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WEAPONS BANNED AS ASSAULT WEAPONS

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You asked for a brief explanation of the assault weapons ban and a list of weapons subject to the ban.

SUMMARY

With minor exceptions, state law prohibits giving an assault weapon to anyone; distributing, transporting, or importing an assault weapon; or keeping, offering, or exposing any such weapon for sale. It also, with minor exceptions, prohibits possession of an assault weapon unless the owner lawfully possessed the weapon before the ban took effect and obtained a certificate of possession from the Department of Emergency Services and Public Protection (DESPP) for it (in effect, registered the weapon).

The law defines an “assault weapon” as (1) a selective-fire firearm capable of fully automatic, semiautomatic, or burst fire at the user’s option; (2) any of more than 150 named semiautomatic firearms, including semiautomatic centerfire rifles and semiautomatic pistols (see Appendix 1); (3) a semiautomatic firearm that has certain features; and (4) a shotgun with a revolving cylinder.

The definition of an “assault weapon” includes any part or combination of parts designed or intended to convert a firearm into an assault weapon or any combination of parts from which one may be rapidly assembled if possessed or controlled by the same person. It does

not include (1) firearms rendered permanently inoperable or (2) unassembled parts or combination of parts possessed by a licensed gun dealer or gunsmith he or she employs for repairing or servicing a lawfully possessed weapon.

ASSAULT WEAPONS

The law, with limited exceptions, bans assault weapons. The initial assault weapons ban was passed in 1993 (PA [93-306](#)). A 2001 act (PA [01-130](#)) expanded the ban, and a 2002 act (PA [02-130](#)) exempted possession of certain types of weapons from the ban. This year, PA [13-3](#) substantially expanded the ban and made other substantive changes. (For a more detailed legislative history of the assault weapons ban, see OLR Report [2012-R-0362](#).)

With limited exceptions, it is illegal to give anyone an assault weapon; transport, distribute, or import assault weapons; or sell, keep, or offer them for sale. It is also, with exceptions, illegal to possess assault weapons, except lawfully possessed pre-ban assault weapons, provided the owner duly registered the weapon with DESPP or, in the case of assault weapons banned by PA 13-3, applies to register the weapon by January 1, 2014 (CGS §§ [53-202b](#) and [53-202c](#), as amended by PA [13-3](#)).

Illegal possession of an assault weapon is a class D felony, punishable by a fine of up to \$5,000 and imprisonment for up to five years, with a mandatory minimum one-year prison term. But a first-time violation is a class A misdemeanor, punishable by a fine of up to \$2,000 and imprisonment for up to one year, if the violator can prove that he or she lawfully possessed the weapon before the ban and has otherwise complied with the law. Illegally transporting, selling, or giving an assault weapon is a class C felony, punishable by a fine of up to \$10,000 and imprisonment for up to 10 years, with a two-year mandatory minimum prison term or, in the case of transfers to people under age 18, an additional six-year mandatory minimum (CGS §§ [53-202b](#) and [53-202c](#), as amended by PA 13-3).

For exceptions to the assault weapons ban, see Appendix 2.

Assault Weapon Defined

The law, as amended by PA [13-3](#), 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 semiautomatic firearms, pistols, or centerfire rifles or copies or duplicates with their capability in production on or before April 4, 2013 (see Appendix 1);
3. any IZHMAISH Saiga 12 shotguns or copies or duplicates with their capability in production on or before April 4, 2013;
4. a semiautomatic pistol or semiautomatic centerfire rifle that has a fixed magazine that can hold more than 10 rounds;
5. a semiautomatic centerfire rifle shorter than 30 inches;
6. a semiautomatic shotgun that can accept a detachable magazine;
7. a semiautomatic shotgun that has both (a) a folding or telescoping stock and (b) a grip, including a pistol grip, thumbhole stock, or other stock that, when used, would allow a person to grip the weapon, resulting in any finger on the trigger hand and trigger finger being directly below any part of the action of the weapon when firing; and
8. a shotgun with a revolving cylinder.

The definition of an assault weapon includes any semiautomatic centerfire rifle that can accept a detachable magazine (one that can be removed without disassembling the firearm action) and has at least one of the following features:

1. a folding or telescoping stock;
2. a grip, such as a pistol grip, a thumbhole stock, or other stock, the use of which would allow an individual to grip the weapon, resulting in any finger on the trigger hand in addition to the trigger finger being directly below any portion of the action of the weapon when firing;
3. a forward pistol grip;

4. a flash suppressor; or
5. a grenade launcher or flare launcher.

The definition of an assault weapon also includes any semiautomatic pistol that has the ability to accept a detachable magazine and has at least one of the following features:

1. the ability to accept a detachable ammunition magazine that attaches at some location outside of the pistol grip;
2. a threaded barrel capable of accepting a flash suppressor, forward pistol grip, or silencer;
3. a shroud attached to, or that partially or completely encircles the barrel and permits the shooter to fire the firearm without being burned, except a slide that encloses the barrel; or
4. a second hand grip.

