

# State Laws and Published Ordinances – Connecticut

Current through all Acts from the 2022 Regular Session

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## Table of Contents

### **Title 29 – Public Safety & State Police** **Chapter 529 – Division of State Police**

- Section 29-27. "Pistol" and "revolver" defined.
- Section 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.
- Section 29-28a. Application for permit. Notice of decision to applicant.
- Section 29-29. Information concerning criminal records of applicants for permits.
- Section 29-30. Fees for pistol and revolver permits. Expiration and renewal of permits.
- Section 29-31. Display of permit to sell. Record of sales.
- Section 29-32. Revocation of permit. Notification. Confiscation. Penalty for failure to surrender permit.
- Section 29-32b. Board of Firearms Permit Examiners. Appeals to board. Hearings.
- Section 29-33. Sale, delivery or transfer of pistols and revolvers. Procedure. Penalty.
- Section 29-34. False statement or information in connection with sale or transfer of pistol or revolver prohibited. Sale or transfer to person under 21 years of age prohibited. Temporary transfers. Penalties.
- Section 29-36. Alteration of firearm identification mark, number or name.
- Section 29-36f. Eligibility certificate for pistol or revolver.
- Section 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.
- Section 29-36h. Fee for eligibility certificate. Expiration and renewal of eligibility certificate.
- Section 29-36i. Revocation of eligibility certificate.
- Section 29-36k. Transfer, delivery or surrender of firearms or ammunition by persons ineligible to possess firearms or ammunition. Destruction of firearms or ammunition. Penalty.
- Section 29-36l. Verification of eligibility of persons to receive or possess firearms. State database. Instant criminal background check. Immunity of seller or transferor. Authorization number required.
- Section 29-36m. Regulations.
- Section 29-36n. Protocol for the transfer, delivery or surrender of pistols, revolvers, other firearms and ammunition.
- Section 29-37a. Sale, delivery or transfer of long guns. Procedure. Penalty.
- Section 29-37b. Retail dealer to equip pistols and revolvers with gun locking device and provide written warning at time of sale. Penalty.
- Section 29-37d. Firearms dealer to install burglar alarm system on premises of its establishment. Exceptions.
- Section 29-37e. False statement or information in connection with sale or transfer of firearm other than pistol or revolver prohibited.
- Section 29-37f. Qualifications of retail store employees who sell firearms.
- Section 29-37g. Gun show requirements.
- Section 29-37i. Responsibilities re storage of loaded firearms.
- Section 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.
- Section 29-37p. Long gun eligibility certificate. Disqualifiers.
- Section 29-37q. Long gun eligibility certificate. Application. Form and content. Confidentiality.
- Section 29-37r. Long gun eligibility certificate. Fees. Expiration and renewal.
- Section 29-37s. Long gun eligibility certificate. Revocation.

Section 29-38. Weapons in vehicles. Penalty. Exceptions.

Section 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.

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

Section 29-38d. Interstate transportation of firearms through state.

Section 29-38m. Sale of ammunition or ammunition magazine.

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

Section 29-38o. Ammunition certificate. Fees. Expiration and renewal.

Section 29-38p. Ammunition certificate. Revocation.

## **Title 53 – Crimes**

### **Chapter 943 – Offenses Against Public Peace & Safety**

Section 53-202. Machine guns.

Section 53-202a. Assault weapons: Definitions.

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

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

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

Section 53-202e. Relinquishment of assault weapon to law enforcement agency.

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

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

Section 53-202h. Temporary transfer or possession of assault weapon for transport to out-of-state event.

Section 53-202i. Circumstances in which manufacture, transportation or temporary transfer of assault weapons not prohibited.

Section 53-202j. Commission of a class A, B or C felony with an assault weapon: Eight-year nonsuspendable sentence.

Section 53-202k. Commission of a class A, B or C felony with a firearm: Five-year nonsuspendable sentence.

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

Section 53-202m. Circumstances when assault weapons exempt from limitations on transfers and registration requirements.

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

Section 53-202o. Affirmative defense in prosecution for possession of specified assault weapon.

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

Section 53-202x. Declaration of possession of large capacity magazine. Regulations.

Section 53-202aa. Firearms trafficking: Class C or B felony.

Section 53-206f. Failure of parent or guardian to halt illegal possession of firearm by minor child.

## **Title 53a – Penal Code**

### **Chapter 950 – General Provisions**

Section 53a-3. Definitions.

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

Section 53a-16a. Affirmative defense in certain situations involving firearms; exceptions.

Section 53a-16b. Affirmative defense of coparticipant to offense with firearm.

### **Chapter 952 – Offenses,**

#### **Part XXI Miscellaneous Offenses**

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

Section 53a-212. Stealing a firearm: Class C felony.

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

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

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

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

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

Bridgeport

Hartford

New Haven

New London

Seymour

**Title 29 – Public Safety & State Police**  
**Chapter 529 – Division of State Police**

**Section 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.

**Section 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 ten 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 chief executive officer of the municipality, as defined in section 7-148, or, if designated by such chief executive officer, the resident state trooper serving such municipality or a state police officer of the state police troop having jurisdiction over such municipality, 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 section 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 or, where there is no chief of police, such chief executive officer or designated resident state trooper or state police officer, as applicable, 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. If the applicant has a bona fide permanent residence within the jurisdiction of any federally recognized Native American tribe within the borders of the state, and such tribe has a law enforcement unit, as defined in section 7-294a, the chief of police of such law enforcement unit may issue a temporary state permit to such person pursuant to the provisions of this subsection, and any chief of police of any other law enforcement unit having jurisdiction over an area containing such person's bona fide permanent residence shall not issue such temporary state permit if such tribal law enforcement unit accepts applications for temporary state permits. 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) a misdemeanor violation of section 21a-279 on or after October 1, 2015, or (C) a misdemeanor violation of section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d during the preceding twenty years, (3) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in section 46b-120, (4) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13, (5) (A) has been confined in a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding sixty 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 section 17a-495, within the preceding six 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 section 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 section 46b-15 or 46b-16a, (7) is subject to a firearms seizure order issued prior to June 1, 2022, pursuant to section 29-38c after notice and hearing, or a risk protection order or risk protection investigation order issued on or after June 1, 2022, pursuant to section 29-38c, (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 twenty-one 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 twelve-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 twelve 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 twelve 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 sixty 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 two 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 [sections 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 [section 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 [section 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 [section 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.

