



House Bill No. 6895

Public Act No. 23-203

AN ACT CONCERNING FIREARMS AND STREET TAKEOVERS.

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

Section 1. Subsection (a) of section 29-35 of the general statutes, as amended by section 1 of public act 23-53, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(a) (1) No person shall carry any pistol or revolver upon such person's person, except when such person is within such person's dwelling house, on land leased or owned by such person or within the place of business of such person, without a permit to carry the same issued as provided in section 29-28, as amended by [this act] public act 23-53.

(2) No person shall knowingly carry any firearm with intent to display such firearm, except when such person is within such person's dwelling house, on land leased, [or] owned or otherwise possessed by such person or within the place of business of such person, or such person is engaged in firearm training or bona fide hunting activity, or such person has been explicitly permitted by another person to carry such firearm with intent to display such firearm while within such other person's dwelling house, on land leased, owned or otherwise possessed by such other person, or within the place of business of such other person. For the purposes of this subdivision, a person shall not be

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deemed to be carrying a firearm with intent to display such firearm if such person has taken reasonable measures to conceal the fact that such person is carrying a firearm. Neither a fleeting glimpse of a firearm nor an imprint of a firearm through such person's clothing shall constitute a violation of this subdivision. If a person displays a firearm temporarily while engaged in self-defense or other conduct that is otherwise lawful, such display shall not constitute a violation of this subdivision. The provisions of this subdivision shall not apply to any (A) security guard or other person employed to perform the duties of protecting public or private property while in the performance of such duties or traveling to or from such duties, (B) person carrying a firearm as a necessary part of participation in an honor guard or an historic reenactment, or (C) bail enforcement agent licensed under sections 29-152f to 29-152i, inclusive.

(3) The provisions of this subsection shall not apply to the carrying of any firearm by any:

(A) [(i)] Parole officer or peace officer of this state; [, or (ii) parole]

(B) Parole officer or peace officer of any other state while engaged in the pursuit of official duties;

[(B)] (C) Department of Motor Vehicles inspector appointed under section 14-8 and certified pursuant to section 7-294d;

[(C)] (D) Federal marshal or federal law enforcement agent;

[(D)] (E) Member of the armed forces of the United States, as defined in section 27-103, or of the state, as defined in section 27-2, when on duty or going to or from duty;

[(E)] (F) Member of any military organization when on parade or when going to or from any place of assembly;

[(F)] (G) Person transporting or inspecting a firearm as merchandise;

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~~[(G)]~~ (H) Person transporting a firearm contained in the package in which such firearm was originally wrapped at the time of sale and while transporting the same from the place of sale to the purchaser's residence or place of business;

~~[(H)]~~ (I) Person transporting a firearm as part of the process of removing such person's household goods or effects from one place to another;

~~[(I)]~~ (J) Person transporting a firearm from such person's place of residence or business to a place or person where or by whom such firearm is to be repaired or while returning to such person's place of residence or business after the same has been repaired;

~~[(J)]~~ (K) Person transporting a firearm in or through the state for the purpose of taking part in competitions, taking part in firearm training, repairing such firearm or attending any meeting or exhibition of an organized collectors' group if such person is a bona fide resident of the United States and is permitted to possess and carry a firearm in the state or subdivision of the United States in which such person resides;

~~[(K)]~~ (L) Person transporting a firearm to and from a testing range at the request of the issuing authority; or

~~[(L)]~~ (M) Person transporting an antique pistol or revolver, as defined in section 29-33, as amended by ~~[this act]~~ public act 23-53.

(4) For the purposes of this subsection, "firearm training" means firearm training at a firing range, training facility or fish and game club or sporting club, and "transporting a firearm" means transporting a firearm that is unloaded and, if such firearm is being transported in a motor vehicle, is not readily accessible or directly accessible from the passenger compartment of the vehicle or, if such firearm is being transported in a motor vehicle that does not have a compartment separate from the passenger compartment, such firearm shall be

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contained in a locked container other than the glove compartment or console. Nothing in this section shall be construed to prohibit the carrying of a firearm during firearm training or repair.

Sec. 2. Section 53-202x of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(a) (1) Except as provided in subdivision [(2)] (3) of this subsection, any person who lawfully possesses a large capacity magazine prior to January 1, 2014, shall apply by January 1, 2014, or, if such person is a member of the military or naval forces of this state or of the United States and is unable to apply by January 1, 2014, because such member is or was on official duty outside of this state, shall apply within ninety days of returning to the state to the Department of Emergency Services and Public Protection to declare possession of such magazine. Such application shall be made on such form or in such manner as the Commissioner of Emergency Services and Public Protection prescribes.

