File No. 590

Substitute House Bill No. 5746

House of Representatives, April 23, 1998. The Committee on Public Safety reported through REP. DARGAN, 115th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING HANDGUN SAFETY.

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

1 Section 1. Subsection (c) of section 29-33 of
2 the general statutes is repealed and the following
3 is substituted in lieu thereof:
4 (c) NO PERSON, FIRM OR CORPORATION SHALL
5 SELL, DELIVER OR OTHERWISE TRANSFER ANY PISTOL OR
6 REVOLVER UNLESS SUCH PISTOL OR REVOLVER IS
7 EQUIPPED WITH A REUSABLE TRIGGER LOCK, GUN LOCK OR
8 GUN LOCKING DEVICE APPROPRIATE FOR SUCH PISTOL OR
9 REVOLVER. THE TRIGGER LOCK, GUN LOCK OR GUN
10 LOCKING DEVICE SHALL BE CONSTRUCTED OF MATERIAL
11 SUFFICIENTLY STRONG TO PREVENT IT FROM BEING
12 EASILY DISABLED. THE LOCKING MECHANISM OF SUCH
13 LOCK OR DEVICE SHALL BE ACCESSED BY KEY OR BY
14 ELECTRONIC OR OTHER MECHANICAL ACCESSORY SPECIFIC
15 TO SUCH LOCK OR DEVICE TO PREVENT UNAUTHORIZED
16 REMOVAL. When any pistol or revolver is sold,
17 delivered or otherwise transferred, such pistol or
18 revolver shall be enclosed in a package, the paper
19 or wrapping of which shall be securely fastened,
20 and no pistol or revolver when sold, delivered or
21 otherwise transferred shall be loaded or contain
22 therein any gunpowder or other explosive or any
23 bullet, ball or shell.

24 Sec. 2. Subsection (a) of section 29-37b of
25 the general statutes is repealed and the following
26 is substituted in lieu thereof:
27 (a) Each person, firm or corporation which
28 engages in the retail sale of any firearm, as
29 defined in section 53a-3, at the time of sale of
30 any such firearm, shall provide to the purchaser
31 thereof (1) a REUSABLE trigger lock, gun lock or
32 gun locking device appropriate for such firearm,
33 CONSTRUCTED OF MATERIAL SUFFICIENTLY STRONG TO
34 PREVENT IT FROM BEING EASILY DISABLED AND WITH A
35 LOCKING MECHANISM ACCESSIBLE BY KEY OR BY
36 ELECTRONIC OR OTHER MECHANICAL ACCESSORY SPECIFIC
37 TO SUCH LOCK OR DEVICE TO PREVENT UNAUTHORIZED
38 REMOVAL, and (2) a written warning which shall
39 state in block letters not less than one inch in
40 height: "UNLAWFUL STORAGE OF A LOADED FIREARM MAY
41 RESULT IN IMPRISONMENT OR FINE."
42 Sec. 3. (NEW) (a) Whenever a law enforcement
43 agency seizes a firearm in connection with a
44 criminal arrest or pursuant to a search warrant
45 without an arrest or otherwise recovers a firearm,
46 such agency shall forthwith take all appropriate
47 steps to identify and trace the history of such
48 firearm.
49 (b) In complying with the provisions of
50 subsection (a) of this section, a law enforcement
51 agency shall use the National Tracing Center of
52 the Federal Bureau of Alcohol, Tobacco and
53 Firearms. Such law enforcement agency shall
54 immediately transmit to the National Tracing
55 Center, by facsimile or by entering such
56 information on the Connecticut On-Line Law
57 Enforcement Communications Teleprocessing
58 (COLLECT) System when said system becomes
59 available for transmitting such information
60 directly to the National Tracing Center, all
61 information necessary to comply with the
62 provisions of subsection (a) of this section.
63 (c) The Department of Public Safety shall
64 take appropriate action to allow the COLLECT
65 System to be used by law enforcement agencies in
66 complying with the provisions of this section.
67 Sec. 4. Subsection (a) of section 29-30 of
68 the general statutes is repealed and the following
69 is substituted in lieu thereof:
70 (a) The fee for each permit originally issued
71 under the provisions of subsection (a) of section

