



Senate

General Assembly

File No. 266

February Session, 2016

Substitute Senate Bill No. 234

Senate, March 29, 2016

The Committee on Public Safety and Security reported through SEN. LARSON of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE LOCATION OF A FIREARMS TRAINING FACILITY.

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

1 Section 1. (NEW) (*Effective from passage*) (a) For the purposes of this
2 section:

3 (1) "Firearms training facility" means an indoor or outdoor training
4 facility designed and designated for training with firearms;

5 (2) "Public land" means a state park, state forest or municipal park
6 or any other publicly owned land that is open to the public for active
7 or passive recreation; and

8 (3) "State agency" has the same meaning as provided in section 1-79
9 of the general statutes.

10 (b) On and after the effective date of this section, no state agency
11 shall construct a firearms training facility unless such state agency (1)

12 purchased or leased the property on which such firearms training
13 facility will be located prior to said date and such property is not
14 public land, (2) constructs such firearms training facility on property
15 owned or leased and used by the federal or state government as a
16 firearms training facility prior to said date, or (3) purchases or leases
17 property on which such firearms training facility will be located
18 pursuant to the provisions of section 2 of this act.

19 (c) On and after the effective date of this section, any state agency
20 that constructs a firearms training facility or expands a firearms
21 training facility shall design such firearms training facility to
22 incorporate noise reducing methods, including the installation of
23 baffles in such a manner to reduce or redirect sound waves. The
24 Department of Administrative Services, in consultation with the
25 Department of Energy and Environmental Protection, may adopt
26 regulations, in accordance with chapter 54 of the general statutes, to
27 implement the provisions of this subsection. Such regulations may
28 include, but need not be limited to, the size, location, construction and
29 type of baffles in a firearms training facility.

30 Sec. 2. (NEW) (*Effective from passage*) (a) For the purposes of this
31 subsection, "firearms training facility" means an indoor or outdoor
32 training facility designed and designated for training with firearms,
33 and "sponsoring agency" means the state department, institution or
34 agency responsible for the preparation of an environmental impact
35 evaluation pursuant to subsection (c) of section 22a-1b of the general
36 statutes.

37 (b) After the Office of Policy and Management makes a written
38 determination that an environmental impact evaluation with respect to
39 a proposed construction, expansion or development of a firearms
40 training facility satisfies the requirements of part I of chapter 439 of the
41 general statutes, the sponsoring agency shall not make its final
42 decision on such proposed construction, expansion or development
43 without the approval by referendum of the municipality within whose
44 territorial limits the firearms training facility is located or is to be

45 located.

46 Sec. 3. (*Effective from passage*) (a) The Department of Emergency
47 Services and Public Protection, in consultation with the Department of
48 Administrative Services, shall conduct a study to find a suitable
49 replacement for the firearms training facility located in Simsbury in
50 order to meet the firearms training needs of the Department of
51 Emergency Services and Public Protection. The study shall include, but
52 need not be limited to, the following: (1) A description of the needs of a
53 firearms training facility; (2) an evaluation of each firearms training
54 facility owned by the state or available for use by the department
55 according to the (A) types of ranges such as indoor or outdoor, small
56 arms, rifle or shotgun, (B) capacity of each range in terms of the
57 number of persons that can use the range at the same time, (C) number
58 of hours the firearms training facility can be operated per day and on
59 weekends without creating a neighborhood nuisance, (D) on-site
60 classroom facilities, (E) potential for expansion to meet the needs of the
61 department, and (F) environmental issues at the site; (3) the feasibility
62 and desirability of using an existing firearms training facility or a
63 combination of existing firearms training facilities to meet the firearms
64 training needs of the department; and (4) a tentative construction
65 budget and timetable for locating the department's firearms training
66 facility at one or more existing firearms training facilities.

67 (b) Not later than January 1, 2017, the department shall submit a
68 report on the results of such study, in accordance with the provisions
69 of section 11-4a of the general statutes, to the joint standing committee
70 of the General Assembly having cognizance of matters relating to
71 public safety and security.

