



General Assembly

January Session, 2011

Raised Bill No. 6416

LCO No. 3552

03552_____PS_

Referred to Committee on Public Safety and Security

Introduced by:
(PS)

AN ACT CONCERNING THE REGULATION OF FIREARMS.

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

1 Section 1. Section 53-206d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) (1) No person shall carry a pistol, revolver, machine gun,
4 shotgun, rifle or other firearm, which is loaded and from which a shot
5 may be discharged, upon his person (A) while under the influence of
6 intoxicating liquor or any drug, or both, or (B) while the ratio of
7 alcohol in the blood of such person is [ten-hundredths] eight-
8 hundredths of one per cent or more of alcohol, by weight.

9 (2) Any person who violates any provision of this subsection shall
10 be guilty of a class B misdemeanor.

11 (b) (1) No person shall engage in hunting while under the influence
12 of intoxicating liquor or any drug, or both, or while impaired by the
13 consumption of intoxicating liquor. A person shall be deemed under
14 the influence when at the time of the alleged offense the person (A) is
15 under the influence of intoxicating liquor or any drug, or both, or (B)

16 has an elevated blood alcohol content. For the purposes of this
17 subdivision, "elevated blood alcohol content" means (i) a ratio of
18 alcohol in the blood of such person that is [ten-hundredths] eight-
19 hundredths of one per cent or more of alcohol, by weight, or (ii) if such
20 person has been convicted of a violation of this subsection, a ratio of
21 alcohol in the blood of such person that is seven-hundredths of one per
22 cent or more of alcohol, by weight. A person shall be deemed impaired
23 when at the time of the alleged offense the ratio of alcohol in the blood
24 of such person was more than seven-hundredths of one per cent of
25 alcohol, by weight, but less than [ten-hundredths] eight-hundredths of
26 one per cent of alcohol, by weight.

27 (2) Any person who violates any provision of this subsection shall
28 be guilty of a class A misdemeanor.

29 (3) Enforcement officers of the Department of Environmental
30 Protection are empowered to arrest for a violation of the provisions of
31 this subsection.

32 Sec. 2. Subsection (e) of section 29-33 of the general statutes is
33 repealed and the following is substituted in lieu thereof (*Effective*
34 *October 1, 2011*):

35 (e) Upon the sale, delivery or other transfer of any pistol or revolver,
36 the person making the purchase or to whom the same is delivered or
37 transferred shall sign a receipt for such pistol or revolver which shall
38 contain the name, date and place of birth, and address of such person,
39 the date of sale, the caliber, make, model and manufacturer's number
40 and a general description of such pistol or revolver, the identification
41 number of such person's permit to carry pistols or revolvers, issued
42 pursuant to subsection (b) of section 29-28, permit to sell at retail
43 pistols or revolvers, issued pursuant to subsection (a) of said section,
44 or eligibility certificate for a pistol or revolver, issued pursuant to
45 section 29-36f, if any, and the authorization number designated for the
46 transfer by the Department of Public Safety. The person, firm or
47 corporation selling such pistol or revolver or making delivery or

48 transfer thereof shall give one copy of the receipt to the person making
49 the purchase of such pistol or revolver or to whom the same is
50 delivered or transferred, shall retain one copy of the receipt for at least
51 five years, and shall send, by first class mail, or electronically transmit,
52 within forty-eight hours of such sale, delivery or other transfer, one
53 copy of the receipt to the Commissioner of Public Safety and one copy
54 of the receipt to the chief of police or, where there is no chief of police,
55 the warden of the borough or the [first selectman of the town] chief
56 executive officer, as the case may be, of the town in which the
57 transferee resides.

58 Sec. 3. Section 29-36g of the general statutes is repealed and the
59 following is substituted in lieu thereof (*Effective October 1, 2011*):

60 (a) Requests for eligibility certificates under section 29-36f shall be
61 submitted to the Commissioner of Public Safety on application forms
62 prescribed by the commissioner. No eligibility certificate for a pistol or
63 revolver shall be issued under the provisions of said section unless the
64 applicant for such certificate gives to the Commissioner of Public
65 Safety, upon the commissioner's request, full information concerning
66 the applicant's criminal record and relevant information concerning
67 the applicant's mental health history. The commissioner shall require
68 each applicant to submit to state and national criminal history records
69 checks in accordance with section 29-17a. The commissioner shall take
70 a full description of such applicant. The commissioner shall take the
71 fingerprints of such applicant or conduct any other method of positive
72 identification required by the State Police Bureau of Identification or
73 the Federal Bureau of Investigation. The commissioner shall record the
74 date the fingerprints were taken in the applicant's file and shall
75 conduct criminal history records checks in accordance with section 29-
76 17a. The commissioner shall, within sixty days of receipt of the
77 national criminal history records check from the Federal Bureau of
78 Investigation, either approve the application and issue the eligibility
79 certificate or deny the application and notify the applicant of the
80 reason for such denial in writing.

81 (b) (1) With respect to any application for an eligibility certificate
82 filed with the Commissioner of Public Safety on or before July 1, 1995,
83 the commissioner shall, not later than October 1, 1995, (A) approve the
84 application and issue the eligibility certificate, (B) issue a temporary
85 eligibility certificate, or (C) deny the application and notify the
86 applicant of the reason for such denial in writing.

