



General Assembly

January Session, 2001

Raised Bill No. 1405

LCO No. 4709

Referred to Committee on Public Safety

Introduced by:
(PS)

AN ACT CONCERNING FIREARMS SAFETY.

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

1 Section 1. Section 53-202a of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) As used in this section and sections 53-202b to 53-202k, inclusive,
4 as amended by this act, [and subsection (h) of section 53a-46a,] "assault
5 weapon" means:

6 (1) Any selective-fire firearm capable of fully automatic,
7 semiautomatic or burst fire at the option of the user or any of the
8 following specified semiautomatic firearms: Algimec Agmi; Armalite
9 AR-180; Australian Automatic Arms SAP Pistol; Auto-Ordnance
10 Thompson type; Avtomat Kalashnikov AK-47 type; Barrett Light-Fifty
11 model 82A1; Beretta AR-70; Bushmaster Auto Rifle and Auto Pistol;
12 Calico models M-900, M-950 and 100-P; Chartered Industries of
13 Singapore SR-88; Colt AR-15 and Sporter; Daewoo K-1, K-2, Max-1 and
14 Max-2; Encom MK-IV, MP-9 and MP-45; Fabrique Nationale FN/FAL,
15 FN/LAR, or FN/FNC; FAMAS MAS 223; Feather AT-9 and Mini-AT;
16 Federal XC-900 and XC-450; Franchi SPAS-12 and LAW-12; Galil AR

17 and ARM; Goncz High-Tech Carbine and High-Tech Long Pistol;
18 Heckler & Koch HK-91, HK-93, HK-94 and SP-89; Holmes MP-83;
19 MAC-10, MAC-11 and MAC-11 Carbine type; Intratec TEC-9 and
20 Scorpion; Iver Johnson Enforcer model 3000; Ruger Mini-14/5F folding
21 stock model only; Scarab Skorpion; SIG 57 AMT and 500 series; Spectre
22 Auto Carbine and Auto Pistol; Springfield Armory BM59, SAR-48 and
23 G-3; Sterling MK-6 and MK-7; Steyr AUG; Street Sweeper and Striker
24 12 revolving cylinder shotguns; USAS-12; UZI Carbine, Mini-Carbine
25 and Pistol; Weaver Arms Nighthawk; Wilkinson "Linda" Pistol;

26 (2) A part or combination of parts designed or intended to convert a
27 firearm into an assault weapon, as defined in subdivision (1) of this
28 subsection, or any combination of parts from which an assault
29 weapon, as defined in subdivision (1) of this subsection, may be
30 rapidly assembled if those parts are in the possession or under the
31 control of the same person;

32 (3) A semiautomatic, centerfire rifle that has the capacity to accept a
33 detachable magazine and any one of the following: (A) A pistol grip
34 that protrudes conspicuously beneath the action of the weapon; (B) a
35 thumbhole stock; (C) a folding or telescoping stock; (D) a grenade
36 launcher or flare launcher; (E) a flash suppressor; or (F) a forward
37 pistol grip;

38 (4) A semiautomatic, centerfire rifle that has a fixed magazine with
39 the capacity to accept more than ten rounds;

40 (5) A semiautomatic, centerfire rifle that has an overall length of less
41 than thirty inches;

42 (6) A semiautomatic pistol that has the capacity to accept a
43 detachable magazine and any one of the following: (A) A threaded
44 barrel, capable of accepting a flash suppressor, forward handgrip, or
45 silencer; (B) a second handgrip; (C) a shroud that is attached to, or
46 partially or completely encircles, the barrel that allows the bearer to
47 fire the weapon without burning the bearer's hand, except a slide that

48 encloses the barrel; or (D) the capacity to accept a detachable magazine
49 at some location outside of the pistol grip;

50 (7) A semiautomatic pistol with a fixed magazine that has the
51 capacity to accept more than ten rounds;

52 (8) A semiautomatic shotgun that has (A) a folding or telescoping
53 stock, and (B) a pistol grip that protrudes conspicuously beneath the
54 action of the weapon, thumbhole stock or vertical handgrip;

55 (9) A semiautomatic shotgun that has the ability to accept a
56 detachable magazine;

57 (10) Any shotgun with a revolving cylinder;

