



General Assembly

Amendment

January Session, 2001

LCO No. 8000

Offered by:

REP. SAN ANGELO, 131st Dist.
REP. LAWLOR, 99th Dist.
REP. CAFERO, 142nd Dist.
REP. DARGAN, 115th Dist.
REP. JARJURA, 74th Dist.
REP. DELGOBBO, 70th Dist.
REP. FLAHERTY, 68th Dist.

REP. HEAGNEY, 16th Dist.
REP. BOUGHTON, 138th Dist.
REP. FREY, 111th Dist.
REP. KLARIDES, 114th Dist.
REP. BOUCHER, 143rd Dist.
REP. DIAMANTIS, 79th Dist.
REP. FERRARI, 62nd Dist.

To: Senate Bill No. **1402**

File No. 139

Cal. No. 582

"AN ACT CONCERNING A SINGLE STATE HANDGUN PERMIT."

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

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 Section 53-202a of the general statutes is repealed and the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

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

7 (1) Any selective-fire firearm capable of fully automatic,
8 semiautomatic or burst fire at the option of the user or any of the
9 following specified semiautomatic firearms: Algimec Agmi; Armalite
10 AR-180; Australian Automatic Arms SAP Pistol; Auto-Ordnance

11 Thompson type; Avtomat Kalashnikov AK-47 type; Barrett Light-Fifty
12 model 82A1; Beretta AR-70; Bushmaster Auto Rifle and Auto Pistol;
13 Calico models M-900, M-950 and 100-P; Chartered Industries of
14 Singapore SR-88; Colt AR-15 and Sporter; Daewoo K-1, K-2, Max-1 and
15 Max-2; Encom MK-IV, MP-9 and MP-45; Fabrique Nationale FN/FAL,
16 FN/LAR, or FN/FNC; FAMAS MAS 223; Feather AT-9 and Mini-AT;
17 Federal XC-900 and XC-450; Franchi SPAS-12 and LAW-12; Galil AR
18 and ARM; Goncz High-Tech Carbine and High-Tech Long Pistol;
19 Heckler & Koch HK-91, HK-93, HK-94 and SP-89; Holmes MP-83;
20 MAC-10, MAC-11 and MAC-11 Carbine type; Intratec TEC-9 and
21 Scorpion; Iver Johnson Enforcer model 3000; Ruger Mini-14/5F folding
22 stock model only; Scarab Skorpion; SIG 57 AMT and 500 series; Spectre
23 Auto Carbine and Auto Pistol; Springfield Armory BM59, SAR-48 and
24 G-3; Sterling MK-6 and MK-7; Steyr AUG; Street Sweeper and Striker
25 12 revolving cylinder shotguns; USAS-12; UZI Carbine, Mini-Carbine
26 and Pistol; Weaver Arms Nighthawk; Wilkinson "Linda" Pistol;

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

33 (3) Any semiautomatic firearm not listed in subdivision (1) of this
34 subsection that meets the following criteria:

35 (A) A semiautomatic rifle that has an ability to accept a detachable
36 magazine and has at least two of the following:

37 (i) A folding or telescoping stock;

38 (ii) A pistol grip that protrudes conspicuously beneath the action of
39 the weapon;

40 (iii) A bayonet mount;

- 41 (iv) A flash suppressor or threaded barrel designed to accommodate
42 a flash suppressor; and
- 43 (v) A grenade launcher; or
- 44 (B) A semiautomatic pistol that has an ability to accept a detachable
45 magazine and has at least two of the following:
- 46 (i) An ammunition magazine that attaches to the pistol outside of
47 the pistol grip;
- 48 (ii) A threaded barrel capable of accepting a barrel extender, flash
49 suppressor, forward handgrip or silencer;
- 50 (iii) A shroud that is attached to, or partially or completely encircles,
51 the barrel and that permits the shooter to hold the firearm with the
52 nontrigger hand without being burned;
- 53 (iv) A manufactured weight of fifty ounces or more when the pistol
54 is unloaded; and
- 55 (v) A semiautomatic version of an automatic firearm; or
- 56 (C) A semiautomatic shotgun that has at least two of the following:
- 57 (i) A folding or telescoping stock;
- 58 (ii) A pistol grip that protrudes conspicuously beneath the action of
59 the weapon;
- 60 (iii) A fixed magazine capacity in excess of five rounds; and
- 61 (iv) An ability to accept a detachable magazine; or
- 62 (4) A part or combination of parts designed or intended to convert a
63 firearm into an assault weapon, as defined in subdivision (3) of this
64 subsection, or any combination of parts from which an assault
65 weapon, as defined in subdivision (3) of this subsection, may be
66 rapidly assembled if those parts are in the possession or under the

67 control of the same person.

68 (b) As used in this section and sections 53-202b to 53-202k, inclusive,
69 [and subsection (h) of section 53a-46a,] the term "assault weapon" does
70 not include any firearm modified to render it permanently inoperable.

