

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 13-3—SB 1160

Emergency Certification

**AN ACT CONCERNING GUN VIOLENCE PREVENTION AND
CHILDREN'S SAFETY**

SUMMARY: This act makes extensive changes in the state's gun (firearm) laws. It also makes changes in (1) mental health insurance coverage and services and (2) security measures for K-12 public schools and institutions of higher education.

The act, among its major gun provisions:

1. significantly expands the state's assault weapons ban (§§ 25-31);
2. with exceptions, bans the sale or purchase, and restricts the possession, of large capacity magazines (LCMs) that can hold more than 10 rounds of ammunition (§§ 23-24);
3. requires anyone convicted of an offense involving the use of a deadly weapon to register with the Department of Emergency Services and Public Protection (DESPP) for five years (§§ 18-22);
4. expands the ban on the sale or other transfer of armor-piercing bullets and prohibits, with exceptions, the transport of a firearm loaded with an armor-piercing bullet or incendiary .50 caliber bullet (§ 32);
5. subjects private sales of long guns (shotguns and rifles), like gun dealer sales of such firearms, to DESPP regulation, including requiring purchasers to undergo a national criminal background check (§ 1);
6. generally requires anyone buying ammunition or ammunition magazines to have a state-issued gun credential and be at least age 18 (§ 14);
7. increases the penalty for gun trafficking and several other gun crimes (§§ 42-50 & 52-53);
8. adds two members to the Board of Firearms Permit Examiners (Firearms Board)—a Department of Mental Health and Addiction Services (DMHAS) nominee and a retired Superior Court judge (§ 60);
9. expands the circumstances in which mental health history disqualifies a person for a gun permit or other gun credential (§§ 8, 10-11, & 57-58);
10. extends certain provisions regarding firearm seizure and disqualifying offenses to ammunition (§§ 33-41 & 44); and
11. appropriates \$1 million to DESPP for FY 14 to fund the statewide firearms trafficking task force (§ 63).

Among its mental health provisions, the act creates a 20-member task force to study the provision of behavioral health services in Connecticut and report to the legislature by February 1, 2014.

The act makes various changes to the process for grieving adverse determinations (i.e., claims denials) by health insurers. Among other things, it reduces the time health insurers have to (1) make initial determinations on requests for treatments for certain mental health or substance abuse disorders and

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(2) review claim denials and other adverse determinations of such requests. It expands the role of, and qualifications required for, health care professionals who evaluate the appropriateness of adverse determinations. The act also requires the insurance commissioner to seek input on methods the department might use to check for compliance with state and federal mental health coverage parity laws and report on these issues to the Insurance and Public Health committees.

The act requires DMHAS to:

1. administer a mental health first aid training program, in consultation with the State Department of Education (SDE);
2. implement an assertive community treatment (ACT) program in three cities (in addition to those currently operating in Manchester, Middletown, New Britain, and Norwich); and
3. provide case management and care coordination services to up to 100 people with mental illness involved in the probate court system and not receiving such services.

The act requires the Department of Children and Families (DCF) commissioner, by January 1, 2014, to establish and implement a regional behavioral health consultation and care coordination program for primary care providers who serve children.

The act also (1) creates a new council to establish new school safety infrastructure standards, (2) authorizes up to \$15 million in bonds for a new competitive grant program for school safety projects, and (3) establishes a procedure leading to new requirements under the school construction law (§§ 80-85).

It requires school districts to perform a number of new school safety activities, including establishing safety and security plans and committees for each school.

The act requires public and independent institutions of higher education to develop campus security plans, undergo safety audits, and form campus threat assessment teams.

It (1) requires mental health first aid training for school district staff, (2) gives safe school climate committees new responsibilities, (3) creates a school security consultant registry, and (4) changes the law regarding civil service testing for UConn and state university police. (The civil service provision was repealed by PA 13-247.)

It repeals an unused \$3 million bond authorization, initially created in 2007 for a school security infrastructure program.

Lastly, the act makes numerous technical and conforming changes.

(PA 13-220 modifies many of the act's provisions pertaining to firearms, including many of those noted in this summary, and makes other changes.)

EFFECTIVE DATE: Various, see below.

§ 1 — LONG GUN SALES

Procedures Governing Private Long Gun Sales and Other Transactions

The act makes numerous changes in the laws governing long guns. Among other things, it (1) establishes age restrictions for long gun sales or transfers; (2)

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generally requires anyone acquiring a long gun to have a state-issued gun credential; and (3) subjects long gun sales and other transfers by non-dealers (sometimes called private or secondary sales), which were unregulated under prior law, to DESPP regulation, including criminal history background check and record retention requirements. (A provision in existing law seemingly meant to impose criminal background check requirements on private sales of long guns at gun shows was ambiguous.) (PA 13-220 revises several of these provisions, including adding and modifying exemptions, and makes additional changes.)

§ 1(b) — Minimum Age Established for Long Gun Sales

The act bars gun dealers from selling, delivering, or transferring long guns to anyone under age (1) 18 or (2) with some exceptions, 21, if the long gun is a semiautomatic centerfire rifle that has or can accept a magazine that can hold more than five rounds of ammunition. This stricter limitation does not apply to the transfer of such firearms to the following for use in the discharge of their duties: (1) employees or members of local police departments, DESPP, or the Department of Correction (DOC) or (2) state or U.S. Armed Forces members (servicemembers).

The act does not explicitly address long gun sales or transfers by nondealers to minors. But under the act, one must generally have a state-issued gun credential to acquire a long gun from anyone, dealer or nondealer, and the minimum age for getting this credential is 18 (see § 1(c) and § 2 below).

§ 1(c) — State-Issued Credential Required to Acquire Long Gun

Beginning April 1, 2014, the act requires anyone acquiring a long gun, including an antique long gun, whether from a gun dealer or nondealer, to present a valid state-issued credential, namely a (1) permit to carry a handgun (gun permit), (2) permit to sell handguns at retail (gun dealer permit), (3) handgun eligibility certificate, or (4) long gun eligibility certificate, which the act creates. It exempts federal marshals, parole officers, and peace officers from this requirement. (PA 13-220, § 12, eliminates the exemption for federal marshals and parole officers.)

Under prior law, no credential was required to buy a long gun, but anyone without a credential buying a long gun, except an antique firearm, from a dealer had to wait two weeks for its delivery, unless he or she was (1) an active U.S. Armed Forces member or reservist or (2) a federal marshal, parole officer, or peace officer. In a conforming change, the act eliminates the two-week waiting period, starting April 1, 2014—the date the requirement to present a state-issued credential for all non-exempt long gun purchases take effect (§§ 1(d) & (g)). Until this date, the act extends the two-week waiting period to anyone acquiring a long gun from a nondealer, unless he or she is exempt or has the requisite state-issued gun credential.

§ 1(e) & (f) — National Instant Criminal Background System Check (NICS check) and Other Requirements for Long Gun Acquisitions

Existing law requires DESPP to make every effort, including performing a

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NICS check, to ensure that a person applying to buy a long gun from a gun dealer is eligible to acquire the firearm. Also, gun dealers must get a DESPP authorization number to sell or deliver the firearm.

The act requires nondealers, before transferring, selling, or delivering a long gun to anyone, except to specified firearm licensees, to either get (1) a DESPP authorization number for the transaction or (2) an eligibility determination under a NICS check conducted by a gun dealer who has consented to perform the check.

If the transferor chooses the first option, the:

1. prospective buyer or transferee must complete a DESPP firearm purchase application and undergo a NICS check;
2. prospective seller or transferor must document the transaction with DESPP and maintain copies of the record for at least 20 years, available for inspection by law enforcement officials;
3. prospective seller or transferor must get DESPP authorization for the transaction;
4. firearm must be unloaded and securely packaged when transferred; and
5. prospective buyer or transferee must sign a sales receipt when he or she gets the firearm.

The act adds a buyer's date and place of birth and delivery or transfer date to the information already required on the sales receipt, namely, the (1) buyer's name and address; (2) firearm make, model, serial number, caliber, and general description; and (3) firearm sale date (§1(d)).

Dealer-Initiated NICS Checks. Starting on January 1, 2014, either the prospective transferor or transferee may ask a gun dealer to conduct the NICS check, and the gun dealer may (but is not required to) do so, and charge up to \$20 for the service (§ 1(f)).

The requestor must provide the prospective transferee's name, gender, race, date of birth, and state of residence to the gun dealer who consents to do the check. If necessary to verify the transferee's identity, either party may also provide a unique number, such as the transferee's Social Security number, and additional identifiers, such as the person's height, weight, eye and hair color, and place of birth. The prospective transferee must also show the dealer his or her state-issued gun credential (§ 1(f)(1)). (PA 13-220 provides for a dealer-initiated NICS check through DESPP and lifts the \$20 fee cap for the service.)

The dealer must initiate the NICS check by contacting the NICS operations center and immediately notifying the prospective transferor or transferee of its response. If the response indicates that the prospective transferee is eligible to receive the firearm, the prospective transferor may sell, deliver, or transfer it; otherwise, he or she cannot do so (§ 1(f)(2)).

When a transaction is completed after a dealer-initiated NICS check, either the transferor or transferee must provide the following information on a DESPP-prescribed form, the:

1. transferor's name, address, and gun permit or certificate number, if any;
2. transferee's name, address, date and place of birth, and gun permit or certificate number, if any;
3. sale, delivery, or transfer date;

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4. caliber, make, model, and serial number and a general description of the gun; and
5. NICS transaction number.

Record Transmission and Retention Requirements for Long Gun Transactions. The act imposes similar transmission and retention requirements on the sales receipt for a long gun sold by a private individual as already apply to those sold by gun dealers, namely that the seller transmit one copy to the DESPP commissioner and one to the transferee's police chief within 24 hours of the sale or transfer, and maintain one copy for at least five years (§§ 1(d) and 1(f)(3)).

Penalties for Violating the Long Gun Provisions

Prior law did not specify a penalty for the sale of long guns by a dealer in violation of the law's requirements. The act generally makes it a class D felony (see Table on Penalties) for anyone, whether a gun dealer or private individual, to violate such requirements or any of the provisions specified above pertaining to long gun sales. It makes it a class B felony if the transferor knows that the firearm is stolen or manufacturer's number or serial number has been altered, removed, or obliterated. In addition to these felony penalties, anyone who violates the act's or existing law's requirements for long gun sales must forfeit any long guns he or she possesses (§ 1(j)).

The act allows a court to suspend prosecution for a first-time minor violation of these provisions, under the same procedures as apply to such suspensions under existing law for handgun sale violations (§ 1(i)).

Exemptions

The above provisions do not apply to the sale, delivery, or transfer of long guns between federally licensed (1) manufacturers and gun dealers, (2) importers and gun dealers, and (3) gun dealers (§ 1(h)).

EFFECTIVE DATE: Upon passage

§§ 2-7 — LONG GUN ELIGIBILITY CERTIFICATE

§ 2 — Eligibility Criteria for Getting a Long Gun Certificate

An applicant for a long gun eligibility certificate must be at least age 18. With the exception of the minimum age requirement, the eligibility criteria for getting a long gun eligibility certificate are the same as those for getting a handgun eligibility certificate under existing law and the act. (By law, an applicant for a handgun eligibility certificate must be at least age 21.)

The act requires the DESPP commissioner to issue the certificate unless he finds that the applicant:

1. has failed to successfully complete a DESPP-approved course in firearm use and safety;
2. was discharged from custody in the preceding 20 years after a finding of not guilty of a crime by reason of mental disease or defect;
3. was confined by the probate court to a psychiatric hospital at any time in the 60 months before applying for a certificate;

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4. was voluntarily admitted to a psychiatric hospital within the preceding six months for care and treatment of a psychiatric disability and not solely for alcohol or drug-dependency;
5. is subject to a restraining or protective order involving the use, attempted use, or threatened use of physical force;
6. is subject to a firearms seizure order, after notice and hearing;
7. is prohibited by federal law from possessing, receiving, shipping, or transporting firearms because he or she was adjudicated a “mental defective” or committed to a mental institution;
8. is an illegal alien or unlawfully in the country;
9. has been convicted of a serious juvenile offense; or
10. has been convicted of any felony or specified misdemeanors.

Disqualifying Misdemeanors. The disqualifying misdemeanors are:

1. criminally negligent homicide (excluding deaths caused by a motor vehicle);
2. third-degree assault;
3. third-degree assault of a blind, elderly, disabled, or pregnant person or person with intellectual disability;
4. second-degree threatening;
5. first-degree reckless endangerment;
6. second-degree unlawful restraint;
7. first-degree riot;
8. second-degree riot;
9. inciting to riot;
10. second-degree stalking; and
11. a first violation for possessing (a) more than one-half ounce but less than four ounces of marijuana or (b) certain other controlled substances.

(PA 13-220, § 15, stipulates that the misdemeanor conviction must have occurred on or after October 1, 1994 to be considered a disqualifier.)

