities to the extent retailers pay additional \$200 licensing fees.

IMPACT ON LEGAL FIREARM OWNERS: With additional operating fees and the new regulations placed on the FFLs- gun owners can expect to see increases in items.

§§ 10 & 11 — 10-DAY WAITING PERIOD

Prohibits anyone from transferring a firearm that needs an authorization number until at least the 11th calendar day after receiving the number. The provisions of this section shall not apply to law enforcement or military personnel.

Under state law, DESPP serves as the point of contact for initiating a National Instant Criminal Background Check System (NICS) background check. Anyone who sells, delivers, or transfers a firearm, must contact DESPP, who must run the check and then provide an authorization number for the delivery or transfer.

The bill prohibits anyone from completing the transfer of actual possession of any firearm, including long guns, where an authorization number is required until at least the 11th calendar day after receiving the number. Under the bill, as under existing law and among other penalties, illegally selling, delivering, or transferring a firearm is generally a class D felony.

IMPACT ON LEGAL FIREARM OWNERS: After waiting 16 plus weeks and paying hundreds of dollars to obtain their permit, they now must wait an additional 10 days. These causes undo hardship and multiple trips to make a legal purchase.

§§ 11 & 30 — LONG GUNS

With certain exceptions, raises the minimum age to purchase a long gun, from 18 to 21, to purchase a long gun and apply for a long gun eligibility certificate.

The bill also makes a conforming change by eliminating a current provision that bars gun dealers from selling, delivering, or transferring to anyone under age 21 semiautomatic centerfire rifles that have or can accept magazines that can hold more than five rounds of ammunition.

Exemptions: From this minimum age requirement long gun sales, deliveries, or transfers to servicemembers and members or employees of organized local police departments, DESPP, or DOC.

In addition, the minimum age requirement does not apply to long gun sales or transfers that are currently exempt from long gun credentialing and sale-related requirements. This includes sales or transfers (1) between federally licensed firearm dealers, manufacturers, and importers; (2) of curios or relics transferred to or between federally licensed firearm collectors; or (2) of antique firearms. It also does not apply to officials that are currently exempt from these requirements, including the following: DESPP, DOC, DMV, DEEP, DCJ, local police departments, the state or U.S. Armed Forces, and nuclear power plants.

Long Gun Sales and Transfers by Private Sellers: Existing law generally prohibits the sale, delivery, or transfer of any long guns by a nondealer to anyone who is not an FFL or federally licensed manufacturer or importer, except for those who comply with specified state procedures. Specifically, they must either (1) get a DESPP authorization number for the transaction or (2) ask an FFL to contact DESPP on his or her behalf and get a DESPP authorization number. The bill limits this exception to nondealers who have sold 10 or fewer firearms in the current calendar year and are not an FFL or federally licensed manufacturer or importer.

Penalty: Under the bill, as under existing law, illegally selling, delivering, or transferring a long gun is generally a class D felony. It is a class B felony if the person transferring the long gun knows that it has been stolen or that the manufacturer's number or other mark has been altered, removed, or obliterated (punishable by up to 20 years imprisonment, up to a \$15,000 fine, or both). Any long gun found in possession of anyone in violation of the long gun provisions must be forfeited.

Fiscal Impact: The bill raises the minimum age to apply for a long gun eligibility certificate from 18 to 21, resulting in a potential revenue loss to DESPP.

IMPACT ON LEGAL FIREARM OWNERS: Most impactful on youth hunters who now have to wait until they are 21. Adults under 21 no longer have a right to bear arms.

§§ 12 & 22 — GUN STORAGE

Extends the firearm storage law to all firearms people store or keep on their premises, rather than only under specified circumstances. Negligent storage of a firearm is a class D felony even if the firearm was obtained by unlawful entry to any premises by any person.

Storage Requirements: Under current law, the safe storage requirements apply if the person who controls the premises knows or reasonably should know that a (1) minor is likely to gain access to the firearm without a parent's or guardian's permission or (2) resident is ineligible to possess firearms, subject to a risk protection order, or poses a risk of imminent personal harm or harm to others.

