



Substitute House Bill No. 6355

Public Act No. 21-67

AN ACT CONCERNING RISK PROTECTION ORDERS OR WARRANTS AND DISQUALIFIERS FOR FIREARM PERMITS AND ELIGIBILITY CERTIFICATES.

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

Section 1. Section 29-38c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective June 1, 2022*):

(a) Upon complaint on oath by any state's attorney or assistant state's attorney or by any two police officers, to any judge of the Superior Court, that such state's attorney, assistant state's attorney or police officers have probable cause to believe that [(1)] a person poses a risk of imminent personal injury to himself or herself or to [other individuals, (2)] another person, the judge may issue a risk protection order prohibiting such person from acquiring or possessing a firearm or other deadly weapon or ammunition. As part of or following the issuance of such order, if there is probable cause to believe that (1) such person possesses one or more firearms or other deadly weapons, and [(3)] (2) such firearm or firearms or other deadly weapon or deadly weapons are within or upon any place, thing or person, such judge [may] shall issue a warrant commanding a [proper] police officer to enter into or upon such place or thing, search the same or the person and take into such officer's custody any and all firearms and other deadly weapons and

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ammunition. Such state's attorney, assistant state's attorney or police officers [shall] may not make such complaint unless such state's attorney, assistant state's attorney or police officers have conducted an independent investigation and [have] determined that such probable cause exists. [and that there is no reasonable alternative available to prevent such person from causing imminent personal injury to himself or herself or to others with such firearm] Upon the issuance of any such order and warrant, if applicable, the judge shall order the clerk of the court to give notice to the Commissioner of Emergency Services and Public Protection of the issuance of such order and warrant, if applicable.

(b) (1) Any family or household member or medical professional who has a good faith belief that a person poses a risk of imminent personal injury to himself or herself or to another person may make an application for a risk protection order investigation with the clerk of the court for any geographical area. The application and accompanying affidavit shall be made under oath and indicate: (A) The factual basis for the applicant's belief that such person poses a risk of imminent personal injury to himself or herself or to another person; (B) whether such person holds a permit under subsection (b) of section 29-28, as amended by this act, or an eligibility certificate issued under section 29-36f, as amended by this act, 29-37p, as amended by this act, or 29-38n or currently possesses one or more firearms or other deadly weapons or ammunition, if known; and (C) where any such firearm or other deadly weapon or ammunition is located, if known.

(2) Upon receipt of an application and affidavit pursuant to this subsection, if the court finds that there is a good faith belief that a person poses a risk of imminent personal injury to himself or herself or to another person, the court shall order a risk protection order investigation to determine if the person who is the subject of the application poses a risk of imminent personal injury to himself or herself

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or to another person. Upon issuance by the court of an order for investigation, the court shall: (A) Give notice to the Commissioner of Emergency Services and Public Protection of the issuance of the order for a risk protection order investigation; and (B) immediately give notice of the order and transmit the order and the application and affidavit on which the order is based to the law enforcement agency for the town in which the subject of the investigation resides. The court shall immediately enter into the National Instant Criminal Background Check System (NICS) a record indicating that the person who is the subject of the investigation is ineligible to purchase or otherwise receive a firearm.

(3) Upon receipt of an investigation order, the law enforcement agency shall immediately investigate whether the subject of the investigation poses a risk of imminent personal injury to himself or herself or to another person. If the law enforcement agency determines that there is probable cause to believe that the subject of the investigation poses a risk of imminent personal injury to himself or herself or to another person, such law enforcement agency shall seek a risk protection order, and when applicable, a warrant pursuant to subsection (a) of this section not later than twenty-four hours after receiving the investigation order, or, if the law enforcement agency needs additional time to complete the investigation, as soon thereafter as is practicable. If the law enforcement agency determines that there is no probable cause to believe that the subject of the investigation poses a risk of imminent personal injury to himself or herself or to another person, the law enforcement agency shall notify the court, the applicant, and the Commissioner of Emergency Services and Public Protection of such determination, in writing, not later than forty-eight hours after receiving the investigation order, if practicable, or, if the law enforcement agency needs additional time to complete the risk warrant investigation, as soon thereafter as is practicable. Upon receiving such notification that there was not a finding of probable cause, the court

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shall immediately remove or cancel any record entered into the National Instant Criminal Background Check System associated with such investigation for which there was no finding of probable cause.

