



State of Connecticut
GENERAL ASSEMBLY
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

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The following are the consensus proposals from the Democratic legislators serving on the Gun Violence Prevention Working Group of the Bipartisan Task Force on Gun Violence Prevention and Children's Safety.

- **Expand the definition of "assault weapon"**: Expand the definition of "assault weapon" in section 53-202a by amending the physical characteristics that are scrutinized, in part by adding forward grips and barrel shrouds, and requiring that a firearm have only one of the listed characteristics, as opposed to the two required currently, in order for it to be classified as an assault weapon. Also list additional specific models and "types" that are designated as assault weapons. Effective on passage, ban the sale to Connecticut residents, exposing for sale in Connecticut, transfer to Connecticut residents or importation into the state (but do not prohibit manufacture in the state) of such assault weapons, except for the very limited legal transferees under existing law, such as licensed firearms dealers. As of January 1, 2014, allow assault weapons that were legally possessed as of the effective date to continue to be possessed, but require owners to have applied for and received a certificate of possession from DESPP. Thereafter, the possession of any assault weapon without a certificate of possession will be a Class C felony with a two year mandatory minimum sentence (the current penalty under 53-202c for such possession of an unregistered assault weapon is a Class D felony with a one year mandatory minimum). Maintain the existing exemptions for members or employees of local police departments, DESPP, the Department of Correction, or the military or naval forces of Connecticut or the United States for use in the discharge of their official duties.
- **Ban large capacity magazines**: Effective on passage, ban the sale to Connecticut residents, exposing for sale in Connecticut, transfer to Connecticut residents or importation into the state (but do not prohibit manufacture in the state) of any magazine, belt, drum, feed strip or similar device that has the capacity of, or can be readily restored or converted to accept, more than 10 rounds of ammunition. Effective October 1, 2013, ban the possession of such large capacity magazines and like devices, and provide a process for their disposal. Exempt members or employees of local police departments, DESPP, the Department of Correction, or the military or naval forces of Connecticut or the United States for use in the discharge of their official duties.
- **Require a permit to purchase a rifle or shotgun**: This permit would be available to individuals aged 18 and older (as opposed to 21 and older for a pistol or revolver permit). It would have the same application criteria and process as that for the current eligibility certificate for a pistol or revolver under 29-36f (other than the age difference), with the applicant applying directly to DESPP. However, if an individual has a permit to carry a

pistol or revolver, they would be able to purchase a rifle or shotgun without getting the new rifle or shotgun permit. Holders of a rifle or shotgun permit, on the other hand, would not be able to buy a pistol or revolver.

- **Require a “universal” background check and DESPP approval for every sale and transfer of a firearm, including the private sale or transfer of a rifle or shotgun:** This proposal is in addition to the above proposal, to require a rifle or shotgun permit in order to purchase a rifle or shotgun. Currently, private sales or transfers of rifles and shotguns require no background check whatsoever. Conversely, sales or transfers of rifles and shotguns from dealers, and *all* sales or transfers of pistols or revolvers (including both from dealers and private), require a background check to be performed by DESPP, and DESPP approval, before the sale is finalized (utilizing the DESPP Forms 3-C and 67-C). This detailed DESPP approval process applies for each sale or transfer of a pistol or revolver, even though the buyer or transferee also is required by law to have a valid permit or eligibility certificate. Thus, this proposal is to require all private sales or transfers of rifles and shotguns, including those sales and transfers made at gun shows, to go through the same DESPP background check and approval process as all other firearm sales or transfers currently do, utilizing the DESPP Forms 3-C and 67-C.
- **Require, for the purchase of any ammunition, presentation of either a permit to carry a pistol or revolver or the new rifle or shotgun permit.** This proposal would take effect after the new rifle or shotgun permit becomes available.
- **Establish a statewide deadly weapon offender registry:** Require individuals convicted of certain firearms offenses and other offenses involving the use or threatened use of a deadly weapon (as defined in 53a-3) to register with DESPP for a period of five years after their release into the community. Require registrants to check in with the local authorities where they currently reside once each year of their registration period. Such registry would not be public, and would only be accessible to law enforcement personnel.
- **Strengthen laws regarding firearms trafficking and straw purchases:** It appears that a significant majority of Connecticut gun crimes are perpetrated with firearms that were originally legally purchased in Connecticut. According to the Bureau of Alcohol, Tobacco and Firearms, in 2011, 65% of Connecticut crime guns that were traced had been originally legally purchased in the state. In 2006, 67% of such traced crime guns originated here legally. Thus, it seems very clear that firearms trafficking and straw purchasing are extremely serious issues in our state. The following suite of proposals are designed to strengthen our laws in order to decrease the amount of handguns flowing into our neighborhoods, and to more severely punish the illegal possession of firearms, the transfer of firearms to those who cannot legally possess them, and firearms traffickers, straw purchasers, and their clientele:

Prohibit individuals from purchasing more than one pistol or revolver within a 30-day period. Exempt members or employees of local police departments, DESPP, the Department of Correction, or the military or naval forces of Connecticut or the United States for use in the discharge of their official duties.

