AN ACT PROTECTING VICTIMS OF DOMESTIC VIOLENCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 29-36k of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) [Not later than two business days] Except as provided in subsection (b) of this section, not later than two business days after the occurrence of any event that makes a person ineligible to possess a pistol or revolver or other firearm or ammunition, such person shall (1) transfer in accordance with section 29-33 all pistols and revolvers which such person then possesses to any person eligible to possess a pistol or revolver and transfer in accordance with any applicable state and federal laws all other firearms to any person eligible to possess such other firearms by obtaining an authorization number for the sale or transfer of the firearm from the Commissioner of Emergency Services and Public Protection, and submit a sale or transfer of firearms form to said commissioner within two business days, [except that a person subject to a restraining or protective order or a foreign order of protection may only transfer a pistol, revolver or other firearm or ammunition under this subdivision to a federally licensed firearms dealer pursuant to the sale of the pistol, revolver or other firearm and ammunition to the federally licensed firearms dealer,] or (2) deliver or surrender such pistols and revolvers and other firearms and
ammunition to the Commissioner of Emergency Services and Public Protection, or (3) transfer such ammunition to any person eligible to possess such ammunition. The commissioner shall exercise due care in the receipt and holding of such pistols and revolvers and other firearms or ammunition. [For the purposes of this section, a "person subject to a restraining or protective order or a foreign order of protection" means a person who knows that such person is subject to (A) a restraining or protective order of a court of this state that has been issued against such person, after notice and an opportunity to be heard has been provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, or (B) a foreign order of protection, as defined in section 46b-15a, that has been issued against such person in a case involving the use, attempted use or threatened use of physical force against another person.]

(b) Immediately, but in no event more than twenty-four hours after notice has been provided to a person subject to a restraining or protective order or a foreign order of protection, such person shall (1) transfer any pistol, revolver or other firearm or ammunition which such person then possesses to a federally licensed firearms dealer pursuant to the sale of the pistol, revolver or other firearm or ammunition to the federally licensed firearms dealer, or (2) deliver or surrender such pistols and revolvers and other firearms and ammunition to the Commissioner of Emergency Services and Public Protection. For the purposes of this section, a "person subject to a restraining or protective order or a foreign order of protection" means a person who knows that such person is subject to (A) a restraining or protective order of a court of this state that has been issued against such person, after notice has been provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, or (B) a foreign order of protection, as defined in section 46b-15a, that has been issued against such person in a case involving the use, attempted use or threatened use of physical force against another person.
[(b)] (c) Such person, or such person's legal representative, may, at any time up to one year after such delivery or surrender, transfer such pistols and revolvers in accordance with the provisions of section 29-33 to any person eligible to possess a pistol or revolver and transfer such other firearms and ammunition, in accordance with any applicable state and federal laws, to any person eligible to possess such other firearms and ammunition, provided any person subject to a restraining or protective order or a foreign order of protection, or such person's legal representative, may only transfer such pistol, revolver or other firearm or ammunition to a federally licensed firearms dealer pursuant to the sale of the pistol, revolver or other firearm or ammunition to the federally licensed firearms dealer. Upon notification in writing by the transferee and such person, the Commissioner of Emergency Services and Public Protection shall, within ten days, deliver such pistols and revolvers [or] and other firearms [or] and ammunition to the transferee. If, at the end of such year, such pistols and revolvers [or] and other firearms [or] and ammunition have not been so transferred, the commissioner shall cause them to be destroyed.

[(c)] (d) Any person who fails to transfer, deliver or surrender any such pistols and revolvers and other firearms [or] and ammunition as provided in this section shall be subject to the penalty provided for in section 53a-217, as amended by this act, or 53a-217c, as amended by this act.

