



OLR RESEARCH REPORT

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BASIC QUESTIONS ON FIREARMS IN CONNECTICUT

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This report provides answers to basic questions on firearms and firearm regulation in Connecticut. We have tried to make the answers as simple and straightforward as possible, deliberately excluding details that would necessitate longer, more complex answers. For example, almost all the prohibitions contain exemptions for law enforcement officials. Also, most of the provisions do not apply to antique firearms.

FIREARMS: DEFINITIONS

1. How does the state classify firearms for regulatory purposes?

For regulatory purposes, state law designates four types of firearms: handguns (pistols and revolvers), long guns (rifles and shotguns), assault weapons, and machine guns. The degree of regulation depends on the type of firearm and, for sales and transfers, whether the transactions are being conducted by federally licensed gun dealers or by private sellers not required to be licensed.

2. What are handguns?

Pistols and revolvers are generally referred to as handguns. State law defines a “pistol” or “revolver” as any firearm with a barrel less than 12” long (CGS § [29-27](#) & [53a-3\(18\)](#)).

3. What are rifles and shot guns?

State law defines a “rifle” as a weapon designed to be fired from the shoulder using a cartridge to fire a single projectile through a rifled bore for each single pull of the trigger. It defines a “shotgun” as a weapon designed to be fired from the shoulder using a shotgun shell to fire through a smooth bore either a number of ball shots or a single projectile for each single pull of the trigger (CGS § [53a-3 \(16\) & \(17\)](#)). Rifles and shotguns are referred to as long guns.

4. What are assault weapons?

State law defines an “assault weapon” as (1) any selective-fire firearm capable of fully automatic, semiautomatic, or burst fire at the user’s option; (2) any of a list of named firearms; (3) any unlisted semi-automatic rifle, pistol, or shotgun that has certain specified features; or (4) a part or combination of parts designed or intended to convert a firearm into an assault weapon (CGS § [53-202a](#)).

For more information, see OLR Report [2013-R-0001](#) and Attachment 1.

5. What is a machine gun?

State law defines a “machine gun” as (1) a weapon that shoots, or can be readily restored to shoot, automatically more than one projectile by a single pull of the trigger without manual reloading or (2) a part or combination of parts designed to convert a weapon into a machine gun (CGS § [53-202](#)).

CONNECTICUT FIREARM CREDENTIALS

1. What is a gun permit?

This is a credential required to carry handguns in Connecticut. It allows gun owners to carry handguns anywhere in the state except where prohibited by (1) law or (2) a property owner or someone in control of the property. A gun owner must carry the permit on his or her person when carrying handguns outside of his or her home or business (CGS §§ [29-28](#) & [29-35](#)).

2. What are the eligibility criteria for getting a gun permit?

An applicant must pass a state-approved course in handgun safety and use, pass state and national criminal history record checks, and meet other criteria specified in law (see Attachment 2). Also the local permit-issuing official must determine that the applicant is a suitable person to have a gun permit and wants the handgun for lawful purposes (CGS § [29-28](#)).

3. Who is considered a “suitable” person for permit purposes?

The law is silent on this. The determination of suitability is left to the local permit-issuing official’s discretion.

For more information, see OLR Report [2008-R-0238](#).

4. What is a gun dealer’s permit?

This is a credential that federally licensed gun dealers must obtain from the town in which their business is located as a condition of selling handguns. Anyone who sells more than 10 handguns in any calendar year must also obtain this permit.

5. What is a gun eligibility certificate and how does it differ from a gun permit?

Anyone buying or acquiring a handgun in Connecticut must present one of three credentials. One of these is an eligibility certificate; the others are a permit to carry and a dealer’s permit. An eligibility certificate authorizes someone to acquire handguns but (with very limited exceptions) not to carry them outside of his or her home or business. A gun permit is required to carry handguns (CGS §§ [29-33](#) & [29-36g](#)).

6. What are the criteria for getting an eligibility certificate?

As is the case with the gun permit, an applicant must pass a state-approved course in handgun safety and use, pass state and national criminal history record checks, and meet other criteria specified in law. But unlike the case with the gun permit, there is no requirement for the official to determine that an applicant is suitable or wants to obtain firearms for lawful purposes (CGS § [29-36g](#)).

7. What is a certificate of possession?

State law has generally banned the possession of assault weapons since 1993. The law banning the weapons contains a few exemptions allowing, for example, certain people who lawfully possessed assault weapons before the ban to get a certificate of possession to continue to keep them under specified circumstances.

For more information, see OLR Report [2013-R-0001](#).

