



General Assembly

Amendment

January Session, 2013

LCO No. 5456

SB0116005456HRO

Offered by:

REP. SAMPSON, 80th Dist.

SEN. MARKLEY, 16th Dist.

To: Senate Bill No. 1160

File No.

Cal. No.

"AN ACT CONCERNING GUN VIOLENCE PREVENTION AND CHILDREN'S SAFETY."

1 Strike sections 1 to 63, inclusive, in their entirety and substitute the
2 following in lieu thereof and renumber sections and internal references
3 accordingly:

4 "Section 1. Subsections (b) to (f), inclusive, of section 29-28 of the
5 general statutes are repealed and the following is substituted in lieu
6 thereof (*Effective July 1, 2013*):

7 (b) Upon the application of any person having a bona fide
8 permanent residence [or place of business] within the jurisdiction of
9 any such authority, such chief of police, warden or selectman may
10 issue a temporary state permit to such person to carry a pistol or
11 revolver within the state, provided such authority shall find that such
12 applicant intends to make no use of any pistol or revolver which such
13 applicant may be permitted to carry under such permit other than a
14 lawful use and that such person is a suitable person to receive such

15 permit. No state or temporary state permit to carry a pistol or revolver
16 shall be issued under this subsection if the applicant (1) has failed to
17 successfully complete a course approved by the Commissioner of
18 Emergency Services and Public Protection in the safety and use of
19 pistols and revolvers including, but not limited to, a safety or training
20 course in the use of pistols and revolvers available to the public offered
21 by a law enforcement agency, a private or public educational
22 institution or a firearms training school, utilizing instructors certified
23 by the National Rifle Association or the Department of Energy and
24 Environmental Protection and a safety or training course in the use of
25 pistols or revolvers conducted by an instructor certified by the state or
26 the National Rifle Association, (2) has been convicted of a felony or of
27 a violation of subsection (c) of section 21a-279 or section 53a-58, 53a-61,
28 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d,
29 (3) has been convicted as delinquent for the commission of a serious
30 juvenile offense, as defined in section 46b-120, (4) has been discharged
31 from custody within the preceding twenty years after having been
32 found not guilty of a crime by reason of mental disease or defect
33 pursuant to section 53a-13, (5) has been confined in a hospital for
34 persons with psychiatric disabilities, as defined in section 17a-495,
35 within the preceding [twelve] sixty months for (A) thirty or more
36 consecutive days by order of a probate court, or (B) fifteen or more
37 consecutive days under an emergency certificate, (6) is subject to a
38 restraining or protective order issued by a court in a case involving the
39 use, attempted use or threatened use of physical force against another
40 person, (7) is subject to a firearms seizure order issued pursuant to
41 subsection (d) of section 29-38c after notice and hearing, (8) is
42 prohibited from shipping, transporting, possessing or receiving a
43 firearm pursuant to 18 USC 922(g)(4), (9) is an alien illegally or
44 unlawfully in the United States, or (10) is less than twenty-one years of
45 age. Nothing in this section shall require any person who holds a valid
46 permit to carry a pistol or revolver on October 1, 1994, to participate in
47 any additional training in the safety and use of pistols and revolvers.
48 Upon issuance of a temporary state permit to the applicant, the local
49 authority shall forward the original application to the commissioner.

50 Not later than sixty days after receiving a temporary state permit, an
51 applicant shall appear at a location designated by the commissioner to
52 receive the state permit. [Said] The commissioner may then issue, to
53 any holder of any temporary state permit, a state permit to carry a
54 pistol or revolver within the state. Upon issuance of the state permit,
55 the commissioner shall make available to the permit holder a copy of
56 the law regarding the permit holder's responsibility to report the loss
57 or theft of a firearm and the penalties associated with the failure to
58 comply with such law. Upon issuance of the state permit, the
59 commissioner shall forward a record of such permit to the local
60 authority issuing the temporary state permit. The commissioner shall
61 retain records of all applications, whether approved or denied. The
62 copy of the state permit delivered to the permittee shall be laminated
63 and shall contain a full-face photograph of such permittee. A person
64 holding a state permit issued pursuant to this subsection shall notify
65 the issuing authority within two business days of any change of such
66 person's address. The notification shall include the old address and the
67 new address of such person.

68 (c) No issuing authority may require any sworn member of the
69 Department of Emergency Services and Public Protection or an
70 organized local police department to furnish such sworn member's
71 residence address in a permit application. The issuing authority shall
72 allow each such sworn member who has a permit to carry a pistol or
73 revolver issued by such authority to revise such member's application
74 to include a business or post office address in lieu of the residence
75 address. The issuing authority shall notify each such member of the
76 right to revise such application.

77 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the
78 name and address of a person issued a permit to sell at retail pistols
79 and revolvers pursuant to subsection (a) of this section or a state or a
80 temporary state permit to carry a pistol or revolver pursuant to
81 subsection (b) of this section, or a local permit to carry pistols and
82 revolvers issued by local authorities prior to October 1, 2001, shall be
83 confidential and shall not be disclosed, except (1) such information

84 may be disclosed to law enforcement officials acting in the
85 performance of their duties, including, but not limited to, employees of
86 the United States Probation Office acting in the performance of their
87 duties, (2) the issuing authority may disclose such information to the
88 extent necessary to comply with a request made pursuant to section
89 29-33 for verification that such state or temporary state permit is still
90 valid and has not been suspended or revoked, and the local authority
91 may disclose such information to the extent necessary to comply with
92 a request made pursuant to section 29-33 for verification that a local
93 permit is still valid and has not been suspended or revoked, and (3)
94 such information may be disclosed to the Commissioner of Mental
95 Health and Addiction Services to carry out the provisions of
96 subsection (c) of section 17a-500.

97 (e) The issuance of any permit to carry a pistol or revolver does not
98 thereby authorize the possession or carrying of a pistol or revolver in
99 any premises where the possession or carrying of a pistol or revolver is
100 otherwise prohibited by law or is prohibited by the person who owns
101 or exercises control over such premises.

102 (f) Any bona fide resident of the United States having no bona fide
103 permanent residence [or place of business] within the jurisdiction of
104 any local authority in the state, but who has a permit or license to carry
105 a pistol or revolver issued by the authority of another state or
106 subdivision of the United States, may apply directly to the
107 Commissioner of Emergency Services and Public Protection for a
108 permit to carry a pistol or revolver in this state. All provisions of
109 subsections (b), (c), (d) and (e) of this section shall apply to
110 applications for a permit received by the commissioner under this
111 subsection.

