



General Assembly

Amendment

February Session, 2022

LCO No. 4744



Offered by:

REP. HORN, 64th Dist.

SEN. OSTEN, 19th Dist.

REP. HOWARD, 43rd Dist.

To: Subst. House Bill No. **5305**

File No. 181

Cal. No. 154

"AN ACT CONCERNING THE PENALTY FOR A FIREARMS DEALER WHO FAILS TO INSTALL A BURGLAR ALARM SYSTEM ON THE PREMISES OF ITS ESTABLISHMENT."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsections (a) and (b) of section 29-28 of the 2022
4 supplement to the general statutes, as amended by section 3 of public
5 act 21-67, are repealed and the following is substituted in lieu thereof
6 (*Effective July 1, 2022*):

7 (a) No person who sells ten or more pistols or revolvers in a calendar
8 year or is a federally licensed firearm dealer shall advertise, sell, deliver,
9 or offer or expose for sale or delivery, or have in such person's
10 possession with intent to sell or deliver, any pistol or revolver at retail
11 without having a permit therefor issued as provided in this subsection.
12 The chief of police or, where there is no chief of police, the [warden of

13 the borough or the first selectman of the town, as the case may be] chief
14 executive officer of the municipality, as defined in section 7-148, or, if
15 designated by such chief executive officer, the resident state trooper
16 serving such municipality or a state police officer of the state police
17 troop having jurisdiction over such municipality, may, upon the
18 application of any person, issue a permit in such form as may be
19 prescribed by the Commissioner of Emergency Services and Public
20 Protection for the sale at retail of pistols and revolvers within the
21 jurisdiction of the authority issuing such permit. No permit for the sale
22 at retail of any pistol or revolver shall be issued unless the applicant
23 holds a valid eligibility certificate for a pistol or revolver issued
24 pursuant to section 29-36f or a valid state permit to carry a pistol or
25 revolver issued pursuant to subsection (b) of this section and the
26 applicant submits documentation sufficient to establish that local
27 zoning requirements have been met for the location where the sale is to
28 take place, except that any person selling or exchanging a pistol or
29 revolver for the enhancement of a personal collection or for a hobby or
30 who sells all or part of such person's personal collection of pistols or
31 revolvers shall not be required to submit such documentation for the
32 location where the sale or exchange is to take place.

33 (b) Upon the application of any person having a bona fide permanent
34 residence within the jurisdiction of any such authority, such chief of
35 police [, warden or selectman] or, where there is no chief of police, such
36 chief executive officer or designated resident state trooper or state police
37 officer, as applicable, may issue a temporary state permit to such person
38 to carry a pistol or revolver within the state, provided such authority
39 shall find that such applicant intends to make no use of any pistol or
40 revolver which such applicant may be permitted to carry under such
41 permit other than a lawful use and that such person is a suitable person
42 to receive such permit. If the applicant has a bona fide permanent
43 residence within the jurisdiction of any federally recognized Native
44 American tribe within the borders of the state, and such tribe has a law
45 enforcement unit, as defined in section 7-294a, the chief of police of such
46 law enforcement unit may issue a temporary state permit to such person

47 pursuant to the provisions of this subsection, and any chief of police of
48 any other law enforcement unit having jurisdiction over an area
49 containing such person's bona fide permanent residence shall not issue
50 such temporary state permit if such tribal law enforcement unit accepts
51 applications for temporary state permits. No state or temporary state
52 permit to carry a pistol or revolver shall be issued under this subsection
53 if the applicant (1) has failed to successfully complete a course approved
54 by the Commissioner of Emergency Services and Public Protection in
55 the safety and use of pistols and revolvers including, but not limited to,
56 a safety or training course in the use of pistols and revolvers available
57 to the public offered by a law enforcement agency, a private or public
58 educational institution or a firearms training school, utilizing instructors
59 certified by the National Rifle Association or the Department of Energy
60 and Environmental Protection and a safety or training course in the use
61 of pistols or revolvers conducted by an instructor certified by the state
62 or the National Rifle Association, (2) has been convicted of (A) a felony,
63 or (B) a misdemeanor violation of section 21a-279 on or after October 1,
64 2015, or (C) a misdemeanor violation of section 53a-58, 53a-61, 53a-61a,
65 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d during the
66 preceding twenty years, (3) has been convicted as delinquent for the
67 commission of a serious juvenile offense, as defined in section 46b-120,
68 (4) has been discharged from custody within the preceding twenty years
69 after having been found not guilty of a crime by reason of mental disease
70 or defect pursuant to section 53a-13, (5) (A) has been confined in a
71 hospital for persons with psychiatric disabilities, as defined in section
72 17a-495, within the preceding sixty months by order of a probate court,
73 or (B) has been voluntarily admitted on or after October 1, 2013, to a
74 hospital for persons with psychiatric disabilities, as defined in section
75 17a-495, within the preceding six months for care and treatment of a
76 psychiatric disability and not solely for being an alcohol-dependent
77 person or a drug-dependent person, as those terms are defined in
78 section 17a-680, (6) is subject to a restraining or protective order issued
79 by a court in a case involving the use, attempted use or threatened use
80 of physical force against another person, including an ex parte order
81 issued pursuant to section 46b-15 or 46b-16a, (7) is subject to a firearms