71 Sec. 2. (NEW) (a) (1) For purposes of this section, "armor piercing .50
72 caliber bullet" means any .50 caliber bullet that is (A) designed for the
73 purpose of, (B) held out by the manufacturer or distributor as, or (C)
74 generally recognized as having a specialized capability to penetrate
75 armor or bulletproof glass, including, but not limited to, such bullets
76 commonly designated as "M2 Armor-Piercing" or "AP", "M8 Armor-
77 Piercing Incendiary" or "API", "M20 Armor-Piercing Incendiary Tracer"
78 or "APIT", "M903 Caliber .50 Saboted Light Armor Penetrator" or
79 "SLAP", or "M962 Saboted Light Armor Penetrator Tracer" or "SLAPT".

80 (2) "Incendiary .50 caliber bullet" means any .50 caliber bullet that is
81 (A) designed for the purpose of, (B) held out by the manufacturer or
82 distributor as, or (C) generally recognized as having a specialized
83 capability to ignite upon impact, including, but not limited to, such
84 bullets commonly designated as "M1 Incendiary", "M23 Incendiary",
85 "M8 Armor-Piercing Incendiary" or "API", or "M20 Armor-Piercing
86 Incendiary Tracer" or "APIT".

87 (b) Any person who knowingly distributes, transports or imports
88 into the state, keeps for sale or offers or exposes for sale or gives to any
89 person any ammunition that is an armor piercing .50 caliber bullet or
90 an incendiary .50 caliber bullet shall be guilty of a class D felony,
91 except that a first-time violation of this subsection shall be a class A
92 misdemeanor.

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

95 (1) The sale of such ammunition to the Department of Public Safety,
96 police departments, the Department of Correction or the military or
97 naval forces of this state or of the United States for use in the discharge

98 of their official duties;

99 (2) A person who is the executor or administrator of an estate that
100 includes such ammunition that is disposed of as authorized by the
101 Probate Court; or

102 (3) The transfer by bequest or intestate succession of such
103 ammunition.

104 (d) If the court finds that a violation of this section is not of a serious
105 nature and that the person charged with such violation (1) will
106 probably not offend in the future, (2) has not previously been
107 convicted of a violation of this section, and (3) has not previously had a
108 prosecution under this section suspended pursuant to this subsection,
109 it may order suspension of prosecution in accordance with the
110 provisions of subsection (h) of section 29-33 of the general statutes.

111 Sec. 3. (NEW) Notwithstanding any provision of the general
112 statutes, sections 53-202a to 53-202k, inclusive, of the general statutes,
113 as amended by this act, and section 2 of this act, shall not be construed
114 to limit the transfer or require the registration of an assault weapon as
115 defined in subdivision (3) or (4) of subsection (a) of section 53-202a of
116 the general statutes, as amended by this act, provided such firearm
117 was legally manufactured prior to September 13, 1994.

118 Sec. 4. Section 29-28 of the general statutes is repealed and the
119 following is substituted in lieu thereof:

120 (a) No person who sells ten or more pistols or revolvers in a
121 calendar year or is a federally-licensed firearm dealer shall advertise,
122 sell, deliver, or offer or expose for sale or delivery, or have in [his] such
123 person's possession with intent to sell or deliver, any pistol or revolver
124 at retail without having a permit therefor issued as [hereinafter]
125 provided in this subsection. The chief of police or, where there is no
126 chief of police, the warden of the borough or the first selectman of the
127 town, as the case may be, may, upon the application of any person,
128 issue a permit in such form as may be prescribed by the Commissioner

129 of Public Safety for the sale at retail of pistols and revolvers within the
130 jurisdiction of the authority issuing such permit. No permit for the sale
131 at retail of any pistol or revolver shall be issued unless the applicant
132 holds a valid eligibility certificate for a pistol or revolver issued
133 pursuant to section 29-36f or a valid state permit to carry a pistol or
134 revolver issued pursuant to subsection (b) of this section and the
135 applicant submits documentation sufficient to establish that local
136 zoning requirements have been met for the location where the sale is to
137 take place except that any person selling or exchanging a pistol or
138 revolver for the enhancement of a personal collection or for a hobby or
139 who sells all or part of [his] such person's personal collection of pistols
140 or revolvers shall not be required to submit such documentation for
141 the location where the sale or exchange is to take place.