[(b)] (c) A risk protection order and warrant, if applicable, issued under subsection (a) of this section, may issue only on affidavit sworn to by the complainant or complainants before the judge and establishing the grounds for issuing the order and warrant, if applicable, which [affidavit] shall be part of the [seizure] court file. In determining [whether grounds for the application exist or] whether there is probable cause [to believe they exist] for a risk protection order and warrant, if applicable, under subsection (a) of this section, the judge shall consider: (1) Recent threats or acts of violence by such person directed toward other persons; (2) recent threats or acts of violence by such person directed toward himself or herself; and (3) recent acts of cruelty to animals as provided in subsection (b) of section 53-247 by such person. In evaluating whether such recent threats or acts of violence constitute probable cause to believe that such person poses a risk of imminent personal injury to himself or herself or to others, the judge may consider other factors including, but not limited to (A) the reckless use, display or brandishing of a firearm or other deadly weapon by such person, (B) a history of the use, attempted use or threatened use of physical force by such person against other persons, (C) prior involuntary confinement of such person in a hospital for persons with psychiatric disabilities, and (D) the illegal use of controlled substances or abuse of alcohol by such person. [If] In the case of a complaint made under subsection (a) of this section, if the judge is satisfied that the grounds for the [application] complaint exist or that there is probable cause to believe that [they] such grounds exist, such judge shall issue a risk protection order and warrant, if applicable, naming or describing the person, and, in the case of the issuance of a warrant, the place or thing to be searched. If the requisite circumstances are met, the judge shall issue a risk protection order regardless of whether the person is already ineligible to possess a

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firearm. The order and warrant, if applicable, shall be directed to any police officer of a regularly organized police department or any state police officer. [It] The order and warrant, if applicable, shall state the grounds or probable cause for [its] issuance and, [it] in the case of a warrant, the warrant shall command the officer to search within a reasonable time the person, place or thing named for any and all firearms and other deadly weapons and ammunition. A copy of the order and warrant, if applicable, shall be given within a reasonable time to the person named [therein] in the order together with a notice informing the person that such person has the right to a hearing under this section, the telephone number for the court clerk who can inform the person of the date and time of such hearing and the right to be represented by counsel at such hearing.

[(c) The applicant for] (d) (1) In the case of a warrant, the municipal or state police agency that executed the warrant shall file a copy of the application for the warrant and all affidavits upon which the warrant is based with the clerk of the court for the geographical area within which the search [will be] was conducted and with the state's attorney's office for such judicial district no later than the next business day following the execution of the warrant. Prior to the execution and return of the warrant, the clerk of the court shall not disclose any information pertaining to the application for the warrant or any affidavits upon which the warrant is based. The warrant shall be executed and returned with reasonable promptness consistent with due process of law and shall be accompanied by a written inventory of all firearms and other deadly weapons and ammunition seized.

(2) In the case of a risk protection order, not later than the next business day following the service of the order, the municipal or state police agency that served the order shall file with the court of the geographical area in the location in which the subject of the order resides a copy of the order and transmit to the state's attorney's office

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for such judicial district a return of service stating the date and time that the order was served. Prior to the service and return of the order, the clerk of court shall not disclose any information pertaining to the application for the order or any affidavits upon which the order is based to any person outside the Judicial Branch, the municipal or state police agency that served the order, or the state's attorney's office for the judicial district within which the order was served. The order shall be served and returned with reasonable promptness consistent with due process of law.

[(d)] (e) Not later than fourteen days after the service of a risk protection order or execution of a warrant under this section, the court for the geographical area where the person named in the order or warrant resides shall hold a hearing to determine whether the risk protection order should continue to apply and whether the firearm or firearms or other deadly weapon or deadly weapons and any ammunition seized should be returned to the person named in the warrant or should continue to be held by the state. At such hearing the state shall have the burden of proving all material facts by clear and convincing evidence. If, after such hearing, the court finds by clear and convincing evidence that the person poses a risk of imminent personal injury to himself or herself or to [other individuals] another person, the court may order that the risk protection order continue to apply and that the firearm or firearms or other deadly weapon or deadly weapons and any ammunition seized pursuant to the warrant issued under subsection (a) of this section continue to be held by the state [for a period not to exceed one year, otherwise] until such time that the court shall terminate such order pursuant to subsection (f) of this section and order the firearm or firearms or other deadly weapon or deadly weapons and any ammunition seized to be returned as soon as practicable to the person named in the warrant, provided such person is otherwise legally able to possess such firearm or firearms or other deadly weapon or deadly weapons and ammunition. If the court finds that the state has

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failed to prove by clear and convincing evidence that the petitioner poses a risk of imminent personal injury to himself or herself or to another person, the court shall terminate such order and warrant, if applicable, and order the firearm or firearms or other deadly weapon or deadly weapons and any ammunition seized to be returned as soon as is practicable to the person named in the warrant, provided such person is otherwise legally able to possess such firearm or firearms or other deadly weapon or deadly weapons and ammunition. If the court finds that the person poses a risk of imminent personal injury to himself or herself or to [other individuals] another person, the court shall give notice to the Department of Mental Health and Addiction Services which may take such action pursuant to chapter 319i as [it] the department deems appropriate.