FIREARM CREDENTIALS: PROCESS

1. Who issues the gun permit and gun eligibility certificate?

There is a two-step process for gun permits. The local official (police chief, borough warden, or first selectman) investigates applicants and issues a temporary state permit, after which the State Police conducts state and national criminal history record checks on the applicants and issues the five-year state permit (CGS §§ [29-28](#), [29-28a](#), & [29-29](#)).

The State Police issues the eligibility certificate (CGS §§ [29-36f](#) & [29-36g](#)).

2. Are the same checks conducted on applicants applying for and renewing credentials?

The statutes do not address renewal checks for either the gun permit or eligibility certificate. But, according to the State Police, which is responsible for renewing both credentials, the division conducts the same checks for both credentials. But the State Police is not required to determine that applicants are suitable or want the handguns for lawful purposes, as the local officials are required to do for original gun permit applicants.

3. What recourse is available to an applicant who is denied a permit or certificate or whose credential is revoked?

The applicant may appeal to the Board of Firearms Permit Examiners (CGS § [29-32b](#)).

FIREARM DATA

1 . How many assault weapons are registered in Connecticut?

As of December 17, 2012, there were 8,825 assault weapons registered in Connecticut, according to the State Police.

2. How many machine guns are registered in Connecticut?

As of December 17, 2012, there were 2,304, according to the State Police.

3. How many people in Connecticut have gun permits?

As of December 17, 2012, there were 179,092 valid permits in the state.

4. How many people in Connecticut have eligibility certificates?

As of January, 13, 2013, there were 57 valid eligibility certificates.

5. How many gun permits and eligibility certificates were denied and revoked in 2011 and 2012?

According to State Police data, in 2011, 23 gun permits were denied and 1,252 were revoked. In 2012, 25 permits were denied and 1,296 were revoked. No eligibility certificates were denied or revoked in either year.

HIGH CAPACITY AMMUNITION DEVICES

1. What is a high capacity ammunition device?

State law does not define the term. But generally the term is used to refer to magazines capable of holding more than 10 rounds of ammunition. (An expired federal law defined them as magazines capable of holding more than 10 rounds of ammunition. Some states, including Massachusetts, that ban or restrict the magazines use the 10-round threshold, but statutory definitions vary.)

2. Does Connecticut restrict or ban high capacity ammunition devices?

Connecticut does not regulate high capacity magazines. The Judiciary Committee considered one bill in 2011 to regulate them. [SB 1094](#) would have prohibited possession of certain devices accepting more than 10 rounds. The bill did not get out of committee.

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Attachment 1

Sec. 53-202a. Assault weapons: Definition. (a) As used in this section and sections 53-202b to 53-202k, inclusive, "assault weapon" means:

(1) Any selective-fire firearm capable of fully automatic, semiautomatic or burst fire at the option of the user or any of the following specified semiautomatic firearms: Algimec Agmi; Armalite AR-180; Australian Automatic Arms SAP Pistol; Auto-Ordnance Thompson type; Avtomat Kalashnikov AK-47 type; Barrett Light-Fifty model 82A1; Beretta AR-70; Bushmaster Auto Rifle and Auto Pistol; Calico models M-900, M-950 and 100-P; Chartered Industries of Singapore SR-88; Colt AR-15 and Sporter; Daewoo K-1, K-2, Max-1 and Max-2; Encom MK-IV, MP-9 and MP-45; Fabrique Nationale FN/FAL, FN/LAR, or FN/FNC; FAMAS MAS 223; Feather AT-9 and Mini-AT; Federal XC-900 and XC-450; Franchi SPAS-12 and LAW-12; Galil AR and ARM; Goncz High-Tech Carbine and High-Tech Long Pistol; Heckler & Koch HK-91, HK-93, HK-94 and SP-89; Holmes MP-83; MAC-10, MAC-11 and MAC-11 Carbine type; Intratec TEC-9 and Scorpion; Iver Johnson Enforcer model 3000; Ruger Mini-14/5F folding stock model only; Scarab Skorpion; SIG 57 AMT and 500 series; Spectre Auto Carbine and Auto Pistol; Springfield Armory BM59, SAR-48 and G-3; Sterling MK-6 and MK-7; Steyr AUG; Street Sweeper and Striker 12 revolving cylinder shotguns; USAS-12; UZI Carbine, Mini-Carbine and Pistol; Weaver Arms Nighthawk; Wilkinson "Linda" Pistol;

(2) A part or combination of parts designed or intended to convert a firearm into an assault weapon, as defined in subdivision (1) of this subsection, or any combination of parts from which an assault weapon, as defined in subdivision (1) of this subsection, may be rapidly assembled if those parts are in the possession or under the control of the same person;