112 Sec. 2. Subsection (b) of section 29-36f of the general statutes is
113 repealed and the following is substituted in lieu thereof (*Effective July*
114 *1, 2013*):

115 (b) The Commissioner of Emergency Services and Public Protection

116 shall issue an eligibility certificate unless said commissioner finds that
117 the applicant: (1) Has failed to successfully complete a course
118 approved by the Commissioner of Emergency Services and Public
119 Protection in the safety and use of pistols and revolvers including, but
120 not limited to, a safety or training course in the use of pistols and
121 revolvers available to the public offered by a law enforcement agency,
122 a private or public educational institution or a firearms training school,
123 utilizing instructors certified by the National Rifle Association or the
124 Department of Energy and Environmental Protection and a safety or
125 training course in the use of pistols or revolvers conducted by an
126 instructor certified by the state or the National Rifle Association; (2)
127 has been convicted of a felony or of a violation of subsection (c) of
128 section 21a-279 or section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-
129 96, 53a-175, 53a-176, 53a-178 or 53a-181d; (3) has been convicted as
130 delinquent for the commission of a serious juvenile offense, as defined
131 in section 46b-120; (4) has been discharged from custody within the
132 preceding twenty years after having been found not guilty of a crime
133 by reason of mental disease or defect pursuant to section 53a-13; (5)
134 has been confined in a hospital for persons with psychiatric
135 disabilities, as defined in section 17a-495, within the preceding
136 [twelve] sixty months for (A) thirty or more consecutive days by order
137 of a probate court, or (B) fifteen or more consecutive days under an
138 emergency certificate; (6) is subject to a restraining or protective order
139 issued by a court in a case involving the use, attempted use or
140 threatened use of physical force against another person; (7) is subject to
141 a firearms seizure order issued pursuant to subsection (d) of section
142 29-38c after notice and hearing; (8) is prohibited from shipping,
143 transporting, possessing or receiving a firearm pursuant to 18 USC
144 922(g)(4); or (9) is an alien illegally or unlawfully in the United States.

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

147 (a) The Commissioner of Emergency Services and Public Protection,
148 in fulfilling his obligations under sections 29-28 to 29-38, inclusive, as
149 amended by this act, and section 53-202d, shall verify that any person

150 who, on or after October 1, 1998, applies for or seeks renewal of a
151 permit to sell at retail a pistol or revolver, a permit to carry a pistol or
152 revolver, an eligibility certificate for a pistol or revolver or a certificate
153 of possession for an assault weapon has not been confined in a hospital
154 for persons with psychiatric disabilities, as defined in section 17a-495,
155 within the preceding [twelve] sixty months for (1) thirty or more
156 consecutive days by order of a probate court, or (2) fifteen or more
157 consecutive days under an emergency certificate, by making an
158 inquiry to the Department of Mental Health and Addiction Services in
159 such a manner so as to only receive a report on the commitment status
160 of the person with respect to whom the inquiry is made including
161 identifying information in accordance with the provisions of
162 subsection (b) of section 17a-500.

163 (b) If the Commissioner of Emergency Services and Public
164 Protection determines pursuant to subsection (a) of this section that a
165 person has been confined in a hospital for persons with psychiatric
166 disabilities, as defined in section 17a-495, within the preceding
167 [twelve] sixty months for (1) thirty or more consecutive days by order
168 of a probate court, or (2) fifteen or more consecutive days under an
169 emergency certificate, said commissioner shall report the status of such
170 person's application for or renewal of a permit to sell at retail a pistol
171 or revolver, a permit to carry a pistol or revolver, an eligibility
172 certificate for a pistol or revolver or a certificate of possession for an
173 assault weapon to the Commissioner of Mental Health and Addiction
174 Services for the purpose of fulfilling his responsibilities under
175 subsection (c) of section 17a-500.

176 Sec. 4. (NEW) (*Effective January 1, 2014*) (a) For the purposes of this
177 section and sections 5 and 6 of this act:

178 (1) "Commissioner" means the Commissioner of Emergency Services
179 and Public Protection;

180 (2) "Convicted" means that a person has a judgment entered in this
181 state against such person by a court upon a plea of guilty, a plea of

182 nolo contendere or a finding of guilty by a jury or the court
183 notwithstanding any pending appeal or habeas corpus proceeding
184 arising from such judgment;

185 (3) "Deadly weapon" means a deadly weapon, as defined in section
186 53a-3 of the general statutes;

187 (4) "Department" means the Department of Emergency Services and
188 Public Protection;

189 (5) "Identifying factors" means fingerprints, a photographic image,
190 and a description of any other identifying characteristics as may be
191 required by the Commissioner of Emergency Services and Public
192 Protection;

193 (6) "Not guilty by reason of mental disease or defect" means a
194 finding by a court or jury of not guilty by reason of mental disease or
195 defect pursuant to section 53a-13 of the general statutes
196 notwithstanding any pending appeal or habeas corpus proceeding
197 arising from such finding;

198 (7) "Offender convicted of committing a crime with a deadly
199 weapon" or "offender" means a person who has been convicted of an
200 offense committed with a deadly weapon;

201 (8) "Offense committed with a deadly weapon" or "offense" means:
202 (A) A violation of subsection (c) of section 2-1e, subsection (e) of
203 section 29-28, as amended by this act, subsections (a) to (e), inclusive,
204 or (i) of section 29-33, section 29-34, subsection (a) of section 29-35,
205 section 29-36, 29-36k, 29-37a or 29-37e, subsection (c) of section 29-37g,
206 section 29-37j, subsection (b), (c) or (g) of section 53-202, section 53-
207 202b, 53-202c, 53-202j, 53-202k, 53-202l, 53-202aa, as amended by this
208 act, or 53-206b, subsection (b) of section 53a-8, section 53a-55a, 53a-56a,
209 53a-60a, 53a-60c, 53a-72b, 53a-92a, 53a-94a, 53a-102a, 53a-103a, 53a-211,
210 53a-212, 53a-216, 53a-217, 53a-217a, as amended by this act, 53a-217b or
211 53a-217c, or a second or subsequent violation of section 53-202g of the
212 general statutes; or (B) a violation of any section of the general statutes

