



General Assembly

February Session, 2022

Raised Bill No. 5307

LCO No. 2526



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING THE ROLE OF MUNICIPAL CHIEF EXECUTIVE OFFICERS IN FIREARM PERMITTING, TAKING OF FINGERPRINTS FOR CERTAIN OUT-OF-STATE FIREARM PERMIT APPLICANTS AND SUBMISSION OF PHOTOGRAPHS ACCOMPANYING FIREARM PERMIT RENEWALS.

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

1 Section 1. Subsections (a) and (b) of section 29-28 of the 2022
2 supplement to the general statutes are repealed and the following is
3 substituted in lieu thereof (*Effective from passage*):

4 (a) No person who sells ten or more pistols or revolvers in a calendar
5 year or is a federally licensed firearm dealer shall advertise, sell, deliver,
6 or offer or expose for sale or delivery, or have in such person's
7 possession with intent to sell or deliver, any pistol or revolver at retail
8 without having a permit therefor issued as provided in this subsection.
9 The chief of police or, where there is no chief of police, the [warden of
10 the borough or the first selectman of the town, as the case may be,] chief
11 executive officer of the municipality, as defined in section 7-148, may,
12 upon the application of any person, issue a permit in such form as may
13 be prescribed by the Commissioner of Emergency Services and Public

14 Protection for the sale at retail of pistols and revolvers within the
15 jurisdiction of the authority issuing such permit. No permit for the sale
16 at retail of any pistol or revolver shall be issued unless the applicant
17 holds a valid eligibility certificate for a pistol or revolver issued
18 pursuant to section 29-36f or a valid state permit to carry a pistol or
19 revolver issued pursuant to subsection (b) of this section and the
20 applicant submits documentation sufficient to establish that local
21 zoning requirements have been met for the location where the sale is to
22 take place, except that any person selling or exchanging a pistol or
23 revolver for the enhancement of a personal collection or for a hobby or
24 who sells all or part of such person's personal collection of pistols or
25 revolvers shall not be required to submit such documentation for the
26 location where the sale or exchange is to take place.

27 (b) Upon the application of any person having a bona fide permanent
28 residence within the jurisdiction of any such authority, such chief of
29 police [, warden or selectman] or, where there is no chief of police, such
30 chief executive officer may issue a temporary state permit to such
31 person to carry a pistol or revolver within the state, provided such
32 authority shall find that such applicant intends to make no use of any
33 pistol or revolver which such applicant may be permitted to carry under
34 such permit other than a lawful use and that such person is a suitable
35 person to receive such permit. No state or temporary state permit to
36 carry a pistol or revolver shall be issued under this subsection if the
37 applicant (1) has failed to successfully complete a course approved by
38 the Commissioner of Emergency Services and Public Protection in the
39 safety and use of pistols and revolvers including, but not limited to, a
40 safety or training course in the use of pistols and revolvers available to
41 the public offered by a law enforcement agency, a private or public
42 educational institution or a firearms training school, utilizing instructors
43 certified by the National Rifle Association or the Department of Energy
44 and Environmental Protection and a safety or training course in the use
45 of pistols or revolvers conducted by an instructor certified by the state
46 or the National Rifle Association, (2) has been convicted of (A) a felony,
47 or (B) on or after October 1, 1994, a violation of section 21a-279 or section