VR:mp

Appendix 1

Table 1: List of Assault Weapons Named in Statutes

<i>Weapon Name</i>	
Algimec Agmi	Heckler & Koch HK-91, HK-93, HK-94 and SP-89
AK-47 or -74*	Holmes MP-83
AKM*	Intratec TEC-DC9 & AB 10*
AKS-74U*	Intratec TEC-9 and Scorpion
American Spirit AR-15*	I.O. Inc. Hellpup AK-47*
AR-10 or -15*	I.O. Inc. PPS-43C*
ARM*	Iver Johnson enforcer model 3000
Armalite AR-180	IZHMASH Saiga AK*
Armalite M 15*	Kel-Tec PLR-16 Pistol*
Australian Automatic Arms SAP pistol	Kel-Tec Sub-2000, SU rifles, and RFB*
Auto-Ordnance Thompson type	MAC-10, MAC-11, and MAC 11 carbine type
Avtomat Kalashnikov AK-47 type	MAADI AK 47*
Barrett M107A1 or REC7*	MAK90*
Barrett Light-Fifty model 82A1	Masterpiece Arms MPA pistols*
Beretta AR-70	Mini-Draco AK 47*
Beretta Storm*	MISR*
Bushmaster auto rifle	NHM90 & NHM91*
Bushmaster auto pistol	Norinco 56, 56S, 84S, & 86S*
Bushmaster Carbon 15*	Olympic Arms AR-15, A 1, CAR, PCR, K3B, K30R, K16, K48, K8, & K9 rifles*
Bushmaster XM 15 *	Poly Technologies AKS and AK 47*
Bushmaster ACR rifles*	Remington tactical Rifle Model 7615*
Bushmaster MOE rifles*	Rock River Arms LAR-47*
Calico Liberty III and III Tactical Pistols*	Rock River Arms LAR 15*
Calico Liberty 50, 50 Tactical 100, 100 Tactical, I, 1 Tactical, II and II Tactical Rifles*	Ruger Mini-14/5F folding stock model
Calico Models M-900, M-950, and 100-P	SA 85 or SA 93*
Chartered Industries of Singapore SR-88	SAR-8, SAR-4800, SR9*
Chiappa Firearms Mfour-22*	Scarab Skorpion
Centurion 39 AK*	SIG 57 AMT and 500 series
Colefire Magnum*	SIG Sauer P516 and P556 pistols*
Colt AR-15	Sig Sauer 551-A1, 556, 516, 716, and M 400 Rifles*
Colt Match target Rifles*	SLG 95*
Colt Sporter	SLR 95 or 96*
Daewoo AR 100 and AR 110C*	Smith and Wesson M&P15 rifles*
Daewoo K-1, K-2, Max-1 and Max-2	Spectre Auto Carbine

Table 1 (continued)

Weapon Name	
Doublestar AR rifles*	Spectre auto pistol
Doublestar Corporation AR*	Springfield Armory BM59, SAR-48 and G3
DPMS AR-15*	Sterling MK-6 and MK-7
DPMS Tactical rifles*	Steyr AUG
Draco AK-47*	Street Sweeper and Striker 12 revolving cylinder shot gun
DSA SA58 PKP FAL*	Thompson TA 5 pistols*
Encom MK-IV, MP-9, and MP-45	TNW M230 and M2HB*
Fabrique Nationale/F/N 308 Match and L1A1 Sporter*	USAS-12
Fabrique Nationale FN/FAL, FN/LAR, or FN/FNC	UZI carbine
FAMAS MAS 223	UZI mini-carbine
Feather AT-9 and Mini-AT	UZI pistol
Federal XC-900 &XC-450	Valmet M62S, M71S & M78S*
Franchi SPAS-12 & LAW 12	Vector Arms AK-47 or UZI*
Galil AR & ARM	Velocity Arms VMA pistols*
Galil and Galil Sporter*	VEPR*
German Sport 522PK*	WASR-10*
Goncz High-Tech carbine	Weaver Arms Nighthawk
Gonz High-Tech long pistol	Wilkinson "Linda" pistol
HCR AK-47*	Wilkinson Arms Linda Carbine*
Hi-Point Carbine Rifles*	WUM*
HK USC*	Yugo Krebs Krink*
HK-PSG-1*	

*Weapons added by PA [13-3](#). The ban applies to the named weapons or copies of duplicates with their capability in production on or before April 4, 20

Appendix 2

EXCEPTIONS TO THE ASSAULT WEAPONS BAN

Law Enforcement and Military

The law, as amended by PA [13-3](#), allows the sale of assault weapons to DESPP, the Department of Correction, police departments, and the state and U.S. military for use (1) in the discharge of their official duties or (2) off duty. It allows possession by members and employees of these entities for official use. It also allows sales to and possession by employees of a Nuclear Regulatory Commission licensee operating a nuclear power plant in Connecticut and any person, firm, corporation, contractor, or subcontractor providing security at the plant, for use in the discharge of their official duties.

Manufacturers

Any person, firm, or corporation engaged in the business of manufacturing assault weapons in Connecticut may manufacture or transport them for sale in state to exempt parties or out of state (CGS § [53-202i](#), as amended by PA [13-3](#)).

Select Pre-1994 Rifles

By law, assault weapons not listed by name but defined by feature under the law prior to the passage of PA [13-3](#) are exempt from the assault weapons transfer and registration requirements if they were legally manufactured before September 13, 1994 (CGS § [53-202m](#)). PA [13-3](#) retained the exemption but eliminated the referenced provisions describing the features. Thus, the status of these pre-1994 weapons is unclear.

Other Exemptions

In addition to assault weapon owners, who may possess duly registered weapons under prescribed circumstances, the law allows possession of registered assault weapons by (1) estate executors or administrators under prescribed circumstances or as authorized by the probate court, (2) licensed gun dealers for servicing and repair, and (3) gunsmiths employed by a licensed gun dealer or a federally licensed gunsmith with whom the dealer contracts to provide gunsmithing services and who also has a permit to sell handguns.