213 which constitutes a felony, as defined in section 53a-25 of the general
214 statutes, provided the court makes a finding that, at the time of the
215 offense, the offender used a deadly weapon, or was armed with and
216 threatened the use of or displayed or represented by words or conduct
217 that the offender possessed a deadly weapon;

218 (9) "Registrant" means a person required to register under section
219 506 of this act;

220 (10) "Registry" means a central record system in this state that is
221 established pursuant to this section and receives, maintains and
222 disseminates to law enforcement agencies information on persons
223 convicted or found not guilty by reason of mental disease or defect of
224 an offense committed with a deadly weapon; and

225 (11) "Release into the community" means, with respect to a
226 conviction or a finding of not guilty by reason of mental disease or
227 defect of an offense committed with a deadly weapon, (A) any release
228 by a court after such conviction or finding of not guilty by reason of
229 mental disease or defect, a sentence of probation or any other sentence
230 under section 53a-28 of the general statutes that does not result in the
231 offender's immediate placement in the custody of the Commissioner of
232 Correction; (B) release from a correctional facility at the discretion of
233 the Board of Pardons and Paroles, by the Department of Correction to
234 a program authorized by section 18-100c of the general statutes or
235 upon completion of the maximum term or terms of the offender's
236 sentence or sentences, or to the supervision of the Court Support
237 Services Division in accordance with the terms of the offender's
238 sentence; or (C) temporary leave to an approved residence by the
239 Psychiatric Security Review Board pursuant to section 17a-587 of the
240 general statutes, conditional release from a hospital for mental illness
241 or a facility for persons with intellectual disability by the Psychiatric
242 Security Review Board pursuant to section 17a-588 of the general
243 statutes, or release upon termination of commitment to the Psychiatric
244 Security Review Board.

245 (b) The Department of Emergency Services and Public Protection
246 shall, not later than January 1, 2014, establish and maintain a registry
247 of all persons required to register under section 5 of this act as
248 offenders convicted of an offense committed with a deadly weapon.
249 The department shall, in cooperation with the Office of the Chief Court
250 Administrator, the Department of Correction and the Psychiatric
251 Security Review Board, develop appropriate forms for use by agencies
252 and individuals to report registration information, including changes
253 of address. Upon receipt of registration information, the department
254 shall enter the information into the registry and notify the local police
255 department or state police troop having jurisdiction where the
256 registrant resides or plans to reside. Upon receiving notification
257 pursuant to section 5 of this act that a registrant has changed his or her
258 address, the department shall enter the information into the registry
259 and notify the local police departments or state police troops having
260 jurisdiction where the registrant previously resided and the
261 jurisdiction where the registrant has relocated. The Commissioner of
262 Emergency Services and Public Protection shall also ensure that the
263 name and residence address of each registrant is available through the
264 Connecticut on-line law enforcement communication teleprocessing
265 system maintained by the department. If a registrant reports a
266 residence in another state, the department may notify the state police
267 agency of that state or such other agency in that state that maintains
268 registry information, if known.

269 (c) The Department of Emergency Services and Public Protection
270 may suspend the registration of any person registered under section 5
271 of this act while such person is incarcerated, under civil commitment
272 or residing outside this state. During the period that such registration
273 is under suspension, the department may withdraw the registration
274 information from access to law enforcement agencies. Upon the release
275 of the registrant from incarceration or civil commitment or resumption
276 of residency in this state by the registrant, the department shall
277 reinstate the registration and redistribute the registration information
278 in accordance with subsection (b) of this section. Suspension of

279 registration shall not affect the date of expiration of the registration
280 obligation of the registrant under section 5 of this act.

281 (d) The Department of Emergency Services and Public Protection
282 shall include in the registry the most recent photographic image of
283 each registrant taken by the department, the Department of Correction,
284 a law enforcement agency or the Court Support Services Division of
285 the Judicial Department.

286 (e) Whenever the Commissioner of Emergency Services and Public
287 Protection receives notice from a superior court pursuant to section 52-
288 11 of the general statutes, as amended by this act, or a probate court
289 pursuant to section 45a-99 of the general statutes, as amended by this
290 act, that such court has ordered the change of name of a person, and
291 the department determines that such person is listed in the registry,
292 the department shall revise such person's registration information
293 accordingly.

294 (f) The Commissioner of Emergency Services and Public Protection
295 shall develop a protocol for the notification of other state agencies, the
296 Judicial Department and local police departments whenever a person
297 listed in the registry changes such person's name and notifies the
298 commissioner of the new name pursuant to section 5 of this act or
299 whenever the commissioner determines pursuant to subsection (e) of
300 this section that a person listed in the registry has changed such
301 person's name.

302 (g) The information in the registry shall not be a public record or file
303 for the purposes of section 1-200 of the general statutes. Any
304 information disclosed pursuant to sections 4 to 6, inclusive, of this act,
305 shall not be further disclosed unless such disclosure is permitted under
306 sections 4 to 6, inclusive, of this act.

307 Sec. 5. (NEW) (*Effective January 1, 2014*) (a) (1) Any person who has
308 been convicted or found not guilty by reason of mental disease or
309 defect of an offense committed with a deadly weapon and is released
310 into the community on or after January 1, 2014, shall, within fourteen

311 calendar days following such release or, if such person is in the
312 custody of the Commissioner of Correction, at such time prior to
313 release as the Commissioner of Correction shall direct, and whether or
314 not such person's place of residence is in this state, register such
315 person's name, identifying factors, criminal history record, residence
316 address and electronic mail address with the Commissioner of
317 Emergency Services and Public Protection, on such forms and in such
318 locations as the Commissioner of Emergency Services and Public
319 Protection shall direct, and shall maintain such registration for five
320 years.

321 (2) Prior to accepting a plea of guilty or nolo contendere from a
322 person with respect to an offense committed with a deadly weapon,
323 the court shall (A) inform the person that the entry of a finding of
324 guilty after acceptance of the plea will subject the person to the
325 registration requirements of this section, and (B) determine that the
326 person fully understands the consequences of the plea.

