

# Connecticut General Statutes

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## **TITLE 29: Public Safety & State Police**

### **Chapter 529: Division of State Police**

**Sec. 29-27. "Pistol" and "revolver" defined.** The term "pistol" and the term "revolver", as used in §§ 29-28 to 29-38, inclusive, mean any firearm having a barrel less than twelve inches in length.

**Sec. 29-28. Permit for sale at retail of pistol or revolver. Permit to carry pistol or revolver. Confidentiality of name and address of permit holder. Permits for out-of-state residents.**

**(a)** No person who sells 10 or more pistols or revolvers in a calendar year or is a federally licensed firearm dealer shall advertise, sell, deliver, or offer or expose for sale or delivery, or have in such person's possession with intent to sell or

deliver, any pistol or revolver at retail without having a permit therefor issued as provided in this subsection. The chief of police or, where there is no chief of police, the warden of the borough or the first selectman of the town, as the case may be, may, upon the application of any person, issue a permit in such form as may be prescribed by the Commissioner of Emergency Services and Public Protection for the sale at retail of pistols and revolvers within the jurisdiction of the authority issuing such permit. No permit for the sale at retail of any pistol or revolver shall be issued unless the applicant holds a valid eligibility certificate for a pistol or revolver issued pursuant to § 29-36f or a valid state permit to carry a pistol or revolver issued pursuant to subsection (b) of this section and the applicant submits documentation sufficient to establish that local zoning requirements have been met for the location where the sale is to take place, except that any person selling or exchanging a pistol or revolver for the enhancement of a personal collection or for a hobby or who sells all or part of such person's personal collection of pistols or revolvers shall not be required to submit such documentation for the location where the sale or exchange is to take place.

**(b)** Upon the application of any person having a bona fide permanent residence within the jurisdiction of any such authority, such chief of police, warden or selectman may issue a temporary state permit to such person to carry a pistol or revolver within the state, provided such authority shall find that such applicant intends to make no use of any pistol or revolver which such applicant may be permitted to carry under such permit other than a lawful use and that such person is a suitable person to receive such permit. No state or temporary state permit to carry a pistol or revolver shall be issued under this subsection if the applicant **(1)** has failed to successfully complete a course approved by the Commissioner of Emergency Services and Public Protection in the safety and use of pistols and revolvers including, but not limited to, a safety or training course in the use of pistols and revolvers available to the public offered by a law enforcement agency, a private or public educational institution or a firearms training school, utilizing instructors certified by the National Rifle Association or the Department of Energy and Environmental Protection and a safety or training course in the use of pistols or revolvers conducted by an instructor certified by the state or the National Rifle Association, **(2)** has been convicted of **(A)** a felony, or **(B)** on or after October 1, 1994, a violation of § 21a-279 or § 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d, **(3)** has been convicted as delinquent for the commission of a serious juvenile offense, as defined in § 46b-120, **(4)** has been discharged from custody within the preceding 20 years after having been found not guilty of a crime by reason of mental disease or defect pursuant to § 53a-13, **(5)** **(A)** has been confined in a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 60 months by order of a probate court, or **(B)** has been voluntarily admitted on or after October 1, 2013, to a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 6 months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in § 17a-680, **(6)** is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person, including an ex parte order issued pursuant to § 46b-15, as amended by this act, or 46b-16a, as amended by this act, **(7)** is subject to a firearms seizure order issued pursuant to subsection (d) of § 29-38c after notice and hearing, **(8)** is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4), **(9)** is an alien illegally or unlawfully in the United States, or **(10)** is less than 21 years of age. Nothing in this section shall require any person who holds a valid permit to carry a pistol or revolver on October 1, 1994, to participate in any additional training in the safety and use of pistols and revolvers. No person may apply for a temporary state permit to carry a pistol or revolver more than once within any 12-month period, and no temporary state permit to carry a pistol or revolver shall be issued to any person who has applied for such permit more than once within the preceding 12 months. Any person who applies for a temporary state permit to carry a pistol or revolver shall indicate in writing on the application, under penalty of false statement in such manner as the issuing authority prescribes, that such person has not applied for a temporary state permit to carry a pistol or revolver within the past 12 months. Upon issuance of a temporary state permit to carry a pistol or revolver to the applicant, the local authority shall forward the original application to the commissioner. Not later than 60 days after receiving a temporary state permit, an applicant shall appear at a location designated by the commissioner to receive the state permit. The commissioner may then issue, to any holder of any temporary state permit, a state permit to carry a pistol or revolver within the state. Upon issuance of the state permit, the commissioner shall make available to the permit holder a copy of the law regarding the permit holder's responsibility to report the loss or theft of a firearm and the penalties associated with the failure to comply with such law. Upon issuance of the state permit, the commissioner shall forward a record of such permit to the local authority issuing the temporary state permit. The commissioner shall retain records of all applications, whether approved or denied. The copy of the state permit delivered to the permittee shall be laminated and shall contain a full-face photograph of such permittee. A person holding a state permit issued pursuant to this subsection shall notify the issuing authority within 2 business days of any change of such person's address. The notification shall include the old address and the new address of such person.

**(c)** No issuing authority may require any sworn member of the Department of Emergency Services and Public Protection or an organized local police department to furnish such sworn member's residence address in a permit application. The issuing authority shall allow each such sworn member who has a permit to carry a pistol or revolver issued by such authority to revise such member's application to include a business or post office address in lieu of the residence address. The issuing authority shall notify each such member of the right to revise such application.

**(d)** Notwithstanding the provisions of §§ 1-210 and 1-211, the name and address of a person issued a permit to sell at retail pistols and revolvers pursuant to subsection (a) of this section or a state or a temporary state permit to carry a pistol or revolver pursuant to subsection (b) of this section, or a local permit to carry pistols and revolvers issued by local

authorities prior to October 1, 2001, shall be confidential and shall not be disclosed, except **(1)** such information may be disclosed to law enforcement officials acting in the performance of their duties, including, but not limited to, employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, **(2)** the issuing authority may disclose such information to the extent necessary to comply with a request made pursuant to § 29-33, 29-37a or 29-38m for verification that such state or temporary state permit is still valid and has not been suspended or revoked, and the local authority may disclose such information to the extent necessary to comply with a request made pursuant to § 29-33, 29-37a or 29-38m for verification that a local permit is still valid and has not been suspended or revoked, and **(3)** such information may be disclosed to the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of § 17a-500.

**(e)** The issuance of any permit to carry a pistol or revolver does not thereby authorize the possession or carrying of a pistol or revolver in any premises where the possession or carrying of a pistol or revolver is otherwise prohibited by law or is prohibited by the person who owns or exercises control over such premises.

**(f)** Any bona fide resident of the United States having no bona fide permanent residence within the jurisdiction of any local authority in the state, but who has a permit or license to carry a pistol or revolver issued by the authority of another state or subdivision of the United States, may apply directly to the Commissioner of Emergency Services and Public Protection for a permit to carry a pistol or revolver in this state. All provisions of subsections (b), (c), (d) and (e) of this section shall apply to applications for a permit received by the commissioner under this subsection.

#### **Sec. 29-28a. Application for permit. Notice of decision to applicant.**

**(a)** Requests for temporary state permits under § 29-28 shall be submitted to the chief of police, or, where there is no chief of police, to the warden of the borough or the first selectman of the town, as the case may be, on application forms prescribed by the Commissioner of Emergency Services and Public Protection. Upon written request by any person for a temporary state permit not on a prescribed application form, or upon request by any person for such application form, the local authority shall supply such forms. When any such request is made in person at the office of the local authority, the local authority shall supply such application form immediately. When any such request is made in any other manner, the local authority shall supply such application form not later than 1 week after receiving such request. If such application form is not supplied within the time limits required by this section, the request therefor shall constitute a sufficient application. If any local authority fails to supply an application form upon the request of any person, such person may request an application form from the Commissioner of Emergency Services and Public Protection or any barracks of the Division of State Police, and the time limits and procedures set forth in this section for handling requests for such forms shall be applicable.

**(b)** The local authority shall, not later than 8 weeks after a sufficient application for a temporary state permit has been made, inform the applicant that such applicant's request for a temporary state permit has been approved or denied. The local authority shall forward a copy of the application indicating approval or denial of the temporary state permit to the Commissioner of Emergency Services and Public Protection. If the local authority has denied the application for a temporary state permit, no state permit may be issued. The commissioner shall, not later than eight weeks after receiving an application indicating approval from the local authority, inform the applicant in writing that the applicant's application for a state permit has been approved or denied, or that the results of the national criminal history records check have not been received. If grounds for denial become known after a temporary state permit has been obtained, the temporary state permit shall be immediately revoked pursuant to § 29-32.

#### **Sec. 29-29. Information concerning criminal records of applicants for permits.**

**(a)** No temporary state permit for carrying any pistol or revolver shall be issued under the provisions of § 29-28 unless the applicant for such permit gives to the local authority, upon its request, full information concerning the applicant's criminal record. The local authority shall require the applicant to submit to state and national criminal history records checks. The local authority shall take a full description of such applicant and make an investigation concerning the applicant's suitability to carry any such weapons.

**(b)** The local authority shall take the fingerprints of such applicant or conduct any other method of positive identification required by the State Police Bureau of Identification or the Federal Bureau of Investigation, unless the local authority determines that the fingerprints of such applicant have been previously taken and the applicant's identity established, and such applicant presents identification that the local authority verifies as valid. The local authority shall record the date the fingerprints were taken in the applicant's file and, within 5 business days of such date, shall forward such fingerprints or other positive identifying information to the State Police Bureau of Identification which shall conduct criminal history records checks in accordance with § 29-17a.

**(c)** The local authority may, in its discretion, issue a temporary state permit before a national criminal history records check relative to such applicant's record has been received. Upon receipt of the results of such national criminal history records check, the commissioner shall send a copy of the results of such national criminal history records check to the local authority, which shall inform the applicant and render a decision on the application within one week of the receipt of such results. If such results have not been received within 8 weeks after a sufficient application for a permit has been made, the local authority shall inform the applicant of such delay, in writing. No temporary state permit shall be issued if the local authority has reason to believe the applicant has ever been convicted of a felony, or that any other condition exists for which the issuance of a permit for possession of a pistol or revolver is prohibited under state or federal law.

**(d)** The commissioner may investigate any applicant for a state permit and shall investigate each applicant for renewal of

a state permit to ensure that such applicant is eligible under state law for such permit or for renewal of such permit.

(e) No state permit may be issued unless either the local authority or the commissioner has received the results of the national criminal history records check.

**Sec. 29-30. Fees for pistol and revolver permits. Expiration and renewal of permits.**

(a) The fee for each permit originally issued under the provisions of subsection (a) of § 29-28 for the sale at retail of pistols and revolvers shall be \$200 and for each renewal of such permit \$200. The fee for each state permit originally issued under the provisions of subsection (b) of § 29-28 for the carrying of pistols and revolvers shall be \$140 plus sufficient funds as required to be transmitted to the Federal Bureau of Investigation to cover the cost of a national criminal history records check. The local authority shall forward sufficient funds for the national criminal history records check to the commissioner no later than 5 business days after receipt by the local authority of the application for the temporary state permit. Seventy dollars shall be retained by the local authority. Upon approval by the local authority of the application for a temporary state permit, \$70 shall be sent to the commissioner. The fee to renew each state permit originally issued under the provisions of subsection (b) of § 29-28 shall be \$70. Upon deposit of such fees in the General Fund, \$10 of each fee shall be credited within 30 days to the appropriation for the Department of Emergency Services and Public Protection to a separate nonlapsing account for the purposes of the issuance of permits under subsections (a) and (b) of § 29-28.

(b) On and after October 1, 2001, no local permit for the carrying of pistols and revolvers shall be renewed.

(c) A state permit originally issued under the provisions of § 29-28 for the carrying of pistols and revolvers shall expire 5 years after the date such permit becomes effective and each renewal of such permit shall expire 5 years after the expiration date of the state permit being renewed and such renewal shall not be contingent on the renewal or issuance of a local permit. A temporary state permit issued for the carrying of pistols and revolvers shall expire 60 days after the date it becomes effective, and may not be renewed.

(d) The renewal fee required pursuant to subsection (a) of this section shall apply for each renewal which is requested not earlier than 31 days before, and not later than 31 days after, the expiration date of the state permit being renewed.

(e) No fee or portion of any fee paid under the provisions of this section for issuance or renewal of a state permit shall be refundable except if such permit for which the fee or portion was paid was not issued or renewed. The portion of the fee expended on the national criminal history records check for any such permit that was not issued or renewed shall not be refunded.

(f) The issuing authority shall send a notice of the expiration of a state permit to carry a pistol or revolver, issued pursuant to § 29-28, to the holder of such permit, by first class mail, not less than 90 days before such expiration, and shall enclose with such notice a form for the renewal of said state permit. The holder of such permit may mail the form for renewal to the issuing authority and the issuing authority shall accept such form as a valid application for renewal, provided the holder (1) completed the form according to instructions provided by the Department of Emergency Services and Public Protection, (2) enclosed the appropriate fee to renew, in accordance with subsection (a) of this section, (3) enclosed a copy of proof of citizenship or legal residency of the holder, (4) enclosed a photograph of the holder that is either notarized or date stamped, and (5) is otherwise eligible for such permit pursuant to § 29-28. A state permit to carry a pistol or revolver, issued pursuant to § 29-28, shall be valid for a period of 90 days after the expiration date, except this provision shall not apply to any state permit to carry a pistol or revolver which has been revoked or for which revocation is pending, pursuant to § 29-32.

**Sec. 29-31. Display of permit to sell. Record of sales.** No sale of any pistol or revolver shall be made except in the room, store or place described in the permit for the sale of pistols and revolvers, and such permit or a copy thereof certified by the authority issuing the same shall be exposed to view within the room, store or place where pistols or revolvers are sold or offered or exposed for sale. No sale or delivery of any pistol or revolver shall be made unless the purchaser or person to whom the same is to be delivered is personally known to the vendor of such pistol or revolver or the person making delivery thereof or unless the person making such purchase or to whom delivery thereof is to be made provides evidence of his or her identity. The vendor of any pistol or revolver shall keep a record of each pistol or revolver sold in a book kept for that purpose, which record shall be in such form as is prescribed by 27 CFR 478.125. The vendor of any pistol or revolver shall make such record available for inspection upon the request of any sworn member of an organized local police department or the Division of State Police within the Department of Emergency Services and Public Protection or any investigator assigned to the state-wide firearms trafficking task force established under § 29-38e.

**Sec. 29-32. Revocation of permit. Notification. Confiscation. Penalty for failure to surrender permit.**

(a) For the purposes of this section, "conviction" means the entry of a judgment of conviction by any court of competent jurisdiction.

(b) Any state permit or temporary state permit for the carrying of any pistol or revolver may be revoked by the Commissioner of Emergency Services and Public Protection for cause and shall be revoked by said commissioner upon conviction of the holder of such permit of a felony or of any misdemeanor specified in subsection (b) of § 29-28, as amended by this act, or upon the occurrence of any event which would have disqualified the holder from being issued the state permit or temporary state permit pursuant to subsection (b) of § 29-28, as amended by this act. Upon the revocation of any state permit or temporary state permit, the person whose state permit or temporary state permit is revoked shall be notified in writing and such state permit or temporary state permit shall be forthwith delivered to the commissioner. Any law enforcement authority shall confiscate and immediately forward to the commissioner any state permit or temporary state permit that is illegally possessed by any person. The commissioner may revoke the state permit or temporary state

permit based upon the commissioner's own investigation or upon the request of any law enforcement agency. Any person who fails to surrender any permit within 5 days of notification in writing of revocation thereof shall be guilty of a class A misdemeanor.

**(c)** Any local permit for the carrying of a pistol or revolver issued prior to October 1, 2001, may be revoked by the authority issuing the same for cause, and shall be revoked by the authority issuing the same upon conviction of the holder of such permit of a felony or of any misdemeanor specified in subsection (b) of § 29-28, as amended by this act, or upon the occurrence of any event which would have disqualified the holder from being issued such local permit. Upon the revocation of any local permit, the person whose local permit is revoked shall be notified in writing and such permit shall be forthwith delivered to the authority issuing the same. Upon the revocation of any local permit, the authority issuing the same shall forthwith notify the commissioner. Upon the revocation of any permit issued by the commissioner, the commissioner shall forthwith notify any local authority which the records of the commissioner show as having issued a currently valid local permit to the holder of the permit revoked by the commissioner. Any person who fails to surrender such permit within 5 days of notification in writing or revocation thereof shall be guilty of a class A misdemeanor.

**(d)** If a state permit or temporary state permit for the carrying of any pistol or revolver is revoked because the person holding such permit is subject to an ex parte order issued pursuant to § 46b-15, as amended by this act, or 46b-16a, as amended by this act, upon expiration of such order, such person may notify the Department of Emergency Services and Public Protection that such order has expired. Upon verification of such expiration and provided such person is not otherwise disqualified from holding such permit pursuant to subsection (b) of § 29-28, as amended by this act, the department shall reinstate such permit.

#### **Sec. 29-32b. Board of Firearms Permit Examiners. Appeals to board. Hearings.**

**(b)** Any person aggrieved by any refusal to issue or renew a permit or certificate under the provisions of § 29-28, 29-36f, 29-37p or 29-38n, or by any limitation or revocation of a permit or certificate issued under any of said sections, or by a refusal or failure of any issuing authority to furnish an application as provided in § 29-28a, may, within 90 days after receipt of notice of such refusal, limitation or revocation, or refusal or failure to supply an application as provided in § 29-28a, and without prejudice to any other course of action open to such person in law or in equity, appeal to the board. On such appeal the board shall inquire into and determine the facts, de novo, and unless it finds that such a refusal, limitation or revocation, or such refusal or failure to supply an application, as the case may be, would be for just and proper cause, it shall order such permit or certificate to be issued, renewed or restored, or the limitation removed or modified, as the case may be. If the refusal was for failure to document compliance with local zoning requirements, under subsection (a) of § 29-28, the board shall not issue a permit.

**(c)** Any person aggrieved by the action of an issuing authority may file with the board a clear and concise statement of the facts on which such person relies for relief, and shall state the relief sought by the appellant. The receipt by the board of the appellant's statement shall initiate the appeals process, and no appeal may be rejected for mere lack of formality. The board shall, not later than 10 days after receipt of the appeal, set a time and place at which the appeal shall be heard. The board, while such appeal is pending, may request such additional information from the appellant and from the issuing authority as it deems reasonably necessary to conduct a fair and impartial hearing, and shall require of the issuing authority from whose decision or action the appeal is being sought a written statement setting forth the reasons for such failure, refusal, revocation or limitation. The failure, absent good cause shown, or refusal of the issuing authority to furnish such written statement, or to supply the appellant with an application, at least 10 days prior to the hearing shall be cause for the board to grant the relief sought, forthwith and without further hearing. If the issuing authority shows good cause for its failure to furnish such written statement, the board shall continue the matter to the next scheduled meeting of the board, provided the issuing authority shall be allowed only one such continuance.

**(d)** The board shall hold hearings at such times and places as it in its discretion reasonably determines to be required, but not less than once every 90 days, and shall give reasonable notice of the time and place of the hearing to the appellant and to the issuing authority. The board shall have the power to compel attendance at its sessions.

**(e)** All appeals hearings shall be conducted in an informal manner, but otherwise according to the rules of evidence, and all witnesses shall be sworn by the chairman. The board shall cause a verbatim transcript of the hearing to be kept in such manner as it may determine, and shall furnish such transcript to any party appealing its decision as hereinafter set forth. The statements of witnesses made under oath shall be privileged. Decisions of the board shall be by majority vote and shall be communicated in writing to the appellant and to the issuing authority within 20 days after the rendering of the decision. If any issuing authority neglects or refuses to comply with a decision of the board within 10 days after notice of the board's decision has been given to such issuing authority, the board shall apply to the Superior Court for a writ of mandamus to enforce the board's decision.

**(f)** Any person aggrieved by the decision of the board may appeal therefrom in accordance with the provisions of § 4-183.

#### **Sec. 29-33. Sale, delivery or transfer of pistols and revolvers. Procedure. Penalty.**

**(a)** No person, firm or corporation shall sell, deliver or otherwise transfer any pistol or revolver to any person who is prohibited from possessing a pistol or revolver as provided in § 53a-217c.

**(b)** On and after October 1, 1995, no person may purchase or receive any pistol or revolver unless such person holds a valid permit to carry a pistol or revolver issued pursuant to subsection (b) of § 29-28, a valid permit to sell at retail a pistol or revolver issued pursuant to subsection (a) of § 29-28 or a valid eligibility certificate for a pistol or revolver issued pursuant to § 29-36f or is a federal marshal, parole officer or peace officer.

**(c)** No person, firm or corporation shall sell, deliver or otherwise transfer any pistol or revolver except upon written application on a form prescribed and furnished by the Commissioner of Emergency Services and Public Protection. Such person, firm or corporation shall ensure that all questions on the application are answered properly prior to releasing the pistol or revolver and shall retain the application, which shall be attached to the federal sale or transfer document, for at least 20 years or until such vendor goes out of business. Such application shall be available for inspection during normal business hours by law enforcement officials. No sale, delivery or other transfer of any pistol or revolver shall be made unless the person making the purchase or to whom the same is delivered or transferred is personally known to the person selling such pistol or revolver or making delivery or transfer thereof or provides evidence of his identity in the form of a motor vehicle operator's license, identity card issued pursuant to § 1-1h or valid passport. No sale, delivery or other transfer of any pistol or revolver shall be made until the person, firm or corporation making such transfer obtains an authorization number from the Commissioner of Emergency Services and Public Protection. Said commissioner shall perform the national instant criminal background check and make a reasonable effort to determine whether there is any reason that would prohibit such applicant from possessing a pistol or revolver as provided in § 53a-217c. If the commissioner determines the existence of such a reason, the commissioner shall deny the sale and no pistol or revolver shall be sold, delivered or otherwise transferred by such person, firm or corporation to such applicant.

