



House of Representatives

General Assembly

File No. 566

February Session, 2000

Substitute House Bill No. 5787

House of Representatives, April 12, 2000

The Committee on Appropriations reported through REP. DYSON of the 94th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

An Act Establishing A State-Wide Firearms Trafficking Task Force.

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

1 Section 1. (NEW) (a) There shall be within the Division of State
2 Police, within the Department of Public Safety, a state-wide firearms
3 trafficking task force for the effective cooperative enforcement of the
4 laws of this state concerning the distribution and possession of
5 firearms.

6 (b) The task force shall be comprised of municipal and state law
7 enforcement officers and may include federal law enforcement officers.
8 Such task force shall be authorized to conduct any investigation
9 authorized by this section at any place within the state as may be
10 deemed necessary.

11 (c) The task force may request and may receive from any federal,
12 state or local agency, cooperation and assistance in the performance of

13 its duties, including the temporary assignment of personnel which
14 may be necessary to carry out the performance of its functions.

15 (d) The task force may enter into mutual assistance and cooperation
16 agreements with other states pertaining to firearms law enforcement
17 matters extending across state boundaries, and may consult and
18 exchange information and personnel with agencies of other states with
19 reference to firearms law enforcement problems of mutual concern.

20 (e) The Commissioner of Public Safety may appoint a commanding
21 officer and such other personnel as the commissioner deems necessary
22 for the duties of the task force, within available appropriations.

23 (f) The task force shall: (1) Review the problem of illegal trafficking
24 in firearms and its effects, including its effects on the public, and
25 implement solutions to address the problem; (2) identify persons
26 illegally trafficking in firearms and focus resources to prosecute such
27 persons; (3) track firearms which were sold or distributed illegally and
28 implement solutions to remove such firearms from persons illegally in
29 possession of them; and (4) coordinate its activities with other law
30 enforcement agencies within and without the state.

31 Sec. 2. (a) There shall be a State-Wide Firearms Trafficking Task
32 Force Policy Board within the Division of State Police, within the
33 Department of Public Safety, for administrative purposes only,
34 consisting of the Commissioner of Public Safety, the Chief State's
35 Attorney, the agent in Connecticut in charge of the federal Bureau of
36 Alcohol, Tobacco and Firearms, the president of the Connecticut Police
37 Chiefs Association and five chiefs of police designated by said
38 association, each to serve for a term of one year, provided one such
39 chief of police shall be from a municipality with a population of one
40 hundred thousand or more.

41 (b) The policy board shall direct the formulation of policies and
42 operating procedures of the task force.

43 (c) The policy board may apply for and administer any federal,
44 state, local or private appropriations or grant funds made available for
45 the operation of the task force.

46 (d) The receipts from the sale of seized firearms pursuant to section
47 54-36e of the general statutes shall be deposited in the General Fund
48 and credited to a separate, nonlapsing forfeit firearms account which
49 shall be established by the Comptroller. All moneys in the account are
50 deemed to be appropriated and shall be expended for the purposes
51 established in section 1 of this act.

52 Sec. 3. Subsection (b) of section 54-36e of the general statutes is
53 repealed and the following is substituted in lieu thereof:

54 (b) Firearms turned over to the state police pursuant to subsection
55 (a) of this section which are not destroyed or retained for appropriate
56 use shall be sold at public auctions, conducted by the Commissioner of
57 Administrative Services or [his] such commissioner's designee. Pistols
58 and revolvers, as defined in section 53a-3, which are antiques, as
59 defined in section 29-33, or curios or relics, as defined in the Code of
60 Federal Regulations, Title 27, Chapter 1, Part 178, or modern pistols
61 and revolvers which have a current retail value of one hundred dollars
62 or more may be sold at such public auctions, provided such pistols and
63 revolvers shall be sold only to persons who have a valid permit to sell
64 a pistol or revolver, or a valid permit to carry a pistol or revolver,
65 issued pursuant to section 29-28. Rifles and shotguns, as defined in
66 section 53a-3, shall be sold only to persons qualified under federal law
67 to purchase such rifles and shotguns. The proceeds of any such sale
68 shall be paid to the State Treasurer and [by him] deposited by the State
69 Treasurer in the forfeit firearms account within the General Fund.

70 Sec. 4. This act shall take effect July 1, 2000.

PS	Committee Vote:	Yea	22	Nay	0	JFS	C/R	APP
APP	Committee Vote:	Yea	50	Nay	0	JFS		

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Cost

Affected Agencies: Department of Public Safety

Municipal Impact: Cost

	Current FY	FY 01	FY 02
State Cost		\$847,000	\$730,000
State Revenue			
Net State Impact			
Municipal Impact		\$64,000	\$64,000

Explanation

State Impact:

The passage of this bill would result in additional cost to the state. The FY 01 costs are estimated at \$847,000, with annual recurring costs of \$730,000 beginning in FY 02. These figures do not include fringe benefits. Funding is not included in either of the budgets favorably reported from the Appropriations Committee.

