



General Assembly

January Session, 2001

Raised Bill No. 1402

LCO No. 4680

Referred to Committee on Public Safety

Introduced by:

(PS)

AN ACT CONCERNING A SINGLE STATE HANDGUN PERMIT.

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

1 Section 1. Section 29-28 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) No person who sells ten or more pistols or revolvers in a
4 calendar year or is a federally-licensed firearm dealer shall advertise,
5 sell, deliver, or offer or expose for sale or delivery, or have in [his] such
6 person's possession with intent to sell or deliver, any pistol or revolver
7 at retail without having a permit therefor issued as [hereinafter]
8 provided in this subsection. The chief of police or, where there is no
9 chief of police, the warden of the borough or the first selectman of the
10 town, as the case may be, may, upon the application of any person,
11 issue a permit in such form as may be prescribed by the Commissioner
12 of Public Safety for the sale at retail of pistols and revolvers within the
13 jurisdiction of the authority issuing such permit. No permit for the sale
14 at retail of any pistol or revolver shall be issued unless the applicant
15 holds a valid eligibility certificate for a pistol or revolver issued
16 pursuant to section 29-36f or a valid state permit to carry a pistol or
17 revolver issued pursuant to subsection (b) of this section and the

18 applicant submits documentation sufficient to establish that local
19 zoning requirements have been met for the location where the sale is to
20 take place except that any person selling or exchanging a pistol or
21 revolver for the enhancement of a personal collection or for a hobby or
22 who sells all or part of [his] such person's personal collection of pistols
23 or revolvers shall not be required to submit such documentation for
24 the location where the sale or exchange is to take place.

25 (b) Upon the application of any person having a bona fide residence
26 or place of business within the jurisdiction of any such authority, [or
27 upon the application of any bona fide resident of the United States
28 having a permit or license to carry any firearm issued by the authority
29 of any state or subdivision of the United States,] such chief of police,
30 warden or selectman may issue a temporary state permit to such
31 person to carry a pistol or revolver within the [jurisdiction of the
32 authority issuing the same] state, provided such authority shall find
33 that such applicant intends to make no use of any pistol or revolver
34 which such applicant may be permitted to carry [thereunder] under
35 such permit other than a lawful use and that such person is a suitable
36 person to receive such permit. No state or temporary state permit to
37 carry a pistol or revolver shall be issued under this subsection if the
38 applicant (1) has failed to successfully complete a course approved by
39 the Commissioner of Public Safety in the safety and use of pistols and
40 revolvers including, but not limited to, a safety or training course in
41 the use of pistols and revolvers available to the public offered by a law
42 enforcement agency, a private or public educational institution or a
43 firearms training school, utilizing instructors certified by the National
44 Rifle Association or the Department of Environmental Protection and a
45 safety or training course in the use of pistols or revolvers conducted by
46 an instructor certified by the state or the National Rifle Association, (2)
47 has been convicted of a felony or of a violation of subsection (c) of
48 section 21a-279, section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96,
49 53a-175, 53a-176, 53a-178 or 53a-181d, (3) has been convicted as
50 delinquent for the commission of a serious juvenile offense, as defined
51 in section 46b-120, (4) has been discharged from custody within the

52 preceding twenty years after having been found not guilty of a crime
53 by reason of mental disease or defect pursuant to section 53a-13, (5)
54 has been confined in a hospital for persons with psychiatric
55 disabilities, as defined in section 17a-495, within the preceding twelve
56 months by order of a probate court, (6) is subject to a restraining or
57 protective order issued by a court in a case involving the use,
58 attempted use or threatened use of physical force against another
59 person, (7) is subject to a firearms seizure order issued pursuant to
60 subsection (d) of section 29-38c after notice and hearing, [or] (8) is an
61 alien illegally or unlawfully in the United States, or (9) is less than
62 twenty-one years of age. Nothing in this section shall require any
63 person who holds a valid permit to carry a pistol or revolver on
64 October 1, 1994, to participate in any additional training in the safety
65 and use of pistols and revolvers. Upon issuance of a temporary state
66 permit to the applicant, the local authority shall forward the original
67 application to the commissioner. Not later than sixty days after
68 receiving a temporary state permit, an applicant shall appear at a
69 location designated by the commissioner to receive the state permit.
70 Said commissioner may [, upon application,] then issue, to any holder
71 of any [such] temporary state permit, a state permit to carry a pistol or
72 revolver within the state. [Each permit to carry any pistol or revolver
73 shall be issued in triplicate and one of the copies issued by said
74 commissioner shall be delivered to the person to whom issued, one
75 shall be delivered forthwith to the authority issuing the local permit
76 and one shall be retained by said commissioner, and the local authority
77 issuing any such permit shall forthwith deliver one of such copies to
78 the person to whom issued and one copy to said commissioner and
79 shall retain one of such copies.] Upon issuance of the state permit, the
80 commissioner shall forward a record of such permit to the local
81 authority issuing the temporary state permit. The commissioner shall
82 retain records of all applications, whether approved or denied. The
83 copy of the state permit delivered to the permittee shall be laminated
84 and shall contain a full-face photograph of such permittee. A person
85 holding a state permit issued pursuant to this subsection shall notify