Sec. 2. Section 53a-217 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) A person is guilty of criminal possession of a firearm, ammunition or an electronic defense weapon when such person possesses a firearm, ammunition or an electronic defense weapon and (1) has been convicted of a felony committed prior to, on or after October 1, 2013, or of a violation of subsection (c) of section 21a-279 or section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d committed on or after October 1, 2013, (2) has been convicted as delinquent for the commission of a serious juvenile...
offense, as defined in section 46b-120, (3) has been discharged from
custody within the preceding twenty years after having been found
not guilty of a crime by reason of mental disease or defect pursuant to
section 53a-13, (4) knows that such person is subject to (A) a
restraining or protective order of a court of this state that has been
issued against such person, after notice [and an opportunity to be
heard] has been provided to such person, in a case involving the use,
attempted use or threatened use of physical force against another
person, or (B) a foreign order of protection, as defined in section 46b-
15a, that has been issued against such person in a case involving the
use, attempted use or threatened use of physical force against another
person, (5) (A) has been confined on or after October 1, 2013, in a
hospital for persons with psychiatric disabilities, as defined in section
17a-495, within the preceding sixty months by order of a probate court,
or with respect to any person who holds a valid permit or certificate
that was issued or renewed under the provisions of section 29-28 or 29-
36f in effect prior to October 1, 2013, such person has been confined in
such hospital within the preceding twelve months, or (B) has been
voluntarily admitted on or after October 1, 2013, to a hospital for
persons with psychiatric disabilities, as defined in section 17a-495,
within the preceding six months for care and treatment of a psychiatric
disability and not solely for being an alcohol-dependent person or a
drug-dependent person as those terms are defined in section 17a-680,
(6) knows that such person is subject to a firearms seizure order issued
pursuant to subsection (d) of section 29-38c after notice and an
opportunity to be heard has been provided to such person, or (7) is
prohibited from shipping, transporting, possessing or receiving a
firearm pursuant to 18 USC 922(g)(4). For the purposes of this section,
"convicted" means having a judgment of conviction entered by a court
of competent jurisdiction, "ammunition" means a loaded cartridge,
consisting of a primed case, propellant or projectile, designed for use
in any firearm, and a motor vehicle violation for which a sentence to a
term of imprisonment of more than one year may be imposed shall be
deemed an unclassified felony.
(b) Criminal possession of a firearm, ammunition or an electronic defense weapon is a class C felony, for which two years of the sentence imposed may not be suspended or reduced by the court, and five thousand dollars of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

Sec. 3. Section 53a-217c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) A person is guilty of criminal possession of a pistol or revolver when such person possesses a pistol or revolver, as defined in section 29-27, and (1) has been convicted of a felony committed prior to, on or after October 1, 2013, or of a violation of subsection (c) of section 21a-279 or section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d committed on or after October 1, 1994, (2) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in section 46b-120, (3) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13, (4) (A) has been confined prior to October 1, 2013, in a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding twelve months by order of a probate court, or has been confined on or after October 1, 2013, in a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding sixty months by order of a probate court, or, with respect to any person who holds a valid permit or certificate that was issued or renewed under the provisions of section 29-28 or 29-36f in effect prior to October 1, 2013, such person has been confined in such hospital within the preceding twelve months, or (B) has been voluntarily admitted on or after October 1, 2013, to a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding six months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person as those terms are
defined in section 17a-680, (5) knows that such person is subject to (A) a restraining or protective order of a court of this state that has been issued against such person, after notice [and an opportunity to be heard] has been provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, or (B) a foreign order of protection, as defined in section 46b-15a, that has been issued against such person in a case involving the use, attempted use or threatened use of physical force against another person, (6) knows that such person is subject to a firearms seizure order issued pursuant to subsection (d) of section 29-38c after notice and an opportunity to be heard has been provided to such person, (7) is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4), or (8) is an alien illegally or unlawfully in the United States. For the purposes of this section, "convicted" means having a judgment of conviction entered by a court of competent jurisdiction.

(b) Criminal possession of a pistol or revolver is a class C felony, for which two years of the sentence imposed may not be suspended or reduced by the court, and five thousand dollars of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

Sec. 4. Section 29-32 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

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

(b) Any state permit or temporary state permit for the carrying of any pistol or revolver may be revoked by the Commissioner of Emergency Services and Public Protection for cause and shall be revoked by said commissioner upon conviction of the holder of such permit of a felony or of any misdemeanor specified in subsection (b) of section 29-28 or upon the occurrence of any event which would have disqualified the holder from being issued the state permit or
temporary state permit pursuant to subsection (b) of section 29-28.
Upon the revocation of any state permit or temporary state permit, the
person whose state permit or temporary state permit is revoked shall
be notified in writing and such state permit or temporary state permit
shall be forthwith delivered to the commissioner. Any law
enforcement authority shall confiscate and immediately forward to the
commissioner any state permit or temporary state permit that is
illegally possessed by any person. The commissioner may revoke the
state permit or temporary state permit based upon the commissioner's
own investigation or upon the request of any law enforcement agency.
Any person who fails to surrender any permit within five days of
notification in writing of revocation thereof shall be guilty of a class A
misdemeanor.

