



General Assembly

Amendment

January Session, 2023

LCO No. 9559



Offered by:

SEN. SAMPSON, 16th Dist.

SEN. BERTHEL, 32nd Dist.

To: Subst. House Bill No. 6667

File No. 841

Cal. No. 572

"AN ACT ADDRESSING GUN VIOLENCE."

1 Strike sections 15, 23, 24, 25 and 45 in their entirety and renumber the
2 remaining sections and internal references accordingly

3 Strike section 8 in its entirety and substitute the following in lieu
4 thereof:

5 "Sec. 8. (NEW) (*Effective October 1, 2023*) (a) In addition to any other
6 duty required by chapter 529 of the general statutes, a person who
7 possesses a permit to sell firearms at retail issued pursuant to subsection
8 (a) of section 29-28 of the general statutes, as amended by this act, shall
9 not:

10 (1) Furnish false or fraudulent information in any application to the
11 Department of Emergency Services and Public Protection or fail to
12 comply with representations made in any application;

13 (2) Fail to maintain a permit to carry a pistol or revolver issued

14 pursuant to subsection (b) of section 29-28 of the general statutes, as
15 amended by this act, or a valid eligibility certificate for a pistol or
16 revolver issued pursuant to section 29-36f of the general statutes, as
17 amended by this act;

18 (3) Fail to maintain a permit to sell firearms at retail issued pursuant
19 to subsection (a) of section 29-28 of the general statutes, as amended by
20 this act;

21 (4) Fail to maintain effective controls against theft of firearms,
22 including, but not limited to, installation or maintenance of the burglar
23 alarm system required under section 29-37d of the general statutes;

24 (5) Fail to acquire an authorization number for a firearm transfer
25 pursuant to sections 29-36l and 29-37a of the general statutes, as
26 amended by this act;

27 (6) Transfer a firearm to a person ineligible to receive such firearm,
28 unless the permittee relied in good faith on information provided to
29 such permittee by the department in verifying the eligibility of such
30 ineligible person;

31 (7) Sell, deliver or otherwise transfer a large capacity magazine in
32 violation of sections 53-202w of the general statutes, as amended by this
33 act, and 53-202x of the general statutes, as amended by this act, or fail to
34 maintain accurate records of any such sale, delivery or transfer;

35 (8) Fail to maintain current and proper acquisition and disposition
36 records required by the Bureau of Alcohol, Tobacco, Firearms and
37 Explosives;

38 (9) Fail to post placards or furnish written warnings pursuant to
39 section 29-37b of the general statutes, as amended by this act;

40 (10) Fail to provide a trigger lock, gun lock or gun locking device with
41 each purchase pursuant to section 29-37b of the general statutes, as
42 amended by this act;

43 (11) Fail to verify the age and criminal background of employees
44 pursuant to section 29-37f of the general statutes;

45 (12) Fail to report any firearm stolen in compliance with 18 USC
46 923(g)(6), as amended from time to time; or

47 (13) Fail to conduct an annual physical inventory reconciliation as
48 required by subsection (b) of this section.

49 (b) Any person who possesses a permit to sell firearms at retail shall,
50 not later than the fifth business day of October of each year, cause a
51 physical inventory reconciliation to be performed that includes
52 comparing the physical inventory of firearms with acquisition and
53 disposition records required to be maintained pursuant to this chapter
54 and 27 CFR 478.125 (e), as amended from time to time. A permittee shall,
55 within five business days of performing this inventory reconciliation,
56 attest to the commissioner, in a form and manner specified by the
57 commissioner, that the required inventory reconciliation was performed
58 and any firearms determined to be missing from the inventory were
59 reported to the Attorney General and appropriate local authorities as
60 required by 18 USC 923 (g)(6), as amended from time to time.

61 (c) (1) If there is probable cause to believe that a person has failed to
62 comply with the duties specified in subsection (a) of this section, the
63 commissioner or the chief of police or, where there is no chief of police,
64 the chief executive officer of the municipality or if designated by such
65 chief executive officer, the resident state trooper serving such
66 municipality or a state police officer of the state police troop having
67 jurisdiction over such municipality in which such person resides may
68 issue notice of a violation. Such notice shall detail the reasons for issuing
69 such notice and provide a date, not earlier than thirty days following the
70 date of service of the notice, by which such person must cure the
71 violation.

