



General Assembly

Substitute Bill No. 998

January Session, 2011

* _____SB00998JUD__042711_____*

AN ACT CONCERNING REGISTRATION FOR CRIMES COMMITTED WITH A FIREARM.

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

1 Section 1. (NEW) (*Effective October 1, 2011*) For the purposes of
2 sections 1 to 5, inclusive, of this act:

3 (1) "Conviction" means a judgment entered in this state by a court
4 upon a plea of guilty, a plea of nolo contendere or a finding of guilty
5 by a jury or the court notwithstanding any pending appeal or habeas
6 corpus proceeding arising from such judgment.

7 (2) "Gun offense" means a violation of: Subsection (c) of section 2-1e
8 of the general statutes; subsection (a), (b) or (i) of section 29-33 of the
9 general statutes; section 29-34 of the general statutes; subsection (a) of
10 section 29-35 of the general statutes; sections 29-36; 29-36k; 29-37e and
11 29-37j of the general statutes; subsections (b), (c) and (g) of section 53-
12 202 of the general statutes; sections 53-202b; 53-202c; 53-202j; 53-202k
13 and 53-202aa of the general statutes; subsection (b) of section 53a-8 of
14 the general statutes; sections 53a-55a; 53a-56a; 53a-60a; 53a-60c; 53a-
15 72b; 53a-92a; 53a-94a; 53a-102a; 53a-103a; 53a-211; 53a-212; 53a-217a;
16 53a-217b and 53a-217c of the general statutes.

17 (3) "Gun offender" means a person who has been convicted on or
18 after October 1, 2011, of any gun offense, provided such person shall

19 not be a gun offender if:

20 (A) Such person's conviction for a gun offense has been reversed on
21 appeal or otherwise set aside pursuant to law; or

22 (B) The Board of Pardons and Paroles has granted a pardon
23 concerning such conviction.

24 Sec. 2. (NEW) (*Effective October 1, 2011*) On and after October 1, 2011,
25 whenever a court in this state convicts any defendant of a gun offense,
26 such court shall:

27 (1) Enter an order certifying that the defendant is a gun offender;

28 (2) Advise such defendant of his or her duties under section 3 of this
29 act; and

30 (3) Order such defendant to comply with the duties imposed upon
31 him or her by section 3 of this act.

32 Sec. 3. (NEW) (*Effective October 1, 2011*) (a) Any gun offender
33 residing in this state shall personally appear at and register with the
34 municipal police department for the city, town or borough in which he
35 or she resides or, if such city, town or borough has no police
36 department, the resident state trooper or constable who performs law
37 enforcement duties for said municipality, not later than forty-eight
38 hours after:

39 (1) The date the court imposes the gun offender's sentence, if such
40 offender receives a sentence that does not include imprisonment; or

41 (2) The date of release from a correctional institution, if the gun
42 offender receives a sentence that includes imprisonment.

43 (b) The registration shall specify:

44 (1) The gun offender's name;

45 (2) A description of the crime for which the gun offender was

46 convicted;

47 (3) The date the gun offender was convicted;

48 (4) The date the gun offender was released if the court imposed a
49 term of imprisonment for such offender's conviction for any gun
50 offense;

51 (5) Any other name by which the gun offender has been legally
52 known;

53 (6) A list of all aliases that the gun offender has used;

54 (7) Identifying information of the gun offender, including a physical
55 description;

56 (8) The gun offender's residence address;

57 (9) The names of any other city, town or borough where the gun
58 offender has registered pursuant to this section; and

59 (10) Any other information required by such municipal police
60 department, resident state trooper or constable pursuant to this
61 section.

62 (c) The gun offender shall sign and date the registration.

63 (d) At the time that the gun offender appears to register, such
64 municipal police department, resident state trooper or constable may
65 photograph the gun offender for the inclusion of such photograph in
66 the registration.

67 (e) The municipal police department, resident state trooper or
68 constable may require the gun offender to provide documentation that
69 verifies the contents of his or her registration.

70 (f) (1) Except as provided in subdivision (2) of this subsection, not
71 later than twenty days after each twelve-month anniversary of (A) the
72 date the court imposes the gun offender's sentence, if such offender

73 receives a sentence that does not include imprisonment; or (B) the date
74 of release from a correctional institution, if the gun offender receives a
75 sentence that includes imprisonment, until the date specified in
76 subsection (h) of this section, each gun offender residing in the state
77 shall personally appear at the municipal police department for the city,
78 town or borough in which such offender resides or, if such city, town
79 or borough has no police department, with the resident state trooper or
80 constable who performs law enforcement duties for such municipality,
81 to verify and update, as appropriate, the contents of his or her
82 registration.

