



General Assembly

February Session, 2022

Raised Bill No. 5416

LCO No. 3055



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING BULK PURCHASES OF PISTOLS AND REVOLVERS.

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

1 Section 1. Section 29-33 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

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

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

13 (c) No person, firm or corporation shall sell, deliver or otherwise
14 transfer any pistol or revolver except upon written application on a form

15 prescribed and furnished by the Commissioner of Emergency Services
16 and Public Protection. Such person, firm or corporation shall ensure that
17 all questions on the application are answered properly prior to releasing
18 the pistol or revolver and shall retain the application, which shall be
19 attached to the federal sale or transfer document, for at least twenty
20 years or until such vendor goes out of business. Such application shall
21 be available for inspection during normal business hours by law
22 enforcement officials. No sale, delivery or other transfer of any pistol or
23 revolver shall be made unless the person making the purchase or to
24 whom the same is delivered or transferred is personally known to the
25 person selling such pistol or revolver or making delivery or transfer
26 thereof or provides evidence of his identity in the form of a motor
27 vehicle operator's license, identity card issued pursuant to section 1-1h
28 or valid passport. No sale, delivery or other transfer of any pistol or
29 revolver shall be made until the person, firm or corporation making
30 such transfer obtains an authorization number from the Commissioner
31 of Emergency Services and Public Protection. Said commissioner shall
32 perform the national instant criminal background check and make a
33 reasonable effort to determine whether there is any reason that would
34 prohibit such applicant from possessing a pistol or revolver as provided
35 in section 53a-217c. If the commissioner determines the existence of such
36 a reason, the commissioner shall deny the sale and no pistol or revolver
37 shall be sold, delivered or otherwise transferred by such person, firm or
38 corporation to such applicant.

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

49 or otherwise transferred.

50 (e) Upon the sale, delivery or other transfer of any pistol or revolver,
51 the person making the purchase or to whom the same is delivered or
52 transferred shall sign a receipt for such pistol or revolver, which shall
53 contain the name and address of such person, the date of sale, the
54 caliber, make, model and manufacturer's number and a general
55 description of such pistol or revolver, the identification number of such
56 person's permit to carry pistols or revolvers, issued pursuant to
57 subsection (b) of section 29-28, permit to sell at retail pistols or revolvers,
58 issued pursuant to subsection (a) of said section, or eligibility certificate
59 for a pistol or revolver, issued pursuant to section 29-36f, if any, and the
60 authorization number designated for the transfer by the Department of
61 Emergency Services and Public Protection. The person, firm or
62 corporation selling such pistol or revolver or making delivery or transfer
63 thereof shall give one copy of the receipt to the person making the
64 purchase of such pistol or revolver or to whom the same is delivered or
65 transferred, shall retain one copy of the receipt for at least five years,
66 and shall send, by first class mail, or electronically transmit, within
67 forty-eight hours of such sale, delivery or other transfer, one copy of the
68 receipt to the Commissioner of Emergency Services and Public
69 Protection and one copy of the receipt to the chief of police or, where
70 there is no chief of police, the warden of the borough or the first
71 selectman of the town, as the case may be, of the town in which the
72 transferee resides.

73 (f) (1) Except as provided in subdivision (2) of this subsection, (A) no
74 person, firm or corporation shall sell, deliver or otherwise transfer more
75 than one pistol or revolver to any individual during a thirty-day period,
76 and (B) on and after July 1, 2022, no person, firm or corporation shall
77 sell, deliver or otherwise transfer a pistol or revolver to any individual
78 who has purchased a pistol or revolver in the previous thirty days.

79 (2) The provisions of this subsection shall not apply to (A) a federal,
80 state, or municipal law enforcement agency purchasing pistols or
81 revolvers for use by officers in the performance of their law enforcement

82 duties, (B) any firearm legally transferred under the provision of section
83 29-36k, (C) the exchange of a pistol or revolver purchased by an
84 individual from a federally licensed firearm dealer for another pistol or
85 revolver from the same federally licensed firearms dealer within thirty
86 days of the original transaction, provided that the federally licensed
87 firearm dealer reports the transaction to the Commissioner of
88 Emergency Services and Public Protection, or (D) as otherwise provided
89 in subsection (g) or (h) of this section.