(2) Except as provided in subdivision (3) of this subsection, any person who lawfully possessed a large capacity magazine prior to January 1, 2014, and had not yet declared possession of such magazine as of July 1, 2023, shall apply by January 1, 2024, to declare possession of such magazine. Such application shall be made on such form or in such manner as the Commissioner of Emergency Services and Public Protection prescribes. Truthful information included on a timely registration application for a large capacity magazine pursuant to this subdivision shall not be used against the defendant in any criminal prosecution for possession of such large capacity magazine.

[(2)] (3) No person who lawfully possesses a large capacity magazine pursuant to subdivision (1), (2), (4) or (5) of subsection (d) of section 53-202w shall be required to declare possession of a large capacity magazine pursuant to this section with respect to a large capacity magazine used for official duties, except that any such person who

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retires or is otherwise separated from service who possesses a large capacity magazine that was purchased or obtained by such person for official use before such person retired or separated from service shall declare possession of the large capacity magazine within ninety days of such retirement or separation from service to the Department of Emergency Services and Public Protection. No person that lawfully possesses a large capacity magazine pursuant to subdivision (6) of subsection (d) of section 53-202w shall be required to declare possession of such large capacity magazine.

(b) In addition to the application form prescribed under subsection (a) of this section, the department shall design or amend the application forms for a certificate of possession for an assault weapon under section 53-202d or for a permit to carry a pistol or revolver under section 29-28a, a long gun eligibility certificate under section 29-37p, an eligibility certificate for a pistol or revolver under section 29-36f or any renewal of such permit or certificate to permit an applicant to declare possession of a large capacity magazine pursuant to this section upon the same application.

(c) The department may adopt regulations, in accordance with the provisions of chapter 54, to establish procedures with respect to applications under this section. Notwithstanding the provisions of sections 1-210 and 1-211, the name and address of a person who has declared possession of a large capacity magazine shall be confidential and shall not be disclosed, except such records may be disclosed to (1) law enforcement agencies and employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, and (2) the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of section 17a-500.

(d) Any person who moves into the state in lawful possession of a large capacity magazine shall, within ninety days, either render the

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large capacity magazine permanently inoperable, sell the large capacity magazine to a licensed gun dealer or remove the large capacity magazine from this state, except that any person who is a member of the military or naval forces of this state or of the United States, is in lawful possession of a large capacity magazine and has been transferred into the state after January 1, [2014] 2024, may, within ninety days of arriving in the state, apply to the Department of Emergency Services and Public Protection to declare possession of such large capacity magazine.

(e) (1) If an owner of a large capacity magazine transfers the large capacity magazine to a licensed gun dealer, such dealer shall, at the time of delivery of the large capacity magazine, execute a certificate of transfer. For any transfer prior to January 1, 2014, or on or after July 1, 2023, and prior to January 1, 2024, the dealer shall provide to the Commissioner of Emergency Services and Public Protection monthly reports, on such form as the commissioner prescribes, regarding the number of transfers that the dealer has accepted. For any transfer prior to July 1, 2023, and on or after January 1, 2014, or on or after January 1, 2024, the dealer shall cause the certificate of transfer to be mailed or delivered to the Commissioner of Emergency Services and Public Protection. The certificate of transfer shall contain: (A) The date of sale or transfer; (B) the name and address of the seller or transferor and the licensed gun dealer, and their Social Security numbers or motor vehicle operator license numbers, if applicable; (C) the licensed gun dealer's federal firearms license number; and (D) a description of the large capacity magazine.

(2) The licensed gun dealer shall present such dealer's federal firearms license and seller's permit to the seller or transferor for inspection at the time of purchase or transfer.

(3) The Commissioner of Emergency Services and Public Protection shall maintain a file of all certificates of transfer at the commissioner's central office.

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(f) Any person who declared possession of a large capacity magazine under this section may possess the large capacity magazine only under the following conditions:

(1) At that person's residence;

(2) At that person's place of business or other property owned by that person, provided such large capacity magazine contains not more than ten bullets;

(3) While on the premises of a target range of a public or private club or organization organized for the purpose of practicing shooting at targets;

(4) While on a target range which holds a regulatory or business license for the purpose of practicing shooting at that target range;

(5) While on the premises of a licensed shooting club;

(6) While transporting the large capacity magazine between any of the places set forth in this subsection, or to any licensed gun dealer, provided (A) such large capacity magazine contains not more than ten bullets, and (B) the large capacity magazine is transported in the manner required for an assault weapon under subdivision (2) of subsection (a) of section 53-202f; or

(7) Pursuant to a valid permit to carry a pistol or revolver, provided such large capacity magazine (A) is within a pistol or revolver that was lawfully possessed by the person prior to April 5, 2013, (B) does not extend more than one inch below the bottom of the pistol grip, and (C) contains not more than ten bullets.

(g) Any person who violates the provisions of subsection (f) of this section shall be guilty of a class C misdemeanor.