72 (2) If the period for cure described in subdivision (1) of this subsection
73 has expired and the commissioner or chief determines that the violation
74 is not cured, the commissioner or chief or, where there is no chief of

75 police, the chief executive officer of the municipality or if designated by
76 such chief executive officer, the resident state trooper may temporarily
77 prohibit further sale of firearms at the permitted premises by issuing a
78 stop sales order. Such order shall be effective when served upon the
79 person in violation or posted by the commissioner or chief or, where
80 there is no chief of police, the chief executive officer of the municipality
81 or if designated by such chief executive officer, the resident state trooper
82 at the permitted premises. The commissioner or chief or, where there is
83 no chief of police, the chief executive officer of the municipality or if
84 designated by such chief executive officer, the resident state trooper
85 may assess a civil penalty against of not more than one hundred dollars
86 per day during which the violation continues. Any person who sells,
87 delivers or otherwise transfers a firearm in violation of a stop sales order
88 shall be guilty of a class C felony for which two years of the sentence
89 imposed may not be suspended or reduced by the court, and five
90 thousand dollars of the fine imposed may not be remitted or reduced by
91 the court unless the court states on the record its reasons for remitting
92 or reducing such fine.

93 (3) Any person against which a stop sales order is issued pursuant to
94 subdivision (2) of this subsection may request a hearing before the
95 commissioner to challenge the grounds for issuance of such stop sales
96 order and any associated civil penalties. Such hearing shall be
97 conducted not later than seven days after receipt of such request in
98 accordance with the provisions of chapter 54 of the general statutes.

99 (4) Stop sales orders shall be effective against any successor entity
100 that has one or more of the same principals or officers as the corporation,
101 partnership or sole proprietorship against which the stop sales order
102 was issued and are engaged in the same or equivalent trade or activity.

103 (5) The commissioner shall adopt regulations, in accordance with the
104 provisions of chapter 54 of the general statutes, to specify any hearing
105 provisions necessary to carry out the provisions of this subsection."

106 In line 1047, bracket "and section 53-202d" and strike "as"

107 In line 1048, strike "amended by this act"

108 In line 1245, strike "and, if such firearm is stolen, such firearm is
109 reported stolen"

110 In line 1246, strike "pursuant to the provisions of section 53-202g, as
111 amended by this act"

112 Strike section 22 in its entirety and substitute the following in lieu
113 thereof:

114 "Sec. 22. Subdivision (8) of section 54-280 of the general statutes is
115 repealed and the following is substituted in lieu thereof (*Effective October*
116 *1, 2023*):

117 (8) "Offense committed with a deadly weapon" or "offense" means:
118 (A) A violation of subsection (c) of section 2-1e, subsection (e) of section
119 29-28, subsections (a) to (e), inclusive, or [(i)] (j) of section 29-33, as
120 amended by this act, section 29-34, subsection (a) of section 29-35, as
121 amended by this act, section 29-36, 29-36k, 29-37a, as amended by this
122 act, or 29-37e, subsection (c) of section 29-37g, section 29-37j, [subsection
123 (b), (c) or (g) of section 53-202, section 53-202b, 53-202c, 53-202j,] 53-202k,
124 as amended by this act, 53-202l, as amended by this act, 53-202aa or 53-
125 206b, subsection (b) of section 53a-8, section 53a-55a, 53a-56a, 53a-60a,
126 53a-60c, 53a-72b, 53a-92a, 53a-94a, 53a-102a, 53a-103a, [53a-211,] 53a-
127 212, 53a-216, 53a-217, 53a-217a, as amended by this act, 53a-217b or 53a-
128 217c, as amended by this act; [, or a second or subsequent violation of
129 section 53-202g;] or (B) a violation of any section of the general statutes
130 which constitutes a felony, as defined in section 53a-25, provided the
131 court makes a finding that, at the time of the offense, the offender used
132 a deadly weapon, or was armed with and threatened the use of or
133 displayed or represented by words or conduct that the offender
134 possessed a deadly weapon;"

