



House of Representatives

General Assembly

File No. 635

January Session, 2023

Substitute House Bill No. 6817

House of Representatives, April 17, 2023

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

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.

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

1 Section 1. Subsection (b) of section 29-28a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2023*):

4 (b) The local authority shall, not later than eight weeks after a
5 sufficient application for a temporary state permit has been made,
6 inform the applicant that such applicant's request for a temporary state
7 permit has been approved or denied, and if denied, supply to the
8 applicant a detailed written reason for such denial. The local authority
9 shall forward a copy of the application indicating approval or denial of
10 the temporary state permit to the Commissioner of Emergency Services
11 and Public Protection. If the local authority has denied the application
12 for a temporary state permit, no state permit may be issued. [The] If the

13 local authority has failed to expressly deny the application during the
14 eight-week period following the submission of such application, upon
15 presentation of an affidavit by the applicant at least nine weeks after the
16 local authority accepts such application attesting to the failure to include
17 a written reason for a denial, the commissioner shall [, not later than
18 eight weeks after receiving an application indicating approval from the
19 local authority,] issue to the applicant a state permit or inform the
20 applicant in detailed writing that the applicant's application for a state
21 permit has been [approved or] denied, or that the results of the national
22 criminal history records check have not been received. [If grounds for
23 denial become known after a temporary state permit has been obtained,
24 the temporary state permit shall be immediately revoked pursuant to
25 section 29-32] The failure of the issuing authority to complete review of
26 an application for a temporary state permit shall not be grounds for the
27 commissioner to deny issuance of a state permit.

28 Sec. 2. (NEW) (*Effective from passage*) (a) Any comprehensive plan and
29 program developed by the Commissioner of Emergency Services and
30 Public Protection pursuant to subsection (b) of section 28-5 of the
31 general statutes shall include a response plan for a mass shooting event.
32 A mass shooting event is deemed to occur when, within a period of
33 twenty-four hours, four or more individuals are shot within a three-mile
34 radius.

35 (b) In any response plan for a mass shooting event, the commissioner
36 shall include provisions directing the coordination of a meeting with the
37 Department of Emergency Services and Public Protection, the local
38 police department, community leaders, including religious leaders, and
39 representatives of the Project Longevity Initiative, established under
40 section 4-68bb of the general statutes, for the purpose of determining (1)
41 why the shooting event occurred, (2) what circumstances lead to the
42 shooting event, (3) whether there were warning signs that such shooting
43 event would occur, (4) preventative measures the community can enact
44 to prevent further shooting events, and (5) if there are resources
45 available to assist the community in its response to the shooting event.
46 At the conclusion of such meeting, the meeting participants shall report

47 their findings to the Commissioner of Emergency Services and Public
48 Protection. The commissioner shall review and report the findings and
49 any other information the commissioner deems pertinent, in accordance
50 with the provisions of section 11-4a of the general statutes, to the
51 Governor, majority and minority leaders of the House of
52 Representatives and Senate, and joint standing committee of the General
53 Assembly having cognizance of matters relating to public safety and
54 security. Such report shall include recommendations, if any, for
55 legislative action to reduce mass shooting events.

56 (c) The Commissioner of Emergency Services and Public Protection
57 shall coordinate with the Commissioner of Public Health for the
58 deployment of grief counselors and mental health professionals to
59 provide mental health services to the family members or other
60 individuals with a close association with any victim of a mass shooting.
61 Such deployments shall be made to local community outreach groups
62 in and around the impacted geographical location and to any school or
63 institution of higher education where any victim or perpetrator of a
64 mass shooting event was enrolled.