Expand the scope of and strengthen penalties under 53-202aa for firearms trafficking, including imposing a “mandatory minimum” fine of \$10,000: Under section 53-202aa, it is a felony to knowingly sell or otherwise transfer a pistol or revolver (rifles and shotguns are exempted) to someone that the transferor knows or has reason to believe is *prohibited* from owning a firearm under state or federal law. The penalty is a Class C felony, but goes up to a Class B if five or more firearms are so transferred. This proposal would amend 53-202aa to: 1) eliminate the graduated penalties and make all violations a Class B felony, regardless of the amount of guns transferred to prohibited persons; 2) include trafficking of rifles and shotguns to prohibited persons, by eliminating their current exemption; 3) impose a mandatory minimum sentence of 3 years in prison for violation; and 4) impose a “mandatory minimum” \$10,000 fine for violation, which fine cannot be reduced or remitted unless the court affirmatively states on the record its reasons therefor.

Increase the penalty under 53a-212 for stealing a firearm up to a Class C felony, from the current Class D felony, with a two year mandatory minimum sentence and a \$5,000 “mandatory minimum” fine, which fine cannot be reduced or remitted unless the court affirmatively states on the record its reasons therefor.

Amend 29-33 to increase the penalty on both the transferor and transferee for any sale or transfer of a pistol or revolver in violation of its provisions to a Class C felony, up from the current Class D felony.

Amend subsection (i) of section 29-33 to impose a mandatory minimum sentence of 3 years in prison and a “mandatory minimum” \$10,000 fine for any violation of the subsection, which fine cannot be reduced or remitted unless the court affirmatively states on the record its reasons therefor.

Amend 29-34 to increase the penalty for making a false statement or providing false information regarding a pistol or revolver permit application from a Class D felony up to a Class C felony and impose a \$3,000 “mandatory minimum” fine for any violation, which fine cannot be reduced or remitted unless the court affirmatively states on the record its reasons therefor.

Amend 29-36 to 1) increase the penalty for alteration of a firearm identification mark, number or name up to a Class C felony, from the current unspecified offense (currently with a up to a \$1,000 fine and up to five years in prison), and 2) impose a mandatory minimum fine of \$5,000 for violation, which fine cannot be reduced or remitted unless the court affirmatively states on the record its reasons therefor.

Amend 29-32 to increase the penalty for failure to surrender a permit to carry a pistol or revolver within five days after it has been revoked, to a Class A misdemeanor, up from the current Class C misdemeanor.

Amend 29-36i to increase the penalty for failure to surrender an eligibility certificate within 5 days after it has been revoked, to a Class A misdemeanor, up from a Class C misdemeanor.

Amend 29-37j to significantly increase its penalties. A violation of subsection (a), purchasing a firearm with the intent to transfer it to someone who the transferor knows or has reason to believe is prohibited from possessing it, will be a Class C felony as opposed to the current unclassified offense, with a new “mandatory minimum” fine of \$5,000, which fine cannot be reduced or remitted unless the court affirmatively states on the record its reasons therefor; a violation of subsection (b), which prohibits a person who is prohibited from possessing a firearm from “soliciting, employing or assisting any person” in violating subsection (a), will go up to a Class D felony from a Class B misdemeanor, and then up to a Class C felony with a \$5,000 “mandatory minimum” fine, which fine cannot be reduced or remitted unless the court affirmatively states on the record its reasons therefor, if a firearm is actually transferred; and a violation of subsection (c), providing for an enhanced penalty if anyone violates (a) or (b) and has been convicted of a felony in the preceding 5 year period, will go up to a Class B felony from the D felony currently, with a \$10,000 “mandatory minimum” fine, which fine cannot be reduced or remitted unless the court affirmatively states on the record its reasons therefor.

Amend 53a-217 to 1) strengthen the penalty for criminal possession of a firearm or electronic defense weapon, up to a Class C felony from a Class D felony (there is currently 2 years that cannot be suspended) with a “mandatory minimum” fine of \$5,000, which fine cannot be reduced or remitted unless the court affirmatively states on the record its reasons therefor; and 2) add convictions for the following Class A and B misdemeanors as factors that render an individual ineligible to possess any firearm or electronic defense weapon: criminally negligent homicide under 53a-58, assault in the third degree under 53a-61, assault of an elderly, blind, disabled, pregnant or mentally retarded person in the third degree under 53a-61a, threatening in the second degree under 53a-62, reckless endangerment in the first degree under 53a-63, unlawful restraint in the second degree under 53a-96, riot in the first and second degrees under 53a-175 and 176, respectively, inciting to riot under 53a-178, and stalking in the second degree under 53a-181d. Under current law, conviction for any of these misdemeanors renders an individual ineligible to possess a pistol or revolver. This proposal would extend that prohibition to all other firearms, and electronic defense weapons, as well. Note: this proposal would be prospective, applying only to offenses that occur after the effective date.