58 (11) Any of the following specified semiautomatic firearms:
59 American Arms Spectra pistol; American Pride AB-10 or Sport-22;
60 American Spirit USA model; AMT Lightning 25 rifle; Armalite AR-10,
61 M15, Eagle Spirit or Golden Eagle; AR .22 rifle; Benelli M1 or M3 Super
62 90 shotgun; Beretta BM59; Bushmaster XM15 or M17s Bullpup; Calico
63 M100 carbine or 110 pistol; Claridge HiTec pistol; CETME Sporter; Colt
64 AR-10, Match Target or CAR-15; Crossfire MK 12 gauge or .223;
65 Daewoo AR 100; Dalphon B.F.D.; Demro TAC-1 carbine; D Max auto
66 pistol; DPMS Panther or Bulldog; DS Arms SA 58; Eagle Arms M-15 or
67 EA15; Enterprise Autoloaders; Fabrique Nationale 308 Match or
68 Sporter; Feather USA RAV; Frankford Arsenal AR-15; Grendel P-31
69 pistol or R31 carbine; Heckler and Koch MP5, HK-PSG-1 or SL8-1;
70 Hesse Arms HAR 15A2; Hi-Point Firearms Carbine; INTRATEC TEC
71 DC-9 or TEC-22; Iver Johnson M1 carbine with collapsible stock and
72 bayonet mount; J&R ENG M-68; Knight's SR-15, SR-25, or RAS; Les
73 Baer Ultimate AR; Olympic Arms AR-15, Car-97 or PCR; Omega SPS-
74 12; Ordinance, Inc. AR-15; Palmetto SGA; PJK M-68 carbine; Plainfield
75 Machine Company Carbine; Professional Ordinance, Inc. Carbon 15
76 rifle, or Carbon 15 pistol; Rock River Arms, Inc. Standard A2, Car A2,
77 Standard A-4 Flattop, Car A-4 Flattop, NM A2-DCM Legal, or LE
78 Tactical Carbine; Ruger Carbine PC9; SKS with detachable magazine;

79 Special Weapons SW-5/45; Springfield M1A or SAR-8; Sterling SAR;
80 Valmet M62, M62S, M71S, M78 or M78S; Wilson Combat AR-15 or
81 Tactical Carbines; Z-M Weapons LR-300;

82 (12) Any semiautomatic firearm capable of firing fifty caliber
83 ammunition; or

84 (13) A part or combination of parts designed or intended to convert
85 a firearm into an assault weapon, as defined in subdivisions (3) to (12),
86 inclusive, of this subsection, or any combination of parts from which
87 an assault weapon as defined in subdivisions (3) to (12), inclusive, of
88 this subsection, may be rapidly assembled if those parts are in the
89 possession or under the control of the same person.

90 (b) As used in this section and sections 53-202b to 53-202k, inclusive,
91 as amended by this act, [and subsection (h) of section 53a-46a,] the
92 term "assault weapon" does not include any firearm modified to
93 render it permanently inoperable.

94 (c) As used in this section, the term "magazine" means any
95 ammunition feeding device.

96 (d) As used in this section, the term "capacity to accept more than
97 ten rounds" means capable of accommodating more than ten rounds of
98 ammunition, but shall not be construed to include a feeding device
99 that has been permanently altered so that it cannot accommodate more
100 than ten rounds.

101 Sec. 2. Section 53-202b of the general statutes is repealed and the
102 following is substituted in lieu thereof:

103 (a) (1) Any person who, within this state, distributes, transports or
104 imports into the state, keeps for sale, or offers or exposes for sale, or
105 who gives any assault weapon, [except as provided by sections 29-37j
106 and 53-202a to 53-202k, inclusive, and subsection (h) of section 53a-
107 46a,] shall be guilty of a class C felony and shall be sentenced to a term
108 of imprisonment of which two years may not be suspended or

109 reduced.

110 (2) Any person who transfers, sells or gives any assault weapon to a
111 person under eighteen years of age in violation of subdivision (1) of
112 this subsection shall be sentenced to a term of imprisonment of six
113 years, which shall not be suspended or reduced and shall be in
114 addition and consecutive to the term of imprisonment imposed under
115 subdivision (1) of this subsection.

116 (b) The provisions of subsection (a) of this section shall not apply to:

117 (1) The sale of assault weapons to the Department of Public Safety,
118 police departments, the Department of Correction or the military or
119 naval forces of this state or of the United States for use in the discharge
120 of their official duties;

121 (2) A person who is the executor or administrator of an estate that
122 includes an assault weapon for which a certificate of possession has
123 been issued under section 53-202d, as amended by this act, which is
124 disposed of as authorized by the Probate Court, if the disposition is
125 otherwise permitted by sections [29-37j and] 53-202a to 53-202k,
126 inclusive, as amended by this act; or [and subsection (h) of section 53a-
127 46a;]

128 (3) The transfer by bequest or intestate succession of an assault
129 weapon for which a certificate of possession has been issued under
130 section 53-202d, as amended by this act.