**(d)** No person, firm or corporation shall sell, deliver or otherwise transfer any pistol or revolver, other than at wholesale, unless such pistol or revolver is equipped with a reusable trigger lock, gun lock or gun locking device appropriate for such pistol or revolver, which lock or device shall be constructed of material sufficiently strong to prevent it from being easily disabled and have a locking mechanism accessible by key or by electronic or other mechanical accessory specific to such lock or device to prevent unauthorized removal. No pistol or revolver shall be loaded or contain therein any gunpowder or other explosive or any bullet, ball or shell when such pistol or revolver is sold, delivered or otherwise transferred.

**(e)** Upon the sale, delivery or other transfer of any pistol or revolver, the person making the purchase or to whom the same is delivered or transferred shall sign a receipt for such pistol or revolver, which shall contain the name and address of such person, the date of sale, the caliber, make, model and manufacturer's number and a general description of such pistol or revolver, the identification number of such person's permit to carry pistols or revolvers, issued pursuant to subsection (b) of § 29-28, permit to sell at retail pistols or revolvers, issued pursuant to subsection (a) of said section, or eligibility certificate for a pistol or revolver, issued pursuant to § 29-36f, if any, and the authorization number designated for the transfer by the Department of Emergency Services and Public Protection. The person, firm or corporation selling such pistol or revolver or making delivery or transfer thereof shall give one copy of the receipt to the person making the purchase of such pistol or revolver or to whom the same is delivered or transferred, shall retain 1 copy of the receipt for at least 5 years, and shall send, by first class mail, or electronically transmit, within 48 hours of such sale, delivery or other transfer, one copy of the receipt to the Commissioner of Emergency Services and Public Protection and one copy of the receipt to the chief of police or, where there is no chief of police, the warden of the borough or the first selectman of the town, as the case may be, of the town in which the transferee resides.

**(f)** The provisions of this section shall not apply to antique pistols or revolvers. An antique pistol or revolver, for the purposes of this section, means any pistol or revolver which was manufactured in or before 1898 and any replica of such pistol or revolver provided such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition except rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and not readily available in the ordinary channel of commercial trade.

**(g)** The provisions of this section shall not apply to the sale, delivery or transfer of pistols or revolvers between **(1)** a federally-licensed firearm manufacturer and a federally-licensed firearm dealer, **(2)** a federally-licensed firearm importer and a federally-licensed firearm dealer, or **(3)** federally-licensed firearm dealers.

**(h)** If the court finds that a violation of this section is not of a serious nature and that the person charged with such violation **(1)** will probably not offend in the future, **(2)** has not previously been convicted of a violation of this section, and **(3)** has not previously had a prosecution under this section suspended pursuant to this subsection, the court may order suspension of prosecution. The court shall not order suspension of prosecution unless the accused person has acknowledged that he understands the consequences of the suspension of prosecution. Any person for whom prosecution is suspended shall agree to the tolling of any statute of limitations with respect to such violation and to a waiver of his right to a speedy trial. Such person shall appear in court and shall be released to the custody of the Court Support Services Division for such period, not exceeding 2 years, and under such conditions as the court shall order. If the person refuses to accept, or, having accepted, violates such conditions, the court shall terminate the suspension of prosecution and the case shall be brought to trial. If such person satisfactorily completes his period of probation, he may apply for dismissal of the charges against him and the court, on finding such satisfactory completion, shall dismiss such charges. If the person does not apply for dismissal of the charges against him after satisfactorily completing his period of probation, the court, upon receipt of a report submitted by the Court Support Services Division that the person satisfactorily completed his period of probation, may on its own motion make a finding of such satisfactory completion and dismiss such charges. Upon dismissal, all records of such charges shall be erased pursuant to § 54-142a. An order of the court denying a motion to dismiss the charges against a person who has completed his period of probation or terminating the participation of a defendant in such program shall be a final judgment for purposes of appeal.

**(i)** Any person who violates any provision of this section shall be guilty of a class C felony for which 2 years of the sentence imposed may not be suspended or reduced by the court, and \$5,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine, except that any

person who sells, delivers or otherwise transfers a pistol or revolver in violation of the provisions of this section knowing that such pistol or revolver is stolen or that the manufacturer's number or other mark of identification on such pistol or revolver has been altered, removed or obliterated, shall be guilty of a class B felony for which 3 years of the sentence imposed may not be suspended or reduced by the court, and \$10,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine, and any pistol or revolver found in the possession of any person in violation of any provision of this section shall be forfeited.

**Sec. 29-34. False statement or information in connection with sale or transfer of pistol or revolver prohibited.**

**Sale or transfer to person under twenty-one years of age prohibited. Temporary transfers. Penalties.**

(a) No person shall make any false statement or give any false information connected with any purchase, sale, delivery or other transfer of any pistol or revolver. Any person violating any provision of this subsection shall be guilty of a class C felony for which 2 years of the sentence imposed may not be suspended or reduced by the court, and \$5,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

(b) No person shall sell, barter, hire, lend, give, deliver or otherwise transfer to any person under the age of 21 years any pistol or revolver, except that a pistol or revolver may be temporarily transferred to any person only for the use by such person in target shooting or on a firing or shooting range, provided such use is otherwise permitted by law and is under the immediate supervision of a person eligible to possess a pistol or revolver. Any person violating any provision of this subsection shall be guilty of a class C felony for which 2 years of the sentence imposed may not be suspended or reduced by the court, and \$5,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

(c) Any pistol or revolver found in the possession of any person in violation of any provision of this section shall be forfeited.

**Sec. 29-35. Carrying of pistol or revolver without permit prohibited. Exceptions.**

(a) No person shall carry any pistol or revolver upon his or her person, except when such person is within the dwelling house or place of business of such person, without a permit to carry the same issued as provided in § 29-28. The provisions of this subsection shall not apply to the carrying of any pistol or revolver by any parole officer or peace officer of the state, or any Department of Motor Vehicles inspector appointed under § 14-8 and certified pursuant to § 7-294d, or parole officer or peace officer of any other state while engaged in the pursuit of official duties, or federal marshal or federal law enforcement agent, or to any member of the armed forces of the United States, as defined in § 27-103, or of the state, as defined in § 27-2, when on duty or going to or from duty, or to any member of any military organization when on parade or when going to or from any place of assembly, or to the transportation of pistols or revolvers as merchandise, or to any person transporting any pistol or revolver while contained in the package in which it was originally wrapped at the time of sale and while transporting the same from the place of sale to the purchaser's residence or place of business, or to any person removing such person's household goods or effects from one place to another, or to any person while transporting any such pistol or revolver from such person's place of residence or business to a place or individual where or by whom such pistol or revolver is to be repaired or while returning to such person's place of residence or business after the same has been repaired, or to any person transporting a pistol or revolver in or through the state for the purpose of taking part in competitions, taking part in formal pistol or revolver training, repairing such pistol or revolver or attending any meeting or exhibition of an organized collectors' group if such person is a bona fide resident of the United States and is permitted to possess and carry a pistol or revolver in the state or subdivision of the United States in which such person resides, or to any person transporting a pistol or revolver to and from a testing range at the request of the issuing authority, or to any person transporting an antique pistol or revolver, as defined in § 29-33. For the purposes of this subsection, "formal pistol or revolver training" means pistol or revolver training at a locally approved or permitted firing range or training facility, and "transporting a pistol or revolver" means transporting a pistol or revolver that is unloaded and, if such pistol or revolver is being transported in a motor vehicle, is not readily accessible or directly accessible from the passenger compartment of the vehicle or, if such pistol or revolver is being transported in a motor vehicle that does not have a compartment separate from the passenger compartment, such pistol or revolver shall be contained in a locked container other than the glove compartment or console. Nothing in this section shall be construed to prohibit the carrying of a pistol or revolver during formal pistol or revolver training or repair.

(b) The holder of a permit issued pursuant to § 29-28 shall carry such permit upon one's person while carrying such pistol or revolver. Such holder shall present his or her permit upon the request of a law enforcement officer who has reasonable suspicion of a crime for purposes of verification of the validity of the permit or identification of the holder, provided such holder is carrying a pistol or revolver that is observed by such law enforcement officer.

**Sec. 29-36. Alteration of firearm identification mark, number or name.**

(a) No person shall remove, deface, alter or obliterate the name of any maker or model or any maker's number or other mark of identification on any firearm as defined in § 53a-3. The possession of any firearm upon which any identifying mark, number or name has been removed, defaced, altered or obliterated shall be prima facie evidence that the person owning or in possession of such firearm has removed, defaced, altered or obliterated the same.

(b) Any person who violates any provision of this section shall be guilty of a class C felony for which 2 years of the sentence imposed may not be suspended or reduced by the court, and \$5,000 of the fine imposed may not be remitted or



reduced by the court unless the court states on the record its reasons for remitting or reducing such fine, and any firearm found in the possession of any person in violation of said provision shall be forfeited.

**Sec. 29-36f. Eligibility certificate for pistol or revolver.**

**(a)** Any person who is 21 years of age or older may apply to the Commissioner of Emergency Services and Public Protection for an eligibility certificate for a pistol or revolver.

**(b)** The Commissioner of Emergency Services and Public Protection shall issue an eligibility certificate unless said commissioner finds that the applicant: **(1)** Has failed to successfully complete a course approved by the Commissioner of Emergency Services and Public Protection in the safety and use of pistols and revolvers including, but not limited to, a safety or training course in the use of pistols and revolvers available to the public offered by a law enforcement agency, a private or public educational institution or a firearms training school, utilizing instructors certified by the National Rifle Association or the Department of Energy and Environmental Protection and a safety or training course in the use of pistols or revolvers conducted by an instructor certified by the state or the National Rifle Association; **(2)** has been convicted of a felony or of a violation of § 21a-279 or § 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d; **(3)** has been convicted as delinquent for the commission of a serious juvenile offense, as defined in § 46b-120; **(4)** has been discharged from custody within the preceding 20 years after having been found not guilty of a crime by reason of mental disease or defect pursuant to § 53a-13; **(5) (A)** has been confined in a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 60 months by order of a probate court; or **(B)** has been voluntarily admitted on or after October 1, 2013, to a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 6 months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in § 17a-680, **(6)** is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person, including an ex parte order issued pursuant to § 46b-15, or § 46b-16a; **(7)** is subject to a firearms seizure order issued pursuant to subsection (d) of § 29-38c after notice and hearing; **(8)** is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4); or **(9)** is an alien illegally or unlawfully in the United States.

**Sec. 29-36g. Application for eligibility certificate. Criminal history records check. Deadline for approval or denial of application. Form of certificate. Change of address. Confidentiality of name and address of certificate holder. Scope of certificate.**

**(a)** Requests for eligibility certificates under § 29-36f shall be submitted to the Commissioner of Emergency Services and Public Protection on application forms prescribed by the commissioner. No eligibility certificate for a pistol or revolver shall be issued under the provisions of said section unless the applicant for such certificate gives to the Commissioner of Emergency Services and Public Protection, upon the commissioner's request, full information concerning the applicant's criminal record and relevant information concerning the applicant's mental health history. The commissioner shall require each applicant to submit to state and national criminal history records checks. The commissioner shall take a full description of such applicant. The commissioner shall take the fingerprints of such applicant or conduct any other method of positive identification required by the State Police Bureau of Identification or the Federal Bureau of Investigation. The commissioner shall record the date the fingerprints were taken in the applicant's file and shall conduct criminal history records checks in accordance with § 29-17a. The commissioner shall, within 60 days of receipt of the national criminal history records check from the Federal Bureau of Investigation, either approve the application and issue the eligibility certificate or deny the application and notify the applicant of the reason for such denial in writing.

**(b) (2)** With respect to any application for an eligibility certificate filed with the Commissioner of Emergency Services and Public Protection after July 1, 1995, the commissioner shall, within 90 days, **(A)** approve the application and issue the eligibility certificate, **(B)** issue a temporary eligibility certificate, or **(C)** deny the application and notify the applicant of the reason for such denial in writing.

**(3)** A temporary certificate issued under this subsection shall be valid until such time as the commissioner either approves or denies the application.

**(c)** An eligibility certificate for a pistol or revolver shall be of such form and content as the commissioner may prescribe, shall be signed by the certificate holder and shall contain an identification number, the name, address, place and date of birth, height, weight and eye color of the certificate holder and a full-face photograph of the certificate holder.

**(d)** A person holding an eligibility certificate issued by the commissioner shall notify the commissioner within 2 business days of any change of his address. The notification shall include his old address and his new address.

**(e)** Notwithstanding the provisions of §§ 1-210 and 1-211, the name and address of a person issued an eligibility certificate for a pistol or revolver under the provisions of § 29-36f shall be confidential and shall not be disclosed, except **(1)** such information may be disclosed to law enforcement officials acting in the performance of their duties, including, but not limited to, employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, **(2)** the Commissioner of Emergency Services and Public Protection may disclose such information to the extent necessary to comply with a request made pursuant to § 29-33, 29-37a or 29-38m for verification that such certificate is still valid and has not been suspended or revoked, and **(3)** such information may be disclosed to the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of § 17a-500.

**(f)** An eligibility certificate for a pistol or revolver shall not authorize the holder thereof to carry a pistol or revolver upon his

person in circumstances for which a permit to carry a pistol or revolver issued pursuant to subsection (b) of § 29-28 is required under § 29-35.

**Sec. 29-36h. Fee for eligibility certificate. Expiration and renewal of eligibility certificate.**

(a) The fee for each eligibility certificate for a pistol or revolver originally issued under the provisions of § 29-36f shall be \$35 and for each renewal thereof \$35, which fees shall be paid to the Commissioner of Emergency Services and Public Protection. Upon deposit of such fees in the General Fund, the fees shall be credited to the appropriation to the Department of Emergency Services and Public Protection to a separate nonlapsing account for the purposes of the issuance of eligibility certificates under said section.

(b) An eligibility certificate originally issued under the provisions of § 29-36f shall expire 5 years after the date it becomes effective and each renewal thereof shall expire 5 years after the expiration date of the certificate being renewed.

(c) The renewal fee shall apply for each renewal which is requested not earlier than 31 days before, and not later than 31 days after, the expiration date of the certificate being renewed.

(d) No fee or portion thereof paid under the provisions of this section for issuance or renewal of an eligibility certificate shall be refundable except if the eligibility certificate for which the fee or portion thereof was paid was not issued or renewed.

(e) The Commissioner of Emergency Services and Public Protection shall send a notice of the expiration of an eligibility certificate issued pursuant to § 29-36f to the holder of such certificate, by first class mail, at the address of such person as shown by the records of the commissioner, not less than 90 days before such expiration, and shall enclose therein a form for the renewal of said certificate. An eligibility certificate issued pursuant to said section shall be valid for a period of 90 days from the expiration date, except this provision shall not apply to any certificate which has been revoked or for which revocation is pending, pursuant to § 29-36i.

**Sec. 29-36i. Revocation of eligibility certificate.**

(a) Any eligibility certificate for a pistol or revolver shall be revoked by the Commissioner of Emergency Services and Public Protection upon the occurrence of any event which would have disqualified the holder from being issued the certificate pursuant to § 29-36f, as amended by this act.

(b) Upon the revocation of any eligibility certificate, the person whose eligibility certificate is revoked shall be notified in writing and such certificate shall be forthwith delivered to the Commissioner of Emergency Services and Public Protection. Any person who fails to surrender such certificate within 5 days of notification in writing of revocation thereof shall be guilty of a class A misdemeanor.

(c) If an eligibility certificate for a pistol or revolver is revoked because the person holding such certificate is subject to an ex parte order issued pursuant to § 46b-15, as amended by this act, or 46b-16a, as amended by this act, upon expiration of such order, such person may notify the Department of Emergency Services and Public Protection that such order has expired. Upon verification of such expiration and provided such person is not otherwise disqualified from holding such certificate pursuant to § 29-36f, as amended by this act, the department shall reinstate such certificate.

**Sec. 29-36k. Transfer, delivery or surrender of firearms or ammunition by persons ineligible to possess firearms or ammunition. Destruction of firearms or ammunition. Penalty.**

(a) Except as provided in subsection (b) of this section, not later than 2 business days after the occurrence of any event that makes a person ineligible to possess a pistol or revolver or other firearm or ammunition, such person shall (1) transfer in accordance with § 29-33 all pistols and revolvers which such person then possesses to any person eligible to possess a pistol or revolver and transfer in accordance with any applicable state and federal laws all other firearms to any person eligible to possess such other firearms by obtaining an authorization number for the sale or transfer of the firearm from the Commissioner of Emergency Services and Public Protection, and submit a sale or transfer of firearms form to said commissioner within 2 business days, or (2) deliver or surrender such pistols and revolvers and other firearms and ammunition to the Commissioner of Emergency Services and Public Protection, provided a local police department may accept such pistols, revolvers, other firearms and ammunition on behalf of said commissioner, or (3) transfer such ammunition to any person eligible to possess such ammunition. The commissioner and a local police department shall exercise due care in the receipt and holding of such pistols and revolvers and other firearms or ammunition.

(b) Immediately, but in no event more than 24 hours after notice has been provided to a person subject to a restraining or protective order or a foreign order of protection, such person shall (1) transfer any pistol, revolver or other firearm or ammunition which such person then possesses to a federally licensed firearms dealer pursuant to the sale of the pistol, revolver or other firearm or ammunition to the federally licensed firearms dealer, or (2) deliver or surrender such pistols and revolvers and other firearms and ammunition to the Commissioner of Emergency Services and Public Protection, provided a local police department may accept such pistols, revolvers, other firearms and ammunition on behalf of said commissioner. For the purposes of this section, a "person subject to a restraining or protective order or a foreign order of protection" means a person who knows that such person is subject to (A) a restraining or protective order of a court of this state that has been issued against such person, after notice has been provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, or (B) a foreign order of protection, as defined in § 46b-15a, that has been issued against such person in a case involving the use, attempted use or threatened use of physical force against another person.

(c) (1) A person subject to a restraining order or protective order or a foreign order of protection or an order of protection issued under § 46b-16a, as amended by this act, who has delivered or surrendered any pistol, revolver, or other firearm or

ammunition to the Commissioner of Emergency Services and Public Protection or a local police department, may request the return of such pistol, revolver, or other firearm or ammunition, upon (A) the expiration of the restraining order or protective order or a foreign order of protection or an order of protection issued under § 46b-16a, as amended by this act, or (B) the issuance of a subsequent court order that rescinds the restraining order or protective order or a foreign order of protection or an order of protection issued under § 46b-16a, as amended by this act.

(2) When making such request, the person described in subdivision (1) of this subsection shall provide notification of (A) the expiration of the restraining order or protective order or a foreign order of protection or an order of protection issued under § 46b-16a, as amended by this act, or (B) the issuance of a subsequent court order that rescinds the restraining order or protective order or a foreign order of protection or an order of protection issued under § 46b-16a, as amended by this act, to the Commissioner of Emergency Services and Public Protection or a local police department.

(3) Not later than 5 business days after the date on which a person has made a request pursuant to subdivision (1) of this subsection, the commissioner or a local police department shall review the request and make available for retrieval any pistol, revolver, or other firearm or ammunition to such person provided the commissioner or a local police department confirms: (A) (i) The expiration of the restraining order or protective order or a foreign order of protection or an order of protection issued under § 46b-16a, as amended by this act, or (ii) the issuance of a subsequent court order that rescinds the restraining order or protective order or a foreign order of protection or an order of protection issued under § 46b-16a, as amended by this act, (B) that such person is not otherwise disqualified from possessing such pistol, revolver, or other firearm or ammunition, and (C) that such person was legally entitled to possess such pistol, revolver, or other firearm or ammunition at the time of delivery or surrender to the commissioner or a local police department.

(d) Such person, or such person's legal representative, may, at any time up to 1 year after such delivery or surrender, transfer such pistols and revolvers in accordance with the provisions of § 29-33 to any person eligible to possess a pistol or revolver and transfer such other firearms and ammunition, in accordance with any applicable state and federal laws, to any person eligible to possess such other firearms and ammunition, provided any person subject to a restraining or protective order or a foreign order of protection, or such person's legal representative, may only transfer such pistol, revolver or other firearm or ammunition to a federally licensed firearms dealer pursuant to the sale of the pistol, revolver or other firearm or ammunition to the federally licensed firearms dealer. Upon notification in writing by the transferee and such person, the Commissioner of Emergency Services and Public Protection or a local police department as the case may be, shall, within 10 days, deliver such pistols and revolvers and other firearms and ammunition to the transferee. If, at the end of such year, such pistols and revolvers and other firearms and ammunition have not been so transferred, the commissioner or a local police department as the case may be, shall cause them to be destroyed.

(e) Any person who fails to transfer, deliver or surrender any such pistols and revolvers and other firearms or ammunition as provided in this section shall be subject to the penalty provided for in § 53a-217, as amended by this act, or 53a-217c, as amended by this act.