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

(a) Requests for temporary state permits under section 29-28, as amended by this act, shall be submitted to the chief of police, or, where there is no chief of police, to the chief executive officer of the municipality, as defined in section 7-148, or, if designated by such chief executive officer, the resident state trooper serving such municipality or a state police officer of the state police troop having jurisdiction over such municipality, 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 one 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 eight 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 [section 29-32](#).

**Section 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 [section 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, or the commissioner in the case of an application pursuant to subsection (f) of section 29-28, 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 or the commissioner 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 or the commissioner verifies as valid. The local authority or the commissioner shall record the date the fingerprints were taken in the applicant's file and, within five 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 section 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 eight 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.

**Section 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 [section 29-28](#) for the sale at retail of pistols and revolvers shall be two hundred dollars and for each renewal of such permit two hundred dollars. The fee for each state permit originally issued under the provisions of subsection (b) of [section 29-28](#) for the carrying of pistols and revolvers shall be one hundred forty dollars 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 five 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, seventy dollars shall be sent to the commissioner. The fee to renew each state permit originally issued under the provisions of subsection (b) of [section 29-28](#) shall be seventy dollars. Upon deposit of such fees in the General Fund, ten dollars of each fee shall be credited within thirty 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 [section 29-28](#).

(b) A local permit originally issued before October 1, 2001, whether for the sale at retail of pistols and revolvers or for the carrying of pistols and revolvers, shall expire five years after the date it becomes effective and each renewal of such permit shall expire five years after the expiration date of the permit being renewed. 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 [section 29-28](#) for the carrying of pistols and revolvers shall expire five years after the date such permit becomes effective and each renewal of such permit shall expire five 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 sixty 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 thirty-one days before, and not later than thirty-one 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 section 29-28, as amended by this act, to the holder of such permit, by first class mail, not less than ninety 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 full-face photograph of the holder, and (5) is otherwise eligible for such permit pursuant to section 29-28, as amended by this act. A state permit to carry a pistol or revolver, issued pursuant to section 29-28, as amended by this act, shall be valid for a period of ninety 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 section 29-32.

#### **Section 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.

#### **Section 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.

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

(a)...

(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.

(g) ...

**Section 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 [section 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 [section 29-28](#), a valid permit to sell at retail a pistol or revolver issued pursuant to subsection (a) of [section 29-28](#) or a valid eligibility certificate for a pistol or revolver issued pursuant to [section 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 twenty 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 [section 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 [section 53a-217c](#). If the commissioner determines the existence of such a reason, the commissioner shall (1) deny the sale and no pistol or revolver shall be sold, delivered or otherwise transferred by such person, firm or corporation to such applicant, and (2) inform the chief of police of the town in which the applicant resides, 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, that there exists a reason that would prohibit such applicant from possessing a pistol or revolver.

**(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 [section 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 [section 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 one copy of the receipt for at least five years, and shall send, by first class mail, or electronically transmit, within forty-eight 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 supervision of the Court Support Services Division for such period, not exceeding two 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 section 54-142a, as amended by this act. 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 two years of the sentence imposed may not be suspended or reduced by the court, and five thousand dollars 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 three years of the sentence imposed may not be suspended or reduced by the court, and ten thousand dollars 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.

**Section 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 [section 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 this state, or any Department of Motor Vehicles inspector appointed under [section 14-8](#) and certified pursuant to [section 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 [section 27-103](#), or of the state, as defined in [section 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 [section 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 [section 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.

**Section 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, unique serial 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.

**Section 29-36a. Manufacture of a firearm. Acquisition of unique serial number or other mark of identification. Exceptions. Penalty.**

(a) No person shall complete the manufacture of a firearm without subsequently (1) obtaining a unique serial number or other mark of identification from the Department of Emergency Services and Public Protection pursuant to subsection (b) of this section, and (2) engraving upon or permanently affixing to the firearm such serial number or other mark in a manner that conforms with the requirements imposed on licensed importers and licensed manufacturers of firearms pursuant to 18 USC 923(i), as amended from time to time, and any regulation adopted thereunder.

(b) Not later than thirty days after a person completes the manufacture of a firearm or ninety days after the Department of Emergency Services and Public Protection provides notice in accordance with section 29-36b that the system to distribute a unique serial number or other mark of identification pursuant to this section is operational, whichever date is later, such person shall notify the department of such manufacture and provide any identifying information to the department concerning the firearm and the owner of such firearm, in a manner prescribed by the Commissioner of Emergency Services and Public Protection. Upon receiving a properly submitted request for a unique serial number or other mark of identification from a person who completes manufacture of a firearm, the department shall determine if such person is prohibited from purchasing a firearm and if not, shall issue to such person a unique serial number or other mark of identification immediately and in no instance more than three business days after the department receives such request. Issuance of a unique serial number or other mark of identification pursuant to this subsection shall not be evidence that the firearm is otherwise lawfully possessed.

(c) The provisions of subsections (a) and (b) of this section shall not apply to the manufacture of a firearm manufactured using an unfinished frame or lower receiver on which a serial number or other mark has been engraved or permanently affixed pursuant to subsection (c) of section 53-206j.

(d) No person shall transfer to another person any firearm manufactured in violation of this section.

(e) The provisions of this section shall not apply to (1) the manufacture of firearms by a federally licensed firearm manufacturer, (2) (A) any antique firearm, as defined in 18 USC 921, as amended from time to time, or (B) any firearm manufactured prior to the effective date of this section, provided such firearm is otherwise lawfully possessed, or (3) delivery or transfer of a firearm to a law enforcement agency.

(f) No person shall facilitate, aid or abet the manufacture of a firearm (1) by a person or for a person who is otherwise prohibited by law from purchasing or possessing a firearm, or (2) that a person is otherwise prohibited by law from purchasing or possessing.

(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, the court may order suspension of prosecution. The court shall not order suspension of prosecution unless the accused person has acknowledged that he or she 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 or her right to a speedy trial. Such person shall appear in court and shall be released to the supervision of the Court Support Services Division for such period, not exceeding two 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 such person's period of probation, he or she may apply for dismissal of the charges against such person and the court, on finding such satisfactory completion, shall dismiss such charges. If the person does not apply for dismissal of the charges against such person after satisfactorily completing such person's period of probation, the court, upon receipt of a report submitted by

the Court Support Services Division that the person satisfactorily completed such person's 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 section 54-142a, as amended by this act. An order of the court denying a motion to dismiss the charges against a person who has completed such person's period of probation or terminating the participation of a defendant in such program shall be a final judgment for purposes of appeal.