327 (3) If any person who is subject to registration under this section
328 changes such person's name, such person shall, within two days, notify
329 the Commissioner of Emergency Services and Public Protection in
330 writing of the new name. If any person who is subject to registration
331 under this section changes such person's address, such person shall,
332 within two days, notify the Commissioner of Emergency Services and
333 Public Protection in writing of the new address. During such period of
334 registration, each registrant shall complete and return any forms
335 mailed to such registrant to verify such registrant's residence address
336 and shall submit to the retaking of a photographic image upon request
337 of the Commissioner of Emergency Services and Public Protection.

338 (b) Any offender convicted of committing a crime with a deadly
339 weapon who is required to register under this section shall, not later
340 than twenty days after each anniversary date of such initial
341 registration, until the date such registration requirement expires under
342 subdivision (1) of subsection (a) of this section, personally appear at
343 the local police department or state police troop having jurisdiction

344 where the registrant resides to verify and update, as appropriate, the
345 contents of his or her registration. The local police department or state
346 police troop, as the case may be, may defer such requirement to
347 personally appear to a later date for good cause shown. Not later than
348 thirty calendar days prior to such anniversary date, the Department of
349 Emergency Services and Public Protection shall mail written notice of
350 the personal appearance requirement of this subsection to the
351 registrant and the local police department or state police troop having
352 jurisdiction where the registrant resides. Not later than thirty calendar
353 days after the anniversary date of each registrant, the local police
354 department or state police troop having jurisdiction where the
355 registrant resides shall notify the Commissioner of Emergency Services
356 and Public Protection, on such form as the commissioner may
357 prescribe, (1) whether the registrant complied with the personal
358 appearance requirement of this subsection or whether such personal
359 appearance requirement was deferred to a later date for good cause
360 shown, and (2) if the personal appearance requirement was deferred to
361 a later date for good cause shown, the local police department or state
362 police troop shall indicate the later date established for such personal
363 appearance and describe the good cause shown.

364 (c) Any person who is subject to registration under this section who
365 violates any provisions of subsection (a) or (b) of this section shall be
366 guilty of a class D felony, except that, if such person violates the
367 provisions of this section by failing to notify the Commissioner of
368 Emergency Services and Public Protection within two days of a change
369 of name, address or status or another reportable event, such person
370 shall be subject to such penalty if such failure continues for five
371 business days.

372 Sec. 6. (NEW) (*Effective January 1, 2014*) (a) The registration
373 information for each registrant shall include:

374 (1) The offender's name, including any other name by which the
375 offender has been legally known, and any aliases used by the offender;

376 (2) Identifying information, including a physical description of the
377 offender;

378 (3) The current residence address of the offender;

379 (4) The date of conviction of the offense;

380 (5) A description of the offense; and

381 (6) If the offender was sentenced to a term of incarceration for such
382 offense, a portion of which was not suspended, the date the offender
383 was released from such incarceration.

384 (b) The offender shall sign and date the registration.

385 (c) At the time that the offender appears for the purpose of
386 registering, the Department of Emergency Services and Public
387 Protection shall photograph the offender and arrange for the
388 fingerprinting of the offender and include such photograph and a
389 complete set of fingerprints in the registry. If the offender is required
390 to submit to the taking of a blood or other biological sample of
391 sufficient quality for DNA (deoxyribonucleic acid) analysis pursuant
392 to section 54-102g of the general statutes, and has not submitted to the
393 taking of such sample, the commissioner shall also require such
394 sample to be taken for analysis pursuant to section 54-102g of the
395 general statutes.

396 (d) The Department of Emergency Services and Public Protection
397 may require the offender to provide documentation to verify the
398 contents of his or her registration.

399 Sec. 7. Section 45a-99 of the general statutes is repealed and the
400 following is substituted in lieu thereof (*Effective January 1, 2014*):

401 (a) The courts of probate shall have concurrent jurisdiction with the
402 Superior Court, as provided in section 52-11, as amended by this act, to
403 grant a change of name, except a change of name granted in
404 accordance with subsection (a) of section 46b-63, except that no court

405 of probate may issue an order or otherwise allow for the change of
406 name of a person who is required to register with the Commissioner of
407 Emergency Services and Public Protection as a sexual offender or as an
408 offender convicted of committing a crime with a deadly weapon unless
409 such person complies with the requirements of subdivision (1) of
410 subsection (b) of this section.

411 (b) (1) Any person who is required to register with the
412 Commissioner of Emergency Services and Public Protection as a sexual
413 offender or as an offender convicted of committing a crime with a
414 deadly weapon who files an application with the Court of Probate for a
415 change of name shall (A) prior to filing such application, notify the
416 Commissioner of Emergency Services and Public Protection, on such
417 form as the commissioner may prescribe, that the person intends to file
418 an application for a change of name, indicating the change of name
419 sought, and (B) include with such application a sworn statement that
420 such change of name is not being sought for the purpose of avoiding
421 the legal consequences of a criminal conviction, including, but not
422 limited to, a criminal conviction that requires such person to register as
423 a sexual offender or as an offender convicted of committing a crime
424 with a deadly weapon.

425 (2) The Commissioner of Emergency Services and Public Protection
426 shall have standing to challenge such person's application for a change
427 of name in the court of probate where such change of name is sought.
428 The commissioner shall challenge the change of name through the
429 Attorney General. The court of probate may deny such person's
430 application for a change of name if the court finds, by a preponderance
431 of the evidence, that the person is applying for such change of name
432 for the purpose of avoiding the legal consequences of a criminal
433 conviction.

434 (c) Whenever the court, pursuant to this section, orders a change of
435 name of a person, the court shall notify the Commissioner of
436 Emergency Services and Public Protection of the issuance of such order
437 if the court finds that such person is listed in the registry established

438 and maintained pursuant to section 54-257 or in the registry
439 established and maintained pursuant to section 4 of this act.

440 Sec. 8. Section 52-11 of the general statutes is repealed and the
441 following is substituted in lieu thereof (*Effective January 1, 2014*):

442 (a) The superior court in each judicial district shall have jurisdiction
443 of complaints praying for a change of name, brought by any person
444 residing in the judicial district, and may change the name of the
445 complainant, who shall thereafter be known by the name prescribed by
446 said court in its decree, except that no superior court may issue an
447 order or otherwise allow for the change of name of a person who is
448 required to register with the Commissioner of Emergency Services and
449 Public Protection as a sexual offender or as an offender convicted of
450 committing a crime with a deadly weapon unless such person
451 complies with the requirements of subdivision (1) of subsection (b) of
452 this section.