48 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178
49 or 53a-181d, (3) has been convicted as delinquent for the commission of
50 a serious juvenile offense, as defined in section 46b-120, (4) has been
51 discharged from custody within the preceding twenty years after
52 having been found not guilty of a crime by reason of mental disease or
53 defect pursuant to section 53a-13, (5) (A) has been confined in a hospital
54 for persons with psychiatric disabilities, as defined in section 17a-495,
55 within the preceding sixty months by order of a probate court, or (B) has
56 been voluntarily admitted on or after October 1, 2013, to a hospital for
57 persons with psychiatric disabilities, as defined in section 17a-495,
58 within the preceding six months for care and treatment of a psychiatric
59 disability and not solely for being an alcohol-dependent person or a
60 drug-dependent person as those terms are defined in section 17a-680,
61 (6) is subject to a restraining or protective order issued by a court in a
62 case involving the use, attempted use or threatened use of physical force
63 against another person, including an ex parte order issued pursuant to
64 section 46b-15 or 46b-16a, (7) is subject to a firearms seizure order issued
65 pursuant to subsection (d) of section 29-38c after notice and hearing, (8)
66 is prohibited from shipping, transporting, possessing or receiving a
67 firearm pursuant to 18 USC 922(g)(4), (9) is an alien illegally or
68 unlawfully in the United States, or (10) is less than twenty-one years of
69 age. Nothing in this section shall require any person who holds a valid
70 permit to carry a pistol or revolver on October 1, 1994, to participate in
71 any additional training in the safety and use of pistols and revolvers. No
72 person may apply for a temporary state permit to carry a pistol or
73 revolver more than once within any twelve-month period, and no
74 temporary state permit to carry a pistol or revolver shall be issued to
75 any person who has applied for such permit more than once within the
76 preceding twelve months. Any person who applies for a temporary state
77 permit to carry a pistol or revolver shall indicate in writing on the
78 application, under penalty of false statement in such manner as the
79 issuing authority prescribes, that such person has not applied for a
80 temporary state permit to carry a pistol or revolver within the past
81 twelve months. Upon issuance of a temporary state permit to carry a
82 pistol or revolver to the applicant, the local authority shall forward the

83 original application to the commissioner. Not later than sixty days after
84 receiving a temporary state permit, an applicant shall appear at a
85 location designated by the commissioner to receive the state permit. The
86 commissioner may then issue, to any holder of any temporary state
87 permit, a state permit to carry a pistol or revolver within the state. Upon
88 issuance of the state permit, the commissioner shall make available to
89 the permit holder a copy of the law regarding the permit holder's
90 responsibility to report the loss or theft of a firearm and the penalties
91 associated with the failure to comply with such law. Upon issuance of
92 the state permit, the commissioner shall forward a record of such permit
93 to the local authority issuing the temporary state permit. The
94 commissioner shall retain records of all applications, whether approved
95 or denied. The copy of the state permit delivered to the permittee shall
96 be laminated and shall contain a full-face photograph of such permittee.
97 A person holding a state permit issued pursuant to this subsection shall
98 notify the issuing authority within two business days of any change of
99 such person's address. The notification shall include the old address and
100 the new address of such person.

101 Sec. 2. Subsection (b) of section 29-28 of the 2022 supplement to the
102 general statutes, as amended by section 3 of public act 21-67, is repealed
103 and the following is substituted in lieu thereof (*Effective June 1, 2022*):

104 (b) Upon the application of any person having a bona fide permanent
105 residence within the jurisdiction of any such authority, such chief of
106 police [, warden or selectman] or, where there is no chief of police, such
107 chief executive officer may issue a temporary state permit to such
108 person to carry a pistol or revolver within the state, provided such
109 authority shall find that such applicant intends to make no use of any
110 pistol or revolver which such applicant may be permitted to carry under
111 such permit other than a lawful use and that such person is a suitable
112 person to receive such permit. No state or temporary state permit to
113 carry a pistol or revolver shall be issued under this subsection if the
114 applicant (1) has failed to successfully complete a course approved by
115 the Commissioner of Emergency Services and Public Protection in the
116 safety and use of pistols and revolvers including, but not limited to, a

117 safety or training course in the use of pistols and revolvers available to
118 the public offered by a law enforcement agency, a private or public
119 educational institution or a firearms training school, utilizing instructors
120 certified by the National Rifle Association or the Department of Energy
121 and Environmental Protection and a safety or training course in the use
122 of pistols or revolvers conducted by an instructor certified by the state
123 or the National Rifle Association, (2) has been convicted of (A) a felony,
124 or (B) a misdemeanor violation of section 21a-279 on or after October 1,
125 2015, or (C) a misdemeanor violation of section 53a-58, 53a-61, 53a-61a,
126 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d during the
127 preceding twenty years, (3) has been convicted as delinquent for the
128 commission of a serious juvenile offense, as defined in section 46b-120,
129 (4) has been discharged from custody within the preceding twenty years
130 after having been found not guilty of a crime by reason of mental disease
131 or defect pursuant to section 53a-13, (5) (A) has been confined in a
132 hospital for persons with psychiatric disabilities, as defined in section
133 17a-495, within the preceding sixty months by order of a probate court,
134 or (B) has been voluntarily admitted on or after October 1, 2013, to a
135 hospital for persons with psychiatric disabilities, as defined in section
136 17a-495, within the preceding six months for care and treatment of a
137 psychiatric disability and not solely for being an alcohol-dependent
138 person or a drug-dependent person as those terms are defined in section
139 17a-680, (6) is subject to a restraining or protective order issued by a
140 court in a case involving the use, attempted use or threatened use of
141 physical force against another person, including an ex parte order
142 issued pursuant to section 46b-15 or 46b-16a, (7) is subject to a firearms
143 seizure order issued prior to June 1, 2022, pursuant to section 29-38c
144 after notice and hearing, or a risk protection order or risk protection
145 investigation order issued on or after June 1, 2022, pursuant to section
146 29-38c, (8) is prohibited from shipping, transporting, possessing or
147 receiving a firearm pursuant to 18 USC 922(g)(4), (9) is an alien illegally
148 or unlawfully in the United States, or (10) is less than twenty-one years
149 of age. Nothing in this section shall require any person who holds a
150 valid permit to carry a pistol or revolver on October 1, 1994, to
151 participate in any additional training in the safety and use of pistols and

