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**Testimony of Deborah J. Fuller
Judiciary Committee Public Hearing
March 17, 2010**

**Senate Bill 458, An Act Concerning Restoration of Eligibility to Possess
Firearms Under Federal Law**

Thank you for the opportunity to submit written testimony in support of Senate Bill 458, *An Act Concerning Restoration of Eligibility to Possess Firearms under Federal Law*. The Judicial Branch worked with the Department of Public Safety (DPS), the Office of the Probate Court Administrator, the Department of Mental Health and Addiction Services (DMHAS) and the Office of Policy and Management (OPM) on this proposal. This bill would ensure that the state is eligible to receive federal funding under the NICS Improvement Act of 2007 (NIAA).

The NIAA authorized new federal grant programs to assist states with providing firearms disqualification records to NICS (National Instant Criminal Background Check System), the FBI's firearms regulatory section. The Act also authorizes penalties for non-compliance with its requirements. These penalties include a reduction in state match funds under the National Criminal History Improvement Program (NCHIP) as well as Byrne Justice Assistance Grant penalties.

In 2008, DMHAS, DPS, Judicial, and OPM collaborated to assess the overall impact of the NIAA on current state practices. The assessment identified several types of firearms disqualification records that may not be available to the NICS. In an effort to make more court records available to NICS, the Judicial Branch applied for \$506,500 in federal grant assistance through the U.S. Department of Justice under the NICS Act Record Improvement Program for States and State Courts (NARIP 2009). The Judicial Branch also collaborated extensively with the Office of Policy and Management, the Division of Criminal Justice (DCJ), and other agencies in support of DCJ's request for grant assistance under the NARIP 2009. However, the grant requests of the Judicial Branch and DCJ were denied because the State of Connecticut did not have a relief from mental health disabilities program. This bill would put such a program in place.

This year, Congress has doubled the appropriation for the NARIP from \$10 million to \$20 million. At least three states are eligible for this funding after enacting legislation to implement relief from mental health disabilities programs; passage of this bill would make Connecticut also eligible. Compliance with the act is monitored by the Bureau of Alcohol, Tobacco and Firearms, and we have been communicating with them to ensure that any language enacted conforms to their requirements. Based on their feedback, we would respectfully suggest that the following underlined language be added to the bill:

Line 2: "Any person who is prohibited from receiving or possessing..."

I urge the Committee to act favorably on this proposal. Thank you for your consideration.