453 (b) (1) Any person who is required to register with the
454 Commissioner of Emergency Services and Public Protection as a sexual
455 offender or as an offender convicted of committing a crime with a
456 deadly weapon who files an application with the Superior Court for a
457 change of name shall (A) prior to filing such application, notify the
458 Commissioner of Emergency Services and Public Protection, on such
459 form as the commissioner may prescribe, that the person intends to file
460 an application for a change of name, indicating the change of name
461 sought, and (B) include with such application a sworn statement that
462 such change of name is not being sought for the purpose of avoiding
463 the legal consequences of a criminal conviction, including, but not
464 limited to, a criminal conviction that requires such person to register as
465 a sexual offender or as an offender convicted of committing a crime
466 with a deadly weapon.

467 (2) The Commissioner of Emergency Services and Public Protection
468 shall have standing to challenge such person's application for a change
469 of name in the superior court where such change of name is sought.

470 The commissioner shall challenge the change of name through the
471 Attorney General. The superior court may deny such person's
472 application for a change of name if the court finds, by a preponderance
473 of the evidence, that the person is applying for such change of name
474 for the purpose of avoiding the legal consequences of a criminal
475 conviction.

476 (c) Whenever the court, pursuant to this section, orders a change of
477 name of a person, the clerk of the court shall notify the Commissioner
478 of Emergency Services and Public Protection of the issuance of such
479 order if the clerk finds that such person is listed in the registry
480 established and maintained pursuant to section 54-257 or in the
481 registry established and maintained pursuant to section 4 of this act.

482 Sec. 9. Section 29-37i of the general statutes is repealed and the
483 following is substituted in lieu thereof (*Effective July 1, 2013*):

484 No person shall store or keep any loaded firearm on any premises
485 under [his] such person's control if [he] such person knows or
486 reasonably should know that (1) a minor is likely to gain access to the
487 firearm without the permission of the parent or guardian of the minor,
488 or (2) a resident of the premises is ineligible to possess a firearm under
489 state or federal law, unless such person [(1)] (A) keeps the firearm in a
490 securely locked box or other container or in a location which a
491 reasonable person would believe to be secure, or [(2)] (B) carries the
492 firearm on his or her person or within such close proximity thereto that
493 [he] such person can readily retrieve and use [it] the firearm as if [he]
494 such person carried [it] the firearm on his or her person. For the
495 purposes of this section, "minor" means any person under the age of
496 sixteen years.

497 Sec. 10. Section 52-571g of the general statutes is repealed and the
498 following is substituted in lieu thereof (*Effective July 1, 2013*):

499 Any person whose act or omission constitutes a violation of section
500 29-37i, as amended by this act, shall be strictly liable for damages when
501 a minor or a resident of the premises who is ineligible to possess a

502 firearm under state or federal law, obtains a firearm, as defined in
503 section 53a-3, and causes the injury or death of such minor, resident or
504 any other person. For the purposes of this section, "minor" means any
505 person under the age of sixteen years.

506 Sec. 11. Section 53a-217a of the general statutes is repealed and the
507 following is substituted in lieu thereof (*Effective July 1, 2013*):

508 (a) A person is guilty of criminally negligent storage of a firearm
509 when [he] such person violates the provisions of section 29-37i, as
510 amended by this act, and a minor or, a resident of the premises who is
511 ineligible to possess a firearm under state or federal law, obtains the
512 firearm and causes the injury or death of [himself] such minor, resident
513 or any other person. For the purposes of this section, "minor" means
514 any person under the age of sixteen years.

515 (b) The provisions of this section shall not apply if the minor obtains
516 the firearm as a result of an unlawful entry to any premises by any
517 person.

518 (c) Criminally negligent storage of a firearm is a class D felony.

519 Sec. 12. (NEW) (*Effective from passage*) Any person who earned risk
520 reduction credit toward a reduction in such person's sentence under
521 the provisions of section 18-98e of the general statutes, revision of 1958,
522 revised to 2013, prior to the effective date of this section shall forfeit
523 such credit, except that nothing in this section shall invalidate the
524 release or parole release of an inmate pursuant to such credit that
525 occurred prior to the effective date of this section.

526 Sec. 13. Section 18-100c of the general statutes is repealed and the
527 following is substituted in lieu thereof (*Effective from passage*):

528 A person convicted of a crime who is incarcerated on or after July 1,
529 1993, who received a definite sentence of two years or less, and who
530 has been confined under such sentence for not less than one-half of the
531 sentence imposed by the court, less such time as may have been earned

532 under the provisions of section 18-7, 18-7a, 18-98a, 18-98b or 18-98d, [or
533 less any risk reduction credit earned under the provisions of section
534 18-98e,] may be released pursuant to subsection (e) of section 18-100 or
535 to any other community correction program approved by the
536 Commissioner of Correction.

537 Sec. 14. Section 18-100d of the general statutes is repealed and the
538 following is substituted in lieu thereof (*Effective from passage*):

539 Notwithstanding any other provision of the general statutes, any
540 person convicted of a crime committed on or after October 1, 1994,
541 shall be subject to supervision by personnel of the Department of
542 Correction until the expiration of the maximum term or terms for
543 which such person was sentenced. [less any risk reduction credit
544 earned under the provisions of section 18-98e.]