82 seizure order issued prior to June 1, 2022, pursuant to section 29-38c
83 after notice and hearing, or a risk protection order or risk protection
84 investigation order issued on or after June 1, 2022, pursuant to section
85 29-38c, (8) is prohibited from shipping, transporting, possessing or
86 receiving a firearm pursuant to 18 USC 922(g)(4), (9) is an alien illegally
87 or unlawfully in the United States, or (10) is less than twenty-one years
88 of age. Nothing in this section shall require any person who holds a
89 valid permit to carry a pistol or revolver on October 1, 1994, to
90 participate in any additional training in the safety and use of pistols and
91 revolvers. No person may apply for a temporary state permit to carry a
92 pistol or revolver more than once within any twelve-month period, and
93 no temporary state permit to carry a pistol or revolver shall be issued to
94 any person who has applied for such permit more than once within the
95 preceding twelve months. Any person who applies for a temporary state
96 permit to carry a pistol or revolver shall indicate in writing on the
97 application, under penalty of false statement in such manner as the
98 issuing authority prescribes, that such person has not applied for a
99 temporary state permit to carry a pistol or revolver within the past
100 twelve months. Upon issuance of a temporary state permit to carry a
101 pistol or revolver to the applicant, the local authority shall forward the
102 original application to the commissioner. Not later than sixty days after
103 receiving a temporary state permit, an applicant shall appear at a
104 location designated by the commissioner to receive the state permit. The
105 commissioner may then issue, to any holder of any temporary state
106 permit, a state permit to carry a pistol or revolver within the state. Upon
107 issuance of the state permit, the commissioner shall make available to
108 the permit holder a copy of the law regarding the permit holder's
109 responsibility to report the loss or theft of a firearm and the penalties
110 associated with the failure to comply with such law. Upon issuance of
111 the state permit, the commissioner shall forward a record of such permit
112 to the local authority issuing the temporary state permit. The
113 commissioner shall retain records of all applications, whether approved
114 or denied. The copy of the state permit delivered to the permittee shall
115 be laminated and shall contain a full-face photograph of such permittee.
116 A person holding a state permit issued pursuant to this subsection shall

117 notify the issuing authority within two business days of any change of
118 such person's address. The notification shall include the old address and
119 the new address of such person.

120 Sec. 502. Subsection (a) of section 29-28a of the general statutes is
121 repealed and the following is substituted in lieu thereof (*Effective July 1,*
122 *2022*):

123 (a) Requests for temporary state permits under section 29-28, as
124 amended by this act, shall be submitted to the chief of police, or, where
125 there is no chief of police, to the [warden of the borough or the first
126 selectman of the town, as the case may be] chief executive officer of the
127 municipality, as defined in section 7-148, or, if designated by such chief
128 executive officer, the resident state trooper serving such municipality or
129 a state police officer of the state police troop having jurisdiction over
130 such municipality, on application forms prescribed by the
131 Commissioner of Emergency Services and Public Protection. Upon
132 written request by any person for a temporary state permit not on a
133 prescribed application form, or upon request by any person for such
134 application form, the local authority shall supply such forms. When any
135 such request is made in person at the office of the local authority, the
136 local authority shall supply such application form immediately. When
137 any such request is made in any other manner, the local authority shall
138 supply such application form not later than one week after receiving
139 such request. If such application form is not supplied within the time
140 limits required by this section, the request therefor shall constitute a
141 sufficient application. If any local authority fails to supply an
142 application form upon the request of any person, such person may
143 request an application form from the Commissioner of Emergency
144 Services and Public Protection or any barracks of the Division of State
145 Police, and the time limits and procedures set forth in this section for
146 handling requests for such forms shall be applicable.