152 revolvers. No person may apply for a temporary state permit to carry a
153 pistol or revolver more than once within any twelve-month period, and
154 no temporary state permit to carry a pistol or revolver shall be issued to
155 any person who has applied for such permit more than once within the
156 preceding twelve months. Any person who applies for a temporary state
157 permit to carry a pistol or revolver shall indicate in writing on the
158 application, under penalty of false statement in such manner as the
159 issuing authority prescribes, that such person has not applied for a
160 temporary state permit to carry a pistol or revolver within the past
161 twelve months. Upon issuance of a temporary state permit to carry a
162 pistol or revolver to the applicant, the local authority shall forward the
163 original application to the commissioner. Not later than sixty days after
164 receiving a temporary state permit, an applicant shall appear at a
165 location designated by the commissioner to receive the state permit. The
166 commissioner may then issue, to any holder of any temporary state
167 permit, a state permit to carry a pistol or revolver within the state. Upon
168 issuance of the state permit, the commissioner shall make available to
169 the permit holder a copy of the law regarding the permit holder's
170 responsibility to report the loss or theft of a firearm and the penalties
171 associated with the failure to comply with such law. Upon issuance of
172 the state permit, the commissioner shall forward a record of such permit
173 to the local authority issuing the temporary state permit. The
174 commissioner shall retain records of all applications, whether approved
175 or denied. The copy of the state permit delivered to the permittee shall
176 be laminated and shall contain a full-face photograph of such permittee.
177 A person holding a state permit issued pursuant to this subsection shall
178 notify the issuing authority within two business days of any change of
179 such person's address. The notification shall include the old address and
180 the new address of such person.

181 Sec. 3. Subsection (a) of section 29-28a of the general statutes is
182 repealed and the following is substituted in lieu thereof (*Effective from*
183 *passage*):

184 (a) Requests for temporary state permits under section 29-28, as
185 amended by this act, shall be submitted to the chief of police, or, where

186 there is no chief of police, to the [warden of the borough or the first
187 selectman of the town, as the case may be] chief executive officer of the
188 municipality, as defined in section 7-148, on application forms
189 prescribed by the Commissioner of Emergency Services and Public
190 Protection. Upon written request by any person for a temporary state
191 permit not on a prescribed application form, or upon request by any
192 person for such application form, the local authority shall supply such
193 forms. When any such request is made in person at the office of the local
194 authority, the local authority shall supply such application form
195 immediately. When any such request is made in any other manner, the
196 local authority shall supply such application form not later than one
197 week after receiving such request. If such application form is not
198 supplied within the time limits required by this section, the request
199 therefor shall constitute a sufficient application. If any local authority
200 fails to supply an application form upon the request of any person, such
201 person may request an application form from the Commissioner of
202 Emergency Services and Public Protection or any barracks of the
203 Division of State Police, and the time limits and procedures set forth in
204 this section for handling requests for such forms shall be applicable.

