



General Assembly

Substitute Bill No. 6839

January Session, 2023



AN ACT CONCERNING TEMPORARY STATE PERMITS TO CARRY A PISTOL OR REVOLVER ISSUED BY TRIBAL POLICE DEPARTMENTS.

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

1 Section 1. Section 29-28 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) No person who sells ten or more pistols or revolvers in a
4 calendar year or is a federally licensed firearm dealer shall advertise,
5 sell, deliver, or offer or expose for sale or delivery, or have in such
6 person's possession with intent to sell or deliver, any pistol or revolver
7 at retail without having a permit therefor issued as provided in this
8 subsection. The chief of police or, where there is no chief of police, the
9 chief executive officer, as defined in section 7-193, of the municipality,
10 as defined in section 7-148, or, if designated by such chief executive
11 officer, the resident state trooper serving such municipality or a state
12 police officer of the state police troop having jurisdiction over such
13 municipality, may, upon the application of any person, issue a permit
14 in such form as may be prescribed by the Commissioner of Emergency
15 Services and Public Protection for the sale at retail of pistols and
16 revolvers within the jurisdiction of the authority issuing such permit.
17 No permit for the sale at retail of any pistol or revolver shall be issued
18 unless the applicant holds a valid eligibility certificate for a pistol or
19 revolver issued pursuant to section 29-36f or a valid state permit to
20 carry a pistol or revolver issued pursuant to subsection (b) of this
21 section and the applicant submits documentation sufficient to establish

22 that local zoning requirements have been met for the location where
23 the sale is to take place, except that any person selling or exchanging a
24 pistol or revolver for the enhancement of a personal collection or for a
25 hobby or who sells all or part of such person's personal collection of
26 pistols or revolvers shall not be required to submit such
27 documentation for the location where the sale or exchange is to take
28 place.

29 (b) Upon the application of any person having a bona fide
30 permanent residence within the jurisdiction of any such authority,
31 such chief of police or, where there is no chief of police, such chief
32 executive officer, as defined in section 7-193, or, if designated by such
33 chief executive officer, a resident state trooper or state police officer, as
34 applicable, may issue a temporary state permit to such person to carry
35 a pistol or revolver within the state, provided such authority shall find
36 that such applicant intends to make no use of any pistol or revolver
37 which such applicant may be permitted to carry under such permit
38 other than a lawful use and that such person is a suitable person to
39 receive such permit. Such applicant shall submit to a state and national
40 criminal history records check in accordance with section 29-17a. If the
41 applicant has a bona fide permanent residence within the jurisdiction
42 of any federally recognized Native American tribe within the borders
43 of the state, and such tribe has a law enforcement unit, as defined in
44 section 7-294a, the chief of police of such law enforcement unit may
45 issue a temporary state permit to such person pursuant to the
46 provisions of this subsection, and any chief of police of any other law
47 enforcement unit having jurisdiction over an area containing such
48 person's bona fide permanent residence shall not issue such temporary
49 state permit if such tribal law enforcement unit accepts applications for
50 temporary state permits. Such applicant shall submit to a state and
51 national criminal history records check in accordance with section 29-
52 17a. No state or temporary state permit to carry a pistol or revolver
53 shall be issued under this subsection if the applicant (1) has failed to
54 successfully complete a course approved by the Commissioner of
55 Emergency Services and Public Protection in the safety and use of

56 pistols and revolvers including, but not limited to, a safety or training
57 course in the use of pistols and revolvers available to the public offered
58 by a law enforcement agency, a private or public educational
59 institution or a firearms training school, utilizing instructors certified
60 by the National Rifle Association or the Department of Energy and
61 Environmental Protection and a safety or training course in the use of
62 pistols or revolvers conducted by an instructor certified by the state or
63 the National Rifle Association, (2) has been convicted of (A) a felony,
64 or (B) a misdemeanor violation of section 21a-279 on or after October 1,
65 2015, or (C) a misdemeanor violation of section 53a-58, 53a-61, 53a-61a,
66 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d during the
67 preceding twenty years, (3) has been convicted as delinquent for the
68 commission of a serious juvenile offense, as defined in section 46b-120,
69 (4) has been discharged from custody within the preceding twenty
70 years after having been found not guilty of a crime by reason of mental
71 disease or defect pursuant to section 53a-13, (5) (A) has been confined
72 in a hospital for persons with psychiatric disabilities, as defined in
73 section 17a-495, within the preceding sixty months by order of a
74 probate court, or (B) has been voluntarily admitted on or after October
75 1, 2013, to a hospital for persons with psychiatric disabilities, as
76 defined in section 17a-495, within the preceding six months for care
77 and treatment of a psychiatric disability and not solely for being an
78 alcohol-dependent person or a drug-dependent person, as those terms
79 are defined in section 17a-680, (6) is subject to a restraining or
80 protective order issued by a court in a case involving the use,
81 attempted use or threatened use of physical force against another
82 person, including an ex parte order issued pursuant to section 46b-15
83 or 46b-16a, (7) is subject to a firearms seizure order issued prior to June
84 1, 2022, pursuant to section 29-38c after notice and hearing, or a risk
85 protection order or risk protection investigation order issued on or
86 after June 1, 2022, pursuant to section 29-38c, (8) is prohibited from
87 shipping, transporting, possessing or receiving a firearm pursuant to
88 18 USC 922(g)(4), (9) is an alien illegally or unlawfully in the United
89 States, or (10) is less than twenty-one years of age. Nothing in this
90 section shall require any person who holds a valid permit to carry a

