



General Assembly

January Session, 2013

Committee Bill No. 6162

LCO No. 3071



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING INELIGIBILITY FOR A PERMIT TO CARRY A PISTOL OR REVOLVER OR AN ELIGIBILITY CERTIFICATE BASED ON A PRIOR HOSPITALIZATION.

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

1 Section 1. Subsection (b) of section 29-28 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2013*):

4 (b) Upon the application of any person having a bona fide residence
5 or place of business within the jurisdiction of any such authority, such
6 chief of police, warden or selectman may issue a temporary state
7 permit to such person to carry a pistol or revolver within the state,
8 provided such authority shall find that such applicant intends to make
9 no use of any pistol or revolver which such applicant may be
10 permitted to carry under such permit other than a lawful use and that
11 such person is a suitable person to receive such permit. No state or
12 temporary state permit to carry a pistol or revolver shall be issued
13 under this subsection if the applicant (1) has failed to successfully
14 complete a course approved by the Commissioner of Emergency
15 Services and Public Protection in the safety and use of pistols and

16 revolvers including, but not limited to, a safety or training course in
17 the use of pistols and revolvers available to the public offered by a law
18 enforcement agency, a private or public educational institution or a
19 firearms training school, utilizing instructors certified by the National
20 Rifle Association or the Department of Energy and Environmental
21 Protection and a safety or training course in the use of pistols or
22 revolvers conducted by an instructor certified by the state or the
23 National Rifle Association, (2) has been convicted of a felony or of a
24 violation of subsection (c) of section 21a-279 or section 53a-58, 53a-61,
25 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d,
26 (3) has been convicted as delinquent for the commission of a serious
27 juvenile offense, as defined in section 46b-120, (4) has been discharged
28 from custody within the preceding twenty years after having been
29 found not guilty of a crime by reason of mental disease or defect
30 pursuant to section 53a-13, (5) has been, or a person residing in the
31 household of the applicant has been, confined in a hospital for persons
32 with psychiatric disabilities, as defined in section 17a-495, within the
33 preceding [twelve] twenty-four months, [by order of a probate court,]
34 (6) is subject to a restraining or protective order issued by a court in a
35 case involving the use, attempted use or threatened use of physical
36 force against another person, (7) is subject to a firearms seizure order
37 issued pursuant to subsection (d) of section 29-38c after notice and
38 hearing, (8) is prohibited from shipping, transporting, possessing or
39 receiving a firearm pursuant to 18 USC 922(g)(4), (9) is an alien
40 illegally or unlawfully in the United States, or (10) is less than twenty-
41 one years of age. Nothing in this section shall require any person who
42 holds a valid permit to carry a pistol or revolver on October 1, 1994, to
43 participate in any additional training in the safety and use of pistols
44 and revolvers. Upon issuance of a temporary state permit to the
45 applicant, the local authority shall forward the original application to
46 the commissioner. Not later than sixty days after receiving a
47 temporary state permit, an applicant shall appear at a location
48 designated by the commissioner to receive the state permit. Said
49 commissioner may then issue, to any holder of any temporary state

50 permit, a state permit to carry a pistol or revolver within the state.
51 Upon issuance of the state permit, the commissioner shall make
52 available to the permit holder a copy of the law regarding the permit
53 holder's responsibility to report the loss or theft of a firearm and the
54 penalties associated with the failure to comply with such law. Upon
55 issuance of the state permit, the commissioner shall forward a record
56 of such permit to the local authority issuing the temporary state
57 permit. The commissioner shall retain records of all applications,
58 whether approved or denied. The copy of the state permit delivered to
59 the permittee shall be laminated and shall contain a full-face
60 photograph of such permittee. A person holding a state permit issued
61 pursuant to this subsection shall notify the issuing authority within
62 two business days of any change of such person's address. The
63 notification shall include the old address and the new address of such
64 person.