**Sec. 29-36I. Verification of eligibility of persons to receive or possess firearms. State database. Instant criminal background check. Immunity of seller or transferor. Authorization number required.**

(a) The Commissioner of Emergency Services and Public Protection shall establish a state database that any person, firm or corporation who sells or otherwise transfers firearms may access, by telephone or other electronic means in addition to the telephone, for information to be supplied immediately, on whether a permit to carry a pistol or revolver, issued pursuant to subsection (b) of § 29-28, a permit to sell at retail a pistol or revolver, issued pursuant to subsection (a) of § 29-28, an eligibility certificate for a pistol or revolver, issued pursuant to § 29-36f, or a long gun eligibility certificate, issued pursuant to § 29-37p, is valid and has not been revoked or suspended.

(b) Upon establishment of the database, the commissioner shall notify each person, firm or corporation holding a permit to sell at retail pistols or revolvers issued pursuant to subsection (a) of § 29-28 of the existence and purpose of the system and the means to be used to access the database.

(c) The Department of Emergency Services and Public Protection shall establish days and hours during which the telephone number or other electronic means shall be operational for purposes of responding to inquiries, taking into consideration the normal business hours of retail firearm businesses.

(d) (1) The Department of Emergency Services and Public Protection shall be the point of contact for initiating a background check through the National Instant Criminal Background Check System (NICS), established under § 103 of the Brady Handgun Violence Prevention Act, on individuals purchasing firearms.

(e) Any person, firm or corporation that contacts the Department of Emergency Services and Public Protection to access the database established under this section and determine if a person is eligible to receive or possess a firearm shall not be held civilly liable for the sale or transfer of a firearm to a person whose receipt or possession of such firearm is unlawful or for refusing to sell or transfer a firearm to a person who may lawfully receive or possess such firearm if such person, firm or corporation relied, in good faith, on the information provided to such person, firm or corporation by said department, unless the conduct of such person, firm or corporation was unreasonable or reckless.

(f) Any person, firm or corporation that sells, delivers or otherwise transfers any firearm pursuant to § 29-33 or 29-37a, shall contact the Department of Emergency Services and Public Protection to access the database established under this section and receive an authorization number for such sale, delivery or transfer. The provisions of this subsection shall not apply to: (1) Any sale, delivery or transfer of an antique firearm manufactured in or before 1898, including any firearm with a matchlock, flintlock, percussion cap or similar type of ignition system manufactured in or before 1898; (2) any sale, delivery or transfer of any replica of any firearm described in subdivision (1) of this subsection if such replica uses rimfire

or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; **(3)** transactions between persons who are licensed as firearms importers or collectors, manufacturers or dealers pursuant to 18 USC 921 et seq.; **(4)** the transfer of firearms to and from gunsmiths for purposes of repair only; and **(5)** any sale, delivery or transfer of any firearm to any agency of the United States, the state of Connecticut or any local government.

**Sec. 29-36m. Regulations.** The Commissioner of Emergency Services and Public Protection shall adopt regulations in accordance with the provisions of chapter 54 to carry out the provisions of §§ 18-81i, 29-27 and 29-28, subsection (a) of § 29-30, § 29-32, subsection (b) of § 29-32b, §§ 29-33, 29-34 and 29-36f to 29-36l, inclusive, subsection (a) of § 29-37, subsections (a) and (b) of § 53-202d and § 53a-217c.

**Sec. 29-36n. Protocol for the transfer, delivery or surrender of pistols, revolvers, other firearms and ammunition.**

**(a)** The Commissioner of Emergency Services and Public Protection, in conjunction with the Chief State's Attorney and the Connecticut Police Chiefs Association, shall develop a protocol to ensure that persons who become ineligible to possess a pistol or revolver or other firearm or ammunition have, in accordance with § 29-36k, transferred such pistol or revolver or other firearm or ammunition to a person eligible to possess such pistol or revolver or other firearm or ammunition or have delivered or surrendered such pistol or revolver or other firearm or ammunition to said commissioner. Such protocol shall include provisions to ensure that a person who becomes ineligible to possess a pistol or revolver or other firearm because such person is subject to a restraining or protective order or a foreign order of protection, as defined in § 29-36k, transfers such pistol or revolver or other firearm, or delivers or surrenders such pistol or revolver or other firearm, pursuant to arrangements made with an organized local police department or the Division of State Police in advance of such transfer, delivery or surrender.

**(b)** The Commissioner of Emergency Services and Public Protection, in conjunction with the Chief State's Attorney and the Connecticut Police Chiefs Association, shall update the protocol developed pursuant to subsection (a) of this section to reflect the provisions of §§ 29-7h, 29-28, as amended by this act, 29-28a, 29-29, 29-30, 29-32, as amended by this act, and 29-35, subsections (b) and (h) of § 46b-15, as amended by this act, subsections (c) and (d) of § 46b-38c and §§ 53-202a, 53-202l, 53-202m and 53a-217, as amended by this act, and shall include in such protocol specific instructions for the transfer, delivery or surrender of pistols and revolvers and other firearms and ammunition when the assistance of more than one law enforcement agency is necessary to effect the requirements of § 29-36k, as amended by this act.

**Sec. 29-37a. Sale, delivery or transfer of long guns. Procedure. Penalty.**

**(a)** For the purposes of this section, "long gun" means a firearm, as defined in § 53a-3, other than a pistol or revolver.

**(b) (1)** Except as provided in subdivision (2) of this subsection, no person, firm or corporation may sell, deliver or otherwise transfer, at retail, any long gun to any person under 18 years of age.

**(2)** No person, firm or corporation may sell, deliver or otherwise transfer, at retail, any semi-automatic centerfire rifle that has or accepts a magazine with a capacity exceeding 5 rounds to any person under 21 years of age. The provisions of this subdivision shall not apply to the sale, delivery or transfer of such a rifle to any person who is a member or employee of an organized local police department, the Department of Emergency Services and Public Protection or the Department of Correction or a member of the military or naval forces of this state or of the United States for use in the discharge of their duties.

**(c)** On and after April 1, 2014, no person may purchase or receive any long gun unless such person holds a valid long gun eligibility certificate issued pursuant to § 29-37p, a valid permit to carry a pistol or revolver issued pursuant to subsection (b) of § 29-28, a valid permit to sell at retail a pistol or revolver issued pursuant to subsection (a) of § 29-28 or a valid eligibility certificate for a pistol or revolver issued pursuant to § 29-36f.

**(d)** No person, firm or corporation may sell, deliver or otherwise transfer, at retail, any long gun to any person unless such person makes application on a form prescribed and furnished by the Commissioner of Emergency Services and Public Protection, which shall be attached by the transferor to the federal sale or transfer document and filed and retained by the transferor for at least 20 years or until such transferor goes out of business. Such application shall be available for inspection during normal business hours by law enforcement officials. No such sale, delivery or other transfer of any long gun shall be made until the person, firm or corporation making such sale, delivery or transfer has ensured that such application has been completed properly and has obtained an authorization number from the Commissioner of Emergency Services and Public Protection for such sale, delivery or transfer. The Department of Emergency Services and Public Protection shall make every effort, including performing the national instant criminal background check, to determine if the applicant is eligible to receive such long gun. If it is determined that the applicant is ineligible to receive such long gun, the Commissioner of Emergency Services and Public Protection shall immediately notify the person, firm or corporation to whom such application was made and no such long gun shall be sold, delivered or otherwise transferred to such applicant by such person, firm or corporation. When any long gun is delivered in connection with any sale or purchase, such long gun shall be enclosed in a package, the paper or wrapping of which shall be securely fastened, and no such long gun when delivered on any sale or purchase shall be loaded or contain any gunpowder or other explosive or any bullet, ball or shell. Upon the sale, delivery or other transfer of the long gun, the transferee shall sign in triplicate a receipt for such long gun, which shall contain the name, address and date and place of birth of such transferee, the date of such sale, delivery or transfer and the caliber, make, model and manufacturer's number and a general description thereof. Not later than 24 hours after such sale, delivery or transfer, the transferor shall send by first class mail or electronically transfer one receipt to the Commissioner of Emergency Services and Public Protection and one receipt to

the chief of police or, where there is no chief of police, the warden of the borough or the first selectman, of the town in which the transferee resides, and shall retain one receipt, together with the original application, for at least 5 years.

**(e)** No sale, delivery or other transfer of any long gun shall be made by a person who is not a federally licensed firearm manufacturer, importer or dealer to a person who is not a federally licensed firearm manufacturer, importer or dealer unless:

**(1)** The prospective transferor and prospective transferee comply with the provisions of subsection (d) of this section and the prospective transferor has obtained an authorization number from the Commissioner of Emergency Services and Public Protection for such sale, delivery or transfer; or

**(2)** The prospective transferor or prospective transferee requests a federally licensed firearm dealer to contact the Department of Emergency Services and Public Protection on behalf of such prospective transferor or prospective transferee and the federally licensed firearm dealer has obtained an authorization number from the Commissioner of Emergency Services and Public Protection for such sale, delivery or transfer.

**(f) (1)** On and after January 1, 2014, for purposes of a transfer pursuant to subdivision (2) of subsection (e) of this section, a prospective transferor or prospective transferee may request a federally licensed firearm dealer to contact the Department of Emergency Services and Public Protection to obtain an authorization number for such sale, delivery or transfer. If a federally licensed firearm dealer consents to contact the department on behalf of the prospective transferor or prospective transferee, the prospective transferor or prospective transferee shall provide to such dealer the name, sex, race, date of birth and state of residence of the prospective transferee and, if necessary to verify the identity of the prospective transferee, may provide a unique numeric identifier including, but not limited to, a Social Security number, and additional identifiers including, but not limited to, height, weight, eye and hair color, and place of birth. The prospective transferee shall present to the dealer such prospective transferee's valid long gun eligibility certificate issued pursuant to § 29-37p, valid permit to carry a pistol or revolver issued pursuant to subsection (b) of § 29-28, valid permit to sell at retail a pistol or revolver issued pursuant to subsection (a) of § 29-28 or valid eligibility certificate for a pistol or revolver issued pursuant to § 29-36f. The dealer may charge a fee for contacting the department on behalf of the prospective transferor or prospective transferee.

**(2)** The Department of Emergency Services and Public Protection shall make every effort, including performing the national instant criminal background check, to determine if the prospective transferee is eligible to receive such long gun. The Commissioner of Emergency Services and Public Protection shall immediately notify the dealer of the department's determination and the dealer shall immediately notify the prospective transferor or prospective transferee of such determination. If the department determines the prospective transferee is ineligible to receive such long gun, no long gun shall be sold, delivered or otherwise transferred by the prospective transferor to the prospective transferee. If the department determines the prospective transferee is eligible to receive such long gun and provides an authorization number for such sale, delivery or transfer, the prospective transferor may proceed to sell, deliver or otherwise transfer the long gun to the prospective transferee.

**(3)** Upon the sale, delivery or other transfer of the long gun, the transferor or transferee shall complete a form, prescribed by the Commissioner of Emergency Services and Public Protection, that contains the name and address of the transferor, the name and address of the transferee, the date and place of birth of such transferee, the firearm permit or certificate number of the transferee, the firearm permit or certificate number of the transferor, if any, the date of such sale, delivery or transfer, the caliber, make, model and manufacturer's number and a general description of such long gun and the authorization number provided by the department. Not later than 24 hours after such sale, delivery or transfer, the transferor shall send by first class mail or electronically transfer one copy of such form to the Commissioner of Emergency Services and Public Protection and one copy to the chief of police or, where there is no chief of police, the warden of the borough or the first selectman, of the town in which the transferee resides, and shall retain one copy, for at least 5 years.

**(h)** The provisions of subsections (c) to (g), inclusive of this section shall not apply to the sale, delivery or transfer of **(1)** long guns to **(A)** the Department of Emergency Services and Public Protection, police departments, the Department of Correction, the Division of Criminal Justice, the Department of Motor Vehicles, the Department of Energy and Environmental Protection or the military or naval forces of this state or of the United States, **(B)** a sworn and duly certified member of an organized police department, the Division of State Police within the Department of Emergency Services and Public Protection or the Department of Correction, a chief inspector or inspector in the Division of Criminal Justice, a salaried inspector of motor vehicles designated by the Commissioner of Motor Vehicles, a conservation officer or special conservation officer appointed by the Commissioner of Energy and Environmental Protection pursuant to § 26-5, or a constable who is certified by the Police Officer Standards and Training Council and appointed by the chief executive authority of a town, city or borough to perform criminal law enforcement duties, pursuant to a letter on the letterhead of such department, division, commissioner or authority authorizing the purchase and stating that the sworn member, inspector, officer or constable will use the long gun in the discharge of official duties, and that a records check indicates that the sworn member, inspector, officer or constable has not been convicted of a crime of family violence, for use by such sworn member, inspector, officer or constable in the discharge of such sworn member's, inspector's, officer's or constable's official duties or when off duty, **(C)** a member of the military or naval forces of this state or of the United States, or **(D)** a nuclear facility licensed by the United States Nuclear Regulatory Commission for the purpose of providing security services at such facility, or any contractor or subcontractor of such facility for the purpose of providing security services at such facility; **(2)** long guns to or between federally licensed firearm manufacturers, importers or dealers; **(3)** curios or relics, as defined in 27 CFR 478.11, to or between federally licensed firearm collectors; or **(4)** antique firearms,

as defined in subsection (g) of this section.

**(i)** If the court finds that a violation of this section is not of a serious nature and that the person charged with such violation **(1)** will probably not offend in the future, **(2)** has not previously been convicted of a violation of this section, and **(3)** has not previously had a prosecution under this section suspended pursuant to this subsection, it may order suspension of prosecution. The court shall not order suspension of prosecution unless the accused person has acknowledged that he understands the consequences of the suspension of prosecution. Any person for whom prosecution is suspended shall agree to the tolling of any statute of limitations with respect to such violation and to a waiver of his right to a speedy trial. Such person shall appear in court and shall be released to the custody of the Court Support Services Division for such period, not exceeding 2 years, and under such conditions as the court shall order. If the person refuses to accept, or, having accepted, violates such conditions, the court shall terminate the suspension of prosecution and the case shall be brought to trial. If such person satisfactorily completes his period of probation, he may apply for dismissal of the charges against him and the court, on finding such satisfactory completion, shall dismiss such charges. If the person does not apply for dismissal of the charges against him after satisfactorily completing his period of probation, the court, upon receipt of a report submitted by the Court Support Services Division that the person satisfactorily completed his period of probation, may on its own motion make a finding of such satisfactory completion and dismiss such charges. Upon dismissal, all records of such charges shall be erased pursuant to § 54-142a. An order of the court denying a motion to dismiss the charges against a person who has completed his period of probation or terminating the participation of a defendant in such program shall be a final judgment for purposes of appeal.

**(j)** Any person who violates any provision of this section shall be guilty of a class D felony, except that any person who sells, delivers or otherwise transfers a long gun in violation of the provisions of this section, knowing that such long gun is stolen or that the manufacturer's number or other mark of identification on such long gun has been altered, removed or obliterated, shall be guilty of a class B felony, and any long gun found in the possession of any person in violation of any provision of this section shall be forfeited.

**Sec. 29-37b. Retail dealer to equip pistols and revolvers with gun locking device and provide written warning at time of sale. Penalty.**

**(a)** Each person, firm or corporation which engages in the retail sale of any pistol or revolver, at the time of sale of any such pistol or revolver, shall **(1)** equip such pistol or revolver with a reusable trigger lock, gun lock or gun locking device appropriate for such firearm, which lock or device shall be constructed of material sufficiently strong to prevent it from being easily disabled and have a locking mechanism accessible by key or by electronic or other mechanical accessory specific to such lock or device to prevent unauthorized removal, and **(2)** provide to the purchaser thereof a written warning which shall state in block letters not less than one inch in height: "UNLAWFUL STORAGE OF A LOADED FIREARM MAY RESULT IN IMPRISONMENT OR FINE."

**(b)** Each such person, firm or corporation shall conspicuously post and at all times display the warning specified in subsection (a) of this section in block letters not less than 3 inches in height.

**(c)** Any person, firm or corporation which violates any provision of this section shall be fined not less than \$500 for each violation.

**Sec. 29-37d. Firearms dealer to install burglar alarm system on premises of its establishment. Exceptions.** On and after July 1, 1993, each business organization which engages in the retail sale of firearms, as defined in § 53a-3, as a regular course of trade or business, shall have a burglar alarm system installed on the premises of its establishment in which ten or more firearms are stored and kept for sale. Such alarm system shall be directly connected to the local police department or monitored by a central station and shall activate upon unauthorized entry or interruption to such system. For the purposes of this section, "business organization" means a sole proprietorship, partnership, firm, corporation or other form of business or legal entity. The provisions of this section shall not apply to any person who **(1)** sells or exchanges a firearm for the enhancement of a personal collection or as a hobby, **(2)** sells all or part of a personal collection of firearms, or **(3)** sells firearms from his own residence and keeps for sale not more than ten firearms.

**Sec. 29-37e. False statement or information in connection with sale or transfer of firearm other than pistol or revolver prohibited.**

**(a)** No person shall make any false statement or give any false information connected with any purchase, sale, delivery or other transfer of any firearm other than a pistol or revolver. Any person violating any provision of this subsection shall be guilty of a class D felony.

**(b)** Any firearm found in the possession of any person in violation of this section shall be forfeited.

**Sec. 29-37f. Qualifications of retail store employees who sell firearms.** No person, firm or corporation that engages in the retail sale of goods, where the principal part of such trade or business is the retail sale of goods other than firearms, shall employ a person to sell firearms in a retail store unless such person **(1)** is at least 18 years of age, **(2)** has submitted to state and national criminal history records checks and such checks indicate that such person has not been convicted of a felony or a violation specified in subdivision (2) of subsection (b) of § 29-36f, and **(3)** has successfully completed a course or testing approved by the Commissioner of Emergency Services and Public Protection in firearms safety and statutory procedures relating to the sale of firearms. The sale of firearms by such person, firm or corporation shall be accomplished only by an employee qualified pursuant to this section. Any employer who employs a person to sell firearms

in violation of the provisions of this section shall be liable for a civil penalty of not more than \$10,000 per day for each violation. The Attorney General shall institute a civil action to recover such penalty.

**Sec. 29-37g. Gun show requirements.**

(a) For the purposes of this section, (1) "gun show" means any event (A) at which fifty or more firearms are offered or exhibited for sale, transfer or exchange to the public and (B) at which 2 or more persons are exhibiting one or more firearms for sale, transfer or exchange to the public; and (2) "gun show promoter" means any person who organizes, plans, promotes or operates a gun show.

(b) Not later than 30 days before commencement of a gun show, the gun show promoter shall notify the chief of police or, where there is no chief of police, the warden of the borough or the first selectman of the town in which the gun show is to take place of the date, time, duration and location of the gun show.

(c) No person, firm or corporation shall sell, deliver or otherwise transfer a firearm at a gun show until such person, firm or corporation has complied with the provisions of § 29-36l.

**Sec. 29-37i. (Formerly Sec. 29-37c). Responsibilities re storage of loaded firearms.** No person shall store or keep any loaded firearm on any premises under such person's control if such person knows or reasonably should know that (1) a minor is likely to gain access to the firearm without the permission of the parent or guardian of the minor, (2) a resident of the premises is ineligible to possess a firearm under state or federal law, or (3) a resident of the premises poses a risk of imminent personal injury to himself or herself or to other individuals, unless such person (A) keeps the firearm in a securely locked box or other container or in a location which a reasonable person would believe to be secure, or (B) carries the firearm on his or her person or within such close proximity thereto that such person can readily retrieve and use the firearm as if such person carried the firearm on his or her person. For the purposes of this section, "minor" means any person under the age of 16 years.

**Sec. 29-37j. Purchase of firearm with intent to transfer to person prohibited from purchasing or receiving a firearm. Assistance from person prohibited from purchasing or receiving a firearm. Penalties.**

(a) Any person who purchases a firearm, as defined in § 53a-3, pursuant to § 29-33 or 29-37a with the intent to transfer such firearm to any other person who the transferor knows or has reason to believe is prohibited from purchasing or otherwise receiving such a firearm pursuant to § 29-33 or 29-37a shall be guilty of a class C felony for which 2 years of the sentence imposed may not be suspended or reduced by the court, and \$5,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

(b) Any person prohibited from purchasing or otherwise receiving or possessing a firearm and who solicits, employs or assists any person in violating the provisions of subsection (a) of this section shall be guilty of a class D felony for which 1 year of the sentence imposed may not be suspended or reduced by the court, and \$3,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine, except that if such person who is prohibited from purchasing or otherwise receiving or possessing a firearm obtains a firearm pursuant to a violation of subsection (a) of this section, such person shall be guilty of a class C felony for which 2 years of the sentence imposed may not be suspended or reduced by the court, and \$5,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine. Each transfer shall constitute a separate offense.

(c) Any person convicted of violating the provisions of subsection (a) or (b) of this section and who was convicted of a felony within the prior 5-year period shall be guilty of a class B felony for which 3 years of the sentence imposed may not be suspended or reduced by the court, and \$10,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

**Sec. 29-37p. Long gun eligibility certificate. Disqualifiers.**

(a) Any person who is 18 years of age or older may apply to the Commissioner of Emergency Services and Public Protection for a long gun eligibility certificate.