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

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

Penalty for Criminally Negligent Storage of a Firearm: The bill expands the circumstances under which a person is guilty of criminally negligent storage of a firearm (a class D felony) to include any violation of the safe storage requirement. Under current law, a person is guilty of this crime only if a minor obtains an unlawfully stored firearm and uses it to injure or kill himself or herself or someone else unless the minor obtained the firearm through unlawful entry.

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

IMPACT ON LEGAL FIREARM OWNERS: Any time your firearm is not on you, it will have to be locked up. If someone breaks into your home and steals your firearm that wasn't locked up you will be charged with a crime.

§ 14 — EXEMPTION FROM AMMUNITION SALES MINIMUM AGE REQUIREMENT

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

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

exempts these agencies, entities, and individuals from the minimum age requirement, thus allowing sales of ammunition to them regardless of the purchaser's age.

IMPACT ON LEGAL FIREARM OWNERS: None

§§ 15, 25-28 & 49 — “2023 ASSAULT WEAPONS BAN”

Expanding the “assault weapons” ban to include more firearms including .22 sporting rifles and Pre-1993 modern sporting rifles, creates a process for those who lawfully own these weapons to obtain a certificate of possession or transfer or sell the firearm.

State law generally prohibits anyone from having or selling an “assault weapon”. Specifically, and with minor exceptions, no one in Connecticut may:

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

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

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

1. a grip or stock that allows someone to hold it with more than just the trigger finger directly below the firing action;
2. an ability to accept a detachable ammunition magazine that attaches at some location outside of the pistol grip;
3. a fixed magazine that can accept more than 10 rounds;
4. a flash suppressor or silencer, or a threaded barrel capable of accepting a flash suppressor or silencer;
5. a shroud that is attached to, or partially or completely encircles, the barrel and that allows the shooter to fire the firearm without being burned, except a slide enclosing the barrel;
6. a second hand grip; or
7. an arm brace or other stabilizing brace that allows the firearm to be fired from the shoulder, with or without an arm strap.

It also includes any semiautomatic, rimfire rifle that can accept a detachable magazine and has at least one of the following:

1. a folding or telescoping stock,
2. a grip or stock that allows someone to hold it with more than just the trigger finger directly below the firing action,
3. a forward pistol grip,

4. a flash suppressor, or
5. a grenade launcher or flare launcher.

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

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

Lawful Possession of a 2023 Assault Weapon: Under the bill, to “lawfully possess” a “2023 assault weapon” is actual lawful possession under the state laws on “assault weapons”;

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

Certificate of Possession: Under the bill, anyone who, lawfully possesses a “2023 assault weapon” may apply to DESPP by January 1, 2024, for a certificate of possession for the weapon. This includes anyone who regains possession of one from a firearm dealer, consignment shop operator, or licensed pawnbroker placed with them on or before October 1, 2023, as described below. Servicemembers unable to apply for a certificate by January 1, 2024, because they were out of state on official duty have 90 days after returning to Connecticut to apply for the certificate. The certificate allows a person to keep the firearm if he or she is eligible and otherwise complies with the law.

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

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

1. at his or her home, business place, other property he or she owns, or on someone else’s property with the owner’s permission;
2. at a target range of a public or private club or organization organized for target shooting;
3. at a target range that holds a regulatory or business license for target shooting;
4. at a licensed shooting club;
5. while attending a firearms exhibition, display, or educational project sponsored by, conducted under the auspices of, or approved by a law enforcement agency or nationally or state-recognized entity that fosters proficiency in, or promotes education about, firearms; or
6. while transporting the weapon, in compliance with pertinent law, between any of the above places, or to a firearm dealer for servicing or repair.

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

Under the bill, anyone who previously obtained a certificate of possession and has a “2023 assault weapon” does not have to obtain a subsequent certificate. He or she is deemed to have obtained a certificate for the weapon under the “assault weapons” laws.

firearm Manufacturer and Dealer Exemption: As under existing law, the bill allows firearm manufacturers to manufacture and transport “2023 assault weapons” for sale (1) to exempt parties in Connecticut and (2) out of state (CGS § 53-202i). It allows firearm dealers who lawfully possess “assault weapons” to (1) transfer the weapons between dealers or out of state, (2) display them at gun shows licensed by a state or local government entity, or (3) sell them to residents out of state. It also allows firearm dealers to take possession of registered weapons or transfer them for servicing or repair to a licensed gunsmith (1) in their employ or (2) under contract to provide gunsmithing services to them (CGS § 53-202f).

