
OLR Bill Analysis

sHB 7218

AN ACT CONCERNING THE SAFE STORAGE OF FIREARMS IN THE HOME AND FIREARM SAFETY PROGRAMS IN PUBLIC SCHOOLS.

SUMMARY

This bill expands the firearm safe storage laws. Under current law, the legal duty to securely store a firearm applies when the weapon is loaded and the person in control of the premises knows or reasonably should know that a minor under age 16 is likely to gain access to it without his or her parent's or guardian's permission. The bill applies the storage requirement to unloaded firearms and increases the age of a minor for these purposes to under age 18. As under existing law:

1. the safe storage requirements also apply if a resident of the home is either ineligible to possess a firearm under state or federal law or poses a risk of personal harm or harm to others and
2. a person who fails to securely store a firearm is strictly liable for damages, regardless of intent.

By law, criminally negligent storage of a firearm is a class D felony, punishable by up to a \$5,000 fine, up to five years in prison, or both.

The bill specifies that the safe storage law applies to sawed-off shotguns, machine guns, rifles, shotguns, pistols, revolvers, or other weapons, whether loaded or unloaded from which a shot may be discharged.

The bill also makes changes to the laws related to firearm safety programs for school children, including by expanding the age range for which schools may offer such programs to kindergarten through grade twelve instead of kindergarten through grade eight as under current law.

EFFECTIVE DATE: October 1, 2019, except the provisions on the firearm safety programs are effective July 1, 2019.

Safe Storage of a Firearm

Under the bill, a person complies with the safe storage requirements if he or she keeps the firearm in a securely locked box or other container or in a manner that a reasonable person would believe to be secure. Currently, a person can comply with the requirements by keeping the firearm in such a box or container in a location that a reasonable person would believe to be secure.

As under existing law, a person may also comply with the safe storage requirements by carrying the firearm on his or her person or within such close proximity that he or she can readily retrieve and use the firearm as if he or she carried it on his or her person.

Under the law, unchanged by the bill, a person is not guilty of criminally negligent storage of a gun if the minor obtains the firearm as a result of an unlawful entry to any premises by anyone.

SCHOOL FIREARM SAFETY PROGRAMS

The bill:

1. requires the State Board of Education (SBE), within available appropriations, to develop guides to aid local and regional boards of education to develop firearm safety programs for public students in kindergarten through grade twelve and
2. allows SBE to consult with the Connecticut Police Chiefs Association when developing the guides.

Current law allows the SBE and the Connecticut Police Chiefs Association to develop curriculum guides for this purpose for public students in grades kindergarten through eight. By law, SBE must make such guides available to local and regional boards of education.

The bill also allows local or regional boards of education to offer firearm safety programs to K-12 public school students. Current law

allows the boards to offer such programs to public school students in kindergarten to grade eight. The law prohibits local or regional boards of education from requiring students to participate in a firearm safety program.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 34 Nay 4 (03/20/2019)