72 29-28, AS AMENDED BY THIS ACT, for the sale at
73 retail of pistols and revolvers shall be one
74 hundred dollars and for each renewal thereof one
75 hundred dollars. The fee for each permit
76 originally issued under the provisions of
77 subsection (b) of section 29-28, AS AMENDED BY
78 THIS ACT, for the carrying of pistols and
79 revolvers shall be thirty-five dollars, PLUS A FEE
80 NOT TO EXCEED THE FEE CHARGED BY THE FEDERAL
81 BUREAU OF INVESTIGATION FOR PERFORMING A NATIONAL
82 CRIMINAL HISTORY RECORDS CHECK OF THE APPLICANT
83 REQUESTED PURSUANT TO SECTION 29-29, AS AMENDED BY
84 THIS ACT, and for each renewal thereof thirty-five
85 dollars. Such fees shall be paid to the authority
86 issuing the same and by him to the municipality
87 wherein issued or the state, as the case may be.
88 Upon deposit of such fees in the General Fund, ten
89 dollars of each fee shall be credited within
90 thirty days to the appropriation to the Department
91 of Public Safety to a separate nonlapsing account
92 for the purposes of the issuance of permits under
93 subsections (a) and (b) of section 29-28, AS
94 AMENDED BY THIS ACT.
95 Sec. 5. Section 29-29 of the general statutes
96 is repealed and the following is substituted in
97 lieu thereof:
98 No permit for carrying any pistol or revolver
99 shall be issued under the provisions of section
100 29-28, AS AMENDED BY THIS ACT, unless the
101 applicant for the same gives to the issuing
102 authority, upon its request, full information
103 concerning his criminal record, and such issuing
104 authority shall thereupon take a full description
105 and the fingerprints of such applicant and make an
106 investigation concerning his suitability to carry
107 any such weapons. The issuing authority shall
108 record the date the fingerprints were taken in the
109 applicant's file and, within five business days of
110 such date, [if deemed necessary, may] SHALL
111 forward such fingerprints to the Federal Bureau of
112 Investigation for a national criminal history
113 records check. [If the applicant's fingerprints
114 are submitted to the Federal Bureau of
115 Investigation for such records check, the] THE
116 issuing authority may, in his discretion, issue
117 such permit before a report from said bureau
118 relative to such applicant's record has been
119 received. Upon receipt of such report, the issuing

120 authority shall inform the applicant and render a
121 decision on the application within one week of the
122 receipt of the report. If such report has not been
123 received within eight weeks after a sufficient
124 application for a permit has been made, the
125 issuing authority shall inform the applicant of
126 such delay, in writing. No permit shall be issued
127 if the issuing authority has reason to believe the
128 applicant has ever been convicted of a felony.
129 Sec. 6. Section 29-28 of the general statutes
130 is repealed and the following is substituted in
131 lieu thereof:
132 (a) No person who sells ten or more pistols
133 or revolvers in a calendar year or is a
134 federally-licensed firearm dealer shall advertise,
135 sell, deliver, or offer or expose for sale or
136 delivery, or have in his possession with intent to
137 sell or deliver, any pistol or revolver at retail
138 without having a permit therefor issued as
139 hereinafter provided. The chief of police or,
140 where there is no chief of police, the warden of
141 the borough or the first selectman of the town, as
142 the case may be, may, upon the application of any
143 person, issue a permit in such form as may be
144 prescribed by the Commissioner of Public Safety
145 for the sale at retail of pistols and revolvers
146 within the jurisdiction of the authority issuing
147 such permit. No permit for the sale at retail of
148 any pistol or revolver shall be issued unless the
149 applicant holds a valid eligibility certificate
150 for a pistol or revolver issued pursuant to
151 section 29-36f or a valid permit to carry a pistol
152 or revolver issued pursuant to subsection (b) of
153 this section and the applicant submits
154 documentation sufficient to establish that local
155 zoning requirements have been met for the location
156 where the sale is to take place except that any
157 person selling or exchanging a pistol or revolver
158 for the enhancement of a personal collection or
159 for a hobby or who sells all or part of his
160 personal collection of pistols or revolvers shall
161 not be required to submit such documentation for
162 the location where the sale or exchange is to take
163 place.
164 (b) Upon the application of any person having
165 a bona fide residence or place of business within
166 the jurisdiction of any such authority or upon the
167 application of any bona fide resident of the