142 (b) Upon the application of any person having a bona fide residence
143 or place of business within the jurisdiction of any such authority, [or
144 upon the application of any bona fide resident of the United States
145 having a permit or license to carry any firearm issued by the authority
146 of any state or subdivision of the United States,] such chief of police,
147 warden or selectman may issue a temporary state permit to such
148 person to carry a pistol or revolver within the [jurisdiction of the
149 authority issuing the same] state, provided such authority shall find
150 that such applicant intends to make no use of any pistol or revolver
151 which such applicant may be permitted to carry [thereunder] under
152 such permit other than a lawful use and that such person is a suitable
153 person to receive such permit. No state or temporary state permit to
154 carry a pistol or revolver shall be issued under this subsection if the
155 applicant (1) has failed to successfully complete a course approved by
156 the Commissioner of Public Safety in the safety and use of pistols and
157 revolvers including, but not limited to, a safety or training course in
158 the use of pistols and revolvers available to the public offered by a law
159 enforcement agency, a private or public educational institution or a
160 firearms training school, utilizing instructors certified by the National
161 Rifle Association or the Department of Environmental Protection and a
162 safety or training course in the use of pistols or revolvers conducted by

163 an instructor certified by the state or the National Rifle Association, (2)
164 has been convicted of a felony or of a violation of subsection (c) of
165 section 21a-279, section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96,
166 53a-175, 53a-176, 53a-178 or 53a-181d, (3) has been convicted as
167 delinquent for the commission of a serious juvenile offense, as defined
168 in section 46b-120, (4) has been discharged from custody within the
169 preceding twenty years after having been found not guilty of a crime
170 by reason of mental disease or defect pursuant to section 53a-13, (5)
171 has been confined in a hospital for persons with psychiatric
172 disabilities, as defined in section 17a-495, within the preceding twelve
173 months by order of a probate court, (6) is subject to a restraining or
174 protective order issued by a court in a case involving the use,
175 attempted use or threatened use of physical force against another
176 person, (7) is subject to a firearms seizure order issued pursuant to
177 subsection (d) of section 29-38c after notice and hearing, [or] (8) is an
178 alien illegally or unlawfully in the United States, or (9) is less than
179 twenty-one years of age. Nothing in this section shall require any
180 person who holds a valid permit to carry a pistol or revolver on
181 October 1, 1994, to participate in any additional training in the safety
182 and use of pistols and revolvers. Upon issuance of a temporary state
183 permit to the applicant, the local authority shall forward the original
184 application to the commissioner. Not later than sixty days after
185 receiving a temporary state permit, an applicant shall appear at a
186 location designated by the commissioner to receive the state permit.
187 Said commissioner may [, upon application,] then issue, to any holder
188 of any [such] temporary state permit, a state permit to carry a pistol or
189 revolver within the state. [Each permit to carry any pistol or revolver
190 shall be issued in triplicate and one of the copies issued by said
191 commissioner shall be delivered to the person to whom issued, one
192 shall be delivered forthwith to the authority issuing the local permit
193 and one shall be retained by said commissioner, and the local authority
194 issuing any such permit shall forthwith deliver one of such copies to
195 the person to whom issued and one copy to said commissioner and
196 shall retain one of such copies.] Upon issuance of the state permit, the
197 commissioner shall forward a record of such permit to the local

198 authority issuing the temporary state permit. The commissioner shall
199 retain records of all applications, whether approved or denied. The
200 copy of the state permit delivered to the permittee shall be laminated
201 and shall contain a full-face photograph of such permittee. A person
202 holding a state permit issued pursuant to this subsection shall notify
203 the issuing authority within two business days of any change of such
204 person's address. The notification shall include the old address and the
205 new address of such person.

206 (c) No issuing authority may require any sworn member of the
207 Department of Public Safety or an organized local police department to
208 furnish [his] such sworn member's residence address in a permit
209 application. The issuing authority shall allow each such sworn
210 member who has a permit to carry a pistol or revolver [on May 26,
211 1992,] issued by such authority, to revise [his] such member's
212 application to include [his] a business or post office address in lieu of
213 [his] the residence address. The issuing authority shall notify each such
214 member of [his] the right to revise such application.

215 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the
216 name and address of a person issued a permit to sell at retail pistols
217 and revolvers pursuant to subsection (a) of this section or a state or a
218 temporary state permit to carry [pistols and revolvers] a pistol or
219 revolver pursuant to subsection (b) of this section, or a local permit to
220 carry pistols and revolvers issued by local authorities prior to the
221 effective date of this act, shall be confidential and shall not be
222 disclosed, except (1) such information may be disclosed to law
223 enforcement officials acting in the performance of their duties, (2) [an]
224 the issuing authority may disclose such information to the extent
225 necessary to comply with a request made pursuant to section 29-33 for
226 verification that such state or temporary state permit is still valid and
227 has not been suspended or revoked, and the local authority may
228 disclose such information to the extent necessary to comply with a
229 request made pursuant to section 29-33 for verification that a local
230 permit is still valid and has not been suspended or revoked, and (3)
231 such information may be disclosed to the Commissioner of Mental

232 Health and Addiction Services to carry out the provisions of
233 subsection (c) of section 17a-500.

234 (e) The issuance of [a] any permit to carry a pistol or revolver [under
235 subsection (b) of this section] does not thereby authorize the
236 possession or carrying of a pistol or revolver in any premises where
237 the possession or carrying of a pistol or revolver is otherwise
238 prohibited by law or is prohibited by the person who owns or exercises
239 control over such premises.