65 (d) The Commissioner of Emergency Services and Public Protection
66 shall coordinate an investigation into each mass shooting event with the
67 office of the Chief State's Attorney. Each such investigation shall
68 consider: (1) How the perpetrator acquired any firearm used in the
69 event, (2) whether the firearm that was used was legally acquired, (3) if
70 the magazine used in the shooting was a large capacity magazine, as
71 defined in section 53-202w of the general statutes, and (4) the
72 backgrounds of the perpetrator and the victims. The commissioner and
73 Chief State's Attorney shall report, in accordance with the provisions of
74 section 11-4a of the general statutes, a summary of each such
75 investigation, all findings of such investigation, including any
76 determination of cause of the mass shooting event and any
77 recommendations to prevent future mass shooting events to the
78 Governor, majority and minority leaders of the House of
79 Representatives and Senate and joint standing committee of the General
80 Assembly having cognizance of matters relating to public safety and

81 security and to the chief elected officer and legislative body, each as
82 described in section 7-193 of the general statutes, of the municipality
83 where the mass shooting event occurred.

84 Sec. 3. (NEW) (*Effective October 1, 2023*) The administrative head of
85 each law enforcement unit, as defined in section 7-291e of the general
86 statutes, shall ensure that each police station, headquarters or barracks
87 under such administrative head's jurisdiction posts in a conspicuous
88 place that is readily available for viewing by the public a statement
89 informing individuals of their right to request and obtain an application
90 to apply for a permit to carry a pistol or revolver, their right to submit
91 an application for a permit to carry a pistol or revolver no more than one
92 week after their request to do so, their right to be informed in writing of
93 the result of their application within eight weeks from its submittal,
94 their right to file an appeal in the event of a denial of a permit for the
95 carrying of a pistol or revolver and an individual's state and federal
96 constitutional right to own, possess and carry a firearm for protection of
97 the individual's home or family as the individual so lawfully chooses.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	29-28a(b)
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>October 1, 2023</i>	New section

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 24 \$	FY 25 \$
Department of Emergency Services and Public Protection	GF - Cost	83,100 - 166,200	80,053 - 160,106
State Comptroller - Fringe Benefits ¹	GF - Cost	33,442 - 66,884	34,278 - 68,556
Emergency Services and Public Protection, Dept.; State Comptroller - Fringe Benefits	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill makes changes to the state's response to mass shooting events, resulting in a cost of \$116,542 to \$233,084 in FY 24 and \$114,331 to \$228,662 in FY 25 to the Department of Emergency Services and Public Protection (DESPP) and the Office of the State Comptroller, as well as potential costs depending on the number of such events. The bill also makes changes affecting handgun carry permits and police notices of certain firearm-related rights which are not anticipated to result in a fiscal impact to the state or municipalities.

The bill requires DESPP's civil preparedness plan to include a response plan for mass shooting events, requiring DESPP to hire one to two Emergency Management Program Specialists to develop and disseminate plans and coordinate with other state and local agencies.

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

The starting salary of this position is \$78,100, with associated fringe benefits costing \$33,442. There is also an estimated one-time cost of \$5,000 to \$10,000 in FY 24 for equipment and training.

The bill also requires DESPP to coordinate, in collaboration with the office of the Chief State's Attorney, an investigation into each mass shooting event, resulting in potential overtime costs to DESPP's State Police averaging \$79 per hour per trooper. It is anticipated that the office of the Chief State's Attorney will be able to comply with this requirement with existing staff. In 2022, there were three qualifying events, and in 2021, there were two.

Finally, the bill requires DESPP to coordinate with the Department of Public Health (DPH) to deploy grief counselors and mental health professionals after a mass shooting event to the affected community, expected to result in no fiscal impact to either agency.^{2,3}

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of mass shooting events and inflation.

Sources: *Department of Administrative Services website*
Gun Violence Archive <https://www.gunviolencearchive.org/reports>

²DPH can provide DESPP with information on the CT Association of School Based Health Centers (SBHCs) that it supports. DPH funds a portion of Connecticut's SBHCs, some of which provide mental health services to youth. The association includes 132 comprehensive sites and 152 expanded school health sites in Connecticut for a total of 284 sites. DPH funds a total of 90 sites: 78 comprehensive sites for medical and mental health services, and 12 expanded sites for medical or mental health services.

³DPH also licenses Professional Counselors, but it does not contract with them for the provision of grief counseling or mental health services.

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)