131 Sec. 3. Section 53-202c of the general statutes is repealed and the
132 following is substituted in lieu thereof:

133 (a) Except as provided in section 53-202e, any person who, within
134 this state, possesses any assault weapon, except as provided in sections
135 [29-37j and] 53-202a to 53-202k, inclusive, as amended by this act, [and
136 subsection (h) of section 53a-46a,] shall be guilty of a class D felony
137 and shall be sentenced to a term of imprisonment of which one year
138 may not be suspended or reduced; except that a first-time violation of

139 this subsection shall be a class A misdemeanor if (1) the person
140 presents proof that [he] such person lawfully possessed the assault
141 weapon, as defined in subdivisions (1) and (2) of subsection (a) of
142 section 53-202a, as amended by this act, prior to October 1, 1993, or the
143 person presents proof that such person lawfully possessed the assault
144 weapon, as defined in subdivisions (3) to (13), inclusive, of subsection
145 (a) of section 53-202a, as amended by this act, prior to October 1, 2001,
146 and (2) the person has otherwise possessed the firearm in compliance
147 with subsection (d) of section 53-202d, as amended by this act.

148 (b) The provisions of subsection (a) of this section shall not apply to
149 the possession of assault weapons by members or employees of the
150 Department of Public Safety, police departments, the Department of
151 Correction or the military or naval forces of this state or of the United
152 States for use in the discharge of their official duties; nor shall anything
153 in sections [29-37j and] 53-202a to 53-202k, inclusive, as amended by
154 this act, [and subsection (h) of section 53a-46a] prohibit the possession
155 or use of assault weapons by sworn members of these agencies when
156 on duty and the use is within the scope of their duties.

157 (c) The provisions of subsection (a) of this section shall not apply to
158 the possession of an assault weapon, as defined in subdivision (1) or
159 (2) of subsection (a) of section 53-202a, as amended by this act, by any
160 person prior to July 1, 1994, if all of the following are applicable:

161 (1) The person is eligible under sections [29-37j and] 53-202a to 53-
162 202k, inclusive, as amended by this act, [and subsection (h) of section
163 53a-46a] to apply for a certificate of possession for the assault weapon,
164 as defined in subdivision (1) or (2) of subsection (a) of section 53-202a,
165 as amended by this act, by July 1, 1994;

166 (2) The person lawfully possessed the assault weapon, as defined in
167 subdivision (1) or (2) of subsection (a) of section 53-202a, as amended
168 by this act, prior to October 1, 1993; and

169 (3) The person is otherwise in compliance with sections [29-37j and]

170 53-202a to 53-202k, inclusive, [and subsection (h) of section 53a-46a] as
171 amended by this act.

172 (d) The provisions of subsection (a) of this section shall not apply to
173 a person who is the executor or administrator of an estate that includes
174 an assault weapon for which a certificate of possession has been issued
175 under section 53-202d, as amended by this act, if the assault weapon is
176 possessed at a place set forth in subdivision (1) of subsection (d) of
177 section 53-202d, as amended by this act, or as authorized by the
178 Probate Court.

179 (e) The provisions of subsection (a) of this section shall not apply to
180 the possession of an assault weapon, as defined in subdivisions (3) to
181 (13), inclusive, of subsection (a) of section 53-202a, as amended by this
182 act, by any person prior to July 1, 2002, if all of the following are
183 applicable:

184 (1) The person is eligible under sections 53-202a to 53-202k,
185 inclusive, as amended by this act, to apply for a certificate of
186 possession for the assault weapon, as defined in subdivisions (3) to
187 (13), inclusive, of subsection (a) of section 53-202a, as amended by this
188 act, by July 1, 2002;

189 (2) The person lawfully possessed the assault weapon, as defined in
190 subdivisions (3) to (13), inclusive, of subsection (a) of section 53-202a,
191 as amended by this act, prior to October 1, 2001; and

192 (3) The person is otherwise in compliance with sections 53-202a to
193 53-202k, inclusive, as amended by this act.

194 Sec. 4. Section 53-202d of the general statutes is repealed and the
195 following is substituted in lieu thereof:

196 (a) (1) Any person who lawfully possesses an assault weapon, as
197 defined in subdivision (1) or (2) of subsection (a) of section 53-202a, as
198 amended by this act, prior to October 1, 1993, shall apply by October 1,
199 1994, or, if such person is a member of the military or naval forces of

200 this state or of the United States and is unable to apply by October 1,
201 1994, because [he or she] such member is or was on official duty
202 outside of this state, shall apply within ninety days of returning to the
203 state to the Department of Public Safety, for a certificate of possession
204 with respect to such assault weapon.