§§ 3 & 4 — *Certificate Fee and Application Procedure*

Certificate Fee and Validity. The long gun eligibility certificate, like the existing handgun eligibility certificate, (1) is issued by the State Police, (2) is valid for five years, and (3) costs \$35 to get and renew (§ 4). (But there is no provision for a temporary long gun eligibility certificate as there is for a handgun eligibility certificate.) The fees must be credited to a separate nonlapsing DESPP account for the purposes of issuing long gun eligibility certificates (§ 4).

Application Procedure. The act subjects applications for a long gun eligibility certificate to the same process governing applications for a handgun eligibility certificate. Thus, applicants must complete a DESPP-prescribed application, providing the DESPP commissioner with full information on their criminal record and relevant mental health history, and the commissioner must take their fingerprints or other means of positive identification required by the State Police Bureau of Identification or Federal Bureau of Investigation (FBI).

The commissioner must (1) conduct state and national criminal history record checks on applicants and (2) not later than 60 days after getting the FBI results,

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either approve the application and issue the certificate or deny it and notify the applicant in writing of the reason for the denial. He must prescribe the form and content of the certificate, which must contain an identification number; a full-face photograph of the applicant; and his or her name, address, place and date of birth, height, weight, and eye color. The applicant must sign the certificate.

A certificate owner who changes his or her address must notify the DESPP commissioner of the new and old addresses not later than two business days after the change.

§ 3(d) — Name and Address of Long Gun Certificate Owner Confidential

The name and address of anyone issued a long gun eligibility certificate, like the handgun eligibility certificate or permit under existing law, are confidential, except that the (1) information is disclosable to law enforcement officials, including U.S. probation officers performing their duties; (2) DESPP commissioner may disclose it to the extent necessary to comply with a request to verify the validity of a prospective gun buyer's gun credential; and (3) information may be disclosed to the DMHAS commissioner to carry out her statutory gun-related responsibilities.

§ 5 — Long Gun Eligibility Certificate Revocation and Surrender

The act requires the DESPP commissioner to revoke a long gun eligibility certificate, just like a handgun eligibility certificate, upon the occurrence of any event that would have caused him to deny the certificate. If he revokes a certificate, he must notify the owner in writing and the owner must surrender the certificate to him. Failure to surrender the certificate within five days of such written notification is a class A misdemeanor (see Table on Penalties).

§ 6 — Appeals of Adverse Action on Long Gun Eligibility Certificate

Anyone aggrieved by an adverse action on a long gun eligibility certificate or application, including any limitation or revocation, may appeal to the Firearms Board, following statutory procedures for appealing decisions on existing gun credentials.

§ 7 — State Gun Database

By law, the DESPP commissioner must establish a state gun database that people who sell or otherwise transfer handguns can access by telephone or other electronic means to get information immediately on whether a gun permit, gun dealer permit, or handgun eligibility certificate is valid. The act provides the same access to check the validity of long gun eligibility certificates.

EFFECTIVE DATE: July 1, 2013

§ 9 — SALE OF CONTRABAND LONG GUNS AT AUCTION

By law, the state may sell at public auction any gun that the court determines to be contraband. Under prior law, long guns could be sold at such auctions only to people qualified under federal law to buy them. The act requires the purchaser

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to have a long gun eligibility certificate as well.
EFFECTIVE DATE: July 1, 2013

§§ 8, 10-11, & 57-58 — MENTAL HEALTH AND ELIGIBILITY FOR GUN CREDENTIALS

The act broadens the mental health provisions that disqualify a person for a gun permit or handgun eligibility certificate. The same prohibitions also apply under the act to the long gun eligibility certificate. The prohibitions also apply to the ammunition certificate created by the act, because, under the act, the DESPP commissioner must deny such a certificate to someone who would be ineligible for a long gun eligibility certificate.

Under prior law, a person confined in a psychiatric hospital by Probate Court order within the preceding 12 months of an application was ineligible for a gun permit or eligibility certificate. The act extends this period to 60 months.

The act also makes ineligible any person who voluntarily admitted himself or herself to a psychiatric hospital during the preceding six months. (The act specifies that for a handgun permit or handgun eligibility certificate, this only applies to voluntary admissions on or after October 1, 2013.) But someone is not ineligible solely due to a voluntary admission for alcohol or drug treatment.

The act makes conforming changes to the responsibilities of the DESPP and DMHAS commissioners and psychiatric hospitals regarding such voluntary admissions. Thus, as was already the case regarding involuntary commitments occurring within the applicable period:

1. DMHAS must maintain information on such voluntary admissions, and make that information available to the DESPP commissioner to carry out his obligations pertaining to gun credentials (DESPP must otherwise keep the information confidential);
2. the DESPP commissioner must verify from DMHAS that a person applying for a gun credential was not subject to such a voluntary admission, and DMHAS must report such information to DESPP;
3. if the DESPP commissioner determines that an applicant was subject to voluntary admission, he must report the status of the person's application to DMHAS;
4. the DMHAS commissioner must obtain from DESPP the status of any such application for anyone who has been voluntarily admitted;
5. DMHAS must advise the psychiatric hospital to which a person has been voluntarily admitted of the status of a gun application, as reported by DESPP; and
6. the DMHAS commissioner and the hospital must maintain as confidential any such information they receive on the status of permit applications.

As part of this process, the act requires psychiatric hospitals, without delay, to notify the DMHAS commissioner when a person is voluntarily admitted to the hospital for care and treatment of a psychiatric disability, other than admission solely for alcohol or drug treatment. The hospital must at least provide the person's name, address, sex, date of birth, and date of admission.

EFFECTIVE DATE: The provisions changing the eligibility criteria for handgun

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permits and eligibility certificates, and requiring psychiatric hospitals to notify DMHAS about voluntary admissions, are effective October 1, 2013; the other provisions are effective July 1, 2013.

§§ 12 & 13 — TECHNICAL AND CONFORMING CHANGES

These sections make technical and conforming changes.
EFFECTIVE DATE: Upon passage

§ 14 — SALE OF AMMUNITION AND MAGAZINES

The act generally prohibits the sale of ammunition or ammunition magazines to anyone under age 18. It defines (1) “ammunition” as a loaded cartridge, consisting of a primed case, propellant, or projectile, designed for use in any firearm and (2) “ammunition magazine” as a firearm magazine, belt, drum, feed strip, or similar device that accepts ammunition.

The act creates an ammunition certificate (see below) and, starting October 1, 2013, it generally prohibits the sale of ammunition or ammunition magazines to anyone unless the buyer presents to the seller:

1. a gun permit, gun dealer permit, or long gun or handgun eligibility certificate or
2. an ammunition certificate and a driver’s license, passport, or other valid government-issued identification that contains his or her photograph and date of birth.

A violation is a class D felony.

These restrictions and requirements do not apply to sale, delivery or transfer of ammunition between federally licensed gun (1) dealers, (2) manufacturers and dealers, or (3) importers and dealers.

(PA 13-220 expands the exemptions to the ban on the sale of ammunition and ammunition magazines.)

EFFECTIVE DATE: Upon passage

§§ 15-17 — AMMUNITION CERTIFICATE LIMITATIONS

Under the act, the minimum age for applying for an ammunition certificate is 18, the same as for the long gun eligibility certificate. An applicant must ask the DESPP commissioner to issue the certificate and to conduct a national criminal history record check, using only the person’s name and date of birth. (PA 13-220, § 13(b), requires a state, rather than a national, criminal history records check.)

After conducting the check, the commissioner must issue the certificate unless he determines, based on the results, that the person would be ineligible to get a long gun eligibility certificate. To be ineligible for an ammunition certificate based on a misdemeanor conviction, the conviction must be for a violation committed on or after July 1, 2013. (PA 13-220, § 18, allows appeals of ammunition certificate decisions to the Firearms Board.)

The certificate must be in a form prescribed by the DESPP commissioner. It must contain an identification number and the certificate holder’s name, address,

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date of birth, and signature.

The act’s provisions on ammunition certificates are substantially the same as those that apply to handgun and long gun eligibility certificates under existing law and the act. This includes (1) circumstances under which the DESPP commissioner must revoke a certificate; (2) the requirement for a certificate holder to report address changes to the commissioner; and (3) confidentiality of the person’s name and address, with exceptions.

The fee to get or renew the ammunition certificate, like the handgun or long gun eligibility certificate, is \$35, and the certificate is valid for five years. The act stipulates that, in the case of the ammunition certificate, this fee is in addition to fees for the background check. (It does not contain a similar stipulation for the other certificates.)

Unlike the case with the handgun and long gun eligibility certificates, the DESPP commissioner is not required to notify ammunition certificate holders at least 90 days in advance of the date the ammunition certificate is set to expire.

EFFECTIVE DATE: July 1, 2013

§§ 18-22 — ESTABLISHMENT OF DEADLY A WEAPON OFFENDER REGISTRY

By January 1, 2014, the act requires DESPP to establish and maintain a registry of people convicted, or found not guilty by reason of mental disease or defect, of an offense committed with a deadly weapon, notwithstanding any pending appeal (§ 18(b)).

By law, a “deadly weapon” is a weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles.

Under the act, an offense committed with a deadly weapon means a violation of any (1) of specified statutes or (2) felony statute, provided the court finds that, at the time of the offense, the offender used a deadly weapon, or was armed with and threatened to use, displayed, or represented by words or conduct that he or she possessed, a deadly weapon (§ 18(a)(8)). The act requires the court, before accepting a guilty or nolo contendere (no contest) plea for a deadly weapon offense, to inform the person of the registration consequences of the plea and determine that he or she fully understands them (§ 19(a)(2)).

Table 1 lists the offenses the act designates as deadly weapon offenses.

Table 1: Deadly Weapon Offenses

<i>Offense</i>	<i>CGS §</i>
Interference with the legislative process (i.e., bring firearm or other specified weapon into legislative chamber or other specified related places)	2-1e(c)
Possess or carry a handgun where prohibited by law or the person who owns or control the premises	29-28(e)

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Sell or otherwise transfer handgun to ineligible person or in violation of transfer procedures; buy handgun without credential, or fail to document handgun transfer with DESPP	29-33(a) to (e)
Sell or transfer handgun in violation of statutory procedures knowing the firearm was stolen or manufacturer's mark has been altered or removed	29-33(i)
Make false statement or give false information in connection with purchase, sale, delivery or other transfer of handgun	29-34
Illegally sell, barter, hire, lend, give, deliver, or otherwise transfer handgun to anyone under age 21	29-34
Carry a handgun without a permit	29-35(a)
Remove, deface, alter, or obliterate the name of any maker or model or any maker's number or other identification mark on any firearm	29-36
Failure to transfer, deliver, or surrender guns or ammunition by persons ineligible to possess them	29-36k
Violation of transfer procedures or age restrictions for long guns; failure to document transfer	29-37a
False statement or information in connection with sale or transfer of long gun	29-37e
Noncompliance with law governing sale, delivery, or transfer of firearms at gun show	29-37g(c)
Buy firearm intending to transfer it to ineligible person ("strawman purchase")	29-37j
Ineligible person soliciting, employing, or assisting anyone in strawman purchasing	29-37j
Possess or use a machine gun in the perpetration or attempted perpetration of a violent crime	53-202(b)
Use or possess a machine gun for an offensive or aggressive purpose	53-202(c)
Transfer, sell, or give a machine gun to a person under age 16	53-202(c)
Failure to register machine gun	53-202(g)
Illegally sell, give, distribute, transport, or import assault weapon	53-202b
Illegally possess assault weapon	53-202c
Failure to report the loss or theft of a firearm (second or subsequent violation)	53-202g
Commit a class A, B, or C felony with an assault weapon	53-202j
Commit an A, B, or C felony with firearm other than assault weapon	53-202k
Knowingly distribute, transport, import, or keep for sale armor-piercing or incendiary .50 caliber bullet	53-202l
Gun trafficking	53-202aa
Unlawful training in use of firearms, explosives, or incendiary devices or techniques capable of causing injury	53-206b
Sell, deliver, or provide firearm to another person to engage in conduct constituting an offense knowing or under circumstances in which he or she should know that such other person intends to use such firearm in such conduct	53a-8(b)
1 st degree manslaughter with a firearm	53a-55a

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2 nd degree manslaughter with a firearm	53a-56a
2 nd degree assault with a firearm	53a-60a
2 nd degree assault of an elderly, blind, disabled, or pregnant person or a person with intellectual disability with a firearm	53a-60c
3 rd degree sexual assault with a firearm	53a-72b
1 st degree kidnapping with a firearm	53a-92a
2 nd degree kidnapping with a firearm	53a-94a
2 nd degree burglary with a firearm	53a-102a
3 rd degree burglary with a firearm	53a-103a
Possession of a sawed-off shotgun or silencer	53a-211
Stealing a firearm	53a-212
Criminal use of a firearm or electronic defense weapon	53a-216
Criminal possession of a firearm or electronic defense weapon or ammunition	53a-217
Criminally negligent storage of a firearm	53a-217a
Illegal possession of a weapon on school grounds	53a-217b
Criminal possession of a handgun	53a-217c

Registration

People Required to Register. Anyone convicted, or found not guilty by reason of mental disease or defect, of a deadly weapon offense and released into the community on or after January 1, 2014, must register with DESPP within 14 calendar days after being released. Anyone in the DOC commissioner’s custody must register before release as the DOC commissioner directs (§ 19). The obligation to register applies whether the person lives in Connecticut or out of state or the case is on appeal. If a registrant reports a residence in another state, DESPP may notify the State Police or other agency that maintains a registry, if known (§ 18(b)). The registration is for five years (§ 19(a)).

