



# House of Representatives

General Assembly

**File No. 516**

February Session, 2024

House Bill No. 5467

*House of Representatives, April 16, 2024*

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

## ***AN ACT CONCERNING FIREARMS BACKGROUND CHECKS.***

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

1 Section 1. Subsection (d) of section 46b-124 of the 2024 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2024*):

4 (d) Records of cases of juvenile matters involving delinquency  
5 proceedings shall be available to (1) Judicial Branch employees who, in  
6 the performance of their duties, require access to such records, (2) judges  
7 and employees of the Probate Court who, in the performance of their  
8 duties, require access to such records, and (3) employees and authorized  
9 agents of municipal, state or federal agencies involved in (A) the  
10 delinquency proceedings, (B) the provision of services directly to the  
11 child, (C) the delivery of court diversionary programs, or (D) the  
12 evaluation of a proposed transfer of a firearm to a person under the age  
13 of twenty-one in this state or any other state, as required by Title II,  
14 Section 12001 of the Bipartisan Safer Communities Act, Public Law 117-  
15 159, as amended from time to time. Such employees and authorized

16 agents include, but are not limited to, law enforcement officials,  
17 community-based youth service bureau officials, state and federal  
18 prosecutorial officials, school officials in accordance with section 10-  
19 233h, court officials including officials of both the regular criminal  
20 docket and the docket for juvenile matters and officials of the Division  
21 of Criminal Justice, the Division of Public Defender Services, the  
22 Department of Children and Families, if the child is under the oversight  
23 of the department's administrative unit pursuant to section 17a-3b,  
24 provided such disclosure shall be limited to information that identifies  
25 the child as residing in a justice facility or incarcerated, or, if the child is  
26 committed pursuant to section 46b-129, provided such disclosure shall  
27 be limited to (i) information that identifies the child as the subject of the  
28 delinquency petition, or (ii) the records of the delinquency proceedings,  
29 when the juvenile court orders the department to provide services to  
30 said child, the Court Support Services Division and agencies under  
31 contract with the Judicial Branch. Such records shall also be available to  
32 (I) the attorney representing the child, including the Division of Public  
33 Defender Services, in any proceeding in which such records are  
34 relevant, (II) the parents or guardian of the child, until such time as the  
35 subject of the record reaches the age of majority, (III) the subject of the  
36 record, upon submission of satisfactory proof of the subject's identity,  
37 pursuant to guidelines prescribed by the Office of the Chief Court  
38 Administrator, provided the subject has reached the age of majority,  
39 (IV) law enforcement officials and prosecutorial officials conducting  
40 legitimate criminal investigations, as provided in subsection (o) of this  
41 section or orders to detain pursuant to section 46b-133, (V) a state or  
42 federal agency providing services related to the collection of moneys  
43 due or funding to support the service needs of eligible juveniles,  
44 provided such disclosure shall be limited to that information necessary  
45 for the collection of and application for such moneys, (VI) members and  
46 employees of the Board of Pardons and Paroles and employees of the  
47 Department of Correction who, in the performance of their duties,  
48 require access to such records, provided the subject of the record has  
49 been convicted of a crime in the regular criminal docket of the Superior  
50 Court and such records are relevant to the performance of a risk and

51 needs assessment of such person while such person is incarcerated, the  
 52 determination of such person's suitability for release from incarceration  
 53 or for a pardon, or the determination of the supervision and treatment  
 54 needs of such person while on parole or other supervised release, and  
 55 (VII) members and employees of the Judicial Review Council who, in  
 56 the performance of their duties related to said council, require access to  
 57 such records. Records disclosed pursuant to this subsection shall not be  
 58 further disclosed, except that information contained in such records  
 59 may be disclosed in connection with bail or sentencing reports in open  
 60 court during criminal proceedings involving the subject of such  
 61 information, or as otherwise provided by law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024</i>	46b-124(d)

**JUD**      *Joint Favorable*

*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.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which clarifies when juvenile records may be disclosed as part of a firearm background check, is not anticipated to result in a fiscal impact to the state or to municipalities.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****HB 5467*****AN ACT CONCERNING FIREARMS BACKGROUND CHECKS.*****SUMMARY**

By law, records of juvenile cases involving delinquency proceedings are available only to certain people and in specified circumstances, such as employees and agents of municipal, state, and federal agencies involved in evaluating a proposed transfer of a firearm to a person under age 21, as required by federal law.

This bill specifies that these employees and authorized agents have access to the juvenile records whether the proposed transfer of the firearm is to a person under age 21 in this state or any other state.

EFFECTIVE DATE: July 1, 2024

**JUVENILE RECORD DISCLOSURE ALLOWED**

Under existing law, people to whom juvenile records may be disclosed include:

1. judicial branch employees who, in performing their duties, require access to the records;
2. probate court judges and employees who, in performing their duties, require access to the records; and
3. employees and authorized agents of municipal, state, or federal agencies involved in (a) the delinquency proceedings, (b) providing services directly to the child, (c) delivering court diversionary programs, or (d) evaluating a proposed transfer of a firearm to a person under the age of 21 as required by federal law.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 35 Nay 1 (03/28/2024)