

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 12-16—HB 5096

Public Safety and Security Committee

AN ACT CONCERNING THE FIREARMS EVIDENCE DATABANK

SUMMARY: This act makes changes in the laws pertaining to the state's firearms evidence databank, which is a computerized system that stores images of discharged ammunition submitted to the state forensic science laboratory so that they can be retrieved and compared with other images in the databank.

Among other things, the act:

1. conforms the law to practice by expanding the types of images the databank must store to include images of other firearm ammunition, instead of just handguns (pistols and revolvers);
2. eliminates the mandate for laboratory personnel to enter all handgun "test fire" data as defined in law and instead gives them discretion in data entry;
3. allows, rather than requires, police departments to submit to the laboratory for testing handguns in their custody that pertain to a criminal investigation;
4. allows, rather than requires, the laboratory to test fire handguns submitted to it; and
5. eliminates the mandate for completing tests within 60 days of submission.

The act also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2012

FIREARMS EVIDENCE DATABANK

Definition

The databank is within the Department of Emergency Services and Public Protection (DESPP). It stores images of discharged ammunition consisting of cartridge cases, bullets, or fragments of these. Prior law referred to the discharged ammunition as a "test fire." The act renames "test fires" as "fired components of ammunition" and expands the types of ammunition to include ammunition from other firearms, not just handguns. It makes conforming and other changes to reflect the new label.

Data Input

The act allows, rather than requires, DESPP forensic science laboratory personnel to enter evidence of fired components of ammunition into the databank. By law, the evidence must be entered in accordance with specific procedures DESPP adopts under regulations.

Handguns and Deadline for Test Fires

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Under prior law, (1) police departments had to submit to the laboratory any handguns in their custody that were found, ordered destroyed by a court, or pertained to a criminal investigation before returning or destroying them and (2) the laboratory had to collect a test fire from each handgun submitted within 60 days of submission.

The act (1) eliminates the requirement for the departments to submit handguns that were found or ordered destroyed; (2) allows, rather than requires, them to submit handguns related to criminal investigations; (3) allows, rather than requires, the laboratory to test fire the guns; and (4) eliminates the 60-day test deadline.

Department-Issued Firearms

By law, police departments must test fire and collect the discharged ammunition from their service handguns before issuing them to their employees. Prior law required them to submit two intact cartridges of the same type of ammunition used for the test fire. The act instead requires them to submit two intact cartridges that are representative samples of the ammunition they use in their service handguns.

OLR Tracking: VR:RP:JL:ts:eh