135 Strike section 26 in its entirety and substitute the following in lieu
136 thereof:

137 "Sec. 26. Subsection (b) of section 29-36n of the general statutes is
138 repealed and the following is substituted in lieu thereof (*Effective from*
139 *passage*):

140 (b) The Commissioner of Emergency Services and Public Protection,
141 in conjunction with the Chief State's Attorney and the Connecticut
142 Police Chiefs Association, shall update the protocol developed pursuant
143 to subsection (a) of this section to reflect the provisions of sections 29-
144 7h, 29-28, as amended by this act, 29-28a, as amended by this act, 29-29,
145 29-30, as amended by this act, 29-32 and 29-35, as amended by this act,
146 subsections (b) and (h) of section 46b-15, subsections (c) and (d) of
147 section 46b-38c and sections [53-202a,] 53-202l [, 53-202m] and 53a-217,
148 as amended by this act, and shall include in such protocol specific
149 instructions for the transfer, delivery or surrender of pistols and
150 revolvers and other firearms and ammunition when the assistance of
151 more than one law enforcement agency is necessary to effect the
152 requirements of section 29-36k."

153 In line 2685, strike "53-202,"

154 Strike line 2686 in its entirety

155 In line 2687, before "53-202w" strike "act,"

156 In line 2693, strike "53-202, 53-202a, as amended by this act, 53-202b,
157 53-202c, as"

158 In line 2694, before "53-202w" strike "amended by this act,"

159 Strike section 49 in its entirety and substitute the following in lieu
160 thereof:

161 "Sec. 49. Sections 53-202 to 53-202j, inclusive, 53-202m to 53-202o,
162 inclusive, and 53a-211 of the general statutes are repealed. (*Effective from*
163 *passage*)"

164 After the last section, add the following and renumber sections and
165 internal references accordingly:

166 "Sec. 501. Subsection (a) of section 29-38 of the general statutes is
167 repealed and the following is substituted in lieu thereof (*Effective from*
168 *passage*):

169 (a) Any person who knowingly has, in any vehicle owned, operated
170 or occupied by such person, any weapon, any pistol or revolver for
171 which a proper permit has not been issued as provided in section 29-28₂
172 [or any machine gun which has not been registered as required by
173 section 53-202,] shall be guilty of a class D felony, and the presence of
174 any such weapon, pistol or revolver [, or machine gun] in any vehicle
175 shall be prima facie evidence of a violation of this section by the owner,
176 operator and each occupant thereof. The word "weapon", as used in this
177 section, means any BB. gun, any blackjack, any metal or brass knuckles,
178 any police baton or nightstick, any dirk knife or switch knife, any knife
179 having an automatic spring release device by which a blade is released
180 from the handle, having a blade of over one and one-half inches in
181 length, any stiletto, any knife the edged portion of the blade of which is
182 four inches or more in length, any martial arts weapon or electronic
183 defense weapon, as defined in section 53a-3, or any other dangerous or
184 deadly weapon or instrument.

185 Sec. 502. Section 53-202k of the general statutes is repealed and the
186 following is substituted in lieu thereof (*Effective from passage*):

187 Any person who commits any class A, B or C felony and in the
188 commission of such felony uses, or is armed with and threatens the use
189 of, or displays, or represents by his words or conduct that he possesses
190 any firearm, as defined in section 53a-3, [except an assault weapon, as
191 defined in section 53-202a,] shall be imprisoned for a term of five years,
192 which shall not be suspended or reduced and shall be in addition and
193 consecutive to any term of imprisonment imposed for conviction of such
194 felony.