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

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

Transfer for Sale Out-of-State: Until December 31, 2023, the bill allows anyone who lawfully possesses a “2023 assault weapon” on the day before the bill takes effect, to transfer possession of the weapon to a licensed firearm dealer in or outside of Connecticut for an out-of-state sale. He or she may transport the weapon to the dealer for transfer purposes without obtaining a certificate of possession.

Dealer, Pawnbroker, and Consignment Shops: Until October 1, 2023, the bill allows a licensed firearm dealer, licensed pawnbroker, or consignment shop operator to transfer possession of a “2023 assault weapon” to a person who:

1. legally possessed it before the bill’s effective date;
2. placed the weapon in the possession of the dealer, pawnbroker, or operator before the bill passed under an agreement to sell the weapon to a third person; and
3. is eligible to possess it on the date it is transferred back to the person.

Penalties: By law, a false statement is a class A misdemeanor (punishable by up to 364 days imprisonment, up to \$2,000 fine, or both) (CGS § 53a-157b).

The same penalties that apply under existing law involving currently banned “assault weapons” apply to the “2023 assault weapons”. With some exceptions, it is a:

1. class D felony with a mandatory minimum one-year prison term to possess a banned “assault weapon”, and
2. class C felony with a mandatory minimum two-year prison term to give, transfer, keep, sell, or distribute banned “assault weapons” (CGS § 53-202b(a)(1)).
3. For transfers, sales, or gifts to people under age 18, the court must impose an additional six-year mandatory minimum, in addition, and consecutive to the term for the underlying offense (CGS § 53-202b(a)(2)).

IMPACT ON LEGAL FIREARM OWNERS: Too Many to List. Less than 10 years ago Connecticut lawmakers claimed they had no intention of banning our .22 rimfire target rifles. They even passed a fix-it bill and came out with memos saying we could own pre-1993 modern sporting rifles.

§ 29 — LARGE CAPACITY MAGAZINES

This makes illegally possessing an LCM a class D felony, for all offenses and regardless of when it was obtained.

Under current law, with exceptions, anyone who possesses an undeclared LCM that was obtained (1) before April 5, 2013, has committed an infraction and is fined up to \$90 for a first offense and then is guilty of a class D felony for subsequent offenses and (2) after April 5, 2013, is guilty of a class D felony. Existing law allows certain individuals including law enforcement to possess, purchase, or import LCMs and other individuals, such as those who have declared possession, to possess LCMs (CGS § 53-202w(d) & (e)).

IMPACT ON LEGAL FIREARM OWNERS: For any legal firearms owner who may not be aware of this 10-year-old law could now become a felon and lose all their firearms and right to own a firearm.

§§ 30-31 & 33-35 — DISQUALIFYING OFFENSES

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

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

shipping, transporting, possessing, or receiving a firearm because he or she is a fugitive from justice or has been convicted of a misdemeanor crime of domestic violence.

The bill also expands the crimes of criminal possession of a firearm, ammunition, or an electronic defense weapon and criminal possession of a handgun to include possession by such a person. Family violence crimes, it includes those committed on or after October 1, 2023.

Penalty: Under current law, a violation of these crimes is a class C felony with a two-year mandatory minimum prison sentence and a \$5,000 minimum fine, which may not be remitted or reduced unless the court states on the record its reasons for doing so. The bill increases, by one day, the two-year mandatory minimum prison sentence for criminal possession of a firearm, ammunition, or electronic weapon. In doing so, it makes those convicted of this crime eligible for special parole, which is a closer and more rigorous form of supervision (CGS § 54-125e).

§§ 30-31 & 33 — ADDITIONAL EDUCATIONAL REQUIREMENTS

Modifies the firearm training requirements for long gun and handgun eligibility certificates and handgun permits, including requiring at least four hours of classroom training with at least two hours of instruction on state laws on firearm ownership and use, plus an additional two hours of live-fire training.

Under current law, applicants for long gun and handgun eligibility certificates and handgun permits must have successfully completed a DESPP-approved firearm safety and use course, which may include one (1) available to the public offered by a local law enforcement agency, private or public educational institution, firearms training school, using instructors certified by the National Rifle Association (NRA) or DEEP or (2) conducted by an NRA or state-certified instructors.