Registration Procedure. At the time of registration, DESPP must photograph him or her, arrange for him or her to be fingerprinted, and include the photograph and a complete set of fingerprints in the registry. If the offender, by law, is required to provide a blood or other biological sample for DNA analysis and has not done so, the commissioner must also require him or her to provide the sample (§ 20(c)).

Registration Form and Contents. In cooperation with DOC, the Office of the Chief Court Administrator, and the Psychiatric Security Review Board, DESPP must develop appropriate forms for agencies and individuals to use to report registration information, including address changes (§ 18(b)). Registrants must provide registration information on forms and at a location the DESPP commissioner indicates.

The information must include:

1. the offender’s name, including any other name by which he or she has been legally known or aliases;
2. identifying information, including a physical description;
3. current home and email address;
4. criminal history record, including a description of the offense and conviction date; and

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5. the date of release from incarceration, if the offender served a prison term (§ 20).

DESPP may require offenders to provide documentation to verify the registration information (§ 20). DESPP must include in the registry the most recent photograph of each registrant taken by DESPP, DOC, a law enforcement agency, or the Judicial Branch's Court Support Services Division (§ 18(d)). The offender must sign and date the registration and DESPP must maintain it for five years (§§ 19(a) & 20).

Recording Registration Information. On receipt of registration information, DESPP must enter it in the registry and inform the local police department or state police troop having jurisdiction where the registrant lives or plans to relocate, as applicable. If the registration information involves an address change, DESPP must also inform the department or troop of the registrant's previous address and where he or she plans to relocate (§ 18(b)).

A registrant who changes his or her name or address must notify the DESPP commissioner in writing of the changes, without undue delay (§ 19(a)(3)). Also, DESPP must revise a registrant's information whenever the court notifies the commissioner that it has issued an order for a registrant's name change (§ 18(e)). The act treats being on the deadly weapon offender registry the same as being on the sex offender registry with respect to court approval of name changes.

The act requires the DESPP commissioner to develop a protocol for notifying other state agencies, the Judicial Branch, and local police departments whenever (1) a registered person changes his or her name and notifies him or (2) he determines, after being notified by the court, that a registered person has changed his or her name (§ 18(f)). (The person must notify DESPP of his or her intent to file a change of name application with the court, and DESPP may challenge the application. If the court approves the application, it must notify DESPP.)

The commissioner must ensure that the name and home address of each registrant is available through the Connecticut On-Line Law Enforcement Communication Teleprocessing system (§ 18(b)).

During the registration period, registrants must (1) complete and return any forms mailed to them to verify their home address and (2) retake photographs if the DESPP commissioner requests this (§ 19(a)(3)).

§ 18(c) — Registration Suspension

DESPP may suspend the registration of anyone incarcerated, under civil commitment, or living out of state, and withdraw law enforcement access to registration information during that period. When the registrant is released from incarceration or civil commitment or resumes living in the state, DESPP must reinstate the registration and redistribute the registration information in accordance with the act. Suspension of registration does not affect the expiration date of the registration.

§ 18(g) — Confidentiality of Deadly Weapon Offender Registry Information

The registry information is not a public record for purposes of the Freedom of Information Act. It is disclosable only as authorized under PA 13-3. If disclosed,

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any further disclosure must be as authorized under the registration provisions.

§ 19 (b), (c) — Registration Updates

People required to register must do so annually within 20 calendar days after each anniversary date of the initial registration date. They must go to the local police department or state police troop in whose jurisdiction they live to verify and update the registration, as appropriate. The department or troop, as applicable, may defer the appearance to a later date for good cause. Not later than 30 calendar days before each anniversary date, DESPP must mail written notice of the requirement to the registrant and applicable police department or troop. Within 30 calendar days after the anniversary date, the troop or department must notify the commissioner on DESPP-prescribed forms whether the registrant appeared. If the registrant's appearance was deferred, the form must show the new date and describe the good cause for the deferral.

Failure to (1) inform the DESPP commissioner of a name or address change or (2) register and update one's status as required is a class D felony (see Table on Penalties). But a person's failure to notify the commissioner without undue delay of a name or address change is subject to the penalty only if the failure continues for five business days.

EFFECTIVE DATE: January 1, 2014

§§ 23 & 24 — LARGE CAPACITY MAGAZINES

Effective April 4, 2013, the act, with exceptions, makes it a class D felony to keep, offer, or expose LCMs for sale; transfer LCMs; or to buy, distribute, or bring them into Connecticut.

The act defines a "large capacity magazine" as any firearm magazine, belt, drum, feed strip, or similar device that can hold, or can be readily restored or converted to accept, more than 10 rounds of ammunition. It excludes:

1. feeding devices permanently altered so that they cannot hold more than 10 rounds,
2. .22 caliber tube ammunition feeding devices,
3. tubular magazines contained in a lever-action firearm, and
4. permanently inoperable magazines.

People who possess LCMs before January 1, 2014 can keep them if they apply to declare them to the DESPP commissioner by January 1, 2014. Beginning January 1, 2014, the act, with exceptions, makes it a crime to possess an undeclared LCM. Anyone who possesses an undeclared LCM on or after January 1, 2014 lawfully obtained before April 4, 2013 is guilty of (1) an infraction punishable by a \$90 fine for a first offense and (2) a class D felony for a subsequent offense. Anyone who possesses an undeclared LCM after January 1, 2014 that was obtained on or after April 4, 2013 is guilty of a class D felony (§ 23(c)).

The court may order suspension of prosecution of violations of the above LCM provisions in accordance with the act if it finds that the violation was not serious and the violator (1) will probably not offend again, (2) has not previously

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been convicted of a violation of the provisions, and (3) has not previously had a prosecution for a violation suspended (§ 23(g)).

Exemptions from the LCM Ban

The following may possess, purchase, or import LCMs:

1. members or employees of DESPP, police departments, DOC, or the state or U.S. military (a) for use in the discharge of their official duties or (b) when off duty;
2. employees of a Nuclear Regulatory Commission (NRC) licensee operating a nuclear power plant in Connecticut, or any person, firm, corporation, contractor, or subcontractor, providing security at the plant;
3. in-state manufacturers of LCMs that manufacture or transport them in Connecticut to sell (a) to the above-mentioned exempt persons and entities or (b) out of state.

The following may also possess LCMs:

1. anyone who declared possession of the magazine;
2. executors or administrators of an estate that includes legally declared LCMs, which are disposed of as authorized by the probate court, if the disposition is otherwise permitted;
3. gun dealers; or
4. gunsmiths employed by gun dealers, who receive lawfully possessed LCMs for servicing or repair (§ 23(e)).

The act generally prohibits transfers of LCMs, but it allows the transfer of (1) declared LCMs by bequest or intestate succession, (2) LCMs to DESPP or local police departments, and (3) LCMs to gun dealers (§ 23(f)).

(PA 13-220 increases and modifies the exemptions to the LCM ban in several ways and makes other related changes.)

Declaring Possession of LCMs

Under the act, anyone who lawfully possessed an LCM before January 1, 2014, must apply to DESPP by January 1, 2014 to declare its possession in order to legally keep it. "Lawful possession" means (1) actual and lawful possession or (2) constructive possession under a lawful purchase of a firearm that contains an LCM that was transacted before April 4, 2013 even if the firearm was delivered after that date (§ 23(a)(2)). Servicemembers unable to apply by January 1, 2014 because they were out-of-state on official duty have 90 days after returning to Connecticut to declare possession of such magazines. (PA 13-220 defines what constitutes evidence of a "lawful purchase" for the purpose of determining constructive possession of an LCM, extends by one day the date for determining such possession, exempts certain enforcement agencies and others from the requirement to declare LCMs, and makes other related changes.)

Applications must be made on such form or in such manner as DESPP prescribes (§ 24 (a)). In addition to the prescribed LCM application, DESPP must design or amend the applications, or any renewal application, for existing gun credentials and long gun eligibility certificates to allow an applicant to declare possession of an LCM upon the same application. DESPP may adopt regulations

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to establish application procedures (§ 24(b) and (c)).

Name and Address of People Who Declare LCMs Confidential

The act makes confidential the names and addresses of people who declare possession of LCMs. The information is disclosable only to (1) law enforcement agencies and U.S. probation officers to carry out their duties and (2) the DMHAS commissioner to carry out statutory duties pertaining to gun laws (§ 24 (c)).

Restrictions on Declared LCMs

The act limits where a person can possess a declared LCM. The person may possess it only:

1. at his or her residence;
2. at his or her business place or other property he or she owns, provided the LCM does not contain more than 10 bullets;
3. at a target range of a public or private club or organization organized to practice target shooting;
4. at a target range that holds a regulatory or business license for practicing target shooting;
5. at a licensed shooting club;
6. while transporting the LCM between any of the above-mentioned places or to a gun dealer, provided the LCM contains no more than 10 bullets and is transported in compliance with the law as it applies to transporting assault weapons; or
7. under a valid handgun permit, provided the LCM (a) is in a handgun lawfully possessed by the person before April 4, 2013, (b) does not extend beyond the bottom of the pistol grip, and (c) contains no more than 10 bullets.

A violation of the restrictions on the possession of declared LCMs is a class C misdemeanor (§ 24(f)).

Nonresidents Who Move to Connecticut with LCMs

Anyone, except a member of the state or U.S. Armed Forces (servicemembers), who moves into Connecticut in lawful possession of an LCM has 90 days to either permanently disable it, sell it to a gun dealer, or take it out of state. Servicemembers transferred to Connecticut after January 1, 2014 in lawful possession of an LCM, may declare possession of it within 90 days after their arrival (§ 24(d)).

Dealer Responsibilities Regarding Transferred LCMs

The act requires gun dealers to whom an LCM is transferred to execute a certificate of transfer at the time of delivery.

For transfers made before January 1, 2014, the dealer must give DESPP monthly reports, on such form as the commissioner prescribes, on the number of transfers he or she has accepted.

For transfers made on or after January 1, 2014, the dealer must mail or deliver

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the transfer certificates to DESPP. The certificate of transfer must contain:

1. the LCM sale or transfer date;
2. the gun dealer and transferor's name and address and their Social Security or driver's license numbers, if applicable;
3. the gun dealer's federal firearms license number; and
4. a description of the LCM.

The gun dealer must present his or her federal firearms license and seller's permit to the seller or transferor of the LCM for inspection at the time of the purchase or transfer.

The commissioner must maintain a file of all certificates of transfer at his central office (§ 24(e)).

EFFECTIVE DATE: Upon passage

§§ 25-31 — ASSAULT WEAPONS

The act makes a number of changes largely to expand the number and types of weapons designated as assault weapons.

Effective April 4, 2013, the act expands the ban on assault weapons by, among other things, expanding the list of weapons banned by name, replacing the two-feature test that defined some weapons as assault weapons with a one-feature test, and banning some weapons based on their capacity to accept an LCM. For the weapons banned by name, the ban applies to any such weapon in production on or before April 4, 2013. For all other weapons, the ban applies regardless of the date the firearm was manufactured.

Anyone who, before April 4, 2013, lawfully possessed any of the newly banned weapons or other weapon subject to the act can keep it by applying to register it with DESPP by January 1, 2014, provided the person is eligible and otherwise in compliance with the assault weapons law (§ 27(d)). (PA 13-220 makes several substantive changes to the assault weapons provisions, including extending by one day the date for determining constructive possession of certain assault weapons, and expanding the exemptions to various provisions.)

Assault Weapon Definition and Exclusions

Prior law defined 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 (see BACKGROUND);
3. any unlisted semiautomatic rifle or pistol that can accept a detachable magazine (one that can be removed without disassembling the firearm action) and has at least two of five specified features (commonly called the two-feature test);
4. any semi-automatic shotgun that has at least two of four specified features; or
5. a part or combination of parts (a) designed or intended to convert a firearm into an assault weapon or (b) from which an assault weapon may be rapidly assembled if in the possession or under the control of the same

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person.

The act changes each part of this definition, except ## 1 & 5. It retains the list of semiautomatic weapons banned by name, bans additional ones by name, and modifies the feature-test ban and the type of weapons to which it applies. (PA 13-220, § 3, reinstates the prohibition on certain semiautomatic rimfire firearms.) Anyone who lawfully possessed and obtained a certificate of possession for (in effect, registered) an assault weapon possessed before October 1, 1993 that is also covered by the new definition is not required to get a new certificate for it.

Existing law specifically excludes from its definition of assault weapons certain assault weapons defined by criteria, rather than specific name, from the state transfer restrictions and registration requirements if they were legally manufactured before September 13, 1994 (CGS § 53-202m). It also allows possession of certain specified assault weapons obtained in good faith on or after October 1, 1993 and before May 8, 2002 and reported to DESPP before October 1, 2003 (CGS § 53-202n) (see BACKGROUND).