168 United States having a permit or license to carry
169 any firearm issued by the authority of any state
170 or subdivision of the United States, such chief of
171 police, warden or selectman may issue a permit to
172 such person to carry a pistol or revolver within
173 the jurisdiction of the authority issuing the
174 same, provided such authority shall find that such
175 applicant intends to make no use of any pistol or
176 revolver which he may be permitted to carry
177 thereunder other than a lawful use and that such
178 person is a suitable person to receive such
179 permit. No permit to carry a pistol or revolver
180 shall be issued under this subsection if the
181 applicant (1) has failed to successfully complete
182 a course approved by the Commissioner of Public
183 Safety in the safety and use of pistols and
184 revolvers including, but not limited to, a safety
185 or training course in the use of pistols and
186 revolvers available to the public offered by a law
187 enforcement agency, a private or public
188 educational institution or a firearms training
189 school, utilizing instructors certified by the
190 National Rifle Association or the Department of
191 Environmental Protection and a safety or training
192 course in the use of pistols or revolvers
193 conducted by an instructor certified by the state
194 or the National Rifle Association, (2) has been
195 convicted of a felony or of a violation of
196 subsection (c) of section 21a-279, section 53a-58,
197 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175,
198 53a-176, 53a-178 or 53a-181d, (3) has been
199 discharged from custody within the preceding
200 twenty years after having been found not guilty of
201 a crime by reason of mental disease or defect
202 pursuant to section 53a-13, (4) has been confined
203 in a hospital for mental illness, as defined in
204 section 17a-495, within the preceding twelve
205 months by order of a probate court, (5) is subject
206 to a restraining or protective order issued by a
207 court in a case involving the use, attempted use
208 or threatened use of physical force against
209 another person or (6) is an alien illegally or
210 unlawfully in the United States. Nothing in this
211 section shall require any person who holds a valid
212 permit to carry a pistol or revolver on October 1,
213 1994, to participate in any additional training in
214 the safety and use of pistols and revolvers. Said
215 commissioner may, upon application, issue, to any

216 holder of any such permit, a permit to carry a
217 pistol or revolver within the state. Each permit
218 to carry any pistol or revolver shall be issued in
219 triplicate and one of the copies issued by said
220 commissioner shall be delivered to the person to
221 whom issued, one shall be delivered forthwith to
222 the authority issuing the local permit and one
223 shall be retained by said commissioner, and the
224 local authority issuing any such permit shall
225 forthwith deliver one of such copies to the person
226 to whom issued and one copy to said commissioner
227 and shall retain one of such copies. The copy of
228 the state permit delivered to the permittee shall
229 be laminated and shall contain a full-face
230 photograph of such permittee. A person holding a
231 permit issued pursuant to this subsection shall
232 notify the issuing authority within two business
233 days of any change of his address. The
234 notification shall include his old address and his
235 new address.
236 (c) No issuing authority may require any
237 sworn member of the Department of Public Safety or
238 an organized local police department to furnish
239 his residence address in a permit application. The
240 issuing authority shall allow each such sworn
241 member who has a permit to carry a pistol or
242 revolver on May 26, 1992, issued by such
243 authority, to revise his application to include
244 his business or post office address in lieu of his
245 residence address. The issuing authority shall
246 notify each such member of his right to revise
247 such application.
248 (d) Notwithstanding the provisions of
249 sections 1-19 and 1-19a, the name and address of a
250 person issued a permit to sell at retail pistols
251 and revolvers pursuant to subsection (a) of this
252 section or a permit to carry pistols and revolvers
253 pursuant to subsection (b) of this section, shall
254 be confidential and shall not be disclosed, except
255 (1) such information may be disclosed to law
256 enforcement officials acting in the performance of
257 their duties and (2) an issuing authority may
258 disclose such information to the extent necessary
259 to comply with a request made pursuant to section
260 29-33 for verification that such permit is still
261 valid and has not been suspended or revoked.
262 (e) THE ISSUANCE OF A PERMIT TO CARRY A
263 PISTOL OR REVOLVER UNDER SUBSECTION (b) OF THIS