The bill instead requires applicants to complete, within one year of submitting their applications, at least four hours of classroom training, including at least two hours of instruction on state laws on firearm ownership and use, plus an additional two hours on live-fire training, including training on handguns, including for a long gun eligibility certificate. It specifies anyone holding a valid handgun permit before July 1, 2024, need not participate in any additional training.

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

IMPACT ON LEGAL FIREARM OWNERS: These new requirements will definably lead to course fee increases. We will see a drop in instructors willing to teach two hours of firearm laws and a drop in students willing to learn about firearm safety.

§§ 32 & 36 — MANDATORY DESIGN FEATURES AND SALE REQUIREMENTS

Requires semiautomatic handguns manufactured after January 1, 2024, to be equipped with a loaded chamber indicator and a magazine disconnect lockout, if it accepts a detachable magazine; expands the requirement that firearm dealers give trigger locks and a related written warning to all firearm

buyers at the time of sale, rather than just handgun buyers. The provisions of this section shall not apply to law enforcement.

Chamber Indicator and Magazine Disconnect Lockout: The bill generally prohibits anyone from selling, delivering, or transferring any semiautomatic handgun manufactured after January 1, 2024, unless the handgun is equipped:

1. with a loaded chamber indicator (i.e., a device that indicates that a cartridge is in the firing chamber) and
2. if it accepts a detachable magazine, with a magazine disconnect lockout (i.e., a mechanism that prevents the handgun from operating to strike the ammunition primer in the firing chamber when a detachable magazine is not inserted in the handgun).

Exceptions: This prohibition does not apply to;

- (1) federal, state, or municipal law enforcement agencies purchasing handguns for officers to use in performing their law enforcement duties;
- (2) firearms legally transferred from ineligible individuals;
- (3) antique handguns; and
- (4) transactions between federally licensed firearm dealers, importers, and manufacturers.

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

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

IMPACT ON LEGAL FIREARM OWNERS: This will exclude approximately 50% of the pistols available for sale. Large manufacturers might comply but the smaller ones will just choose not to sell to Connecticut. This will drive the prices up for pre-2024 pistols.

§ 37 — CARRYING LOADED LONG GUNS IN MOTOR VEHICLES

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

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

Exemptions: As under existing law, this prohibition does not apply to service members while on duty or traveling to or from assignments or to enforcement officers, security guards, or other people employed to protect property while in the performance of their duties.

Penalty: A violation is a class D misdemeanor (punishable by up to 30 days imprisonment, up to a \$250 fine, or both).

IMPACT ON LEGAL FIREARM OWNERS: Minimal- the only change is this will now include “CT Other” firearms.

§ 38 — BODY ARMOR

Modifies the definition of “body armor” to include specified clothing inserts; requires those buying or receiving body armor to have certain firearm-related credentials; expands purchase exemptions to include judicial marshals and probation officers.

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

Current law generally requires the sale or delivery of the body armor to be in person. The bill also requires a person who buys or receives body armor to have a local firearm dealer permit, handgun permit, eligibility certificate for a handgun or long gun, or ammunition certificate.

Exemptions: Current law exempts, from the in-person requirement, certain law enforcement officials, among others. The bill exempts these individuals from the bill’s firearm-related credential requirement and expands the list to include judicial marshals or probation officers.

Penalty: The bill extends the current penalty for criminal possession of body armor to the firearm-related credential requirement, making it a class B misdemeanor (punishable by imprisonment for up to six months, a fine of up to \$1,000, or both) if a purchaser violates either requirement.

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

IMPACT ON LEGAL FIREARM OWNERS: None

§§ 39-42 & 47-48 — SERIOUS FIREARM OFFENDER

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

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

Serious Firearm Offenses and Offenders: Under the bill, a “serious firearm offense” is:

- (1) illegally possessing an LCM;

- (2) possessing a stolen firearm or a firearm that is altered in a way that makes it unlawful;
- (3) altering, removing, or defacing a firearm's identification mark, serial number, or name;
- (4) manufacturing, possessing, or transferring a firearm without the number or mark; or
- (5) knowingly, recklessly, or with criminal negligence, facilitating, aiding, or abetting, the manufacture of a firearm (a) by someone prohibited by law from purchasing or possessing a firearm or (b) that a person is otherwise prohibited by law from purchasing or possessing.

