



House of Representatives

General Assembly

File No. 232

February Session, 2024

Substitute House Bill No. 5280

House of Representatives, April 3, 2024

The Committee on Public Safety and Security reported through REP. BOYD of the 50th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK.

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

1 Section 1. Section 29-7h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 (a) As used in this section:

4 [(1) "Firearms evidence databank" means a computer-based system
5 that stores images of fired components of ammunition in a manner
6 suitable for retrieval and comparison to images of other fired
7 components of ammunition stored in the databank;]

8 (1) "Firearm" has the same meaning as provided in section 53a-3;

9 (2) "Fired components of ammunition" means discharged
10 ammunition consisting of a cartridge case or a bullet or a fragment
11 thereof, collected after a firearm is fired and containing sufficient
12 microscopical characteristics to compare to other discharged

13 ammunition or to determine the firearm from which the ammunition
14 was fired;

15 [(2)] (3) "Handgun" means any firearm capable of firing rim-fire or
16 center-fire ammunition and designed or built to be fired with one hand;

17 [(3)] (4) "Laboratory" means the Division of Scientific Services
18 forensic science laboratory within the Department of Emergency
19 Services and Public Protection;

20 [(4)] "Police department" means the Division of State Police within the
21 Department of Emergency Services and Public Protection or an
22 organized local police department;

23 (5) "Fired components of ammunition" means discharged
24 ammunition consisting of a cartridge case or a bullet or a fragment
25 thereof, collected after a firearm is fired and containing sufficient
26 microscopical characteristics to compare to other discharged
27 ammunition or to determine the firearm from which the ammunition
28 was fired.]

29 (5) "Law enforcement unit" has the same meaning as provided in
30 section 7-294a; and

31 (6) "NIBIN databank" means the National Integrated Ballistic
32 Information Network, maintained by the federal Bureau of Alcohol,
33 Tobacco, Firearms and Explosives, or any successor network.

34 (b) (1) The Division of Scientific Services shall [establish a firearms
35 evidence] participate in the NIBIN databank. Evidence consisting of
36 fired components of ammunition may be entered into [such] the NIBIN
37 databank in accordance with [specific procedures] regulations adopted
38 by the Commissioner of Emergency Services and Public Protection [, in
39 the regulations adopted] pursuant to subsection [(f)] (g) of this section.

40 (2) The [firearms evidence] NIBIN databank may be used by
41 laboratory personnel, in accordance with federal procedures and
42 regulations adopted pursuant to subsection (g) of this section, to (A)

43 compare two or more cartridge cases, bullets or other projectiles
44 submitted to the laboratory or produced at the laboratory from a
45 firearm, or (B) upon the request of a [police department] law
46 enforcement unit as part of a criminal case investigation, verify by
47 microscopic examination any resulting match, and shall produce a
48 report stating the results of such a search.

49 (3) Any image of a fired component of ammunition that is not
50 matched by a search of the NIBIN databank shall be [stored in the]
51 submitted to the NIBIN databank for future searches.

52 [(4) The Division of Scientific Services may permit a firearms section
53 of a police department that complies with all laboratory guidelines and
54 regulations adopted by the commissioner pursuant to subsection (f) of
55 this section regarding the operation of the firearms evidence databank
56 to (A) test fire handguns that come into the custody of the police
57 department and collect fired components of ammunition from such test
58 fires, (B) set up a remote terminal to enter images of fired components
59 of ammunition directly into the databank, and (C) search the databank.]

60 (c) (1) Except as provided in [subdivision (4) of subsection (b) of this
61 section and] subsection (d) of this section, [a police department may
62 submit to the laboratory any handgun that] when any firearm comes
63 into police custody as the result of a criminal investigation, the law
64 enforcement unit shall either (A) submit such firearm or fired
65 components of ammunition from such firearm to the laboratory, or (B)
66 if such law enforcement unit has been permitted by the laboratory
67 pursuant to subsection (f) of this section, test fire such firearm as
68 expeditiously as is practicable and submit evidence resulting from such
69 test fire to the NIBIN databank.

70 (2) The laboratory may test fire each submitted [handgun] firearm
71 and collect fired components of ammunition from such test fires. The
72 laboratory shall label the fired components of ammunition with the
73 [handgun] firearm manufacturer, type of weapon, serial number, date
74 of the test fire and name of the person test firing the [handgun] firearm
75 and collecting the fired components of ammunition.

76 (3) When a law enforcement unit recovers any spent cartridge case
77 from a crime scene or believes that any cartridge case is related to the
78 commission of a crime or an improper discharge of a firearm, the agency
79 shall, as expeditiously as practicable, submit an examination of such
80 cartridge case to the NIBIN databank.

81 (d) (1) [On and after October 1, 2001, a police department] Each law
82 enforcement unit shall test fire every handgun to be issued by [that
83 department] such unit before the handgun is so issued and collect the
84 fired components of ammunition from such test fire. Any [police
85 department] law enforcement unit may request the assistance of the
86 Division of State Police or the laboratory in test firing a handgun and
87 collecting such fired components of ammunition.

