

---

---

## **OLR Bill Analysis**

### **sSB 547**

#### ***AN ACT MODIFYING THE DEFINITION OF ASSAULT WEAPON.***

#### **SUMMARY:**

This bill allows people to possess and carry selective-fire firearms capable of fully automatic, semiautomatic, or burst fire at the user's option by eliminating selective-fire firearms from the definition of assault weapons.

Under current law, selective-fire firearms are included in the definition of assault weapons, which, with some exceptions, are banned. But, because of their automatic function, they also fall within the definition of machine guns, which are legal. By removing selective-fire firearms from the definition of assault weapons, the bill eliminates the legal ambiguity, thereby making it legal for people to possess these weapons as machine guns.

State law requires machine guns to be registered with the Department of Public Safety (DPS). Federal law requires that they be registered with the federal government.

EFFECTIVE DATE: October 1, 2011

#### **BACKGROUND**

##### ***Assault Weapons***

The law defines an assault weapon as, among other things, (1) any selective-fire firearm capable of fully automatic, semiautomatic or burst fire at the user's option; (2) any of those on a list of named firearms; or (3) a part or combination of parts designed or intended to convert a firearm into any of the firearms in these two categories.

State law, with few exceptions, bans the possession of assault weapons (CGS § 53-202c). The law does not apply to (1) permanently inoperable weapons and (2) assault weapons with certain

characteristics legally manufactured before September 13, 1994 (CGS §§ 53-202a & 53-202m).

The law exempts from the ban anyone who registered a legally possessed weapon with DPS before July 1, 1994 and received a certificate of possession for it (or before 2003, for a few specified weapons purchased or obtained between October 1, 1993 and May 8, 2002) (CGS §§ 53-202c & 53-202n).

The law also exempts:

1. members or employees of designated entities who possess the weapons for their official use;
2. estate executors or administrators who possess registered weapons at legally prescribed places or as authorized by the probate court;
3. licensed gun dealers who buy registered weapons or accept such weapons for servicing or repair;
4. authorized gunsmiths providing gunsmithing services for owners of registered weapons; and
5. gun makers who make and transport the weapons for sale in-state to designated state entities (CGS §§ 53-202c, 53-202d, 53-202f & 53-202i).

### ***Machine Guns***

The law defines a “machine gun” as any weapon “which shoots, is designed to shoot, or can be readily restored to shoot automatically more than one projectile, without manual reloading, by a single function of the trigger” (CGS § 53-202(a)).

With some exceptions, anyone who owns a machine gun (1) must register it with DPS within 24 hours of acquiring it and annually thereafter on July 1 (CGS § 53-202(g)). The owner must also register the firearm with the federal government (27 CFR § 179).

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea 23 Nay 0 (03/15/2011)