



General Assembly

January Session, 2019

**Committee Bill No. 380**

LCO No. 6209



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***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:

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

15 (b) Prior to returning a surrendered firearm, ammunition or  
16 electronic defense weapon used in the performance of the police

17 officer's official duties to a police officer, such law enforcement unit  
18 shall request that the police officer submit himself or herself to an  
19 examination by a licensed mental health care provider, psychiatrist or  
20 psychologist from the list published pursuant to (1) subsection (a) of  
21 section 2 of this act if the police officer is employed by the state, or (2)  
22 subsection (b) of section 2 of this act if the police officer is employed by  
23 a municipal police department. The examination shall be performed to  
24 determine whether the police officer is ready to report for official duty  
25 and shall be paid for by such law enforcement unit.

26 (c) No civil action may be brought against a law enforcement unit  
27 for damages arising from a police officer's use of his or her personal  
28 firearm (1) during the time period in which the police officer has  
29 surrendered the firearm he or she uses in the performance of his or her  
30 official duties, or (2) for a period of six months after the police officer  
31 surrenders the firearm he or she uses in the performance of his or her  
32 official duties, whichever is longer.

33 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than October 1,  
34 2019, the Commissioner of Emergency Services and Public Protection,  
35 the Police Officer Standards and Training Council established under  
36 section 7-294b of the general statutes and representatives from labor  
37 organizations representing police officers in the state shall develop and  
38 maintain a list of licensed mental health care providers, psychiatrists or  
39 psychologists in the state. The commissioner shall publish such list on  
40 the Department of Emergency Services and Public Protection's Internet  
41 web site.

42 (b) Not later than October 1, 2019, for each municipality with a  
43 police department, the municipal police department and  
44 representatives from labor organizations representing the  
45 municipality's police officers shall develop and maintain a list of  
46 licensed mental health care providers, psychiatrists or psychologists in  
47 the state. The municipality shall publish such list on its Internet web  
48 site.

49 Sec. 3. Subsection (a) of section 53a-217 of the general statutes is  
50 repealed and the following is substituted in lieu thereof (*Effective*  
51 *October 1, 2019*):

52 (a) A person is guilty of criminal possession of a firearm,  
53 ammunition or an electronic defense weapon when such person  
54 possesses a firearm, ammunition or an electronic defense weapon and  
55 (1) has been convicted of a felony committed prior to, on or after  
56 October 1, 2013, or of a violation of section 21a-279, 53a-58, 53a-61, 53a-  
57 61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d  
58 committed on or after October 1, 2013, (2) has been convicted as  
59 delinquent for the commission of a serious juvenile offense, as defined  
60 in section 46b-120, (3) has been discharged from custody within the  
61 preceding twenty years after having been found not guilty of a crime  
62 by reason of mental disease or defect pursuant to section 53a-13, (4)  
63 knows that such person is subject to (A) a restraining or protective  
64 order of a court of this state that has been issued against such person,  
65 after notice has been provided to such person, in a case involving the  
66 use, attempted use or threatened use of physical force against another  
67 person, or (B) a foreign order of protection, as defined in section 46b-  
68 15a, that has been issued against such person in a case involving the  
69 use, attempted use or threatened use of physical force against another  
70 person, (5) (A) has been confined on or after October 1, 2013, in a  
71 hospital for persons with psychiatric disabilities, as defined in section  
72 17a-495, within the preceding sixty months by order of a probate court,  
73 or with respect to any person who holds a valid permit or certificate  
74 that was issued or renewed under the provisions of section 29-28 or 29-  
75 36f in effect prior to October 1, 2013, such person has been confined in  
76 such hospital within the preceding twelve months, or (B) has been  
77 voluntarily admitted on or after October 1, 2013, to a hospital for  
78 persons with psychiatric disabilities, as defined in section 17a-495,  
79 within the preceding six months for care and treatment of a psychiatric  
80 disability and not (i) solely for being an alcohol-dependent person or a  
81 drug-dependent person as those terms are defined in section 17a-680,  
82 or (ii) when such person is a police officer who has been voluntarily