(f) A risk protection order, and warrant, if applicable, shall continue to apply and the firearm or firearms or other deadly weapon or deadly weapons and any ammunition held pursuant to subsection (e) of this section shall continue to be held by the state until such time that the person named in the order and warrant, if applicable, successfully petitions the court to terminate such order and warrant, if applicable. The person named in the order may first petition the court of the geographical area where the proceeding was originally conducted for a hearing to terminate such order, and warrant if applicable, at least one hundred eighty days after the hearing held pursuant to subsection (e) of this section. Upon the filing of such petition, the court shall (1) provide to the petitioner a hearing date that is on the twenty-eighth day following the filing of such petition or the business day nearest to such day if such twenty-eighth day is not a business day, (2) notify the Division of Criminal Justice of the filing of such petition, and (3) direct the law enforcement agency for the town in which the petitioner resides to determine, not later than fourteen days after the filing of such petition, whether there is probable cause to believe that the petitioner poses a risk of imminent personal injury to himself or herself or to

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another person. No finding of probable cause may be found solely because the petitioner is subject to an existing risk protection order or warrant. If the law enforcement agency finds no probable cause, the agency shall so notify the court which shall cancel the hearing and terminate the order and warrant, if applicable. If the law enforcement agency finds probable cause, the agency shall notify the court of such finding and the hearing shall proceed as scheduled. At such hearing the state shall have the burden of proving all material facts by clear and convincing evidence. If the court, following such hearing, finds by clear and convincing evidence that the petitioner poses a risk of imminent personal injury to himself or herself or to another person, the order and warrant, if applicable, shall remain in effect. If the court finds that the state has failed to prove by clear and convincing evidence that the petitioner poses a risk of imminent personal injury to himself or herself or to another person, the court shall terminate such order and warrant, if applicable. Any person whose petition is denied may file a subsequent petition in accordance with the provisions of this subsection at least one hundred eighty days after the date on which the court denied the previous petition.

(g) The court shall immediately upon termination of a risk protection order pursuant to this section remove or cancel any record entered into the National Instant Criminal Background Check System associated with such order.

~~[(e)]~~ (h) Any person whose firearm or firearms and ammunition have been ordered seized pursuant to subsection ~~[(d)]~~ (e) of this section, or such person's legal representative, may transfer such firearm or firearms and ammunition in accordance with the provisions of section 29-33 or other applicable state or federal law, to ~~[any person eligible to possess such firearm or firearms and ammunition]~~ a federally licensed firearm dealer. Upon notification in writing by such person, or such person's legal representative, and the ~~[transferee]~~ dealer, the head of the state

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agency holding such seized firearm or firearms and ammunition shall within ten days deliver such firearm or firearms and ammunition to the [transferee] dealer.

(i) Notwithstanding the provisions of section 29-36k, the Commissioner of Emergency Services and Public Protection holding any firearm or firearms or other deadly weapon or deadly weapons and any ammunition seized pursuant to a warrant issued under this section, or any local police department holding on behalf of said commissioner any such firearm or firearms or other deadly weapon or deadly weapons or ammunition, shall not destroy any such firearm or other deadly weapon or ammunition until at least one year has passed since date of the termination of a warrant under subsection (e) of this section.

[(f) For the] (j) For purposes of this section, (1) "ammunition" means a loaded cartridge, consisting of a primed case, propellant or projectile, designed for use in any firearm, (2) "family or household member" means (A) a person eighteen years of age or older who is a: (i) Spouse, (ii) parent, (iii) child, (iv) sibling, (v) grandparent, (vi) grandchild, (vii) step-parent, (viii) step-child, (ix) step-sibling, (x) mother or father-in-law, (xi) son or daughter-in-law, or (xii) brother or sister-in-law of the person who is the subject of an application pursuant to subsection (b) of this section; (B) a person residing with the person who is the subject of the application; (C) a person who has a child in common with the person who is the subject of the application; (D) a person who is dating or an intimate partner of the person who is the subject of the application; or (E) a person who is the legal guardian or former legal guardian of the person who is the subject of the application, (3) "medical professional" means any person who has examined the person who is the subject of the application and who is (A) a physician or physician assistant licensed under chapter 370, (B) an advanced practice registered nurse licensed under chapter 378, (C) a psychologist licensed under chapter 383, or (D) a clinical social worker licensed under chapter 383b, and (4)

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"deadly weapon" means a deadly weapon, as defined in section 53a-3.