(b) The Commissioner of Emergency Services and Public Protection shall issue a long gun eligibility certificate unless said commissioner finds that the applicant: (1) Has failed to successfully complete a course approved by the Commissioner of Emergency Services and Public Protection in the safety and use of firearms including, but not limited to, a safety or training course in the use of firearms available to the public offered by a law enforcement agency, a private or public educational institution or a firearms training school, utilizing instructors certified by the National Rifle Association or the Department of Energy and Environmental Protection and a safety or training course in the use of firearms conducted by an instructor certified by the state or the National Rifle Association; (2) has been convicted of (A) a felony, or (B) on or after October 1, 1994, a violation of § 21a-279 or § 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d; (3) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in § 46b-120; (4) has been discharged from custody within the preceding 20 years after having been found not guilty of a crime by reason of mental disease or defect pursuant to § 53a-13; (5) has been confined in a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 60 months by order of a probate court; (6) has been voluntarily admitted to a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 6 months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in § 17a-680; (7) is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person, including an

ex parte order issued pursuant to § 46b-15, as amended by this act, or 46b-16a, as amended by this act; **(8)** is subject to a firearms seizure order issued pursuant to subsection (d) of § 29-38c after notice and hearing; **(9)** is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4); or **(10)** is an alien illegally or unlawfully in the United States.

**Sec. 29-37q. Long gun eligibility certificate. Application. Form and content. Confidentiality.**

**(a)** Requests for long gun eligibility certificates under § 29-37p shall be submitted to the Commissioner of Emergency Services and Public Protection on application forms prescribed by the commissioner. No long gun eligibility certificate shall be issued under the provisions of § 29-37p unless the applicant for such certificate gives to the Commissioner of Emergency Services and Public Protection, upon the commissioner's request, full information concerning the applicant's criminal record and relevant information concerning the applicant's mental health history. The commissioner shall require each applicant to submit to state and national criminal history records checks in accordance with § 29-17a. The commissioner shall take a full description of such applicant. The commissioner shall take the fingerprints of such applicant or conduct any other method of positive identification required by the State Police Bureau of Identification or the Federal Bureau of Investigation. The commissioner shall record the date the fingerprints were taken in the applicant's file and shall conduct criminal history records checks in accordance with § 29-17a. The commissioner shall, not later than 60 days after receipt of the national criminal history records check from the Federal Bureau of Investigation, either approve the application and issue the long gun eligibility certificate or deny the application and notify the applicant of the reason for such denial in writing.

**(b)** A long gun eligibility certificate shall be of such form and content as the commissioner may prescribe, shall be signed by the certificate holder and shall contain an identification number, the name, address, place and date of birth, height, weight and eye color of the certificate holder and a full-face photograph of the certificate holder.

**(c)** A person holding a long gun eligibility certificate issued by the commissioner shall notify the commissioner not later than 2 business days after any change of such person's address. The notification shall include both the old address and the new address of such person.

**(d)** Notwithstanding the provisions of §§ 1-210 and 1-211, the name and address of a person issued a long gun eligibility certificate under the provisions of § 29-37p shall be confidential and shall not be disclosed, except **(1)** such information may be disclosed to law enforcement officials acting in the performance of their duties, including, but not limited to, employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, **(2)** the Commissioner of Emergency Services and Public Protection may disclose such information to the extent necessary to comply with a request made pursuant to § 29-37a or 29-38m for verification that such certificate is still valid and has not been suspended or revoked, and **(3)** such information may be disclosed to the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of § 17a-500.

**Sec. 29-37r. Long gun eligibility certificate. Fees. Expiration and renewal.**

**(a)** The fee for each long gun eligibility certificate originally issued under the provisions of § 29-37p shall be \$35 and for each renewal thereof \$35, which fees shall be paid to the Commissioner of Emergency Services and Public Protection.

**(b)** A long gun eligibility certificate originally issued under the provisions of § 29-37p shall expire 5 years after the date it becomes effective and each renewal thereof shall expire 5 years after the expiration date of the certificate being renewed.

**(c)** The renewal fee shall apply for each renewal that is requested not earlier than 31 days before, and not later than 31 days after, the expiration date of the certificate being renewed.

**(d)** No fee or portion thereof paid under the provisions of this section for issuance or renewal of a long gun eligibility certificate shall be refundable except if the certificate for which the fee or portion thereof was paid was not issued or renewed.

**(e)** The Commissioner of Emergency Services and Public Protection shall send a notice of the expiration of a long gun eligibility certificate issued pursuant to § 29-37p to the holder of such certificate, by first class mail, at the address of such person as shown by the records of the commissioner, not less than 90 days before such expiration, and shall enclose therein a form for the renewal of such certificate. A long gun eligibility certificate issued pursuant to said section shall be valid for a period of 90 days from the expiration date, except this provision shall not apply to any certificate which has been revoked or for which revocation is pending, pursuant to § 29-37s.

**Sec. 29-37s. Long gun eligibility certificate. Revocation.**

**(a)** A long gun eligibility certificate shall be revoked by the Commissioner of Emergency Services and Public Protection upon the occurrence of any event which would have disqualified the holder from being issued the certificate pursuant to § 29-37p, as amended by this act.

**(b)** Upon the revocation of any long gun eligibility certificate, the person whose certificate is revoked shall be notified, in writing, and such certificate shall be forthwith delivered to the Commissioner of Emergency Services and Public Protection. Any person who fails to surrender such certificate within 5 days of notification, in writing, of revocation thereof shall be guilty of a class A misdemeanor.

**(c)** If a long gun eligibility certificate is revoked because the person holding such certificate is subject to an ex parte order issued pursuant to § 46b-15, as amended by this act, or 46b-16a, as amended by this act, upon expiration of such order, such person may notify the Department of Emergency Services and Public Protection that such order has expired. Upon



verification of such expiration and provided such person is not otherwise disqualified from holding such certificate pursuant to § 29-37p, as amended by this act, the department shall reinstate such certificate.

**Sec. 29-38. Weapons in vehicles. Penalty. Exceptions.**

**(a)** Any person who knowingly has, in any vehicle owned, operated or occupied by such person, any weapon, any pistol or revolver for which a proper permit has not been issued as provided in § 29-28 or any machine gun which has not been registered as required by § 53-202, shall be guilty of a class D felony, and the presence of any such weapon, pistol or revolver, or machine gun in any vehicle shall be prima facie evidence of a violation of this section by the owner, operator and each occupant thereof. The word "weapon", as used in this section, means any BB. gun, ... or any other dangerous or deadly weapon or instrument.

**(b)** The provisions of this section shall not apply to: **(1)** Any officer charged with the preservation of the public peace while engaged in the pursuit of such officer's official duties; **(2)** any security guard having a baton or nightstick in a vehicle while engaged in the pursuit of such guard's official duties; **(4)** any person having a BB. gun in a vehicle provided such weapon is unloaded and stored in the trunk of such vehicle or in a locked container other than the glove compartment or console.

**Sec. 29-38b. Determination of commitment or admission status of person who applies for or seeks renewal of firearm permit or certificate. Report on status of application.**

**(a)** The Commissioner of Emergency Services and Public Protection, in fulfilling his obligations under §§ 29-28 to 29-38, inclusive, and § 53-202d, shall verify that any person who, on or after October 1, 1998, applies for or seeks renewal of a permit to sell at retail a pistol or revolver, a permit to carry a pistol or revolver, an eligibility certificate for a pistol or revolver or a certificate of possession for an assault weapon, or who, on or after July 1, 2013, applies for or seeks renewal of a long gun eligibility certificate, has not been confined in a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 60 months by order of a probate court or has not been voluntarily admitted to a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 6 months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in § 17a-680, by making an inquiry to the Department of Mental Health and Addiction Services in such a manner so as to only receive a report on the commitment or admission status of the person with respect to whom the inquiry is made including identifying information in accordance with the provisions of subsection (b) of § 17a-500.

**(b)** If the Commissioner of Emergency Services and Public Protection determines pursuant to subsection (a) of this section that a person has been confined in a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 60 months by order of a probate court or has been voluntarily admitted to a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 6 months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in § 17a-680, said commissioner shall report the status of such person's application for or renewal of a permit to sell at retail a pistol or revolver, a permit to carry a pistol or revolver, an eligibility certificate for a pistol or revolver, a certificate of possession for an assault weapon or a long gun eligibility certificate to the Commissioner of Mental Health and Addiction Services for the purpose of fulfilling his responsibilities under subsection (c) of § 17a-500.

**Sec. 29-38c. Seizure of firearms and ammunition from person posing risk of imminent personal injury to self or others.**

**(a)** Upon complaint on oath by any state's attorney or assistant state's attorney or by any 2 police officers, to any judge of the Superior Court, that such state's attorney or police officers have probable cause to believe that **(1)** a person poses a risk of imminent personal injury to himself or herself or to other individuals, **(2)** such person possesses one or more firearms, and **(3)** such firearm or firearms are within or upon any place, thing or person, such judge may issue a warrant commanding a proper officer to enter into or upon such place or thing, search the same or the person and take into such officer's custody any and all firearms and ammunition. Such state's attorney or police officers shall not make such complaint unless such state's attorney or police officers have conducted an independent investigation and have determined that such probable cause exists and that there is no reasonable alternative available to prevent such person from causing imminent personal injury to himself or herself or to others with such firearm.

**(b)** A warrant may issue only on affidavit sworn to by the complainant or complainants before the judge and establishing the grounds for issuing the warrant, which affidavit shall be part of the seizure file. In determining whether grounds for the application exist or whether there is probable cause to believe they exist, the judge shall consider: **(1)** Recent threats or acts of violence by such person directed toward other persons; **(2)** recent threats or acts of violence by such person directed toward himself or herself; and **(3)** recent acts of cruelty to animals as provided in subsection (b) of § 53-247 by such person. In evaluating whether such recent threats or acts of violence constitute probable cause to believe that such person poses a risk of imminent personal injury to himself or herself or to others, the judge may consider other factors including, but not limited to **(A)** the reckless use, display or brandishing of a firearm by such person, **(B)** a history of the use, attempted use or threatened use of physical force by such person against other persons, **(C)** prior involuntary confinement of such person in a hospital for persons with psychiatric disabilities, and **(D)** the illegal use of controlled substances or abuse of alcohol by such person. If the judge is satisfied that the grounds for the application exist or that there is probable cause to believe that they exist, such judge shall issue a warrant naming or describing the person, place or thing to be searched. The warrant shall be directed to any police officer of a regularly organized police department or any state police officer. It shall state the grounds or probable cause for its issuance and it shall command the officer to

search within a reasonable time the person, place or thing named for any and all firearms and ammunition. A copy of the warrant shall be given to the person named therein together with a notice informing the person that such person has the right to a hearing under this section and the right to be represented by counsel at such hearing.

**(c)** The applicant for the warrant shall file a copy of the application for the warrant and all affidavits upon which the warrant is based with the clerk of the court for the geographical area within which the search will be conducted no later than the next business day following the execution of the warrant. Prior to the execution and return of the warrant, the clerk of the court shall not disclose any information pertaining to the application for the warrant or any affidavits upon which the warrant is based. The warrant shall be executed and returned with reasonable promptness consistent with due process of law and shall be accompanied by a written inventory of all firearms and ammunition seized.

**(d)** Not later than 14 days after the execution of a warrant under this section, the court for the geographical area where the person named in the warrant resides shall hold a hearing to determine whether the firearm or firearms and any ammunition seized should be returned to the person named in the warrant or should continue to be held by the state. At such hearing the state shall have the burden of proving all material facts by clear and convincing evidence. If, after such hearing, the court finds by clear and convincing evidence that the person poses a risk of imminent personal injury to himself or herself or to other individuals, the court may order that the firearm or firearms and any ammunition seized pursuant to the warrant issued under subsection (a) of this section continue to be held by the state for a period not to exceed 1 year, otherwise the court shall order the firearm or firearms and any ammunition seized to be returned to the person named in the warrant. If the court finds that the person poses a risk of imminent personal injury to himself or herself or to other individuals, the court shall give notice to the Department of Mental Health and Addiction Services which may take such action pursuant to chapter 319i as it deems appropriate.

**(e)** Any person whose firearm or firearms and ammunition have been ordered seized pursuant to subsection (d) of this section, or such person's legal representative, may transfer such firearm or firearms and ammunition in accordance with the provisions of § 29-33 or other applicable state or federal law, to any person eligible to possess such firearm or firearms and ammunition. Upon notification in writing by such person, or such person's legal representative, and the transferee, the head of the state agency holding such seized firearm or firearms and ammunition shall within 10 days deliver such firearm or firearms and ammunition to the transferee.

**(f)** For the purposes of this section, "ammunition" means a loaded cartridge, consisting of a primed case, propellant or projectile, designed for use in any firearm.

#### **Sec. 29-38d. Interstate transportation of firearms through state.**

**(a)** The provisions of §§ 29-35 and 29-38 shall not apply to the interstate transportation of firearms through this state in accordance with 18 USC 926A and 927, as amended from time to time, by any person who is not otherwise prohibited from shipping, transporting, receiving or possessing a firearm. Such person may transport a firearm for any lawful purpose from any place where such person may lawfully possess and carry such firearm through this state to any other place where such person may lawfully possess and carry such firearm provided such transportation is in accordance with subsection (b) of this section.

**(b)** During the transportation of a firearm through this state as authorized in subsection (a) of this section, such firearm shall be unloaded and neither such firearm nor any ammunition being transported shall be readily accessible or directly accessible from the passenger compartment of the vehicle. If the vehicle does not have a compartment separate from the passenger compartment, such firearm shall be unloaded and such firearm and any ammunition being transported shall be contained in a locked container other than the glove compartment or console.

**(c)** No person who is transporting a firearm through this state in accordance with this section may use or carry such firearm or sell, deliver or otherwise transfer such firearm while in this state.

#### **Sec. 29-38m. Sale of ammunition or ammunition magazine.**

**(a)** For the purposes of this section and §§ 29-38n to 29-38p, inclusive, "ammunition" means a loaded cartridge, consisting of a primed case, propellant or projectile, designed for use in any firearm, "firearm" has the meaning provided in § 53a-3, and "magazine" means any firearm magazine, belt, drum, feed strip or similar device that accepts ammunition.

**(b)** No person, firm or corporation shall sell ammunition or an ammunition magazine to any person under 18 years of age.

**(c)** On and after October 1, 2013, no person, firm or corporation shall sell ammunition or an ammunition magazine to any person unless such person holds a valid permit to carry a pistol or revolver issued pursuant to subsection (b) of § 29-28, a valid permit to sell at retail a pistol or revolver issued pursuant to subsection (a) of § 29-28, a valid eligibility certificate for a pistol or revolver issued pursuant to § 29-36f or a valid long gun eligibility certificate issued pursuant to § 29-37p and presents to the transferor such permit or certificate, or unless such person holds a valid ammunition certificate issued pursuant to § 29-38n and presents to the transferor such certificate and such person's motor vehicle operator's license, passport or other valid form of identification issued by the federal government or a state or municipal government that contains such person's date of birth and photograph.

**(d)** The provisions of subsection (c) of this section shall not apply to the sale of ammunition to **(1)** the Department of Emergency Services and Public Protection, police departments, the Department of Correction, the Division of Criminal Justice, the Department of Motor Vehicles, the Department of Energy and Environmental Protection or the military or naval forces of this state or of the United States; **(2)** a sworn and duly certified member of an organized police department, the Division of State Police within the Department of Emergency Services and Public Protection or the Department of Correction, a chief inspector or inspector in the Division of Criminal Justice, a salaried inspector of motor

vehicles designated by the Commissioner of Motor Vehicles, a conservation officer or special conservation officer appointed by the Commissioner of Energy and Environmental Protection pursuant to § 26-5, or a constable who is certified by the Police Officer Standards and Training Council and appointed by the chief executive authority of a town, city or borough to perform criminal law enforcement duties, for use by such sworn member, inspector, officer or constable in the discharge of such sworn member's, inspector's, officer's or constable's official duties or when off duty; (3) a member of the military or naval forces of this state or of the United States; (4) a nuclear facility licensed by the United States Nuclear Regulatory Commission for the purpose of providing security services at such facility, or any contractor or subcontractor of such facility for the purpose of providing security services at such facility; or (5) a federally licensed firearm manufacturer, importer, dealer or collector.

(e) Any person who violates any provision of this section shall be guilty of a class D felony.

**Sec. 29-38n. Ammunition certificate. Issuance. Form and content. Confidentiality.**

(a) Any person who is 18 years of age or older may request the Commissioner of Emergency Services and Public Protection to (1) conduct a state criminal history records check of such person, in accordance with the provisions of § 29-17a, using such person's name and date of birth only, and (2) issue an ammunition certificate to such person in accordance with the provisions of this section.

(b) After conducting the state criminal history records check of such person, the commissioner shall issue an ammunition certificate to such person unless the commissioner determines, based on a review of the results of such criminal history records check, that such person would be ineligible to be issued a long gun eligibility certificate under § 29-37p, except that a conviction of a violation specified in subparagraph (B) of subdivision (2) of subsection (b) of § 29-37p shall cause such person to be ineligible for an ammunition certificate only if such conviction was for a violation committed on or after July 1, 2013.

(c) Such ammunition certificate shall be of such form as the commissioner may prescribe, contain an identification number and the name, address and date of birth of the certificate holder and be signed by the certificate holder.

(d) A person holding an ammunition certificate issued by the commissioner shall notify the commissioner not later than 2 business days after any change of such person's address. The notification shall include both the old address and the new address of such person.

(e) Notwithstanding the provisions of §§ 1-210 and 1-211, the name and address of a person issued an ammunition certificate under this section shall be confidential and shall not be disclosed, except (1) such information may be disclosed to law enforcement officials acting in the performance of their duties, including, but not limited to, employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, (2) the Commissioner of Emergency Services and Public Protection may disclose such information to the extent necessary to comply with a request made pursuant to § 29-38m for verification that such certificate is still valid and has not been suspended or revoked, and (3) such information may be disclosed to the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of § 17a-500.

**Sec. 29-38o. Ammunition certificate. Fees. Expiration and renewal.**

(a) The fee for each ammunition certificate originally issued under the provisions of this section shall be \$35 and for each renewal thereof \$35, which fees shall be paid to the Commissioner of Emergency Services and Public Protection and shall be in addition to the fee paid pursuant to subsection (b) of § 29-17a for conducting the national criminal history records check. Upon deposit of such fees in the General Fund, the fees shall be credited to the appropriation to the Department of Emergency Services and Public Protection to a separate nonlapsing account for the purposes of the issuance of ammunition certificates under § 29-38n.

(b) An ammunition certificate originally issued under the provisions of § 29-38n shall expire 5 years after the date it becomes effective and each renewal thereof shall expire 5 years after the expiration date of the certificate being renewed.

(c) The renewal fee shall apply for each renewal that is requested not earlier than 31 days before, and not later than 31 days after, the expiration date of the certificate being renewed.

(d) No fee or portion thereof paid under the provisions of this section for issuance or renewal of an ammunition certificate shall be refundable except if the certificate for which the fee or portion thereof was paid was not issued or renewed.

(e) An ammunition certificate issued pursuant to § 29-38n shall be valid for a period of 90 days from the expiration date, except this provision shall not apply to any certificate which has been revoked or for which revocation is pending, pursuant to § 29-38p.

**Sec. 29-38p. Ammunition certificate. Revocation.**

(a) An ammunition certificate shall be revoked by the Commissioner of Emergency Services and Public Protection upon the occurrence of any event which would have disqualified the holder from being issued the certificate pursuant to § 29-38n.

(b) Upon the revocation of any ammunition certificate, the person whose certificate is revoked shall be notified, in writing, and such certificate shall be forthwith delivered to the Commissioner of Emergency Services and Public Protection. Any person who fails to surrender such certificate within 5 days of notification, in writing, of revocation thereof shall be guilty of a class A misdemeanor.

(c) If an ammunition certificate is revoked because the person holding such certificate is subject to an ex parte order issued pursuant to § 46b-15, as amended by this act, or 46b-16a, as amended by this act, upon expiration of such order, such person may notify the Department of Emergency Services and Public Protection that such order has expired. Upon

verification of such expiration and provided such person is not otherwise disqualified from holding such certificate pursuant to § 29-38n the department shall reinstate such certificate.

**TITLE 53: Crimes**  
**Chapter 943: Offenses Against Public Peace & Safety**

**Sec. 53-202. Machine guns.**

**(a)** As used in this section: **(1)** "Machine gun" shall apply to and include a weapon of any description, loaded or unloaded, which shoots, is designed to shoot or can be readily restored to shoot automatically more than 1 projectile, without manual reloading, by a single function of the trigger, and shall also include any part or combination of parts designed for use in converting a weapon into a machine gun and any combination of parts from which a machine gun can be assembled if such parts are in the possession of or under the control of a person. **(2)** "Crime of violence" shall apply to and include any of the following-named crimes or an attempt to commit any of the same: Murder, manslaughter, kidnapping, sexual assault and sexual assault with a firearm, assault in the first or second degree, robbery, burglary, larceny and riot in the first degree. **(3)** "Projectile" means any size bullet that when affixed to any cartridge case may be propelled through the bore of a machine gun.

**(b)** Any person who possesses or uses a machine gun in the perpetration or attempted perpetration of a crime of violence shall be imprisoned not less than 10 years nor more than 20 years.

**(c)** Any person who **(1)** possesses or uses a machine gun for an offensive or aggressive purpose, or **(2)** notwithstanding the provisions of subdivision **(3)** of subsection (h) of this section, transfers, sells or gives a machine gun to a person under 16 years of age, including the temporary transfer of a machine gun to such person for use in target shooting or on a firing or shooting range or for any other purpose, shall be fined not more than \$1,000 or imprisoned not less than 5 years nor more than 10 years or be both fined and imprisoned.

**(d)** The possession or use of a machine gun shall be presumed to be for an offensive or aggressive purpose: **(1)** When the machine gun is on premises not owned or rented, for bona fide permanent residence or business occupancy, by the person in whose possession the machine gun was found; or **(2)** when in the possession of, or used by, an unnaturalized foreign-born person, or a person who has been convicted of a crime of violence in any state or federal court of record of the United States of America, its territories or insular possessions; or **(3)** when the machine gun is of the kind described in subsection (g) hereof and has not been registered as therein required; or **(4)** when empty or loaded projectiles of any caliber which have been or are susceptible of use in the machine gun are found in the immediate vicinity thereof.