195 Sec. 503. Subsection (i) of section 53a-46a of the general statutes is
196 repealed and the following is substituted in lieu thereof (*Effective from*
197 *passage*):

198 (i) The aggravating factors to be considered shall be limited to the
199 following: (1) The defendant committed the offense during the
200 commission or attempted commission of, or during the immediate flight
201 from the commission or attempted commission of, a felony and the
202 defendant had previously been convicted of the same felony; or (2) the
203 defendant committed the offense after having been convicted of two or
204 more state offenses or two or more federal offenses or of one or more
205 state offenses and one or more federal offenses for each of which a
206 penalty of more than one year imprisonment may be imposed, which
207 offenses were committed on different occasions and which involved the
208 infliction of serious bodily injury upon another person; or (3) the
209 defendant committed the offense and in such commission knowingly
210 created a grave risk of death to another person in addition to the victim
211 of the offense; or (4) the defendant committed the offense in an
212 especially heinous, cruel or depraved manner; or (5) the defendant
213 procured the commission of the offense by payment, or promise of
214 payment, of anything of pecuniary value; or (6) the defendant
215 committed the offense as consideration for the receipt, or in expectation
216 of the receipt, of anything of pecuniary value; [or (7) the defendant
217 committed the offense with an assault weapon, as defined in section 53-
218 202a;] or [(8)] (7) the defendant committed the offense set forth in
219 subdivision (1) of section 53a-54b to avoid arrest for a criminal act or
220 prevent detection of a criminal act or to hamper or prevent the victim
221 from carrying out any act within the scope of the victim's official duties
222 or to retaliate against the victim for the performance of the victim's
223 official duties.

224 Sec. 504. Subsections (b) and (c) of section 17a-500 of the general
225 statutes are repealed and the following is substituted in lieu thereof
226 (*Effective from passage*):

227 (b) The Commissioner of Mental Health and Addiction Services shall,
228 notwithstanding the provisions of subsection (a) of this section,
229 maintain information, in accordance with section 17a-499, on
230 commitment orders by a probate court, and shall maintain information,
231 in accordance with section 17a-506a, on voluntary admissions, and shall

232 provide such information to the Commissioner of Emergency Services
233 and Public Protection in fulfillment of his obligations under sections 29-
234 28 to 29-38, inclusive, [and section 53-202d,] in such a manner as to
235 report identifying information on the commitment or voluntary
236 admission status, including, but not limited to, name, address, sex, date
237 of birth and date of commitment or admission, for a person who applies
238 for or holds a permit or certificate under said sections 29-28 to 29-38,
239 inclusive, [, and section 53-202d.] The Commissioner of Emergency
240 Services and Public Protection shall maintain as confidential any such
241 information provided to him and shall use such information only for
242 purposes of fulfilling his obligations under sections 29-28 to 29-38,
243 inclusive, [and section 53-202d,] except that nothing in this section shall
244 prohibit said commissioner from entering such information into
245 evidence at a hearing held in accordance with section 29-32b.

246 (c) (1) The Commissioner of Mental Health and Addiction Services
247 shall obtain from the Commissioner of Emergency Services and Public
248 Protection the status of any firearm application, permit or certificate
249 under sections 29-28 to 29-38, inclusive, [and section 53-202d,] of each
250 person who is the subject of an order of commitment as provided in
251 section 17a-499 or is the subject of a voluntary admission as provided in
252 section 17a-506a, in such a manner so as to only receive a report on the
253 firearm application, permit or certificate status of the person with
254 respect to whom the inquiry is made.

255 (2) The Commissioner of Mental Health and Addiction Services shall
256 report to the Commissioner of Emergency Services and Public
257 Protection any commitment or voluntary admission status and
258 identifying information for any person who is an applicant for or holder
259 of any permit or certificate under said sections 29-28 to 29-38, inclusive,
260 [, and section 53-202d.]

261 (3) The Commissioner of Mental Health and Addiction Services shall
262 advise the hospital for psychiatric disabilities to which a person has
263 been committed or voluntarily admitted of the status of a firearm
264 application, permit or certificate of such person under sections 29-28 to

265 29-38, inclusive, [and section 53-202d,] as reported by the Commissioner
266 of Emergency Services and Public Protection for consideration by such
267 hospital in any psychiatric treatment procedures.