205 (2) Any person who lawfully possesses an assault weapon, as
206 defined in subdivisions (3) to (13), inclusive, of subsection (a) of section
207 53-202a, as amended by this act, prior to October 1, 2001, shall apply
208 by October 1, 2002, or, if such person is a member of the military or
209 naval forces of this state or of the United States and is unable to apply
210 by October 1, 2002, because such member is or was on official duty
211 outside of this state, shall apply within ninety days of returning to the
212 state to the Department of Public Safety, for a certificate of possession
213 with respect to such assault weapon.

214 (3) Any person who registered a firearm as an assault weapon
215 pursuant to the provisions of the law in effect prior to October 1, 2001,
216 and the firearm is thereafter defined as an assault weapon pursuant to
217 subdivisions (3) to (10), inclusive, or subdivision (12) or (13) of
218 subsection (a) of section 53-202a, as amended by this act, shall be
219 deemed to have registered the firearm for purposes of sections 53-202a
220 to 53-202k, inclusive, as amended by this act, and shall not be required
221 to reregister such assault weapon.

222 (4) The certificate shall contain a description of the firearm that
223 identifies it uniquely, including all identification marks, the full name,
224 address, date of birth and thumbprint of the owner, and any other
225 information as the department may deem appropriate. The department
226 shall adopt regulations in accordance with the provisions of chapter 54
227 [not later than January 1, 1994,] to establish procedures with respect to
228 the application for and issuance of certificates of possession pursuant
229 to this section. Notwithstanding the provisions of sections 1-210 and 1-
230 211, the name and address of a person issued a certificate of possession
231 shall be confidential and shall not be disclosed, except such records

232 may be disclosed to (1) law enforcement agencies, and (2) the
233 Commissioner of Mental Health and Addiction Services to carry out
234 the provisions of subsection (c) of section 17a-500.

235 (b) No assault weapon, as defined in subdivision (1) or (2) of
236 subsection (a) of section 53-202a, as amended by this act, possessed
237 pursuant to this section may be sold or transferred on or after January
238 1, 1994, to any person within this state other than to a licensed gun
239 dealer, as defined in subsection (d) of section 53-202f, as amended by
240 this act, or as provided in section 53-202e, or by bequest or intestate
241 succession. No assault weapon, as defined in subdivisions (3) to (13),
242 inclusive, of subsection (a) of section 53-202a, as amended by this act,
243 possessed pursuant to this section may be sold or transferred on or
244 after January 1, 2002, to any person within this state other than to a
245 licensed gun dealer, as defined in subsection (d) of section 53-202f, as
246 amended by this act, or as provided in section 53-202e, or by bequest
247 or intestate succession. Any person who obtains title to an assault
248 weapon for which a certificate of possession has been issued under this
249 section by bequest or intestate succession shall, within ninety days of
250 obtaining title, apply to the Department of Public Safety for a
251 certificate of possession as provided in subsection (a) of this section,
252 render the weapon permanently inoperable, sell the weapon to a
253 licensed gun dealer or remove the weapon from the state. Any person
254 who moves into the state in lawful possession of an assault weapon,
255 shall, within ninety days, either render the weapon permanently
256 inoperable, sell the weapon to a licensed gun dealer or remove the
257 weapon from this state. [, except any] Any person who is a member of
258 the military or naval forces of this state or of the United States, is in
259 lawful possession of an assault weapon, as defined in subdivision (1)
260 or (2) of subsection (a) of section 53-202a, as amended by this act, and
261 has been transferred into the state after October 1, 1994, may, within
262 ninety days of arriving in the state, apply to the Department of Public
263 Safety for a certificate of possession with respect to such assault
264 weapon. Any person who is a member of the military or naval forces
265 of this state or of the United States, is in lawful possession of an assault

266 weapon, as defined in subdivisions (3) to (13), inclusive, of subsection
267 (a) of section 53-202a, as amended by this act, and has been transferred
268 into the state after October 1, 2002, may, within ninety days of arriving
269 in the state, apply to the Department of Public Safety for a certificate of
270 possession with respect to such assault weapon.