87 (2) With respect to any application for an eligibility certificate filed
88 with the Commissioner of Public Safety after July 1, 1995, the
89 commissioner shall, [within ninety days] not later than sixty days after
90 notification from the Federal Bureau of Investigation, (A) approve the
91 application and issue the eligibility certificate, [(B) issue a temporary
92 eligibility certificate,] or [(C)] (B) deny the application and notify the
93 applicant of the reason for such denial in writing.

94 [(3) A temporary certificate issued under this subsection shall be
95 valid until such time as the commissioner either approves or denies the
96 application.]

97 (c) An eligibility certificate for a pistol or revolver shall be of such
98 form and content as the commissioner may prescribe, shall be signed
99 by the certificate holder and shall contain an identification number, the
100 name, address, place and date of birth, height, weight and eye color of
101 the certificate holder and a full-face photograph of the certificate
102 holder.

103 (d) A person holding an eligibility certificate issued by the
104 commissioner shall notify the commissioner [within] not later than two
105 business days [of] after any change of [his] address. The notification
106 shall include [his] both the old address and [his] new address of the
107 certificate holder.

108 (e) Notwithstanding the provisions of sections 1-210 and 1-211, the
109 name and address of a person issued an eligibility certificate for a
110 pistol or revolver under the provisions of section 29-36f shall be
111 confidential and shall not be disclosed, except (1) such information

112 may be disclosed to law enforcement officials acting in the
113 performance of their duties, (2) the Commissioner of Public Safety may
114 disclose such information to the extent necessary to comply with a
115 request made pursuant to section 29-33, as amended by this act, for
116 verification that such certificate is still valid and has not been
117 suspended or revoked, and (3) such information may be disclosed to
118 the Commissioner of Mental Health and Addiction Services to carry
119 out the provisions of subsection (c) of section 17a-500.

120 (f) An eligibility certificate for a pistol or revolver shall not
121 authorize the holder [thereof] of said certificate to carry a pistol or
122 revolver upon his or her person in circumstances for which a permit to
123 carry a pistol or revolver issued pursuant to subsection (b) of section
124 29-28 is required under section 29-35.

125 Sec. 4. Subsection (b) of section 29-37a of the general statutes is
126 repealed and the following is substituted in lieu thereof (*Effective*
127 *October 1, 2011*):

128 (b) Upon the delivery of the firearm, the purchaser shall sign in
129 triplicate a receipt for such firearm which shall contain the name, date
130 and place of birth and address of such purchaser, the date of sale,
131 caliber, make, model and manufacturer's number and a general
132 description [thereof] of the firearm. Not later than twenty-four hours
133 after such delivery, the vendor shall send by first class mail or
134 electronically transfer one receipt to the Commissioner of Public Safety
135 and one receipt to the chief of police or, where there is no chief of
136 police, the warden of the borough or the first selectman [,] of the town
137 in which the purchaser resides, and shall retain one receipt, together
138 with the original application, for at least five years. The waiting period
139 specified in subsection (a) of this section during which delivery may
140 not be made and the provisions of this subsection shall not apply to
141 any federal marshal, parole officer or peace officer, or to the delivery at
142 retail of (1) any firearm to a holder of a valid state permit to carry a
143 pistol or revolver issued under the provisions of section 29-28 or a

144 valid eligibility certificate issued under the provisions of section 29-36f,
145 (2) any firearm to an active member of the armed forces of the United
146 States or of any reserve component [thereof] of said armed forces, (3)
147 any firearm to a holder of a valid hunting license issued pursuant to
148 chapter 490, or (4) antique firearms. For the purposes of this section,
149 "antique firearm" means any firearm which was manufactured in or
150 before 1898 and any replica of such firearm provided such replica is
151 not designed or redesigned for using rimfire or conventional centerfire
152 fixed ammunition except rimfire or conventional centerfire fixed
153 ammunition which is no longer manufactured in the United States and
154 not readily available in the ordinary channel of commercial trade.

155 Sec. 5. Section 29-37g of the general statutes is repealed and the
156 following is substituted in lieu thereof (*Effective October 1, 2011*):

157 (a) For the purposes of this section, (1) "gun show" means any event
158 (A) at which fifty or more firearms are offered or exhibited for sale,
159 transfer or exchange to the public, and (B) at which two or more
160 persons are exhibiting one or more firearms for sale, transfer or
161 exchange to the public; and (2) "gun show promoter" means any
162 person who organizes, plans, promotes or operates a gun show.

163 (b) Not later than thirty days before commencement of a gun show,
164 the gun show promoter shall notify the Commissioner of Public Safety
165 and the chief of police of the town in which the gun show is to take
166 place or, where there is no chief of police, the warden of the borough
167 or the first selectman of the town in which the gun show is to take
168 place of the date, time, duration and location of the gun show.

169 (c) No person, firm or corporation shall sell, deliver or otherwise
170 transfer a firearm at a gun show until such person, firm or corporation
171 has complied with the provisions of section 29-36l.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2011</i>	53-206d
Sec. 2	<i>October 1, 2011</i>	29-33(e)
Sec. 3	<i>October 1, 2011</i>	29-36g
Sec. 4	<i>October 1, 2011</i>	29-37a(b)
Sec. 5	<i>October 1, 2011</i>	29-37g

Statement of Purpose:

To change regulations governing the transfer and use of firearms and gun shows.

[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.]