264 SECTION DOES NOT THEREBY AUTHORIZE THE POSSESSION
265 OR CARRYING OF A PISTOL OR REVOLVER IN ANY
266 PREMISES WHERE THE POSSESSION OR CARRYING OF A
267 PISTOL OR REVOLVER IS OTHERWISE PROHIBITED BY LAW
268 OR IS PROHIBITED BY THE PERSON WHO OWNS OR
269 EXERCISES CONTROL OVER SUCH PREMISES. A SIGN SHALL
270 BE POSTED IN A CONSPICUOUS POINT OF ENTRY TO
271 NOTIFY THE PUBLIC THAT THE POSSESSION OR CARRYING
272 OF A PISTOL OR REVOLVER IS PROHIBITED ON SUCH
273 PREMISES. ANY PERSON, OTHER THAN FEDERAL, STATE OR
274 LOCAL LAW ENFORCEMENT OFFICIALS OR PERSONS
275 REQUIRED TO CARRY A FIREARM IN THE LAWFUL COURSE
276 OF THEIR EMPLOYMENT, WHO IS IN POSSESSION OF OR
277 WHO CARRIES A PISTOL OR REVOLVER IN VIOLATION OF
278 THIS SUBSECTION SHALL BE GUILTY OF A CLASS C
279 MISDEMEANOR AND MAY BE SUBJECT TO REVOCATION OF
280 THE PERMIT.
281 Sec. 7. Section 53-206 of the general
282 statutes is repealed and the following is
283 substituted in lieu thereof:
284 [(a)] Any person who carries upon his person
285 any [slung shot, air rifle, BB. gun,] blackjack,
286 [sand bag,] metal or brass knuckles, or any dirk
287 knife, or any switch knife, or any knife having an
288 automatic spring release device by which a blade
289 is released from the handle, having a blade of
290 over one and one-half inches in length, or
291 stiletto, or any knife the edged portion of the
292 blade of which is four inches or over in length,
293 or any martial arts weapon or electronic defense
294 weapon, as defined in section 53a-3, or any other
295 dangerous or deadly weapon or instrument, [unless
296 such person has been granted a written permit
297 issued and signed by the first selectman of a
298 town, the mayor or chief of police of a city or
299 the warden of a borough, authorizing such person
300 to carry such weapon or instrument within such
301 town, city or borough,] shall be fined not more
302 than five hundred dollars or imprisoned not more
303 than three years or both. [No permit shall be
304 issued to any applicant who has ever been
305 convicted of a felony. The issuing authority may
306 request the applicant's fingerprints and full
307 information concerning his criminal record and
308 make an investigation concerning the suitability
309 of the applicant to carry any such weapon. Refusal
310 of fingerprinting by the applicant shall be
311 sufficient cause to refuse issuance of a permit.]

312 Whenever any person is found guilty of a violation
313 of this [subsection] SECTION, any weapon or other
314 [implement] INSTRUMENT within the provisions
315 [hereof] OF THIS SECTION, found upon the body of
316 such person, shall be forfeited to the
317 municipality wherein such person was apprehended,
318 notwithstanding any failure of the judgment of
319 conviction to expressly impose such forfeiture.
320 [Any person who has been granted a permit to carry
321 any martial arts weapon pursuant to this section
322 may carry such weapon anywhere within the state.]
323 The provisions of this [subsection] SECTION shall
324 not apply to any officer charged with the
325 preservation of the public peace, [nor to] any
326 person who is found with any such weapon or
327 [implement] INSTRUMENT concealed upon his person
328 while lawfully removing his household goods or
329 effects from one place to another, or from one
330 residence to another, [nor to] any person while
331 actually and peaceably engaged in carrying any
332 such weapon or [implement] INSTRUMENT from his
333 place of abode or business to a place or person
334 where or by whom such weapon or [implement]
335 INSTRUMENT is to be repaired, or while actually
336 and peaceably returning to his place of abode or
337 business with such weapon or [implement]
338 INSTRUMENT after the same has been repaired, ANY
339 PERSON HOLDING A VALID HUNTING, FISHING OR
340 TRAPPING LICENSE ISSUED PURSUANT TO CHAPTER 490
341 CARRYING A KNIFE, THE EDGED PORTION OF THE BLADE
342 OF WHICH IS FOUR INCHES OR OVER IN LENGTH, WHILE
343 ENGAGED IN LAWFUL HUNTING, FISHING OR TRAPPING
344 ACTIVITIES OR TRAVELING TO OR FROM SUCH
345 ACTIVITIES, OR ANY PERSON ENROLLED IN AND
346 CURRENTLY ATTENDING A MARTIAL ARTS SCHOOL, WITH
347 OFFICIAL VERIFICATION OF SUCH ENROLMENT AND
348 ATTENDANCE, CARRYING ANY SUCH MARTIAL ARTS WEAPON
349 UPON HIS PERSON WHILE TRAVELING TO OR FROM SUCH
350 SCHOOL.
351 [(b) Any person who sells to another a slung
352 shot, air rifle, BB. gun, blackjack, sand bag,
353 metal or brass knuckles, or any dirk knife, or any
354 switch knife, or any knife having an automatic
355 spring release device by which the blade is
356 released from the handle, having a blade of over
357 one and one-half inches in length, or stiletto, or
358 any martial arts weapon or electronic defense
359 weapon, as defined in section 53a-3, shall, within