83 (2) If the gun offender is confined to any correctional institution or
84 hospital throughout the twenty-day period described in subdivision
85 (1) of this subsection, such offender shall personally appear before
86 such municipal police department, resident state trooper or constable
87 not later than forty-eight hours after release to verify and update, as
88 appropriate, the contents of his or her registration.

89 (g) If any gun offender changes his or her residence address and his
90 or her new residence address is within this state, such offender shall,
91 not later than forty-eight hours after the change of address, personally
92 appear at the municipal police department for the city, town or
93 borough of his or her new address or, if such city, town or borough has
94 no police department, with the resident state trooper or constable who
95 performs law enforcement duties for such municipality, to register in
96 such city, town or borough, provided, if the new address is within the
97 same city, town or borough as such offender's immediately preceding
98 residence address, such offender shall update the contents of his or her
99 current registration.

100 (h) The gun offender shall comply with the provisions of
101 subsections (a) to (g), inclusive, of this section for any period during
102 which he or she resides in the state for four years following:

103 (1) The date such offender's sentence is imposed, if he or she
104 receives a sentence that does not include imprisonment; or

105 (2) The date of release from a correctional institution, if he or she
106 receives a sentence that includes imprisonment.

107 (i) The police department for each town, city or borough, or, if such
108 city, town or borough has no police department, the resident state
109 trooper or constable who performs law enforcement duties for such
110 municipality, shall establish and maintain a registry for the registration
111 of gun offenders pursuant to this section. For each gun offender who
112 registers with a municipal police department, resident state trooper or
113 constable, such police department, resident state trooper or constable
114 shall retain the registration information provided by such offender for
115 a period of four years following: (1) The date of conviction of such
116 offender, if the offender receives a sentence that does not include
117 imprisonment, or (2) the date of release of such offender, if the
118 offender receives a sentence that includes imprisonment. When the
119 four-year period described in this subsection has expired for any
120 offender, any police department, resident state trooper or constable
121 with a gun offender registration for such offender shall expunge such
122 information from its records.

123 Sec. 4. (NEW) (*Effective October 1, 2011*) (a) The municipal police
124 department, resident state trooper or constable may make the
125 information collected under section 3 of this act available to any
126 federal, state or local law enforcement agency.

127 (b) The municipal police department, resident state trooper or
128 constable may cooperate with other federal, state or municipal
129 agencies and the courts of this state to facilitate the implementation of
130 section 3 of this act.

131 Sec. 5. (NEW) (*Effective October 1, 2011*) (a) No gun offender may:

132 (1) Fail to register as required by section 3 of this act or the rules and
133 regulations adopted under section 3 of this act;

134 (2) Fail to verify the information as required by section 3 of this act
135 or by the rules and regulations adopted under section 3 of this act; or

136 (3) Provide false information in the registration or verification
137 required by section 3 of this act or by the rules and regulations
138 adopted under section 3 of this act.

139 (b) Any person whose conviction for a gun offense is reversed on
140 appeal or otherwise set aside pursuant to law, or who the Board of
141 Pardons and Paroles pardons from such conviction, may request
142 expungement of his or her registration and release from the obligations
143 imposed on him or her by the act if such person provides the
144 municipal police department, resident state trooper or constable with
145 (1) a written request for expungement pursuant to this subsection, and
146 (2) a certified copy of the court order reversing and dismissing the
147 conviction or a certified copy of the certificate of pardon.

148 (c) Any gun offender who violates any provision of subsection (a) of
149 this section shall be fined not more than one thousand dollars,
150 imprisoned not more than one year, or be both fined and imprisoned.

151 Sec. 6. (NEW) (*Effective October 1, 2011*) All provisions of sections 2
152 to 5, inclusive, of this act are severable. If a court determines that a
153 word, phrase, clause, sentence, subdivision, subsection, section or
154 other provision of sections 2 to 5, inclusive, of this act is invalid or that
155 the application of any part to any person or circumstance is invalid, the
156 remaining provisions and the application or those provisions to other
157 persons or circumstances shall not be affected by that decision.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section
Sec. 2	<i>October 1, 2011</i>	New section
Sec. 3	<i>October 1, 2011</i>	New section
Sec. 4	<i>October 1, 2011</i>	New section
Sec. 5	<i>October 1, 2011</i>	New section
Sec. 6	<i>October 1, 2011</i>	New section

PS *Joint Favorable Subst.*

JUD *Joint Favorable*