The bill requires the Department of Public Safety (DPS) to establish a statewide firearms trafficking task force, patterned after the current statewide narcotics task force. DPS estimates that such a task force would require 9 new positions in DPS and would also require the

services of at least 4 local police officers. The DPS unit would consist of a Commanding Officer, 2 Sergeants, 4 Troopers, 1 Secretary and 1 Processing Technician. Salary costs, including meal allowances and some overtime are \$496,000. Local officers would be provided through the payment of a state stipend of \$2,000 per officer per month. This is a total of \$96,000. Fleet expenses would be about \$73,000 per year and supplies and other expenses would be about \$65,000 per year. One-time equipment costs of about \$117,000 would be incurred in FY 01. Equipment includes surveillance gear, furniture, computer terminals, cell phones, portable radios, and other tactical gear.

These positions would be in addition to the new sworn positions provided over the next two years to reach the 1,248 minimum number of troopers, per CGS Section 29-4. The 1,248-minimum should be increased to 1,255, and the total agency position count increased to 1,849.

The bill establishes a State-Wide Firearms Trafficking Task Force Policy Board to formulate the policies and operating procedures of the task force. This has no fiscal impact.

The bill also creates a Forfeit Firearms Account, which would be funded from the proceeds of the sale of seized firearms. The account would be used to fund operations of the task force. This has no fiscal impact because, since 1992, the state no longer sells seized firearms at public auction. This policy was implemented by executive order and is intended to ensure that firearms seized by the state are never used in future crimes. All firearms not kept for law enforcement purposes are destroyed.

Municipal Impact:

Municipal costs would result from the difference in the cost of the local officers' salaries and the \$2,000 monthly stipend. Based on an average salary of \$40,000 per year, total municipal costs would be

about \$64,000 per year.

OLR Bill Analysis

sHB 5787

**AN ACT ESTABLISHING A STATE-WIDE FIREARMS
TRAFFICKING TASK FORCE.****SUMMARY:**

This bill creates a statewide gun trafficking task force of law enforcement officers who must work together to enforce the state's gun distribution and possession laws. It creates the State-wide Firearms Trafficking Task Force Policy Board to direct the task force's policy formulation and operating procedures, and it allows the board to apply for and administer local, state, federal, or private appropriations or grant funds available for task force operations. It requires money received from selling seized guns to be deposited in a separate, nonlapsing General Fund forfeit firearms account, which the comptroller must establish. The money is deemed appropriated for carrying out task force responsibilities. Current law requires the money to be put in the General Fund, but not in a separate account.

EFFECTIVE DATE: July 1, 2000

STATE-WIDE FIREARMS TRAFFICKING TASK FORCE***Membership and Personnel***

The task force, which is located within the State Police, consists of local and state law enforcement officers. It may include federal law enforcement officers. The public safety commissioner, within available appropriations, may appoint a commanding officer and any other personnel he considers necessary to perform task force duties.

Task Force Powers and Responsibilities

The bill allows the task force to (1) conduct statewide investigations the bill authorizes (although the bill does not appear to directly authorize any); (2) seek and get help to perform its duties from federal,

state, and local agencies, including temporary personnel assignments; (3) enter into mutual aid agreements with other states to address interstate gun law enforcement; and (4) consult and exchange information and personnel with other states' agencies on interstate gun law enforcement matters.

The task force must (1) review the illegal gun trafficking problem and its effects; (2) implement strategies to address the problem; (3) identify illegal gun traffickers and focus resources on prosecuting them; (4) track illegally sold or distributed guns and implement strategies to remove them from illegal possessors; and (5) coordinate its activities with Connecticut law enforcement agencies in Connecticut and other states.

POLICY BOARD

The bill puts the board in the Division of State Police for administrative purposes only. The board consists of the public safety commissioner; chief state's attorney; the federal Bureau of Alcohol, Tobacco and Firearms agent in charge of Connecticut; the Connecticut Police Chiefs Association president; and five police chiefs the association designates, including one from a town with 100,000 or more people. Each police chief serves one year.

BACKGROUND

Gun Sales at Public Auction

By law, the state may sell at public auction guns the court determines to be contraband. But pursuant to a Department of Public Safety administrative order, the state discontinued gun auctions in 1992.

COMMITTEE ACTION

Public Safety Committee

Joint Favorable Substitute Change of Reference
Yea 22 Nay 0

Appropriations Committee

Joint Favorable Substitute

Yea 50 Nay 0