(h) Any person who violates any provision of this section shall be guilty of a class C felony for which two years of the sentence imposed may not be suspended or reduced by the court, and five thousand dollars 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 any provision of this section shall be forfeited.

(i) For purposes of this section, "manufacture" means to fabricate or construct a firearm including the initial assembly, "firearm" means firearm, as defined in section 53a-3, and "law enforcement agency" means law enforcement agency, as defined in section 29-1i.

#### **Section 29-36b. Distribution of unique serial number or other mark of identification for firearms.**

Not later than October 1, 2019, the Department of Emergency Services and Public Protection, in consultation with the federal Bureau of Alcohol, Tobacco, Firearms and Explosives as needed, shall develop and maintain a system to distribute a unique serial number or other mark of identification to any person requesting such number or mark pursuant to section 29-36a or 53-206j, and provide written notification that such system is operational by: (1) Posting the notification on the department's Internet web site, and (2) providing the notification electronically to federally licensed firearm dealers. The department shall maintain identifying information of the person requesting the number or mark and of the firearm or unfinished frame or lower receiver for which each such number or mark is requested.

#### **Section 29-36c. to 29-36e. [Reserved]**

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

(a) Any person who is twenty-one 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) a felony, (B) a misdemeanor violation of [section 21a-279](#) on or after October 1, 2015, or (C) a misdemeanor violation of [section 53a-58](#), [53a-61](#), [53a-61a](#), [53a-62](#), [53a-63](#), [53a-96](#), [53a-175](#), [53a-176](#), [53a-178](#) or [53a-181d](#) during the preceding twenty years; (3) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in [section 46b-120](#); (4) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to [section 53a-13](#); (5) (A) has been confined in a hospital for persons with psychiatric disabilities, as defined in [section 17a-495](#), within the preceding sixty 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 [section 17a-495](#), within the preceding six 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 [section 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 [section 46b-15](#) or [section 46b-16a](#); (7) is subject to a firearms seizure order issued prior to June 1, 2022, pursuant to [section 29-38c](#) after notice and hearing, or a risk protection order or risk protection investigation order issued on or after June 1, 2022, pursuant to [section 29-38c](#); (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.

#### **Section 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)**

- (1)** (1) With respect to any application for an eligibility certificate filed with the Commissioner of Emergency Services and Public Protection on or before July 1, 1995, the commissioner shall, not later than October 1, 1995, (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.
- (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.

#### **Section 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.

#### **Section 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.

**(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.

**Section 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.

**Section 29-36l. 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.

**Section 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.

**Section 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.

**Section 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 [section 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 eighteen 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 five rounds to any person under twenty-one 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 [section 29-37p](#), a valid permit to carry a pistol or revolver issued pursuant to subsection (b) of [section 29-28](#), a valid permit to sell at retail a pistol or revolver issued pursuant to subsection (a) of [section 29-28](#) or a valid eligibility certificate for a pistol or revolver issued pursuant to [section 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 twenty 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 (1) 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, and (2) chief of police of the town in which the applicant resides, 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, that the applicant is not eligible to receive a long gun. 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 twenty-four 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 five 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 [section 29-37p](#), valid permit to carry a pistol or revolver issued pursuant to subsection (b) of [section 29-28](#), valid permit to sell at retail a pistol or revolver issued pursuant to subsection (a) of [section 29-28](#) or valid eligibility certificate for a pistol or revolver issued pursuant to [section 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 twenty-four 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 five years.

**(g)** Prior to April 1, 2014, no sale, delivery or other transfer of any long gun shall be made until the expiration of two weeks from the date of the application, except that such waiting period shall not apply to any federal marshal, parole officer or peace officer, or to the sale, delivery or other transfer of (1) any long gun to a holder of a valid state permit to carry a pistol or revolver issued under the provisions of [section 29-28](#), a valid eligibility certificate issued under the provisions of [section 29-36f](#), or a valid long gun eligibility certificate issued under the provisions of [section 29-37p](#), (2) any long gun to an active member of the armed forces of the United States or of any reserve component thereof, (3) any long gun to a holder of a valid hunting license issued pursuant to chapter 490, or (4) antique firearms. For the purposes of this subsection, "antique firearm" means any firearm which was manufactured in or before 1898 and any replica of such firearm, 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.

**(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 [section 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 supervision of the Court Support Services Division for such period, not exceeding two 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 [section 54-142a](#), as amended by this Act. 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.

**Section 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.

**Section 29-37d. Firearms dealer to install burglar alarm system on premises of its establishment. Exceptions.**

(a) On and after July 1, 1993, each business organization which engages in the retail sale of firearms, as defined in section 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.

(b) The Commissioner of Emergency Services and Public Protection may, after notice and opportunity for a hearing, impose a civil penalty of not more than one hundred dollars for a violation of this section. Each violation shall be a separate and distinct offense and, in case of a continuing violation, each day's continuance thereof shall be deemed a separate and distinct offense, provided the civil penalty may not exceed four thousand nine hundred dollars in the aggregate for a continuing violation.

(c) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section.

**Section 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.

**Section 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.

**Section 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 two 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 thirty days before commencement of a gun show, the gun show promoter shall provide notice of the date, time, duration and location of the gun show to (1) the chief of police of the municipality in which the gun show is to take place, or (2) where there is no chief of police, the chief executive officer of the municipality, as defined in section 7-148, in which the gun show is to take place or, if designated by such chief executive officer, the resident state trooper serving such municipality or a state police officer of the state police troop having jurisdiction over such municipality.

(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 [section 29-36l](#).

**Section 29-37i. Responsibilities re storage of loaded firearms.**

No person shall store or keep any firearm, as defined in [section 53a-3](#), 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, (3) a resident of the premises is subject to a risk protection order issued pursuant to [section 29-38c](#), or (4) a resident of the premises poses a risk of imminent personal injury to himself or herself or to another person, unless

such person (A) keeps the firearm in a securely locked box or other container or in a manner 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 eighteen years.