Rifles

Semiautomatic Centerfire Rifles Banned by Name. The act bans the following semiautomatic centerfire rifles, or copies or duplicates with the capability of such rifles, that were in production before or on April 4, 2013 (see Table 2).

Table 2: Semiautomatic Centerfire Rifles Banned by Name

AK-47 and -74	MAADI AK47
AKM	MAK90
AKS-74U	MISR
AR-10 and -15	NHM90 and NHM91
ARM	Norinco 56, 56S, 84S and 86S
Armalite M15	Olympic Arms AR-15, A1, CAR, PCR, K3B, K30R, K16, K48, K8 and K9 Rifles
Barrett M107A1 or REC7	Poly Technologies AKS and AK47
Beretta Storm	Remington Tactical Rifle Model 7615
Bushmaster Carbon 15, XM15, ACR Rifles, and MOE Rifles	Rock River Arms LAR-15 and LAR-47
Calico Liberty 50, 50 Tactical, 100, 100 Tactical, I, I Tactical, II and II Tactical Rifles	SA 85 or SA 93
Colt Match Target Rifles	SAR-8, SAR-4800, and SR9
Daewoo AR 100 and AR 110C	SIG Sauer 551-A1, 556, 516, 716, and M400 Rifles
Doublestar AR Rifles	SLG 95 or SLR 95 or 96

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DPMS Tactical Rifles	Smith and Wesson M&P15 Rifles
Fabrique Nationale/FN 308 Match and L1A1 Sporter	TNW M230 and M2HB
Galil and Galil Sporter	Valmet M62S, M71S, and M78S
Hi-Point Carbine Rifles	Vector Arms AK-47 and UZI
HK USC	VEPR
HK-PSG-1	WASR-10
IZHMASH Saiga AK	Wilkinson Arms Linda Carbine
Kel-Tec Sub-2000, SU Rifles, and RFB	WUM

Semiautomatic Centerfire Rifles Banned by Features. Prior law banned any semiautomatic rifle (centerfire or rimfire), not listed as an assault weapon, that had the capacity to accept a detachable magazine, and two of five specified features. The act instead (1) limits the ban to semiautomatic centerfire rifles and (2) replaces the two-feature test with a one-feature test, banning all semiautomatic centerfire rifles that can accept a detachable magazine and have at least one of five specified features (see Table 3).

Table 3: Semiautomatic Centerfire Rifles Banned by Feature

<i>Prior Law (two-feature test)</i> <i>Any semiautomatic rifle with at least two of the following features was defined as an assault weapon</i>	<i>The Act (one-feature test)</i> <i>Any semiautomatic centerfire rifle with at least one of the following features is defined as an assault weapon</i>
A folding or telescoping stock	A folding or telescoping stock
A pistol grip that protrudes conspicuously beneath the action of the firearm	Any grip of the weapon, including a pistol grip, thumbhole stock, or other stock that 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
	A forward pistol grip
A flash suppressor or threaded barrel designed to accommodate a flash suppressor	A flash suppressor
Grenade launcher	A grenade launcher or flare launcher
Bayonet mount	

Semiautomatic Centerfire Rifles Banned by Bullet Capacity and Length. The act also bans any semiautomatic centerfire rifle that (1) has a fixed magazine and can accept more than 10 rounds of ammunition or (2) is less than 30 inches long.

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Pistols

Semiautomatic Pistols Banned by Name. The act bans the following semiautomatic pistols, or copies or duplicates of them that have the same capability, in production before or on April 4, 2013 (see Table 4).

Table 4: Semiautomatic Pistols Banned by Name

American Spirit AR-15	Intratec TEC-DC9 and AB-10
Bushmaster Carbon 15	IO Inc. Hellpup AK-47
Calico Liberty III and III Tactical Pistols	I.O. Inc. PPS-43C
Chiappa Firearms Mfour-22	Kel-Tec PLR-16 Pistol
Centurion 39 AK	Masterpiece Arms MPA Pistols
Colefire Magnum	Mini-Draco AK-47
Doublestar Corporation AR	Olympic Arms AR-15
DPMS AR-15	Rock River Arms LAR 15
Draco AK-47	Sig Sauer P516 and P556 pistols
DSA SA58 PKP FAL	Thompson TA5 pistols
German Sport 522 PK	Velocity Arms VMA Pistols
HCR AK-47	Yugo Krebs Krink

Semiautomatic Pistols Banned by Feature. The act bans any semiautomatic pistol that can accept a detachable magazine and has at least one, instead of two, specified characteristics as shown below (see Table 5).

Table 5: Semiautomatic Pistols Banned by Feature

<i>Prior Law (two-feature test)</i> <i>Any semiautomatic pistol with at least two of the following features was defined as an assault weapon</i>	<i>The Act (one-feature test)</i> <i>Any semiautomatic pistol with at least one of the following features is defined as an assault weapon</i>
An ammunition magazine that attaches to the pistol outside of the pistol grip	The ability to accept a detachable ammunition magazine that attaches outside the pistol grip
A threaded barrel capable of accepting a barrel extender, flash suppressor, forward handgrip, or silencer	A threaded barrel capable of accepting a flash suppressor, forward pistol grip, or silencer
A shroud attached to, or partially or completely encircling, the barrel and that permits the shooter to hold the firearm with the nontrigger hand	A shroud attached to, or partially or completely encircling, the barrel and permitting the shooter to fire the firearm without being burned, except a slide that encloses the

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without being burned	barrel
A manufactured weight of 50 ounces or more when unloaded	
	A second hand grip
A semiautomatic version of an automatic firearm	

Semiautomatic Pistols Banned by Bullet Capacity. The act bans semiautomatic pistols with a fixed magazine that can accept more than 10 rounds of ammunition.

Shotguns

Semiautomatic Shotguns Banned by Features. Prior law banned any semiautomatic shotgun that had at least two of the following four features:

1. a folding or telescopic stock,
2. a pistol grip that protrudes conspicuously beneath the action of the weapon,
3. a fixed magazine capacity of more than five rounds, and
4. the ability to accept a detachable magazine.

The act instead bans semiautomatic shotguns that have both of the following features:

1. a folding or telescoping stock and
2. any grip of the weapon, including a pistol grip, a thumbhole stock, or any 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.

Shotguns Banned by Capability. The act bans any (1) semiautomatic shotgun that can accept a detachable magazine and (2) shotgun with a revolving cylinder.

Other Shotguns Banned. The act bans semiautomatic IZHMASH Saiga 12 shotguns, or copies or duplicates of them that have their capability, that were in production on or before April 4, 2013.

Parts Considered an Assault Weapon in Some Circumstances

The act also bans a part or combination of parts designed or intended to convert a firearm into an assault weapon, or any combination of parts from which an assault weapon may be assembled, if the same person possesses or controls the parts.

Exclusions from Definition of Assault Weapon

The act excludes from the definition of an assault weapon, under existing law and the act, any parts or combination of parts of a lawfully possessed assault weapon, that are not assembled as an assault weapon, when possessed for purposes of servicing or repair, by a licensed gun dealer or gunsmith in the dealer's employ.

As under existing law, the definition does not include any firearm rendered

permanently inoperable.

Prohibitions and Violations

With some exceptions (discussed below), the act, beginning on April 4, 2013, makes it a:

1. class D felony (see Table on Penalties) with a mandatory minimum one-year prison term, to possess any of the newly banned weapons or others subject to the act, except a first-time violation is a class A misdemeanor if the violator presents proof that he or she owned the weapon on or before April 3, 2013 and otherwise kept the weapon under the same circumstances that a registered assault weapon can be kept under existing law (§ 27) and
2. class C felony, with a mandatory minimum two-year prison term to give anyone any of the newly banned assault weapons or others subject to the act or to transport or bring into the state; keep, offer, or expose for sale; or distribute any of them (§ 26).

In the case of transfers, sales, or gifts to people under age 18, the court must impose an additional six-year mandatory minimum, in addition and consecutive to the term for the underlying offense (§ 26).

These are the same penalties that apply under existing law to these violations involving currently banned assault weapons.

Certificate of Possession Allowing Continued Possession of Assault Weapons. Under the act, anyone who, before April 4, 2013, lawfully possessed one of the newly banned or other assault weapon subject to the act may apply to DESPP by January 1, 2014 for a certificate of possession for the weapon (in effect, register the weapon). The certificate allows him or her to keep the firearm, provided he or she is eligible and otherwise complies with the act (§ 28). “Lawful possession” means (1) actual lawful possession or (2) constructive possession under a lawful purchase transacted before April 4, 2013, even if the weapon was delivered after that date (§ 25). (PA 13-220 defines what constitutes a “lawful purchase” for purposes of determining constructive possession of an assault weapon and makes other related changes.)

Servicemembers unable to apply for a certificate by January 1, 2014 because they were out of state on official duty have 90 days after returning to Connecticut to apply for the certificate (§ 28(a)(2)). Servicemembers transferred to Connecticut in lawful possession of an assault weapon may apply to DESPP for a certificate within 90 days of arriving here. Anyone else who moves to Connecticut in lawful possession of an assault weapon has 90 days to permanently disable it, sell it to a gun dealer, or take it out of state (§ 28(d)).

Anyone who registered an assault weapon banned before April 4, 2013 for a weapon defined as an assault weapon by the act is deemed to have registered the weapon and is not required to obtain a separate certificate for it (§ 28(a)(3)).

As under existing law, the certificate must contain a description of the firearm that identifies it uniquely, including all identification marks; the owner’s full name, address, date of birth and thumbprint; and any other information DESPP deems appropriate (§ 28(a)(4)).

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As under existing law, the name and address are confidential and may be disclosed only to (1) law enforcement agencies and employees of the U.S. Probation Office carrying out their duties and (2) the DMHAS commissioner to carry out gun-related duties (§ 28(a)(5)).

Standards Governing Registered Assault Weapons

Locations Where Registered Weapon May be Kept. Under existing law and the act, anyone who possesses a registered assault weapon may possess it only:

1. at his or her home, business place, other property he or she owns, or on someone else's property with the owner's permission;
2. at a target range of a public or private club or organization organized for target shooting;
3. at a target range that holds a regulatory or business license for target shooting;
4. at a licensed shooting club;
5. while attending a firearms exhibition, display, or educational project sponsored by, conducted under the auspices of, or approved by a law enforcement agency or nationally or state-recognized entity that fosters proficiency in, or promotes education about, firearms; or
6. while transporting the weapon, in compliance with pertinent law, between any of the above places, or to a gun dealer for servicing or repair (§ 28(f)).

Estate Executors and Administrators. The act allows registered assault weapons to be possessed by the executor or administrator of an estate that includes an assault weapon at places specified in law or as authorized by the probate court and disposed of as authorized by the probate court, if such disposition is otherwise permitted (§§ 26(b)(2) & 27(e)).

Sale or Transfer of Weapons. Starting on April 4, 2013, the act prohibits anyone with a certificate of possession for any of the newly banned weapons or other assault weapons subject to the act from (1) selling or transferring the weapon in Connecticut to anyone except a gun dealer or (2) otherwise transferring the weapon except by bequest or intestate succession (§ 28(b)(2) & § 26(b)(3)). (PA 13-220, § 9(d), gives people until December 31, 2013 to dispose of lawful weapons without registering them, and § 9(e) gives people until October 1, 2013 to retrieve any lawful assault weapon they placed with a dealer, pawnbroker, or consignment shop operator on or before April 4, 2013.)

Anyone who inherits a registered assault weapon has 90 days to apply to register it anew, sell it to a gun dealer, permanently disable it, or take it out of state.

Temporary Transfer and Possession of Assault Weapons. As under existing law, the act also allows the temporary possession and transfer of a registered assault weapon for certain out-of-state events, such as shooting competitions, exhibitions, displays or educational projects about firearms sponsored by, conducted under the auspices of, or approved by a law enforcement agency or a nationally or state-recognized entity that fosters proficiency in firearms use or promotes firearms education (CGS § 53-202h).

Exemptions to Assault Weapons Ban

The act expands the exemptions to the assault weapons ban. (PA 13-220, §§ 5 and 6, further expands the exemptions, including an exemption for Olympic target pistols, and makes other related changes.)

Agency and Member and Employee Exemption. The act exempts sales of the newly banned weapons and other assault weapons subject to PA 13-3 to the same agencies, and their members or employees, that are exempt under the existing ban, namely, DOC, DESPP, police departments, and the state and U.S. Armed Forces. As under existing law, the exemption for members and employees applies to sales or possession of the weapons for use in the discharge of the members' or employees' official duties (§§ 26(b)(1) and 27(b)).

NRC Licensee Exemption. The act additionally exempts, for use in the discharge of their official duties, sales of assault weapons to, and possession by, (1) employees of an NRC licensee operating a nuclear power plant in Connecticut for providing security or (2) any person, firm, corporation, contractor, or subcontractor providing security at the plant (§§ 26(b)(1) & 27(b)).