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

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

Notification, Arrest Warrant, Probation Revocation: The bill requires probation officers to notify the police if the person is a serious firearm offender or is on probation for a felony conviction and has been arrested for committing a serious firearm offense. The bill requires a probation officer who has probable cause to believe that a serious firearm offender on probation has violated a probation condition to apply to any judge for a warrant to arrest the person for the probation condition or conditional discharge.

Bail, Hearing Deadline, Conditions for Release: The bill creates a rebuttable presumption that a serious firearm offender poses a danger to the safety of others regarding release on bail. Generally, cases must dispose of the charge or schedule a hearing within 120 days after arraignment. The bill shortens this period to 60 days for a defendant who is a serious firearm offender or is on probation for a felony conviction and has been arrested for a serious firearm offense. The bill imposes different conditions for release for serious firearm arrests depending on whether the arrested person has prior convictions for certain crimes.

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

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

Prior Convictions for More Stringent Release Conditions;

- (1) Carry handgun without a permit, open carry of firearms, or carry firearms in certain alcohol establishments
- (2) Manslaughter 1st degree

- (3) Alter, remove, or deface firearm serial number
- (4) Manslaughter 1st degree with a firearm
- (5) Manufacture or transfer a “ghost gun” or possess one without declaring it or applying for serial number
- (6) Manslaughter 2nd degree
- (7) Possession or use of a machine gun or transfer one to someone under the age of 16
- (8) Manslaughter 2nd degree with a firearm
- (9) “Assault weapons” (definitions only) (CGS § 53-202a, as amended by the bill)
- (10) Assault 1st degree
- (11) Sale or transfer of “assault weapons”
- (12) Assault 2nd degree
- (13) Possession of “assault weapons”
- (14) Assault 2nd degree with a firearm
- (15) Possessing, purchasing, selling, or importing large-capacity magazines
- (16) Firearms trafficking
- (17) Stealing a firearm
- (18) Manufacturing firearm from certain plastic
- (19) Criminal use of a firearm or electronic defense weapon
- (20) Criminal possession of a firearm, ammunition, or electronic defense weapon
- (21) Murder with special circumstances
- (22) Possession of a weapon on school grounds
- (23) Felony murder
- (24) Arson murder

IMPACT ON LEGAL FIREARM OWNERS: Open Carry and Carrying where alcohol is served is now a serious offense.

§ 43 — RETURN TO CUSTODY

Requires the DOC commissioner to request a parolee to be returned to custody without a written warrant if he or she is a serious firearm offender and is arrested while on parole for a serious firearm offense. The bill requires the commissioner to do this if the parolee is a serious firearm offender who is arrested while on parole for a felony offense or if the parolee is arrested for a serious firearm offense.

IMPACT ON LEGAL FIREARM OWNERS: None

§ 44 — FIREARMS-RELATED CRIME DOCKET

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

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

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

IMPACT ON LEGAL FIREARM OWNERS: None

§ 45 — EMERGENCY PETITION

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

The bill allows any sworn peace officer of a law enforcement agency or any prosecutorial official who is aware of a parolee or person on probation who poses a serious threat to public safety to file an emergency petition with the probation or parole office's supervisory staff, as applicable, and a copy with the Chief State's Attorney's office.

Within 48 hours after receiving the petition, the applicable supervisory staff must (1) seek a warrant for the person serving probation for a violation of the probation or (2) provide the reason for not seeking one.

IMPACT ON LEGAL FIREARM OWNERS: None

Related Bills

[HB 6684](#), favorably reported by the Public Safety and Security Committee, among other things, broadens the types of target shooting pistols eligible for the “assault weapons” exemption to include those designed and sanctioned for events other than the Olympic Games.

[HB 6817](#), favorably reported by the Judiciary Committee, requires (1) the DESPP commissioner to make a decision on a handgun permit application if the applicant presents an affidavit that the local authority failed to expressly deny it during the required timeframe, (2) DESPP to develop a response plan for mass shooting events, and (3) law enforcement agencies to post a notice informing individuals about their right to request and obtain an application for a handgun permit and related rights.

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