271 (c) If an owner of an assault weapon sells or transfers the weapon to
272 a licensed gun dealer, [he] such dealer shall, at the time of delivery of
273 the weapon, execute a certificate of transfer and cause the certificate to
274 be mailed or delivered to the Commissioner of Public Safety. The
275 certificate shall contain: (1) The date of sale or transfer; (2) the name
276 and address of the seller or transferor and the licensed gun dealer,
277 their social security numbers or motor vehicle operator license
278 numbers, if applicable; (3) the licensed gun dealer's federal firearms
279 license number and seller's permit number; (4) a description of the
280 weapon, including the caliber of the weapon and its make, model and
281 serial number; and (5) any other information the commissioner
282 prescribes. The licensed gun dealer shall present [his] such dealer's
283 motor vehicle operator's license or social security card, federal firearms
284 license and seller's permit to the seller or transferor for inspection at
285 the time of purchase or transfer. The Commissioner of Public Safety
286 shall maintain a file of all certificates of transfer at [his] the
287 commissioner's central office.

288 (d) A person who has been issued a certificate of possession of an
289 assault weapon under this section may possess it only under the
290 following conditions:

291 (1) At that person's residence, place of business or other property
292 owned by that person, or on property owned by another with the
293 owner's express permission;

294 (2) While on the premises of a target range of a public or private
295 club or organization organized for the purpose of practicing shooting
296 at targets;

297 (3) While on a target range which holds a regulatory or business
298 license for the purpose of practicing shooting at that target range;

299 (4) While on the premises of a licensed shooting club;

300 (5) While attending any exhibition, display or educational project
301 which is about firearms and which is sponsored by, conducted under
302 the auspices of, or approved by a law enforcement agency or a
303 nationally or state recognized entity that fosters proficiency in, or
304 promotes education about, firearms; or

305 (6) While transporting the assault weapon between any of the places
306 mentioned in this subsection, or to any licensed gun dealer, as defined
307 in subsection (d) of section 53-202f, as amended by this act, for
308 servicing or repair pursuant to subsection (c) of section 53-202f, as
309 amended by this act, provided the assault weapon is transported as
310 required by section 53-202f, as amended by this act.

311 Sec. 5. Section 53-202f of the general statutes is repealed and the
312 following is substituted in lieu thereof:

313 (a) While transporting an assault weapon between any of the places
314 mentioned in subdivisions (1) to (6), inclusive, of subsection (d) of
315 section 53-202d, as amended by this act, no person shall carry a loaded
316 assault weapon concealed from public view or knowingly have, in any
317 motor vehicle owned, operated or occupied by [him] such person (1) a
318 loaded assault weapon, or (2) an unloaded assault weapon unless such
319 weapon is kept in the trunk of such vehicle or in a case or other
320 container which is inaccessible to the operator of or any passenger in
321 such vehicle. Any person who violates the provisions of this subsection
322 shall be fined not more than five hundred dollars or imprisoned not
323 more than three years or both.

324 (b) Any licensed gun dealer, as defined in subsection (d) of this
325 section, who lawfully possesses an assault weapon pursuant to section
326 53-202d, as amended by this act, in addition to the uses allowed in

327 section 53-202d, as amended by this act, may transport the assault
328 weapon between dealers or out of the state, display it at any gun show
329 licensed by a state or local governmental entity or sell it to a resident
330 outside the state. Any transporting of the assault weapon allowed by
331 this subsection must be done as required by subsection (a) of this
332 section.

333 (c) (1) Any licensed gun dealer, as defined in subsection (d) of this
334 section, may take possession of any assault weapon for the purposes of
335 servicing or repair from any person to whom has been issued a
336 certificate of possession for such weapon pursuant to sections [29-37j
337 and] 53-202a to 53-202k, inclusive, [and subsection (h) of section 53a-
338 46a] as amended by this act.

339 (2) Any licensed gun dealer may transfer possession of any assault
340 weapon received pursuant to subdivision (1) of this subsection, to a
341 gunsmith for purposes of accomplishing service or repair of the same.
342 Transfers are permissible only to the following persons:

343 (A) A gunsmith who is in the dealer's employ;

344 (B) A gunsmith with whom the dealer has contracted for
345 gunsmithing services, provided the gunsmith receiving the assault
346 weapon holds a dealer's license issued pursuant to Chapter 44,
347 commencing with Section 921, of Title 18 of the United States Code and
348 the regulations issued pursuant thereto.

349 (d) The term "licensed gun dealer", as used in sections [29-37j and]
350 53-202a to 53-202k, inclusive, as amended by this act, [and subsection
351 (h) of section 53a-46a] means a person who has a federal firearms
352 license and a permit to sell firearms pursuant to section 29-28.

353 Sec. 6. Section 53-202g of the general statutes is repealed and the
354 following is substituted in lieu thereof:

355 Any person who lawfully possesses an assault weapon under
356 sections [29-37j and] 53-202a to 53-202k, inclusive, [and subsection (h)

357 of section 53a-46a] that is stolen from [him] such person shall report
358 the theft to law enforcement authorities within seventy-two hours of
359 when such person discovered or should have discovered the theft.