Gun Manufacturer and Dealer Exemption. As under existing law, the act allows gun manufacturers to manufacture and transport assault weapons for sale (1) to exempt parties in Connecticut and (2) out of state (§ 30). It allows gun dealers who lawfully possess assault weapons to (1) transfer the weapons between dealers or out of state, (2) display them at gun shows licensed by a state or local government entity, or (3) sell them to residents out of state. It also allows gun dealers to take possession of registered weapons or transfer them for servicing or repair to a licensed gunsmith (1) in their employ or (2) under contract to provide gunsmithing services to them (§ 29).

Pre-1994 Assault Rifles. Under an existing statute, which this act does not amend, certain assault rifles defined by criteria, rather than specific name are exempt from the assault weapons transfer and registration requirements if they were legally manufactured before September 13, 1994 (CGS § 53-202m). The status of these firearms under the act is unclear. (PA 13-220 explicitly retains this exemption.)

Relinquishment of Assault Weapon to Law Enforcement Agency

Existing law, unchanged by the act, allows an individual to arrange in advance to relinquish an assault weapon to a police department or DESPP (CGS § 53-202e).

EFFECTIVE DATE: Upon passage

§ 32 — ARMOR-PIERCING BULLETS

With some exceptions, under existing law, it is a class A misdemeanor, or a class D felony for subsequent violations, to knowingly give to anyone; distribute; transport; bring into the state; or keep, offer, or expose for sale any armor-piercing .50 caliber bullets or incendiary .50 caliber bullets.

Prior law defined “armor-piercing .50 caliber bullet” as any bullet designed, held out by the manufacturer or distributor, or generally recognized as having the

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specialized capability to penetrate armor or bulletproof glass.

The act expands what constitutes armor-piercing bullets. It adds bullets of any caliber that can be fired from a handgun, that have projectile or projectile cores made entirely from tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium, excluding other trace substances. It also adds handgun bullets that are fully jacketed with a jacket weight of more than 25% of the projectile's total weight, larger than .22 caliber, and designed and intended for use in a firearm. A bullet does not qualify as armor-piercing if it:

1. has projectile cores composed of soft material such as lead or zinc or their alloys,
2. has frangible projectiles designed primarily for sporting purposes,
3. has projectiles or projectile cores that the U.S. attorney general finds to be primarily intended for sporting or industrial purposes, or
4. does not meet federal law's definition of armor-piercing ammunition.

The act specifies that an armor-piercing bullet does not include a shotgun shell.

The act also makes it a class D felony to knowingly transport or carry a firearm loaded with an armor-piercing or incendiary .50 caliber bullet.

As under existing law, the court may order suspension of prosecution if it finds that a violation is not serious and that the violator (1) will probably not reoffend, (2) has no previous conviction for violating this law, and (3) has not previously had a prosecution suspended for violating this law.

Exemptions

Under the law and the act, the prohibitions on armor-piercing or incendiary ammunition do not apply to:

1. sale to DESPP, DOC, police departments, or the state or U.S. military or naval forces for use in the discharge of their official duties;
2. disposition by an estate executor or administrator, as authorized by the probate court; or
3. transfer by bequest or intestate succession.

(PA 13-220 expands the exemptions and makes other changes.)

EFFECTIVE DATE: October 1, 2013

§ 33 — AMMUNITION SEIZURE

The act conforms the law to practice by allowing police to seize ammunition, not just firearms, from people at imminent risk of harming themselves or others. It subjects ammunition seizure to the same due process and disposition standards for seized firearms under existing law. By law, any two police officers (or a state's attorney), after investigating and determining probable cause, may get a warrant and seize guns from anyone who poses an imminent risk of injuring himself or herself, or someone else.

EFFECTIVE DATE: October 1, 2013

§§ 34 & 35 — AMMUNITION TRANSFER BY INELIGIBLE PEOPLE

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By law, anyone who becomes ineligible to possess firearms must transfer any firearms he or she has to a dealer or other eligible person or deliver or surrender them to the DESPP commissioner within two business days of a “triggering event.” If the triggering event is the imposition of a restraining or protective order, the transfer must be made to a gun dealer. The act requires the same actions to be taken with regard to ammunition when someone becomes ineligible to possess ammunition or firearms, and subjects violators to the same penalties that apply under existing law to ineligible people who fail to transfer or surrender firearms.

As is the case with firearms, a person has up to one year from the date of delivering or surrendering any ammunition to DESPP to transfer the ammunition to an eligible person; otherwise, the commissioner may order it destroyed.

The act requires that the state protocol for surrendering or transferring handguns in this situation also address ammunition. By law, the DESPP commissioner, in conjunction with the chief state’s attorney and Connecticut Police Chiefs Association, must adopt such a protocol.

EFFECTIVE DATE: October 1, 2013

§§ 36-38 — DOMESTIC VIOLENCE

§ 36 — Restraining Order Form

The act requires the application for a civil family violence restraining order to include a space for an alleged victim to indicate whether the alleged domestic violence offender possesses ammunition. It already must have space to indicate whether the offender has a gun or gun permit.

§ 37 — Ammunition Seizure in Domestic Violence Investigations

The act allows police to seize ammunition under the same circumstances as they can already seize firearms when investigating domestic violence crimes. As is currently the case with firearms, the act requires the police, not later than seven days after the seizure, to return the ammunition in its original condition unless the person is ineligible to possess it or the court orders otherwise.

§ 38 — Family Violence Intervention Unit Reports

The act requires family violence intervention units to inform the court if a domestic violence victim indicates that a defendant possesses ammunition. The units must already disclose whether the defendant has a gun permit or possesses firearms.

EFFECTIVE DATE: October 1, 2013

§§ 39 & 40 — DISPOSAL OF CONTRABAND AMMUNITION

The act requires ammunition, like firearms under existing law, judged by the court to be contraband or a nuisance, to be turned over to the State Police for destruction, appropriate use, or sale at public auction.

The act requires DESPP’s Statewide Firearms Trafficking Task Force Policy

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Board to deposit the receipts from the sale of seized ammunition in the General Fund, as it must currently do for receipts for firearm sales. By law, this money must be maintained in a separate nonlapsing forfeit firearms account and appropriated for the task force.

EFFECTIVE DATE: October 1, 2013

§ 41 — POLICE DUTY TO RETURN STOLEN AMMUNITION

The act requires police to return to its rightful owner any stolen ammunition seized or recovered with a stolen gun, provided the owner is not prohibited from possessing the firearm or ammunition and the agency does not need to keep it as evidence in a criminal prosecution. Prior law required the police to return firearms but was silent on ammunition.

EFFECTIVE DATE: October 1, 2013

§§ 42, 43, 46-50, & 52-53 — INCREASED CRIMINAL PENALTIES FOR GUN TRAFFICKING AND OTHER GUN-RELATED OFFENSES

The act increases penalties for a number of gun-related crimes. Table 6 displays these crimes (see also §§ 44 & 45), their prior classification, and their classification under the act (see Table on Penalties).

Table 6: Increased Penalties for Gun-Related Crimes

<i>Act §</i>	<i>Crime (CGS §)</i>	<i>Prior Penalty</i>	<i>Penalty Under the Act</i>
42	Trafficking in firearms (53-202aa)	Class C felony if transfer five or fewer firearms Class B felony if transfer more than five firearms	Class B felony Mandatory minimum: <ul style="list-style-type: none"> • Three-year prison term • \$10,000 fine unless the court states on the record why it remits or reduces it
43	Stealing a firearm (53a-212)	Class D felony	Class C felony Mandatory minimum: <ul style="list-style-type: none"> • Two-year prison term • \$5,000 fine unless the court states on the record why it remits or reduces it
46	Failing to surrender a revoked permit (29-32)	Class C misdemeanor	Class A misdemeanor
47	Transferring a handgun to a prohibited person or violating	Class D felony	Class C felony Mandatory minimum: <ul style="list-style-type: none"> • Two-year prison term

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	transfer procedures (29-33)		<ul style="list-style-type: none"> • \$5,000 fine unless the court states on the record why it remits or reduces it
47	Transferring a handgun to a prohibited person or violating transfer procedures, knowing the transferred weapon is stolen or has an altered identification mark (29-33)	Class B felony	Class B felony Mandatory minimum: <ul style="list-style-type: none"> • Three-year prison term • \$10,000 fine unless the court states on the record why it remits or reduces it
48	Making a false statement related to a handgun transfer (29-34(a))	Class D felony	Class C felony Mandatory minimum: <ul style="list-style-type: none"> • Two-year prison term • \$5,000 fine unless the court states on the record why it remits or reduces it
48	Transferring a pistol or revolver to someone under age 21 except for target or shooting range use (29-34(b))	Class D felony One-year mandatory minimum prison sentence	Class C felony Mandatory minimum: <ul style="list-style-type: none"> • Two-year prison term • \$5,000 fine unless the court states on the record why it remits or reduces it
49	Altering firearm identification mark, number, or name (29-36)	Up to five years in prison, fine of up to \$1,000, or both	Class C felony Mandatory minimum: <ul style="list-style-type: none"> • Two-year prison term • \$5,000 fine unless the court states on the record why it remits or reduces it
50	Failing to report loss or theft of firearm (2 nd or subsequent offense)(53-202g)	Class D felony	Class C felony
50	Intentionally failing to report loss or theft of firearm (53-202g)	Class C felony	Class B felony
52	Failing to surrender revoked handgun eligibility certificate (29-36i)	Class C misdemeanor	Class A misdemeanor
53	Buying a firearm intending to	Up to five years in prison, fine of	Class C felony Mandatory minimum:

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	transfer it to an ineligible person (straw man transactions)(29-37j(a))	up to \$1,000, or both	<ul style="list-style-type: none"> • Two-year prison term • \$5,000 fine unless the court states on the record why it remits or reduces it
53	Ineligible person soliciting or using a straw man to obtain a firearm (29-37j(b))	Class B misdemeanor	Class D felony Mandatory minimum: <ul style="list-style-type: none"> • One-year prison term • \$3,000 fine unless the court states on the record why it remits or reduces it • (see below for additional penalties)
53	Ineligible person soliciting or using a straw man to obtain a firearm and actually obtaining one (29-37j(b))	No previous separate penalty; see immediately above	Class C felony Mandatory minimum: <ul style="list-style-type: none"> • Two-year prison term • \$5,000 fine unless the court states on the record why it remits or reduces it
53	Ineligible person soliciting or using a straw man to obtain a firearm, involving transfer of more than one firearm (29-37j(b))	Class A misdemeanor	Penalty eliminated (see crime immediately above)
53	Straw man violations when offender had felony conviction in past five years (29-37j(c))	Class D felony	Class B felony Mandatory minimum: <ul style="list-style-type: none"> • Three-year prison term • \$10,000 fine unless the court states on the record why it remits or reduces it

EFFECTIVE DATE: October 1, 2013

§§ 44 & 45 — POSSESSION CRIMES

By law, separate crimes punish criminal possession of a (1) firearm or electronic defense weapon and (2) handgun. The act expands each of these crimes and increases their penalties so that they punish illegal possession of all of these weapons under very similar circumstances and with the same penalties. The act also punishes possessing ammunition under the same circumstances and with the same penalties.

Criminal Possession of Firearms, Ammunition, or Electronic Defense Weapons

The act increases the penalty for criminal possession of a firearm or electronic

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defense weapon, expands the circumstances when someone commits this crime, and punishes someone who possesses ammunition under the same circumstances.

Under existing law, a person commits this crime when he or she possesses the weapon and (1) has a prior felony conviction or conviction for a serious juvenile offense, (2) knows he or she is the subject of a restraining or protective order in a case involving the use or attempted or threatened use of force or a firearms seizure order after notice and a hearing opportunity, or (3) is prohibited by federal law from having or transporting a firearm because of being adjudicated as a “mental defective” or committed to a mental institution. The act makes it illegal for these same people to possess ammunition.

The act also punishes someone who possesses a firearm, ammunition, or an electronic defense weapon when he or she has been:

1. convicted of certain misdemeanors committed on or after October 1, 2013;
2. discharged from custody within the past 20 years after being found not guilty of a crime due to mental disease or defect;
3. confined on or after October 1, 2013 in a hospital for people with psychiatric disabilities under a probate court order within the past (a) 60 months or (b) 12 months if the person has a valid permit or certificate in effect before October 1, 2013; or
4. voluntarily admitted on or after October 1, 2013 to a hospital for people with psychiatric disabilities within the past six months and not solely for being an alcohol- or drug-dependent person.

The misdemeanor convictions the act applies to are for:

1. a first offense of possessing a controlled substance other than a narcotic or hallucinogen, or between .5 and four ounces of marijuana (an unclassified misdemeanor punishable by up to one year in prison, up to a \$1,000 fine, or both);
2. the following class A misdemeanors: criminally negligent homicide; 3rd degree assault; 3rd degree assault of an elderly, blind, disabled, or pregnant person or person with intellectual disabilities; 2nd degree threatening; 1st degree reckless endangerment; 2nd degree unlawful restraint; 1st degree riot; inciting to riot; and 2nd degree stalking; and
3. the class B misdemeanor of 2nd degree riot.

