



Senate

General Assembly

File No. 475

February Session, 2022

Substitute Senate Bill No. 16

Senate, April 14, 2022

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ADDRESSING GUN VIOLENCE.

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

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 Section 29-38e of the general statutes is repealed and the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

3 (a) There shall be within the Division of State Police, within the
4 Department of Emergency Services and Public Protection, a state-wide
5 firearms [trafficking] crimes and tracing task force for the effective
6 cooperative enforcement of the laws of this state concerning the
7 distribution and possession of firearms.

8 (b) The task force shall be comprised of municipal and state law
9 enforcement officers and may include federal law enforcement officers.
10 Such task force shall be authorized to conduct any investigation
11 authorized by this section at any place within the state as may be
12 deemed necessary.

13 (c) The task force may request and may receive from any federal, state

14 or local agency, cooperation and assistance in the performance of its
15 duties, including the temporary assignment of personnel which may be
16 necessary to carry out the performance of its functions.

17 (d) The task force may enter into mutual assistance and cooperation
18 agreements with other states pertaining to firearms law enforcement
19 matters extending across state boundaries, and may consult and
20 exchange information and personnel with agencies of other states with
21 reference to firearms law enforcement problems of mutual concern.

22 (e) The Commissioner of Emergency Services and Public Protection
23 may appoint [a commanding officer and] such [other] personnel as the
24 commissioner deems necessary for the duties of the task force, within
25 available appropriations.

26 (f) The task force shall: (1) Review the problem of illegal trafficking in
27 firearms and its effects, including its effects on the public, and
28 implement solutions to address the problem; (2) identify persons
29 illegally trafficking in firearms and focus resources to prosecute such
30 persons; (3) track firearms which were sold or distributed illegally and
31 implement solutions to remove such firearms from persons illegally in
32 possession of them; [and] (4) coordinate its activities with other law
33 enforcement agencies within and without the state; and (5) not later than
34 February 1, 2023, and annually thereafter, report in accordance with the
35 provisions of section 11-4a to the Governor and the joint standing
36 committees of the General Assembly having cognizance of matters
37 relating to the judiciary and public safety on: (A) The number of
38 individuals identified and arrested pursuant to subdivision (2) of this
39 subsection; (B) the number of firearms seized as a result of the task
40 force's efforts pursuant to subdivision (3) of this subsection; and (C) any
41 other activities of the task force during the preceding calendar year.

42 Sec. 2. Section 29-31 of the general statutes is repealed and the
43 following is substituted in lieu thereof (*Effective July 1, 2022*):

44 No sale of any pistol or revolver shall be made except in the room,
45 store or place described in the permit for the sale of pistols and

46 revolvers, and such permit or a copy thereof certified by the authority
47 issuing the same shall be exposed to view within the room, store or place
48 where pistols or revolvers are sold or offered or exposed for sale. No
49 sale or delivery of any pistol or revolver shall be made unless the
50 purchaser or person to whom the same is to be delivered is personally
51 known to the vendor of such pistol or revolver or the person making
52 delivery thereof or unless the person making such purchase or to whom
53 delivery thereof is to be made provides evidence of his or her identity.
54 The vendor of any pistol or revolver shall keep a record of each pistol or
55 revolver sold in a book kept for that purpose, which record shall be in
56 such form as is prescribed by 27 CFR 478.125. The vendor of any pistol
57 or revolver shall make such record available for inspection upon the
58 request of any sworn member of an organized local police department
59 or the Division of State Police within the Department of Emergency
60 Services and Public Protection or any investigator assigned to the state-
61 wide firearms [trafficking] crimes and tracing task force established
62 under section 29-38e, as amended by this act.

63 Sec. 3. Subsection (a) of section 29-38f of the general statutes is
64 repealed and the following is substituted in lieu thereof (*Effective July 1,*
65 *2022*):

66 (a) There shall be a State-Wide Firearms [Trafficking] Crimes and
67 Tracing Task Force Policy Board within the Division of State Police,
68 within the Department of Emergency Services and Public Protection, for
69 administrative purposes only, consisting of the Commissioner of
70 Emergency Services and Public Protection, the Chief State's Attorney,
71 the agent in Connecticut in charge of the federal Bureau of Alcohol,
72 Tobacco and Firearms, the president of the Connecticut Police Chiefs
73 Association and five chiefs of police designated by said association, each
74 to serve for a term of one year, provided one such chief of police shall
75 be from a municipality with a population of one hundred thousand or
76 more.

77 Sec. 4. (*Effective from passage*) The Commissioner of Emergency
78 Services and Public Protection shall, in consultation with

79 representatives of a national firearms industry trade association that
 80 advocates for safe enjoyment of recreational shooting and hunting,
 81 study the feasibility of creating a state license to sell firearms and, not
 82 later than December 31, 2022, report the findings of such study, in
 83 accordance with the provisions of section 11-4a of the general statutes,
 84 to the joint standing committees of the General Assembly having
 85 cognizance of matters relating to judiciary and public safety.