360 twenty-four hours after the delivery of such
361 weapon or implement to the person to whom sold,
362 give written notice of such sale or delivery,
363 specifying the article sold and the name and
364 address of the person to whom sold or delivered,
365 to the chief of police of the city, the warden of
366 the borough or the first selectman of the town,
367 within which such weapon or implement is sold or
368 delivered, as the case may be. Any person who
369 violates any provision of this subsection shall be
370 fined not more than one hundred dollars.]
371 Sec. 8. Subsection (b) of section 29-32b of
372 the general statutes is repealed and the following
373 is substituted in lieu thereof:
374 (b) Any person aggrieved by any refusal to
375 issue or renew a permit or certificate under the
376 provisions of section 29-28, AS AMENDED BY THIS
377 ACT, OR SECTION 29-36f, [or 53-206,] or by any
378 limitation or revocation of a permit or
379 certificate issued under any of said sections, or
380 by a refusal or failure [or] OF any issuing
381 authority to furnish an application as provided in
382 section 29-28a, [or section 53-206a,] may, within
383 ninety days after receipt of notice of such
384 refusal, limitation or revocation, or refusal or
385 failure to supply an application as provided in
386 section 29-28a, [or section 53-206a,] and without
387 prejudice to any other course of action open to
388 him in law or in equity, appeal to the board. On
389 such appeal the board shall inquire into and
390 determine the facts, de novo, and unless it finds
391 that such a refusal, limitation or revocation, or
392 such refusal or failure to supply an application,
393 as the case may be, would be for just and proper
394 cause, it shall order such permit or certificate
395 to be issued, renewed or restored, or the
396 limitation removed or modified, as the case may
397 be. If the refusal was for failure to document
398 compliance with local zoning requirements, under
399 subsection (a) of section 29-28, AS AMENDED BY
400 THIS ACT, the board shall not issue a permit.
401 Sec. 9. Section 29-38 of the general statutes
402 is repealed and the following is substituted in
403 lieu thereof:
404 Any person who knowingly has, in any vehicle
405 owned, operated or occupied by him, any weapon,
406 ANY PISTOL OR REVOLVER for which a proper permit
407 has not been issued as provided in section 29-28,