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

98 [(g)] (h) The provisions of this section shall not apply to the sale,
99 delivery or transfer of pistols or revolvers between (1) a federally-
100 licensed firearm manufacturer and a federally-licensed firearm dealer,
101 (2) a federally-licensed firearm importer and a federally-licensed
102 firearm dealer, or (3) federally-licensed firearm dealers.

103 [(h)] (i) If the court finds that a violation of this section is not of a
104 serious nature and that the person charged with such violation (1) will
105 probably not offend in the future, (2) has not previously been convicted
106 of a violation of this section, and (3) has not previously had a
107 prosecution under this section suspended pursuant to this subsection,
108 the court may order suspension of prosecution. The court shall not order
109 suspension of prosecution unless the accused person has acknowledged
110 that he understands the consequences of the suspension of prosecution.
111 Any person for whom prosecution is suspended shall agree to the
112 tolling of any statute of limitations with respect to such violation and to
113 a waiver of his right to a speedy trial. Such person shall appear in court
114 and shall be released to the custody of the Court Support Services

115 Division for such period, not exceeding two years, and under such
116 conditions as the court shall order. If the person refuses to accept, or,
117 having accepted, violates such conditions, the court shall terminate the
118 suspension of prosecution and the case shall be brought to trial. If such
119 person satisfactorily completes his period of probation, he may apply
120 for dismissal of the charges against him and the court, on finding such
121 satisfactory completion, shall dismiss such charges. If the person does
122 not apply for dismissal of the charges against him after satisfactorily
123 completing his period of probation, the court, upon receipt of a report
124 submitted by the Court Support Services Division that the person
125 satisfactorily completed his period of probation, may on its own motion
126 make a finding of such satisfactory completion and dismiss such
127 charges. Upon dismissal, all records of such charges shall be erased
128 pursuant to section 54-142a. An order of the court denying a motion to
129 dismiss the charges against a person who has completed his period of
130 probation or terminating the participation of a defendant in such
131 program shall be a final judgment for purposes of appeal.

132 [(i)] (j) Any person who violates any provision of this section shall be
133 guilty of a class C felony for which two years of the sentence imposed
134 may not be suspended or reduced by the court, and five thousand
135 dollars of the fine imposed may not be remitted or reduced by the court
136 unless the court states on the record its reasons for remitting or reducing
137 such fine, except that any person who sells, delivers or otherwise
138 transfers a pistol or revolver in violation of the provisions of this section
139 knowing that such pistol or revolver is stolen or that the manufacturer's
140 number or other mark of identification on such pistol or revolver has
141 been altered, removed or obliterated, shall be guilty of a class B felony
142 for which three years of the sentence imposed may not be suspended or
143 reduced by the court, and ten thousand dollars of the fine imposed may
144 not be remitted or reduced by the court unless the court states on the
145 record its reasons for remitting or reducing such fine, and any pistol or
146 revolver found in the possession of any person in violation of any
147 provision of this section shall be forfeited.

148 Sec. 2. Subsection (e) of section 53-202l of the general statutes is

149 repealed and the following is substituted in lieu thereof (*Effective from*
150 *passage*):

151 (e) If the court finds that a violation of this section is not of a serious
152 nature and that the person charged with such violation (1) will probably
153 not offend in the future, (2) has not previously been convicted of a
154 violation of this section, and (3) has not previously had a prosecution
155 under this section suspended pursuant to this subsection, it may order
156 suspension of prosecution in accordance with the provisions of
157 subsection [(h)] (i) of section 29-33, as amended by this act.

158 Sec. 3. Subsection (g) of section 53-202w of the general statutes is
159 repealed and the following is substituted in lieu thereof (*Effective from*
160 *passage*):

161 (g) If the court finds that a violation of this section is not of a serious
162 nature and that the person charged with such violation (1) will probably
163 not offend in the future, (2) has not previously been convicted of a
164 violation of this section, and (3) has not previously had a prosecution
165 under this section suspended pursuant to this subsection, it may order
166 suspension of prosecution in accordance with the provisions of
167 subsection [(h)] (i) of section 29-33, as amended by this act.