240 (f) Any bona fide resident of the United States having no bona fide
241 residence or place of business within the jurisdiction of any local
242 authority in the state, but who has a permit or license to carry a pistol
243 or revolver issued by the authority of another state or subdivision of
244 the United States, may apply directly to the Commissioner of Public
245 Safety for a permit to carry a pistol or revolver in this state. All
246 provisions of subsections (b), (c), (d) and (e) of this section shall apply
247 to applications for a permit received by the commissioner under this
248 subsection.

249 Sec. 5. Section 29-28a of the general statutes is repealed and the
250 following is substituted in lieu thereof:

251 (a) Requests for temporary state permits under section 29-28, as
252 amended by this act, shall be submitted to the [issuing authority] chief
253 of police, or, where there is no chief of police, to the warden of the
254 borough or the first selectman of the town, as the case may be, on
255 application forms prescribed by the Commissioner of Public Safety.
256 Upon written request by any person for a temporary state permit not
257 on a prescribed application form, or upon request by any person for
258 such application form, the [issuing] local authority shall supply such
259 forms. When any such request is made in person at the office of the
260 [issuing] local authority, the local authority shall supply such
261 application form immediately. When any such request is made in any
262 other manner, the local authority shall supply such application form
263 not later than one week after receiving such request. If such

264 application form is not supplied within the time [limited] limits
265 required by this section, the request therefor shall constitute a
266 sufficient application. If any [issuing] local authority fails to supply an
267 application form upon the request of any person, such person may
268 request an application form from the Commissioner of Public Safety or
269 any barracks of the Division of State Police, and the time limits and
270 procedures set forth in this section for handling requests for such
271 forms shall be applicable.

272 (b) The [issuing] local authority shall, not later than eight weeks
273 after a sufficient application for a temporary state permit has been
274 made, inform the applicant that [his] such applicant's request for a
275 temporary state permit has been approved or denied. The local
276 authority shall forward a copy of the application indicating approval
277 or denial of the temporary state permit to the Commissioner of Public
278 Safety. If the local authority has denied the application for a temporary
279 state permit, no state permit may be issued. The commissioner shall,
280 not later than eight weeks after receiving an application indicating
281 approval from the local authority, inform the applicant in writing that
282 the applicant's application for a state permit has been approved or
283 denied, or that the results of the national criminal history records
284 check have not been received. If grounds for denial become known
285 after a temporary state permit has been obtained, the temporary state
286 permit shall be immediately revoked pursuant to section 29-32, as
287 amended by this act.

288 Sec. 6. Section 29-29 of the general statutes is repealed and the
289 following is substituted in lieu thereof:

290 (a) No temporary state permit for carrying any pistol or revolver
291 shall be issued under the provisions of section 29-28, as amended by
292 this act, unless the applicant for the same gives to the [issuing] local
293 authority, upon its request, full information concerning [his] the
294 applicant's criminal record, and such [issuing] local authority shall
295 thereupon take a full description of such applicant and make an
296 investigation concerning [his] the applicant's suitability to carry any

297 such weapons. The [issuing] local authority shall take the fingerprints
298 of such applicant unless the [issuing] local authority determines that
299 the fingerprints of such applicant have been previously taken and [his]
300 the applicant's identity established, and such applicant presents
301 identification that the [issuing] local authority verifies as valid. The
302 [issuing] local authority shall record the date the fingerprints were
303 taken in the applicant's file and, within five business days of such date,
304 shall forward such fingerprints to the Commissioner of Public Safety,
305 who shall forward them to the Federal Bureau of Investigation for a
306 national criminal history records check. The [issuing] local authority
307 may, in [his] its discretion, issue [such] a temporary state permit before
308 a [report from said bureau] national criminal history records check
309 relative to such applicant's record has been received. Upon receipt of
310 [such report, the issuing authority] the results of such national criminal
311 history records check, the commissioner shall send a copy of the
312 results of such national criminal history records check to the local
313 authority, which shall inform the applicant and render a decision on
314 the application within one week of the receipt of [the report] such
315 results. If such [report has] results have not been received within eight
316 weeks after a sufficient application for a permit has been made, the
317 [issuing] local authority shall inform the applicant of such delay, in
318 writing. No temporary state permit shall be issued if the [issuing] local
319 authority has reason to believe the applicant has ever been convicted
320 of a felony, or that any other condition exists for which the issuance of
321 a permit for possession of a pistol or revolver is prohibited under state
322 or federal law.