86 the issuing authority within two business days of any change of such
87 person's address. The notification shall include the old address and the
88 new address of such person.

89 (c) No issuing authority may require any sworn member of the
90 Department of Public Safety or an organized local police department to
91 furnish [his] such sworn member's residence address in a permit
92 application. The issuing authority shall allow each such sworn
93 member who has a permit to carry a pistol or revolver [on May 26,
94 1992,] issued by such authority, to revise [his] such member's
95 application to include [his] a business or post office address in lieu of
96 [his] the residence address. The issuing authority shall notify each such
97 member of [his] the right to revise such application.

98 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the
99 name and address of a person issued a permit to sell at retail pistols
100 and revolvers pursuant to subsection (a) of this section or a state
101 permit to carry [pistols and revolvers] a pistol or revolver pursuant to
102 subsection (b) of this section, shall be confidential and shall not be
103 disclosed, except (1) such information may be disclosed to law
104 enforcement officials acting in the performance of their duties, (2) [an]
105 the issuing authority may disclose such information to the extent
106 necessary to comply with a request made pursuant to section 29-33 for
107 verification that such state permit is still valid and has not been
108 suspended or revoked, and (3) such information may be disclosed to
109 the Commissioner of Mental Health and Addiction Services to carry
110 out the provisions of subsection (c) of section 17a-500.

111 (e) The issuance of [a] any permit to carry a pistol or revolver [under
112 subsection (b) of this section] does not thereby authorize the
113 possession or carrying of a pistol or revolver in any premises where
114 the possession or carrying of a pistol or revolver is otherwise
115 prohibited by law or is prohibited by the person who owns or exercises
116 control over such premises.

117 (f) Any bona fide resident of the United States having no bona fide

118 residence or place of business within the jurisdiction of any local
119 authority in the state, but who has a permit or license to carry a pistol
120 or revolver issued by the authority of another state or subdivision of
121 the United States, may apply directly to the Commissioner of Public
122 Safety for a permit to carry a pistol or revolver in this state. All
123 provisions of subsections (b), (c), (d) and (e) of this section shall apply
124 to applications for a permit received by the commissioner under this
125 subsection.

126 Sec. 2. Section 29-28a of the general statutes is repealed and the
127 following is substituted in lieu thereof:

128 (a) Requests for temporary state permits under section 29-28, as
129 amended by this act, shall be submitted to the [issuing authority] chief
130 of police, or, where there is no chief of police, to the warden of the
131 borough or the first selectman of the town, as the case may be, on
132 application forms prescribed by the Commissioner of Public Safety.
133 Upon written request by any person for a temporary state permit not
134 on a prescribed application form, or upon request by any person for
135 such application form, the [issuing] local authority shall supply such
136 forms. When any such request is made in person at the office of the
137 [issuing] local authority, the local authority shall supply such
138 application form immediately. When any such request is made in any
139 other manner, the local authority shall supply such application form
140 not later than one week after receiving such request. If such
141 application form is not supplied within the time [limited] limits
142 required by this section, the request therefor shall constitute a
143 sufficient application. If any [issuing] local authority fails to supply an
144 application form upon the request of any person, such person may
145 request an application form from the Commissioner of Public Safety or
146 any barracks of the Division of State Police, and the time limits and
147 procedures set forth in this section for handling requests for such
148 forms shall be applicable.

149 (b) The [issuing] local authority shall, not later than eight weeks

150 after a sufficient application for a temporary state permit has been
151 made, inform the applicant that [his] such applicant's request for a
152 temporary state permit has been approved or denied. The local
153 authority shall forward a copy of the application indicating approval
154 or denial of the temporary state permit to the Commissioner of Public
155 Safety. If the local authority has denied the application for a temporary
156 state permit, no state permit may be issued. The commissioner shall,
157 not later than eight weeks after receiving an application indicating
158 approval from the local authority, inform the applicant in writing that
159 the applicant's application for a state permit has been approved or
160 denied, or that the results of the national criminal history records
161 check have not been received. If grounds for denial become known
162 after a temporary state permit has been obtained, the temporary state
163 permit shall be immediately revoked pursuant to section 29-32, as
164 amended by this act.