545 Sec. 15. Section 54-125a of the general statutes is repealed and the
546 following is substituted in lieu thereof (*Effective from passage*):

547 (a) A person convicted of one or more crimes who is incarcerated on
548 or after October 1, 1990, who received a definite sentence or aggregate
549 sentence of more than two years, and who has been confined under
550 such sentence or sentences for not less than one-half of the aggregate
551 sentence [less any risk reduction credit earned under the provisions of
552 section 18-98e] or one-half of the most recent sentence imposed by the
553 court, [less any risk reduction credit earned under the provisions of
554 section 18-98e,] whichever is greater, may be allowed to go at large on
555 parole in the discretion of the panel of the Board of Pardons and
556 Paroles for the institution in which the person is confined, if (1) it
557 appears from all available information, including any reports from the
558 Commissioner of Correction that the panel may require, that there is
559 reasonable probability that such inmate will live and remain at liberty
560 without violating the law, and (2) such release is not incompatible with
561 the welfare of society. At the discretion of the panel, and under the
562 terms and conditions as may be prescribed by the panel including
563 requiring the parolee to submit personal reports, the parolee shall be

564 allowed to return to the parolee's home or to reside in a residential
565 community center, or to go elsewhere. The parolee shall, while on
566 parole, remain under the jurisdiction of the board until the expiration
567 of the maximum term or terms for which the parolee was sentenced,
568 [less any risk reduction credit earned under the provisions of section
569 18-98e.] Any parolee released on the condition that the parolee reside
570 in a residential community center may be required to contribute to the
571 cost incidental to such residence. Each order of parole shall fix the
572 limits of the parolee's residence, which may be changed in the
573 discretion of the board and the Commissioner of Correction. Within
574 three weeks after the commitment of each person sentenced to more
575 than two years, the state's attorney for the judicial district shall send to
576 the Board of Pardons and Paroles the record, if any, of such person.

577 (b) (1) No person convicted of any of the following offenses, which
578 was committed on or after July 1, 1981, shall be eligible for parole
579 under subsection (a) of this section: (A) Capital felony, as provided
580 under the provisions of section 53a-54b in effect prior to April 25, 2012,
581 (B) murder with special circumstances, as provided under the
582 provisions of section 53a-54b in effect on or after April 25, 2012, (C)
583 felony murder, as provided in section 53a-54c, (D) arson murder, as
584 provided in section 53a-54d, (E) murder, as provided in section 53a-
585 54a, or (F) aggravated sexual assault in the first degree, as provided in
586 section 53a-70a. (2) A person convicted of (A) a violation of section 53a-
587 100aa or 53a-102, or (B) an offense, other than an offense specified in
588 subdivision (1) of this subsection, where the underlying facts and
589 circumstances of the offense involve the use, attempted use or
590 threatened use of physical force against another person shall be
591 ineligible for parole under subsection (a) of this section until such
592 person has served not less than eighty-five per cent of the definite
593 sentence imposed. [less any risk reduction credit earned under the
594 provisions of section 18-98e.]

595 (c) The Board of Pardons and Paroles shall, not later than July 1,
596 1996, adopt regulations in accordance with chapter 54 to ensure that a
597 person convicted of an offense described in subdivision (2) of

598 subsection (b) of this section is not released on parole until such person
599 has served eighty-five per cent of the definite sentence imposed by the
600 court. [less any risk reduction credit earned under the provisions of
601 section 18-98e.] Such regulations shall include guidelines and
602 procedures for classifying a person as a violent offender that are not
603 limited to a consideration of the elements of the offense or offenses for
604 which such person was convicted.

605 (d) The Board of Pardons and Paroles shall hold a hearing to
606 determine the suitability for parole release of any person whose
607 eligibility for parole release is not subject to the provisions of
608 subsection (b) of this section upon completion by such person of
609 seventy-five per cent of such person's definite or aggregate sentence.
610 [less any risk reduction credit earned under the provisions of section
611 18-98e.] An employee of the board or, if deemed necessary by the
612 chairperson, a panel of the board shall reassess the suitability for
613 parole release of such person based on the following standards: (1)
614 Whether there is reasonable probability that such person will live and
615 remain at liberty without violating the law, and (2) whether the
616 benefits to such person and society that would result from such
617 person's release to community supervision substantially outweigh the
618 benefits to such person and society that would result from such
619 person's continued incarceration. After hearing, if the board
620 determines that continued confinement is necessary, it shall articulate
621 for the record the specific reasons why such person and the public
622 would not benefit from such person serving a period of parole
623 supervision while transitioning from incarceration to the community.
624 The decision of the board under this subsection shall not be subject to
625 appeal.

626 (e) The Board of Pardons and Paroles shall hold a hearing to
627 determine the suitability for parole release of any person whose
628 eligibility for parole release is subject to the provisions of subdivision
629 (2) of subsection (b) of this section upon completion by such person of
630 eighty-five per cent of such person's definite or aggregate sentence,
631 [less any risk reduction credit earned under the provisions of section

632 18-98e.] An employee of the board or, if deemed necessary by the
633 chairperson, a panel of the board shall assess the suitability for parole
634 release of such person based on the following standards: (1) Whether
635 there is reasonable probability that such person will live and remain at
636 liberty without violating the law, and (2) whether the benefits to such
637 person and society that would result from such person's release to
638 community supervision substantially outweigh the benefits to such
639 person and society that would result from such person's continued
640 incarceration. After hearing, if the board determines that continued
641 confinement is necessary, it shall articulate for the record the specific
642 reasons why such person and the public would not benefit from such
643 person serving a period of parole supervision while transitioning from
644 incarceration to the community. The decision of the board under this
645 subsection shall not be subject to appeal.

646 (f) Any person released on parole under this section shall remain in
647 the custody of the Commissioner of Correction and be subject to
648 supervision by personnel of the Department of Correction during such
649 person's period of parole.

650 Sec. 16. Section 53-202aa of the general statutes is repealed and the
651 following is substituted in lieu thereof (*Effective October 1, 2013*):

652 (a) A person is guilty of firearms trafficking if such person,
653 knowingly and intentionally, directly or indirectly, causes one or more
654 firearms that such person owns, is in possession of or is in control of to
655 come into the possession of or control of another person who such
656 person knows or has reason to believe is prohibited from owning or
657 possessing any firearm under state or federal law.

658 (b) Any person who violates any provision of this section shall be
659 guilty of a class C felony if such person, on or after October 1, 2007, but
660 prior to October 1, 2013, sells, delivers or otherwise transfers five or
661 fewer firearms, and a class B felony if such person, on or after October
662 1, 2007, but prior to October 1, 2013, sells, delivers or otherwise
663 transfers more than five firearms. Any person who violates any

664 provision of this section on or after October 1, 2013, shall be guilty of a
665 class B felony for which three years of the sentence imposed may not
666 be suspended or reduced by the court, and ten thousand dollars of the
667 fine imposed may not be remitted or reduced by the court unless the
668 court states on the record its reasons for remitting or reducing such
669 fine.