Sec. 2. Subsection (a) of section 46b-15e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective June 1, 2022*):

(a) (1) The office of the Chief Court Administrator shall revise and simplify the process for filing an application for relief under section 46b-15. The office of the Chief Court Administrator shall ensure that any person seeking to file an application for relief is provided with a one-page, plain language explanation of how to apply for relief under section 46b-15.

(2) The office of the Chief Court Administrator shall develop and make available to the public educational materials concerning the [warrant process] risk protection order and warrant processes set forth in section 29-38c, as amended by this act, relating to a person who poses a risk of imminent personal injury to himself or herself or to [other individuals.] another person. The office of the Chief Court Administrator shall develop and make available to the public in hard copy and electronically on the Internet web site of the Judicial Branch a form to enable a family or household member or medical professional, each as defined in section 29-38c, as amended by this act, to apply to have a risk protection order investigation ordered and a one-page, plain language explanation of how to apply for such order. The form shall contain questions designed to solicit information significant to a determination. The public educational materials and form shall prominently advise the applicant that a risk protection order or warrant may be sought through and with the assistance of a municipal or state police agency or a state's attorney's office, and of the benefits of doing so.

Sec. 3. Subsection (b) of section 29-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective June 1,*

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(b) Upon the application of any person having a bona fide permanent residence within the jurisdiction of any such authority, such chief of police, warden or selectman may issue a temporary state permit to such person to carry a pistol or revolver within the state, provided such authority shall find that such applicant intends to make no use of any pistol or revolver which such applicant may be permitted to carry under such permit other than a lawful use and that such person is a suitable person to receive such permit. No state or temporary state permit to carry a pistol or revolver shall be issued under this subsection if the applicant (1) has failed to successfully complete a course approved by the Commissioner of Emergency Services and Public Protection in the safety and use of pistols and revolvers including, but not limited to, a safety or training course in the use of pistols and revolvers available to the public offered by a law enforcement agency, a private or public educational institution or a firearms training school, utilizing instructors certified by the National Rifle Association or the Department of Energy and Environmental Protection and a safety or training course in the use of pistols or revolvers conducted by an instructor certified by the state or the National Rifle Association, (2) has been convicted of (A) a felony, or (B) [on or after October 1, 1994,] a misdemeanor violation of section 21a-279 on or after October 1, 2015, or (C) a misdemeanor violation of section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d during the preceding twenty years, (3) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in section 46b-120, (4) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13, (5) (A) has been confined in a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding sixty months by order of a probate court, or (B) has been voluntarily admitted on or after October 1, 2013, to a hospital for persons with psychiatric

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disabilities, as defined in section 17a-495, within the preceding six months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in section 17a-680, (6) is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person, including an ex parte order issued pursuant to section 46b-15 or 46b-16a, (7) is subject to a firearms seizure order issued prior to June 1, 2022, pursuant to [subsection (d) of] section 29-38c after notice and hearing, or a risk protection order or risk protection investigation order issued on or after June 1, 2022, pursuant to section 29-38c, as amended by this act, (8) is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4), (9) is an alien illegally or unlawfully in the United States, or (10) is less than twenty-one years of age. Nothing in this section shall require any person who holds a valid permit to carry a pistol or revolver on October 1, 1994, to participate in any additional training in the safety and use of pistols and revolvers. No person may apply for a temporary state permit to carry a pistol or revolver more than once within any twelve-month period, and no temporary state permit to carry a pistol or revolver shall be issued to any person who has applied for such permit more than once within the preceding twelve months. Any person who applies for a temporary state permit to carry a pistol or revolver shall indicate in writing on the application, under penalty of false statement in such manner as the issuing authority prescribes, that such person has not applied for a temporary state permit to carry a pistol or revolver within the past twelve months. Upon issuance of a temporary state permit to carry a pistol or revolver to the applicant, the local authority shall forward the original application to the commissioner. Not later than sixty days after receiving a temporary state permit, an applicant shall appear at a location designated by the commissioner to receive the state permit. The commissioner may then issue, to any holder of any temporary state permit, a state permit to carry a pistol or revolver within the state. Upon

