

Senate, April 8, 1998. The Committee on Judiciary reported through SEN. WILLIAMS, 29th DIST., Chairman of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING NUISANCE ACTIONS FOR NOISE ASSOCIATED WITH FIREARMS SHOOTING RANGES.

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

1 (NEW) (a) Any owner, operator or user of a
2 firing or shooting range operating on the
3 effective date of this act shall be exempt from
4 criminal prosecution and immune from civil
5 liability relating to noise or noise pollution
6 resulting from shooting activity on such range
7 provided the range was, at the time of its
8 construction or operational approval by the
9 municipality in which it is located, in compliance
10 with the provisions of chapter 442 of the general
11 statutes and regulations adopted thereunder.

12 (b) No standards in a noise control ordinance
13 adopted by any municipality for limiting levels of
14 noise in terms of decibel level which may occur in
15 the outdoor atmosphere shall apply to any firing
16 or shooting range exempted from liability under
17 this section if such standards are inconsistent
18 with the provisions of chapter 442 of the general
19 statutes or the regulations adopted thereunder.

20 (c) This section shall not limit the ability
21 of a municipality to evaluate and regulate any

22 increase in noise attributable to an expansion of
23 an existing firing or shooting range.

24 STATEMENT OF LEGISLATIVE COMMISSIONERS: In
25 subsection (a), language regarding the "user of a
26 firing or shooting range" was consolidated for
27 conciseness, language regarding civil and criminal
28 liability was rephrased to reflect Connecticut
29 statutory usage, "relevant municipal government"
30 was changed to "municipality in which it is
31 located" for clarity, and the original effective
32 dates of chapter 442 and the regulations were
33 deleted as superfluous. In subsection (b), "rules"
34 was changed to "noise control ordinance" and
35 "municipal agency" was changed to "municipality"
36 to conform language taken from laws of other
37 states with Connecticut statutory language. Also
38 in subsection (b), "range" was modified by "firing
39 or shooting" for internal consistency.

40 PS COMMITTEE VOTE: YEA 20 NAY 1 JFS C/R JUD
41 JUD COMMITTEE VOTE: YEA 27 NAY 12 JFS-LCO

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF 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 HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER sSB 315

STATE IMPACT See Explanation Below

MUNICIPAL IMPACT See Explanation Below

STATE AGENCY(S) Judicial Department

EXPLANATION OF ESTIMATES:

The bill could result in savings to criminal justice agencies and to the Judicial Department to the extent that the bill eliminates the possibility of criminal prosecutions and civil litigation. To the extent that municipalities would not now be involved in any litigation related to the bill, municipalities would also experience savings in legal costs.

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OLR BILL ANALYSIS

sSB 315

AN ACT CONCERNING NUISANCE ACTIONS FOR NOISE ASSOCIATED WITH FIREARMS SHOOTING RANGES

SUMMARY: This bill makes gun range users, owners, and operators immune from liability and exempts them from criminal prosecution for noise and noise pollution from shooting activity on ranges operating on October 1, 1998, if they were in compliance with state noise laws and regulations when they were constructed or had a town's approval to begin operating. But it does not limit a town's ability to evaluate and regulate noise increase from the expansion of an existing firing or shooting range.

Under the bill, standards in local noise control ordinance standards do not apply to exempt firing or shooting ranges if they are inconsistent with those in state law or regulations.

EFFECTIVE DATE: October 1, 1998

COMMITTEE ACTION

Public Safety Committee

Joint Favorable Substitute Change of Reference
Yea 20 Nay 1

Judiciary Committee

Joint Favorable Report
Yea 27 Nay 12