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

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

330 Sec. 7. Section 29-30 of the general statutes is repealed and the
331 following is substituted in lieu thereof:

332 (a) The fee for each permit originally issued under the provisions of
333 subsection (a) of section 29-28, as amended by this act, for the sale at
334 retail of pistols and revolvers shall be one hundred dollars and for
335 each renewal thereof one hundred dollars. The fee for each state
336 permit originally issued under the provisions of subsection (b) of
337 section 29-28, as amended by this act, for the carrying of pistols and
338 revolvers shall be [thirty-five dollars and for each renewal thereof
339 thirty-five dollars. Such fees shall be paid to the authority issuing the
340 same and by such authority to the municipality wherein issued or the
341 state, as the case may be] seventy dollars plus sufficient funds as
342 required to be transmitted to the Federal Bureau of Investigation to
343 cover the cost of a national criminal history records check. The local
344 authority shall forward sufficient funds for the national criminal
345 history records check to the commissioner no later than five business
346 days after receipt by the local authority of the application for the
347 temporary state permit. Thirty-five dollars shall be retained by the
348 local authority. Upon approval by the local authority of the application
349 for a temporary state permit, thirty-five dollars shall be sent to the
350 commissioner. The fee to renew each state permit originally issued
351 under the provisions of subsection (b) of section 29-28, as amended by
352 this act, shall be thirty-five dollars. Upon deposit of such fees in the
353 General Fund, ten dollars of each fee shall be credited within thirty
354 days to the appropriation for the Department of Public Safety to a
355 separate nonlapsing account for the purposes of the issuance of
356 permits under subsections (a) and (b) of section 29-28, as amended by
357 this act.

358 (b) A local permit originally issued [under the provisions of section
359 29-28] before the effective date of this act, whether for the sale at retail
360 of pistols and revolvers or for the carrying of pistols and revolvers,
361 shall expire five years after the date it becomes effective and each
362 renewal thereof shall expire five years after the expiration date of the
363 permit being renewed. On and after the effective date of this act, no

364 local permit for the carrying of pistols and revolvers shall be renewed.

365 (c) A state permit originally issued under the provisions of section
366 29-28, as amended by this act, for the carrying of pistols and revolvers
367 shall expire five years after the date [it] such permit becomes effective
368 and each renewal thereof shall expire five years after the expiration
369 date of the state permit being renewed and such renewal shall not be
370 contingent on the renewal or issuance of a local permit. A temporary
371 state permit issued for the carrying of pistols and revolvers shall expire
372 sixty days after the date it becomes effective, and may not be renewed.

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

377 (e) No fee or portion thereof paid under the provisions of this
378 section for issuance or renewal of a state permit shall be refundable
379 except if [the] such permit for which the fee or portion thereof was
380 paid was not issued or renewed. The portion of the fee expended on
381 the national criminal history records check for any such permit that
382 was not issued or renewed shall not be refunded.

383 (f) The issuing authority shall send a notice of the expiration of a
384 state permit to carry a pistol or revolver, issued pursuant to section 29-
385 28, as amended by this act, to the holder of such permit, by first class
386 mail, not less than ninety days before such expiration, and shall
387 enclose [therein] with such notice a form for the renewal of said state
388 permit. A state permit to carry a pistol or revolver, issued pursuant to
389 section 29-28, as amended by this act, shall be valid for a period of
390 ninety days [from] after the expiration date, except this provision shall
391 not apply to any state permit to carry a pistol or revolver which has
392 been revoked or for which revocation is pending, pursuant to section
393 29-32, as amended by this act.

394 Sec. 8. Section 29-32 of the general statutes is repealed and the
395 following is substituted in lieu thereof:

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

398 (b) Any state permit or temporary state permit for the carrying of
399 any pistol or revolver may be revoked by the [authority issuing the
400 same] Commissioner of Public Safety for cause and shall be revoked by
401 [the authority issuing the same] said commissioner upon conviction of
402 the holder of such permit of a felony or of any misdemeanor specified
403 in subsection (b) of section 29-28, as amended by this act, or upon the
404 occurrence of any event which would have disqualified the holder
405 from being issued the state permit or temporary state permit pursuant
406 to subsection (b) of section 29-28, as amended by this act. [For the
407 purposes of this section, "conviction" means the entry of a judgment of
408 conviction by any court of competent jurisdiction.] Upon the
409 revocation of any state permit or temporary state permit, the person
410 whose state permit or temporary state permit is revoked shall be
411 notified in writing and such state permit or temporary state permit
412 shall be forthwith delivered to the [authority issuing the same. Upon
413 the revocation of any local permit, the authority issuing the same shall
414 forthwith notify the Commissioner of Public Safety and, upon the
415 revocation of any permit issued by said commissioner, he shall
416 forthwith notify the authority issuing such local permit, if any, which
417 the records of said commissioner show as having issued a currently
418 valid permit to the holder of the revoked state permit] commissioner.
419 Any law enforcement authority shall confiscate and immediately
420 forward to the commissioner any state permit or temporary state
421 permit that is illegally possessed by any person. The commissioner
422 may revoke the state permit or temporary state permit based upon the
423 commissioner's own investigation or upon the request of any law
424 enforcement agency. Any person who fails to surrender [such] any
425 permit within five days of notification in writing of revocation thereof
426 shall be guilty of a class C misdemeanor.

