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 period in which 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 pursuant to subsection (b) of this section.

(b) Prior to returning a surrendered firearm, ammunition or electronic defense weapon used in the performance of the police
officer's official duties to a police officer, such law enforcement unit shall request that the police officer submit himself or herself to an examination by a licensed mental health care provider, psychiatrist or psychologist from the list published pursuant to (1) subsection (a) of section 2 of this act if the police officer is employed by the state, or (2) 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 a police officer's use of his or her personal firearm (1) during the time period in which the police officer has surrendered the firearm he or she uses in the performance of his or her official duties, or (2) for a period of six months after the police officer surrenders the firearm he or she uses in the performance of his or her 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 police officers in the state shall develop and maintain a list of licensed mental health care providers, psychiatrists or psychologists in the state. The commissioner shall publish such list on the Department of Emergency Services and Public Protection's Internet web site.

(b) Not later than October 1, 2019, for each municipality with a police department, the municipal police department and representatives from labor organizations representing the municipality's police officers shall develop and maintain a list of licensed mental health care providers, psychiatrists or psychologists in the state. The municipality shall publish such list on its Internet web site.
Sec. 3. Subsection (a) of 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 and not (i) solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in section 17a-680, or (ii) when such person is a police officer who has been voluntarily...
admitted and had the firearm, ammunition or electronic defense
weapon returned to him or her pursuant to 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
deoed an unclassified felony.

Sec. 4. Subsection (a) of 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 for care and treatment of a psychiatric disability and not (i) solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in section 17a-680, or (ii) when such person is a police officer who has been voluntarily admitted and had the pistol or revolver returned to him or her pursuant to section 1 of this act, (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.

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

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<thead>
<tr>
<th>Section</th>
<th>Effect Date</th>
<th>New Section</th>
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<tbody>
<tr>
<td>Sec. 1</td>
<td>October 1, 2019</td>
<td>New section</td>
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<td>Sec. 2</td>
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<td>Sec. 3</td>
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<td>53a-217(a)</td>
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<td>Sec. 4</td>
<td>October 1, 2019</td>
<td>53a-217c(a)</td>
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PH Joint Favorable
JUD Joint Favorable