88 (2) The [police department] law enforcement unit shall seal the fired
89 components of ammunition in a tamper-evident manner and label the
90 package with the handgun manufacturer, handgun type, serial number
91 and name of the person test firing the handgun and collecting the fired
92 components of ammunition. The [police department] law enforcement
93 unit shall submit the fired components of ammunition and two intact
94 cartridges that are representative samples of the ammunition used by
95 the [department] unit in its service handguns.

96 (e) The laboratory may share the information in the [firearms
97 evidence] NIBIN databank with law enforcement units and other law
98 enforcement agencies, both within and outside the state, [, and may
99 participate in a national firearms evidence databank program.]

100 (f) The Division of Scientific Services may permit a firearms section
101 of a law enforcement unit that complies with all laboratory guidelines
102 and regulations adopted by the commissioner pursuant to subsection
103 (g) of this section regarding the operation of the NIBIN databank to (1)
104 test fire firearms that come into the custody of the unit and collect fired
105 components of ammunition from such test fires, (2) set up a remote
106 terminal to enter images of fired components of ammunition directly
107 into the NIBIN databank, and (3) search the NIBIN databank.

108 [(f)] (g) The commissioner shall adopt regulations, in accordance with
109 the provisions of chapter 54, to carry out the purposes of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	29-7h

Statement of Legislative Commissioners:

In Subsec. (c)(3), "possible" was changed to "practicable" for consistency.

PS Joint Favorable Subst. -LCO

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: None

Municipal Impact:

Municipalities	Effect	FY 25 \$	FY 26 \$
Municipal Police Departments	Potential Cost	See Below	See Below

Explanation

The bill requires the Department of Emergency Services and Public Protection's (DESPP) Division of Scientific Services (DSS) to participate in the National Integrated Ballistic Information Network (NIBIN) databank, resulting in no fiscal impact to the state because it conforms the law to current practice.

Under certain circumstances, the bill also requires all law enforcement agencies to submit all firearms or fired components of ammunition that come into police custody as the result of a criminal investigation to the DSS laboratory. There may be a potential cost to some municipal police departments, which will vary to the extent that such departments are required to commit additional resources to implement this procedural change (for example, overtime expenses may be incurred in the transportation and transfer of such evidence).¹

The Out Years

The annualized ongoing fiscal impact identified above would

¹For some municipal police departments, the bill's requirements mirror current policies and procedures, resulting in no fiscal impact.

continue into the future subject to the extent that municipal police departments will need to modify their policies and procedures.

OLR Bill Analysis

sHB 5280

AN ACT CONCERNING THE NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK.

SUMMARY

This bill conforms law to practice by requiring the Department of Emergency Services and Public Protection's Division of Scientific Services to participate in the National Integrated Ballistic Information Network (NIBIN) databank (see BACKGROUND), rather than the firearms evidence databank that current law requires the division to establish.

Current law allows handguns in a police department's custody that pertain to a criminal investigation to be tested. The bill instead requires all firearms, not just these handguns, to be tested.

The bill subjects additional law enforcement agencies to the NIBIN databank-related requirements. It also requires law enforcement units that recover any spent cartridge case from a crime scene or an improper firearm discharge to submit an exam of the cartridge case to the NIBIN databank as soon as practicable.

Lastly, the bill makes various minor, technical, and conforming changes to implement these changes, including requiring laboratory personnel to use the NIBIN database in accordance with federal procedures and state regulations.

EFFECTIVE DATE: October 1, 2024

FIREARMS TESTING FOR CRIMINAL INVESTIGATIONS

Current law allows a police department to submit any handgun that comes into its custody during a criminal investigation to the Division of Scientific Services' laboratory for testing. The bill instead requires law

enforcement units to (1) submit firearms that come into police custody during a criminal investigation or fired components of ammunition from the firearms to the laboratory or (2) if allowed by the laboratory, test fire the firearm as soon as practicable and submit the results to the NIBIN database.

As under current law for handguns, the bill allows the laboratory to test fire any submitted firearm and collect fired components of ammunition from the test fires. The laboratory must label the fired components of ammunition with the firearm manufacturer, weapon type, serial number, test fire data, and name of the person who test fired the firearm and collected the ammunition.

LAW ENFORCEMENT UNITS

The bill subjects additional law enforcement agencies to the NIBIN databank-related requirements. It does so by replacing the “police department” definition with a more expansive “law enforcement unit” definition.

Under current law, a “police department” includes the State Police and an organized local police department. Under the bill, a “law enforcement unit” includes state, municipal, or tribal agencies or departments whose primary functions include enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime. (This includes only the tribal agencies or departments that are created and governed under a memorandum of agreement.)

The bill extends existing law’s NIBIN databank provisions for police departments to law enforcement units. This includes:

1. allowing units to ask a laboratory to verify any matching result of cartridge cases, bullets, or other projectiles and to produce a report on the results; and
2. requiring units, before issuing a handgun, to (a) test fire it and collect the fired ammunition (the department may ask the State

Police or the laboratory to assist) and (b) seal the fired ammunition in a tamper-evident manner, label the package with certain identifying information, and submit it along with two intact cartridges.

BACKGROUND

NIBIN Databank

The NIBIN databank is maintained by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives. Among other things, NIBIN is an interstate automated ballistic imaging network that automates ballistics evaluations.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 25 Nay 0 (03/19/2024)