86 Sec. 5. (*Effective from passage*) The sum of one million two hundred
 87 fifty thousand dollars is allocated, in accordance with the provisions of
 88 special act 21-1, from the federal funds designated for the state pursuant
 89 to the provisions of section 602 of Subtitle M of Title IX of the American
 90 Rescue Plan Act of 2021, P.L. 117-2, as amended from time to time, to
 91 the Department of Emergency Services and Public Protection, for the
 92 fiscal year ending June 30, 2023, to fund a state-wide firearms crimes
 93 and tracing task force pursuant to section 29-38e of the general statutes,
 94 as amended by this act.

95 Sec. 6. (*Effective from passage*) The sum of one million two hundred
 96 fifty thousand dollars is allocated, in accordance with the provisions of
 97 special act 21-1, from the federal funds designated for the state pursuant
 98 to the provisions of section 602 of Subtitle M of Title IX of the American
 99 Rescue Plan Act of 2021, P.L. 117-2, as amended from time to time, to
 100 the Department of Emergency Services and Public Protection, for the
 101 fiscal year ending June 30, 2024, to fund a state-wide firearms crimes
 102 and tracing task force pursuant to section 29-38e of the general statutes,
 103 as amended by this act.

| | | |
|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2022</i> | 29-38e |
| Sec. 2 | <i>July 1, 2022</i> | 29-31 |
| Sec. 3 | <i>July 1, 2022</i> | 29-38f(a) |
| Sec. 4 | <i>from passage</i> | New section |
| Sec. 5 | <i>from passage</i> | New section |
| Sec. 6 | <i>from passage</i> | New section |

Statement of Legislative Commissioners:

Sections 2 and 3 were added to make conforming changes for consistency.

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 23 \$ | FY 24 \$ |
|---|-------------|--------------|--------------|
| Emergency Services and Public Protection, Dept. | FF - Cost | 1.25 million | 1.25 million |

Note: FF=Federal Funds

Municipal Impact: None

Explanation

The bill allocates \$1.25 million in American Rescue Plan funding in FY 23 and FY 24 to the Department of Emergency Services and Public Protection (DESPP) to fund the state-wide firearms crimes and tracing task force.

The bill also makes various task force changes and requires the DESPP commissioner to study the feasibility of creating a state license to sell firearms resulting in no fiscal impact to the state.

The Out Years

None.

OLR Bill Analysis**sSB 16*****AN ACT ADDRESSING GUN VIOLENCE.*****SUMMARY**

This bill reestablishes the state's firearm trafficking task force and renames it the firearms crimes and tracing task force. Under the bill, as under current law, this task force's charge is the cooperative enforcement of the state's gun distribution and possession laws. The task force consists of local and state law enforcement officers and may also include federal law enforcement officers.

The bill allocates \$1.25 million per year in FYs 23 and 24 of American Rescue Plan Act of 2021 (ARPA) funds to the Department of Emergency Services and Public Protection (DESPP) to fund the task force.

Under existing law, the task force's responsibilities include, among other things, (1) identifying people illegally trafficking in firearms and focusing resources on prosecuting them and (2) tracking illegally sold or distributed firearms and implementing strategies to take them from illegal possessors. The bill requires the task force, starting by February 1, 2023, to annually report to the governor and Judiciary and Public Safety and Security committees on (1) the number of traffickers identified and arrested, (2) the number of trafficked firearms seized, and (3) any of the task force's other activities during the prior year.

It also requires the DESPP commissioner to study the feasibility of creating a state license to sell firearms (see BACKGROUND). He must do so in consultation with representatives of a national firearms industry trade association that advocates for safe recreational shooting and hunting. By December 31, 2022, the commissioner must report the study's findings to the Judiciary and Public Safety and Security committees.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2022, except the funding allocation and DESPP study provisions take effect upon passage.

BACKGROUND

Federal Firearms License and Local Dealer’s Permit

Federal law requires anyone in the business of selling firearms to have a federal firearms license (18 U.S.C. § 921 et seq.). Under state law, federally licensed gun dealers who sell handguns must also have a local permit (i.e., a dealer’s permit) to sell handguns (issued by police chiefs, borough wardens, or first selectmen), as must anyone who sells 10 or more handguns in a calendar year (CGS § 29-28(a)).

Related Bill

sSB 430 (File 433), reported favorably by the Government Administration and Elections Committee, appropriates \$250,000 to DESPP in FY 23 to fund the state’s firearm trafficking task force.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 35 Nay 4 (03/31/2022)