427 (c) Any local permit for the carrying of a pistol or revolver issued
428 prior to the effective date of this act may be revoked by the authority
429 issuing the same for cause, and shall be revoked by the authority

430 issuing the same upon conviction of the holder of such permit of a
431 felony or of any misdemeanor specified in subsection (b) of section 29-
432 28, as amended by this act, or upon the occurrence of any event which
433 would have disqualified the holder from being issued such local
434 permit. Upon the revocation of any local permit, the person whose
435 local permit is revoked shall be notified in writing and such permit
436 shall be forthwith delivered to the authority issuing the same. Upon
437 the revocation of any local permit, the authority issuing the same shall
438 forthwith notify the commissioner. Upon the revocation of any permit
439 issued by the commissioner, the commissioner shall forthwith notify
440 any local authority which the records of the commissioner show as
441 having issued a currently valid local permit to the holder of the permit
442 revoked by the commissioner. Any person who fails to surrender such
443 permit within five days of notification in writing or revocation thereof
444 shall be guilty of a class C misdemeanor.

445 Sec. 9. Section 29-35 of the general statutes is repealed and the
446 following is substituted in lieu thereof:

447 (a) No person shall carry any pistol or revolver upon one's person,
448 except when such person is within the dwelling house or place of
449 business of such person, without a permit to carry the same issued as
450 provided in section 29-28, as amended by this act. The provisions of
451 this subsection shall not apply to the carrying of any pistol or revolver
452 by any parole officer or peace officer of this state, or parole officer or
453 peace officer of any other state while engaged in the pursuit of official
454 duties, or federal marshal or federal law enforcement agent, or to any
455 member of the armed forces of the United States, as defined by section
456 27-103, or of this state, as defined by section 27-2, when on duty or
457 going to or from duty, or to any member of any military organization
458 when on parade or when going to or from any place of assembly, or to
459 the transportation of pistols or revolvers as merchandise, or to any
460 person transporting any pistol or revolver while contained in the
461 package in which it was originally wrapped at the time of sale and
462 while transporting the same from the place of sale to the purchaser's
463 residence or place of business, or to any person removing such

464 person's household goods or effects from one place to another, or to
465 any person while transporting any such pistol or revolver from such
466 person's place of residence or business to a place or individual where
467 or by whom such pistol or revolver is to be repaired or while returning
468 to such person's place of residence or business after the same has been
469 repaired, or to any person transporting a pistol or revolver in or
470 through the state for the purpose of taking part in competitions, taking
471 part in formal pistol or revolver training, repairing such pistol or
472 revolver or attending any meeting or exhibition of an organized
473 collectors' group if such person is a bona fide resident of the United
474 States and is permitted to possess and carry a pistol or revolver in the
475 state or subdivision of the United States in which such person resides,
476 or to any person transporting a pistol or revolver to and from a testing
477 range at the request of the issuing authority, or to any person
478 transporting an antique pistol or revolver, as defined in section 29-33.
479 For the purposes of this subsection, "formal pistol or revolver training"
480 means pistol or revolver training at a locally approved or permitted
481 firing range or training facility, and "transporting a pistol or revolver"
482 means transporting a pistol or revolver that is unloaded and, if such
483 pistol or revolver is being transported in a motor vehicle, is not readily
484 accessible or directly accessible from the passenger compartment of the
485 vehicle or, if such pistol or revolver is being transported in a motor
486 vehicle that does not have a [passenger compartment, is] compartment
487 separate from the passenger compartment, such pistol or revolver shall
488 be contained in a locked container other than the glove compartment
489 or console. Nothing in this section shall be construed to prohibit the
490 carrying of a pistol or revolver during formal pistol or revolver
491 training or repair.

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

495 Sec. 10. (NEW) (a) As used in this section:

496 (1) "Firearms evidence databank" means a computer-based system

497 that scans a test fire and stores an image of such test fire in a manner
498 suitable for retrieval and comparison to other test fires and to other
499 evidence in a case;

500 (2) "Handgun" means any firearm capable of firing rim-fire or
501 center-fire ammunition and designed or built to be fired with one
502 hand;

503 (3) "Laboratory" means the Division of Scientific Services forensic
504 science laboratory within the Department of Public Safety;

505 (4) "Police department" means the Division of State Police within the
506 Department of Public Safety or an organized local police department;

507 (5) "Test fire" means discharged ammunition consisting of a
508 cartridge case or a bullet or a fragment thereof, collected after a
509 handgun is fired and containing sufficient microscopical characteristics
510 to compare to other discharged ammunition or to determine the
511 handgun from which the ammunition was fired.

512 (b) (1) The Division of Scientific Services shall establish a firearms
513 evidence databank. Test fire evidence submitted to the laboratory or
514 collected from handguns submitted to the laboratory shall be entered
515 into such databank in accordance with specific procedures adopted by
516 the Commissioner of Public Safety, in the regulations adopted
517 pursuant to subsection (f) of this section.

