



General Assembly

January Session, 2019

Amendment

LCO No. 8067



Offered by:

REP. STAFSTROM, 129th Dist.

REP. BLUMENTHAL, 147th Dist.

To: Subst. House Bill No. 7223

File No. 486

Cal. No. 313

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

1 In line 3, strike "a securely" and insert "the trunk or a" in lieu thereof

2 In line 10, strike "and"

3 In line 11, after "statutes" insert ", and (D) "trunk" means the fully
4 enclosed and locked main storage or luggage compartment of a motor
5 vehicle that is not accessible from the passenger compartment. "Trunk"
6 does not include the rear of a hatchback, station-wagon-type
7 automobile or sport utility vehicle, any compartment that has a
8 window or a toolbox or utility box attached to the bed of a pickup
9 truck, as defined in section 14-1 of the general statutes."

10 After line 11, insert the following:

11 "(b) The provisions of subsection (a) of this section shall not apply to
12 any pistol or revolver issued or possessed by: (1) The Department of
13 Emergency Services and Public Protection, police departments, the

14 Department of Correction, the Division of Criminal Justice, the
15 Department of Motor Vehicles, the Department of Energy and
16 Environmental Protection, the Department of Revenue Services or the
17 military or naval forces of this state or of the United States, (2) a sworn
18 member of a law enforcement unit, as defined in section 7-294a of the
19 general statutes, including, but not limited to, the Department of
20 Correction or the Division of State Police within the Department of
21 Emergency Services and Public Protection, a chief inspector or
22 inspector in the Division of Criminal Justice, a salaried inspector of
23 motor vehicles designated by the Commissioner of Motor Vehicles, a
24 conservation officer or special conservation officer appointed by the
25 Commissioner of Energy and Environmental Protection pursuant to
26 section 26-5 of the general statutes or a constable who is certified by
27 the Police Officer Standards and Training Council and appointed by
28 the chief executive authority of a town, city or borough to perform
29 criminal law enforcement duties, for use by such sworn member,
30 inspector, officer or constable in the discharge of such sworn
31 member's, inspector's, officer's or constable's official duties or when off
32 duty, (3) a member of the military or naval forces of this state or of the
33 United States, or (4) a nuclear facility licensed by the United States
34 Nuclear Regulatory Commission for the purpose of providing security
35 services at such facility, or any contractor or subcontractor of such
36 facility for the purpose of providing security services at such facility,
37 provided such pistol or revolver issued or possessed by any such
38 agency, department, municipality, organization, force or entity or
39 person described in subdivisions (1) to (4), inclusive, of this subsection,
40 is being kept or stored in accordance with such issuing or possessing
41 agency, department, municipality, organization, force or entity or
42 person's policy concerning safe keeping or storage of a pistol or
43 revolver in a motor vehicle.

44 (c) The court may order suspension of prosecution if the court finds
45 that a violation of this section is not of a serious nature and that the
46 person charged with such violation (1) (A) will probably not offend in
47 the future, (B) has not previously been convicted of a violation of this

48 section, and (C) has not previously had a prosecution under this
49 section suspended pursuant to this subsection, or (2) was charged with
50 such violation because of facts or circumstances accurately reported by
51 such person to an organized local police department concerning a lost
52 or stolen firearm in accordance with the provisions of section 53-202g
53 of the general statutes. The court shall not order suspension of
54 prosecution unless the accused person has acknowledged that he or
55 she understands the consequences of the suspension of prosecution.
56 Any person for whom prosecution is suspended shall agree to the
57 tolling of any statute of limitations with respect to such violation and
58 to a waiver of his or her right to a speedy trial. Such person shall
59 appear in court and shall be released to the custody of the Court
60 Support Services Division for such period, not exceeding two years,
61 and under such conditions as the court shall order. If the person
62 refuses to accept, or, having accepted, violates such conditions, the
63 court shall terminate the suspension of prosecution and the case shall
64 be brought to trial. If such person satisfactorily completes such
65 person's period of probation, he or she may apply for dismissal of the
66 charges against such person and the court, on finding such satisfactory
67 completion, shall dismiss such charges. If the person does not apply
68 for dismissal of the charges against such person after satisfactorily
69 completing such person's period of probation, the court, upon receipt
70 of a report submitted by the Court Support Services Division that the
71 person satisfactorily completed such person's period of probation, may
72 on its own motion make a finding of such satisfactory completion and
73 dismiss such charges. Upon dismissal, all records of such charges shall
74 be erased pursuant to section 54-142a of the general statutes. An order
75 of the court denying a motion to dismiss the charges against a person
76 who has completed such person's period of probation or terminating
77 the participation of a defendant in such program shall be a final
78 judgment for purposes of appeal."

79 In line 12, strike "(b)" and insert "(d)" in lieu thereof