91 pistol or revolver on October 1, 1994, to participate in any additional
92 training in the safety and use of pistols and revolvers. No person may
93 apply for a temporary state permit to carry a pistol or revolver more
94 than once within any twelve-month period, and no temporary state
95 permit to carry a pistol or revolver shall be issued to any person who
96 has applied for such permit more than once within the preceding
97 twelve months. Any person who applies for a temporary state permit
98 to carry a pistol or revolver shall indicate in writing on the application,
99 under penalty of false statement in such manner as the issuing
100 authority prescribes, that such person has not applied for a temporary
101 state permit to carry a pistol or revolver within the past twelve
102 months. Upon issuance of a temporary state permit to carry a pistol or
103 revolver to the applicant, the local authority, or the chief of police of a
104 law enforcement unit of any federally recognized Native American
105 tribe within the borders of the state as referenced in this subsection,
106 shall forward the original application to the commissioner. Not later
107 than sixty days after receiving a temporary state permit, an applicant
108 shall appear at a location designated by the commissioner to receive
109 the state permit. The commissioner may then issue, to any holder of
110 any temporary state permit, a state permit to carry a pistol or revolver
111 within the state. Upon issuance of the state permit, the commissioner
112 shall make available to the permit holder a copy of the law regarding
113 the permit holder's responsibility to report the loss or theft of a firearm
114 and the penalties associated with the failure to comply with such law.
115 Upon issuance of the state permit, the commissioner shall forward a
116 record of such permit to the local authority, or the chief of police of a
117 law enforcement unit of any federally recognized Native American
118 tribe within the borders of the state as referenced in this subsection,
119 issuing the temporary state permit. The commissioner shall retain
120 records of all applications, whether approved or denied. The copy of
121 the state permit delivered to the permittee shall be laminated and shall
122 contain a full-face photograph of such permittee. A person holding a
123 state permit issued pursuant to this subsection shall notify the issuing
124 authority within two business days of any change of such person's
125 address. The notification shall include the old address and the new

126 address of such person.

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

136 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the
137 name and address of a person issued a permit to sell at retail pistols
138 and revolvers pursuant to subsection (a) of this section or a state or a
139 temporary state permit to carry a pistol or revolver pursuant to
140 subsection (b) of this section, or a local permit to carry pistols and
141 revolvers issued by local authorities prior to October 1, 2001, shall be
142 confidential and shall not be disclosed, except (1) such information
143 may be disclosed to law enforcement officials acting in the
144 performance of their duties, including, but not limited to, employees of
145 the United States Probation Office acting in the performance of their
146 duties and parole officers within the Department of Correction acting
147 in the performance of their duties, (2) the issuing authority may
148 disclose such information to the extent necessary to comply with a
149 request made pursuant to section 29-33, 29-37a or 29-38m for
150 verification that such state or temporary state permit is still valid and
151 has not been suspended or revoked, and the local authority may
152 disclose such information to the extent necessary to comply with a
153 request made pursuant to section 29-33, 29-37a or 29-38m for
154 verification that a local permit is still valid and has not been suspended
155 or revoked, and (3) such information may be disclosed to the
156 Commissioner of Mental Health and Addiction Services to carry out
157 the provisions of subsection (c) of section 17a-500.