(c) Any local permit for the carrying of a pistol or revolver issued
prior to October 1, 2001, may be revoked by the authority issuing the
same for cause, and shall be revoked by the authority issuing the same
upon conviction of the holder of such permit of a felony or of any
misdemeanor specified in subsection (b) of section 29-28 or upon the
occurrence of any event which would have disqualified the holder
from being issued such local permit. Upon the revocation of any local
permit, the person whose local permit is revoked shall be notified in
writing and such permit shall be forthwith delivered to the authority
issuing the same. Upon the revocation of any local permit, the
authority issuing the same shall forthwith notify the commissioner.
Upon the revocation of any permit issued by the commissioner, the
commissioner shall forthwith notify any local authority which the
records of the commissioner show as having issued a currently valid
local permit to the holder of the permit revoked by the commissioner.
Any person who fails to surrender such permit within five days of
notification in writing or revocation thereof shall be guilty of a class A
misdemeanor.

(d) If a state permit or temporary state permit for the carrying of any
pistol or revolver is revoked because the person holding such permit is
subject to an ex parte order issued pursuant to section 46b-15 or 46b-16a, upon expiration of such order, such person may notify the Department of Emergency Services and Public Protection that such order has expired. Upon verification of such expiration and provided such person is not otherwise disqualified from holding such permit pursuant to subsection (b) of section 29-28, the department shall reinstate such permit.

Sec. 5. Section 29-36i of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

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

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

(c) If an eligibility certificate for a pistol or revolver is revoked because the person holding such certificate is subject to an ex parte order issued pursuant to section 46b-15 or 46b-16a, upon expiration of such order, such person may notify the Department of Emergency Services and Public Protection that such order has expired. Upon verification of such expiration and provided such person is not otherwise disqualified from holding such certificate pursuant to section 29-36f, the department shall reinstate such certificate.

Sec. 6. Section 29-37s of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) A long gun eligibility certificate shall be revoked by the Commissioner of Emergency Services and Public Protection upon the
occurrence of any event which would have disqualified the holder from being issued the certificate pursuant to section 29-37p.

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

(c) If a long gun eligibility certificate is revoked because the person holding such certificate is subject to an ex parte order issued pursuant to section 46b-15 or 46b-16a, upon expiration of such order, such person may notify the Department of Emergency Services and Public Protection that such order has expired. Upon verification of such expiration and provided such person is not otherwise disqualified from holding such certificate pursuant to section 29-37p, the department shall reinstate such certificate.

Sec. 7. Section 29-38p of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) An ammunition certificate shall be revoked by the Commissioner of Emergency Services and Public Protection upon the occurrence of any event which would have disqualified the holder from being issued the certificate pursuant to section 29-38n.

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

(c) If an ammunition certificate is revoked because the person holding such certificate is subject to an ex parte order issued pursuant to section 46b-15 or 46b-16a, upon expiration of such order, such
person may notify the Department of Emergency Services and Public Protection that such order has expired. Upon verification of such expiration and provided such person is not otherwise disqualified from holding such certificate pursuant to section 29-38n, the department shall reinstate such certificate.

This act shall take effect as follows and shall amend the following sections:

<table>
<thead>
<tr>
<th>Section</th>
<th>Date</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 1</td>
<td>October 1, 2015</td>
<td>29-36k</td>
</tr>
<tr>
<td>Sec. 2</td>
<td>October 1, 2015</td>
<td>53a-217</td>
</tr>
<tr>
<td>Sec. 3</td>
<td>October 1, 2015</td>
<td>53a-217c</td>
</tr>
<tr>
<td>Sec. 4</td>
<td>October 1, 2015</td>
<td>29-32</td>
</tr>
<tr>
<td>Sec. 5</td>
<td>October 1, 2015</td>
<td>29-36i</td>
</tr>
<tr>
<td>Sec. 6</td>
<td>October 1, 2015</td>
<td>29-37s</td>
</tr>
<tr>
<td>Sec. 7</td>
<td>October 1, 2015</td>
<td>29-38p</td>
</tr>
</tbody>
</table>

**JUD** Joint Favorable Subst.