



House of Representatives

General Assembly

File No. 486

January Session, 2019

Substitute House Bill No. 7223

House of Representatives, April 8, 2019

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE STORAGE OF A PISTOL OR REVOLVER IN A MOTOR VEHICLE.

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

1 Section 1. (NEW) (*Effective October 1, 2019*) (a) (1) No person shall
2 store or keep any pistol or revolver in any motor vehicle that is
3 unattended unless such pistol or revolver is in a securely locked safe.

4 (2) For purposes of this subsection, (A) a motor vehicle is
5 unattended if no person who is at least twenty-one years of age and
6 who is the owner or operator or a passenger of such motor vehicle is
7 inside the motor vehicle or is within close enough proximity to the
8 motor vehicle to prevent unauthorized access to the motor vehicle, and
9 (B) "pistol" and "revolver" mean pistol and revolver, each as defined in
10 section 29-27 of the general statutes, and (C) "motor vehicle" means a
11 motor vehicle, as defined in section 14-1 of the general statutes.

12 (b) Any person who violates any provision of subsection (a) of this
13 section shall be guilty of a class D felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	New section

Statement of Legislative Commissioners:

Subsection (a)(2)(B) was subdivided into subparagraphs (B) and (C) for clarity.

JUD *Joint Favorable Subst. -LCO*

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:

Agency Affected	Fund-Effect	FY 20 \$	FY 21 \$
Correction, Dept.; Judicial Dept. (Probation)	GF - Potential Cost	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill makes it a class D felony to have a handgun in an unattended motor vehicle and results in a potential cost for incarceration or probation and a potential revenue gain from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$1,800¹ while the average marginal cost for supervision in the community is less than \$700² each year.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

¹ Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

² Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

OLR Bill Analysis**HB 7223*****AN ACT CONCERNING THE STORAGE OF A PISTOL OR REVOLVER IN A MOTOR VEHICLE.*****SUMMARY**

This bill makes it a class D felony, punishable by up to five years in prison, up to a \$5,000 fine, or both, to store or keep a pistol or revolver (i.e., a handgun) in an unattended motor vehicle if the firearm is not in a securely locked safe.

For the bill's purposes, a motor vehicle is unattended if no one who is at least age 21 and who is the owner, operator, or a passenger of the vehicle is inside the vehicle or in close enough proximity to prevent unauthorized access to the vehicle.

EFFECTIVE DATE: October 1, 2019

BACKGROUND***Handguns in Vehicles***

By law, a person generally must have a permit to carry a handgun in Connecticut, including in a motor vehicle. A person may transport a handgun in a vehicle without a permit if it is unloaded, not readily or directly accessible from the passenger compartment or, if the vehicle does not have a compartment separate from the passenger compartment, it is in a locked container other than the glove compartment or console, and the person is:

1. carrying the handgun home from the place of sale in its original packaging;
2. moving his or her household goods from one place to another;
3. transporting the handgun to or from a repair;

4. transporting the handgun in or through the state for competitions, formal training, repair, or any meeting or exhibition of an organized collectors' group if the person is a U.S. resident and has a handgun permit from where he or she resides;
5. transporting the handgun to and from a testing range at the request of the issuing authority; or
6. transporting an antique handgun (CGS § 29-35).

A violation of this law is a class D felony with a mandatory minimum one-year sentence in the absence of mitigating circumstances. Any handgun found in the violator's possession must be forfeited ([CGS § 29-37](#)). Additionally, it is generally a class D felony for an individual to knowingly have in his or her motor vehicle a handgun without the proper permit ([CGS § 29-38](#)).

Interstate Transportation of Firearms

The law allows the interstate transportation of firearms without a permit through Connecticut in accordance with federal law and for lawful purposes if the individual (1) is not otherwise prohibited from shipping, transporting, receiving, or possessing firearms and (2) is transporting them between states where they can legally possess and carry them. The guns must be kept unloaded and the guns and any ammunition cannot be readily or directly accessible from the passenger compartment. If the vehicle does not have separate compartments, the guns and any ammunition must be in a locked container other than the glove compartment or console ([CGS § 29-38d](#)).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 25 Nay 13 (03/20/2019)