147 Sec. 503. Subsection (b) of section 29-29 of the general statutes is
148 repealed and the following is substituted in lieu thereof (*Effective July 1,*
149 *2022*):

150 (b) The local authority, or the commissioner in the case of an
151 application pursuant to subsection (f) of section 29-28, as amended by
152 this act, shall take the fingerprints of such applicant or conduct any
153 other method of positive identification required by the State Police
154 Bureau of Identification or the Federal Bureau of Investigation, unless
155 the local authority or the commissioner determines that the fingerprints
156 of such applicant have been previously taken and the applicant's
157 identity established, and such applicant presents identification that the
158 local authority or the commissioner verifies as valid. The local authority
159 or the commissioner shall record the date the fingerprints were taken in
160 the applicant's file and, within five business days of such date, shall
161 forward such fingerprints or other positive identifying information to
162 the State Police Bureau of Identification which shall conduct criminal
163 history records checks in accordance with section 29-17a.

164 Sec. 504. Subsection (f) of section 29-30 of the general statutes is
165 repealed and the following is substituted in lieu thereof (*Effective July 1,*
166 *2022*):

167 (f) The issuing authority shall send a notice of the expiration of a state
168 permit to carry a pistol or revolver, issued pursuant to section 29-28, as
169 amended by this act, to the holder of such permit, by first class mail, not
170 less than ninety days before such expiration, and shall enclose with such
171 notice a form for the renewal of said state permit. The holder of such
172 permit may mail the form for renewal to the issuing authority and the
173 issuing authority shall accept such form as a valid application for
174 renewal, provided the holder (1) completed the form according to
175 instructions provided by the Department of Emergency Services and
176 Public Protection, (2) enclosed the appropriate fee to renew, in
177 accordance with subsection (a) of this section, (3) enclosed a copy of
178 proof of citizenship or legal residency of the holder, (4) enclosed a full-
179 face photograph of the holder, [that is either notarized or date stamped,]
180 and (5) is otherwise eligible for such permit pursuant to section 29-28,
181 as amended by this act. A state permit to carry a pistol or revolver,
182 issued pursuant to section 29-28, as amended by this act, shall be valid
183 for a period of ninety days after the expiration date, except this

184 provision shall not apply to any state permit to carry a pistol or revolver
185 which has been revoked or for which revocation is pending, pursuant
186 to section 29-32.

187 Sec. 505. Subsection (e) of section 29-33 of the general statutes is
188 repealed and the following is substituted in lieu thereof (*Effective July 1,*
189 *2022*):

190 (e) Upon the sale, delivery or other transfer of any pistol or revolver,
191 the person making the purchase or to whom the same is delivered or
192 transferred shall sign a receipt for such pistol or revolver, which shall
193 contain the name and address of such person, the date of sale, the
194 caliber, make, model and manufacturer's number and a general
195 description of such pistol or revolver, the identification number of such
196 person's permit to carry pistols or revolvers, issued pursuant to
197 subsection (b) of section 29-28, as amended by this act, permit to sell at
198 retail pistols or revolvers, issued pursuant to subsection (a) of said
199 section, or eligibility certificate for a pistol or revolver, issued pursuant
200 to section 29-36f, if any, and the authorization number designated for
201 the transfer by the Department of Emergency Services and Public
202 Protection. The person, firm or corporation selling such pistol or
203 revolver or making delivery or transfer thereof shall (1) give one copy
204 of the receipt to the person making the purchase of such pistol or
205 revolver or to whom the same is delivered or transferred, [shall] (2)
206 retain one copy of the receipt for at least five years, and [shall] (3) send,
207 by first class mail, or electronically transmit, within forty-eight hours of
208 such sale, delivery or other transfer, (A) one copy of the receipt to the
209 Commissioner of Emergency Services and Public Protection, and (B) one
210 copy of the receipt to the chief of police of the municipality in which the
211 transferee resides or, where there is no chief of police, the [warden of
212 the borough or the first selectman of the town, as the case may be, of the
213 town in which the transferee resides] chief executive officer of the
214 municipality, as defined in section 7-148, in which the transferee resides
215 or, if designated by such chief executive officer, the resident state
216 trooper serving such municipality or a state police officer of the state
217 police troop having jurisdiction over such municipality.