65 Sec. 2. Subsection (b) of section 29-36f of the general statutes is
66 repealed and the following is substituted in lieu thereof (*Effective*
67 *October 1, 2013*):

68 (b) The Commissioner of Emergency Services and Public Protection
69 shall issue an eligibility certificate unless said commissioner finds that
70 the applicant: (1) Has failed to successfully complete a course
71 approved by the Commissioner of Emergency Services and Public
72 Protection in the safety and use of pistols and revolvers including, but
73 not limited to, a safety or training course in the use of pistols and
74 revolvers available to the public offered by a law enforcement agency,
75 a private or public educational institution or a firearms training school,
76 utilizing instructors certified by the National Rifle Association or the
77 Department of Energy and Environmental Protection and a safety or
78 training course in the use of pistols or revolvers conducted by an
79 instructor certified by the state or the National Rifle Association; (2)
80 has been convicted of a felony or of a violation of subsection (c) of
81 section 21a-279 or section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-
82 96, 53a-175, 53a-176, 53a-178 or 53a-181d; (3) has been convicted as

83 delinquent for the commission of a serious juvenile offense, as defined
84 in section 46b-120; (4) has been discharged from custody within the
85 preceding twenty years after having been found not guilty of a crime
86 by reason of mental disease or defect pursuant to section 53a-13; (5)
87 has been, or a person residing in the household of the applicant has
88 been, confined in a hospital for persons with psychiatric disabilities, as
89 defined in section 17a-495, within the preceding [twelve] twenty-four
90 months; [by order of a probate court;] (6) is subject to a restraining or
91 protective order issued by a court in a case involving the use,
92 attempted use or threatened use of physical force against another
93 person; (7) is subject to a firearms seizure order issued pursuant to
94 subsection (d) of section 29-38c after notice and hearing; (8) is
95 prohibited from shipping, transporting, possessing or receiving a
96 firearm pursuant to 18 USC 922(g)(4); or (9) is an alien illegally or
97 unlawfully in the United States.

98 Sec. 3. Section 29-38b of the general statutes is repealed and the
99 following is substituted in lieu thereof (*Effective October 1, 2013*):

100 (a) The Commissioner of Emergency Services and Public Protection,
101 in fulfilling his obligations under sections 29-28 to 29-38, inclusive, as
102 amended by this act, and section 53-202d, shall verify that any person
103 who, on or after October 1, [1998] 2013, applies for or seeks renewal of
104 a permit to sell at retail a pistol or revolver, a permit to carry a pistol or
105 revolver, an eligibility certificate for a pistol or revolver or a certificate
106 of possession for an assault weapon, and any person residing in the
107 household of the applicant, has not been confined in a hospital for
108 persons with psychiatric disabilities, as defined in section 17a-495,
109 within the preceding [twelve] twenty-four months, [by order of a
110 probate court,] by making an inquiry to the Department of Mental
111 Health and Addiction Services in such a manner so as to only receive a
112 report on the commitment status of the person with respect to whom
113 the inquiry is made including identifying information in accordance
114 with the provisions of subsection (b) of section 17a-500.

115 (b) If the Commissioner of Emergency Services and Public
 116 Protection determines pursuant to subsection (a) of this section that [a]
 117 the person making the application, or a person residing in the
 118 household of the applicant, has been confined in a hospital for persons
 119 with psychiatric disabilities, as defined in section 17a-495, within the
 120 preceding [twelve] twenty-four months, [by order of a probate court,]
 121 said commissioner shall report the status of such person's application
 122 for or renewal of a permit to sell at retail a pistol or revolver, a permit
 123 to carry a pistol or revolver, an eligibility certificate for a pistol or
 124 revolver or a certificate of possession for an assault weapon to the
 125 Commissioner of Mental Health and Addiction Services for the
 126 purpose of fulfilling his responsibilities under subsection (c) of section
 127 17a-500.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	29-28(b)
Sec. 2	<i>October 1, 2013</i>	29-36f(b)
Sec. 3	<i>October 1, 2013</i>	29-38b

Statement of Purpose:

To expand the mental health look-back period for permits to carry a pistol or revolver and eligibility certificates for a pistol or revolver to twenty-four months and eliminate the requirement that a probate court order a hospitalization in order for the hospitalization to disqualify a person for a permit or certificate.

[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.]

Co-Sponsors: REP. MINER, 66th Dist.

H.B. 6162