Penalties. The act increases the penalty for this crime from a class D felony to a class C felony. The law already imposes a two-year mandatory minimum sentence. The act also imposes a mandatory minimum \$5,000 fine unless the court states on the record why it remits or reduces it.

Criminal Possession of a Handgun

The act increases the penalty for criminal possession of a pistol or revolver and expands the circumstances when someone commits this crime.

Under existing law, a person commits this crime when he or she possesses the weapon and:

1. was previously convicted of a felony or one of the misdemeanors described above (PA 13-220 specifies that this applies to any felony convictions and misdemeanors committed on or after October 1, 1994);

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2. has a prior conviction for a serious juvenile offense;
3. has been discharged from custody within the past 20 years after being found not guilty of a crime due to mental disease or defect;
4. has been confined in a hospital for people with psychiatric disabilities under a probate court order within the past 12 months;
5. knows he or she is the subject of a restraining or protective order in a case involving the use or attempted or threatened use of force or a firearms seizure order after notice and a hearing opportunity;
6. is prohibited by federal law from having or transporting a firearm because of being adjudicated as a “mental defective” or committed to a mental institution; or
7. is an alien illegally in the United States.

The act:

1. on or after October 1, 2013, expands the look-back period for confinements under probate court orders from 12 to 60 months unless the person has a valid permit or certificate in effect before October 1, 2013 and
2. punishes someone who possesses a handgun when he or she has been voluntarily admitted, on or after October 1, 2013, to a hospital for people with psychiatric disabilities within the past six months and not solely for being an alcohol- or drug-dependent person.

Penalties. The act increases the penalty for this crime from a class D felony to a class C felony and imposes a mandatory minimum (1) two-year prison sentence and (2) \$5,000 fine unless the court states on the record why it remits or reduces it.

EFFECTIVE DATE: October 1, 2013

§ 59 — RISK REDUCTION EARNED CREDITS AND PAROLE FOR VIOLENT OFFENDERS

The act prohibits inmates convicted of a violent crime or 2nd degree burglary from using risk reduction earned credits (RREC) to become eligible for parole sooner than they otherwise would be. Thus, it requires inmates convicted of these crimes to continue to serve 85% of their sentences before being eligible for parole, regardless of any credits they receive. As under prior law, the credits still reduce the inmate’s maximum prison sentence.

By law, inmates convicted of the following crimes are ineligible for parole: murder, capital felony, murder with special circumstances, felony murder, arson murder, or 1st degree aggravated sexual assault. Inmates convicted of these crimes or home invasion cannot earn RREC. By law, violent crimes are any crimes, other than those listed above, involving the use or attempted or threatened use of force against a person.

Under existing law, for inmates convicted of non-violent crimes, the credits reduce the inmate’s maximum prison sentence and the inmate’s parole eligibility is based on his or her sentence as reduced by the credits.

EFFECTIVE DATE: July 1, 2013

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§ 51 — INFORMATION DISCLOSURES FOR LONG GUN AND AMMUNITION TRANSFERS

The act allows DESPP to disclose the name and address of someone issued a handgun eligibility certificate to the extent necessary to comply with the act's provisions on long gun and ammunition transfers, to the same extent as currently allowed for handgun sales and transfers.

EFFECTIVE DATE: July 1, 2013

§§ 54-56 — SAFE STORAGE REQUIREMENTS FOR FIREARMS

The act expands the firearm safe storage laws in two ways. Under prior law, the legal duty to securely store a loaded firearm applied only when a person under age 16 was likely to gain access to it without his or her parent's or guardian's permission. The act extends this duty to anyone who knows or should know that a resident of the premises where he or she is storing a loaded firearm (1) is ineligible to possess firearms under state or federal law or (2) poses an imminent risk of hurting himself or herself or others. As under the existing law, the firearm must be locked up or in a location that a reasonable person considers to be secure, or the person must carry it on his or her person or close enough so that he or she can readily retrieve it.

As under existing law pertaining to minors, a person is strictly liable for damages if an ineligible or at-risk person gains access to the inappropriately stored firearm and uses it to injure or kill himself or herself or someone else.

As under existing law pertaining to minors, a person is guilty of criminally negligent storage of a firearm, a class D felony, if the ineligible or at-risk person obtains the firearm and kills or injures himself or herself or someone else with it.

EFFECTIVE DATE: October 1, 2013

§ 57 — GUN PERMIT APPLICATION

The act generally requires someone applying for a gun permit to be a permanent resident of the town to which he or she applies. Prior law did not specify that the residence had to be permanent, and also allowed such applications by someone who was not a resident, but who maintained a place of business in the town. By law, a gun permit is issued under a two-part process, with a local official issuing a temporary state permit, after which the State Police issues the five-year state permit (assuming the requirements are met).

As under existing law, the act continues to require someone without a permanent residence in Connecticut seeking a gun permit to apply directly to DESPP if the person has a handgun permit or license to carry issued by another state.

The act prohibits anyone from applying for a temporary state gun permit more than once in any 12-month period, and prohibits such a permit from being issued to someone who has previously applied within the prior 12 months. The act requires anyone who applies for a temporary permit to indicate on the application, under penalty of false statement in the manner the issuing authority prescribes,

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that the person has not applied for a temporary state permit within the past 12 months.

EFFECTIVE DATE: October 1, 2013

§ 60 — FIREARMS BOARD MEMBERSHIP

The act increases the Firearms Board membership, from seven to nine, by adding one retired Superior Court judge, appointed by the chief court administrator, and a DMHAS nominee, appointed by the governor. The rest of the members, as under prior law, are appointed by the governor from nominees submitted by the DESPP and energy and environmental protection commissioners; Connecticut State Association of Chiefs of Police; Connecticut State Rifle and Revolver Association, Inc.; and Ye Connecticut Gun Guild, Inc. The governor also appoints two public members.

EFFECTIVE DATE: July 1, 2013

§ 61 — FIREARMS BOARD CASE CONTINUANCES

The act allows the board to grant one continuance, for good cause, to an official whose action on a gun permit or gun eligibility certificate is being appealed. If granted, the appeal is continued until the next scheduled board meeting. Under prior law, an issuing authority's failure or refusal to provide a written statement to the board explaining the reasons for his or her adverse decision at least 10 days before the hearing was automatic cause for the board to grant relief to an appellant.

EFFECTIVE DATE: July 1, 2013

§ 62 — DESPP STUDY OF ELECTRONIC TRANSMISSION OF GUN DATA

The act requires the DESPP commissioner to study the feasibility and cost of establishing and maintaining a system to electronically submit, access, and transfer to DESPP information required for gun sales, delivery, or transfers, including information required to determine eligibility for gun credentials. The system must permit electronic access to the state database for checking a person's eligibility to get gun credentials or guns. It must permit gun dealers to directly initiate NICS background checks on gun buyers.

The system may permit the electronic submission of other documents and forms related to firearms permitting, including applications to (1) renew gun permits or gun eligibility certificates, (2) get a certificate of possession for an assault weapon, and (3) declare possession of LCMs.

The commissioner must submit a report to the legislature by January 1, 2014, on the results of the study, including recommendations to develop and implement it.

EFFECTIVE DATE: Upon passage

§ 63 — APPROPRIATIONS FOR GUN TASK FORCE

The act appropriates \$1 million to DESPP for FY 14 to fund the statewide

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firearms trafficking task force.

EFFECTIVE DATE: July 1, 2013

§§ 64 & 65 — MENTAL HEALTH FIRST AID TRAINING

The act requires the State Board of Education, within available appropriations and material, to help and encourage school boards to include mental health first aid training as part of their in-service training programs for certified teachers, administrators, and other pupil personnel.

The act also requires the SDE commissioner to consider whether to require mental health first aid training as part of teacher education programs leading to professional certification. By January 1, 2014, he must report his recommendation on this matter to the Appropriations, Education, and Public Health committees (see § 90 for more provisions on mental health first aid).

EFFECTIVE DATE: Upon passage

§ 66 — BEHAVIORAL HEALTH SERVICES TASK FORCE

The act creates a 20-member task force to study the provision of behavioral health services in Connecticut, with particular focus on providing such services to people ages 16 to 25.

The task force must analyze and make recommendations in the following areas:

1. improving behavioral health screening, early intervention, and treatment;
2. closing gaps in private insurance coverage;
3. improving behavioral health case management services;
4. addressing the insufficient number of certain behavioral health providers, including child psychiatrists and providers offering specialized services;
5. improving the delivery system for behavioral health services;
6. improving payment models for such services;
7. creating a central clearinghouse to inform the public about such services;
8. providing intensive, individualized, in-school behavioral health intervention services for students exhibiting violent tendencies;
9. requiring the SDE to provide technical assistance to school districts concerning behavioral intervention specialists in public and private schools and for preschool programs;
10. using assisted outpatient behavioral health services and involuntary outpatient commitment as treatment options;
11. conducting behavioral health screenings of public school students;
12. requiring disclosure of communications by mental health professionals about people who present a clear and present danger to the health or safety of themselves or others; and
13. reducing the stigma of mental illness as a barrier to people receiving appropriate mental health services.

The task force members include seven government officials and 13 appointed members; all 20 are voting members. The government officials include the Healthcare Advocate; the child advocate; and the DCF, DMHAS, public health

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(DPH), SDE, and insurance commissioners, or the commissioners’ designees.

Under the act, the six legislative leaders each have two appointments to the task force, and the governor has one. The appointed members’ required qualifications are described in Table 7.

Table 7: Behavioral Health Services Task Force Appointed Members

<i>Appointing Authority</i>	<i>Qualifications</i>
Senate president pro tempore	One child psychiatrist One primary care provider
House speaker	One pediatrician whose practice focuses on adolescents One representative of a school-based health center
Senate majority leader	One probate judge One parent with a child who has used behavioral health services
House majority leader	One school psychologist One representative of a community health center
Senate minority leader	One representative of a health insurer One representative of a hospital that offers behavioral health services
House minority leader	One representative of an organization that offers behavioral health case management services One (1) consumer of behavioral health services or (2) representative of an organization that advocates for consumers of such services
Governor	One representative of a higher education institution

The act requires task force appointments to be made within 30 days of April 4, 2013. Vacancies are filled by the appointing authority.

Under the act, the Senate president pro tempore and House speaker must each appoint one task force chairperson from among the members. The chairpersons must schedule and hold the first meeting of the task force by June 3, 2013. The task force must meet at least monthly until February 1, 2014, and upon the call of the chairpersons or a request of the majority of the members. Task force members serve without compensation, except for necessary expenses incurred performing their duties.

A majority of the members constitutes a quorum, and a majority vote of a quorum is required for an official action of the task force. The chairpersons break any tie votes.

Under the act, the administrative staff of the Public Health Committee will serve as the task force’s administrative staff. The act allows the task force to seek funding from any state, federal, or private source, and enter into contracts, to carry out its duties.

By February 1, 2014, the task force must report on its findings and recommendations to the governor; Senate president pro tempore; House speaker;

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Senate and House minority leaders; and the Appropriations, Education, Human Services, Insurance and Real Estate, and Public Health committees. The task force must also provide additional information not contained in the report to legislators upon their request. The task force terminates on July 1, 2014.

EFFECTIVE DATE: Upon passage

§ 67 — ASSERTIVE COMMUNITY TREATMENT (ACT)

The act requires the DMHAS commissioner to implement an ACT program in three cities that, on June 30, 2013, did not have such a program. The program must use a person-centered, recovery-based approach that provides people diagnosed with a severe and persistent mental illness, including those released from commitment, (1) assertive outreach, (2) mental health and peer support services, (3) vocational assistance, (4) education concerning family issues, and (5) information to develop wellness skills. Services must be provided by mobile, multi-disciplinary teams in community settings.

DMHAS already operates four ACT teams in Manchester, Middletown, New Britain, and Norwich.

EFFECTIVE DATE: July 1, 2013

§ 68 — PROBATE COURT-RELATED CASE MANAGEMENT AND CARE COORDINATION SERVICES

The act requires the DMHAS commissioner to provide case management and care coordination services to up to 100 people with mental illness who are involved in the probate court system and who, on June 30, 2013, were not receiving these services.

EFFECTIVE DATE: July 1, 2013

§ 69 — REGIONAL BEHAVIORAL HEALTH CONSULTATION SYSTEM FOR PEDIATRICIANS

The act requires the DCF commissioner, by January 1, 2014, to establish and implement a regional behavioral health consultation and care coordination program for primary care providers who serve children. The program must provide these primary care providers with:

1. timely access to a consultation team that includes a child psychiatrist, social worker, and care coordinator;
2. patient care coordination and transitional services for behavioral health care; and
3. training and education on patient access to behavioral health services.

The act requires the DCF commissioner to submit a program plan by October 1, 2013 to the Appropriations, Children, Human Services, and Public Health committees.

It allows the commissioner to contract for services and adopt regulations to administer the program.

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§§ 71-74 & 76 — REQUEST FOR MENTAL OR SUBSTANCE USE DISORDER SERVICES

§§ 71 & 73(c) — *Benefit Determination*

By law, the amount of time a health carrier has to make a benefit determination depends on whether or not it is an urgent request. In general, carriers must make a determination within 15 calendar days for non-urgent requests and within 72 hours for urgent requests.

