
OLR Bill Analysis

sHB 6598

AN ACT CONCERNING THE DISPOSAL OF WEAPONS SEIZED FROM A PERSON WHO POSES A RISK OF IMMINENT PERSONAL INJURY TO SELF OR OTHERS.

SUMMARY:

This bill allows anyone whose firearm the court ordered seized, because he or she posed a risk of imminent personal injury to himself or herself or others, to request the firearm's return at the expiration of the order. The request must be in writing and submitted, within 60 days after the expiration of the court-ordered holding period, to the state agency holding the firearm. If the person does not submit such a request within the allotted time, the state agency may dispose of the firearm in any manner it deems appropriate, with no liability. Under current law, there is no procedure for the state agency to dispose such unclaimed firearms.

EFFECTIVE DATE: October 1, 2013

BACKGROUND

Gun Seizure

By law, any two police officers (or a state's attorney), under limited circumstances, can get warrants and seize guns from anyone who poses an imminent risk of injuring himself or herself or someone else. The officials may seek the warrant only after (1) conducting an independent investigation to establish probable cause and (2) determining that no reasonable alternative exists to avert the risk of harm. The court must hold a hearing within 14 days after a seizure to determine whether to return the guns or order them held for up to one year. The person whose firearm is being seized may transfer the firearm to any person eligible to possess it. Upon written notification, the state agency holding the firearm must deliver it to the transferee with 10 days.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 24 Nay 0 (03/21/2013)