205 Sec. 4. Subsection (b) of section 29-29 of the general statutes is
206 repealed and the following is substituted in lieu thereof (*Effective from*
207 *passage*):

208 (b) The local authority, or the commissioner in the case of an
209 application pursuant to subsection (f) of section 29-28, as amended by
210 this act, shall take the fingerprints of such applicant or conduct any
211 other method of positive identification required by the State Police
212 Bureau of Identification or the Federal Bureau of Investigation, unless
213 the local authority or the commissioner determines that the fingerprints
214 of such applicant have been previously taken and the applicant's
215 identity established, and such applicant presents identification that the
216 local authority or the commissioner verifies as valid. The local authority
217 or the commissioner shall record the date the fingerprints were taken in
218 the applicant's file and, within five business days of such date, shall
219 forward such fingerprints or other positive identifying information to

220 the State Police Bureau of Identification which shall conduct criminal
221 history records checks in accordance with section 29-17a.

222 Sec. 5. Subsection (f) of section 29-30 of the general statutes is repealed
223 and the following is substituted in lieu thereof (*Effective July 1, 2022*):

224 (f) The issuing authority shall send a notice of the expiration of a state
225 permit to carry a pistol or revolver, issued pursuant to section 29-28, as
226 amended by this act, to the holder of such permit, by first class mail, not
227 less than ninety days before such expiration, and shall enclose with such
228 notice a form for the renewal of said state permit. The holder of such
229 permit may mail the form for renewal to the issuing authority and the
230 issuing authority shall accept such form as a valid application for
231 renewal, provided the holder (1) completed the form according to
232 instructions provided by the Department of Emergency Services and
233 Public Protection, (2) enclosed the appropriate fee to renew, in
234 accordance with subsection (a) of this section, (3) enclosed a copy of
235 proof of citizenship or legal residency of the holder, (4) enclosed a full-
236 face photograph of the holder, [that is either notarized or date stamped,]
237 and (5) is otherwise eligible for such permit pursuant to section 29-28,
238 as amended by this act. A state permit to carry a pistol or revolver,
239 issued pursuant to section 29-28, as amended by this act, shall be valid
240 for a period of ninety days after the expiration date, except this
241 provision shall not apply to any state permit to carry a pistol or revolver
242 which has been revoked or for which revocation is pending, pursuant
243 to section 29-32.

244 Sec. 6. Subsection (e) of section 29-33 of the general statutes is
245 repealed and the following is substituted in lieu thereof (*Effective from*
246 *passage*):

247 (e) Upon the sale, delivery or other transfer of any pistol or revolver,
248 the person making the purchase or to whom the same is delivered or
249 transferred shall sign a receipt for such pistol or revolver, which shall
250 contain the name and address of such person, the date of sale, the
251 caliber, make, model and manufacturer's number and a general

252 description of such pistol or revolver, the identification number of such
253 person's permit to carry pistols or revolvers, issued pursuant to
254 subsection (b) of section 29-28, as amended by this act, permit to sell at
255 retail pistols or revolvers, issued pursuant to subsection (a) of said
256 section, or eligibility certificate for a pistol or revolver, issued pursuant
257 to section 29-36f, if any, and the authorization number designated for
258 the transfer by the Department of Emergency Services and Public
259 Protection. The person, firm or corporation selling such pistol or
260 revolver or making delivery or transfer thereof shall give one copy of
261 the receipt to the person making the purchase of such pistol or revolver
262 or to whom the same is delivered or transferred, shall retain one copy
263 of the receipt for at least five years, and shall send, by first class mail, or
264 electronically transmit, within forty-eight hours of such sale, delivery or
265 other transfer, one copy of the receipt to the Commissioner of
266 Emergency Services and Public Protection and one copy of the receipt
267 to the chief of police or, where there is no chief of police, the [warden of
268 the borough or the first selectman of the town, as the case may be, of the
269 town] chief executive officer of the municipality, as defined in section 7-
270 148, in which the transferee resides.

271 Sec. 7. Subsection (d) of section 29-37a of the general statutes is
272 repealed and the following is substituted in lieu thereof (*Effective from*
273 *passage*):

274 (d) No person, firm or corporation may sell, deliver or otherwise
275 transfer, at retail, any long gun to any person unless such person makes
276 application on a form prescribed and furnished by the Commissioner of
277 Emergency Services and Public Protection, which shall be attached by
278 the transferor to the federal sale or transfer document and filed and
279 retained by the transferor for at least twenty years or until such
280 transferor goes out of business. Such application shall be available for
281 inspection during normal business hours by law enforcement officials.
282 No such sale, delivery or other transfer of any long gun shall be made
283 until the person, firm or corporation making such sale, delivery or
284 transfer has ensured that such application has been completed properly
285 and has obtained an authorization number from the Commissioner of