Sec. 3. Subsection (g) of section 53-202w of the general statutes, as

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amended by section 18 of public act 23-53, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(g) [If] The court may order suspension of prosecution in addition to any other diversionary programs available to the defendant, if the court finds that a violation of this section is not of a serious nature and that the person charged with such violation (1) will probably not offend in the future, (2) has not previously been convicted of a violation of this section, and (3) has not previously had a prosecution under this section suspended pursuant to this subsection, it may order suspension of prosecution in accordance with the provisions of subsection [(i)] (h) of section 29-33, as amended by [this act] public act 23-53.

Sec. 4. Subsections (c) to (h), inclusive, of section 14-224 of the general statutes, as amended by section 39 of public act 23-135, are repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(c) (1) No person shall operate a motor vehicle upon any public highway or parking area for any race, contest, demonstration of speed or skill [,] or street takeover. [or motor vehicle stunt.] As used in this section, "street takeover" means taking over a portion of a public highway or parking area by blocking or impeding the regular flow of traffic [for the purpose of causing disorder or creating a nuisance to] with intent to cause disorder or create a nuisance for other users of such highway or parking area.

(2) No person shall (A) possess a motor vehicle under circumstances manifesting an intent that it be used in a race, contest, demonstration [,] or street takeover [or motor vehicle stunt] prohibited under subdivision (1) of this subsection, (B) act as a starter, timekeeper or judge at any such race, contest, demonstration [,] or street takeover, or [motor vehicle stunt,] (C) wager on the outcome of any such race, contest, demonstration [,] or street takeover, [or motor vehicle stunt,] or (D) knowingly [encourage, promote, instigate, assist, facilitate or aid or abet

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any person] incite or recruit by any action, method, device or means, including, but not limited to, electronic or social media, in advance of any such race, contest, demonstration or street takeover, any person for participation in the performance of any such race, contest, demonstration [,] or street takeover. [or motor vehicle stunt.]

(d) Each person operating a motor vehicle who is knowingly involved in an accident on a limited access highway which causes damage to property only shall immediately move or cause such person's motor vehicle to be moved from the traveled portion of the highway to an untraveled area which is adjacent to the accident site if it is possible to move the motor vehicle without risk of further damage to property or injury to any person.

(e) No person who acts in accordance with the provisions of subsection (d) of this section may be considered to have violated subdivision (3) of subsection (b) of this section.

(f) Any person who violates the provisions of subsection (a) or subdivision (1) of subsection (b) of this section shall be [fined not more than twenty thousand dollars or be imprisoned not less than two years or more than twenty years or be both fined and imprisoned] guilty of a class B felony.

(g) (1) Any person who violates the provisions of subdivision (2) of subsection (b) of this section shall be [fined not less than seventy-five dollars or more than six hundred dollars or be imprisoned not more than five years or be both fined and imprisoned, and for any subsequent offense shall be fined not less than one hundred dollars or more than one thousand dollars or be imprisoned not more than five years or be both fined and imprisoned] guilty of a class D felony.

(2) Any person who violates the provisions of subdivision (3) of subsection (b) of this section or subdivision (1) of subsection (c) of this

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section shall be [fined not less than seventy-five dollars or more than six hundred dollars or be imprisoned not more than one year or be both fined and imprisoned, and for any subsequent offense shall be fined not less than one hundred dollars or more than one thousand dollars or be imprisoned not more than one year or be both fined and imprisoned] guilty of a (A) class A misdemeanor for a first offense, and (B) class D felony for any subsequent offense.

[(3) Any person who violates the provisions of subdivision (1) of subsection (c) of this section shall be fined not less than one hundred fifty dollars or more than six hundred dollars or be imprisoned not more than one year or be both fined and imprisoned, and for any subsequent offense shall be fined not less than three hundred dollars or more than one thousand dollars or be imprisoned not more than one year or be both fined and imprisoned.]

[(4)] (3) Any person who violates the provisions of subdivision (2) of subsection (c) of this section shall be [fined not more than one thousand dollars or be imprisoned not more than six months or be both fined and imprisoned] guilty of a class B misdemeanor.

(h) In addition to any penalty imposed pursuant to subsection (g) of this section: (1) If any person is convicted of a violation of subdivision (1) of subsection (c) of this section and the motor vehicle being operated by such person at the time of the violation is registered to such person, the court may order such motor vehicle to be impounded for not more than thirty days and such person shall be responsible for any fees or costs resulting from such impoundment; or (2) if any person is convicted of a violation of subdivision (1) of subsection (c) of this section and the motor vehicle being operated by such person at the time of the violation is not registered to such person, the court may fine such person not more than two thousand dollars, and for any subsequent offense may fine such person not more than three thousand dollars.

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Approved June 28, 2023