158 (e) The issuance of any permit to carry a pistol or revolver does not

159 thereby authorize the possession or carrying of a pistol or revolver in
160 any premises where the possession or carrying of a pistol or revolver is
161 otherwise prohibited by law or is prohibited by the person who owns
162 or exercises control over such premises.

163 (f) Any bona fide resident of the United States having no bona fide
164 permanent residence within the jurisdiction of any local authority in
165 the state, but who has a permit or license to carry a pistol or revolver
166 issued by the authority of another state or subdivision of the United
167 States, may apply directly to the Commissioner of Emergency Services
168 and Public Protection for a permit to carry a pistol or revolver in this
169 state. All provisions of subsections (b), (c), (d) and (e) of this section
170 shall apply to applications for a permit received by the commissioner
171 under this subsection. Such applicant shall submit to a state and
172 national criminal history records check in accordance with section 29-
173 17a.

174 Sec. 2. Section 29-28a of the general statutes is repealed and the
175 following is substituted in lieu thereof (*Effective July 1, 2023*):

176 (a) Requests for temporary state permits under section 29-28, as
177 amended by this act, shall be submitted to the chief of police, the chief
178 of police of a law enforcement unit of any federally recognized Native
179 American tribe within the borders of the state as referenced in
180 subsection (b) of section 29-28, as amended by this act, or, where there
181 is no chief of police, to the chief executive officer, as defined in section
182 7-193, of the municipality, as defined in section 7-148, or, if designated
183 by such chief executive officer, the resident state trooper serving such
184 municipality or a state police officer of the state police troop having
185 jurisdiction over such municipality, on application forms prescribed by
186 the Commissioner of Emergency Services and Public Protection. Upon
187 written request by any person for a temporary state permit not on a
188 prescribed application form, or upon request by any person for such
189 application form, the local authority, or the chief of police of a law
190 enforcement unit of any federally recognized Native American tribe
191 within the borders of the state as referenced in subsection (b) of section

192 29-28, as amended by this act, shall supply such forms. When any such
193 request is made in person at the office of the local authority, the local
194 authority, or the chief of police of a law enforcement unit of any
195 federally recognized Native American tribe within the borders of the
196 state as referenced in subsection (b) of section 29-28, as amended by
197 this act, shall supply such application form immediately. When any
198 such request is made in any other manner, the local authority, or the
199 chief of police of a law enforcement unit of any federally recognized
200 Native American tribe within the borders of the state as referenced in
201 subsection (b) of section 29-28, as amended by this act, shall supply
202 such application form not later than one week after receiving such
203 request. If such application form is not supplied within the time limits
204 required by this section, the request therefor shall constitute a
205 sufficient application. If any local authority, or the chief of police of a
206 law enforcement unit of any federally recognized Native American
207 tribe within the borders of the state as referenced in subsection (b) of
208 section 29-28, as amended by this act, fails to supply an application
209 form upon the request of any person, such person may request an
210 application form from the Commissioner of Emergency Services and
211 Public Protection or any barracks of the Division of State Police, and
212 the time limits and procedures set forth in this section for handling
213 requests for such forms shall be applicable.

214 (b) The local authority, or the chief of police of a law enforcement
215 unit of any federally recognized Native American tribe within the
216 borders of the state as referenced in subsection (b) of section 29-28, as
217 amended by this act, shall, not later than eight weeks after a sufficient
218 application for a temporary state permit has been made, inform the
219 applicant that such applicant's request for a temporary state permit has
220 been approved or denied. The local authority, or the chief of police of a
221 law enforcement unit of any federally recognized Native American
222 tribe within the borders of the state as referenced in subsection (b) of
223 section 29-28, as amended by this act, shall forward a copy of the
224 application indicating approval or denial of the temporary state permit
225 to the Commissioner of Emergency Services and Public Protection. If

226 the local authority, or the chief of police of a law enforcement unit of
227 any federally recognized Native American tribe within the borders of
228 the state as referenced in subsection (b) of section 29-28, as amended
229 by this act, has denied the application for a temporary state permit, no
230 state permit may be issued. The commissioner shall, not later than
231 eight weeks after receiving an application indicating approval from the
232 local authority, or the chief of police of a law enforcement unit of any
233 federally recognized Native American tribe within the borders of the
234 state as referenced in subsection (b) of section 29-28, as amended by
235 this act, inform the applicant in writing that the applicant's application
236 for a state permit has been approved or denied, or that the results of
237 the national criminal history records check have not been received. If
238 grounds for denial become known after a temporary state permit has
239 been obtained, the temporary state permit shall be immediately
240 revoked pursuant to section 29-32.