**(e)** The presence of a machine gun in any room, boat or vehicle shall be presumptive evidence of the possession or use of the machine gun by each person occupying such room, boat or vehicle.

**(f)** Each manufacturer shall keep a register of all machine guns manufactured or handled by the manufacturer. Such register shall show the model and serial number, and the date of manufacture, sale, loan, gift, delivery or receipt, of each machine gun, the name, address and occupation of the person to whom the machine gun was sold, loaned, given or delivered, or from whom it was received and the purpose for which it was acquired by the person to whom the machine gun was sold, loaned, given or delivered. Upon demand, any manufacturer shall permit any marshal or police officer to inspect such manufacturer's entire stock of machine guns, and parts and supplies therefor, and shall produce the register, herein required, for inspection. Any person who violates any provision of this subsection shall be fined not more than \$2,000.

**(g)** Each machine gun in this state adapted to use projectiles of any caliber shall be registered in the office of the Commissioner of Emergency Services and Public Protection within 24 hours after its acquisition and, thereafter, annually, on July first. Blanks for registration shall be prepared by said commissioner and furnished upon application. To comply with this subsection, the application as filed shall show the model and serial number of the gun, the name, address and occupation of the person in possession, and from whom and the purpose for which the gun was acquired. The registration data shall not be subject to inspection by the public. Any person who fails to register any gun as required hereby shall be presumed to possess the same for an offensive or aggressive purpose. The provisions of this subsection shall not apply to any machine gun which has been registered under the provisions of subsection (f) and which is still in the actual possession of the manufacturer.

**(h)** No provision of this section shall apply to: **(1)** The manufacture of machine guns for sale or transfer to the United States government, to any state, territory or possession of the United States or to any political subdivision thereof or to the District of Columbia; **(2)** the possession of a machine gun rendered inoperable by welding of all critical functioning parts and possessed as a curiosity, ornament or keepsake; or **(3)** a machine gun acquired, transferred or possessed in accordance with the National Firearms Act, as amended, provided such machine gun shall be subject to the provisions of subsection (g) of this section.

**Sec. 53-202a. Assault weapons: Definitions.** As used in this section and §§ 53-202b to 53-202k, inclusive:

**(1)** "Assault weapon" means:

**(A) (i)** Any selective-fire firearm capable of fully automatic, semiautomatic or burst fire at the option of the user or any of the following specified semiautomatic firearms: Algimec Agmi; Armalite AR-180; Australian Automatic Arms SAP Pistol; Auto-Ordnance Thompson type; Avtomat Kalashnikov AK-47 type; Barrett Light-Fifty model 82A1; Beretta AR-70; Bushmaster Auto Rifle and Auto Pistol; Calico models M-900, M-950 and 100-P; Chartered Industries of Singapore SR-88; Colt AR-15 and Sporter; Daewoo K-1, K-2, Max-1 and Max-2; Encom MK-IV, MP-9 and MP-45; Fabrique Nationale

FN/FAL, FN/LAR, or FN/FNC; FAMAS MAS 223; Feather AT-9 and Mini-AT; Federal XC-900 and XC-450; Franchi SPAS-12 and LAW-12; Galil AR and ARM; Goncz High-Tech Carbine and High-Tech Long Pistol; Heckler & Koch HK-91, HK-93, HK-94 and SP-89; Holmes MP-83; MAC-10, MAC-11 and MAC-11 Carbine type; Intratec TEC-9 and Scorpion; Iver Johnson Enforcer model 3000; Ruger Mini-14/5F folding stock model only; Scarab Skorpion; SIG 57 AMT and 500 series; Spectre Auto Carbine and Auto Pistol; Springfield Armory BM59, SAR-48 and G-3; Sterling MK-6 and MK-7; Steyr AUG; Street Sweeper and Striker 12 revolving cylinder shotguns; USAS-12; UZI Carbine, Mini-Carbine and Pistol; Weaver Arms Nighthawk; Wilkinson "Linda" Pistol;

**(ii)** A part or combination of parts designed or intended to convert a firearm into an assault weapon, as defined in subparagraph (A)(i) of this subdivision, or any combination of parts from which an assault weapon, as defined in subparagraph (A)(i) of this subdivision, may be rapidly assembled if those parts are in the possession or under the control of the same person;

**(B)** Any of the following specified semiautomatic centerfire rifles, or copies or duplicates thereof with the capability of any such rifles, that were in production prior to or on April 4, 2013: (i) AK-47; (ii) AK-74; (iii) AKM; (iv) AKS-74U; (v) ARM; (vi) MAADI AK47; (vii) MAK90; (viii) MISR; (ix) NHM90 and NHM91; (x) Norinco 56, 56S, 84S and 86S; (xi) Poly Technologies AKS and AK47; (xii) SA 85; (xiii) SA 93; (xiv) VEPR; (xv) WASR-10; (xvi) WUM; (xvii) Rock River Arms LAR-47; (xviii) Vector Arms AK-47; (xix) AR-10; (xx) AR-15; (xxi) Bushmaster Carbon 15, Bushmaster XM15, Bushmaster ACR Rifles, Bushmaster MOE Rifles; (xxii) Colt Match Target Rifles; (xxiii) Armalite M15; (xxiv) Olympic Arms AR-15, A1, CAR, PCR, K3B, K30R, K16, K48, K8 and K9 Rifles; (xxv) DPMS Tactical Rifles; (xxvi) Smith and Wesson M&P15 Rifles; (xxvii) Rock River Arms LAR-15; (xxviii) Doublestar AR Rifles; (xxix) Barrett REC7; (xxx) Beretta Storm; (xxxi) Calico Liberty 50, 50 Tactical, 100, 100 Tactical, I, I Tactical, II and II Tactical Rifles; (xxxii) Hi-Point Carbine Rifles; (xxxiii) HK-PSG-1; (xxxiv) Kel-Tec Sub-2000, SU Rifles, and RFB; (xxxv) Remington Tactical Rifle Model 7615; (xxxvi) SAR-8, SAR-4800 and SR9; (xxxvii) SLG 95; (xxxviii) SLR 95 or 96; (xxxix) TNW M230 and M2HB; (xl) Vector Arms UZI; (xli) Galil and Galil Sporter; (xlii) Daewoo AR 100 and AR 110C; (xliii) Fabrique Nationale/FN 308 Match and L1A1 Sporter; (xliv) HK USC; (xlv) IZHMASH Saiga AK; (xlvi) SIG Sauer 551-A1, 556, 516, 716 and M400 Rifles; (xlvii) Valmet M62S, M71S and M78S; (xlviii) Wilkinson Arms Linda Carbine; and (xlix) Barrett M107A1;

**(C)** Any of the following specified semiautomatic pistols, or copies or duplicates thereof with the capability of any such pistols, that were in production prior to or on April 4, 2013: (i) Centurion 39 AK; (ii) Draco AK-47; (iii) HCR AK-47; (iv) IO Inc. Hellpup AK-47; (v) Mini-Draco AK-47; (vi) Yugo Krebs Krink; (vii) American Spirit AR-15; (viii) Bushmaster Carbon 15; (ix) Doublestar Corporation AR; (x) DPMS AR-15; (xi) Olympic Arms AR-15; (xii) Rock River Arms LAR 15; (xiii) Calico Liberty III and III Tactical Pistols; (xiv) Masterpiece Arms MPA Pistols and Velocity Arms VMA Pistols; (xv) Intratec TEC-DC9 and AB-10; (xvi) Colefire Magnum; (xvii) German Sport 522 PK and Chiappa Firearms Mfour-22; (xviii) DSA SA58 PKP FAL; (xix) I.O. Inc. PPS-43C; (xx) Kel-Tec PLR-16 Pistol; (xxi) Sig Sauer P516 and P556 Pistols; and (xxii) Thompson TA5 Pistols;

**(D)** Any of the following semiautomatic shotguns, or copies or duplicates thereof with the capability of any such shotguns that were in production prior to or on April 4, 2013: All IZHMASH Saiga 12 Shotguns;

**(E)** Any semiautomatic firearm regardless of whether such firearm is listed in subparagraphs (A) to (D), inclusive, of this subdivision, and regardless of the date such firearm was produced, that meets the following criteria:

**(i)** A semiautomatic, centerfire rifle that has an ability to accept a detachable magazine and has at least one of the following:

**(I)** A folding or telescoping stock;

**(II)** Any grip of the weapon, including a pistol grip, a thumbhole stock, or any other stock, the use of which would allow an individual to grip the weapon, resulting in any finger on the trigger hand in addition to the trigger finger being directly below any portion of the action of the weapon when firing;

**(III)** A forward pistol grip;

**(IV)** A flash suppressor; or

**(V)** A grenade launcher or flare launcher; or

**(ii)** A semiautomatic, centerfire rifle that has a fixed magazine with the ability to accept more than ten rounds; or

**(iii)** A semiautomatic, centerfire rifle that has an overall length of less than thirty inches; or

**(iv)** A semiautomatic pistol that has an ability to accept a detachable magazine and has at least one of the following:

**(I)** An ability to accept a detachable ammunition magazine that attaches at some location outside of the pistol grip;

**(II)** A threaded barrel capable of accepting a flash suppressor, forward pistol grip or silencer;

**(III)** A shroud that is attached to, or partially or completely encircles, the barrel and that permits the shooter to fire the firearm without being burned, except a slide that encloses the barrel; or

**(IV)** A second hand grip; or

**(v)** A semiautomatic pistol with a fixed magazine that has the ability to accept more than ten rounds; or

**(vi)** A semiautomatic shotgun that has both of the following:

**(I)** A folding or telescoping stock; and

**(II)** Any grip of the weapon, including a pistol grip, a thumbhole stock, or any other stock, the use of which would allow an individual to grip the weapon, resulting in any finger on the trigger hand in addition to the trigger finger being directly below any portion of the action of the weapon when firing; or

**(vii)** A semiautomatic shotgun that has the ability to accept a detachable magazine; or

**(viii)** A shotgun with a revolving cylinder; or

(ix) Any semiautomatic firearm that meets the criteria set forth in subdivision (3) or (4) of subsection (a) of § 53-202a of the general statutes, revision of 1958, revised to January 1, 2013; or

(F) A part or combination of parts designed or intended to convert a firearm into an assault weapon, as defined in any provision of subparagraphs (B) to (E), inclusive, of this subdivision, or any combination of parts from which an assault weapon, as defined in any provision of subparagraphs (B) to (E), inclusive, of this subdivision, may be assembled if those parts are in the possession or under the control of the same person;

(2) "Assault weapon" does not include (A) any firearm modified to render it permanently inoperable, or (B) a part or any combination of parts of an assault weapon, that are not assembled as an assault weapon, when in the possession of a licensed gun dealer, as defined in subsection (f) of § 53-202f, or a gunsmith who is in the licensed gun dealer's employ, for the purposes of servicing or repairing lawfully possessed assault weapons under §§ 53-202a to 53-202k, inclusive;

(3) "Action of the weapon" means the part of the firearm that loads, fires and ejects a cartridge, which part includes, but is not limited to, the upper and lower receiver, charging handle, forward assist, magazine release and shell deflector;

(4) "Detachable magazine" means an ammunition feeding device that can be removed without disassembling the firearm action;

(5) "Firearm" means a firearm, as defined in § 53a-3;

(6) "Forward pistol grip" means any feature capable of functioning as a grip that can be held by the nontrigger hand;

(7) "Lawfully possesses" means, with respect to an assault weapon described in any provision of subparagraphs (B) to (F), inclusive, of this subdivision, (A) actual possession that is lawful under §§ 53-202b to 53-202k, (B) constructive possession pursuant to a lawful purchase transacted prior to or on April 4, 2013, regardless of whether the assault weapon was delivered to the purchaser prior to or on April 4, 2013, which lawful purchase is evidenced by a writing sufficient to indicate that (i) a contract for sale was made between the parties prior to or on April 4, 2013, for the purchase of the assault weapon, or (ii) full or partial payment for the assault weapon was made by the purchaser to the seller of the assault weapon prior to or on April 4, 2013, or (C) actual possession under subparagraph (A) of this subdivision, or constructive possession under subparagraph (B) of this subdivision, as evidenced by a written statement made under penalty of false statement on such form as the Commissioner of Emergency Services and Public Protection prescribes;

(8) "Pistol grip" means a grip or similar feature that can function as a grip for the trigger hand; and

(9) "Second hand grip" means a grip or similar feature that can function as a grip that is additional to the trigger hand grip.

(9) "Second hand grip" means a grip or similar feature that can function as a grip that is additional to the trigger hand grip.

**Sec. 53-202b. Sale or transfer of assault weapon prohibited. Exemptions. Olympic pistols. Regulations. Class C felony.**

(a) (1) Any person who, within this state, distributes, transports or imports into the state, keeps for sale, or offers or exposes for sale, or who gives any assault weapon, except as provided by §§ 53-202a to 53-202k, inclusive, shall be guilty of a class C felony and shall be sentenced to a term of imprisonment of which 2 years may not be suspended or reduced by the court.

(2) Any person who transfers, sells or gives any assault weapon to a person under 18 years of age in violation of subdivision (1) of this subsection shall be sentenced to a term of imprisonment of 6 years, which shall not be suspended or reduced by the court and shall be in addition and consecutive to the term of imprisonment imposed under subdivision (1) of this subsection.

(b) The provisions of subsection (a) of this section shall not apply to:

(1) The sale of assault weapons to: (A) The Department of Emergency Services and Public Protection, police departments, the Department of Correction, the Division of Criminal Justice, the Department of Motor Vehicles, the Department of Energy and Environmental Protection or the military or naval forces of this state or of the United States; (B) a sworn and duly certified member of an organized police department, the Division of State Police within the Department of Emergency Services and Public Protection or the Department of Correction, a chief inspector or inspector in the Division of Criminal Justice, a salaried inspector of motor vehicles designated by the Commissioner of Motor Vehicles, a conservation officer or special conservation officer appointed by the Commissioner of Energy and Environmental Protection pursuant to § 26-5, or a constable who is certified by the Police Officer Standards and Training Council and appointed by the chief executive authority of a town, city or borough to perform criminal law enforcement duties, pursuant to a letter on the letterhead of such department, division, commissioner or authority authorizing the purchase and stating that the sworn member, inspector, officer or constable will use the assault weapon in the discharge of official duties, and that a records check indicates that the sworn member, inspector, officer or constable has not been convicted of a crime of family violence, for use by such sworn member, inspector, officer or constable in the discharge of such sworn member's, inspector's, officer's or constable's official duties or when off duty, (C) a member of the military or naval forces of this state or of the United States, or (D) a nuclear facility licensed by the United States Nuclear Regulatory Commission for the purpose of providing security services at such facility, or any contractor or subcontractor of such facility for the purpose of providing security services at such facility;

(2) A person who is the executor or administrator of an estate that includes an assault weapon for which a certificate of possession has been issued under § 53-202d which is disposed of as authorized by the Probate Court, if the disposition is otherwise permitted by §§ 53-202a to 53-202k, inclusive;

(3) The transfer of an assault weapon for which a certificate of possession has been issued under § 53-202d, by bequest or intestate succession, or, upon the death of a testator or settlor: (A) To a trust, or (B) from a trust to a beneficiary who is eligible to possess the assault weapon;

**(4)** The sale of a semiautomatic pistol that is defined as an assault weapon in any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a that the Commissioner of Emergency Services and Public Protection designates as being designed expressly for use in target shooting events at the Olympic games sponsored by the International Olympic Committee pursuant to regulations adopted under this subdivision, and for which the purchaser signs a form prescribed by the commissioner and provided by the seller that indicates that the pistol will be used by the purchaser primarily for target shooting practice and events. The Commissioner of Emergency Services and Public Protection shall adopt regulations, in accordance with chapter 54, to designate semiautomatic pistols that are defined as assault weapons in any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a that may be sold pursuant to this subdivision, provided the use of such pistols is sanctioned by the International Olympic Committee and USA Shooting, or any subsequent corresponding governing board for international shooting competition in the United States.

**Sec. 53-202c. Possession of assault weapon prohibited. Exemptions. Class D felony.**

**(a)** Except as provided in § 53-202e, any person who, within this state, possesses an assault weapon, except as provided in §§ 53-202a to 53-202k, inclusive, and 53-202o, shall be guilty of a class D felony and shall be sentenced to a term of imprisonment of which 1 year may not be suspended or reduced by the court, except that a first-time violation of this subsection shall be a class A misdemeanor if **(1)** the person presents proof that such person lawfully possessed the assault weapon **(A)** prior to October 1, 1993, with respect to an assault weapon described in subparagraph (A) of subdivision (1) of § 53-202a, or **(B)** on April 4, 2013, under the provisions of §§ 53-202a to 53-202k, inclusive, in effect on January 1, 2013, with respect to an assault weapon described in any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a, and **(2)** the person has otherwise possessed the assault weapon in compliance with subsection (f) of § 53-202d.

**(b)** The provisions of subsection (a) of this section shall not apply to the possession of assault weapons by: **(1)** The Department of Emergency Services and Public Protection, police departments, the Department of Correction, the Division of Criminal Justice, the Department of Motor Vehicles, the Department of Energy and Environmental Protection or the military or naval forces of this state or of the United States, **(2)** a sworn and duly certified member of an organized police department, the Division of State Police within the Department of Emergency Services and Public Protection or the Department of Correction, a chief inspector or inspector in the Division of Criminal Justice, a salaried inspector of motor vehicles designated by the Commissioner of Motor Vehicles, a conservation officer or special conservation officer appointed by the Commissioner of Energy and Environmental Protection pursuant to § 26-5, or a constable who is certified by the Police Officer Standards and Training Council and appointed by the chief executive authority of a town, city or borough to perform criminal law enforcement duties, for use by such sworn member, inspector, officer or constable in the discharge of such sworn member's, inspector's, officer's or constable's official duties or when off duty, **(3)** a member of the military or naval forces of this state or of the United States, or **(4)** a nuclear facility licensed by the United States Nuclear Regulatory Commission for the purpose of providing security services at such facility, or any contractor or subcontractor of such facility for the purpose of providing security services at such facility.

**(c)** The provisions of subsection (a) of this section shall not apply to the possession of an assault weapon described in subparagraph (A) of subdivision (1) of § 53-202a by any person prior to July 1, 1994, if all of the following are applicable:

**(1)** The person is eligible under §§ 53-202a to 53-202k, inclusive, to apply for a certificate of possession for the assault weapon by July 1, 1994;

**(2)** The person lawfully possessed the assault weapon prior to October 1, 1993; and

**(3)** The person is otherwise in compliance with §§ 53-202a to 53-202k, inclusive.

**(d)** The provisions of subsection (a) of this section shall not apply to the possession of an assault weapon described in any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a by any person prior to April 5, 2013, if all of the following are applicable:

**(1)** The person is eligible under §§ 53-202a to 53-202k, inclusive, to apply for a certificate of possession for the assault weapon by January 1, 2014;

**(2)** The person lawfully possessed the assault weapon on April 4, 2013, under the provisions of §§ 53-202a to 53-202k, inclusive, in effect on January 1, 2013; and

**(3)** The person is otherwise in compliance with §§ 53-202a to 53-202k, inclusive.

**(e)** The provisions of subsection (a) of this section shall not apply to a person who is the executor or administrator of an estate that includes an assault weapon, or the trustee of a trust that includes an assault weapon, for which a certificate of possession has been issued under § 53-202d if the assault weapon is possessed at a place set forth in subdivision (1) of subsection (f) of § 53-202d or as authorized by the Probate Court.

**(f)** The provisions of subsection (a) of this section shall not apply to the possession of a semiautomatic pistol that is defined as an assault weapon in any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a that the Commissioner of Emergency Services and Public Protection designates as being designed expressly for use in target shooting events at the Olympic games sponsored by the International Olympic Committee pursuant to regulations adopted under subdivision (4) of subsection (b) of § 53-202b that is **(1)** possessed and transported in accordance with subsection (f) of § 53-202d, or **(2)** possessed at or transported to or from a collegiate, Olympic or target pistol shooting competition in this state which is sponsored by, conducted under the auspices of, or approved by a law enforcement agency or a nationally or state recognized entity that fosters proficiency in, or promotes education about, firearms, provided such pistol is transported in the manner prescribed in subsection (a) of § 53-202f.

**Sec. 53-202d. Certificate of possession of assault weapon. Certificate of transfer of assault weapon to gun dealer. Circumstances where possession of assault weapon authorized.**

**(a) (1) (A)** Except as provided in subparagraph (B) of this subdivision, any person who lawfully possesses an assault weapon, as defined in subparagraph (A) of subdivision (1) of § 53-202a, prior to October 1, 1993, shall apply by October 1, 1994, or, if such person is a member of the military or naval forces of this state or of the United States and is unable to apply by October 1, 1994, because such member is or was on official duty outside of this state, shall apply within 90 days of returning to the state to the Department of Emergency Services and Public Protection, for a certificate of possession with respect to such assault weapon.

**(B)** No person who lawfully possesses an assault weapon pursuant to subdivision (1), (2) or (4) of subsection (b) of § 53-202c shall be required to obtain a certificate of possession pursuant to this subdivision with respect to an assault weapon used for official duties, except that any person described in subdivision (2) of subsection (b) of § 53-202c who purchases an assault weapon, as defined in subparagraph (A) of subdivision (1) of § 53-202a, for use in the discharge of official duties who retires or is otherwise separated from service shall apply within 90 days of such retirement or separation from service to the Department of Emergency Services and Public Protection for a certificate of possession with respect to such assault weapon.