360 Sec. 7. Section 53-202i of the general statutes is repealed and the
361 following is substituted in lieu thereof:

362 Nothing in sections [29-37j and] 53-202a to 53-202k, inclusive, as
363 amended by this act, [and subsection (h) of section 53a-46a] shall be
364 construed to prohibit any person, firm or corporation engaged in the
365 business of manufacturing assault weapons in this state from
366 manufacturing or transporting assault weapons in this state for sale
367 within this state in accordance with subdivision (1) of subsection (b) of
368 section 53-202b, as amended by this act, or for sale outside this state.

369 Sec. 8. (NEW) (a) (1) As used in this section, "single shot fifty caliber
370 weapon" means a firearm, as defined in section 53a-3 of the general
371 statutes, that is (A) capable of firing fifty caliber ammunition, and (B)
372 not automatic or semiautomatic.

373 (2) As used in this section, the term "single shot fifty caliber
374 weapon" does not include any firearm modified to render it
375 permanently inoperable, or any antique firearm, as defined in
376 subsection (b) of section 29-37a of the general statutes, or a muzzle
377 loader, as defined in section 26-86a of the general statutes.

378 (b) Any person who lawfully possesses a single shot fifty caliber
379 weapon prior to October 1, 2001, shall apply by October 1, 2002, or, if
380 such person is a member of the military or naval forces of this state or
381 of the United States and is unable to apply by October 1, 2002, because
382 such member is or was on official duty outside of this state, shall apply
383 within ninety days of returning to the state, to the Department of
384 Public Safety for a certificate of possession with respect to such single
385 shot fifty caliber weapon. The certificate shall contain a description of
386 the single shot fifty caliber weapon that identifies it uniquely,

387 including all identification marks, the full name, address, date of birth
388 and thumbprint of the owner, and any other information as the
389 department may deem appropriate. The department shall adopt
390 regulations, in accordance with the provisions of chapter 54 of the
391 general statutes, not later than January 1, 2002, to establish procedures
392 with respect to the application for and issuance of certificates of
393 possession pursuant to this section. Notwithstanding the provisions of
394 sections 1-210 and 1-211 of the general statutes, the name and address
395 of a person issued a certificate of possession shall be confidential and
396 shall not be disclosed, except such records may be disclosed to (1) law
397 enforcement agencies, and (2) the Commissioner of Mental Health and
398 Addiction Services to carry out the provisions of subsection (c) of
399 section 17a-500 of the general statutes.

400 (c) Any person who buys or otherwise comes into lawful possession
401 of any single shot fifty caliber weapon on or after October 1, 2001,
402 shall, within ninety days of obtaining title, apply to the Department of
403 Public Safety for a certificate of possession as provided in subsection
404 (b) of this section. Any person who moves into the state in lawful
405 possession of a single shot fifty caliber weapon, shall, within ninety
406 days, apply to the Department of Public Safety for a certificate of
407 possession as provided in subsection (b) of this section.

408 (d) A person who has been issued a certificate of possession of a
409 single shot fifty caliber weapon under this section may possess it only
410 under the following conditions:

411 (1) At that person's residence, place of business or other property
412 owned by that person, or on property owned by another with the
413 owner's express permission;

414 (2) While on the premises of a target range of a public or private
415 club or organization organized for the purpose of practicing shooting
416 at targets;

417 (3) While on a target range that holds a regulatory or business

418 license for the purpose of practicing shooting at that target range;

419 (4) While on the premises of a licensed shooting club;

420 (5) While attending any exhibition, display or educational project
421 which is about firearms and which is sponsored by, conducted under
422 the auspices of or approved by a law enforcement agency or a
423 nationally or state recognized entity that fosters proficiency in, or
424 promotes education about, firearms; or

425 (6) While transporting the single shot fifty caliber weapon between
426 any of the places mentioned in this subsection, or to any licensed gun
427 dealer, as defined in subsection (d) of section 53-202f of the general
428 statutes, as amended by this act.

429 (e) (1) Except as provided in subsection (f) of this section, any
430 person who, within this state, possesses any single shot fifty caliber
431 weapon and does not have a certificate of possession, shall be guilty of
432 a class D felony and shall be sentenced to a term of imprisonment of
433 which one year may not be suspended or reduced, except that a first-
434 time violation of this subsection shall be a class A misdemeanor if (A)
435 the person presents proof that such person lawfully possessed the
436 single shot fifty caliber weapon prior to October 1, 2001, and (B) the
437 person has otherwise possessed the firearm in compliance with
438 subsection (d) of this section.