83 admitted and had the firearm, ammunition or electronic defense  
84 weapon returned to him or her pursuant to section 1 of this act, (6)  
85 knows that such person is subject to a firearms seizure order issued  
86 pursuant to subsection (d) of section 29-38c after notice and an  
87 opportunity to be heard has been provided to such person, or (7) is  
88 prohibited from shipping, transporting, possessing or receiving a  
89 firearm pursuant to 18 USC 922(g)(4). For the purposes of this section,  
90 "convicted" means having a judgment of conviction entered by a court  
91 of competent jurisdiction, "ammunition" means a loaded cartridge,  
92 consisting of a primed case, propellant or projectile, designed for use  
93 in any firearm, and a motor vehicle violation for which a sentence to a  
94 term of imprisonment of more than one year may be imposed shall be  
95 deemed an unclassified felony.

96 Sec. 4. Subsection (a) of section 53a-217c of the general statutes is  
97 repealed and the following is substituted in lieu thereof (*Effective*  
98 *October 1, 2019*):

99 (a) A person is guilty of criminal possession of a pistol or revolver  
100 when such person possesses a pistol or revolver, as defined in section  
101 29-27, and (1) has been convicted of a felony committed prior to, on or  
102 after October 1, 2013, or of a violation of section 21a-279, 53a-58, 53a-  
103 61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-  
104 181d committed on or after October 1, 1994, (2) has been convicted as  
105 delinquent for the commission of a serious juvenile offense, as defined  
106 in section 46b-120, (3) has been discharged from custody within the  
107 preceding twenty years after having been found not guilty of a crime  
108 by reason of mental disease or defect pursuant to section 53a-13, (4) (A)  
109 has been confined prior to October 1, 2013, in a hospital for persons  
110 with psychiatric disabilities, as defined in section 17a-495, within the  
111 preceding twelve months by order of a probate court, or has been  
112 confined on or after October 1, 2013, in a hospital for persons with  
113 psychiatric disabilities, as defined in section 17a-495, within the  
114 preceding sixty months by order of a probate court, or, with respect to  
115 any person who holds a valid permit or certificate that was issued or

116 renewed under the provisions of section 29-28 or 29-36f in effect prior  
 117 to October 1, 2013, such person has been confined in such hospital  
 118 within the preceding twelve months, or (B) has been voluntarily  
 119 admitted on or after October 1, 2013, to a hospital for persons with  
 120 psychiatric disabilities, as defined in section 17a-495, within the  
 121 preceding six months for care and treatment of a psychiatric disability  
 122 and not (i) solely for being an alcohol-dependent person or a drug-  
 123 dependent person as those terms are defined in section 17a-680, or (ii)  
 124 when such person is a police officer who has been voluntarily  
 125 admitted and had the pistol or revolver returned to him or her  
 126 pursuant to section 1 of this act, (5) knows that such person is subject  
 127 to (A) a restraining or protective order of a court of this state that has  
 128 been issued against such person, after notice has been provided to  
 129 such person, in a case involving the use, attempted use or threatened  
 130 use of physical force against another person, or (B) a foreign order of  
 131 protection, as defined in section 46b-15a, that has been issued against  
 132 such person in a case involving the use, attempted use or threatened  
 133 use of physical force against another person, (6) knows that such  
 134 person is subject to a firearms seizure order issued pursuant to  
 135 subsection (d) of section 29-38c after notice and an opportunity to be  
 136 heard has been provided to such person, (7) is prohibited from  
 137 shipping, transporting, possessing or receiving a firearm pursuant to  
 138 18 USC 922(g)(4), or (8) is an alien illegally or unlawfully in the United  
 139 States. For the purposes of this section, "convicted" means having a  
 140 judgment of conviction entered by a court of competent jurisdiction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>October 1, 2019</i>	53a-217(a)
Sec. 4	<i>October 1, 2019</i>	53a-217c(a)

**PH**            *Joint Favorable*

**JUD**      *Joint Favorable*