268 (4) The Commissioner of Mental Health and Addiction Services and
269 a hospital for psychiatric disabilities shall maintain as confidential any
270 information provided to said commissioner or such hospital concerning
271 the status of a firearm application, permit or certificate under sections
272 29-28 to 29-38, inclusive, [, and section 53-202d, of any person.]

273 Sec. 505. Subsection (d) of section 29-1r of the general statutes is
274 repealed and the following is substituted in lieu thereof (*Effective from*
275 *passage*):

276 (d) Any order or regulation of the Department of Public Safety, which
277 is in force on July 1, 2011, except those orders or regulations pertaining
278 to chapters 531, 532 and 538 to 541a, inclusive, shall continue in force
279 and effect as an order or regulation of the Department of Emergency
280 Services and Public Protection until amended, repealed or superseded
281 pursuant to law. Where any order or regulation of said departments or
282 the Department of Emergency Management and Homeland Security
283 conflict, the Commissioner of Emergency Services and Public Protection
284 may implement policies and procedures consistent with the provisions
285 of this section and sections 3-122, 3-123, 3-123e, 4-5 and 4-38c,
286 subsections (k) and (l) of section 4a-100 and sections 4b-136, 5-182, 7-
287 294b, 7-294d, 7-294e, 7-294p, 7-323k, 7-323l, 7-323p, 7-521, 10a-55a, 14-
288 283a, 16a-13b, 16a-106, 19a-487, 21a-274a, 22a-601, 28-1, 28-1a, 28-1i, 28-
289 24, 28-29a, 29-1b, 29-1p, 29-4, 29-5, 29-36l, 29-179i, 51-291, 51-293, 51-296,
290 [53-202d,] 54-1m, 54-64g and 54-142q while in the process of adopting
291 the policy or procedure in regulation form, provided notice of intention
292 to adopt regulations is printed in the Connecticut Law Journal within
293 twenty days of implementation. The policy or procedure shall be valid
294 until the time final regulations are effective.

295 Sec. 506. Section 29-36m of the general statutes is repealed and the
296 following is substituted in lieu thereof (*Effective from passage*):

297 The Commissioner of Emergency Services and Public Protection shall
298 adopt regulations in accordance with the provisions of chapter 54 to
299 carry out the provisions of sections 18-81i, 29-27 and 29-28, subsection
300 (a) of section 29-30, section 29-32, subsection (b) of section 29-32b,
301 sections 29-33, 29-34 and 29-36f to 29-36l, inclusive, subsection (a) of
302 section 29-37 [, subsections (a) and (b) of section 53-202d] and section
303 53a-217c.

304 Sec. 507. Section 53-202x of the general statutes is repealed and the
305 following is substituted in lieu thereof (*Effective from passage*):

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

316 (2) No person who lawfully possesses a large capacity magazine
317 pursuant to subdivision (1), (2), (4) or (5) of subsection (d) of section 53-
318 202w shall be required to declare possession of a large capacity
319 magazine pursuant to this section with respect to a large capacity
320 magazine used for official duties, except that any such person who
321 retires or is otherwise separated from service who possesses a large
322 capacity magazine that was purchased or obtained by such person for
323 official use before such person retired or separated from service shall
324 declare possession of the large capacity magazine within ninety days of
325 such retirement or separation from service to the Department of
326 Emergency Services and Public Protection. No person that lawfully
327 possesses a large capacity magazine pursuant to subdivision (6) of
328 subsection (d) of section 53-202w shall be required to declare possession
329 of such large capacity magazine.

330 (b) In addition to the application form prescribed under subsection
331 (a) of this section, the department shall design or amend the application
332 forms for [a certificate of possession for an assault weapon under section
333 53-202d or for] a permit to carry a pistol or revolver under section 29-
334 28a, a long gun eligibility certificate under section 29-37p, an eligibility
335 certificate for a pistol or revolver under section 29-36f or any renewal of
336 such permit or certificate to permit an applicant to declare possession of
337 a large capacity magazine pursuant to this section upon the same
338 application.