72 (c) The department shall not proceed with the preparation of any
73 environmental impact evaluation contemplated by subsection (c) of
74 section 22a-1b of the general statutes pertaining to a firearms training
75 facility until the report described in subsection (b) of this section is
76 submitted.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section

PS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which requires the Department of Emergency Services and Public Protection (DESPP), in consultation with the Department of Administrative Services (DAS), to conduct a study to find a suitable replacement for the Simsbury gun range, will not result in a fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sSB 234*****AN ACT CONCERNING THE LOCATION OF A FIREARMS TRAINING FACILITY.*****SUMMARY:**

This bill limits the location of state firearm training facilities (gun ranges), and it prohibits the construction of any gun range unless specified conditions are met. Among other things, any gun range constructed on land the state bought or leased (1) before the bill's effective date cannot be sited on public land and (2) after the bill's effective date must be approved in a municipal referendum. Under the bill, "public land" means a state park, state forest, municipal park, or other public land open to the public for recreation.

The bill requires the Department of Emergency Services and Public Protection (DESPP), in consultation with the Department of Administrative Services (DAS), to conduct a study to find a suitable replacement for the Simsbury gun range. And it prohibits DESPP from proceeding with an environmental impact evaluation for any gun range property until the department submits the report to the Public Safety and Security Committee.

The bill requires any state agency that constructs or expands a gun range to incorporate noise reduction methods such as installing baffles to reduce or redirect sound waves. It allows DAS, in consultation with the Department of Energy and Environmental Protection, to adopt implementing regulations that may address the size, location, construction, and type of baffles, among other things.

EFFECTIVE DATE: Upon passage

GUN RANGE CONSTRUCTION

Location

After the bill takes effect, a state agency may construct a gun range only on land:

1. the agency bought or leased before the bill's effective date, provided the land is not a state or municipal park, state forest, or other publicly owned land open to the public for recreation;
2. owned or leased and being used as a gun range by the state or federal government before the bill's effective date; or
3. it buys or leases after the bill's effective date, subject to the bill's specifications, which include the host municipality approving the siting of the facility.

Gun Range Study

The bill requires DESPP, in consultation with DAS, to conduct a study to find a suitable replacement for the Simsbury gun range to meet DESPP's firearm training needs. The study must include the following:

1. a description of the gun range needs,
2. the feasibility and desirability of using an existing gun range or a combination of existing gun ranges to meet DESPP's training needs, and
3. a tentative construction budget and timetable for locating the department's gun range at one or more existing gun ranges.

The study must also include an evaluation of each gun range owned by the state or available for DESPP use according to the following:

1. type of range such as indoor or outdoor, small arms, rifle or shotgun;
2. capacity of each range in terms of the number of persons that can use it at the same time;
3. the number of hours the gun range can be operated per day and on weekends without creating a neighborhood nuisance;

4. on-site classroom facilities;
5. potential for expansion to meet the department's needs; and
6. environmental issues.

Environmental Impact Evaluation

By January 1, 2017, DESPP must submit the gun range study to the Public Safety and Security Committee. Until DESPP submits the study, the bill prohibits the agency from proceeding with an environmental impact evaluation for any state gun range. By law, state agencies must prepare an environmental impact evaluation before approving an action that would significantly affect the environment, and the Office of Policy and Management (OPM) must determine whether the evaluation satisfies the law (CGS §§ 22a-1b & 22a-1e).

Municipal Referendum

After OPM makes a written determination that an environmental impact evaluation for a proposed gun range on land bought or leased after the bill's effective date satisfies the law, the municipality where the facility will be located must approve the proposal in a referendum before DESPP makes its final decision.

BACKGROUND

Related Bill

sSB 235, reported favorably by the Public Safety and Security Committee, limits where the state may construct a gun range and requires the state to make a payment in lieu of taxes to the host municipality.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 25 Nay 0 (03/15/2016)