



PA 18-29—sHB 5542

Judiciary Committee

AN ACT CONCERNING BUMP STOCKS AND OTHER MEANS OF ENHANCING THE RATE OF FIRE OF A FIREARM

SUMMARY: This act generally makes it a class D felony (see Table on Penalties) for anyone, except a federally licensed firearms manufacturer fulfilling a military contract, to sell, offer to sell, otherwise transfer, or offer to transfer, purchase, possess, use, or manufacture a “rate of fire enhancement” (e.g., a bump stock).

The act provides a reduced penalty (a class D misdemeanor) for a first time offender who possesses a rate of fire enhancement before July 1, 2019, and holds a valid (1) permit to carry a pistol or revolver; (2) eligibility certificate for a pistol, revolver, or long gun; or (3) ammunition certificate.

The act makes an exception for (1) anyone who moves into the state in lawful possession of a rate of fire enhancement and (2) any military personnel stationed or otherwise residing in the state who is deployed from the state on October 1, 2018, or is under deployment from this state on that date and legally possessed a rate of fire enhancement on September 30, 2018. It requires any such person or military personnel to render the rate of fire enhancement in his or her possession permanently inoperable, remove it from this state, or surrender it to the Department of Emergency Services and Public Protection (DESPP) for destruction, within 90 days of moving into the state or returning to the state from deployment, as applicable. Under the act, the penalties described above do not apply during the 90-day period, unless the person or military personnel uses, sells, offers to sell, otherwise transfers, or offers to transfer, except as permitted, such rate of fire enhancement during this grace period.

The act gives the court specific discretion to suspend prosecution in any case where a violation is not of a serious nature and the person charged with the violation (1) is not likely to offend in the future and (2) has not been previously convicted of a violation of these provisions or had a prosecution of any such violation suspended.

Finally, the act also requires the DESPP commissioner to:

1. within 30 days after the act passes and within available appropriations, provide written notice of the act’s provisions on the department’s website and electronically to federally licensed firearms dealers and
2. for the period starting 30 days after the act passes through June 30, 2023, include a written notice of the act’s provisions with each (a) permit to carry a pistol or revolver, eligibility certificate for a pistol or revolver, long gun eligibility certificate, and ammunition certificate she issues and (b) expiration notice mailed to the holder of any such permit or certificate.

OLR PUBLIC ACT SUMMARY

EFFECTIVE DATE: October 1, 2018, except the DESPP notification provision is effective upon passage.

RATE OF FIRE ENHANCEMENT

Under the act, “rate of fire enhancement” means any device, component, part, combination of parts, attachment, or accessory that:

1. uses energy from a firearm’s recoil to generate a reciprocating action that causes repeated function of the trigger, including a bump stock;
2. repeatedly pulls a firearm’s trigger through the use of a crank, lever, or other part, including a trigger crank; or
3. causes a semiautomatic firearm to fire more than one round per operation of the trigger, where the trigger pull and reset constitute a single operation of the trigger, including a binary trigger system.

By law, “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 (CGS § 53a-3).