



## OLR BACKGROUNDER: BOARD OF FIREARMS PERMIT EXAMINERS

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### BOARD OF FIREARMS PERMIT EXAMINERS

The board is within the Office of Governmental Accountability.

The board is scheduled to meet 19 times during 2015 (see <http://www.ct.gov/bfpe/cwp/view.asp?a=1253&q=273458>)

### ISSUE

Briefly describe the Board of Firearms Permit Examiners.

### BOARD COMPOSITION

The Board of Firearms Permit Examiners is a statutory board that hears appeals of issuing authorities' adverse decisions on gun permits and eligibility certificates ([CGS § 29-32b](#)). The nine-member board consists of one retired Superior Court judge, appointed by the chief court administrator, and eight members

appointed by the governor as follows: two public members and one nominee each from the:

1. Department of Emergency Services and Public Protection,
2. Department of Mental Health and Addiction Services,
3. Connecticut Police Chiefs Association,
4. Department of Energy and Environmental Protection,
5. Connecticut State Rifle and Revolver Association, Inc., and
6. Ye Connecticut Gun Guild, Inc.

At least one member appointed by the governor must be a Connecticut-licensed lawyer, who must chair the board during appeal hearings. Members are not paid but receive reasonable subsistence and travel allowances for performing their duties ([CGS § 29-32b](#)).

## **HEARINGS**

Anyone aggrieved by an official's decision to deny, limit, revoke, or refuse to provide an application for a gun permit or eligibility certificate when asked, may appeal to the board, and the board must hear the appeal. It cannot reject any appeal for mere lack of formality.

The board must hold hearings at least once every 90 days. The hearings are not criminal proceedings. Rather, they are civil administrative hearings open to the public. They must be conducted informally but according to the rules of evidence. Both sides can call witnesses to address and explain the incidents that form the basis for the issuing authority's adverse action, and both may cross-examine witnesses. The board may also question witnesses, request additional witnesses and information, and compel the attendance of witnesses with subpoenas. All witnesses must be sworn.

Unless the board finds that the action that is the subject of the appeal was for a "just and proper cause," it must order the issuing authority to issue, renew, restore, or remove any limit on the gun permit or eligibility certificate. Decisions must be made by majority vote.

### ***Appeal of Board Decisions***

The statute establishing the board's procedures allows any person aggrieved by the board's decision to appeal to the Superior Court under the Uniform Administrative Procedure Act, which authorizes appeals by both individuals and government agencies and subdivisions ([CGS § 29-32b\(f\)](#)).

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