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

674 Sec. 17. Section 53a-212 of the general statutes is repealed and the
675 following is substituted in lieu thereof (*Effective October 1, 2013*):

676 (a) A person is guilty of stealing a firearm when, with intent to
677 deprive another person of [his] such other person's firearm or to
678 appropriate the [same] firearm to [himself] such person or a third
679 party, [he] such person wrongfully takes, obtains or withholds a
680 firearm, as defined in subdivision (19) of section 53a-3.

681 (b) Stealing a firearm is a class [D] C felony for which two years of
682 the sentence imposed may not be suspended or reduced by the court,
683 and five thousand dollars of the fine imposed may not be remitted or
684 reduced by the court unless the court states on the record its reasons
685 for remitting or reducing such fine.

686 Sec. 18. Section 29-32 of the general statutes is repealed and the
687 following is substituted in lieu thereof (*Effective October 1, 2013*):

688 (a) For the purposes of this section, "conviction" means the entry of a
689 judgment of conviction by any court of competent jurisdiction.

690 (b) Any state permit or temporary state permit for the carrying of
691 any pistol or revolver may be revoked by the Commissioner of
692 Emergency Services and Public Protection for cause and shall be
693 revoked by said commissioner upon conviction of the holder of such

694 permit of a felony or of any misdemeanor specified in subsection (b) of
695 section 29-28, as amended by this act, or upon the occurrence of any
696 event which would have disqualified the holder from being issued the
697 state permit or temporary state permit pursuant to subsection (b) of
698 section 29-28, as amended by this act. Upon the revocation of any state
699 permit or temporary state permit, the person whose state permit or
700 temporary state permit is revoked shall be notified in writing and such
701 state permit or temporary state permit shall be forthwith delivered to
702 the commissioner. Any law enforcement authority shall confiscate and
703 immediately forward to the commissioner any state permit or
704 temporary state permit that is illegally possessed by any person. The
705 commissioner may revoke the state permit or temporary state permit
706 based upon the commissioner's own investigation or upon the request
707 of any law enforcement agency. Any person who fails to surrender any
708 permit within five days of notification in writing of revocation thereof
709 shall be guilty of a class [C] A misdemeanor.

710 (c) Any local permit for the carrying of a pistol or revolver issued
711 prior to October 1, 2001, may be revoked by the authority issuing the
712 same for cause, and shall be revoked by the authority issuing the same
713 upon conviction of the holder of such permit of a felony or of any
714 misdemeanor specified in subsection (b) of section 29-28, as amended
715 by this act, or upon the occurrence of any event which would have
716 disqualified the holder from being issued such local permit. Upon the
717 revocation of any local permit, the person whose local permit is
718 revoked shall be notified in writing and such permit shall be forthwith
719 delivered to the authority issuing the same. Upon the revocation of
720 any local permit, the authority issuing the same shall forthwith notify
721 the commissioner. Upon the revocation of any permit issued by the
722 commissioner, the commissioner shall forthwith notify any local
723 authority which the records of the commissioner show as having
724 issued a currently valid local permit to the holder of the permit
725 revoked by the commissioner. Any person who fails to surrender such
726 permit within five days of notification in writing or revocation thereof
727 shall be guilty of a class [C] A misdemeanor.

728 Sec. 19. Subsections (h) and (i) of section 29-33 of the general
729 statutes are repealed and the following is substituted in lieu thereof
730 (*Effective October 1, 2013*):

731 (h) If the court finds that a violation of this section is not of a serious
732 nature and that the person charged with such violation (1) will
733 probably not offend in the future, (2) has not previously been
734 convicted of a violation of this section, and (3) has not previously had a
735 prosecution under this section suspended pursuant to this subsection,
736 [it] the court may order suspension of prosecution. The court shall not
737 order suspension of prosecution unless the accused person has
738 acknowledged that he understands the consequences of the suspension
739 of prosecution. Any person for whom prosecution is suspended shall
740 agree to the tolling of any statute of limitations with respect to such
741 violation and to a waiver of his right to a speedy trial. Such person
742 shall appear in court and shall be released to the custody of the Court
743 Support Services Division for such period, not exceeding two years,
744 and under such conditions as the court shall order. If the person
745 refuses to accept, or, having accepted, violates such conditions, the
746 court shall terminate the suspension of prosecution and the case shall
747 be brought to trial. If such person satisfactorily completes his period of
748 probation, he may apply for dismissal of the charges against him and
749 the court, on finding such satisfactory completion, shall dismiss such
750 charges. If the person does not apply for dismissal of the charges
751 against him after satisfactorily completing his period of probation, the
752 court, upon receipt of a report submitted by the Court Support
753 Services Division that the person satisfactorily completed his period of
754 probation, may on its own motion make a finding of such satisfactory
755 completion and dismiss such charges. Upon dismissal, all records of
756 such charges shall be erased pursuant to section 54-142a. An order of
757 the court denying a motion to dismiss the charges against a person
758 who has completed his period of probation or terminating the
759 participation of a defendant in such program shall be a final judgment
760 for purposes of appeal.

761 (i) Any person who violates any provision of this section shall be

762 guilty of a class [D] C felony, except that any person who sells, delivers
763 or otherwise transfers a pistol or revolver in violation of the provisions
764 of this section [] knowing that such pistol or revolver is stolen or that
765 the manufacturer's number or other mark of identification on such
766 pistol or revolver has been altered, removed or obliterated, shall be
767 guilty of a class B felony for which three years of the sentence imposed
768 may not be suspended or reduced by the court, and ten thousand
769 dollars of the fine imposed may not be remitted or reduced by the
770 court unless the court states on the record its reasons for remitting or
771 reducing such fine, and any pistol or revolver found in the possession
772 of any person in violation of any provision of this section shall be
773 forfeited.

774 Sec. 20. Section 29-34 of the general statutes is repealed and the
775 following is substituted in lieu thereof (*Effective October 1, 2013*):

776 (a) No person shall make any false statement or give any false
777 information connected with any purchase, sale, delivery or other
778 transfer of any pistol or revolver. Any person violating any provision
779 of this subsection shall be guilty of a class [D] C felony for which three
780 thousand dollars of the fine imposed may not be remitted or reduced
781 by the court unless the court states on the record its reasons for
782 remitting or reducing such fine.

