



General Assembly

**Substitute Bill No. 6491**

January Session, 2021



**AN ACT CONCERNING ELECTRONIC DEFENSE WEAPONS.**

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

1 Section 1. Section 29-38 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 (a) Any person who knowingly has, in any vehicle owned, operated  
4 or occupied by such person, any weapon, any pistol or revolver for  
5 which a proper permit has not been issued as provided in section 29-28  
6 or any machine gun which has not been registered as required by section  
7 53-202, shall be guilty of a class D felony, and the presence of any such  
8 weapon, pistol or revolver, or machine gun in any vehicle shall be prima  
9 facie evidence of a violation of this section by the owner, operator and  
10 each occupant thereof. The word "weapon", as used in this section,  
11 means any BB. gun, any blackjack, any metal or brass knuckles, any  
12 police baton or nightstick, any dirk knife or switch knife, any knife  
13 having an automatic spring release device by which a blade is released  
14 from the handle, having a blade of over one and one-half inches in  
15 length, any stiletto, any knife the edged portion of the blade of which is  
16 four inches or more in length, any martial arts weapon or electronic  
17 defense weapon, as defined in section 53a-3, as amended by this act, or  
18 any other dangerous or deadly weapon or instrument.

19 (b) The provisions of this section shall not apply to: (1) Any officer  
20 charged with the preservation of the public peace while engaged in the  
21 pursuit of such officer's official duties; (2) any security guard having a  
22 baton or nightstick in a vehicle while engaged in the pursuit of such  
23 guard's official duties; (3) any person enrolled in and currently  
24 attending a martial arts school, with official verification of such  
25 enrollment and attendance, or any certified martial arts instructor,  
26 having any such martial arts weapon in a vehicle while traveling to or  
27 from such school or to or from an authorized event or competition; (4)  
28 any person having a BB. gun in a vehicle provided such weapon is  
29 unloaded and stored in the trunk of such vehicle or in a locked container  
30 other than the glove compartment or console; (5) any person having a  
31 knife, the edged portion of the blade of which is four inches or more in  
32 length, in a vehicle if such person is (A) any member of the armed forces  
33 of the United States, as defined in section 27-103, or any reserve  
34 component thereof, or of the armed forces of the state, as defined in  
35 section 27-2, when on duty or going to or from duty, (B) any member of  
36 any military organization when on parade or when going to or from any  
37 place of assembly, (C) any person while transporting such knife as  
38 merchandise or for display at an authorized gun or knife show, (D) any  
39 person while lawfully removing such person's household goods or  
40 effects from one place to another, or from one residence to another, (E)  
41 any person while actually and peaceably engaged in carrying any such  
42 knife from such person's place of abode or business to a place or person  
43 where or by whom such knife is to be repaired, or while actually and  
44 peaceably returning to such person's place of abode or business with  
45 such knife after the same has been repaired, (F) any person holding a  
46 valid hunting, fishing or trapping license issued pursuant to chapter 490  
47 or any saltwater fisherman while having such knife in a vehicle for  
48 lawful hunting, fishing or trapping activities, or (G) any person  
49 participating in an authorized historic reenactment; (6) any person  
50 having an electronic defense weapon, as defined in section 53a-3, as  
51 amended by this act, in a vehicle, who is twenty-one years of age or  
52 older and possesses a permit or certificate issued under the provisions  
53 of section 29-28, 29-36f, 29-37p or 29-38n; or [(6)] (7) any person having

54 a dirk knife or police baton in a vehicle while lawfully moving such  
55 person's household goods or effects from one place to another, or from  
56 one residence to another.