286 Emergency Services and Public Protection for such sale, delivery or
287 transfer. The Department of Emergency Services and Public Protection
288 shall make every effort, including performing the national instant
289 criminal background check, to determine if the applicant is eligible to
290 receive such long gun. If it is determined that the applicant is ineligible
291 to receive such long gun, the Commissioner of Emergency Services and
292 Public Protection shall immediately notify the person, firm or
293 corporation to whom such application was made and no such long gun
294 shall be sold, delivered or otherwise transferred to such applicant by
295 such person, firm or corporation. When any long gun is delivered in
296 connection with any sale or purchase, such long gun shall be enclosed
297 in a package, the paper or wrapping of which shall be securely fastened,
298 and no such long gun when delivered on any sale or purchase shall be
299 loaded or contain any gunpowder or other explosive or any bullet, ball
300 or shell. Upon the sale, delivery or other transfer of the long gun, the
301 transferee shall sign in triplicate a receipt for such long gun, which shall
302 contain the name, address and date and place of birth of such transferee,
303 the date of such sale, delivery or transfer and the caliber, make, model
304 and manufacturer's number and a general description thereof. Not later
305 than twenty-four hours after such sale, delivery or transfer, the
306 transferor shall send by first class mail or electronically transfer one
307 receipt to the Commissioner of Emergency Services and Public
308 Protection and one receipt to the chief of police or, where there is no
309 chief of police, the [warden of the borough or the first selectman, of the
310 town] chief executive officer of the municipality, as defined in section 7-
311 148, in which the transferee resides, and shall retain one receipt, together
312 with the original application, for at least five years.

313 Sec. 8. Subdivision (3) of subsection (f) of section 29-37a of the general
314 statutes is repealed and the following is substituted in lieu thereof
315 (*Effective from passage*):

316 (3) Upon the sale, delivery or other transfer of the long gun, the
317 transferor or transferee shall complete a form, prescribed by the
318 Commissioner of Emergency Services and Public Protection, that
319 contains the name and address of the transferor, the name and address

320 of the transferee, the date and place of birth of such transferee, the
 321 firearm permit or certificate number of the transferee, the firearm permit
 322 or certificate number of the transferor, if any, the date of such sale,
 323 delivery or transfer, the caliber, make, model and manufacturer's
 324 number and a general description of such long gun and the
 325 authorization number provided by the department. Not later than
 326 twenty-four hours after such sale, delivery or transfer, the transferor
 327 shall send by first class mail or electronically transfer one copy of such
 328 form to the Commissioner of Emergency Services and Public Protection
 329 and one copy to the chief of police or, where there is no chief of police,
 330 the [warden of the borough or the first selectman, of the town] chief
 331 executive officer of the municipality, as defined in section 7-148, in
 332 which the transferee resides, and shall retain one copy, for at least five
 333 years.

334 Sec. 9. Subsection (b) of section 29-37g of the general statutes is
 335 repealed and the following is substituted in lieu thereof (*Effective from*
 336 *passage*):

337 (b) Not later than thirty days before commencement of a gun show,
 338 the gun show promoter shall notify the chief of police or, where there is
 339 no chief of police, the [warden of the borough or the first selectman of
 340 the town] chief executive officer of the municipality, as defined in
 341 section 7-148, in which the gun show is to take place of the date, time,
 342 duration and location of the gun show.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	29-28(a) and (b)
Sec. 2	<i>June 1, 2022</i>	29-28(b)
Sec. 3	<i>from passage</i>	29-28a(a)
Sec. 4	<i>from passage</i>	29-29(b)
Sec. 5	<i>July 1, 2022</i>	29-30(f)
Sec. 6	<i>from passage</i>	29-33(e)
Sec. 7	<i>from passage</i>	29-37a(d)
Sec. 8	<i>from passage</i>	29-37a(f)(3)
Sec. 9	<i>from passage</i>	29-37g(b)

Statement of Purpose:

To specify that a municipal chief executive officer performs certain functions regarding firearm permits when there is no chief of police, specify that the Commissioner of Emergency Services and Public Protection takes the fingerprints of certain out-of-state applicants for a firearm permit and eliminate the requirement that the photograph included with a form to renew a firearm permit be notarized or date stamped.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]