**(2) (A)** Except as provided in subparagraph (B) of this subdivision, any person who lawfully possesses an assault weapon, as defined in any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a, on April 4, 2013, under the provisions of §§ 53-202a to 53-202k, inclusive, in effect on January 1, 2013, or any person who regains possession of an assault weapon as defined in any provision of said subparagraphs pursuant to subsection (e) of § 53-202f, or any person who lawfully purchases a firearm on or after April 4, 2013, but prior to June 18, 2013, that meets the criteria set forth in subdivision (3) or (4) of subsection (a) of § 53-202a of the general statutes, revision of 1958, revised to January 1, 2013, shall apply by January 1, 2014, or, if such person is a member of the military or naval forces of this state or of the United States and is unable to apply by January 1, 2014, because such member is or was on official duty outside of this state, shall apply within 90 days of returning to the state to the Department of Emergency Services and Public Protection for a certificate of possession with respect to such assault weapon. Any person who lawfully purchases a semiautomatic pistol that is defined as an assault weapon in any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a that the Commissioner of Emergency Services and Public Protection designates as being designed expressly for use in target shooting events at the Olympic games sponsored by the International Olympic Committee pursuant to regulations adopted under subdivision (4) of subsection (b) of § 53-202b shall apply within 90 days of such purchase to the Department of Emergency Services and Public Protection for a certificate of possession with respect to such assault weapon.

**(B)** No person who lawfully possesses an assault weapon pursuant to subdivision (1), (2) or (4) of subsection (b) of § 53-202c shall be required to obtain a certificate of possession pursuant to this subdivision with respect to an assault weapon used for official duties, except that any person described in subdivision (2) of subsection (b) of § 53-202c who purchases an assault weapon, as defined in any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a for use in the discharge of official duties who retires or is otherwise separated from service shall apply within 90 days of such retirement or separation from service to the Department of Emergency Services and Public Protection for a certificate of possession with respect to such assault weapon.

**(3)** Any person who obtained a certificate of possession for an assault weapon, as defined in subparagraph (A) of subdivision (1) of § 53-202a, prior to April 5, 2013, that is defined as an assault weapon pursuant to any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a shall be deemed to have obtained a certificate of possession for such assault weapon for the purposes of §§ 53-202a to 53-202k, inclusive, and shall not be required to obtain a subsequent certificate of possession for such assault weapon.

**(4)** The certificate of possession shall contain a description of the firearm that identifies it uniquely, including all identification marks, the full name, address, date of birth and thumbprint of the owner, and any other information as the department may deem appropriate.

**(5)** The department shall adopt regulations, in accordance with the provisions of chapter 54, to establish procedures with respect to the application for and issuance of certificates of possession pursuant to this section. Notwithstanding the provisions of §§ 1-210 and 1-211, the name and address of a person issued a certificate of possession shall be confidential and shall not be disclosed, except such records may be disclosed to **(A)** law enforcement agencies and employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, and **(B)** the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of § 17a-500.

**(b) (1)** No assault weapon, as defined in subparagraph (A) of subdivision (1) of § 53-202a, possessed pursuant to a certificate of possession issued under this section may be sold or transferred on or after January 1, 1994, to any person within this state other than to a licensed gun dealer, as defined in subsection (f) of § 53-202f, or as provided in § 53-202e, or by bequest or intestate succession, or, upon the death of a testator or settlor: **(A)** To a trust, or **(B)** from a trust to a beneficiary who is eligible to possess the assault weapon.

**(2)** No assault weapon, as defined in any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a, possessed pursuant to a certificate of possession issued under this section may be sold or transferred on or after April 5, 2013, to any person within this state other than to a licensed gun dealer, as defined in subsection (f) of § 53-202f,



or as provided in § 53-202e, or by bequest or intestate succession, or, upon the death of a testator or settlor: (A) To a trust, or (B) from a trust to a beneficiary who is eligible to possess the assault weapon.

**(c)** Any person who obtains title to an assault weapon for which a certificate of possession has been issued under this section by bequest or intestate succession shall, within 90 days of obtaining title, apply to the Department of Emergency Services and Public Protection for a certificate of possession as provided in subsection (a) of this section, render the assault weapon permanently inoperable, sell the assault weapon to a licensed gun dealer or remove the assault weapon from the state.

**(d)** Any person who moves into the state in lawful possession of an assault weapon, shall, within 90 days, either render the assault weapon permanently inoperable, sell the assault weapon to a licensed gun dealer or remove the assault weapon from this state, except that any person who is a member of the military or naval forces of this state or of the United States, is in lawful possession of an assault weapon and has been transferred into the state after October 1, 1994, may, within 90 days of arriving in the state, apply to the Department of Emergency Services and Public Protection for a certificate of possession with respect to such assault weapon.

**(e)** If an owner of an assault weapon sells or transfers the assault weapon to a licensed gun dealer, such dealer shall, at the time of delivery of the assault weapon, execute a certificate of transfer and cause the certificate of transfer to be mailed or delivered to the Commissioner of Emergency Services and Public Protection. The certificate of transfer shall contain: **(1)** The date of sale or transfer; **(2)** the name and address of the seller or transferor and the licensed gun dealer, their Social Security numbers or motor vehicle operator license numbers, if applicable; **(3)** the licensed gun dealer's federal firearms license number and seller's permit number; **(4)** a description of the assault weapon, including the caliber of the assault weapon and its make, model and serial number; and **(5)** any other information the commissioner prescribes. The licensed gun dealer shall present such dealer's motor vehicle operator's license or Social Security card, federal firearms license and seller's permit to the seller or transferor for inspection at the time of purchase or transfer. The Commissioner of Emergency Services and Public Protection shall maintain a file of all certificates of transfer at the commissioner's central office.

**(f)** Any person who has been issued a certificate of possession for an assault weapon under this section may possess the assault weapon only under the following conditions:

**(1)** At that person's residence, place of business or other property owned by that person, or on property owned by another person with the owner's express permission;

**(2)** While on the premises of a target range of a public or private club or organization organized for the purpose of practicing shooting at targets;

**(3)** While on a target range which holds a regulatory or business license for the purpose of practicing shooting at that target range;

**(4)** While on the premises of a licensed shooting club;

**(5)** While attending any exhibition, display or educational project which is about firearms and which is sponsored by, conducted under the auspices of, or approved by a law enforcement agency or a nationally or state recognized entity that fosters proficiency in, or promotes education about, firearms;

**(6)** While transporting the assault weapon between any of the places set forth in this subsection, or to any licensed gun dealer, as defined in subsection (f) of § 53-202f, for servicing or repair pursuant to subsection (c) of § 53-202f, provided the assault weapon is transported as required by § 53-202f;

**(7)** With respect to a nonresident of this state, while transporting a semiautomatic pistol that is defined as an assault weapon in any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a that the Commissioner of Emergency Services and Public Protection designates as being designed expressly for use in target shooting events at the Olympic games sponsored by the International Olympic Committee pursuant to regulations adopted under subdivision (4) of subsection (b) of § 53-202b, into or through this state in order to attend any exhibition, display or educational project described in subdivision (5) of this subsection, or to participate in a collegiate, Olympic or target pistol shooting competition in this state which is sponsored by, conducted under the auspices of, or approved by a law enforcement agency or a nationally or state recognized entity that fosters proficiency in, or promotes education about, firearms, provided **(A)** such pistol is transported into or through this state not more than 48 hours prior to or after such exhibition, display, project or competition, **(B)** such pistol is unloaded and carried in a locked carrying case and the ammunition for such pistol is carried in a separate locked container, **(C)** such nonresident has not been convicted of a felony in this state or of an offense in another state that would constitute a felony if committed in this state, and **(D)** such nonresident has in his or her possession a pistol permit or firearms registration card if such permit or card is required for possession of such pistol under the laws of his or her state of residence.

**Sec.53-202e. Relinquishment of assault weapon to law enforcement agency.** Any individual may arrange in advance to relinquish an assault weapon to a police department or the Department of Emergency Services and Public Protection. The assault weapon shall be transported in accordance with the provisions of § 53-202f.

**Sec. 53-202f. Transportation and transfer of assault weapon. Authorized actions of gun dealer, manufacturer, pawnbroker or consignment shop operator.**

**(a)** While transporting an assault weapon between any of the places set forth in subdivisions (1) to (6), inclusive, of subsection (f) of § 53-202d, no person shall carry a loaded assault weapon concealed from public view or knowingly have, in any motor vehicle owned, operated or occupied by such person **(1)** a loaded assault weapon, or **(2)** an unloaded

assault weapon unless such weapon is kept in the trunk of such vehicle or in a case or other container which is inaccessible to the operator of such vehicle or any passenger in such vehicle. The provisions of this subsection shall not apply to a member, inspector, officer or constable that possesses an assault weapon pursuant to subdivision (2) of subsection (b) of § 53-202c. Any person who violates the provisions of this subsection shall be guilty of a class E felony.

**(b)** Any licensed gun dealer, as defined in subsection (f) of this section, who lawfully possesses an assault weapon pursuant to § 53-202d, in addition to the uses allowed in § 53-202d, may transport the assault weapon between dealers or out of the state, display the assault weapon at any gun show licensed by a state or local governmental entity or sell the assault weapon to a resident outside the state. Any transporting of the assault weapon allowed by this subsection must be done as required by subsection (a) of this section.

**(c) (1)** Any licensed gun dealer, as defined in subsection (f) of this section, or a federally-licensed firearm manufacturer may take possession of any assault weapon for the purposes of servicing or repair from any person to whom has been issued a certificate of possession for such weapon pursuant to §§ 53-202a to 53-202k, inclusive.

**(2)** Any licensed gun dealer may transfer possession of any assault weapon received pursuant to subdivision (1) of this subsection to a gunsmith for purposes of accomplishing service or repair of the same. Such transfers are permissible only to the following persons:

**(A)** A gunsmith who is in the licensed gun dealer's employ; or

**(B)** A gunsmith with whom the dealer has contracted for gunsmithing services, provided the gunsmith receiving the assault weapon holds a dealer's license issued pursuant to Chapter 44, commencing with § 921, of Title 18 of the United States Code and the regulations issued pursuant thereto.

**(d)** Not later than December 31, 2013, any person who lawfully possessed an assault weapon described in any provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of § 53-202a on April 4, 2013, which was lawful under the provisions of §§ 53-202a to 53-202k, inclusive, in effect on January 1, 2013, may transfer possession of the assault weapon to a licensed gun dealer within or outside of this state for sale outside of this state, and may transport the assault weapon to such dealer for the purpose of making such transfer, without obtaining a certificate of possession under § 53-202d.

**(e)** Not later than October 1, 2013, any licensed gun dealer, pawnbroker licensed under § 21-40, or consignment shop operator, as defined in § 21-39a, may transfer possession of an assault weapon to any person who **(1)** legally possessed the assault weapon prior to or on April 4, 2013, **(2)** placed the assault weapon in the possession of such dealer, pawnbroker or operator prior to or on April 4, 2013, pursuant to an agreement between such person and such dealer, pawnbroker or operator for the sale of the assault weapon to a third person, and **(3)** is eligible to possess a firearm on the date of such transfer.

**(f)** The term "licensed gun dealer", as used in §§ 53-202a to 53-202k, inclusive, means a person who has a federal firearms license and a permit to sell firearms pursuant to § 29-28.

**Sec. 53-202g. Report of loss or theft of assault weapon or other firearm. Penalty.**

**(a)** Any person who lawfully possesses an assault weapon under §§ 53-202a to 53-202k, inclusive, or a firearm, as defined in § 53a-3, that is lost or stolen from such person shall report the loss or theft to the organized local police department for the town in which the loss or theft occurred or, if such town does not have an organized local police department, to the state police troop having jurisdiction for such town within 72 hours of when such person discovered or should have discovered the loss or theft. Such department or troop shall forthwith forward a copy of such report to the Commissioner of Emergency Services and Public Protection. The provisions of this subsection shall not apply to the loss or theft of an antique firearm as defined in § 29-37a.

**(b)** Any person who fails to make a report required by subsection (a) of this section, within the prescribed time period shall commit an infraction and be fined not more than \$90 for a first offense and be guilty of a class C felony for any subsequent offense, except that, if such person intentionally fails to make such report within the prescribed time period, such person shall be guilty of a class B felony. Any person who violates subsection (a) of this section for the first offense shall not lose such person's right to hold or obtain any firearm permit under the general statutes.

**Sec. 53-202h. Temporary transfer or possession of assault weapon for transport to out-of-state event.** The provisions of subsection (a) of § 53-202b and subsection (a) of § 53-202c shall not apply to the temporary transfer or possession of an assault weapon, for which a certificate of possession has been issued pursuant to § 53-202d, for purposes of transporting such weapon to and from any shooting competition or exhibition, display or educational project which is about firearms and which is sponsored by, conducted under the auspices of, or approved by a law enforcement agency or a nationally or state recognized entity that fosters proficiency in, or promotes education about, firearms, which competition, exhibition, display or educational project is held outside this state.

**Sec. 53-202i. Circumstances in which manufacture, transportation or temporary transfer of assault weapons not prohibited.** Nothing in §§ 53-202a to 53-202k, inclusive, shall be construed to prohibit a federally-licensed firearm manufacturer engaged in the business of manufacturing assault weapons in this state from (1) manufacturing or transporting assault weapons in this state for sale within this state in accordance with subdivision (1) of subsection (b) of § 53-202b or for sale outside this state, or (2) transporting and temporarily transferring assault weapons to and from a third party for the sole purpose of permitting the third party to perform a function in the manufacturing production process.

**Sec. 53-202j. Commission of a class A, B or C felony with an assault weapon: Eight-year nonsuspendable sentence.** Any person who commits any class A, B or C felony and in the commission of such felony uses, or is armed with and threatens the use of, or displays, or represents by his words or conduct that he possesses an assault weapon, as defined in § 53-202a, shall be imprisoned for a term of 8 years, which shall not be suspended or reduced and shall be in addition and consecutive to any term of imprisonment imposed for conviction of such felony.

**Sec. 53-202k. Commission of a class A, B or C felony with a firearm: Five-year nonsuspendable sentence.** Any person who commits any class A, B or C felony and in the commission of such felony uses, or is armed with and threatens the use of, or displays, or represents by his words or conduct that he possesses any firearm, as defined in § 53a-3, except an assault weapon, as defined in § 53-202a, shall be imprisoned for a term of 5 years, which shall not be suspended or reduced and shall be in addition and consecutive to any term of imprisonment imposed for conviction of such felony.

**Sec. 53-202l. Armor piercing and incendiary .50 caliber ammunition: Definition. Sale or transfer prohibited. Class D felony.**

(a) For the purposes of this section:

(1) "Armor piercing bullet" means (A) any .50 caliber bullet that (i) is designed for the purpose of, (ii) is held out by the manufacturer or distributor as, or (iii) is generally recognized as having a specialized capability to penetrate armor or bulletproof glass, including, but not limited to, such bullets commonly designated as "M2 Armor-Piercing" or "AP", "M8 Armor-Piercing Incendiary" or "API", "M20 Armor-Piercing Incendiary Tracer" or "APIT", "M903 Caliber .50 Saboted Light Armor Penetrator" or "SLAP", or "M962 Saboted Light Armor Penetrator Tracer" or "SLAPT", or (B) any bullet that can be fired from a pistol or revolver that (i) has projectiles or projectile cores constructed entirely, excluding the presence of traces of other substances, from tungsten alloys, steel, iron, brass, bronze, beryllium copper or depleted uranium, or (ii) is fully jacketed with a jacket weight of more than 25% of the total weight of the projectile, is larger than .22 caliber and is designed and intended for use in a firearm, and (iii) does not have projectiles whose cores are composed of soft materials such as lead or lead alloys, zinc or zinc alloys, frangible projectiles designed primarily for sporting purposes, or any other projectiles or projectile cores that the Attorney General of the United States finds to be primarily intended to be used for sporting purposes or industrial purposes or that otherwise does not constitute "armor piercing ammunition" as defined in federal law. "Armor piercing bullet" does not include a shotgun shell.

(2) "Incendiary .50 caliber bullet" means any .50 caliber bullet that (A) is designed for the purpose of, (B) is held out by the manufacturer or distributor as, or (C) is generally recognized as having a specialized capability to ignite upon impact, including, but not limited to, such bullets commonly designated as "M1 Incendiary", "M23 Incendiary", "M8 Armor-Piercing Incendiary" or "API", or "M20 Armor-Piercing Incendiary Tracer" or "APIT".

(b) Any person who knowingly distributes, transports or imports into the state, keeps for sale or offers or exposes for sale or gives to any person any ammunition that is an armor piercing bullet or an incendiary .50 caliber bullet shall be guilty of a class D felony, except that a first-time violation of this subsection shall be a class A misdemeanor.

(c) Any person who knowingly transports or carries a firearm with an armor piercing bullet or incendiary .50 caliber bullet loaded shall be guilty of a class D felony.

(d) The provisions of subsections (b) and (c) of this section shall not apply to the following:

(1) The sale of such ammunition to the Department of Emergency Services and Public Protection, police departments, the Department of Correction or the military or naval forces of this state or of the United States for use in the discharge of their official duties;

(2) A sworn and duly certified member of the Department of Emergency Services and Public Protection or a police department when transporting or carrying a firearm with an armor piercing bullet or incendiary .50 caliber bullet loaded;

(3) A person who is the executor or administrator of an estate that includes such ammunition that is disposed of as authorized by the Probate Court; or

(4) The transfer of such ammunition by bequest or intestate succession, or, upon the death of a testator or settlor: (A) To a trust, or (B) from a trust to a beneficiary who is eligible to possess such ammunition.

(e) If the court finds that a violation of this section is not of a serious nature and that the person charged with such violation (1) will probably not offend in the future, (2) has not previously been convicted of a violation of this section, and (3) has not previously had a prosecution under this section suspended pursuant to this subsection, it may order suspension of prosecution in accordance with the provisions of subsection (h) of § 29-33.

**Sec. 53-202m. Circumstances when assault weapons exempt from limitations on transfers and registration requirements.** Notwithstanding any provision of the general statutes, §§ 53-202a to 53-202l, inclusive, shall not be construed to limit the transfer or require the registration of an assault weapon as defined in subdivision (3) or (4) of subsection (a) of § 53-202a of the general statutes, revision of 1958, revised to January 1, 2013, provided such firearm was legally manufactured prior to September 13, 1994.

**Sec. 53-202n. Possession of specified assault weapon permitted under certain circumstances. Notice requirement.**

(a) For the purposes of subsection (a) of § 53-202c, this section and § 53-202o, "specified assault weapon" means any of the following firearms: Auto-Ordnance Thompson type, Avtomat Kalashnikov AK-47 type, or MAC-10, MAC-11 and MAC-11 Carbine type.

**(b)** The provisions of subsection (a) of § 53-202c shall not apply to any person who **(1)** in good faith purchased or otherwise obtained title to a specified assault weapon on or after October 1, 1993, and prior to May 8, 2002, in compliance with any state and federal laws concerning the purchase or transfer of firearms, **(2)** is not otherwise disqualified or prohibited from possessing such specified assault weapon, and **(3)** has notified the Department of Emergency Services and Public Protection in accordance with subsection (c) of this section prior to October 1, 2003, that he or she possesses such specified assault weapon.

**(c)** A person complies with the notice requirement of subdivision (3) of subsection (b) of this section if such person provides the Department of Emergency Services and Public Protection with: **(1)** A copy of the proof of purchase for such specified assault weapon, and **(2)** one of the following: **(A)** A copy of state form DPS-3 with respect to such specified assault weapon, **(B)** a copy of federal ATF Form 4473 with respect to such specified assault weapon, or **(C)** a sworn affidavit from such person that such specified assault weapon was purchased in compliance with any state and federal laws concerning the purchase or transfer of firearms; except that, if such person does not have a copy of the proof of purchase for such specified assault weapon, such person may satisfy the requirement of subdivision (1) of this subsection by, not later than January 1, 2003, providing such information as the department may require on a form prescribed by the department together with a sworn affidavit from such person that such specified assault weapon was purchased in compliance with any state and federal laws concerning the purchase or transfer of firearms.

**(d)** Any person who is a member of the military or naval forces of this state or of the United States and is unable to meet the notice requirements of subdivision (3) of subsection (b) and of subsection (c) of this section by October 1, 2003, because such person is or was on official duty outside this state, may file such notice within 90 days of returning to the state.

**(e)** As proof that a person has complied with the notice requirement of this section and that such notice has been received by the Department of Emergency Services and Public Protection, the department shall issue a certificate of possession for such specified assault weapon. Such certificate shall contain a description of the firearm that identifies it uniquely, including all identification marks, and the full name, address and date of birth of the owner.

#### **Sec. 53-202o. Affirmative defense in prosecution for possession of specified assault weapon.**

**(a)** In any prosecution for a violation of § 53-202c based on the possession by the defendant of a specified assault weapon, it shall be an affirmative defense that the defendant **(1)** in good faith purchased or otherwise obtained title to such specified assault weapon on or after October 1, 1993, and prior to May 8, 2002, in compliance with any state and federal laws concerning the purchase or transfer of firearms, **(2)** is not otherwise disqualified or prohibited from possessing such specified assault weapon, and **(3)** has possessed such specified assault weapon in compliance with subsection (f) of § 53-202d.

**(b)** In any such prosecution, if such defendant proves such affirmative defense by a preponderance of the evidence, the specified assault weapon shall be returned to such defendant upon such defendant notifying the Department of Emergency Services and Public Protection in accordance with subdivision (3) of subsection (b) and of subsection (c) of § 53-202n and obtaining a certificate of possession, provided such notification is made not later than October 1, 2003.