783 (b) No person shall sell, barter, hire, lend, give, deliver or otherwise
784 transfer to any person under the age of twenty-one years any pistol or
785 revolver, except that a pistol or revolver may be temporarily
786 transferred to any person only for the use by such person in target
787 shooting or on a firing or shooting range, provided such use is
788 otherwise permitted by law and is under the immediate supervision of
789 a person eligible to possess a pistol or revolver. Any person violating
790 any provision of this subsection shall be guilty of a class D felony for
791 which one year of the sentence imposed may not be suspended or
792 reduced by the court.

793 (c) Any pistol or revolver found in the possession of any person in

794 violation of any provision of this section shall be forfeited.

795 Sec. 21. Section 29-36 of the general statutes is repealed and the
796 following is substituted in lieu thereof (*Effective October 1, 2013*):

797 (a) No person shall remove, deface, alter or obliterate the name of
798 any maker or model or any maker's number or other mark of
799 identification on any firearm as defined in section 53a-3. The
800 possession of any firearm upon which any identifying mark, number
801 or name has been removed, defaced, altered or obliterated shall be
802 prima facie evidence that the person owning or in possession of such
803 firearm has removed, defaced, altered or obliterated the same.

804 (b) Any person who violates any provision of this section shall be
805 [fined not more than one thousand dollars or imprisoned not more
806 than five years or both] guilty of a class C felony for which five
807 thousand dollars of the fine imposed may not be remitted or reduced
808 by the court unless the court states on the record its reasons for
809 remitting or reducing such fine, and any firearm found in the
810 possession of any person in violation of said provision shall be
811 forfeited.

812 Sec. 22. Section 29-36i of the general statutes is repealed and the
813 following is substituted in lieu thereof (*Effective October 1, 2013*):

814 (a) Any eligibility certificate for a pistol or revolver shall be revoked
815 by the Commissioner of Emergency Services and Public Protection
816 upon the occurrence of any event which would have disqualified the
817 holder from being issued the certificate pursuant to section 29-36f, as
818 amended by this act.

819 (b) Upon the revocation of any eligibility certificate, the person
820 whose eligibility certificate is revoked shall be notified in writing and
821 such certificate shall be forthwith delivered to the Commissioner of
822 Emergency Services and Public Protection. Any person who fails to
823 surrender such certificate within five days of notification in writing of
824 revocation thereof shall be guilty of a class [C] A misdemeanor.

825 Sec. 23. Section 29-37j of the general statutes is repealed and the
826 following is substituted in lieu thereof (*Effective October 1, 2013*):

827 (a) Any person who purchases a firearm, as defined in section 53a-3,
828 pursuant to section 29-33, as amended by this act, or 29-37a, as
829 amended by this act, with the intent to transfer such firearm to any
830 other person who the transferor knows or has reason to believe is
831 prohibited from purchasing or otherwise receiving such a firearm
832 pursuant to section 29-33, as amended by this act, or 29-37a, as
833 amended by this act, shall be [fined not more than one thousand
834 dollars or imprisoned not more than five years or both] guilty of a class
835 C felony for which five thousand dollars of the fine imposed may not
836 be remitted or reduced by the court unless the court states on the
837 record its reasons for remitting or reducing such fine.

838 (b) Any person prohibited from purchasing or otherwise receiving
839 or possessing a firearm and who solicits, employs or assists any person
840 in violating the provisions of subsection (a) of this section shall be
841 guilty of a class [B misdemeanor. If the] D felony, except that if such
842 violation of subsection (a) of this section involves a transfer of more
843 than one firearm, such person shall be guilty of a class [A
844 misdemeanor] C felony for which five thousand dollars of the fine
845 imposed may not be remitted or reduced by the court if any of such
846 firearms is actually transferred unless the court states on the record its
847 reasons for remitting or reducing such fine. Each transfer shall
848 constitute a separate offense.

849 (c) Any person convicted of violating the provisions of subsection
850 (a) or (b) of this section and who was convicted of a felony within the
851 prior five-year period shall be guilty of a class [D] B felony for which
852 ten thousand dollars of the fine imposed may not be remitted or
853 reduced by the court unless the court states on the record its reasons
854 for remitting or reducing such fine.

855 Sec. 24. (*Effective July 1, 2013*) The state-wide firearms trafficking
856 task force established in section 29-38e of the general statutes shall

857 conduct a pilot program, within available appropriations, during a
858 one-year period in one geographic area of the state, to implement the
859 review, identification, tracking and coordination activities described in
860 subsection (f) of section 29-38e of the general statutes. Not later than
861 January 15, 2014, the Commissioner of Emergency Services and Public
862 Protection shall submit a report, in accordance with section 11-4a of the
863 general statutes, to the joint standing committees of the General
864 Assembly having cognizance of matters relating to appropriations,
865 judiciary and public safety, describing the review, identification,
866 tracking and coordination activities engaged in under the pilot
867 program and the results of the pilot program.

868 Sec. 25. (*Effective July 1, 2013*) The sum of one million dollars is
869 appropriated to the Department of Emergency Services and Public
870 Protection, from the General Fund, for the fiscal year ending June 30,
871 2014, for the purpose of funding the pilot program established in
872 section 24 of this act.

873 Sec. 26. (NEW) (*Effective from passage and applicable to taxable years*
874 *commencing on or after January 1, 2013*) (a) Any resident of this state, as
875 defined in subdivision (1) of subsection (a) of section 12-701 of the
876 general statutes, who is subject to the tax imposed under chapter 229 of
877 the general statutes for any taxable year shall be allowed a credit
878 against the tax otherwise due under said chapter in an amount equal to
879 the price paid by such taxpayer for a new safe that (1) is specifically
880 manufactured to store firearms, (2) is constructed of steel or a material
881 of equal or greater strength, (3) has a combination or key lock listed by
882 Underwriters Laboratories, and (4) is for the personal, noncommercial
883 use of the taxpayer, provided such credit shall not exceed three
884 hundred dollars.

885 (b) If the amount of the credit allowed pursuant to this section
886 exceeds the taxpayer's liability for the tax imposed under chapter 229
887 of the general statutes, the excess shall expire and shall not be
888 refundable.

889 Sec. 27. Section 18-98e of the general statutes is repealed. (*Effective*
890 *from passage*)."

891 In line 3759, strike "and"

892 In line 3763, after "training" insert the following "; and (3) the hiring
893 of school resource officers"