518 (2) The firearms evidence databank may be used by laboratory
519 personnel to (A) compare two or more cartridge cases, bullets or other
520 projectiles submitted to the laboratory or produced at the laboratory
521 from a handgun, or (B) upon the request of a police department as part
522 of a criminal case investigation, verify by microscopic examination any
523 resulting match, and shall produce a report stating the results of such a
524 search.

525 (3) Any image of a cartridge case, bullet or fragment thereof that is
526 not matched by a search of the databank shall be stored in the

527 databank for future searches.

528 (4) The Division of Scientific Services may permit a firearms section
529 of a police department that complies with all laboratory guidelines and
530 regulations adopted by the commissioner pursuant to subsection (f) of
531 this section regarding the operation of the firearms evidence databank
532 to (A) collect test fires from handguns that come into the custody of the
533 police department, (B) set up a remote terminal to enter test fire images
534 directly into the databank, and (C) search the databank.

535 (c) (1) Except as provided in subdivision (4) of subsection (b) of this
536 section and subsection (d) of this section, a police department shall
537 submit to the laboratory any handgun that comes into police custody
538 as the result of a criminal investigation, as found property, or for
539 destruction, prior to the return or the destruction of the handgun.

540 (2) The laboratory shall collect a test fire from each submitted
541 handgun within sixty days of submission. The laboratory shall label
542 the test fire with the handgun manufacturer, type of weapon, serial
543 number, date of the test fire and name of the person collecting the test
544 fire.

545 (d) (1) A police department shall collect a test fire from every
546 handgun issued by that department to an employee not later than six
547 months after the effective date of this section. On and after the effective
548 date of this section, a police department shall collect a test fire from
549 every handgun to be issued by that department before the handgun is
550 so issued. Any police department may request the assistance of the
551 Division of State Police or the laboratory to collect a test fire.

552 (2) The police department shall seal the test fire in a tamper-evident
553 manner and label the package with the handgun manufacturer,
554 handgun type, serial number and the name of the person collecting the
555 test fire. The police department shall submit the test fire and two intact
556 cartridges of the same type of ammunition used for the test fire to the
557 laboratory.

558 (e) The laboratory may share the information in the firearms
559 evidence databank with other law enforcement agencies, both within
560 and outside the state, and may participate in a national firearms
561 evidence databank program.

562 (f) The commissioner shall adopt regulations, in accordance with the
563 provisions of chapter 54 of the general statutes, to carry out the
564 purposes of this section.

565 Sec. 11. Subsection (b) of section 46b-15 of the general statutes is
566 repealed and the following is substituted in lieu thereof:

567 (b) The application form shall allow the applicant, at the applicant's
568 option, to indicate whether the respondent holds a permit to carry a
569 pistol or revolver or possesses one or more firearms. The application
570 shall be accompanied by an affidavit made under oath which includes
571 a brief statement of the conditions from which relief is sought. Upon
572 receipt of the application the court shall order that a hearing on the
573 application be held not later than fourteen days from the date of the
574 order. The court, in its discretion, may make such orders as it deems
575 appropriate for the protection of the applicant and such dependent
576 children or other persons as the court sees fit. Such order may include
577 temporary child custody or visitation rights and such relief may
578 include but is not limited to an order enjoining the respondent from (1)
579 imposing any restraint upon the person or liberty of the applicant; (2)
580 threatening, harassing, assaulting, molesting, sexually assaulting or
581 attacking the applicant; or (3) entering the family dwelling or the
582 dwelling of the applicant. If an applicant alleges an immediate and
583 present physical danger to the applicant, the court may issue an ex
584 parte order granting such relief as it deems appropriate. If a
585 postponement of a hearing on the application is requested by either
586 party and granted, the order shall not be continued except upon
587 agreement of the parties or by order of the court for good cause shown.

588 Sec. 12. Subsection (e) of section 46b-15 of the general statutes is
589 repealed and the following is substituted in lieu thereof:

590 (e) The applicant shall cause notice of the hearing pursuant to
591 subsection (b) of this section and a copy of the application and of any
592 ex parte order issued pursuant to subsection (b) of this section to be
593 served on the respondent not less than five days before the hearing.
594 Upon the granting of an ex parte order, the clerk of the court shall
595 provide two certified copies of the order to the applicant and a copy to
596 the Family Division. Upon the granting of an order after notice and
597 hearing, the clerk of the court shall provide two certified copies of the
598 order to the applicant and a copy to the Family Division and a copy to
599 the respondent. Every order of the court made in accordance with this
600 section after notice and hearing shall contain the following language:
601 "This court had jurisdiction over the parties and the subject matter
602 when it issued this protection order. Respondent was afforded both
603 notice and opportunity to be heard in the hearing that gave rise to this
604 order. Pursuant to the Violence Against Women Act of 1994, 18 USC
605 2265, this order is valid and enforceable in all fifty states, any territory
606 or possession of the United States, the District of Columbia, the
607 Commonwealth of Puerto Rico and tribal lands." The clerk of the court
608 shall send a certified copy of any ex parte order and of any order after
609 notice and hearing to the [appropriate] law enforcement agency for the
610 town in which the applicant resides and, if the respondent resides in a
611 town different than the town in which the applicant resides, to the law
612 enforcement agency for the town in which the respondent resides,
613 within forty-eight hours of [its] the issuance of such order. If the
614 applicant is employed in a town different than the town in which the
615 applicant resides, the clerk of the court shall, upon the request of the
616 applicant, send a certified copy of any such order, to the law
617 enforcement agency for the town in which the applicant is employed
618 within forty-eight hours of the issuance of such order.