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

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

361 (e) (1) If an owner of a large capacity magazine transfers the large
362 capacity magazine to a licensed gun dealer, such dealer shall, at the time

363 of delivery of the large capacity magazine, execute a certificate of
364 transfer. For any transfer prior to January 1, 2014, the dealer shall
365 provide to the Commissioner of Emergency Services and Public
366 Protection monthly reports, on such form as the commissioner
367 prescribes, regarding the number of transfers that the dealer has
368 accepted. For any transfer on or after January 1, 2014, the dealer shall
369 cause the certificate of transfer to be mailed or delivered to the
370 Commissioner of Emergency Services and Public Protection. The
371 certificate of transfer shall contain: (A) The date of sale or transfer; (B)
372 the name and address of the seller or transferor and the licensed gun
373 dealer, and their Social Security numbers or motor vehicle operator
374 license numbers, if applicable; (C) the licensed gun dealer's federal
375 firearms license number; and (D) a description of the large capacity
376 magazine.

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

380 (3) The Commissioner of Emergency Services and Public Protection
381 shall maintain a file of all certificates of transfer at the commissioner's
382 central office.

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

386 (1) At that person's residence;

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

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

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

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

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

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

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

409 Sec. 508. Subsection (c) of section 29-38g of the general statutes is
410 repealed and the following is substituted in lieu thereof (*Effective from*
411 *passage*):

412 (c) The court may order suspension of prosecution if the court finds
413 that a violation of this section is not of a serious nature and that the
414 person charged with such violation (1) [(A)] will probably not offend in
415 the future, [(B)] (2) has not previously been convicted of a violation of
416 this section, and [(C)] (3) has not previously had a prosecution under
417 this section suspended pursuant to this subsection. [, or (2) was charged
418 with such violation because of facts or circumstances accurately
419 reported by such person to an organized local police department
420 concerning a lost or stolen firearm in accordance with the provisions of
421 section 53-202g.] The court shall not order suspension of prosecution
422 unless the accused person has acknowledged that he or she understands
423 the consequences of the suspension of prosecution. Any person for

424 whom prosecution is suspended shall agree to the tolling of any statute
425 of limitations with respect to such violation and to a waiver of his or her
426 right to a speedy trial. Such person shall appear in court and shall be
427 released to the supervision of the Court Support Services Division for
428 such period, not exceeding two years, and under such conditions as the
429 court shall order. If the person refuses to accept, or, having accepted,
430 violates such conditions, the court shall terminate the suspension of
431 prosecution and the case shall be brought to trial. If such person
432 satisfactorily completes such person's period of probation, he or she
433 may apply for dismissal of the charges against such person and the
434 court, on finding such satisfactory completion, shall dismiss such
435 charges. If the person does not apply for dismissal of the charges against
436 such person after satisfactorily completing such person's period of
437 probation, the court, upon receipt of a report submitted by the Court
438 Support Services Division that the person satisfactorily completed such
439 person's period of probation, may on its own motion make a finding of
440 such satisfactory completion and dismiss such charges. Upon dismissal,
441 all records of such charges shall be erased pursuant to section 54-142a,
442 as amended by this act. An order of the court denying a motion to
443 dismiss the charges against a person who has completed such person's
444 period of probation or terminating the participation of a defendant in
445 such program shall be a final judgment for purposes of appeal.

446 Sec. 509. Subdivision (12) of subsection (c) of section 19a-343 of the
447 general statutes is repealed and the following is substituted in lieu
448 thereof (*Effective from passage*):

449 (12) Firearm offenses under section 29-35, 53-202aa, 53-203, [53a-211,]
450 53a-212, 53a-216, 53a-217 or 53a-217c.