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issuance of the state permit, the commissioner shall make available to the permit holder a copy of the law regarding the permit holder's responsibility to report the loss or theft of a firearm and the penalties associated with the failure to comply with such law. Upon issuance of the state permit, the commissioner shall forward a record of such permit to the local authority issuing the temporary state permit. The commissioner shall retain records of all applications, whether approved or denied. The copy of the state permit delivered to the permittee shall be laminated and shall contain a full-face photograph of such permittee. A person holding a state permit issued pursuant to this subsection shall notify the issuing authority within two business days of any change of such person's address. The notification shall include the old address and the new address of such person.

Sec. 4. Subsection (b) of section 29-36f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective June 1, 2022*):

(b) The Commissioner of Emergency Services and Public Protection shall issue an eligibility certificate unless said commissioner finds that the applicant: (1) Has failed to successfully complete a course approved by the Commissioner of Emergency Services and Public Protection in the safety and use of pistols and revolvers including, but not limited to, a safety or training course in the use of pistols and revolvers available to the public offered by a law enforcement agency, a private or public educational institution or a firearms training school, utilizing instructors certified by the National Rifle Association or the Department of Energy and Environmental Protection and a safety or training course in the use of pistols or revolvers conducted by an instructor certified by the state or the National Rifle Association; (2) has been convicted of (A) a felony, [or of] (B) a misdemeanor violation of section 21a-279 on or after October 1, 2015, or (C) a misdemeanor violation of section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d during

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the preceding twenty years; (3) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in section 46b-120; (4) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13; (5) (A) has been confined in a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding sixty months by order of a probate court; or (B) has been voluntarily admitted on or after October 1, 2013, to a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding six months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in section 17a-680; (6) is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person, including an ex parte order issued pursuant to section 46b-15 or section 46b-16a; (7) is subject to a firearms seizure order issued prior to June 1, 2022, pursuant to [subsection (d) of] section 29-38c after notice and hearing, or a risk protection order or risk protection investigation order issued on or after June 1, 2022, pursuant to section 29-38c, as amended by this act; (8) is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4); or (9) is an alien illegally or unlawfully in the United States.

Sec. 5. Subsection (b) of section 29-37p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective June 1, 2022*):

(b) The Commissioner of Emergency Services and Public Protection shall issue a long gun eligibility certificate unless said commissioner finds that the applicant: (1) Has failed to successfully complete a course approved by the Commissioner of Emergency Services and Public Protection in the safety and use of firearms including, but not limited to,

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a safety or training course in the use of firearms available to the public offered by a law enforcement agency, a private or public educational institution or a firearms training school, utilizing instructors certified by the National Rifle Association or the Department of Energy and Environmental Protection and a safety or training course in the use of firearms conducted by an instructor certified by the state or the National Rifle Association; (2) has been convicted of (A) a felony, [or] (B) [on or after October 1, 1994,] a misdemeanor violation of section 21a-279 on or after October 1, 2015, or (C) a misdemeanor violation of section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d during the preceding twenty years; (3) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in section 46b-120; (4) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13; (5) has been confined in a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding sixty months by order of a probate court; (6) has been voluntarily admitted to a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding six months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in section 17a-680; (7) is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person, including an ex parte order issued pursuant to section 46b-15 or 46b-16a; (8) is subject to a firearms seizure order issued prior to June 1, 2022, pursuant to [subsection (d) of] section 29-38c after notice and hearing, or a risk protection order or risk protection investigation order issued on or after June 1, 2022, pursuant to section 29-38c, as amended by this act; (9) is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4); or (10) is an alien illegally or unlawfully in the United States.

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Sec. 6. Section 53a-217 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective June 1, 2022*):

(a) A person is guilty of criminal possession of a firearm, ammunition or an electronic defense weapon when such person possesses a firearm, ammunition or an electronic defense weapon and (1) has been convicted of (A) a felony committed prior to, on or after October 1, 2013, [or of] (B) a misdemeanor violation of section 21a-279 [.] on or after October 1, 2015, or (C) a misdemeanor violation of section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d committed on or after October 1, 2013, and during the preceding twenty years, (2) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in section 46b-120, (3) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13, (4) knows that such person is subject to (A) a restraining or protective order of a court of this state that has been issued against such person, after notice has been provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, or (B) a foreign order of protection, as defined in section 46b-15a, that has been issued against such person in a case involving the use, attempted use or threatened use of physical force against another person, (5) (A) has been confined on or after October 1, 2013, in a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding sixty months by order of a probate court, or with respect to any person who holds a valid permit or certificate that was issued or renewed under the provisions of section 29-28, as amended by this act, or 29-36f, as amended by this act, in effect prior to October 1, 2013, such person has been confined in such hospital within the preceding twelve months, or (B) has been voluntarily admitted on or after October 1, 2013, to a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding six months for care and treatment of a