#### **Sec. 53-202w. Large capacity magazines. Definitions. Sale, transfer or possession prohibited. Exceptions.**

**(a)** As used in this section and § 53-202x:

**(1)** "Large capacity magazine" means any firearm magazine, belt, drum, feed strip or similar device that has the capacity of, or can be readily restored or converted to accept, more than ten rounds of ammunition, but does not include:

**(A)** A feeding device that has been permanently altered so that it cannot accommodate more than ten rounds of ammunition, **(B)** a .22 caliber tube ammunition feeding device, **(C)** a tubular magazine that is contained in a lever-action firearm, or **(D)** a magazine that is permanently inoperable;

**(2)** "Lawfully possesses", with respect to a large capacity magazine, means that a person has **(A)** actual and lawful possession of the large capacity magazine, **(B)** constructive possession of the large capacity magazine pursuant to a lawful purchase of a firearm that contains a large capacity magazine that was transacted prior to or on April 4, 2013, regardless of whether the firearm was delivered to the purchaser prior to or on April 4, 2013, which lawful purchase is evidenced by a writing sufficient to indicate that **(i)** a contract for sale was made between the parties prior to or on April 4, 2013, for the purchase of the firearm, or **(ii)** full or partial payment for the firearm was made by the purchaser to the seller of the firearm prior to or on April 4, 2013, or **(C)** actual possession under subparagraph (A) of this subdivision, or constructive possession under subparagraph (B) of this subdivision, as evidenced by a written statement made under penalty of false statement on such form as the Commissioner of Emergency Services and Public Protection prescribes; and

**(3)** "Licensed gun dealer" means a person who has a federal firearms license and a permit to sell firearms pursuant to § 29-28.

**(b)** Except as provided in this section, on and after April 5, 2013, any person who, within this state, distributes, imports into this state, keeps for sale, offers or exposes for sale, or purchases a large capacity magazine shall be guilty of a class D felony. On and after April 5, 2013, any person who, within this state, transfers a large capacity magazine, except as provided in subsection (f) of this section, shall be guilty of a class D felony.

**(c)** Except as provided in this section and § 53-202x: **(1)** Any person who possesses a large capacity magazine on or after January 1, 2014, that was obtained prior to April 5, 2013, shall commit an infraction and be fined not more than \$90 for a first offense and shall be guilty of a class D felony for any subsequent offense, and **(2)** any person who possesses a large

capacity magazine on or after January 1, 2014, that was obtained on or after April 5, 2013, shall be guilty of a class D felony.

**(d)** A large capacity magazine may be possessed, purchased or imported by:

**(1)** The Department of Emergency Services and Public Protection, police departments, the Department of Correction, the Division of Criminal Justice, the Department of Motor Vehicles, the Department of Energy and Environmental Protection or the military or naval forces of this state or of the United States;

**(2)** A sworn and duly certified member of an organized police department, the Division of State Police within the Department of Emergency Services and Public Protection or the Department of Correction, a chief inspector or inspector in the Division of Criminal Justice, a salaried inspector of motor vehicles designated by the Commissioner of Motor Vehicles, a conservation officer or special conservation officer appointed by the Commissioner of Energy and Environmental Protection pursuant to § 26-5, or a constable who is certified by the Police Officer Standards and Training Council and appointed by the chief executive authority of a town, city or borough to perform criminal law enforcement duties, for use by such sworn member, inspector, officer or constable in the discharge of such sworn member's, inspector's, officer's or constable's official duties or when off duty;

**(3)** A member of the military or naval forces of this state or of the United States;

**(4)** A nuclear facility licensed by the United States Nuclear Regulatory Commission for the purpose of providing security services at such facility, or any contractor or subcontractor of such facility for the purpose of providing security services at such facility;

**(5)** Any person who is sworn and acts as a policeman on behalf of an armored car service pursuant to § 29-20 in the discharge of such person's official duties; or

**(6)** Any person, firm or corporation engaged in the business of manufacturing large capacity magazines in this state that manufactures, purchases, tests or transports large capacity magazines in this state for sale within this state to persons specified in subdivisions (1) to (5), inclusive, of this subsection or for sale outside this state, or a federally-licensed firearm manufacturer engaged in the business of manufacturing firearms or large capacity magazines in this state that manufactures, purchases, tests or transports firearms or large capacity magazines in this state for sale within this state to persons specified in subdivisions (1) to (5), inclusive, of this subsection or for sale outside this state.

**(e)** A large capacity magazine may be possessed by:

**(1)** A licensed gun dealer;

**(2)** A gunsmith who is in a licensed gun dealer's employ, who possesses such large capacity magazine for the purpose of servicing or repairing a lawfully possessed large capacity magazine;

**(3)** A person, firm, corporation or federally-licensed firearm manufacturer described in subdivision (6) of subsection (d) of this section that possesses a large capacity magazine that is lawfully possessed by another person for the purpose of servicing or repairing the large capacity magazine;

**(4)** Any person who has declared possession of the magazine pursuant to § 53-202x; or

**(5)** Any person who is the executor or administrator of an estate that includes a large capacity magazine, or the trustee of a trust that includes a large capacity magazine, the possession of which has been declared to the Department of Emergency Services and Public Protection pursuant to § 53-202x, which is disposed of as authorized by the Probate Court, if the disposition is otherwise permitted by this section and § 53-202x.

**(f)** Subsection (b) of this section shall not prohibit:

**(1)** The transfer of a large capacity magazine, the possession of which has been declared to the Department of Emergency Services and Public Protection pursuant to § 53-202x, by bequest or intestate succession, or, upon the death of a testator or settlor: **(A)** To a trust, or **(B)** from a trust to a beneficiary;

**(2)** The transfer of a large capacity magazine to a police department or the Department of Emergency Services and Public Protection;

**(3)** The transfer of a large capacity magazine to a licensed gun dealer in accordance with § 53-202x; or

**(4)** The transfer of a large capacity magazine prior to October 1, 2013, from a licensed gun dealer, pawnbroker licensed under § 21-40, or consignment shop operator, as defined in § 21-39a, to any person who **(A)** possessed the large capacity magazine prior to or on April 4, 2013, **(B)** placed a firearm that such person legally possessed, with the large capacity magazine included or attached, in the possession of such dealer, pawnbroker or operator prior to or on April 4, 2013, pursuant to an agreement between such person and such dealer, pawnbroker or operator for the sale of the firearm to a third person, and **(C)** is eligible to possess the firearm on the date of such transfer.

**(g)** If the court finds that a violation of this section is not of a serious nature and that the person charged with such violation **(1)** will probably not offend in the future, **(2)** has not previously been convicted of a violation of this section, and **(3)** has not previously had a prosecution under this section suspended pursuant to this subsection, it may order suspension of prosecution in accordance with the provisions of subsection (h) of § 29-33.

#### **Sec. 53-202x. Declaration of possession of large capacity magazine. Regulations.**

**(a)(1)** Except as provided in subdivision (2) of this subsection, any person who lawfully possesses a large capacity magazine prior to January 1, 2014, shall apply by January 1, 2014, or, if such person is a member of the military or naval forces of this state or of the United States and is unable to apply by January 1, 2014, because such member is or was on official duty outside of this state, shall apply within 90 days of returning to the state to the Department of Emergency Services and Public Protection to declare possession of such magazine. Such application shall be made on such form or in such manner as the Commissioner of Emergency Services and Public Protection prescribes.

**(2)** No person who lawfully possesses a large capacity magazine pursuant to subdivision (1), (2), (4) or (5) of subsection (d) of § 53-202w shall be required to declare possession of a large capacity magazine pursuant to this section with respect to a large capacity magazine used for official duties, except that any such person who retires or is otherwise separated from service who possesses a large capacity magazine that was purchased or obtained by such person for official use before such person retired or separated from service shall declare possession of the large capacity magazine within 90 days of such retirement or separation from service to the Department of Emergency Services and Public Protection. No person that lawfully possesses a large capacity magazine pursuant to subdivision (6) of subsection (d) of § 53-202w shall be required to declare possession of such large capacity magazine.

**(b)** In addition to the application form prescribed under subsection (a) of this section, the department shall design or amend the application forms for a certificate of possession for an assault weapon under § 53-202d or for a permit to carry a pistol or revolver under § 29-28a, a long gun eligibility certificate under § 29-37p, an eligibility certificate for a pistol or revolver under § 29-36f or any renewal of such permit or certificate to permit an applicant to declare possession of a large capacity magazine pursuant to this section upon the same application.

**(c)** The department may adopt regulations, in accordance with the provisions of chapter 54, to establish procedures with respect to applications under this section. Notwithstanding the provisions of §§ 1-210 and 1-211, the name and address of a person who has declared possession of a large capacity magazine shall be confidential and shall not be disclosed, except such records may be disclosed to **(1)** law enforcement agencies and employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, and **(2)** the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of § 17a-500.

**(d)** Any person who moves into the state in lawful possession of a large capacity magazine shall, within 90 days, either render the large capacity magazine permanently inoperable, sell the large capacity magazine to a licensed gun dealer or remove the large capacity magazine from this state, except that any person who is a member of the military or naval forces of this state or of the United States, is in lawful possession of a large capacity magazine and has been transferred into the state after January 1, 2014, may, within 90 days of arriving in the state, apply to the Department of Emergency Services and Public Protection to declare possession of such large capacity magazine.

**(e)** **(1)** If an owner of a large capacity magazine transfers the large capacity magazine to a licensed gun dealer, such dealer shall, at the time of delivery of the large capacity magazine, execute a certificate of transfer. For any transfer prior to January 1, 2014, the dealer shall provide to the Commissioner of Emergency Services and Public Protection monthly reports, on such form as the commissioner prescribes, regarding the number of transfers that the dealer has accepted. For any transfer on or after January 1, 2014, the dealer shall cause the certificate of transfer to be mailed or delivered to the Commissioner of Emergency Services and Public Protection. The certificate of transfer shall contain: **(A)** The date of sale or transfer; **(B)** the name and address of the seller or transferor and the licensed gun dealer, and their Social Security numbers or motor vehicle operator license numbers, if applicable; **(C)** the licensed gun dealer's federal firearms license number; and **(D)** a description of the large capacity magazine.

**(2)** The licensed gun dealer shall present such dealer's federal firearms license and seller's permit to the seller or transferor for inspection at the time of purchase or transfer.

**(f)** Any person who declared possession of a large capacity magazine under this section may possess the large capacity magazine only under the following conditions:

**(1)** At that person's residence;

**(2)** At that person's place of business or other property owned by that person, provided such large capacity magazine contains not more than ten bullets;

**(3)** While on the premises of a target range of a public or private club or organization organized for the purpose of practicing shooting at targets;

**(4)** While on a target range which holds a regulatory or business license for the purpose of practicing shooting at that target range;

**(5)** While on the premises of a licensed shooting club;

**(6)** While transporting the large capacity magazine between any of the places set forth in this subsection, or to any licensed gun dealer, provided **(A)** such large capacity magazine contains not more than ten bullets, and **(B)** the large capacity magazine is transported in the manner required for an assault weapon under subdivision (2) of subsection (a) of § 53-202f; or

**(7)** Pursuant to a valid permit to carry a pistol or revolver, provided such large capacity magazine **(A)** is within a pistol or revolver that was lawfully possessed by the person prior to April 5, 2013, **(B)** does not extend more than one inch below the bottom of the pistol grip, and **(C)** contains not more than ten bullets.

**(g)** Any person who violates the provisions of subsection (f) of this section shall be guilty of a class C misdemeanor.

#### **Sec. 53-202aa. Firearms trafficking: Class C or B felony.**

**(a)** A person is guilty of firearms trafficking if such person, knowingly and intentionally, directly or indirectly, causes one or more firearms that such person owns, is in possession of or is in control of to come into the possession of or control of another person who such person knows or has reason to believe is prohibited from owning or possessing any firearm under state or federal law.

**(b)** **(1)** Any person who violates any provision of this section shall be guilty of a class C felony if such person, on or after October 1, 2007, but prior to October 1, 2013, sells, delivers or otherwise transfers 5 or fewer firearms, and a class B

felony if such person, on or after October 1, 2007, but prior to October 1, 2013, sells, delivers or otherwise transfers more than 5 firearms. **(2)** Any person who violates any provision of this section on or after October 1, 2013, shall be guilty of a class B felony for which 3 years of the sentence imposed may not be suspended or reduced by the court, and \$10,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

**(c)** For the purposes of this section, "firearm" means "firearm" as defined in § 53a-3, but does not include a rifle or shotgun or an antique firearm as defined in § 29-37a.

**Sec. 53-203. Unlawful discharge of firearms.** Any person who intentionally, negligently or carelessly discharges any firearm in such a manner as to be likely to cause bodily injury or death to persons or domestic animals, or the wanton destruction of property, shall be guilty of a class C misdemeanor.

**Sec. 53-204. Hunting or discharging firearm from public highway.** Any person who hunts or discharges any firearm from any public highway shall be fined not more than \$100. This section shall not apply to any law or conservation enforcement officer in the performance of his duty. Enforcement officers of the Department of Energy and Environmental Protection are empowered to arrest for the violation of the provisions of this section.

**Sec. 53-205. Loaded shotguns, rifles and muzzleloaders prohibited in vehicles and snowmobiles.**

**(a)** No person shall carry or possess in any vehicle or snowmobile any shotgun, rifle or muzzleloader of any gauge or caliber while such shotgun, rifle or muzzleloader contains in the barrel, chamber or magazine any loaded shell or cartridge capable of being discharged or when such muzzleloader has a percussion cap in place or when the powder pan of a flintlock contains powder. As used in this subsection, "muzzleloader" means a rifle or shotgun that is incapable of firing a self-contained cartridge and must be loaded at the muzzle end.

**(b)** The enforcement officers of the Department of Energy and Environmental Protection are empowered to enforce this section.

**(c)** The provisions of this section shall not apply to members of the military departments of the government or state while on duty or while traveling to or from assignments, or to enforcement officers, security guards or other persons employed to protect public or private property while in the performance of such duties.

**(d)** Any person who violates any provision of this section shall be guilty of a class D misdemeanor.

**Sec. 53-206b. Unlawful training in use of firearms, explosive or incendiary devices or techniques capable of causing injury. Class C felony.**

**(a)** As used in this section:

**(1)** "Civil disorder" means a public disturbance involving acts of violence by a group of 3 or more persons which causes an immediate danger of or results in damage to the property of or injury to any other person.

**(2)** "Explosive or incendiary device" means **(A)** dynamite and all other forms of high explosives, **(B)** any explosive bomb, grenade, missile or similar device, and **(C)** any incendiary bomb or grenade, fire bomb or similar device, including any device which **(i)** consists of or includes a breakable container which contains a flammable liquid or compound and a wick composed of any material which, when ignited, is capable of igniting such flammable liquid or compound, and **(ii)** can be carried or thrown by an individual.

**(3)** "Firearm" means a firearm as defined in § 53a-3.

**(b)** No person shall **(1)** teach or demonstrate to any person the use, application or making of any firearm, explosive or incendiary device, or technique capable of causing injury or death to a person, knowing or intending that such firearm, explosive, incendiary device or technique will be unlawfully employed for use in, or in furtherance of, a civil disorder; or **(2)** assemble with one or more persons for the purpose of training with, practicing with or being instructed in the use of any firearm, explosive or incendiary device, or technique capable of causing injury or death to a person, intending to employ unlawfully such firearm, explosive, incendiary device or technique for use in, or in furtherance of, a civil disorder.

**(c)** Any person who violates any provision of this section shall be guilty of a class C felony.

**(d)** Nothing in this section shall make unlawful any act of any peace officer, as defined in § 53a-3, performed in the lawful discharge of his official duties.

**Sec. 53-206c. Sale, carrying and brandishing of facsimile firearms prohibited. Class B misdemeanor.**

**(a)** For the purposes of this section:

**(1)** "Facsimile of a firearm" means **(A)** any nonfunctional imitation of an original firearm which was manufactured, designed and produced since 1898, or **(B)** any nonfunctional representation of a firearm other than an imitation of an original firearm, provided such representation could reasonably be perceived to be a real firearm. Such term does not include any look-a-like, nonfiring, collector replica of an antique firearm developed prior to 1898, or traditional BB. or pellet-firing air gun that expels a metallic or paint-contained projectile through the force of air pressure.

**(2)** "Firearm" means firearm as defined in § 53a-3.

**(b)** No person shall give, offer for sale or sell any facsimile of a firearm. The provisions of this subsection shall not apply to any facsimile of a firearm, which, because of its distinct color, exaggerated size or other design feature, cannot reasonably be perceived to be a real firearm.

**(c)** Except in self-defense, no person shall carry, draw, exhibit or brandish a facsimile of a firearm or simulate a firearm in a threatening manner, with intent to frighten, vex or harass another person.

**(d)** No person shall draw, exhibit or brandish a facsimile of a firearm or simulate a firearm in the presence of a peace

officer, firefighter, emergency medical technician or paramedic engaged in the performance of his duties knowing or having reason to know that such peace officer, firefighter, emergency medical technician or paramedic is engaged in the performance of his duties, with intent to impede such person in the performance of such duties.

(e) Any person who violates any provision of this section shall be guilty of a class B misdemeanor.

**Sec. 53-206d. Carrying a firearm while under the influence of intoxicating liquor or drug prohibited. Hunting while under the influence of intoxicating liquor or drug or while impaired by the consumption of intoxicating liquor prohibited.**

(a) (1) No person shall carry a pistol, revolver, machine gun, shotgun, rifle or other firearm, which is loaded and from which a shot may be discharged, upon his person (A) while under the influence of intoxicating liquor or any drug, or both, or (B) while the ratio of alcohol in the blood of such person is eight-hundredths of one per cent or more of alcohol, by weight.

(2) Any person who violates any provision of this subsection shall be guilty of a class B misdemeanor.

(b) (1) No person shall engage in hunting while under the influence of intoxicating liquor or any drug, or both. A person shall be deemed under the influence when at the time of the alleged offense the person (A) is under the influence of intoxicating liquor or any drug, or both, or (B) has an elevated blood alcohol content. For the purposes of this subdivision, "elevated blood alcohol content" means (i) a ratio of alcohol in the blood of such person that is eight-hundredths of one per cent or more of alcohol, by weight, or (ii) if such person is under 21 years of age, a ratio of alcohol in the blood of such person that is 2/100 of 1% or more of alcohol, by weight.

(2) Any person who violates any provision of this subsection shall be guilty of a class A misdemeanor.

**Sec. 53-206f. Failure of parent or guardian to halt illegal possession of firearm by minor child.** Any parent or guardian of a minor child who, knowing that such child possesses a firearm, as defined in § 53a-3, and is ineligible to possess such firearm, fails to make reasonable efforts to halt such possession shall be guilty of (1) a class A misdemeanor, or (2) if such child causes the injury or death of another person with such firearm, a class D felony.

**TITLE 53A: Penal Code  
Chapter 950: General Provisions**

**Sec. 53a-3. Definitions.** Except where different meanings are expressly specified, the following terms have the following meanings when used in this title:

(1) "Person" means a human being, and, where appropriate, a public or private corporation, a limited liability company, an unincorporated association, a partnership, a government or a governmental instrumentality;

(15) "Machine gun" means a weapon of any description, irrespective of size, by whatever name known, loaded or unloaded, from which a number of shots or bullets may be rapidly or automatically discharged from a magazine with one continuous pull of the trigger and includes a submachine gun;

(16) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger;

(17) "Shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger;

(18) "Pistol" or "revolver" means any firearm having a barrel less than twelve inches;

(19) "Firearm" means any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver or other weapon, whether loaded or unloaded from which a shot may be discharged;

(20) "Electronic defense weapon" means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device;

**Chapter 951. Penal Code: Statutory Construction; Principles of Criminal Liability**

**Sec. 53a-16a. Affirmative defense in certain situations involving firearms; exceptions.** In any prosecution for an offense under § 53a-55a, 53a-56a, 53a-60a, 53a-92a, 53a-94a, 53a-102a or 53a-103a, it shall be an affirmative defense that the pistol, revolver, rifle, shotgun, machine gun or other firearm was not a weapon from which a shot could be discharged, but it shall not be an affirmative defense to any prosecution under § 53a-55, 53a-56, 53a-60, 53a-92, 53a-94, 53a-102 or 53a-103.

**Sec. 53a-16b. Affirmative defense of coparticipant to offense with firearm.** In any prosecution for an offense under § 53a-55a, 53a-56a, 53a-60a, 53a-92a, 53a-94a, 53a-102a or 53a-103a in which the defendant was not the only participant, it shall be an affirmative defense that the defendant: (1) Was not armed with a pistol, revolver, machine gun, shotgun, rifle or other firearm, and (2) had no reasonable ground to believe that any other participant was armed with such a weapon.



**Chapter 952: Offenses**  
**Part XXI Miscellaneous Offenses**

**Sec. 53a-211. Possession of a sawed-off shotgun or silencer: Class D felony.**

(a) A person is guilty of possession of a sawed-off shotgun or a silencer when he owns, controls or possesses any sawed-off shotgun that has a barrel of less than 18 inches or an overall length of less than 26 inches or when he owns, controls or possesses any silencer designed to muffle the noise of a firearm during discharge.

(b) The provisions of this section shall not apply to persons, firms, corporations or museums licensed or otherwise permitted by federal or state law to possess, control or own sawed-off shotguns or silencers.

(c) Possession of a sawed-off shotgun or a silencer is a class D felony.