The act treats as urgent those requests for services or treatments for (1) substance use disorders or co-occurring mental disorders and (2) mental disorder-related inpatient services, partial hospitalization, residential treatment, or intensive outpatient services needed to keep a covered person from requiring an inpatient setting.

It requires the carrier to make its determination as soon as possible, but no later than 24 hours after it receives a service or treatment request for these disorders. The 24-hour deadline does not apply if the covered person or his or her representative fails to provide the information the carrier needs to make its determination. If the request is to extend a course of treatment beyond the initial period or number of treatments, the request must be made at least 24 hours before the initial authorization expires.

§§ 74(d) & 76(i) — *Expedited Reviews*

By classifying requests for these services and treatments as urgent, the act entitles the covered person to an expedited review of an adverse determination. By law, the carrier or independent review organization (an entity unaffiliated with the carrier that conducts an external review) must notify the covered person and his or her representative of its decision regarding an expedited review within 72 hours of receiving a grievance. But the act requires such notice within 24 hours for expedited reviews involving mental and substance use disorders as specified above.

§ 72(a) — *Clinical Review Criteria in Utilization Review*

By law, each carrier must contract with health care professionals to administer its utilization review program. Utilization review uses formal techniques to monitor the use of health care services or evaluate their medical necessity, appropriateness, efficacy, or efficiency.

By law, each program must use documented clinical review criteria based on sound clinical evidence. The act sets specific requirements for clinical review criteria for utilization review involving substance use or mental disorders. It provides that, for substance use disorders, the default criteria are those in the most recent edition of the American Society of Addiction Medicine's Patient Placement Criteria. For child or adolescent mental disorders, the default criteria are the most recent guidelines in the American Academy of Child and Adolescent Psychiatry's Child and Adolescent Service Intensity Instrument. For adult mental disorders, the default criteria are the most recent (1) guidelines of the American Psychiatric Association or (2) standards and guidelines of the Association of Ambulatory

Behavioral Healthcare.

In each case, the carrier can use other criteria that it demonstrates are consistent with the default criteria. But if the carrier does this, it must create and maintain a document in an easily accessible location on its website that:

1. compares each aspect of its criteria with the default criteria and
2. provides citations to peer-reviewed medical literature generally recognized by the relevant medical community or professional society guidelines that justify each deviation from the default criteria.

EFFECTIVE DATE: October 1, 2013

§§ 70 & 72-75 — ADVERSE DETERMINATIONS

§ 73(e) — *Initial Adverse Determination Notices*

By law, each carrier must promptly notify a covered person and, if applicable, his or her authorized representative, of an adverse determination. Among other things, the notice must describe the specific reason for the determination and any standard the carrier used in reaching the denial. The act additionally requires the notice to list, upon request, any relevant clinical review criteria (including professional criteria) and medical or scientific evidence used to reach a denial.

By law, the notice must describe the carrier's internal grievance procedures. Under prior law, this description had to state that the covered person or his or her representative could submit written comments, documents, records, and other material regarding the request for consideration by the individuals conducting the review. The act instead requires the notice to include a statement that, if the covered person or his or her representative chooses to grieve an adverse determination:

1. such appeals sometimes succeed;
2. the covered person or his or her representative may benefit from free assistance from the Office of the Healthcare Advocate (OHA), which can help with a grievance, or from the insurance department's consumer affairs division;
3. the covered person or representative is entitled and encouraged to submit supporting documentation for the carrier to consider during an adverse determination review, including their narratives and letters and treatment notes from the covered person's health care professional; and
4. the covered person or representative has the right to ask the health care professional for these letters and treatment notes.

By law, if an adverse determination is based on a carrier's internal rule or other similar criterion, the notice must (1) provide the criterion or (2) state that a copy of it is available upon request with instructions for requesting it. The act additionally requires the notice to provide links to the criterion on the carrier's web site. If the adverse determination involves treating a substance use or a mental disorder, the act requires the notice to also include a link to the carrier's applicable clinical review criteria, as described above, on its website.

§ 73(a)(3) — *Conference on Adverse Determination*

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The act allows a carrier to offer a covered person's health care professional an opportunity to confer with a clinical peer of the carrier under certain circumstances. This provision applies:

1. after a covered person or his or her representative or health care professional is notified of an initial adverse determination of a concurrent or prospective utilization review, or of a benefit request, that was at least partially based on medical necessity and
2. as long as the covered person, representative, or health care professional has not already filed a grievance of the initial adverse determination.

The conference is not considered a grievance of the initial adverse determination.

§ 75 (d) — Reviews of Adverse Determinations Not Based on Medical Necessity

By law, the covered person or his or her representative can grieve an adverse determination. For decisions upholding the adverse determination in cases not based on medical necessity, the act adds to the required information that must be provided with the notice of the decision. It requires a statement disclosing:

1. the covered person's right to contact the insurance commissioner's office or OHA at any time;
2. that the covered person may benefit from free assistance from OHA, which can help him or her file a grievance, or from the insurance department's consumer affairs division; and
3. the contact information for the offices.

§ 73 (b)(1)(B) — Continuing Treatment While the Adverse Determination is Appealed

Under the act, if a covered person grieves a non-urgent concurrent review request (i.e., one that takes place when the service is being requested) pursuant to federal law, the service must be continued without liability to the covered person during the review of the grievance. Existing law has a similar requirement in the case of urgent requests.

§§ 70, 72, & 74 — Clinical Peers

By law, carriers must contract with clinical peers to evaluate the clinical appropriateness of adverse determinations. The act additionally requires that clinical peers be used to review all adverse determinations based, at least in part, on medical necessity.

The act requires that carriers contract with clinical peers to conduct utilization reviews, rather than requiring them to contract with health care professionals to oversee the determinations in these reviews. It requires the clinical peers to participate in various stages of the review process.

By law, clinical peers are health care professionals who hold a non-restricted license in any state in the same or similar specialty that typically manages the medical condition, procedure, or treatment under review. The act requires clinical peers to have additional qualifications for review or benefit determinations concerning a substance use or mental disorder treated as an urgent request as

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specified above.

Under the act, for such determinations concerning a child or adolescent disorder, the clinical peer must (1) hold a national board certification in child and adolescent psychiatry or child and adolescent psychology and (2) have training or clinical experience in treating child and adolescent substance use or mental disorders, as applicable.

For such determinations concerning an adult disorder, the clinical peer must (1) hold a national board certification in psychiatry or psychology and (2) have training or clinical experience in treating adult substance use or mental disorders, as applicable.

The act requires that each carrier have procedures to ensure that the appropriate or required clinical peers are designated to conduct utilization reviews.

EFFECTIVE DATE: October 1, 2013

§ 77 — OFFICE OF THE HEALTH CARE ADVOCATE (OHA)

The act extends to self-insured employers the requirement that employers who provide health insurance benefits post a notice about OHA's services.

EFFECTIVE DATE: October 1, 2013

§ 78 — CONSUMER REPORT CARD

By law, the insurance commissioner must prepare an annual consumer report card that, among other things, addresses (1) claims denial data and (2) mental health services. The act requires the commissioner to annually analyze this data for the accuracy of, trends in, and statistically significant differences in, the data among the health care centers and insurers included in the report card. It allows him to investigate such differences to determine whether he should take further action.

EFFECTIVE DATE: October 1, 2013

§ 79 — MENTAL HEALTH PARITY AND COMPLIANCE CHECKS

The act requires the insurance commissioner, by September 15, 2013, to seek input from stakeholders on methods the department might use to check for compliance with state and federal mental health parity laws by health insurance companies and other entities under its jurisdiction. (In general, mental health parity refers to health insurance coverage for mental health services payable on the same basis as coverage for other medical conditions.)

Under the act, the stakeholders must at least include the Healthcare Advocate, health insurance companies, health care professionals, and behavioral health advocacy groups. The department must post notice of the request for input on its website and provide for written public comment for 30 days following the posting. The posting must include the date the public comment period closes and information on how to submit comments.

By January 1, 2014, the insurance commissioner must issue a report and

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provide an educational presentation to the Insurance and Real Estate and Public Health committees. The report and presentation must:

1. cover the methodology the department is using to check for compliance with the interim or final regulations or guidance, whichever is in effect, published by the U.S. Department of Health and Human Services relating to compliance and oversight requirements of federal law on mental health parity;
2. cover the methodology the department is using to check for compliance with state law on mental health parity; and
3. detail the department's regulatory and educational approaches relating to the financing of mental health services in Connecticut.

In addition, the report must describe and address any public comments the department received.

By February 1, 2014, the committees must hold a joint public hearing on the report.

EFFECTIVE DATE: Upon passage

§ 80 — SCHOOL SAFETY INFRASTRUCTURE COUNCIL

Council Duties

The act creates the School Safety Infrastructure Council (SSIC) that must develop school safety infrastructure standards for (1) the existing school construction projects program and (2) a new school security infrastructure competitive grant program the act creates.

The new standards must be submitted to the DESPP and education commissioners, the School Building Projects Advisory Council, and Public Safety and Education committees by January 1, 2014 and annually thereafter.

The standards must conform to industry standards for school building infrastructure and, at a minimum, include:

1. school building and classroom entryways, including reinforcement of entryways, ballistic (bullet-resistant) glass, solid-core doors, double-door access, computer-controlled electronic locks, remote locks on all entrances and exits, and buzzer systems;
2. use of cameras throughout the school building and at all entrances and exits, including the use of closed-circuit television monitoring;
3. penetration-resistant vestibules; and
4. other security infrastructure improvements and devices as they become industry standards.

Council Membership

The act creates the eight member council with the following membership:

1. the construction services commissioner, or his designee;
2. the DESPP commissioner, or his designee;
3. the education commissioner, or his designee;
4. one Senate president pro tempore appointee, who must be a person with expertise in building security, preferably school building security;

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5. one House speaker appointee, who must be a licensed professional structural engineer;
6. one Senate majority leader appointee, who must be a certified public school administrator;
7. one House majority leader appointee, who must be a firefighter, emergency medical technician, or paramedic;
8. one Senate minority leader appointee, who must be a school resource officer (police officer assigned to a school); and
9. one House minority leader appointee, who must be a certified public school teacher.

The construction services commissioner chairs the council. The administrative staff of the Department of Construction Services (DCS) serves as staff.

EFFECTIVE DATE: Upon passage

§§ 81 & 82 — SCHOOL CONSTRUCTION PROJECTS AND THE NEW SCHOOL SAFETY STANDARDS

Under the school construction project law, a school district can receive state reimbursement for the eligible parts of a school construction or renovation project if its application meets certain criteria. The act additionally requires DCS, starting July 1, 2014, to review each local school construction grant application for compliance with the SSIC-developed school safety infrastructure standards. It gives DCS the authority to disapprove any application that does not comply with these new school safety standards starting July 1, 2014.

It also requires school superintendents to affirm on the school construction application form, also starting July 1, 2014, that the district considered the SSIC-developed infrastructure standards.

EFFECTIVE DATE: July 1, 2013

§ 83 — SCHOOL BUILDING PROJECTS ADVISORY COUNCIL

By law, the School Building Projects Advisory Council must develop model blueprints for new school building projects. The act expands that requirement so that the blueprints are for school building projects that comply with industry standards for school buildings and the new SSIC-developed infrastructure standards.

EFFECTIVE DATE: Upon passage

§§ 84 & 85 — COMPETITIVE SCHOOL SECURITY INFRASTRUCTURE GRANTS

The act establishes a competitive state grant program to improve security infrastructure in schools and authorizes up to \$15 million in state bonds for the program. The grant program is jointly administered by DESPP, DCS, and SDE, and funding is available for FYs 13, 14, and 15.

The program will reimburse towns for certain expenses for (1) the development or improvement of security infrastructure, based on the security

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assessment the act requires, and (2) (a) school personnel training in the operation and maintenance of the new or improved security structure or (b) the purchase of portable entrance security devices, including metal detector wands, screening machines, and related training.

Eligible infrastructure includes the installation of surveillance cameras, penetration resistant vestibules, ballistic glass, solid core doors, double-door access, computer-controlled electronic locks, entry door buzzer systems, scan card systems, panic alarms, or other systems.

Application Process

Local or regional boards of education can apply to DESPP for funds on behalf of their town or member towns beginning April 4, 2013. (PA 13-122, § 15, changed this date to allow costs incurred for eligible security improvements on or after January 1, 2013 to be reimbursable by the state.)

The DESPP commissioner prescribes the application process and related details. Boards of education can apply before and after SSIC develops standards. Before the date SSIC makes its initial submission of infrastructure standards under the act, the DESPP commissioner, in consultation with the construction services and education commissioners, determines which expenses are eligible for reimbursement. After the SSIC submits its new infrastructure standards, decisions to approve or deny applications and which expenses are eligible for reimbursement must meet the most recent SSIC standards.

The grants reimburse school districts for 20% to 80% of the eligible expenses for such security measures incurred. The reimbursement percentage is based on the district's wealth.