408 AS AMENDED BY THIS ACT, [or section 53-206, or has
409 not registered such weapon] OR ANY MACHINE GUN
410 WHICH HAS NOT BEEN REGISTERED as required by
411 section 53-202, [as the case may be,] shall be
412 fined not more than one thousand dollars or
413 imprisoned not more than five years or both, and
414 the presence of any such weapon, PISTOL OR
415 REVOLVER OR MACHINE GUN in any vehicle shall be
416 prima facie evidence of a violation of this
417 section by the owner, operator and each occupant
418 thereof. The word "weapon", as used in this
419 section, means [any pistol or revolver,] any dirk
420 knife or switch knife or any knife having an
421 automatic spring release device by which a blade
422 is released from the handle, having a blade of
423 over one and one-half inches in length, and any
424 other dangerous or deadly weapon or instrument,
425 including any [slung shot, black jack, sand bag]
426 BLACKJACK, metal or brass knuckles, stiletto,
427 knife, the edged portion of the blade of which is
428 four inches or over in length or martial arts
429 weapon as defined in section 53a-3. The provisions
430 of this section shall not apply to ANY OFFICER
431 CHARGED WITH THE PRESERVATION OF THE PUBLIC PEACE,
432 ANY PERSON WHILE LAWFULLY REMOVING HIS HOUSEHOLD
433 GOODS OR EFFECTS FROM ONE PLACE TO ANOTHER, OR
434 FROM ONE RESIDENCE TO ANOTHER, ANY PERSON WHILE
435 ACTUALLY AND PEACEABLY ENGAGED IN CARRYING ANY
436 SUCH WEAPON OR INSTRUMENT FROM HIS PLACE OF ABODE
437 OR BUSINESS TO A PLACE OR PERSON WHERE OR BY WHOM
438 SUCH WEAPON OR INSTRUMENT IS TO BE REPAIRED, OR
439 WHILE ACTUALLY AND PEACEABLY RETURNING TO HIS
440 PLACE OF ABODE OR BUSINESS WITH SUCH WEAPON OR
441 INSTRUMENT AFTER THE SAME HAS BEEN REPAIRED, ANY
442 PERSON HOLDING A VALID HUNTING, FISHING OR
443 TRAPPING LICENSE ISSUED PURSUANT TO CHAPTER 490
444 HAVING A KNIFE, THE EDGED PORTION OF THE BLADE OF
445 WHICH IS FOUR INCHES OR OVER IN LENGTH, IN A
446 VEHICLE WHILE TRAVELING TO AND FROM LAWFUL
447 HUNTING, FISHING OR TRAPPING ACTIVITIES OR any
448 person enrolled in and currently attending a
449 martial arts school, with official verification of
450 such enrolment and attendance, having any such
451 martial arts weapon in a vehicle while traveling
452 to and from such school.
453 Sec. 10. Section 53-206a of the general
454 statutes is repealed.

455 PS COMMITTEE VOTE: YEA 17 NAY 4 JFS

* * * * *

"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."

* * * * *

FISCAL IMPACT STATEMENT - BILL NUMBER sHB 5746

STATE IMPACT	Minimal Cost, Can Be Absorbed, see explanation below
MUNICIPAL IMPACT	Minimal Cost, Can Be Absorbed, see explanation below
STATE AGENCY(S)	Department of Public Safety, Judicial Department, Various Criminal Justice Agencies

EXPLANATION OF ESTIMATES:

STATE AND MUNICIPAL IMPACT: The passage of this bill would result in minimal additional costs to the Department of Public Safety (DPS) and to municipalities that could be absorbed within existing resources. The bill makes several changes in the statutes regulating firearms and dangerous weapons. It requires law enforcement agencies to trace and identify all seized firearms. DPS is currently upgrading its Connecticut on Line Law Enforcement Communications Teleprocessing (COLLECT) System, which would be able to provide this information to State and local law enforcement agencies electronically.

The bill requires, rather than allows, a handgun permit applicant's fingerprints to be submitted to the Federal Bureau of Investigation (FBI) for a national criminal history records search. The costs would be covered by the authorization of this additional fee, which is currently $24. This would result in no fiscal impact.

The bill also specifies that a person who holds a permit to carry a handgun does not have the right to carry it on property where such possession is

prohibited by law or by the owner of the property. Violation of this section is a Class C misdemeanor and the handgun permit may be revoked. This could result in potential minimal costs to various state criminal justice system agencies that would be absorbed within existing resources.

* * * * *

OLR BILL ANALYSIS

sHB 5746

AN ACT CONCERNING HANDGUN SAFETY

SUMMARY: This bill makes a number of changes to the statutes regulating firearms and dangerous weapons. It:

1. requires law enforcement agencies to trace and attempt to identify all seized firearms using state and federal resources;

2. requires firearms sold in the state (except long guns sold by nondealers) to come with a reusable trigger lock or similar device;

3. authorizes an additional fee for handgun permits to cover the cost of the national criminal history records check and requires, rather than allows, a person issuing a handgun permit to submit the applicant's fingerprints to the Federal Bureau of Investigation (FBI); and

4. states that a permit to carry a handgun does not entitle the holder to bring the gun to any place where handgun possession is otherwise prohibited by law or the place's owner.

Finally, the bill (1) makes it illegal for most people to carry dangerous weapons; (2) makes it legal to carry slung shots, air rifles, BB guns, and sand bags; and (3) removes a requirement that anyone selling a dangerous weapon inform the local police chief, borough warden, or town first selectman of the purchaser's name and address.