**Section 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.

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

(a) Any person who is eighteen 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, (B) a misdemeanor violation of [section 21a-279](#) on or after October 1, 2015, or (C) a misdemeanor violation of [section 53a-58](#), [53a-61](#), [53a-61a](#), [53a-62](#), [53a-63](#), [53a-96](#), [53a-175](#), [53a-176](#), [53a-178](#) or [53a-181d](#) during the preceding twenty years; (3) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in [section 46b-120](#); (4) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to [section 53a-13](#); (5) has been confined in a hospital for persons with psychiatric disabilities, as defined in [section 17a-495](#), within the preceding sixty months by order of a probate court; (6) has been voluntarily admitted to a hospital for persons with psychiatric disabilities, as defined in [section 17a-495](#), within the preceding six 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 [section 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 [section 46b-15](#) or [46b-16a](#); (8) is subject to a firearms seizure order issued prior to June 1, 2022, pursuant to [section 29-38c](#) after notice and hearing, or a risk protection order or risk protection investigation order issued on or after June 1, 2022, pursuant to [section 29-38c](#); (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.

**Section 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.

#### **Section 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.

#### **Section 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.

#### **Section 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 [section 29-28](#) or any machine gun which has not

been registered as required by [section 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, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches or more in length, any martial arts weapon or electronic defense weapon, as defined in [section 53a-3](#), 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; (3) any person enrolled in and currently attending a martial arts school, with official verification of such enrollment and attendance, or any certified martial arts instructor, having any such martial arts weapon in a vehicle while traveling to or from such school or to or from an authorized event or competition; (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; (5) any person having a knife, the edged portion of the blade of which is four inches or more in length, in a vehicle if such person is (A) any member of the armed forces of the United States, as defined in [section 27-103](#), or any reserve component thereof, or of the armed forces of the state, as defined in [section 27-2](#), when on duty or going to or from duty, (B) any member of any military organization when on parade or when going to or from any place of assembly, (C) any person while transporting such knife as merchandise or for display at an authorized gun or knife show, (D) any person while lawfully removing such person's household goods or effects from one place to another, or from one residence to another, (E) any person while actually and peaceably engaged in carrying any such knife from such person's place of abode or business to a place or person where or by whom such knife is to be repaired, or while actually and peaceably returning to such person's place of abode or business with such knife after the same has been repaired, (F) any person holding a valid hunting, fishing or trapping license issued pursuant to chapter 490 or any saltwater fisherman while having such knife in a vehicle for lawful hunting, fishing or trapping activities, or (G) any person participating in an authorized historic reenactment; (6) any person having an electronic defense weapon, as defined in [section 53a-3](#), in a vehicle, who is twenty-one years of age or older and possesses a permit or certificate issued under the provisions of [section 29-28](#), [29-36f](#), [29-37p](#) or [29-38n](#); or (7) any person having a dirk knife or police baton in a vehicle while lawfully moving such person's household goods or effects from one place to another, or from one residence to another.

**Section 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.

**Section 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 two police officers, to any judge of the Superior Court, that such state's attorney, assistant state's attorney or police officers have probable cause to believe that a person poses a risk of imminent personal injury to himself or herself or to another person, the judge may issue a risk protection order prohibiting such person from acquiring or possessing a firearm or other deadly weapon or ammunition. As part of or following the issuance of such order, if there is probable cause to believe that (1) such person possesses one or more firearms or other deadly weapons, and (2) such firearm or firearms or other deadly weapon or deadly weapons are within or upon any place, thing or person, such judge shall issue a warrant commanding a police 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 other deadly weapons and ammunition. Such state's attorney, assistant state's attorney or police officers may not make such complaint unless such state's attorney, assistant state's attorney or police officers have conducted an independent investigation and determined that such probable cause exists. Upon the issuance of any such order and warrant, if applicable, the judge shall order the clerk of the court to give notice to the Commissioner of Emergency Services and Public Protection of the issuance of such order and warrant, if applicable.

**(b)**

(1) Any family or household member or medical professional who has a good faith belief that a person poses a risk of imminent personal injury to himself or herself or to another person may make an application for a risk protection order investigation with the clerk of the court for any geographical area. The application and accompanying affidavit shall be made under oath and indicate: (A) The factual basis for the applicant's belief that such person poses a risk of imminent personal injury to himself or herself or to another person; (B) whether such person holds a permit under subsection (b) of [section 29-28](#), or an eligibility certificate issued under [section 29-36f](#), [29-37p](#), or [29-38n](#) or currently possesses one or more firearms or other deadly weapons or ammunition, if known; and (C) where any such firearm or other deadly weapon or ammunition is located, if known.

(2) Upon receipt of an application and affidavit pursuant to this subsection, if the court finds that there is a good faith belief that a person poses a risk of imminent personal injury to himself or herself or to another person, the court shall order a risk protection order investigation to determine if the person who is the subject of the application poses a risk of imminent personal injury to himself or herself or to another person. Upon issuance by the court of an order for investigation, the court shall: (A) Give notice to the Commissioner of Emergency Services and Public Protection of the issuance of the order for a risk protection order investigation; and (B) immediately give notice of the order and transmit the order and the application and affidavit on which the order is based to the law enforcement agency for the town in which the subject of the investigation resides. The court shall immediately enter into the National Instant Criminal Background Check System (NICS) a record indicating that the person who is the subject of the investigation is ineligible to purchase or otherwise receive a firearm.

(3) Upon receipt of an investigation order, the law enforcement agency shall immediately investigate whether the subject of the investigation poses a risk of imminent personal injury to himself or herself or to another person. If the law enforcement agency determines that there is probable cause to believe that the subject of the investigation poses a risk of imminent personal injury to himself or herself or to another person, such law enforcement agency shall seek a risk protection order, and when applicable, a warrant pursuant to subsection (a) of this section not later than twenty-four hours after receiving the investigation order, or, if the law enforcement agency needs additional time to complete the investigation, as soon thereafter as is practicable. If the law enforcement agency determines that there is no probable cause to believe that the subject of the investigation poses a risk of imminent personal injury to himself or herself or to another person, the law enforcement agency shall notify the court, the applicant, and the Commissioner of Emergency Services and Public Protection of such determination, in writing, not later than forty-eight hours after receiving the investigation order, if practicable, or, if the law enforcement agency needs additional time to complete the risk warrant investigation, as soon thereafter as is practicable. Upon receiving such notification that there was not a

finding of probable cause, the court shall immediately remove or cancel any record entered into the National Instant Criminal Background Check System associated with such investigation for which there was no finding of probable cause.