To receive a grant, a district must show that it (1) has conducted a uniform security assessment of its schools and any security infrastructure, (2) has an emergency plan at its schools developed with applicable state and local first responders, and (3) periodically practices the plan. The security assessment must be carried out under the supervision of the district's local law enforcement agency and use the Safe Schools Facilities Check List published by the National Clearinghouse for Educational Facilities (see BACKGROUND).

If there is not enough money to reimburse every district for its full percentage, the DESPP commissioner, in consultation with the DCS and education commissioners, must give first priority to applicants with schools they determine have the greatest need for security infrastructure based on the school security assessments the school districts submit. Of the applicants with the greatest security infrastructure need, the commissioners must give first priority to applicants that have no security infrastructure at the time of the assessment and secondary priority to applicants from priority school districts.

EFFECTIVE DATE: Upon passage

§ 86 — SCHOOL SECURITY AND SAFETY STANDARDS

The act requires DESPP to develop school security and safety plan standards by January 1, 2014, in consultation with SDE. The standards must follow an all-

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hazards approach to public school emergencies, and DESPP must make them available to local officials, including local and regional boards of education. Such standards must include:

1. requirements that local and regional school boards conduct security and vulnerability assessments of their schools every two years, develop a school security and safety plan for each school based upon the assessment results, and give DESPP annual fire and crisis response drill reports;
2. requirements that local officials, including the chief executive officer of the municipality, superintendent of schools, law enforcement, fire, public health, emergency management, and emergency medical services participate in school security and safety plan development;
3. requirements that local law enforcement and other local public safety officials score and evaluate fire and crisis response drills;
4. a command center organization structure, based on the federal National Incident Management System, as well as command center responsibilities;
5. crisis management and various emergency management procedures;
6. requirements that each school establish a school security and safety committee;
7. requirements that each school's safe school climate committee collect, evaluate, and report information as necessary about disturbing or threatening behavior, which is distinct from bullying, to the district safe school climate coordinator and the school security and safety committee; and
8. requirements that each school security and safety plan provide a plan orientation to each school employee and violence prevention training.

DESPP must annually report its standards and recommendations for legislation to the Education and Public Safety and Security committees, beginning January 1, 2014.

EFFECTIVE DATE: Upon passage

§ 87 — SCHOOL SECURITY AND SAFETY PLANS AND COMMITTEES

The act requires local and regional boards of education to annually do the following, beginning in the 2014-15 school year:

1. develop and implement a school security and safety plan for each school within their school districts, based upon DESPP-issued standards;
2. develop and review, update if necessary, and submit school security and safety plans to DESPP; and
3. establish a school security and safety committee at each school to assist in developing and administering the school's security and safety plan.

Committee membership must consist of:

1. a local police officer;
2. a local first responder;
3. a teacher from the school;
4. an administrator employed at the school;
5. a mental health professional (guidance counselor, school social worker, school psychologist, school nurse, or child mental health specialist);

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6. a parent or guardian of an enrolled student; and
7. any other person the board of education finds necessary.

Parents or guardians who serve on this committee must not have access to information about disturbing or threatening student behavior reported to the committee.

EFFECTIVE DATE: Upon passage

§ 88 — SAFE SCHOOL CLIMATE COMMITTEES

The act expands the duties of the safe school climate committees. These committees, primarily tasked with duties related to bullying prevention, are required by law in each school serving grades K-12. The act requires the committees to also collect, evaluate, and report information about disturbing or threatening student behavior (even if it falls outside the definition of bullying), as provided in the school's security and safety plan. Parents or guardians who serve on the committees must not participate in this new duty, since it may compromise student confidentiality.

EFFECTIVE DATE: Upon passage

§ 89 — REPORT ON SCHOOL DISTRICT EFFORTS TO PREVENT BULLYING

The act increases the frequency and the recipients of the SDE report that analyzes public school districts' bullying prevention efforts. This report must track the number of bullying incidents in the state, describe responsive actions taken by districts, and offer recommendations for additional activities or funding to prevent bullying and improve school climates.

Prior law required SDE to submit the report to the Education and Children's committees by February 1, 2010 and biennially thereafter. The act requires the report annually, beginning February 1, 2014. It also requires SDE to add to the list of required recipients the House speaker, Senate president pro tempore, and House and Senate majority and minority leaders.

EFFECTIVE DATE: Upon passage

§ 90 — MENTAL HEALTH FIRST AID TRAINING

The act requires the DMHAS commissioner, in consultation with the education commissioner, to administer a mental health first aid training program. Participants must include all district safe school climate coordinators and may include teachers, school nurses, counselors, and other school employees at the discretion of each local or regional board of education.

DMHAS must provide training for individuals appointed to serve as district safe school climate coordinators for the 2014-15 school year. These individuals must successfully complete the training. For the 2015-16 school year, only district safe school climate coordinators who did not yet successfully complete the training or serve in the position during the prior school year must successfully complete the training. Coordinators only have to successfully complete the

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training once.

Training must teach participants how to (1) recognize signs of mental disorders in children and young adults and (2) connect such children and youth with professionals who can provide suitable mental health services. The commissioners administering this training may seek funding from the federal or state government, as well as from private donors.

(For additional mental health first aid provisions, see §§ 64 and 65 of this act.)
EFFECTIVE DATE: Upon passage

§ 91 — SCHOOL SECURITY CONSULTANT REGISTRY

The act requires DESPP to establish and maintain a registry of school security consultants doing business in Connecticut. DESPP must update the registry annually, publish it on its website, and furnish it to the public upon request. The registry must contain (1) the consultants' names, (2) their employers, and (3) other information that the DESPP commissioner may require.

EFFECTIVE DATE: Upon passage

§ 92 — HIGHER EDUCATION SECURITY PROTOCOL PLANS AND THREAT ASSESSMENT TEAMS

Security Protocol Plans

The act requires UConn and all its campuses, all state colleges in the Connecticut State University System (CSUS), all regional community-technical colleges, and all Connecticut independent institutions of higher education to do the following:

1. by October 1, 2013, give an updated security protocol plan to DESPP, which under existing law must outline how faculty and staff should identify and respond to students at risk for harm to themselves or others; and
2. by July 1, 2015, and every two years afterward, review their security protocol plan with chiefs of police or heads of campus security and submit revisions, if necessary, to DESPP by August 1 of the affected year.

Threat Assessment Teams

The act also requires the above institutions to establish trained threat assessment teams on each campus by January 1, 2014.

Each institution president must choose team membership in consultation with the campus chief of police or head of security. Membership may include at least one member from its special police force or campus security personnel, administration, faculty, and senior and mid-level staff. The chief of police or head of security for each campus must ensure that each member (1) is capable of executing the security protocol plan and (2) receives training in identifying at-risk people and safety threats on campus.

EFFECTIVE DATE: Upon passage

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§ 93 — HIGHER EDUCATION POLICE FORCES

By law, UConn and all its campuses, and the four colleges in CSUS are authorized to establish their own police forces, who can be armed and authorized to make arrests. The act excludes these positions from certain aspects of the State Personnel Act that address civil service qualifying exams. The act gives the respective governing bodies for UConn and the CSUS the authority to determine, among other things, the (1) preliminary requirements, including educational qualifications, for police force members and (2) timeline for filling vacancies on the respective forces, including when an exam for a vacant position will be offered. (PA 13-247, § 63, repealed this provision and placed these police positions back under the State Personnel Act.)

EFFECTIVE DATE: Upon passage

§ 94 — SPECIAL POLICE FORCE EFFICACY STUDY AND COORDINATED SECURITY PLAN

Special Police Force Efficacy Study

The act requires the Board of Regents for Higher Education (BOR), in consultation with DESPP, to evaluate whether the establishment of a special police force to replace campus security personnel for each regional community-technical college would be effective. By January 1, 2014, the BOR president must report to the Higher Education and Employment Advancement Committee.

Coordinated Security Plan

The act also requires BOR to develop a coordinated security plan for the Connecticut State University System and the regional community-technical college system. By January 1, 2014, the BOR president must report on the plan to the Higher Education and Employment Advancement Committee.

EFFECTIVE DATE: Upon passage

§ 95 — CERTIFICATION REQUIREMENTS FOR ARMED HIGHER EDUCATION SECURITY

The act requires all armed campus security personnel and armed special police force members of any Connecticut public college or university to be certified by the Police Officer Standards and Training (POST) Council. POST establishes minimum qualifications for municipal police officers and enforces professional standards for certifying and decertifying them.

EFFECTIVE DATE: Upon passage

§ 96 — CAMPUS SAFETY AND SECURITY AUDITS

The act requires DESPP, by December 1, 2014, to perform or require an audit of the following campuses to determine their safety and security characteristics: UConn and all its campuses, all CSUS state colleges, all regional community-technical colleges, and all Connecticut independent institutions of higher

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education. DESPP must conduct audits in cooperation with BOR or the UConn Board of Trustees when examining their respective campuses.

The act also requires DESPP to base any recommendations for campus security upgrades on the audit’s findings and align them with the campus’s security protocol plan. DESPP must report all audit results to the Higher Education and Employment Advancement Committee by January 1, 2015.

EFFECTIVE DATE: Upon passage

§ 97 — TERMINOLOGY CHANGE

The act renames “independent college or university” under prior law as “independent institution of higher education.” Its definition still refers to non-profit institutions established in Connecticut that have (1) degree-granting authority in the state, (2) a home campus within the state, (3) no function in the state system of public higher education, and (4) a primary function other than religious vocation preparation.

EFFECTIVE DATE: Upon passage

§§ 98 & 99 — BOND AUTHORIZATION REPEALER

The act repeals a \$3 million bond authorization initially created in 2007 for a school security infrastructure program and reduced in 2010 as part of a bond cancellation.

EFFECTIVE DATE: Upon passage

BACKGROUND

Assault Weapons Banned By Name

Table 8 shows assault weapons banned by name under existing law (§ 25).

Table 8: Weapons Banned By Name Under Existing Law

Algimec Agmi	Fabrique Nationale FN/FAL, FN/LAR, or FN/FNC	Scarab Skorpion
Armalite AR-180	FAMAS MAS 223	SIG 57 AMT and 500 series
Australian Automatic Arms SAP Pistol	Feather AT-9 and Mini-AT	Spectre Auto Carbine and Auto Pistol
Auto-Ordnance Thompson Type*	Federal XC-900 and XC-450	Springfield armory BM59, SAR-48 and G-3
Avtomat Kalashnikov AK-47 type*	Franchi SPAS-12 and LAW-12	Sterling MK-6 and MK-7
Barrett Light-Fifty model 82A1	Galil AR and ARM	Steyr AUG
Beretta AR-70	Goncz High-Tech Carbine and High-	Street Sweeper and Striker 12 revolving

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	Tech Long Pistol	cylinder shotguns
Bushmaster Auto Rifle and Auto Pistol	Heckler & Koch HK-91, HK-93, HK-94, and SP-89	USAS-12
Calico models M-900, M-950, and 100-P	Holmes MP-83	UZI Carbine, Mini-Carbine, and Pistol
Chartered Industries of Singapore SR-88	Intratec TEC-9 and Scorpion	Weaver Arms Nighthawk
Colt AR-15 and Colt Sporter	Iver Johnson Enforcer model 3000	Wilkinson Linda Pistol
Daewoo K-1, K-2, Max-1, and Max-2	MAC-10, MAC-11, and MAC-111 Carbine type*	
Encom MK-IV, MP-9, and MP-45	Ruger Mini-14/5F folding stock model only	

*PA 02-120 amended the original assault weapons ban to allow someone to possess an Auto-Ordnance Thompson type, Avtomat Kalashnikov AK-47 type, MAC-10, MAC-11, or MAC-11 Carbine type assault weapon if (1) it was obtained in good faith on or after October 1, 1993 and before May 8, 2002, (2) the possessor was not prohibited from possessing the weapon under any other law, and (3) the possessor notified DESPP before October 1, 2003 that he or she possessed the specific weapon (CGS § 53-202n).

§ 84 — National Clearinghouse on Educational Facilities

The clearinghouse was created by the U.S. Department of Education and is funded by the department and overseen by its Office of Safe and Drug-Free Schools. It provides information on planning, designing, funding, building, improving, and maintaining safe, healthy, high-performance schools. The clearinghouse's Safe Schools Facilities Check List allows schools to assess the safety of their buildings and grounds.

§ 95 — POST Authority and Regulations

POST establishes minimum qualifications for municipal police officers and enforces professional standards for certifying and decertifying them. Its entry level requirements for police officers include personal interviews, fingerprint examination, background investigation, psychological examination, criminal history record check, controlled substance screen, and physical fitness and medical tests (Conn. Agencies Reg. § 7-294e-16).

Related Acts

PA 13-220 makes numerous changes in the gun provisions in this public act.

PA 13-258, § 29, increases the penalty for (1) carrying a concealed loaded assault weapon or (2) knowingly having an assault weapon in a vehicle unless the weapon is kept in the trunk or in a case or container that is inaccessible to the

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operator of or any passenger in the vehicle.

PA 13-214 revises the protocol for the surrender of a firearm by a person who is subject to a restraining or protective order or a foreign order of protection.

OLR Tracking: VR:JO:PF:RO/ts