AN ACT CONCERNING MENTAL HEALTH CARE AND WELLNESS TRAINING AND SUICIDE PREVENTION FOR POLICE OFFICERS.

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

Section 1. (NEW) (Effective October 1, 2019) (a) No law enforcement unit, as defined in section 7-294a of the general statutes, shall discharge, discipline, discriminate against or otherwise penalize a police officer, as defined in said section, who is employed by such law enforcement unit solely because the police officer seeks or receives mental health care services or surrenders his or her firearm, ammunition or electronic defense weapon used in the performance of the police officer's official duties to such law enforcement unit during the time the police officer receives mental health care services. The provisions of this subsection shall not be applicable to a police officer who (1) seeks or receives mental health care services to avoid disciplinary action by such law enforcement unit, or (2) refuses to submit himself or herself to an examination as provided in subsection (b) of this section.

(b) Prior to returning to a police officer his or her surrendered firearm, ammunition or electronic defense weapon used in the
performance of the police officer's official duties, such law enforcement
unit shall request the police officer to submit himself or herself to an
examination by a licensed clinical social worker, master social worker,
professional counselor, psychiatrist or psychologist who is on the list
published (1) under subsection (a) of section 2 of this act if the police
officer is employed by the state, or (2) under subsection (b) of section 2
of this act if the police officer is employed by a municipal police
department. The examination shall be performed to determine
whether the police officer is ready to report for official duty and shall
be paid for by such law enforcement unit.

(c) No civil action may be brought against a law enforcement unit
for damages arising from acts or omissions of a police officer with
respect to the police officer's use of his or her personal firearm during
the time period the police officer has surrendered to the law
enforcement unit his or her firearm, ammunition or electronic defense
weapon used in the performance of the police officer's official duties or
for a period of six months from the date the police officer surrendered
to the law enforcement unit his or her firearm, ammunition or
electronic defense weapon used in the performance of the officer's
official duties, whichever is longer.

Sec. 2. (NEW) (Effective from passage) (a) Not later than October 1,
2019, the Commissioner of Emergency Services and Public Protection,
the Police Officer Standards and Training Council established under
section 7-294b of the general statutes and representatives from labor
organizations representing state police officers in this state shall
develop and maintain a list of licensed clinical social workers, master
social workers, professional counselors, psychiatrists or psychologists
in this state. Such list shall be published on the Department of
Emergency Services and Public Protection's Internet web site.

(b) Not later than October 1, 2019, each municipal police department
and representatives from labor organizations representing the
municipality's police officers shall develop and maintain a list of
licensed clinical social workers, master social workers, professional

counselors, psychiatrists or psychologists in this state. Such list shall be

published on the municipality's Internet web site.

Sec. 3. Section 53a-217 of the general statutes is repealed and the

following is substituted in lieu thereof (Effective October 1, 2019):

(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 section 21a-279, 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 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, unless the person (i) was voluntarily admitted solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in section 17a-680, or (ii) is a police officer who was voluntarily admitted and had his or her firearm, ammunition or electronic defense weapon used in the performance of the police officer's official duties returned in accordance with section 1 of this act, (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. 4. Section 53a-217c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(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 section 21a-279, 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 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
(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 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.

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

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<th>Section</th>
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<tbody>
<tr>
<td>1</td>
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<td>2</td>
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<td>4</td>
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Statement of Purpose:
To promote mental health and wellness training and suicide prevention for police officers.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. SREDZINSKI, 112th Dist.

H.B. 5154