**(c)** A risk protection order and warrant, if applicable, issued under subsection (a) of this section, may issue only on affidavit sworn to by the complainant or complainants before the judge and establishing the grounds for issuing the order and warrant, if applicable, which shall be part of the court file. In determining whether there is probable cause for a risk protection order and warrant, if applicable, under subsection (a) of this section, 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 [section 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 or other deadly weapon 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. In the case of a complaint made under subsection (a) of this section, if the judge is satisfied that the grounds for the complaint exist or that there is probable cause to believe that such grounds exist, such judge shall issue a risk protection order and warrant, if applicable, naming or describing the person, and, in the case of the issuance of a warrant, the place or thing to be searched. If the requisite circumstances are met, the judge shall issue a risk protection order regardless of whether the person is already ineligible to possess a firearm. The order and warrant, if applicable, shall be directed to any police officer of a regularly organized police department or any state police officer. The order and warrant, if applicable, shall state the grounds or probable cause for issuance and, in the case of a warrant, the warrant shall command the officer to search within a reasonable time the person, place or thing named for any and all firearms and other deadly weapons and ammunition. A copy of the order and warrant, if applicable, shall be given within a reasonable time to the person named in the order together with a notice informing the person that such person has the right to a hearing under this section, the telephone number for the court clerk who can inform the person of the date and time of such hearing and the right to be represented by counsel at such hearing.

**(d)**

**(1)** In the case of a warrant, the municipal or state police agency that executed 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 was conducted and with the state's attorney's office for such judicial district 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 other deadly weapons and ammunition seized.

**(2)** In the case of a risk protection order, not later than the next business day following the service of the order, the municipal or state police agency that served the order shall file with the court of the geographical area in the location in which the subject of the order resides a copy of the order and transmit to the state's attorney's office for such judicial district a return of service stating the date and time that the order was served. Prior to the service and return of the order, the clerk of court shall not disclose any information pertaining to the application for the order or any affidavits upon which the order is based to any person outside the Judicial Branch, the municipal or state police agency that served the order, or the state's attorney's office for the judicial district within which the order was served. The order shall be served and returned with reasonable promptness consistent with due process of law.

**(e)** Not later than fourteen days after the service of a risk protection order or execution of a warrant under this section, the court for the geographical area where the person named in the order or warrant resides shall hold a hearing to determine whether the risk protection order should continue to apply and whether the firearm or firearms or other deadly weapon or deadly weapons 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 another person, the court may order that the risk protection order continue to apply and that the firearm or firearms or other deadly weapon or deadly weapons and any ammunition seized pursuant to the warrant issued under subsection (a) of this section continue to be held by the state until such time that the court shall terminate such order pursuant to subsection (f) of this section and order the firearm or firearms or other deadly weapon or deadly weapons and any ammunition seized to be returned as soon as practicable to the person named in the warrant, provided such person is otherwise legally able to possess such firearm or firearms or other deadly weapon or deadly weapons and ammunition. If the court finds that the state has failed to prove by clear and convincing evidence that the petitioner poses a risk of imminent personal injury to himself or herself or to another person, the court shall terminate such order and warrant, if applicable, and order the firearm or firearms or other deadly weapon or deadly weapons and any ammunition seized to be returned as soon as is practicable to the person named in the warrant, provided such person is otherwise legally able to possess such firearm or firearms or other deadly weapon or deadly weapons and ammunition. If the court finds that the person poses a risk of imminent personal injury to himself or herself or to another person, the court shall give notice to the Department of Mental Health and Addiction Services which may take such action pursuant to chapter 319i as the department deems appropriate.

**(f)** A risk protection order, and warrant, if applicable, shall continue to apply and the firearm or firearms or other deadly weapon or deadly weapons and any ammunition held pursuant to subsection (e) of this section shall continue to be held by the state until such time that the person named in the order and warrant, if applicable, successfully petitions the court to terminate such order and warrant, if applicable. The person named in the order may first petition the court of the geographical area where the proceeding was originally conducted for a hearing to terminate such order, and warrant if applicable, at least one hundred eighty days after the hearing held pursuant to subsection (e) of this section. Upon the filing of such petition, the court shall (1) provide to the petitioner a hearing date that is on the twenty-eighth day following the filing of such petition or the business day nearest to such day if such twenty-eighth day is not a business day, (2) notify the Division of Criminal Justice of the filing of such petition, and (3) direct the law enforcement agency for the town in which the petitioner resides to determine, not later than fourteen days after the filing of such petition, whether there is probable cause to believe that the petitioner poses a risk of imminent personal injury to himself or herself or to another person. No finding of probable cause may be found solely because the petitioner is subject to an existing risk protection order or warrant. If the law enforcement agency finds no probable cause, the agency shall so notify the court which shall cancel the hearing and terminate the order and warrant, if applicable. If the law enforcement agency finds probable cause, the agency shall notify the court of such finding and the hearing shall proceed as scheduled. At such hearing the state shall have the burden of proving all material facts by clear and convincing evidence. If the court, following such hearing, finds by clear and convincing evidence that the petitioner poses a risk of imminent personal injury to himself or herself or to another person, the order and warrant, if applicable, shall remain in effect. If the court finds that the state has failed to prove by clear and convincing evidence that the petitioner poses a risk of imminent personal injury to himself or herself or to another person, the court shall terminate such order and warrant, if applicable. Any person whose petition is denied may file a subsequent petition in accordance with the provisions of this subsection at least one hundred eighty days after the date on which the court denied the previous petition.

**(g)** The court shall immediately upon termination of a risk protection order pursuant to this section remove or cancel any record entered into the National Instant Criminal Background Check System associated with such order.

**(h)** Any person whose firearm or firearms and ammunition have been ordered seized pursuant to subsection (e) of this section, or such person's legal representative, may transfer such firearm or firearms and ammunition in accordance with the provisions of [section 29-33](#) or other applicable state or federal law, to a federally licensed firearm dealer. Upon notification in writing by such person, or such person's legal representative, and the dealer, the head of the state agency holding such seized firearm or firearms and ammunition shall within ten days deliver such firearm or firearms and ammunition to the dealer.

**(i)** Notwithstanding the provisions of [section 29-36k](#), the Commissioner of Emergency Services and Public Protection holding any firearm or firearms or other deadly weapon or deadly weapons and any ammunition

seized pursuant to a warrant issued under this section, or any local police department holding on behalf of said commissioner any such firearm or firearms or other deadly weapon or deadly weapons or ammunition, shall not destroy any such firearm or other deadly weapon or ammunition until at least one year has passed since date of the termination of a warrant under subsection (e) of this section.