(3) Any semiautomatic firearm not listed in subdivision (1) of this subsection that meets the following criteria:

(A) A semiautomatic rifle that has an ability to accept a detachable magazine and has at least two of the following:

(i) A folding or telescoping stock;

Attachment 1 (continued)

(ii) A pistol grip that protrudes conspicuously beneath the action of the weapon;

(iii) A bayonet mount;

(iv) A flash suppressor or threaded barrel designed to accommodate a flash suppressor; and

(v) A grenade launcher; or

(B) A semiautomatic pistol that has an ability to accept a detachable magazine and has at least two of the following:

(i) An ammunition magazine that attaches to the pistol outside of the pistol grip;

(ii) A threaded barrel capable of accepting a barrel extender, flash suppressor, forward handgrip or silencer;

(iii) A shroud that is attached to, or partially or completely encircles, the barrel and that permits the shooter to hold the firearm with the nontrigger hand without being burned;

(iv) A manufactured weight of fifty ounces or more when the pistol is unloaded; and

(v) A semiautomatic version of an automatic firearm; or

(C) A semiautomatic shotgun that has at least two of the following:

(i) A folding or telescoping stock;

(ii) A pistol grip that protrudes conspicuously beneath the action of the weapon;

(iii) A fixed magazine capacity in excess of five rounds; and

(iv) An ability to accept a detachable magazine; or

(4) A part or combination of parts designed or intended to convert a firearm into an assault weapon, as defined in subdivision (3) of this subsection, or any combination of parts from which an assault weapon, as defined in subdivision (3) of this subsection, may be rapidly

Attachment 1 (continued)

assembled if those parts are in the possession or under the control of the same person.

(b) As used in this section and sections 53-202b to 53-202k, inclusive, the term "assault weapon" does not include any firearm modified to render it permanently inoperable.

(P.A. 93-306, S. 1; P.A. 01-130, S. 1.)

History: P.A. 01-130 amended Subsec. (a) to delete reference to Sec. 53a-46a(h), make technical changes in Subdiv. (2) and add Subdivs. (3) and (4) re physical characteristics criteria applicable to definition of "assault weapon" and amended Subsec. (b) to delete reference to Sec. 53a-46a(h).

Cited. 234 C. 455. Cited. 242 C. 143.

Defendant's conviction under Sec. 53-202c did not violate his due process rights because, as a matter of law, a Maadi MISR is an "assault weapon" as defined in section. Defendant's due process rights were not violated by trial court's not concluding section is vague as applied to circumstances of his case. 93 CA 129.

Attachment 2

Sec. 29-28. Permit for sale at retail of pistol or revolver. Permit to carry pistol or revolver. Confidentiality of name and address of permit holder. Permits for out-of-state residents. (a) No person who sells ten or more pistols or revolvers in a calendar year or is a federally-licensed firearm dealer shall advertise, sell, deliver, or offer or expose for sale or delivery, or have in such person's possession with intent to sell or deliver, any pistol or revolver at retail without having a permit therefor issued as provided in this subsection. The chief of police or, where there is no chief of police, the warden of the borough or the first selectman of the town, as the case may be, may, upon the application of any person, issue a permit in such form as may be prescribed by the Commissioner of Public Safety for the sale at retail of pistols and revolvers within the jurisdiction of the authority issuing such permit. No permit for the sale at retail of any pistol or revolver shall be issued unless the applicant holds a valid eligibility certificate for a pistol or revolver issued pursuant to section 29-36f or a valid state permit to carry a pistol or revolver issued pursuant to subsection (b) of this section and the applicant submits documentation sufficient to establish that local zoning requirements have been met for the location where the sale is to take place except that any person selling or exchanging a pistol or revolver for the enhancement of a personal collection or for a hobby or who sells all or part of such person's personal collection of pistols or revolvers shall not be required to submit such documentation for the location where the sale or exchange is to take place.

