



# Senate

General Assembly

**File No. 256**

January Session, 2011

Substitute Senate Bill No. 547

*Senate, March 29, 2011*

The Committee on Public Safety and Security reported through SEN. HARTLEY of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

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

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

1 Section 1. Subsection (a) of section 53-202a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2011*):

4 (a) As used in this section and sections 53-202b to 53-202k, inclusive,  
5 "assault weapon" means:

6 (1) Any [selective-fire firearm capable of fully automatic,  
7 semiautomatic or burst fire at the option of the user or any] of the  
8 following specified semiautomatic firearms: Algimec Agmi; Armalite  
9 AR-180; Australian Automatic Arms SAP Pistol; Auto-Ordnance  
10 Thompson type; Avtomat Kalashnikov AK-47 type; Barrett Light-Fifty  
11 model 82A1; Beretta AR-70; Bushmaster Auto Rifle and Auto Pistol;  
12 Calico models M-900, M-950 and 100-P; Chartered Industries of  
13 Singapore SR-88; Colt AR-15 and Sporter; Daewoo K-1, K-2, Max-1 and

14 Max-2; Encom MK-IV, MP-9 and MP-45; Fabrique Nationale FN/FAL,  
15 FN/LAR, or FN/FNC; FAMAS MAS 223; Feather AT-9 and Mini-AT;  
16 Federal XC-900 and XC-450; Franchi SPAS-12 and LAW-12; Galil AR  
17 and ARM; Goncz High-Tech Carbine and High-Tech Long Pistol;  
18 Heckler & Koch HK-91, HK-93, HK-94 and SP-89; Holmes MP-83;  
19 MAC-10, MAC-11 and MAC-11 Carbine type; Intratec TEC-9 and  
20 Scorpion; Iver Johnson Enforcer model 3000; Ruger Mini-14/5F folding  
21 stock model only; Scarab Skorpion; SIG 57 AMT and 500 series; Spectre  
22 Auto Carbine and Auto Pistol; Springfield Armory BM59, SAR-48 and  
23 G-3; Sterling MK-6 and MK-7; Steyr AUG; Street Sweeper and Striker  
24 12 revolving cylinder shotguns; USAS-12; UZI Carbine, Mini-Carbine  
25 and Pistol; Weaver Arms Nighthawk; Wilkinson "Linda" Pistol;

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

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

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

36 (i) A folding or telescoping stock;

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

39 (iii) A bayonet mount;

40 (iv) A flash suppressor or threaded barrel designed to accommodate  
41 a flash suppressor; and

42 (v) A grenade launcher; or

43 (B) A semiautomatic pistol that has an ability to accept a detachable  
44 magazine and has at least two of the following:

45 (i) An ammunition magazine that attaches to the pistol outside of  
46 the pistol grip;

47 (ii) A threaded barrel capable of accepting a barrel extender, flash  
48 suppressor, forward handgrip or silencer;

49 (iii) A shroud that is attached to, or partially or completely encircles,  
50 the barrel and that permits the shooter to hold the firearm with the  
51 nontrigger hand without being burned;

52 (iv) A manufactured weight of fifty ounces or more when the pistol  
53 is unloaded; and

54 (v) A semiautomatic version of an automatic firearm; or

55 (C) A semiautomatic shotgun that has at least two of the following:

56 (i) A folding or telescoping stock;

57 (ii) A pistol grip that protrudes conspicuously beneath the action of  
58 the weapon;

59 (iii) A fixed magazine capacity in excess of five rounds; and

60 (iv) An ability to accept a detachable magazine; or

61 (4) A part or combination of parts designed or intended to convert a  
62 firearm into an assault weapon, as defined in subdivision (3) of this  
63 subsection, or any combination of parts from which an assault  
64 weapon, as defined in subdivision (3) of this subsection, may be  
65 rapidly assembled if those parts are in the possession or under the  
66 control of the same person.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	53-202a(a)

**PS**      *Joint Favorable Subst.*

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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

This bill, which allows people to possess and carry selective firearms, would result in no fiscal impact. The bill clarifies that selective firearms are by definition similar to machine guns as both are capable of automatic or semiautomatic bursts of fire. The Department of Public Safety would register any selective firearm in a similar manner as the registration of machine guns.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**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)