**(j)** For purposes of this section, (1) “ammunition” means a loaded cartridge, consisting of a primed case, propellant or projectile, designed for use in any firearm, (2) “family or household member” means (A) a person eighteen years of age or older who is a: (i) Spouse, (ii) parent, (iii) child, (iv) sibling, (v) grandparent, (vi) grandchild, (vii) step-parent, (viii) step-child, (ix) step-sibling, (x) mother or father-in-law, (xi) son or daughter-in-law, or (xii) brother or sister-in-law of the person who is the subject of an application pursuant to subsection (b) of this section; (B) a person residing with the person who is the subject of the application; (C) a person who has a child in common with the person who is the subject of the application; (D) a person who is dating or an intimate partner of the person who is the subject of the application; or (E) a person who is the legal guardian or former legal guardian of the person who is the subject of the application, (3) “medical professional” means any person who has examined the person who is the subject of the application and who is (A) a physician or physician assistant licensed under chapter 370, (B) an advanced practice registered nurse licensed under chapter 378, (C) a psychologist licensed under chapter 383, or (D) a clinical social worker licensed under chapter 383b, and (4) “deadly weapon” means a deadly weapon, as defined in [section 53a-3](#).

#### **Section 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. 29-38g Firearms in unattended vehicles**

**(a)**

**(1)** No person shall store or keep any pistol or revolver in any motor vehicle that is unattended unless such pistol or revolver is in the trunk, a locked safe or locked glove box.

**(2)** For purposes of this subsection, **(A)** a motor vehicle is unattended if no person who is at least twenty-one years of age and who is the owner or operator or a passenger of such motor vehicle is inside the motor vehicle or is within close enough proximity to the motor vehicle to prevent unauthorized access to the motor vehicle, **(B)** “pistol” and “revolver” mean pistol and revolver, each as defined in section 29-27, **(C)** “motor vehicle” means a motor vehicle, as defined in section 14-1, and **(D)** “trunk” means **(i)** the fully enclosed and locked main storage or luggage compartment of a motor vehicle that is not accessible from the passenger compartment, or **(ii)** a locked toolbox or utility box attached to the bed of a pickup truck, as defined in section 14-1. “Trunk” does not include the rear of a pickup truck, except as otherwise provided, or of a hatchback, station-wagon-type automobile or sport utility vehicle or any compartment that has a window.

**(b)** The provisions of subsection (a) of this section shall not apply to any pistol or revolver issued or possessed 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, the Department of Revenue Services or the

military or naval forces of this state or of the United States, (2) a sworn member of a law enforcement unit, as defined in section 7-294a, including, but not limited to, the Department of Correction or the Division of State Police within the Department of Emergency Services and Public Protection, 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 section 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, provided such pistol or revolver issued or possessed by any such agency, department, municipality, organization, force or entity or person described in subdivisions (1) to (4), inclusive, of this subsection, is being kept or stored in accordance with such issuing or possessing agency, department, municipality, organization, force or entity or person's policy concerning safe keeping or storage of a pistol or revolver in a motor vehicle.

(c) The court may order suspension of prosecution 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) (A) will probably not offend in the future, (B) has not previously been convicted of a violation of this section, and (C) has not previously had a prosecution under this section suspended pursuant to this subsection, or (2) was charged with such violation because of facts or circumstances accurately reported by such person to an organized local police department concerning a lost or stolen firearm in accordance with the provisions of section 53-202g. The court shall not order suspension of prosecution unless the accused person has acknowledged that he or she 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 or her right to a speedy trial. Such person shall appear in court and shall be released to the supervision of the Court Support Services Division for such period, not exceeding two 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 such person's period of probation, he or she may apply for dismissal of the charges against such person and the court, on finding such satisfactory completion, shall dismiss such charges. If the person does not apply for dismissal of the charges against such person after satisfactorily completing such person's period of probation, the court, upon receipt of a report submitted by the Court Support Services Division that the person satisfactorily completed such person's 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 section 54-142a, as amended by this Act. An order of the court denying a motion to dismiss the charges against a person who has completed such person's period of probation or terminating the participation of a defendant in such program shall be a final judgment for purposes of appeal.

(d) Any person who violates any provision of subsection (a) of this section shall be guilty of a class A misdemeanor for a first offense and a class D felony for any subsequent offense.

#### **Section 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.

**Section 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.

### **Section 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.

### **Section 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**

### **Section 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.

#### **Section 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:
  - (iii) 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 section 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 sections 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 section 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 sections 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.

**Section 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.

**Section 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.

**Section 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.

#### **Section 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.

#### **Section 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.

#### **Section 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.

#### **Section 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.

**Section 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.

**Section 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.

**Section 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.

**Section 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.

#### **Section 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.

#### **Section 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.

**Section 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.

**Section 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.

#### **Section 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.

#### **Section 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.

#### **Section 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**

**Section 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;

(2) “Possess” means to have physical possession or otherwise to exercise dominion or control over tangible property;

(3) “Physical injury” means impairment of physical condition or pain;

(4) “Serious physical injury” means physical injury which creates a substantial risk of death, or which causes serious disfigurement, serious impairment of health or serious loss or impairment of the function of any bodily organ;

(5) “Deadly physical force” means physical force which can be reasonably expected to cause death or serious physical injury;

(6) “Deadly weapon” means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles. The definition of “deadly weapon” in this subdivision shall be deemed not to apply to [section 29-38](#) or [53-206](#);

(7) “Dangerous instrument” means any instrument, article or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a “vehicle” as that term is defined in this section and includes a dog that has been commanded to attack, except a dog owned by a law enforcement agency of the state or any political subdivision thereof or of the federal government when such dog is in the performance of its duties under the direct supervision, care and control of an assigned law enforcement officer;

(8) “Vehicle” means a “motor vehicle” as defined in [section 14-1](#), a snowmobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail;

(9) “Peace officer” means a member of the Division of State Police within the Department of Emergency Services and Public Protection or an organized local police department, a chief inspector or inspector in the Division of Criminal Justice, a state marshal while exercising authority granted under any provision of the general statutes, a judicial marshal in the performance of the duties of a judicial marshal, a conservation officer or special conservation officer, as defined in section 26-5, a constable who performs criminal law enforcement duties, a special policeman appointed under section 29-18, 29-18a, 29-18b, as amended by this act, or 29-19, an adult probation officer, an official of the Department of Correction authorized by the Commissioner of Correction to make arrests in a correctional institution or facility, any investigator in the investigations unit of the office of the State Treasurer, an inspector of motor vehicles in the Department of Motor Vehicles, who is certified under the provisions of sections 7-294a to 7-294e, inclusive, a United States marshal or deputy marshal, any special agent of the federal government authorized to enforce the provisions of Title 21 of the United States Code, or a member of a law enforcement unit of the Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of Connecticut created and governed by a memorandum of agreement under section 47-65c who is certified as a police officer by the Police Officer Standards and Training Council pursuant to sections 7-294a to 7-294e, inclusive;

