



General Assembly

**Amendment**

January Session, 2023

LCO No. 9567



Offered by:

SEN. SAMPSON, 16<sup>th</sup> Dist.

SEN. BERTHEL, 32<sup>nd</sup> Dist.

To: Subst. House Bill No. 6667

File No. 841

Cal. No. 572

**"AN ACT ADDRESSING GUN VIOLENCE."**

1 Strike section 3 in its entirety and insert the following in lieu thereof:

2 "Sec. 3. Section 29-36a of the general statutes is repealed and the  
3 following is substituted in lieu thereof (*Effective October 1, 2023*):

4 [(a) No person shall complete the manufacture of a firearm without  
5 subsequently (1) obtaining a unique serial number or other mark of  
6 identification from the Department of Emergency Services and Public  
7 Protection pursuant to subsection (b) of this section, and (2) engraving  
8 upon or permanently affixing to the firearm such serial number or other  
9 mark in a manner that conforms with the requirements imposed on  
10 licensed importers and licensed manufacturers of firearms pursuant to  
11 18 USC 923(i), as amended from time to time, and any regulation  
12 adopted thereunder.]

13 [(b) Not later than thirty days after a person] Any person who  
14 completes the manufacture of a firearm [or ninety days after] may

15 request of the Department of Emergency Services and Public Protection  
16 [provides notice in accordance with section 29-36b that the system to  
17 distribute] a unique serial number or other mark of identification  
18 [pursuant to this section is operational, whichever date is later, such  
19 person shall notify the department of such manufacture and provide  
20 any identifying information to the department concerning the firearm  
21 and the owner of such firearm,] in a manner prescribed by the  
22 Commissioner of Emergency Services and Public Protection. Upon  
23 receiving a properly submitted request for a unique serial number or  
24 other mark of identification from a person who completes manufacture  
25 of a firearm, the department shall determine if such person is prohibited  
26 from purchasing a firearm and if not, shall issue to such person a unique  
27 serial number or other mark of identification immediately and in no  
28 instance more than three business days after the department receives  
29 such request. Issuance of a unique serial number or other mark of  
30 identification pursuant to this [subsection] section shall not be evidence  
31 that the firearm is otherwise lawfully possessed.

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

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

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

45 (f) No person shall facilitate, aid or abet the manufacture of a firearm  
46 (1) by a person or for a person who is otherwise prohibited by law from

47 purchasing or possessing a firearm, or (2) that a person is otherwise  
48 prohibited by law from purchasing or possessing.

49 (g) If the court finds that a violation of this section is not of a serious  
50 nature and that the person charged with such violation (1) will probably  
51 not offend in the future, (2) has not previously been convicted of a  
52 violation of this section, and (3) has not previously had a prosecution  
53 under this section suspended pursuant to this subsection, the court may  
54 order suspension of prosecution. The court shall not order suspension  
55 of prosecution unless the accused person has acknowledged that he or  
56 she understands the consequences of the suspension of prosecution.  
57 Any person for whom prosecution is suspended shall agree to the  
58 tolling of any statute of limitations with respect to such violation and to  
59 a waiver of his or her right to a speedy trial. Such person shall appear in  
60 court and shall be released to the supervision of the Court Support  
61 Services Division for such period, not exceeding two years, and under  
62 such conditions as the court shall order. If the person refuses to accept,  
63 or, having accepted, violates such conditions, the court shall terminate  
64 the suspension of prosecution and the case shall be brought to trial. If  
65 such person satisfactorily completes such person's period of probation,  
66 he or she may apply for dismissal of the charges against such person  
67 and the court, on finding such satisfactory completion, shall dismiss  
68 such charges. If the person does not apply for dismissal of the charges  
69 against such person after satisfactorily completing such person's period  
70 of probation, the court, upon receipt of a report submitted by the Court  
71 Support Services Division that the person satisfactorily completed such  
72 person's period of probation, may on its own motion make a finding of  
73 such satisfactory completion and dismiss such charges. Upon dismissal,  
74 all records of such charges shall be erased pursuant to section 54-142a.  
75 An order of the court denying a motion to dismiss the charges against a  
76 person who has completed such person's period of probation or  
77 terminating the participation of a defendant in such program shall be a  
78 final judgment for purposes of appeal.

79 (h) Any person who violates any provision of this section shall be  
80 guilty of a class C felony for which two years of the sentence imposed

81 may not be suspended or reduced by the court, and five thousand  
82 dollars of the fine imposed may not be remitted or reduced by the court  
83 unless the court states on the record its reasons for remitting or reducing  
84 such fine, and any firearm found in the possession of any person in  
85 violation of any provision of this section shall be forfeited.

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