165 Sec. 3. Section 29-29 of the general statutes is repealed and the
166 following is substituted in lieu thereof:

167 (a) No temporary state permit for carrying any pistol or revolver
168 shall be issued under the provisions of section 29-28, as amended by
169 this act, unless the applicant for the same gives to the [issuing] local
170 authority, upon its request, full information concerning [his] the
171 applicant's criminal record, and such [issuing] local authority shall
172 thereupon take a full description of such applicant and make an
173 investigation concerning [his] the applicant's suitability to carry any
174 such weapons. The [issuing] local authority shall take the fingerprints
175 of such applicant unless the [issuing] local authority determines that
176 the fingerprints of such applicant have been previously taken and [his]
177 the applicant's identity established, and such applicant presents
178 identification that the [issuing] local authority verifies as valid. The
179 [issuing] local authority shall record the date the fingerprints were
180 taken in the applicant's file and, within five business days of such date,
181 shall forward such fingerprints to the Commissioner of Public Safety,
182 who shall forward them to the Federal Bureau of Investigation for a

183 national criminal history records check. The [issuing] local authority
184 may, in [his] its discretion, issue [such] a temporary state permit before
185 a [report from said bureau] national criminal history records check
186 relative to such applicant's record has been received. Upon receipt of
187 [such report, the issuing authority] the results of such national criminal
188 history records check, the commissioner shall send a copy of the
189 results of such national criminal history records check to the local
190 authority, which shall inform the applicant and render a decision on
191 the application within one week of the receipt of [the report] such
192 results. If such [report has] results have not been received within eight
193 weeks after a sufficient application for a permit has been made, the
194 [issuing] local authority shall inform the applicant of such delay, in
195 writing. No temporary state permit shall be issued if the [issuing] local
196 authority has reason to believe the applicant has ever been convicted
197 of a felony, or that any other condition exists for which the issuance of
198 a permit for possession of a pistol or revolver is prohibited under state
199 or federal law.

200 (b) The commissioner may investigate any applicant for a state
201 permit and shall investigate each applicant for renewal of a state
202 permit to ensure that such applicant is eligible under state law for such
203 permit or for renewal of such permit and is eligible under federal law
204 to possess a pistol or revolver.

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

208 Sec. 4. Section 29-30 of the general statutes is repealed and the
209 following is substituted in lieu thereof:

210 (a) The fee for each permit originally issued under the provisions of
211 subsection (a) of section 29-28, as amended by this act, for the sale at
212 retail of pistols and revolvers shall be one hundred dollars and for
213 each renewal thereof one hundred dollars. The fee for each state
214 permit originally issued under the provisions of subsection (b) of

215 section 29-28, as amended by this act, for the carrying of pistols and
216 revolvers shall be [thirty-five dollars and for each renewal thereof
217 thirty-five dollars. Such fees shall be paid to the authority issuing the
218 same and by such authority to the municipality wherein issued or the
219 state, as the case may be] seventy dollars plus sufficient funds as
220 required to be transmitted to the Federal Bureau of Investigation to
221 cover the cost of a national criminal history records check. The local
222 authority shall forward sufficient funds for the national criminal
223 history records check to the commissioner no later than five business
224 days after receipt by the local authority of the application for the
225 temporary state permit. Thirty-five dollars shall be retained by the
226 local authority. Upon approval by the local authority of the application
227 for a temporary state permit, thirty-five dollars shall be sent to the
228 commissioner. The fee to renew each state permit originally issued
229 under the provisions of subsection (b) of section 29-28, as amended by
230 this act, shall be thirty-five dollars. Upon deposit of such fees in the
231 General Fund, ten dollars of each fee shall be credited within thirty
232 days to the appropriation for the Department of Public Safety to a
233 separate nonlapsing account for the purposes of the issuance of
234 permits under subsections (a) and (b) of section 29-28, as amended by
235 this act.

236 (b) A local permit originally issued [under the provisions of section
237 29-28] before the effective date of this act, whether for the sale at retail
238 of pistols and revolvers or for the carrying of pistols and revolvers,
239 shall expire five years after the date it becomes effective and each
240 renewal thereof shall expire five years after the expiration date of the
241 permit being renewed. On and after the effective date of this act, no
242 such local permit shall be renewed.