439 (2) The provisions of subdivision (1) of this subsection shall not
440 apply to the possession of single shot fifty caliber weapons by
441 members or employees of the Department of Public Safety, police
442 departments, the Department of Correction or the military or naval
443 forces of this state or of the United States for use in the discharge of
444 their official duties; nor shall anything in this section prohibit the
445 possession or use of single shot fifty caliber weapons by sworn
446 members of these agencies when on duty and the use is within the
447 scope of their duties.

448 (3) The provisions of subdivision (1) of this subsection shall not
449 apply to the possession of a single shot fifty caliber weapon by any
450 person prior to July 1, 2002, if all of the following are applicable:

451 (A) The person is eligible to apply for a certificate of possession for
452 the single shot fifty caliber weapon by July 1, 2002;

453 (B) The person lawfully possessed the single shot fifty caliber
454 weapon prior to October 1, 2001; and

455 (C) The person is otherwise in compliance with the provisions of
456 this section.

457 (4) The provisions of subdivision (1) of this subsection shall not
458 apply to a person who is the executor or administrator of an estate that
459 includes a single shot fifty caliber weapon for which a certificate of
460 possession has been issued under this section, if the single shot fifty
461 caliber weapon is possessed at a place set forth in subdivision (1) of
462 subsection (d) of this section or as authorized by the Probate Court.

463 (f) Any individual may arrange in advance to relinquish a single
464 shot fifty caliber weapon to a police department or the Department of
465 Public Safety. The single shot fifty caliber weapon shall be transported
466 in accordance with the provisions of section 53-202f of the general
467 statutes, as amended by this act.

468 (g) Any person who lawfully possesses a single shot fifty caliber
469 weapon under this section that is stolen shall report the theft to law
470 enforcement authorities within seventy-two hours of when such
471 person discovered or should have discovered the theft.

472 (h) The provisions of subsection (e) of this section shall not apply to
473 the temporary transfer or possession of a single shot fifty caliber
474 weapon, for which a certificate of possession has been issued pursuant

475 to subsection (b) of this section, for purposes of transporting such
476 weapon to and from any shooting competition or exhibition, display or
477 educational project which is about firearms and which is sponsored by,
478 conducted under the auspices of or approved by a law enforcement
479 agency or a nationally or state recognized entity that fosters
480 proficiency in, or promotes education about, firearms, which
481 competition, exhibition, display or educational project is held outside
482 this state.

483 (i) Nothing in this section shall be construed to prohibit any person,
484 firm or corporation engaged in the business of manufacturing single
485 shot fifty caliber weapons in this state from manufacturing or
486 transporting single shot fifty caliber weapons in this state for sale
487 within this state in accordance with section 29-37a of the general
488 statutes or for sale outside this state.

489 (j) The requirements of this section are in addition to the
490 requirements of section 29-37a of the general statutes.

491 Sec. 9. Section 53-202j of the general statutes is repealed and the
492 following is substituted in lieu thereof:

493 Any person who commits any class A, B or C felony and in the
494 commission of such felony uses, or is armed with and threatens the use
495 of, or displays, or represents by [his] words or conduct that [he] such
496 person possesses an assault weapon, as defined in section 53-202a, or a
497 single shot fifty caliber weapon, as defined in section 8 of this act, shall
498 be imprisoned for a term of eight years, which shall not be suspended
499 or reduced and shall be in addition and consecutive to any term of
500 imprisonment imposed for conviction of such felony.

501 Sec. 10. Section 53-202k of the general statutes is repealed and the
502 following is substituted in lieu thereof:

503 Any person who commits any class A, B or C felony and in the
504 commission of such felony uses, or is armed with and threatens the use
505 of, or displays, or represents by [his] words or conduct that [he] such
506 person possesses any firearm, as defined in section 53a-3, except an
507 assault weapon, as defined in section 53-202a, as amended by this act,
508 or a single shot fifty caliber weapon, as defined in section 8 of this act,
509 shall be imprisoned for a term of five years, which shall not be
510 suspended or reduced and shall be in addition and consecutive to any
511 term of imprisonment imposed for conviction of such felony.

512 Sec. 11. (NEW) (a) (1) For purposes of this section, "armor piercing
513 bullet" means a bullet with sufficient mass to penetrate steel or bullet-
514 proof glass, "incendiary bullet" means a bullet with an inflammable
515 filling or that is designed to explode on impact, and "tracing bullet"
516 means a bullet that leaves a lighted residue trail.

