
OLR Bill Analysis

HB 6624

AN ACT CONCERNING RETIRED POLICE AND PAROLE OFFICERS PROVIDING SCHOOL SECURITY AND PEACE OFFICERS CARRYING FIREARMS ON SCHOOL PROPERTY.

SUMMARY

This bill allows off-duty peace officers in lawful possession of a firearm to carry it (1) in or on the grounds of a public or private elementary or high school or (2) at a school-sponsored activity (i.e., any activity sponsored, recognized, or authorized by a board of education, happening either on or off school property). The law already allows peace officers to do this while on-duty.

The bill also expands who a municipality or board of education may hire or contract with for armed school security services to include (1) qualifying former parole officers and (2) additional types of former law enforcement officers.

EFFECTIVE DATE: July 1, 2023, except the firearms possession provision is effective October 1, 2023.

WEAPONS POSSESSION ON SCHOOL GROUNDS BY PEACE OFFICERS

With limited exceptions, it is illegal and a class D felony under state law to possess firearms on any elementary or secondary school property or at any school-sponsored event knowing that one is not licensed or privileged to do so.

Currently, this law does not apply to otherwise lawful possession by peace officers (see BACKGROUND) performing their official duties. The bill expands this exemption to apply regardless of whether the officers are on- or off-duty.

ARMED SCHOOL SECURITY OFFICERS

Current law limits who a municipality or board of education can hire or contract with for armed school security services to (1) sworn members of local police departments and (2) qualified retired police officers who served with a local police department, the state police, a federal law enforcement agency, or an out-of-state police department. The bill additionally allows municipalities and boards to hire or contract with (1) a qualifying parole officer who retired or separated in good standing from the Department of Correction (DOC) and (2) certain additional types of retired police officers, as described below.

Qualifying Former Parole Officers

By law, to serve as an armed school security officer, a retired police officer must be a “qualified retired law enforcement officer” under the federal Law Enforcement Officers Safety Act (LEOSA). (LEOSA permits qualified officers, both active and retired, to carry a concealed firearm across state lines so long as they are carrying the proper identification and meet the statutory requirements.) Under the bill, parole officers must meet comparable requirements in order to qualify to provide armed school security services. Specifically, they must:

1. have served for 10 or more years or separated from service due to a service-related disability, as DOC determines;
2. have met, at their own expense, DOC’s firearm training qualification standards for active parole officers during the most recent 12 months;
3. have not been found by a qualified medical professional to be unqualified for mental health reasons to meet DOC’s standards to carry a firearm, and have not entered into an agreement with DOC acknowledging that they do not meet this qualification;
4. not be under the influence of alcohol or other intoxicating or hallucinatory drugs or substances; and
5. not be legally prohibited from receiving a firearm.

The bill subjects these former parole officers to the same annual

training requirements that other retired officers must complete in order to qualify (i.e., school security training provided by the Police Officer Standards and Training Council (POST) and firearms training provided by a certified firearms instructor who meets or exceeds the POST standards or the LEOSA standards). Under the bill, these former parole officers are also exempt from the licensing requirements for private security officers, just as current law provides for retired police officers serving as armed school security officers.

Other Qualifying Officers

The bill expands the types of retired police officers that qualify under this law to include:

1. appointed constables who perform criminal law enforcement duties;
2. special police officers appointed under law (e.g., public assistance fraud investigators); or
3. any members of a law enforcement unit who perform police duties (CGS § 7-294a; see BACKGROUND).

Under the bill, these officers must have retired or separated in good standing from their respective units and have been POST certified. To qualify under current law, retired police officers must have retired or separated in good standing from (1) an organized local police department and have been POST certified, (2) the State Police, or (3) a federal law enforcement agency or organized out-of-state police department and have been certified under standards that meet or exceed POST's certification standards.

As under current law for the retired police officers described above, these additional officers must (1) be "qualified retired law enforcement officers" under LEOSA and (2) meet the annual training requirements described above.

BACKGROUND

Peace Officers

By law, the following people are designated peace officers: state and local police, Division of Criminal Justice inspectors, state marshals exercising statutory powers, judicial marshals performing their duties, conservation or special conservation officers, constables who perform criminal law enforcement duties, appointed special police officers, adult probation officers, DOC officials authorized to make arrests in a correctional institution or facility, investigators in the Office of the State Treasurer, POST-certified motor vehicle inspectors, U.S. marshals and deputy marshals, U.S. special agents authorized to enforce federal food and drug laws, and certified police officers of a law enforcement unit created and governed under a state-tribal memorandum (CGS § 53a-3(9)).

Law Enforcement Units

By law, a “law enforcement unit” is any state or municipal agency or department (or tribal agency or department created and governed under a memorandum of agreement) whose primary functions include enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime (CGS § 7-294a).

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 24 Nay 1 (03/16/2023)