243 (c) A state permit originally issued under the provisions of section
244 29-28, as amended by this act, for the carrying of pistols and revolvers
245 shall expire five years after the date [it] such permit becomes effective
246 and each renewal thereof shall expire five years after the expiration
247 date of the state permit being renewed and such renewal shall not be

248 contingent on the renewal or issuance of a local permit. A temporary
249 state permit issued for the carrying of pistols and revolvers shall expire
250 sixty days after the date it becomes effective, and may not be renewed.

251 (d) The renewal fee required pursuant to subsection (a) of this
252 section shall apply for each renewal which is requested not earlier than
253 thirty-one days before, and not later than thirty-one days after, the
254 expiration date of the state permit being renewed.

255 (e) No fee or portion thereof paid under the provisions of this
256 section for issuance or renewal of a state permit shall be refundable
257 except if [the] such permit for which the fee or portion thereof was
258 paid was not issued or renewed. The portion of the fee expended on
259 the national criminal history records check for any such permit that
260 was not issued or renewed shall not be refunded.

261 (f) The issuing authority shall send a notice of the expiration of a
262 state permit to carry a pistol or revolver, issued pursuant to section 29-
263 28, as amended by this act, to the holder of such permit, by first class
264 mail, not less than ninety days before such expiration, and shall
265 enclose [therein] with such notice a form for the renewal of said state
266 permit. A state permit to carry a pistol or revolver, issued pursuant to
267 section 29-28, as amended by this act, shall be valid for a period of
268 ninety days [from] after the expiration date, except this provision shall
269 not apply to any state permit to carry a pistol or revolver which has
270 been revoked or for which revocation is pending, pursuant to section
271 29-32, as amended by this act.

272 Sec. 5. Section 29-31 of the general statutes is repealed and the
273 following is substituted in lieu thereof:

274 No sale of any pistol or revolver shall be made except in the room,
275 store or place described in the permit for the sale of pistols and
276 revolvers, and such permit or a copy thereof certified by the authority
277 issuing the same shall be exposed to view within the room, store or
278 place where pistols or revolvers are sold or offered or exposed for sale,

279 and no sale or delivery of any pistol or revolver shall be made unless
280 the purchaser or person to whom the same is to be delivered is
281 personally known to the vendor of such pistol or revolver or the
282 person making delivery thereof or unless the person making such
283 purchase or to whom delivery thereof is to be made provides evidence
284 of [his] such person's identity. [The vendor of any pistol or revolver
285 shall keep a record of each pistol or revolver sold in a book kept for
286 that purpose, which record shall be in such form as is prescribed by the
287 Commissioner of Public Safety and shall include the date of the sale,
288 the caliber, make, model and manufacturer's number of such pistol or
289 revolver and the name, address and occupation of the purchaser
290 thereof, and shall be signed by the purchaser and by the person
291 making the sale, each in the presence of the other, and shall be
292 preserved by the vendor of such pistol or revolver for at least six
293 years.]

294 Sec. 6. Section 29-32 of the general statutes is repealed and the
295 following is substituted in lieu thereof:

296 (a) For the purposes of this section, "conviction" means the entry of a
297 judgment of conviction by any court of competent jurisdiction.

298 (b) Any state permit or temporary state permit for the carrying of
299 any pistol or revolver may be revoked by the [authority issuing the
300 same] Commissioner of Public Safety for cause and shall be revoked by
301 [the authority issuing the same] said commissioner upon conviction of
302 the holder of such permit of a felony or of any misdemeanor specified
303 in subsection (b) of section 29-28, as amended by this act, or upon the
304 occurrence of any event which would have disqualified the holder
305 from being issued the state permit or temporary state permit pursuant
306 to subsection (b) of section 29-28, as amended by this act. [For the
307 purposes of this section, "conviction" means the entry of a judgment of
308 conviction by any court of competent jurisdiction.] Upon the
309 revocation of any state permit or temporary state permit, the person
310 whose state permit or temporary state permit is revoked shall be

311 notified in writing and such state permit or temporary state permit
312 shall be forthwith delivered to the [authority issuing the same. Upon
313 the revocation of any local permit, the authority issuing the same shall
314 forthwith notify the Commissioner of Public Safety and, upon the
315 revocation of any permit issued by said commissioner, he shall
316 forthwith notify the authority issuing such local permit, if any, which
317 the records of said commissioner show as having issued a currently
318 valid permit to the holder of the revoked state permit] commissioner.
319 Any law enforcement authority shall confiscate and immediately
320 forward to the commissioner any state permit or temporary state
321 permit that is illegally possessed by any person. The commissioner
322 may revoke the state permit or temporary state permit based upon the
323 commissioner's own investigation or upon the request of any law
324 enforcement agency. Any person who fails to surrender [such] any
325 permit within five days of notification in writing of revocation thereof
326 shall be guilty of a class C misdemeanor.