(b) Upon the application of any person having a bona fide residence or place of business within the jurisdiction of any such authority, such chief of police, warden or selectman may issue a temporary state permit to such person to carry a pistol or revolver within the state, provided such authority shall find that such applicant intends to make no use of any pistol or revolver which such applicant may be permitted to carry under such permit other than a lawful use and that such person is a suitable person to receive such permit. No state or temporary state permit to carry a pistol or revolver shall be issued under this subsection if the applicant (1) has failed to successfully complete a course approved by the Commissioner of Public Safety in the safety and use of pistols and revolvers including, but not limited to, a safety or training course in the use of pistols and revolvers available to the public offered by a law enforcement agency, a private or public educational institution or a firearms training school, utilizing instructors certified by the National Rifle Association or the Department of Environmental Protection and a

Attachment 2 (continued)

safety or training course in the use of pistols or revolvers conducted by an instructor certified by the state or the National Rifle Association, (2) has been convicted of a felony or of a violation of subsection (c) of section 21a-279, section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d, (3) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in section 46b-120, (4) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13, (5) has been confined in a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding twelve months by order of a probate court, (6) is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person, (7) is subject to a firearms seizure order issued pursuant to subsection (d) of section 29-38c after notice and hearing, (8) is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4), (9) is an alien illegally or unlawfully in the United States, or (10) is less than twenty-one years of age. Nothing in this section shall require any person who holds a valid permit to carry a pistol or revolver on October 1, 1994, to participate in any additional training in the safety and use of pistols and revolvers. Upon issuance of a temporary state permit to the applicant, the local authority shall forward the original application to the commissioner. Not later than sixty days after receiving a temporary state permit, an applicant shall appear at a location designated by the commissioner to receive the state permit. Said commissioner may then issue, to any holder of any temporary state permit, a state permit to carry a pistol or revolver within the state. Upon issuance of the state permit, the commissioner shall make available to the permit holder a copy of the law regarding the permit holder's responsibility to report the loss or theft of a firearm and the penalties associated with the failure to comply with such law. Upon issuance of the state permit, the commissioner shall forward a record of such permit to the local authority issuing the temporary state permit. The commissioner shall retain records of all applications, whether approved or denied. The copy of the state permit delivered to the permittee shall be laminated and shall contain a full-face photograph of such permittee. A person holding a state permit issued pursuant to this subsection shall notify the issuing authority within two business days of any change of such person's address. The notification shall include the old address and the new address of such person.

(c) No issuing authority may require any sworn member of the

Attachment 2 (continued)

Department of Public Safety or an organized local police department to furnish such sworn member's residence address in a permit application. The issuing authority shall allow each such sworn member who has a permit to carry a pistol or revolver issued by such authority, to revise such member's application to include a business or post office address in lieu of the residence address. The issuing authority shall notify each such member of the right to revise such application.

(d) Notwithstanding the provisions of sections 1-210 and 1-211, the name and address of a person issued a permit to sell at retail pistols and revolvers pursuant to subsection (a) of this section or a state or a temporary state permit to carry a pistol or revolver pursuant to subsection (b) of this section, or a local permit to carry pistols and revolvers issued by local authorities prior to October 1, 2001, shall be confidential and shall not be disclosed, except (1) such information may be disclosed to law enforcement officials acting in the performance of their duties, (2) the issuing authority may disclose such information to the extent necessary to comply with a request made pursuant to section 29-33 for verification that such state or temporary state permit is still valid and has not been suspended or revoked, and the local authority may disclose such information to the extent necessary to comply with a request made pursuant to section 29-33 for verification that a local permit is still valid and has not been suspended or revoked, and (3) such information may be disclosed to the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of section 17a-500.

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

(f) Any bona fide resident of the United States having no bona fide residence or place of business within the jurisdiction of any local authority in the state, but who has a permit or license to carry a pistol or revolver issued by the authority of another state or subdivision of the United States, may apply directly to the Commissioner of Public Safety for a permit to carry a pistol or revolver in this state. All provisions of subsections (b), (c), (d) and (e) of this section shall apply to applications for a permit received by the commissioner under this subsection.

(1949 Rev., S. 4158, 4159; 1959, P.A. 615, S. 19; P.A. 77-614, S. 486,

Attachment 2 (continued)

610; P.A. 90-155, S. 1; P.A. 92-130, S. 4, 10; P.A. 93-172, S. 1; July Sp. Sess. P.A. 94-1, S. 4; P.A. 98-129, S. 6; P.A. 99-212, S. 19; P.A. 01-130, S. 4; P.A. 05-283, S. 4; P.A. 07-163, S. 2.)