57 Sec. 2. Section 53-206 of the general statutes is repealed and the  
58 following is substituted in lieu thereof (*Effective July 1, 2022*):

59 (a) Any person who carries upon his or her person any BB. gun,  
60 blackjack, metal or brass knuckles, or any dirk knife, or any switch knife,  
61 or any knife having an automatic spring release device by which a blade  
62 is released from the handle, having a blade of over one and one-half  
63 inches in length, or stiletto, or any knife the edged portion of the blade  
64 of which is four inches or more in length, any police baton or nightstick,  
65 or any martial arts weapon or electronic defense weapon, as defined in  
66 section 53a-3, as amended by this act, or any other dangerous or deadly  
67 weapon or instrument, shall be guilty of a class E felony. Whenever any  
68 person is found guilty of a violation of this section, any weapon or other  
69 instrument within the provisions of this section, found upon the body  
70 of such person, shall be forfeited to the municipality wherein such  
71 person was apprehended, notwithstanding any failure of the judgment  
72 of conviction to expressly impose such forfeiture.

73 (b) The provisions of this section shall not apply to (1) any officer  
74 charged with the preservation of the public peace while engaged in the  
75 pursuit of such officer's official duties; (2) the carrying of a baton or  
76 nightstick by a security guard while engaged in the pursuit of such  
77 guard's official duties; (3) the carrying of a knife, the edged portion of  
78 the blade of which is four inches or more in length, by (A) any member  
79 of the armed forces of the United States, as defined in section 27-103, or  
80 any reserve component thereof, or of the armed forces of the state, as  
81 defined in section 27-2, when on duty or going to or from duty, (B) any  
82 member of any military organization when on parade or when going to  
83 or from any place of assembly, (C) any person while transporting such  
84 knife as merchandise or for display at an authorized gun or knife show,  
85 (D) any person who is found with any such knife concealed upon one's  
86 person while lawfully removing such person's household goods or

87 effects from one place to another, or from one residence to another, (E)  
88 any person while actually and peaceably engaged in carrying any such  
89 knife from such person's place of abode or business to a place or person  
90 where or by whom such knife is to be repaired, or while actually and  
91 peaceably returning to such person's place of abode or business with  
92 such knife after the same has been repaired, (F) any person holding a  
93 valid hunting, fishing or trapping license issued pursuant to chapter 490  
94 or any saltwater fisherman carrying such knife for lawful hunting,  
95 fishing or trapping activities, or (G) any person while participating in an  
96 authorized historic reenactment; (4) the carrying by any person enrolled  
97 in or currently attending, or an instructor at, a martial arts school of a  
98 martial arts weapon while in a class or at an authorized event or  
99 competition or while transporting such weapon to or from such class,  
100 event or competition; (5) the carrying of a BB. gun by any person taking  
101 part in a supervised event or competition of the Boy Scouts of America  
102 or the Girl Scouts of America or in any other authorized event or  
103 competition while taking part in such event or competition or while  
104 transporting such weapon to or from such event or competition; (6) the  
105 carrying of an electronic defense weapon, as defined in section 53a-3, as  
106 amended by this act, by any person who is twenty-one years of age or  
107 older and possesses a permit or certificate issued under the provisions  
108 of section 29-28, 29-36f, 29-37p or 29-38n; and [(6)] (7) the carrying of a  
109 BB. gun by any person upon such person's own property or the property  
110 of another person provided such other person has authorized the  
111 carrying of such weapon on such property, and the transporting of such  
112 weapon to or from such property.

113 Sec. 3. (NEW) (*Effective July 1, 2022*) Any person who sells or transfers  
114 an electronic defense weapon, as defined in section 53a-3 of the general  
115 statutes, as amended by this act, to any person who is under twenty-one  
116 years of age or does not possess a permit or certificate issued under the  
117 provisions of section 29-28, 29-36f, 29-37p or 29-38n of the general  
118 statutes shall be guilty of a class D felony.

119 Sec. 4. Subdivision (20) of section 53a-3 of the general statutes is

120 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
121 *2022*):

122 (20) "Electronic defense weapon" means a weapon which by  
123 electronic impulse or current is capable of immobilizing a person  
124 temporarily, [but is not capable of inflicting death or serious physical  
125 injury,] including a stun gun or other conductive energy device;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	29-38
Sec. 2	<i>July 1, 2022</i>	53-206
Sec. 3	<i>July 1, 2022</i>	New section
Sec. 4	<i>July 1, 2022</i>	53a-3(20)

**JUD**      *Joint Favorable Subst.*