241 Sec. 3. Section 29-29 of the general statutes is repealed and the
242 following is substituted in lieu thereof (*Effective July 1, 2023*):

243 (a) No temporary state permit for carrying any pistol or revolver
244 shall be issued under the provisions of section 29-28, as amended by
245 this act, unless the applicant for such permit gives to the local
246 authority, or the chief of police of a law enforcement unit of any
247 federally recognized Native American tribe within the borders of the
248 state as referenced in subsection (b) of section 29-28, as amended by
249 this act, upon its request, full information concerning the applicant's
250 criminal record. The local authority, or the chief of police of a law
251 enforcement unit of any federally recognized Native American tribe
252 within the borders of the state as referenced in subsection (b) of section
253 29-28, as amended by this act, shall require the applicant to submit to
254 state and national criminal history records checks. The local authority,
255 or the chief of police of a law enforcement unit of any federally
256 recognized Native American tribe within the borders of the state as
257 referenced in subsection (b) of section 29-28, as amended by this act,
258 shall take a full description of such applicant and make an
259 investigation concerning the applicant's suitability to carry any such

260 weapons.

261 (b) The local authority, or the chief of police of a law enforcement
262 unit of any federally recognized Native American tribe within the
263 borders of the state as referenced in subsection (b) of section 29-28, as
264 amended by this act, or the commissioner in the case of an application
265 pursuant to subsection (f) of section 29-28, as amended by this act,
266 shall take the fingerprints of such applicant or conduct any other
267 method of positive identification required by the State Police Bureau of
268 Identification or the Federal Bureau of Investigation. [, unless the local
269 authority or the commissioner determines that the fingerprints of such
270 applicant have been previously taken and the applicant's identity
271 established, and such applicant presents identification that the local
272 authority or the commissioner verifies as valid.] The local authority,
273 the chief of police of a law enforcement unit of any federally
274 recognized Native American tribe within the borders of the state as
275 referenced in subsection (b) of section 29-28, as amended by this act, or
276 the commissioner shall record the date the fingerprints were taken in
277 the applicant's file and, within five business days of such date, shall
278 forward such fingerprints [or] and other positive identifying
279 information to the State Police Bureau of Identification which shall
280 conduct criminal history records checks in accordance with section 29-
281 17a.

282 (c) The local authority, or the chief of police of a law enforcement
283 unit of any federally recognized Native American tribe within the
284 borders of the state as referenced in subsection (b) of section 29-28, as
285 amended by this act, may, in its discretion, issue a temporary state
286 permit before a national criminal history records check relative to such
287 applicant's record has been received. Upon receipt of the results of
288 such national criminal history records check, the commissioner shall
289 send a copy of the results of such national criminal history records
290 check to the local authority, or the chief of police of a law enforcement
291 unit of any federally recognized Native American tribe within the
292 borders of the state as referenced in subsection (b) of section 29-28, as
293 amended by this act, which shall inform the applicant and render a

294 decision on the application within one week of the receipt of such
 295 results. If such results have not been received within eight weeks after
 296 a sufficient application for a permit has been made, the local authority,
 297 or the chief of police of a law enforcement unit of any federally
 298 recognized Native American tribe within the borders of the state as
 299 referenced in subsection (b) of section 29-28, as amended by this act,
 300 shall inform the applicant of such delay, in writing. No temporary
 301 state permit shall be issued if the local authority, or the chief of police
 302 of a law enforcement unit of any federally recognized Native
 303 American tribe within the borders of the state as referenced in
 304 subsection (b) of section 29-28, as amended by this act, has reason to
 305 believe the applicant has ever been convicted of a felony, or that any
 306 other condition exists for which the issuance of a permit for possession
 307 of a pistol or revolver is prohibited under state or federal law.

308 (d) The commissioner may investigate any applicant for a state
 309 permit and shall investigate each applicant for renewal of a state
 310 permit to ensure that such applicant is eligible under state law for such
 311 permit or for renewal of such permit.

312 (e) No state permit may be issued unless either the local authority,
 313 the chief of police of a law enforcement unit of any federally
 314 recognized Native American tribe within the borders of the state as
 315 referenced in subsection (b) of section 29-28, as amended by this act or
 316 the commissioner has received the results of the national criminal
 317 history records check.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	29-28
Sec. 2	July 1, 2023	29-28a
Sec. 3	July 1, 2023	29-29

PS Joint Favorable Subst.