History: 1959 act corrected typographical error; P.A. 77-614 replaced commissioner of state police with commissioner of public safety, effective January 1, 1979; P.A. 90-155 added provision re compliance with local zoning requirements; P.A. 92-130 divided section into two Subsecs., inserting new language as Subsec. (b) to prohibit issuing authority from requiring police officers to furnish their residence addresses in permit applications and to require issuing authority to allow police officers who have a permit to carry a pistol or revolver on May 26, 1992, to revise such applications to include business or post office address in lieu of residence address; P.A. 93-172 amended Subsec. (a) to require copy of state permit delivered to permittee to be laminated and contain full-face photograph of permittee; July Sp. Sess. P.A. 94-1 amended Subsec. (a) to require any person "who sells ten or more pistols or revolvers in a calendar year or is a federally-licensed firearm dealer" to obtain a permit for the sale at retail of pistols and revolvers and to prohibit the issuance of such permit unless the applicant holds a valid eligibility certificate or valid permit to carry, designated as Subsec. (b) existing provisions re application for and issuance of permit to carry and amended said Subsec. to replace provision prohibiting the issuance of such permit to an alien with provision prohibiting the issuance of such permit to any applicant who comes within any of the six specified circumstances, add provision exempting current permit holders from additional training and add provision requiring a permit holder to notify the issuing authority of any change of address, redesignated former Subsec. (b) as Subsec. (c) and added Subsec. (d) re confidentiality of name and address of permit holders; P.A. 98-129 added new Subsec. (b)(3) prohibiting the issuance of a permit to an applicant who has been convicted as delinquent of a serious juvenile offense, renumbering the remaining Subdivs. accordingly, and replacing in Subdiv. (5) "hospital for mental illness" with "hospital for persons with psychiatric disabilities", added Subsec. (d)(3) authorizing the disclosure of such information to the Commissioner of Mental Health and Addiction Services to carry out the provisions of Sec. 17a-500(c), and added new Subsec. (e) to provide that the issuance of a permit to carry a pistol or revolver does not thereby authorize the possession or carrying of a pistol or revolver where prohibited by law or by the person who owns or exercises control over the premises; P.A. 99-212 added new Subsec. (b)(7) prohibiting the issuance of a permit to an applicant who is subject to a firearms seizure order issued pursuant to Sec. 29-38c(d) after notice and hearing, renumbering remaining Subdiv.

Attachment 2 (continued)

accordingly, and made provisions gender neutral; P.A. 01-130 amended Subsecs. (a), (b) and (d) to establish state permits for sale at retail and state permits to carry pistols and revolvers in place of local permits for sale and local permits to carry, added Subsec. (b)(9) prohibiting a state permit to carry from being issued to persons under age 21, added Subsec. (f) providing for out-of-state residents to obtain state permits to carry, and made technical and conforming changes throughout; P.A. 05-283 added new Subsec. (b)(8) prohibiting the issuance of a permit to an applicant who is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922 (g)(4), redesignated existing Subdivs. (8) and (9) as Subdivs. (9) and (10); P.A. 07-163 amended Subsec. (b) to add provision requiring commissioner, upon issuance of state permit, to make available to permit holder a copy of the law requiring reporting of the loss or theft of a firearm and penalties for failure to comply with the law.

See Sec. 53-202 re penalties for illegal use or possession of machine guns.

See Sec. 53-206 re penalties for carrying or sale of dangerous weapons.

After defendant's loaded revolver was removed from his waistband while he was seated in his car after midnight in a high crime area, officer justified in seizure and arrest of defendant under the circumstances of speedy information by informant. 157 C. 114. Search of defendant's car, upon his arrest for breach of the peace, which yielded weapon was incidental to his arrest and properly made. *Id.*, 222. Cited. 163 C. 176. This section has the effect of placing the burden of proof on alleged violators constituting a denial of due process and is therefore invalid. 165 C. 577, 597. Cited. 170 C. 81. State must prove beyond reasonable doubt that proper permit had not been issued, since that is essential element of the crime. *Id.*, 234. Cited. 172 C. 21; *Id.*, 94. Cited. 174 C. 22; *Id.*, 405. Cited. 178 C. 534. Cited. 179 C. 516. Cited. 193 C. 7. Cited. 209 C. 322. Cited. 222 C. 621.

Cited. 9 CA 169; judgment reversed, see 205 C. 370; *Id.*, 330. Cited. 17 CA 556. Cited. 25 CA 433. Cited. 36 CA 576. Cited. 38 CA 434. Cited. 39 CA 224; *Id.*, 242.

Separate and distinct crime from the carrying of dangerous weapons on the person. 10 CS 272. Cited. 22 CS 173; *Id.*, 201. Cited. 23 CS 82. Cited. 35 CS 659. Cited. 42 CS 157.

Attachment 2 (continued)

Cited. 5 Conn. Cir. Ct. 119.

Subsec. (b):

Purpose of statutory scheme is to protect the public from individuals whose conduct has shown them to be lacking the essential character or temperament necessary to be entrusted with a weapon. 46 CS 550.