327 (c) Any local permit for the carrying of a pistol or revolver issued
328 prior to the effective date of this act may be revoked by the authority
329 issuing the same for cause, and shall be revoked by the authority
330 issuing the same upon conviction of the holder of such permit of a
331 felony or of any misdemeanor specified in subsection (b) of section 29-
332 28, as amended by this act, or upon the occurrence of any event which
333 would have disqualified the holder from being issued such local
334 permit. Upon the revocation of any local permit, the person whose
335 local permit is revoked shall be notified in writing and such permit
336 shall be forthwith delivered to the authority issuing the same. Upon
337 the revocation of any local permit, the authority issuing the same shall
338 forthwith notify the commissioner. Upon the revocation of any permit
339 issued by the commissioner, the commissioner shall forthwith notify
340 any local authority which the records of the commissioner show as
341 having issued a currently valid local permit to the holder of the permit
342 revoked by the commissioner. Any person who fails to surrender such
343 permit within five days of notification in writing or revocation thereof
344 shall be guilty of a class C misdemeanor.

345 Sec. 7. Section 29-35 of the general statutes is repealed and the
346 following is substituted in lieu thereof:

347 (a) No person shall carry any pistol or revolver upon one's person,
348 except when such person is within the dwelling house or place of
349 business of such person, without a permit to carry the same issued as
350 provided in section 29-28, as amended by this act. The provisions of
351 this subsection shall not apply to the carrying of any pistol or revolver
352 by any parole officer or peace officer of this state, or parole officer or
353 peace officer of any other state while engaged in the pursuit of official
354 duties, or federal marshal or federal law enforcement agent, or to any
355 member of the armed forces of the United States, as defined by section
356 27-103, or of this state, as defined by section 27-2, when on duty or
357 going to or from duty, or to any member of any military organization
358 when on parade or when going to or from any place of assembly, or to
359 the transportation of pistols or revolvers as merchandise, or to any
360 person transporting any pistol or revolver while contained in the
361 package in which it was originally wrapped at the time of sale and
362 while transporting the same from the place of sale to the purchaser's
363 residence or place of business, or to any person removing such
364 person's household goods or effects from one place to another, or to
365 any person while transporting any such pistol or revolver from such
366 person's place of residence or business to a place or individual where
367 or by whom such pistol or revolver is to be repaired or while returning
368 to such person's place of residence or business after the same has been
369 repaired, or to any person transporting a pistol or revolver in or
370 through the state for the purpose of taking part in competitions, taking
371 part in formal pistol or revolver training, repairing such pistol or
372 revolver or attending any meeting or exhibition of an organized
373 collectors' group if such person is a bona fide resident of the United
374 States and is permitted to possess and carry a pistol or revolver in the
375 state or subdivision of the United States in which such person resides,
376 or to any person transporting a pistol or revolver to and from a testing
377 range at the request of the issuing authority, or to any person
378 transporting an antique pistol or revolver, as defined in section 29-33.

379 For the purposes of this subsection, "formal pistol or revolver training"
380 means pistol or revolver training at a locally approved or permitted
381 firing range or training facility, and "transporting a pistol or revolver"
382 means transporting a pistol or revolver that is unloaded and, if such
383 pistol or revolver is being transported in a motor vehicle, is not readily
384 accessible or directly accessible from the passenger compartment of the
385 vehicle or, if such pistol or revolver is being transported in a motor
386 vehicle that does not have a [passenger compartment, is] compartment
387 separate from the passenger compartment, such pistol or revolver shall
388 be contained in a locked container other than the glove compartment
389 or console. Nothing in this section shall be construed to prohibit the
390 carrying of a pistol or revolver during formal pistol or revolver
391 training or repair.

392 (b) The holder of a permit issued pursuant to section 29-28, as
393 amended by this act, shall carry such permit upon one's person while
394 carrying such pistol or revolver.

PS *Joint Favorable*

PD *Joint Favorable*

FIN *Joint Favorable*

JUD *Joint Favorable*