517 (2) Any person who distributes, transports or imports into the state,
518 keeps for sale or offers or exposes for sale or gives to any person any
519 ammunition that is fifty caliber in diameter and that is an armor
520 piercing bullet, an incendiary bullet or a tracing bullet shall be guilty of
521 a class D felony, except that a first-time violation of this subsection
522 shall be a class A misdemeanor.

523 (3) Any person who possesses any ammunition that is fifty caliber in
524 diameter and that is an armor piercing bullet, an incendiary bullet or a
525 tracing bullet shall, after July 1, 2002, be guilty of a class D felony,
526 except that a first-time violation of this subsection shall be a class A
527 misdemeanor. Any person may arrange in advance to relinquish such
528 ammunition to a police department or the Department of Public
529 Safety.

530 (b) (1) The provisions of subsection (a) of this section shall not apply
531 to the sale of such ammunition to the Department of Public Safety,

532 police departments, the Department of Correction or the military or
533 naval forces of this state or of the United States for use in the discharge
534 of their official duties.

535 (2) The provisions of subsection (a) of this section shall not apply to
536 the possession of such ammunition by members or employees of the
537 Department of Public Safety, police departments, the Department of
538 Correction or the military or naval forces of this state or of the United
539 States for use in the discharge of their official duties.

540 Sec. 12. (NEW) (a) For purposes of this section, "large capacity
541 ammunition magazine" means any ammunition feeding device with
542 the capacity to accept more than ten rounds, except it does not include
543 (1) a feeding device that has been permanently altered so that it cannot
544 accommodate more than ten rounds, or (2) any .22 caliber tube
545 ammunition feeding device.

546 (b) Any person who distributes, transports or imports into the state,
547 keeps for sale or offers or exposes for sale, gives or transfers to any
548 person any large capacity ammunition magazine shall be guilty of a
549 class D felony.

550 (c) The provisions of subsection (b) of this section shall not apply to
551 the following:

552 (1) The sale of large capacity ammunition magazines to the
553 Department of Public Safety, police departments, the Department of
554 Correction or the military or naval forces of this state or of the United
555 States for use in the discharge of their official duties;

556 (2) A person who is the executor or administrator of an estate that
557 includes a large capacity ammunition magazine that is disposed of as

558 authorized by the Probate Court;

559 (3) The transfer by bequest or intestate succession of a large capacity
560 ammunition magazine;

561 (4) The importation of a large capacity ammunition magazine by a
562 person who lawfully possessed the large capacity ammunition
563 magazine in the state prior to October 1, 2001, lawfully took it out of
564 the state, and is returning to the state with the large capacity
565 ammunition magazine previously lawfully possessed in this state;

566 (5) The lending or giving of any large capacity ammunition
567 magazine to any licensed gun dealer, as defined in subsection (d) of
568 section 53-202f of the general statutes, as amended by this act, for the
569 purpose of maintenance, repair or modification of such magazine, and
570 the return from such gun dealer to the owner; or

571 (6) The transfer by any licensed gun dealer of any large capacity
572 ammunition magazine received pursuant to subdivision (5) of this
573 subsection, to a gunsmith for purposes of accomplishing service or
574 repair of the same, and the return from such gunsmith to the gun
575 dealer, provided transfers are made only to the following persons: (A)
576 a gunsmith who is in the licensed gun dealer's employ; (B) a gunsmith
577 with whom the licensed gun dealer has contracted for gunsmithing
578 services, provided the gunsmith receiving the large capacity
579 ammunition magazine holds a dealer's license issued pursuant to
580 Chapter 44, commencing with Section 921, of Title 18 of the United
581 State Code and the regulations issued pursuant thereto.

582 Sec. 13. (NEW) Not later than October 1, 2001, the Commissioner of
583 Public Safety shall institute a continuing public education and
584 notification program regarding the identification and registration of
585 single shot fifty caliber weapons and assault weapons, as defined in

586 subsections (3) to (13), inclusive, of subsection (a) of section 53-202a of
587 the general statutes, as amended by this act. Such program shall
588 include, but not be limited to, information regarding gun owners'
589 responsibilities, registration requirements and deadlines, and the
590 consequences for failing to register single shot fifty caliber weapons
591 and such assault weapons. A variety of media outlets shall be used to
592 ensure maximum publicity for the information. The commissioner
593 shall develop posters to be posted in a conspicuous place in every store
594 licensed to sell guns in this state.

Statement of Purpose:

To increase firearms safety in this state by amending the definition of assault weapon to include semiautomatic assault weapons not previously covered, including semiautomatic fifty caliber weapons, by banning the possession or sale of certain fifty caliber ammunition and large capacity ammunition magazines, and by enacting a special permitting process for single shot fifty caliber sniper weapons.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]