EFFECTIVE DATE: October 1, 1998

FURTHER EXPLANATION

Tracing and Identifying Seized Firearms

The bill requires any law enforcement agency that seizes a firearm, whether pursuant to an arrest, search warrant, or other means, immediately to attempt to identify it and trace its history. The bill directs the agency to use the Federal Bureau of Alcohol, Tobacco and Firearms' National Tracing Center for this purpose. It can do so by immediately transmitting a facsimile to the center or, when it becomes available, by entering information on the COLLECT system (the Connecticut On-Line Law Enforcement Communications Teleprocessing System). COLLECT is operated by the Department of Public Safety (DPS). The bill requires the department to allow local law enforcement agencies to use COLLECT to comply with these provisions.

Trigger Locks

By law, any retail firearm dealer selling a firearm must provide the purchaser with a trigger lock, gun lock, or appropriate gun locking device. The bill requires that it be reusable and constructed of material strong enough to prevent it from being easily disabled. The locking mechanism must be accessible by a key or other electronic or mechanical accessory specific to the lock to prevent unauthorized removal.

The bill prohibits any firm or person (nondealer) from selling a handgun without a reusable trigger lock, gun lock, or other appropriate gun locking device that meets these standards.

Permit Fees and Fingerprint Transmittal

By law, the fee for an initial permit to carry a handgun is $35. The bill adds an additional fee in an amount necessary to cover the cost of the national criminal history records check (currently $24).

It requires, rather than allows, the permit issuing authority, as part of conducting the criminal history check, to forward the applicant's fingerprints to the FBI for a national check. Currently, he may do this if he deems it necessary. The bill continues to allow the authority to issue the permit before receiving the FBI

report.

Permit to Carry a Handgun

The bill specifies that a person who holds a permit to carry a handgun does not have the right to possess or carry it on property where carrying or possessing a handgun is prohibited by law or where the owner or person controlling the property has prohibited it.

The bill requires a conspicuous sign to be posted at the entry to the premises stating that carrying a handgun is prohibited. Anyone, other than federal, state, or local law enforcement officials or people required to carry firearms in their lawful employment, who violates the provision is guilty of a class C misdemeanor and may have the permit revoked. The penalty for a class C misdemeanor is a fine of up to $500, imprisonment up to three months, or both.

Carrying Dangerous Weapons

The bill repeals the law allowing people with a permit to carry certain dangerous weapons and instead makes carrying them illegal. It makes the penalty for carrying a dangerous weapon the same as the current penalty from carrying one without a permit: imprisonment for up to three years, a fine of up to $500, or both.

The bill removes slung shots, air rifles, BB guns, and sand bags from the list of dangerous weapons, thus allowing anyone to carry them at any time.

The banned weapons are: blackjacks, metal or brass knuckles, dirk knives, switch knives, knives with spring release blades of over one and one-half inches, knives with blades four inches or longer, stilettoes, martial arts or electronic defense weapons, and any other dangerous or deadly weapon or instrument.

Exceptions to Carrying Requirements

Under current law, the permit requirement to carry dangerous weapons does not apply to law enforcement officers or people (1) carrying such weapons concealed on their person while lawfully moving their household goods from one place to another or (2) peaceably

engaged in transporting such weapons to and from a place of repair. The bill exempts people in these situations from the ban on dangerous weapons.

The bill also exempts:

1. martial arts students who carry their martial arts weapons to and from school and who have official verification of enrollment and attendance and

2. people with valid hunting, fishing, or trapping licenses who carry knives with blades of four inches or more while engaged in or travelling to and from such activities.

The bill exempts the same people from the prohibition against having weapons in a motor vehicle. Under current law, only martial arts students are exempt.

BACKGROUND

Legislative History

On April 14 the House referred the bill (File 441) to the Public Safety Committee, which favorably reported a substitute bill on April 21. The committee removed provisions in the original file that would have (1) made handgun permits and assault weapon certificates of possession public information and (2) required the probate court to notify the State Police whenever it commits someone to a psychiatric hospital. The committee also added specific standards concerning the trigger locks and the requirement for posting a sign and the penalty for violating the provision concerning carrying a handgun on premises where it is prohibited.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute
Yea 40 Nay 0

Public Safety Committee

Joint Favorable Substitute
Yea 17 Nay 4