Amend 53a-217c to 1) strengthen the penalty for criminal possession of a pistol or revolver, up to a Class C felony from a Class D, 2) impose a 2 year mandatory minimum sentence (like 53a-217, above, already provides), and 3) impose a “mandatory minimum” \$5,000 fine, which fine cannot be reduced or remitted unless the court affirmatively states on the record its reasons therefor.

- **Clarify standards for the determination of a permit applicant's "suitability" to carry a pistol or revolver:** amend section 29-29 of the general statutes to: 1) give issuing authorities up to 12 weeks to render a decision (up from the 8 weeks currently); and 2) establish that in determining suitability, the issuing authority may consider factors including, but not limited to, psychiatric disabilities, acts deemed to be attempted suicide or other harm to self, participation or alleged participation in the commission of any crime involving violence or the use of any firearm, arrests or convictions or other involvement in the use or distribution of any controlled substance, criminal convictions and criminal arrests, association with persons not eligible to obtain a pistol or revolver permit, military service record, incidents of workplace violence, incidents of domestic violence, prior protective or restraining orders or foreign orders of protection that have been issued against the applicant, allegations of or conviction for cruelty to animals, and any other factors the issuing authority reasonably believes contribute to the applicant's suitability to possess a firearm.
- **Specify that individuals prohibited from possessing or purchasing firearms are also prohibited from possessing or purchasing ammunition.**
- **Expand firearm safe storage requirements:** Amend sections 29-37i, 52-571g and 53a-217a of the general statutes to provide that the requirement to securely store a firearm applies not only when a person under 16 years of age is likely to gain access to the firearm, but also applies: 1) when any resident of the premises where the firearm is stored is ineligible under state or federal law to possess such firearm or receive a permit to carry such firearm, or 2) when the owner of such firearm knows or should know that a resident of the premises poses a threat of harm or danger to themselves or others.
- **Limit firearm permit applications to one per year in the town of residence:** Currently, an applicant for a pistol or revolver permit can apply in both the town where they live and the town where they work. They actually can apply in both towns concurrently, or if they get rejected in one, they can then apply in the other. Also, current law allows applicants to apply over and over and presumably to either switch residences or job locations at will, and then apply in those new towns. This proposal would limit an individual to applying for a permit only once per 12 months, and only in the town in which they reside.
- **Increase the involuntary commitment look back period from 12 months to five years:** Currently, an individual may not possess either a firearm, or a permit, if they have been confined in a hospital for persons with psychiatric disabilities, by order of the probate court, at any time in the prior 12 months. This proposal would increase that look back period for such involuntary commitments to any time within the past 60 months.
- **Increase the fee for permits to carry a pistol or revolver.**
- **Require permits for gun shows:** Currently, gun shows are not required to be permitted by local police. This proposal would require gun show promoters to obtain a permit from the local police chief or chief elected official before holding a gun show.

- **Eliminate or reconstitute the Board of Firearms Permit Examiners.**
- **Ban the sale of all armor piercing bullets:** Currently, section 53-2021 bans the sale of all armor piercing .50 caliber bullets. This proposal would ban the sale or transfer of bullets that are specifically designed to be armor piercing, regardless of caliber.
- **Eliminate the future issuance of eligibility certificates for pistols or revolvers:** It appears there are only fifty seven of these certificates currently issued in the state. This proposal would grandfather these existing eligibility certificates, but stop the further issuance of any new ones.
- **Repeal the hunting license exemption for the two week waiting period for long gun purchases:** Currently, under 29-37a, a purchaser of a long gun from a dealer must wait 2 weeks before delivery of the firearm. There are 4 exemptions to this waiting period: (1) if the buyer has a pistol permit or eligibility certificate, (2) if the buyer is an active member of the armed forces, (3) if the firearm is an antique firearm, or (4) if the buyer has a valid Connecticut hunting license. However, there is no background check required to get a hunting license. This proposal would eliminate this exemption to the two week waiting period, effective upon passage.
- **Prohibit the sale by dealers of handguns other than “personalized” handguns after they become commercially available:** This proposal would require the Attorney General to determine when personalized pistols or revolvers are available for retail purchase. Within a specified time thereafter, it would be unlawful for any licensed firearms dealer to sell, expose for sale, possess with the intent of selling, assign, or otherwise transfer a pistol or revolver unless it is a personalized handgun (excluding antique handguns and handguns used by law enforcement or military officers). “Personalized handgun” would be defined as “[A] handgun which incorporates within its design, and as part of its original manufacture, technology which automatically limits its operational use and which cannot be readily deactivated, so that it may only be fired by an authorized or recognized user.”
- **Prohibit the carrying of firearms into licensed day care facilities:** This proposal would contain a modified exemption for individuals who reside in family day care homes. However, in a family day care home, during business hours, any firearm on site that belongs to a resident of the home would have to be both unloaded and locked away in a secure container in an area away from where the children regularly are. Exempt members or employees of local police departments or DESPP for use in the discharge of their official duties.
- **Prohibit the carrying of firearms into the private residence of another or a house of worship, without permission.** Exempt members or employees of local police departments or DESPP for use in the discharge of their official duties.