218 Sec. 506. Subsection (d) of section 29-37a of the general statutes is
219 repealed and the following is substituted in lieu thereof (*Effective July 1,*
220 *2022*):

221 (d) No person, firm or corporation may sell, deliver or otherwise
222 transfer, at retail, any long gun to any person unless such person makes
223 application on a form prescribed and furnished by the Commissioner of
224 Emergency Services and Public Protection, which shall be attached by
225 the transferor to the federal sale or transfer document and filed and
226 retained by the transferor for at least twenty years or until such
227 transferor goes out of business. Such application shall be available for
228 inspection during normal business hours by law enforcement officials.
229 No such sale, delivery or other transfer of any long gun shall be made
230 until the person, firm or corporation making such sale, delivery or
231 transfer has ensured that such application has been completed properly
232 and has obtained an authorization number from the Commissioner of
233 Emergency Services and Public Protection for such sale, delivery or
234 transfer. The Department of Emergency Services and Public Protection
235 shall make every effort, including performing the national instant
236 criminal background check, to determine if the applicant is eligible to
237 receive such long gun. If it is determined that the applicant is ineligible
238 to receive such long gun, the Commissioner of Emergency Services and
239 Public Protection shall immediately notify the person, firm or
240 corporation to whom such application was made and no such long gun
241 shall be sold, delivered or otherwise transferred to such applicant by
242 such person, firm or corporation. When any long gun is delivered in
243 connection with any sale or purchase, such long gun shall be enclosed
244 in a package, the paper or wrapping of which shall be securely fastened,
245 and no such long gun when delivered on any sale or purchase shall be
246 loaded or contain any gunpowder or other explosive or any bullet, ball
247 or shell. Upon the sale, delivery or other transfer of the long gun, the
248 transferee shall sign in triplicate a receipt for such long gun, which shall
249 contain the name, address and date and place of birth of such transferee,
250 the date of such sale, delivery or transfer and the caliber, make, model
251 and manufacturer's number and a general description thereof. Not later

252 than twenty-four hours after such sale, delivery or transfer, the
253 transferor shall send by first class mail or electronically transfer one
254 receipt to the Commissioner of Emergency Services and Public
255 Protection and one receipt to the chief of police of the municipality in
256 which the transferee resides or, where there is no chief of police, the
257 [warden of the borough or the first selectman, of the town in which the
258 transferee resides] chief executive officer of the municipality, as defined
259 in section 7-148, in which the transferee resides or, if designated by such
260 chief executive officer, the resident state trooper serving such
261 municipality or a state police officer of the state police troop having
262 jurisdiction over such municipality, and shall retain one receipt,
263 together with the original application, for at least five years.

264 Sec. 507. Subdivision (3) of subsection (f) of section 29-37a of the
265 general statutes is repealed and the following is substituted in lieu
266 thereof (*Effective July 1, 2022*):

267 (3) Upon the sale, delivery or other transfer of the long gun, the
268 transferor or transferee shall complete a form, prescribed by the
269 Commissioner of Emergency Services and Public Protection, that
270 contains the name and address of the transferor, the name and address
271 of the transferee, the date and place of birth of such transferee, the
272 firearm permit or certificate number of the transferee, the firearm permit
273 or certificate number of the transferor, if any, the date of such sale,
274 delivery or transfer, the caliber, make, model and manufacturer's
275 number and a general description of such long gun and the
276 authorization number provided by the department. Not later than
277 twenty-four hours after such sale, delivery or transfer, the transferor
278 shall send by first class mail or electronically transfer one copy of such
279 form to the Commissioner of Emergency Services and Public Protection
280 and one copy to the chief of police of the municipality in which the
281 transferee resides or, where there is no chief of police, the [warden of
282 the borough or the first selectman, of the town in which the transferee
283 resides] chief executive officer of the municipality, as defined in section
284 7-148, in which the transferee resides or, if designated by such chief
285 executive officer, the resident state trooper serving such municipality or

286 a state police officer of the state police troop having jurisdiction over
287 such municipality, and shall retain one copy, for at least five years.

288 Sec. 508. Subsection (b) of section 29-37g of the general statutes is
289 repealed and the following is substituted in lieu thereof (*Effective July 1,*
290 *2022*):

291 (b) Not later than thirty days before commencement of a gun show,
292 the gun show promoter shall [notify the chief of police or, where there
293 is no chief of police, the warden of the borough or the first selectman of
294 the town in which the gun show is to take place] provide notice of the
295 date, time, duration and location of the gun show to (1) the chief of
296 police of the municipality in which the gun show is to take place, or (2)
297 where there is no chief of police, the chief executive officer of the
298 municipality, as defined in section 7-148, in which the gun show is to
299 take place or, if designated by such chief executive officer, the resident
300 state trooper serving such municipality or a state police officer of the
301 state police troop having jurisdiction over such municipality."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2022	29-28(a) and (b)
Sec. 502	July 1, 2022	29-28a(a)
Sec. 503	July 1, 2022	29-29(b)
Sec. 504	July 1, 2022	29-30(f)
Sec. 505	July 1, 2022	29-33(e)
Sec. 506	July 1, 2022	29-37a(d)
Sec. 507	July 1, 2022	29-37a(f)(3)
Sec. 508	July 1, 2022	29-37g(b)