



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 Section 29-37a of the general statutes is repealed and the  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)

**PS**            *Joint Favorable*