



General Assembly

January Session, 2013

Committee Bill No. 506

LCO No. 3213



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT REQUIRING CRIMINAL BACKGROUND CHECKS FOR ALL PRIVATE FIREARM SALES.

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

1 Section 1. Section 29-37a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 (a) No person, firm or corporation may [deliver, at retail,] sell,
4 deliver or otherwise transfer any firearm, as defined in section 53a-3,
5 other than a pistol or revolver, to any person unless such person makes
6 application on a form prescribed and furnished by the Commissioner
7 of Emergency Services and Public Protection, which shall be attached
8 by the [vendor] transferor to the federal sale or transfer document and
9 filed and retained by the [vendor] transferor for at least twenty years
10 or, if such transferor is a federally licensed firearms dealer, until such
11 [vendor] transferor goes out of business. Such application shall be
12 available for inspection during normal business hours by law
13 enforcement officials.

14 (b) No sale, [or] delivery or other transfer of any firearm shall be
15 made until the expiration of two weeks from the date of the

16 application, and until the person, firm or corporation making such
17 sale, delivery or transfer has [insured] ensured that such application
18 has been completed properly and has obtained an authorization
19 number from the Commissioner of Emergency Services and Public
20 Protection for such sale, delivery or transfer. The Department of
21 Emergency Services and Public Protection shall make every effort,
22 including performing the national instant criminal background check,
23 to determine if the applicant is eligible to receive such firearm. If it is
24 determined that the applicant is ineligible to receive such firearm, the
25 Commissioner of Emergency Services and Public Protection shall
26 immediately notify the person, firm or corporation to whom such
27 application was made and no such firearm shall be sold, [or] delivered
28 or otherwise transferred to such applicant by such person, firm or
29 corporation. When any firearm is delivered in connection with [the]
30 any sale or purchase, such firearm shall be enclosed in a package, the
31 paper or wrapping of which shall be securely fastened, and no such
32 firearm when delivered on any sale or purchase shall be loaded or
33 contain any gunpowder or other explosive or any bullet, ball or shell.

34 [(b)] (c) Upon the sale, delivery or other transfer of the firearm, the
35 [purchaser] transferee shall sign in triplicate a receipt for such firearm,
36 which shall contain the name, [and] address and date and place of
37 birth of such [purchaser] transferee, the date of such sale, delivery or
38 transfer and the caliber, make, model and manufacturer's number and
39 a general description thereof. Not later than twenty-four hours after
40 such sale, delivery or transfer, the [vendor] transferor shall send by
41 first class mail or electronically transfer one receipt to the
42 Commissioner of Emergency Services and Public Protection and one
43 receipt to the chief of police or, where there is no chief of police, the
44 warden of the borough or the first selectman, of the town in which the
45 [purchaser] transferee resides, and shall retain one receipt, together
46 with the original application, for at least five years.

47 (d) The waiting period specified in subsection [(a)] (b) of this section
48 during which a sale, delivery or other transfer may not be made [and

49 the provisions of this subsection] shall not apply to any federal
50 marshal, parole officer or peace officer, or to the [delivery at retail]
51 sale, delivery or other transfer of (1) any firearm to a holder of a valid
52 state permit to carry a pistol or revolver issued under the provisions of
53 section 29-28 or a valid eligibility certificate issued under the
54 provisions of section 29-36f, (2) any firearm to an active member of the
55 armed forces of the United States or of any reserve component thereof,
56 (3) any firearm to a holder of a valid hunting license issued pursuant to
57 chapter 490, or (4) antique firearms. For the purposes of this [section]
58 subsection, "antique firearm" means any firearm which was
59 manufactured in or before 1898 and any replica of such firearm,
60 provided such replica is not designed or redesigned for using rimfire
61 or conventional centerfire fixed ammunition except rimfire or
62 conventional centerfire fixed ammunition which is no longer
63 manufactured in the United States and not readily available in the
64 ordinary channel of commercial trade.

65 (e) The provisions of this section shall not apply to the sale, delivery
66 or other transfer of a firearm between (1) an individual and such
67 individual's parent, spouse, child, sibling, grandparent or grandchild,
68 (2) a federally-licensed firearm manufacturer and a federally-licensed
69 firearm dealer, (3) a federally-licensed firearm importer and a
70 federally-licensed firearm dealer, or (4) federally-licensed firearm
71 dealers.

72 Sec. 2. Subsection (a) of section 53-202g of the general statutes is
73 repealed and the following is substituted in lieu thereof (*Effective July*
74 *1, 2013*):

75 (a) Any person who lawfully possesses an assault weapon under
76 sections [29-37j and] 53-202a to 53-202k, inclusive, [and subsection (h)
77 of section 53a-46a] or a firearm, as defined in section 53a-3, that is lost
78 or stolen from such person shall report the loss or theft to the
79 organized local police department for the town in which the loss or
80 theft occurred or, if such town does not have an organized local police

81 department, to the state police troop having jurisdiction for such town
82 within seventy-two hours of when such person discovered or should
83 have discovered the loss or theft. Such department or troop shall
84 forthwith forward a copy of such report to the Commissioner of
85 Emergency Services and Public Protection. The provisions of this
86 subsection shall not apply to the loss or theft of an antique firearm as
87 defined in subsection [(b)] (d) of section 29-37a, as amended by this act.

88 Sec. 3. Subsection (c) of section 53-202aa of the general statutes is
89 repealed and the following is substituted in lieu thereof (*Effective July*
90 *1, 2013*):

91 (c) For the purposes of this section, "firearm" means "firearm" as
92 defined in section 53a-3, but does not include a rifle or shotgun or an
93 antique firearm as defined in subsection [(b)] (d) of section 29-37a, as
94 amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	29-37a
Sec. 2	<i>July 1, 2013</i>	53-202g(a)
Sec. 3	<i>July 1, 2013</i>	53-202aa(c)

Statement of Purpose:

To require criminal background checks of all purchasers of firearms at private gun sales.

[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: SEN. FRANTZ, 36th Dist.

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