619 Sec. 13. Subsections (c) and (d) of section 46b-38c of the general
620 statutes are repealed and the following is substituted in lieu thereof:

621 (c) Each such local family violence intervention unit shall: (1) Accept
622 referrals of family violence cases from a judge or prosecutor, (2)
623 prepare written or oral reports on each case for the court by the next

624 court date to be presented at any time during the court session on that
625 date, (3) provide or arrange for services to victims and offenders, (4)
626 administer contracts to carry out said services, and (5) establish
627 centralized reporting procedures. All information provided to a family
628 relations officer in a local family violence intervention unit shall be for
629 the sole purpose of preparation of the report for each case and
630 recommendation of services and shall otherwise be confidential and
631 retained in the files of such unit, and not be subject to subpoena or
632 other court process for use in any other proceeding or for any other
633 purpose, except that if the victim has indicated that the defendant
634 holds a permit to carry a pistol or revolver or possesses one or more
635 firearms, the family relations officer shall disclose such information to
636 the court and the prosecuting authority.

637 (d) In all cases of family violence, a written or oral report and
638 recommendation of the local intervention unit shall be available to a
639 judge at the first court date appearance to be presented at any time
640 during the court session on that date. A judge of the Superior Court
641 may consider and impose the following conditions to protect the
642 parties, including but not limited to: (1) Issuance of a protective order
643 pursuant to subsection (e) of this section; [such order shall be an order
644 of the court, and the clerk of the court shall cause (A) a certified copy
645 of such order to be sent to the victim, and (B) a certified copy of such
646 order to be sent within forty-eight hours of its issuance to the
647 appropriate law enforcement agency;] (2) prohibition against
648 subjecting the victim to further violence; (3) referral to a family
649 violence education program for batterers; and (4) immediate referral
650 for more extensive case assessment. Such protective order shall be an
651 order of the court, and the clerk of the court shall cause (A) a certified
652 copy of such order to be sent to the victim, and (B) a certified copy of
653 such order to be sent within forty-eight hours of its issuance to the law
654 enforcement agency for the town in which the victim resides and, if the
655 defendant resides in a town different than the town in which the
656 victim resides, to the law enforcement agency for the town in which
657 the defendant resides. If the victim is employed in a town different

658 than the town in which the victim resides, the clerk of the court shall,
659 upon the request of the victim, send a certified copy of such order to
660 the law enforcement agency for the town in which the victim is
661 employed within forty-eight hours of the issuance of such order.

662 Sec. 14. Section 29-36n of the general statutes is repealed and the
663 following is substituted in lieu thereof:

664 (a) The Commissioner of Public Safety, in conjunction with the Chief
665 State's Attorney and the Connecticut Police Chiefs Association, shall
666 develop a protocol to ensure that persons who become ineligible to
667 possess a pistol or revolver have, in accordance with section 29-36k,
668 transferred such pistol or revolver to a person eligible to possess such
669 pistol or revolver or have delivered or surrendered such pistol or
670 revolver to said commissioner.

671 (b) The Commissioner of Public Safety, in conjunction with the
672 Chief State's Attorney and the Connecticut Police Chiefs Association,
673 shall update the protocol developed pursuant to subsection (a) of this
674 section to reflect the provisions of this act.

675 Sec. 15. Section 53a-217 of the general statutes is repealed and the
676 following is substituted in lieu thereof:

677 (a) A person is guilty of criminal possession of a firearm or
678 electronic defense weapon when such person possesses a firearm or
679 electronic defense weapon and (1) has been convicted of a felony, [or]
680 (2) has been convicted as delinquent for the commission of a serious
681 juvenile offense, as defined in section 46b-120, (3) knows that such
682 person is subject to a restraining or protective order issued by a court,
683 after notice and an opportunity to be heard has been provided to such
684 person, in a case involving the use, attempted use or threatened use of
685 physical force against another person, or (4) knows that such person is
686 subject to a firearms seizure order issued pursuant to subsection (d) of
687 section 29-38c after notice and an opportunity to be heard has been
688 provided to such person. For the purposes of this section, "convicted"
689 means having a judgment of conviction entered by a court of

690 competent jurisdiction.

691 (b) Criminal possession of a firearm or electronic defense weapon is
692 a class D felony, for which two years of the sentence imposed may not
693 be suspended or reduced by the court."