

---

---

## OLR Bill Analysis

### sHB 6817

#### ***AN ACT CONCERNING A TEMPORARY PERMIT TO CARRY A PISTOL OR REVOLVER, A RESPONSE PLAN FOR A MASS SHOOTING EVENT, AND THE POSTING OF A PERSON'S RIGHTS ASSOCIATED WITH OWNING, POSSESSING AND CARRYING A FIREARM.***

#### **SUMMARY**

This bill makes changes affecting handgun (pistol) carry permits, the state's response to mass shooting events, and police notices of certain firearm-related rights.

It requires the Department of Emergency Services and Public Protection (DESPP) commissioner to make a decision on a handgun permit application if the applicant presents an affidavit that the local authority failed to expressly deny a temporary state permit application during the required timeframe. Among other things, it also requires the local authority or DESPP to give a detailed written response when denying an application.

The bill requires DESPP's civil preparedness plan to include a response plan for a mass shooting event, which the bill describes as a shooting of four or more people within a three-mile radius within 24 hours. The response plan must include coordination between certain parties to determine, among other things, what led to the shooting. This group must report to the DESPP commissioner, who then must report to the governor and certain legislators.

The bill also requires, as part of the response to a mass shooting, that (1) grief counselors and mental health professionals be deployed to help family members or other people closely connected to the victims and (2) the DESPP commissioner and chief state's attorney coordinate, and report on, an investigation of each mass shooting event.

Lastly, the bill requires law enforcement units to post public notices informing people of various firearm-related rights, including specified information about the permit process and the right to own, possess, and carry firearms.

EFFECTIVE DATE: October 1, 2023, except the provisions on mass shooting events are effective upon passage.

### **§ 1 — HANDGUN CARRY PERMIT**

By law, handgun permits are issued under a two-part process, requiring approval from both the local authority (e.g., the police chief) and DESPP. The local official investigates applicants, including doing a background check, and issues a temporary state permit, and the State Police conducts state and national criminal history record checks on the applicants and issues the five-year state permit.

Existing law requires the local authority to make its decision within eight weeks. The bill requires the local authority, if denying the application, to give the applicant a detailed written reason for doing so.

Under current law, DESPP must make its decision (or inform the applicant that the department is still waiting for the results of the national criminal background check) within eight weeks after the local authority sends its approval. The bill eliminates the DESPP eight-week deadline and provides that the local authority's failure to complete its review of the temporary permit application is not grounds for the commissioner to deny the state permit.

The bill requires DESPP to make its decision (or inform the applicant about the pending background check) if, at least nine weeks after the local authority accepted the application, the applicant presents an affidavit attesting to the local authority's failure to supply written reasons for denying it. The bill also requires DESPP, if denying an application, to give details in its written response.

The bill eliminates a provision requiring immediate revocation of a temporary state permit if grounds for its denial become known after it was issued. But the law continues to allow the DESPP commissioner to

revoke any temporary state handgun permit or five-year permit for cause, and requires him to revoke it upon (1) a permit holder's conviction of a felony or disqualifying misdemeanor or (2) the occurrence of any other event that would disqualify the person from getting the permit (CGS § 29-32).

## **§ 2 — MASS SHOOTING EVENT RESPONSE**

### ***Response Plan***

By law, the DESPP commissioner must oversee the development of the state's civil preparedness plan and program (i.e., the State Response Framework), which is subject to the governor's approval. The bill requires the plan and program to include a response plan for mass shooting events.

The bill requires the commissioner, as part of any response plan for a mass shooting event, to include provisions for coordinating a meeting with DESPP; local police; community leaders, including religious leaders; and representatives from the Project Longevity Initiative (a comprehensive, community-based initiative to reduce gun violence that operates in Bridgeport, Hartford, New Haven, and Waterbury).

The meeting's purpose is to determine the following:

1. why the shooting event occurred and what circumstances led to it,
2. whether there were warning signs that it would occur,
3. steps the community can take to prevent further shooting events, and
4. whether there are available resources to help the community respond to the event.

The bill requires the participants, after the meeting concludes, to report their findings to the DESPP commissioner. The commissioner must review and report the findings, and any other information he deems pertinent, to the governor, House and Senate majority and

minority leaders, and Public Safety and Security Committee. The report must include any recommendations for legislative action to reduce mass shooting events.

### ***Grief Counselors and Mental Health Professionals***

The bill requires the DESPP commissioner to coordinate with the public health commissioner in deploying grief counselors and mental health professionals to provide mental health services after mass shooting events for the victim's family members or other people closely associated with the victims. These counselors and professionals must be deployed to (1) local community outreach groups in and around the impacted area and (2) any school or higher education institution where any of the shooting's victims or perpetrators were enrolled.

### ***Shooting Investigation***

The bill requires the DESPP commissioner to coordinate, along with the chief state's attorney's office, an investigation into each mass shooting event. The investigation must consider the following:

1. how the perpetrator acquired any firearm used in the event,
2. whether those firearms were acquired legally,
3. whether a large capacity magazine was used in the shooting (state law generally bans the possession or sale of these magazines, which hold more than 10 rounds of ammunition), and
4. the backgrounds of the perpetrator and victims.

For each investigation, the commissioner and chief state's attorney must report (1) the investigation's summary and findings, including any determination of what caused the event, and (2) any recommendations to prevent future mass shooting events. They must report to the governor; the House and Senate majority and minority leaders; the Public Safety and Security Committee; and the chief elected official and legislative body of the municipality where the mass shooting occurred.

### **§ 3 — POLICE NOTICE OF FIREARM RIGHTS**

The bill requires the administrative head of each law enforcement unit to ensure that all police stations, headquarters, or barracks under its jurisdiction post certain information about firearm-related rights, in a conspicuous place that is readily available for the public to view.

Specifically, he or she must post a statement informing people of the following rights:

1. to request and get an application for a handgun carry permit;
2. to submit the application no later than one week after their request to do so;
3. to be informed in writing, within eight weeks after applying, of the decision on the application;
4. to file an appeal if the application is denied; and
5. their state and federal constitutional right to own, possess, and carry a firearm to protect their home or family as they so lawfully choose.

Under the bill, as under existing law, an “administrative head of each law enforcement unit” includes the DESPP commissioner, board of police commissioners, police chief or superintendent, or other authority in charge of a law enforcement unit (CGS § 7-291e). A “law enforcement unit” is a 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).

### **BACKGROUND**

#### ***Related Bill***

sHB 6667, reported favorably by the Judiciary Committee, makes numerous changes to firearm laws, such as generally (1) prohibiting the open carry of firearms, (2) prohibiting the purchase of more than one

handgun in a 30-day period, and (3) raising the minimum age to buy long guns from 18 to 21.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 30 Nay 6 (03/28/2023)