**Sec. 53a-212. Stealing a firearm: Class C felony.**

(a) A person is guilty of stealing a firearm when, with intent to deprive another person of such other person's firearm or to appropriate the firearm to such person or a third party, such person wrongfully takes, obtains or withholds a firearm, as defined in subdivision (19) of § 53a-3.

(b) Stealing a firearm is a class C felony for which 2 years of the sentence imposed may not be suspended or reduced by the court, and \$5,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

**Sec. 53a-216. Criminal use of firearm or electronic defense weapon: Class D felony.**

(a) A person is guilty of criminal use of a firearm or electronic defense weapon when he commits any class A, B or C or unclassified felony as defined in § 53a-25 and in the commission of such felony he uses or threatens the use of a pistol, revolver, machine gun, shotgun, rifle or other firearm or electronic defense weapon. No person shall be convicted of criminal use of a firearm or electronic defense weapon and the underlying felony upon the same transaction but such person may be charged and prosecuted for both such offenses upon the same information.

(b) Criminal use of a firearm or electronic defense weapon is a class D felony for which 5 years of the sentence imposed may not be suspended or reduced by the court.

**Sec. 53a-217. Criminal possession of a firearm, ammunition or an electronic defense weapon: Class C felony.**

(a) A person is guilty of criminal possession of a firearm, ammunition or an electronic defense weapon when such person possesses a firearm, ammunition or an electronic defense weapon and (1) has been convicted of a felony committed prior to, on or after October 1, 2013, or of a violation of § 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d committed on or after October 1, 2013, (2) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in § 46b-120, (3) has been discharged from custody within the preceding 20 years after having been found not guilty of a crime by reason of mental disease or defect pursuant to § 53a-13, (4) knows that such person is subject to (A) a restraining or protective order of a court of this state that has been issued against such person, after notice has been provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, or (B) a foreign order of protection, as defined in § 46b-15a, that has been issued against such person in a case involving the use, attempted use or threatened use of physical force against another person, (5) (A) has been confined on or after October 1, 2013, in a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 60 months by order of a probate court, or with respect to any person who holds a valid permit or certificate that was issued or renewed under the provisions of § 29-28, as amended by this act, or 29-36f, as amended by this act, in effect prior to October 1, 2013, such person has been confined in such hospital within the preceding 12 months, or (B) has been voluntarily admitted on or after October 1, 2013, to a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 6 months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in § 17a-680, (6) knows that such person is subject to a firearms seizure order issued pursuant to subsection (d) of § 29-38c after notice and an opportunity to be heard has been provided to such person, or (7) is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4). For the purposes of this section, "convicted" means having a judgment of conviction entered by a court of competent jurisdiction, "ammunition" means a loaded cartridge, consisting of a primed case, propellant or projectile, designed for use in any firearm, and a motor vehicle violation for which a sentence to a term of imprisonment of more than 1 year may be imposed shall be deemed an unclassified felony.

(b) Criminal possession of a firearm, ammunition or an electronic defense weapon is a class C felony, for which 2 years of the sentence imposed may not be suspended or reduced by the court, and \$5,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

**Sec. 53a-217a. Criminally negligent storage of a firearm: Class D felony.**

(a) A person is guilty of criminally negligent storage of a firearm when such person violates the provisions of § 29-37i and a minor or, a resident of the premises who is ineligible to possess a firearm under state or federal law or who poses a risk of imminent personal injury to himself or herself or to other individuals, obtains the firearm and causes the injury or death of such minor, resident or any other person. For the purposes of this section, "minor" means any person under the age of 16 years.

(b) The provisions of this section shall not apply if the minor obtains the firearm as a result of an unlawful entry to any

premises by any person.

**(c)** Criminally negligent storage of a firearm is a class D felony.

**Sec. 53a-217b. Possession of a weapon on school grounds: Class D felony.**

**(a)** A person is guilty of possession of a weapon on school grounds when, knowing that such person is not licensed or privileged to do so, such person possesses a firearm or deadly weapon, as defined in § 53a-3, (1) in or on the real property comprising a public or private elementary or secondary school, or (2) at a school-sponsored activity as defined in subsection (h) of § 10-233a.

**(b)** The provisions of subsection (a) of this section shall not apply to the otherwise lawful possession of a firearm **(1)** by a person for use in a program approved by school officials in or on such school property or at such school-sponsored activity, **(2)** by a person in accordance with an agreement entered into between school officials and such person or such person's employer, **(3)** by a peace officer, as defined in subdivision (9) of § 53a-3, while engaged in the performance of such peace officer's official duties, **(4)** by a person while traversing such school property for the purpose of gaining access to public or private lands open to hunting or for other lawful purposes, provided such firearm is not loaded and the entry on such school property is permitted by the local or regional board of education, or **(5)** by a motor vehicle inspector, designated under § 14-8 and certified pursuant to § 7-294d, while engaged in the performance of such motor vehicle inspector's official duties.

**(c)** Possession of a weapon on school grounds is a class D felony.

**Sec. 53a-217c. Criminal possession of a pistol or revolver: Class C felony.**

**(a)** A person is guilty of criminal possession of a pistol or revolver when such person possesses a pistol or revolver, as defined in § 29-27, and **(1)** has been convicted of a felony committed prior to, on or after October 1, 2013, or of a violation of § 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d committed on or after October 1, 1994, **(2)** has been convicted as delinquent for the commission of a serious juvenile offense, as defined in § 46b-120, **(3)** has been discharged from custody within the preceding 20 years after having been found not guilty of a crime by reason of mental disease or defect pursuant to § 53a-13, **(4) (A)** has been confined prior to October 1, 2013, in a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 12 months by order of a probate court, or has been confined on or after October 1, 2013, in a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 60 months by order of a probate court, or, with respect to any person who holds a valid permit or certificate that was issued or renewed under the provisions of § 29-28, as amended by this act, or 29-36f, as amended by this act, in effect prior to October 1, 2013, such person has been confined in such hospital within the preceding 12 months, or **(B)** has been voluntarily admitted on or after October 1, 2013, to a hospital for persons with psychiatric disabilities, as defined in § 17a-495, within the preceding 6 months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in § 17a-680, **(5)** knows that such person is subject to (A) a restraining or protective order of a court of this state that has been issued against such person, after notice has been provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, or (B) a foreign order of protection, as defined in § 46b-15a, that has been issued against such person in a case involving the use, attempted use or threatened use of physical force against another person, **(6)** knows that such person is subject to a firearms seizure order issued pursuant to subsection (d) of § 29-38c after notice and an opportunity to be heard has been provided to such person, **(7)** is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4), or **(8)** is an alien illegally or unlawfully in the United States. For the purposes of this section, "convicted" means having a judgment of conviction entered by a court of competent jurisdiction.

**(b)** Criminal possession of a pistol or revolver is a class C felony, for which 2 years of the sentence imposed may not be suspended or reduced by the court, and \$5,000 of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

**Bridgeport Code of Ordinances**  
**TITLE 9 – Public Peace and Welfare**  
**Chapter 9.16 Weapons**

**§ Sec. 9.16.010 Permit to carry certain weapons, Issuance authorized.** Pursuant to § 53-206 of the General Statutes, the mayor or chief of police may, for good and sufficient reason, issue a permit to any proper person to carry any of the weapons or instruments described in such section.

**§ Sec. 9.16.020 Permit to carry certain weapons, Fee.** A fee of \$35 shall be charged for each permit issued pursuant to § 9.16.010.

**§ Sec. 9.16.030 Permit to carry certain weapons, Records, Disposition of fees.** The board of police commissioners shall provide suitable permit books in which permits issued pursuant to § 9.16.010 shall be numbered consecutively and in duplicate.

**§ Sec. 9.16.040 Permit to carry certain weapons, Term, Revocation.** The permit required by § 9.16.010 shall be for the period of 1 year from the date of its issuance and may be revoked by the chief of police during such year at his discretion.

**§ Sec. 9.16.060 Resale of city-owned firearms, Prohibited.**

**A.** All firearms which become the property of the city, either through purchase, seizure, donation or any other means will not be re-sold.

**B.** All firearms will be destroyed, at such time as they are no longer necessary as evidence in a criminal proceeding or for such other use the chief of police determines reasonable and appropriate, so that they cannot be re-sold or re-used by a secondary user or purchaser.

**Municipal Code City of Hartford Codified through Ordinance No. 06-16, adopted June 27, 2016. (Supp. No. 94)**

**Article II. – Pistol Permits**

**Division 1. - Generally**

**Sec. 21-31. - Definitions.** The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Ammunition** means any projectile or other device which will or is designed to or may readily be converted to be expelled from any pistol or revolver.

**Antique pistol or revolver** means any pistol or revolver which was manufactured in or before 1898 and any replica of such pistol or revolver provided such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition except rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and not readily available in the ordinary channel of commercial trade.

**Chief of police** means the chief of police of the city police department.

**Permit** includes the word "license."

**Person** means any individual, corporation, company, association, firm, partnership, society, joint stock company, or organization of any kind.

**Pistol and revolver** mean any firearm having a barrel less than 12 inches in length.

**Transfer** includes to sell, assign, lease, loan, give away, or otherwise cause the lawful title or rightful possession of a firearm to vest in another.

**Division 2. – Sale or Transfer of Pistols and Revolvers**

**Sec. 21-51. - Permit—Required.** It shall be unlawful for any person to advertise, sell, deliver, or offer or expose for sale or delivery, or have in his possession with intent to sell or deliver, or loan, exchange, give away or otherwise transfer the lawful ownership or possession of any pistol or revolver at retail without having a permit therefor issued as provided in this division.

**Sec. 21-52. - Same—Application.** An application for a permit to sell or transfer pistols and revolvers shall be made in writing to the chief of police on such suitable forms provided or approved by him, setting forth the name and social security number of the applicant, the applicant's residence or registered address, and the address where business is to be conducted. The applicant must be a bona fide resident of, or have a place of business in the city in order to be eligible for a permit. The application for a permit shall also state that the applicant (including in the case of a corporation, partnership, or association, any individual possessing, directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership or association) is 18 years of age or older, that he is not under indictment for nor has been convicted in any court of a felony, is not a fugitive from justice, is not addicted to the use of narcotics, has not been a patient in a mental institution within the past 5 years, and is not mentally retarded.

**Sec. 21-53. - Same—Issuance.**

**(a)** The chief of police shall issue a permit to sell or transfer pistols and revolvers to applicants who have satisfactorily complied with the requirements of this division. It shall be the duty of the chief of police to refuse the permit to any applicant who fails, refuses or is unable to comply with all of the requirements specified in this division.

**(b)** The chief of police shall notify the applicant not later than 8 weeks after a sufficient application has been submitted that the request for a permit has been approved or denied.

**Sec. 21-54. - Same—Expiration.** A permit for the sale or transfer of pistols and revolvers shall expire 5 years after the date it becomes effective; and renewal thereof shall expire 5 years after the expiration date of the permit being renewed.

**Sec. 21-55. - Same—Fee.** The fee for each permit issued under the provisions of this division shall be \$15.

**Sec. 21-56. - Same—Revocation.** The chief of police shall have the authority to revoke a permit issued under this division upon determining that the permit holder has violated any provision of this division or is no longer able to fully comply with all of the requirements specified in this division, and the money paid for such permit shall be forfeited to the city.

**Sec. 21-57. - Same—Display at place of sale.** No sale of any pistol or revolver shall be made except in the room, store or place described in the permit for the sale of pistols and revolvers, and such permit or a copy thereof certified by the authority issuing the same shall be exposed to view within the room, store or place where pistols or revolvers are sold or offered or exposed for sale.

**Sec. 21-58. - Required records.**

**(a) Content of records.** Any seller of pistols and revolvers other than a manufacturer selling to a bona fide wholesaler or a retailer or a wholesaler selling to a bona fide retailer shall keep a record of all such pistols and revolvers sold, leased, loaned, given away or otherwise transferred. Such record shall contain the following information:

- (1) The name, social security number, age, address, and permit number of the transferor;
- (2) The name, social security number, age, address, and permit number of the transferee;
- (3) The date of the sale;
- (4) The name of the manufacturer, the caliber, make, model and serial number of the pistol or revolver.

**(b) Inspection.** Records of transfers shall be open for inspection by any duly authorized law enforcement official or by the chief of police or city clerk of the city at all reasonable times.

**(c) Evidence of identification of transferee.** The person to whom the pistol or revolver is to be delivered must provide evidence of his identification. Such evidence must include a picture identification, as well as information as to the bearer's age and address. The record of transfer shall be signed by the transferor and the transferee, each in the presence of the other.

**Sec. 21-59. - Application to purchase.**

**(a) Required; delivery; waiting period.** No person shall transfer a pistol or revolver at retail or otherwise transfer except upon written application on a form prescribed and furnished by the commissioner of public safety in triplicate. A copy of the application is to be mailed by first class mail on the day of receipt to the chief of police and 1 to the commissioner of public safety. No sale or delivery of any pistol or revolver shall be made until the expiration of 2 weeks from the date of the mailing of such copies.

**(b) Exceptions.** The waiting period specified in subsection (a) of this section during which delivery may be made shall not apply to the holder of a valid state permit to carry pistols and revolvers, nor to any federal marshal, sheriff, parole officer or peace officer. The provisions of this section shall not apply to antique pistols or revolvers.

**(c) Prohibited acts.** No person shall sell at retail, deliver or otherwise transfer any pistol or revolver to any alien. No person shall make any false statement or give any false information connected with any purchase or other transfer of any pistol or revolver. No person shall sell or otherwise transfer any pistol or revolver to any other person under the age of 18 years of age.

**Sec. 21-60. - Report of sale or transfer.** Any transferor of pistols and revolvers shall, upon selling or otherwise transferring a pistol or revolver, make a report of the sale or gift, which report shall contain the date of sale or transfer, name, age, address, occupation, physical description of purchaser or donee, the purpose for which purchased, the kind, description, including serial number of the pistol or revolver, and the consideration paid therefor, the city and state permit number, if any, and/or the driver's license number, if any. Such report of sale shall be open for inspection by any duly authorized law enforcement official or by the chief of police or the city clerk at all reasonable times. In addition, the information contained in this section shall be provided by the seller to the chief of police no later than the last business day of each calendar month representing all sales, lease, loans, gifts, or other transfers of any pistol or revolver by the seller.

**Division 2A. – Lost or Stolen Firearms**

**Sec. 21-61. - Statement of intent.** The city's experience is that many firearms used in violent crimes are weapons which have been stolen. Existing state law provides for a statewide firearms tracking task force within the division of state police. Requiring owners of firearms to promptly report to the police the loss or theft of firearms will enable the Hartford Police Department to timely investigate and hopefully solve the incidents of initial theft and may well result in taking firearms off the street before they can be used to perpetrate a violent crime. In addition, this legislation provides the city with a vehicle to recover costs expended in connection with police services from owners who fail to report stolen firearms. The section is within the city's police powers authority and its power to protect the public interest.

**Sec. 21-62. - [Owner to report loss or theft of firearm.]** In the city, any person who is the lawful owner of a firearm and any permitted firearm's owner shall report the loss or theft thereof from premises in the city or from their person to the Hartford Police Department within 72 hours of becoming aware of said theft or loss.

**Sec. 21-63. - [Failure to report loss or theft of firearm.]** In the event that a lost or stolen firearm is determined to have been used to aid or abet the commission of a felony in the city and it shall become known to the Hartford Police that the owner of said firearm failed to report its loss or theft within 72 hours of becoming aware of such loss or theft to the organized local police department in the municipality, or the Connecticut State Police, then the Corporation Counsel for the City of Hartford, on a showing of good cause, and consistent with state law, may sue the said owner to recover the costs to the city of police services and other expenses associated with the investigation and prosecution of said felony.

**Division 3. – Permit to Carry Pistol or Revolver**

**Sec. 21-71. - Required.** It shall be unlawful for any person to have in his possession in the city any pistol or revolver, except when such person is within his dwelling house or place of business, unless a permit to carry a pistol or revolver has been issued in accordance with the provisions of this division.

**Sec. 21-72. - Application.**

**(a) Documents required generally.** Every person applying for a permit to carry a pistol or revolver in the city shall provide the following documents to the Hartford police department, records division, between 8:00 a.m. and 6:00 p.m., Monday through Friday, or 8:00 a.m. to 12:00 noon on Saturday:

- (1) A completed, notarized application form to be provided by the police department;
- (2) Proof of citizenship in the form of a birth certificate or naturalization papers;
- (3) Character references from 3 persons who can testify to the applicant's character and reputation in the community.

The 3 persons cannot be relatives, city police officers, or civilian employees of the city police department. Character references must indicate how long the person has known the applicant, and an evaluation of the character, reputation and suitability of the applicant to carry a pistol or revolver. Character references shall be mailed to:

Hartford Police Department  
50 Jennings Road  
Hartford, CT 06120  
c/o Pistol Permit Unit

(4) A certified check, cashier's check or money order in the amount of \$14 made payable to the Federal Bureau of Investigation, for the cost of an investigation by that agency of the applicant's fingerprints.

**(b) Documents required for specific use.** If you are applying for a permit to carry a pistol or revolver for 1 of the following reasons, the appropriate documents listed below must accompany the application:

- (1) **Security guard:** A letter from the company, on company letterhead, stating the need for a permit.
- (2) **Business use:** In the case of a business owner, a state sales tax certificate. In the case of an employee required to carry large sums of money, a notarized letter on the employer's letterhead indicating that fact.

(3) **Target practice:** A club membership card, or a notarized letter of permission to use a pistol range, or a minimum of 4 receipts in the applicant's name for use of any range. NRA membership alone does not constitute membership in a club.

**(c) Fingerprinting.** The applicant must be fingerprinted at the police department evidentiary services division, between 10:00 a.m. and 2:00 p.m. on Tuesdays or Thursdays (except holidays).

**(d) Range safety and qualification test.** The applicant must contact the police department, records unit, permit section, 6 weeks after being fingerprinted to make an appointment for a range safety and qualification test. Range tests are to be conducted on Wednesdays at 8:00 a.m., by appointment only. The applicant is to report on the day of his appointment to the records unit with his pistol or revolver wrapped in paper and secured with string and shall bring 10 rounds of ammunition wrapped separately.

**Sec. 21-73. - Issuance, fee.** Upon satisfactorily completing all aspects of the application requirements for a permit to carry a pistol or revolver, the applicant will be scheduled to meet with the commander of the records unit of the police department. At that time, a fee of \$15 in cash, check or money order made payable to the city shall be paid and a permit issued. If, at any point in the process an application is denied, the payment to the Federal Bureau of Investigation shall be nonrefundable, however, no other charges for processing the application shall be made.

**Sec. 21-74. - Exceptions to division.** The provisions of this division shall not apply to the carrying of any pistol or revolver by any sheriff, parole officer or peace officer of any other state while engaged in the pursuit of his official duties, or federal marshal or federal law enforcement agent, or to any member of the armed forces of the United States, or of this state, when on duty or going to or from duty, or to any member of any military organization when on parade or when going to or from any place of assembly, or to the transportation of pistols or revolvers as merchandise, or to any person carrying any pistol or revolver while contained in the package in which it was originally wrapped at the time of sale and while carrying the same from the place of sale to the purchaser's residence or place of business, or to any person removing his household goods or effects from one place to another, or to any person while carrying any such pistol or revolver from his place of residence or business to a place or person where or by whom such pistol or revolver is to be repaired or while returning to his place or residence or business after the same has been repaired, or to any person carrying a pistol or revolver in or through the state for the purpose of taking part in competitions or attending any meeting or exhibition of an organized collectors' group if such person is a bona fide resident of the United States having a permit or license to carry a firearm issued by the authority of any other state or subdivision of the United States, or to any person carrying a pistol or revolver to and from a testing range at the request of the issuing authority, or to any person carrying an antique pistol or revolver.

**New Haven Municipal Code**  
**TITLE III – Code of General Ordinances**  
**Chapter 18 – Offenses and Miscellaneous Provisions**  
**Article I. In General**

**Sec. 18-12. - Firearms and ammunition—Sales to children.** No person shall sell to any child under the age of 16 years, without the written consent of the parent or guardian of such child, any cartridge or fixed ammunition of which any fulminate is a component part, or any gun, pistol, or other mechanical contrivance arranged for the explosion of such cartridge, or of any fulminate.

**Sec. 18-12.1. - Same—Sale of pistols and revolvers.**

**(a)** No person shall advertise, sell, offer or expose for sale, or have in his possession with intent to sell, any pistol or revolver at retail unless such person shall have obtained:

**(1)** A federal license as a dealer in firearms or ammunition from the bureau of alcohol, tobacco and firearms;

**(2)** A state permit for the sale at retail of pistols and revolvers within the city; and

**(3)** A state permit to engage in or conduct business as a seller within the State of Connecticut for the place of business in which such a sale of any pistol or revolver at retail shall occur from the state tax commissioner.

**(b)** No sale of any pistol or revolver at retail by any person qualified to conduct such a sale under subsection (a) shall be conducted in a private dwelling, no part of which is open to the general public.

**(c)** All sales of any pistol or revolver at retail by any person qualified to conduct such a sale under subsection (a) shall be conducted in premises located on property zoned as a business district or in premises for which a variance has been granted for the sale of pistols or revolvers at retail.

**(d)** For the purposes of this section:

**(1)** The term "sale of any pistol or revolver at retail" means any transfer of title, exchange or barter, in any manner or by any means whatsoever, of any pistol or revolver for a consideration for any purpose other than resale in the regular course of business;

**(2)** The term "pistol or revolver" means any firearm having a barrel less than 12 inches in length.