451 Sec. 510. Subdivision (8) of section 46b-120 of the general statutes is
452 repealed and the following is substituted in lieu thereof (*Effective from*
453 *passage*):

454 (8) "Serious juvenile offense" means (A) the violation of, including
455 attempt or conspiracy to violate, section 21a-277, 21a-278, 29-33, 29-34,

456 29-35, subdivision (2) or (3) of subsection (a) of section 53-21, 53-80a, [53-
457 202b, 53-202c,] 53-390 to 53-392, inclusive, 53a-54a to 53a-57, inclusive,
458 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-64bb, 53a-70 to 53a-71,
459 inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-
460 100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive,
461 subdivision (1) of subsection (a) of section 53a-122, subdivision (2) of
462 subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a or
463 53a-167c, subsection (a) of section 53a-174, or section 53a-196a, [53a-211,]
464 53a-212, 53a-216 or 53a-217b, or (B) absconding, escaping or running
465 away, without just cause, from any secure residential facility in which
466 the child has been placed by the court as a delinquent child;

467 Sec. 511. Subsection (a) of section 53-394 of the general statutes is
468 repealed and the following is substituted in lieu thereof (*Effective from*
469 *passage*):

470 (a) "Racketeering activity" means to commit, to attempt to commit, to
471 conspire to commit, or to intentionally aid, solicit, coerce or intimidate
472 another person to commit any crime which, at the time of its
473 commission, was a felony chargeable by indictment or information
474 under the following provisions of the general statutes then applicable:
475 (1) Sections 53-278a to 53-278f, inclusive, relating to gambling activity;
476 (2) chapter 949a, relating to extortionate credit transactions; (3) chapter
477 952, part IV, relating to homicide; (4) chapter 952, part V, relating to
478 assault, except assault with a motor vehicle as defined in section 53a-
479 60d; (5) sections 53a-85 to 53a-88, inclusive, relating to prostitution; (6)
480 chapter 952, part VII, relating to kidnapping; (7) chapter 952, part VIII,
481 relating to burglary, arson and related offenses; (8) chapter 952, part IX,
482 relating to larceny, robbery and related offenses; (9) chapter 952, part X,
483 relating to forgery and related offenses; (10) chapter 952, part XI, relating
484 to bribery and related offenses; (11) chapter 952, part XX, relating to
485 obscenity and related offenses; (12) chapter 952, part XIX, relating to
486 coercion; (13) sections [53-202,] 53-206 [, 53a-211] and 53a-212, relating
487 to weapons and firearms; (14) section 53-80a, relating to the
488 manufacture of bombs; (15) sections 36b-2 to 36b-34, inclusive, relating
489 to securities fraud and related offenses; (16) sections 21a-277, 21a-278,

490 21a-278b and 21a-279, relating to drugs; (17) section 22a-131a, relating
491 to hazardous waste; (18) chapter 952, part XXIII, relating to money
492 laundering; (19) section 53a-192a, relating to trafficking in persons; or
493 (20) subsection (b) of section 12-304 or section 12-308, relating to
494 cigarettes, or subsection (c) of section 12-330f or subsection (b) of section
495 12-330j, relating to tobacco products.

496 Sec. 512. Subsection (c) of section 53-396 of the general statutes is
497 repealed and the following is substituted in lieu thereof (*Effective from*
498 *passage*):

499 (c) In any prosecution under this chapter, the court shall impose a
500 separate sentence on any separately charged offense of which the
501 defendant has been found guilty notwithstanding that the offense also
502 constitutes an incident of racketeering activity under that portion of the
503 information charging a violation of this chapter. Any term of
504 imprisonment imposed on the separately charged offense shall, in the
505 discretion of the court, run either concurrently or consecutively with
506 respect to the sentence imposed on the count charging a violation of this
507 chapter, as provided in section 53a-27, except, in the case in which such
508 separately charged offense constitutes a violation of section [53-202,] 53-
509 206 [, 53a-211] or 53a-212, such sentences shall run consecutively.

510 Sec. 513. Subparagraph (C) of subdivision (2) of subsection (e) of
511 section 54-142a of the general statutes is repealed and the following is
512 substituted in lieu thereof (*Effective from passage*):

513 (C) Any conviction for a class D felony offense that is a violation of
514 section 53a-60a, 53a-60b, 53a-60c, 53a-64bb, 53a-72a, 53a-90a, 53a-103a,
515 53a-181c, 53a-191, 53a-196, 53a-196f, [53a-211,] 53a-216, 53a-217a, 53a-
516 322, 54-251, 54-252, 54-253 or 54-254 or subdivision (1) of subsection (a)
517 of section 53a-189a; or "