168 Sec. 4. Subsection (f) of section 53-206g of the general statutes is
169 repealed and the following is substituted in lieu thereof (*Effective from*
170 *passage*):

171 (f) If the court finds that a violation of this section is not of a serious
172 nature and that the person charged with such violation (1) will probably
173 not offend in the future, (2) has not previously been convicted of a
174 violation of this section, and (3) has not previously had a prosecution
175 under this section suspended pursuant to this subsection, it may order
176 suspension of prosecution in accordance with the provisions of
177 subsection [(h)] (i) of section 29-33, as amended by this act.

178 Sec. 5. Section 54-66a of the 2022 supplement to the general statutes,
179 as amended by section 171 of public act 21-1 of the June special session,

180 is repealed and the following is substituted in lieu thereof (*Effective from*
181 *passage*):

182 Any bail bond posted in any criminal proceeding in this state shall be
183 automatically terminated and released whenever the defendant: (1) Is
184 granted accelerated rehabilitation pursuant to section 54-56e; (2) is
185 granted admission to the pretrial alcohol education program pursuant
186 to section 54-56g; (3) is granted admission to the pretrial family violence
187 education program pursuant to section 46b-38c; (4) is granted admission
188 to the pretrial drug education and community service program
189 pursuant to section 54-56i; (5) has the complaint or information filed
190 against such defendant dismissed; (6) has the prosecution of the
191 complaint or information filed against such defendant terminated by
192 entry of a nolle prosequi; (7) is acquitted; (8) is sentenced by the court
193 and a stay of such sentence, if any, is lifted; (9) is granted admission to
194 the pretrial school violence prevention program pursuant to section 54-
195 56j; (10) is charged with a violation of section 29-33, as amended by this
196 act, 53-202l, as amended by this act, or 53-202w, as amended by this act,
197 and prosecution has been suspended pursuant to subsection [(h)] (i) of
198 section 29-33, as amended by this act; (11) is charged with a violation of
199 section 29-37a and prosecution has been suspended pursuant to
200 subsection (i) of section 29-37a; (12) is granted admission to the
201 supervised diversionary program for persons with psychiatric
202 disabilities, or persons who are veterans, pursuant to section 54-56l; (13)
203 is granted admission to a diversionary program for young persons
204 charged with a motor vehicle violation or an alcohol-related offense
205 pursuant to section 54-56p; (14) is granted admission to the pretrial drug
206 intervention and community service program pursuant to section 54-
207 56q; or (15) is granted admission to the pretrial impaired driving
208 intervention program pursuant to section 54-56r.

209 Sec. 6. Subdivision (8) of section 54-280 of the general statutes is
210 repealed and the following is substituted in lieu thereof (*Effective from*
211 *passage*):

212 (8) "Offense committed with a deadly weapon" or "offense" means:

213 (A) A violation of subsection (c) of section 2-1e, subsection (e) of section
 214 29-28, subsections (a) to (e), inclusive, or [(i)] (j) of section 29-33, as
 215 amended by this act, section 29-34, subsection (a) of section 29-35,
 216 section 29-36, 29-36k, 29-37a or 29-37e, subsection (c) of section 29-37g,
 217 section 29-37j, subsection (b), (c) or (g) of section 53-202, section 53-202b,
 218 53-202c, 53-202j, 53-202k, 53-202l, as amended by this act, 53-202aa or 53-
 219 206b, subsection (b) of section 53a-8, section 53a-55a, 53a-56a, 53a-60a,
 220 53a-60c, 53a-72b, 53a-92a, 53a-94a, 53a-102a, 53a-103a, 53a-211, 53a-212,
 221 53a-216, 53a-217, 53a-217a, 53a-217b or 53a-217c, or a second or
 222 subsequent violation of section 53-202g; or (B) a violation of any section
 223 of the general statutes which constitutes a felony, as defined in section
 224 53a-25, provided the court makes a finding that, at the time of the
 225 offense, the offender used a deadly weapon, or was armed with and
 226 threatened the use of or displayed or represented by words or conduct
 227 that the offender possessed a deadly weapon;

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|---|---------------------|------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 29-33 |
| Sec. 2 | <i>from passage</i> | 53-202l(e) |
| Sec. 3 | <i>from passage</i> | 53-202w(g) |
| Sec. 4 | <i>from passage</i> | 53-206g(f) |
| Sec. 5 | <i>from passage</i> | 54-66a |
| Sec. 6 | <i>from passage</i> | 54-280(8) |

Statement of Purpose:

To limit the purchases an individual may make of pistols and revolvers over a short period of time.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]