(10) “Firefighter” means any agent of a municipality whose duty it is to protect life and property therein as a member of a duly constituted fire department whether professional or volunteer;

(11) A person acts “intentionally” with respect to a result or to conduct described by a statute defining an offense when his conscious objective is to cause such result or to engage in such conduct;

(12) A person acts “knowingly” with respect to conduct or to a circumstance described by a statute defining an offense when he is aware that his conduct is of such nature or that such circumstance exists;

(13) A person acts “recklessly” with respect to a result or to a circumstance described by a statute defining an offense when he is aware of and consciously disregards a substantial and unjustifiable risk that such result will occur or that such circumstance exists. The risk must be of such nature and degree that disregarding it constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation;

(14) A person acts with “criminal negligence” with respect to a result or to a circumstance described by a statute defining an offense when he fails to perceive a substantial and unjustifiable risk that such result will occur or that such circumstance exists. The risk must be of such nature and degree that the failure to perceive it constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation;

(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, including a stun gun or other conductive energy device;

(21) “Martial arts weapon” means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or chinese star;

(22) “Employee of an emergency medical service organization” means an ambulance driver, emergency medical technician or paramedic as defined in [section 19a-175](#);

(23) “Railroad property” means all tangible property owned, leased or operated by a railroad carrier including, but not limited to, a right-of-way, track, roadbed, bridge, yard, shop, station, tunnel, viaduct, trestle, depot, warehouse, terminal or any other structure or appurtenance or equipment owned, leased or used in the operation of a railroad carrier including a train, locomotive, engine, railroad car, signals or safety device or work equipment or rolling stock.

## **Chapter 951 – Statutory Construction; Principles of Criminal Liability**

### **Section 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.

**Section 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**

**Section 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.

**Section 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.

**Section 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.

**Section 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) a felony committed prior to, on or after October 1, 2013, (B) a misdemeanor violation of [section 21a-279](#) on or after October 1, 2015, or (C) a misdemeanor violation of [section 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, and during the preceding twenty years, (2) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in [section 46b-120](#), (3) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to [section 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 [section 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 [section 17a-495](#), within the preceding sixty 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 [section 29-28](#) or [29-36f](#) in effect prior to October 1, 2013, such person has been confined in such hospital within the preceding twelve months, or (B) has been voluntarily admitted on or after October 1, 2013, to a hospital for persons with psychiatric disabilities, as defined in [section 17a-495](#), within the preceding six months for care and treatment of a psychiatric disability, unless the person (i) was voluntarily admitted solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in [section 17a-680](#), or (ii) is a police officer who was voluntarily admitted and had his or her firearm, ammunition or electronic defense weapon used in the performance of the police officer's official duties returned in accordance with [section 7-291d](#), (6) knows that such person is subject to a firearms seizure order issued prior to June 1, 2022, pursuant to [section 29-38c](#) after notice and an opportunity to be heard has been provided to such person, or a risk protection order or risk protection investigation order issued on or after June 1, 2022, pursuant to [section 29-38c](#), 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 one 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 two years of the sentence imposed may not be suspended or reduced by the court, and five thousand dollars 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.

#### **Section 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 [section 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 eighteen 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.

#### **Section 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 [section 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 [section 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 [section 53a-3](#), while engaged in the performance of such peace officer's official duties, or (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.

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

#### **Section 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 [section 29-27](#), and (1) has been convicted of (A) a felony committed prior to, on or after October 1, 2013, (B) a misdemeanor violation of [section 21a-279](#) committed on or after October 1, 2015, or (C) a misdemeanor violation of [section 53a-58](#), [53a-61](#), [53a-61a](#), [53a-62](#), [53a-63](#), [53a-96](#), [53a-175](#), [53a-176](#), [53a-178](#) or [53a-181d](#) committed during the preceding twenty years, (2) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in [section 46b-120](#), (3) has been discharged from custody



within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to [section 53a-13](#), (4) (A) has been confined prior to October 1, 2013, in a hospital for persons with psychiatric disabilities, as defined in [section 17a-495](#), within the preceding twelve 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 [section 17a-495](#), within the preceding sixty 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 [section 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 twelve months, or (B) has been voluntarily admitted on or after October 1, 2013, to a hospital for persons with psychiatric disabilities, as defined in [section 17a-495](#), within the preceding six months for care and treatment of a psychiatric disability, unless the person (i) was voluntarily admitted solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in [section 17a-680](#), or (ii) is a police officer who was voluntarily admitted and had his or her firearm, ammunition or electronic defense weapon used in the performance of the police officer's official duties returned in accordance with [section 7-291d](#), (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 [section 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 prior to June 1, 2022, pursuant to [section 29-38c](#) after notice and an opportunity to be heard has been provided to such person, or a risk protection order or risk protection investigation order issued on or after June 1, 2022, pursuant to [section 29-38c](#), as amended by this act, (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 two years of the sentence imposed may not be suspended or reduced by the court, and five thousand dollars 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**

Codified through Ordinance of September 21, 2020 (Supplement Number 19, Update 4)

#### **Title 9 – Public Peace and Welfare**

#### **Chapter 9.16 – Weapons**

#### **Section 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.

### **Hartford Code of Ordinances**

Codified through Ordinance Number 001-20, adopted March 9, 2020. (Supplement Number 106)

#### **Part II – Municipal Code**

#### **Chapter 21 – Licenses and Permits Generally**

#### **Article II – Pistol Permits**

#### **Division 1 – Generally**

#### **Section 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**

### **Section 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.

### **Section 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.

### **Section 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.

### **Section 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.

### **Section 21-55. Same – Fee.**

The fee for each permit issued under the provisions of this division shall be \$15.

### **Section 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.

**Section 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.

**Section 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.

### **Section 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.

### **Section 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**

### **Section 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.

### **Section 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.

### **Section 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.

## **New Haven Code of Ordinances**

Codified through Ordinance Number 1882, enacted December 2, 2019 (Supplement Number 20)

**Title III – Code of General Ordinances**  
**Chapter 18 – Offenses and Miscellaneous Provisions**  
**Article I – In General**

**Section 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 twelve (12) inches in length.

**Section 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.

## **New Haven Zoning Ordinance**

Codified through Ordinance Number 1886, enacted January 7, 2020 (Supplement Number 26)

### **Article V – Business and Industrial Districts**

#### **Section 42.4. Regulation of Gun Shops and Associated Goods Sales**

**(a) Definitions.**

**Gun Shop:** Any establishment or portion of an establishment which sells guns, firearms or associated goods including ammunition and gun sights.

**(b) Uses permitted.**

These provisions exist in order to protect neighborhoods, minimize conflict with adjacent uses and the surrounding area, and to assure the health and safety of the general public by providing additional standards for review of a proposed location of a gun shop and to prevent a concentration of such uses.

Gun shops shall be permitted in the BD, BD-1, BE, IL and IH districts by special exception subject to the review standards of 63(d), and distance restrictions, supplementary review standards and conditions of approval of this 42.4.

**(c) Distance restrictions.**

**(1) Distance limit to schools.** No establishment for sale of guns, firearms and associated goods including ammunition and gun sights shall be permitted to locate, relocate or remove to any location where the property line of such location is within 500 feet from the property line of any public or private elementary or secondary school as delineated in 42.4(c).

**(2) Distance limit to residential districts.** No sale of guns, firearms and associated goods including ammunition and gun sights shall be permitted within 500 feet of a residential district (RS-1, RS-2, RM-1, RM-2, RH-1, RH-2, RO and predominantly residential Planned Developments) as delineated in 42.4(c).

**(3) Distance limit between gun shops.** No gun shop shall be permitted within 1,500 feet of another such use.

**(d) Measurement of distances.** The distance between gun shops shall be measured from property line to property line. However, where a gun shop is located within a structure of more than 50,000 square feet, the distance shall be measured from the outside entrance of such location, as shown on the approved floor plan signed by the Zoning Enforcement Officer, to the gun shop, property line of the public or private elementary or secondary school, or boundary of the residential district.

**(e) Supplementary review standards.** Sale of guns, firearms and accessory goods including ammunition has a greater potential impact on surrounding uses and the surrounding area, compared for the public need for them at particular locations. For this reason the supplementary standards herein shall be taken into account, where appropriate, in addition to the standards of 63(d) of this ordinance.

**(1) The presence or physical concentration of pawn shops, second hand goods stores, bars, package permits, adult businesses or other such uses.**

**(2) Known locations where loitering, drug sales, violent crime or prostitution have regularly occurred over substantial time periods as documented by the department of police services or other governmental agencies.**

**(f) Additional conditions of approval.** Because of the unique safety and security needs of gun shops and the potential impact on surrounding uses and the surrounding area compared for the public need for a gun shop at a particular location, the board of zoning appeals may require any of the following as additional conditions of approval.

**(1) Secure storage and display areas, including a security system.**

**(2) Security door or window grates.**

**(3) Exterior lighting or site fencing.**

**(4) Limited site access during non-business hours by means of fences, chains or means specified by the board.**

The decision may also incorporate the following provisions of federal and/or state law:

- (5) No assault weapon as defined in P.L. 93-306 (or latest version) may be sold, bartered or transferred.
- (6) No guns, firearms and associated goods including ammunition and gun sights shall be permitted to be sold, bartered or transferred to anyone under twenty-one years of age in accordance with C.G.S. 29-34.
- (7) Each firearm sold, bartered or transferred shall be accompanied by a gun locking device and warning at the time of sale in accordance C.G.S. 29-37b.

### **New London Code of Ordinances**

Codified Through November 18, 2019 (Supplement Number 21)

#### **Part II – Code of Ordinances**

#### **Chapter 7 – Business, Trades and Professions**

#### **Article I – In General**

#### **Section 7-1. Businesses selling pistols or revolvers to keep them locked up with alarm system when closed for business.**

(a) Any person having in his possession with intent to sell or deliver any pistol or revolver at retail and having a permit therefor issued pursuant to the General Statutes of the State of Connecticut shall, at all times, when the room, store, or place where such pistols or revolvers are sold, or offered or exposed for sale, are not open for business, keep said pistols and revolvers stored in a suitable locked vault or safe, or provide a satisfactory security alarm system connected with police headquarters and approved by the chief of police, for the purpose of preventing the theft of said pistols or revolvers.

(b) Any person violating any provision of this section shall be fined not more than one hundred dollars (\$100.00).

### **Seymour Code of Ordinances**

Codified through Ordinance of June 6, 2018. (Supplement Number 16)

#### **Chapter 11 – Offenses and Miscellaneous Provisions**

#### **Article I – In General**

#### **Section 11-5. Guns and firearms, Declaration of need for regulation.**

It is hereby declared that enactment of sections 11-5 through 11-8 is essential as a matter of public necessity and proper for protection and preservation of health, property and the lives of the citizens of the town, to protect the public safety by prohibiting the selling, or offering for sale to any person under the age of 16 years of any air gun or rifle or pistol, BB gun, spring gun, or pistol or any other implement which impels with force a pellet of any kind or any firearm to any person under the age of 16 years and further prohibiting the possession, use or carrying of such a gun or device.

#### **Section 11-6. Same, Sale to children prohibited.**

It shall be unlawful and is hereby prohibited for any person to sell or offer for sale to any person under the age of 16 years any air gun or rifle or pistol, BB gun, spring gun or pistol, or rifle, or any other implement which impels with force a pellet of any kind or any gun or rifle or pistol which fires or which is designed or intended to fire a bullet, shell or pellet by means of gunpowder, or other chemical propellant which such devices are generally known as firearms, within the limits of the town.

#### **Section 11-7. Same, Ownership, possession, use by children prohibited; exception.**

(a) It shall be unlawful and is hereby prohibited for any person under the age of 16 years to own, possess, use or carry any air gun or rifle or pistol, BB gun, spring gun or rifle or pistol, or any other implement which impels with force a pellet of any kind or any gun, rifle or pistol which fires or which is designed or intended to fire a bullet, shell or pellet by means of gunpowder or other chemical propellant which such devices are generally known as firearms, within the limits of the town.

(b) Provided, however, that a person under 16 years of age can have the use of a rifle or other device described in this section, provided they are with their parents or guardians and under their supervision.