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psychiatric disability, unless the person (i) was voluntarily admitted solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in section 17a-680, or (ii) is a police officer who was voluntarily admitted and had his or her firearm, ammunition or electronic defense weapon used in the performance of the police officer's official duties returned in accordance with section 7-291d, (6) knows that such person is subject to a firearms seizure order issued prior to June 1, 2022, pursuant to [subsection (d) of] section 29-38c after notice and an opportunity to be heard has been provided to such person, or a risk protection order or risk protection investigation order issued on or after June 1, 2022, pursuant to section 29-38c, as amended by this act, or (7) is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4). For the purposes of this section, "convicted" means having a judgment of conviction entered by a court of competent jurisdiction, "ammunition" means a loaded cartridge, consisting of a primed case, propellant or projectile, designed for use in any firearm, and a motor vehicle violation for which a sentence to a term of imprisonment of more than one year may be imposed shall be deemed an unclassified felony.

(b) Criminal possession of a firearm, ammunition or an electronic defense weapon is a class C felony, for which two years of the sentence imposed may not be suspended or reduced by the court, and five thousand dollars of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

Sec. 7. Section 53a-217c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective June 1, 2022*):

(a) A person is guilty of criminal possession of a pistol or revolver when such person possesses a pistol or revolver, as defined in section 29-27, and (1) has been convicted of (A) a felony committed prior to, on or after October 1, 2013, [or of] (B) a misdemeanor violation of section

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21a-279 [,] committed on or after October 1, 2015, or (C) a misdemeanor violation of section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d committed [on or after October 1, 1994] during the preceding twenty years, (2) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in section 46b-120, (3) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13, (4) (A) has been confined prior to October 1, 2013, in a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding twelve months by order of a probate court, or has been confined on or after October 1, 2013, in a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding sixty months by order of a probate court, or, with respect to any person who holds a valid permit or certificate that was issued or renewed under the provisions of section 29-28, as amended by this act, or 29-36f, as amended by this act, in effect prior to October 1, 2013, such person has been confined in such hospital within the preceding twelve months, or (B) has been voluntarily admitted on or after October 1, 2013, to a hospital for persons with psychiatric disabilities, as defined in section 17a-495, within the preceding six months for care and treatment of a psychiatric disability, unless the person (i) was voluntarily admitted solely for being an alcohol-dependent person or a drug-dependent person as those terms are defined in section 17a-680, or (ii) is a police officer who was voluntarily admitted and had his or her firearm, ammunition or electronic defense weapon used in the performance of the police officer's official duties returned in accordance with section 7-291d, (5) knows that such person is subject to (A) a restraining or protective order of a court of this state that has been issued against such person, after notice has been provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, or (B) a foreign order of protection, as defined in section 46b-15a, that has been issued against such person in a case

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involving the use, attempted use or threatened use of physical force against another person, (6) knows that such person is subject to a firearms seizure order issued prior to June 1, 2022, pursuant to [subsection (d) of] section 29-38c after notice and an opportunity to be heard has been provided to such person, or a risk protection order or risk protection investigation order issued on or after June 1, 2022, pursuant to section 29-38c, as amended by this act, (7) is prohibited from shipping, transporting, possessing or receiving a firearm pursuant to 18 USC 922(g)(4), or (8) is an alien illegally or unlawfully in the United States. For the purposes of this section, "convicted" means having a judgment of conviction entered by a court of competent jurisdiction.

(b) Criminal possession of a pistol or revolver is a class C felony, for which two years of the sentence imposed may not be suspended or reduced by the court, and five thousand dollars of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

Sec. 8. Section 29-37i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective June 1, 2022*):

No person shall store or keep any firearm, as defined in section 53a-3, on any premises under such person's control if such person knows or reasonably should know that (1) a minor is likely to gain access to the firearm without the permission of the parent or guardian of the minor, (2) a resident of the premises is ineligible to possess a firearm under state or federal law, (3) a resident of the premises is subject to a risk protection order issued pursuant to section 29-38c, as amended by this act, or [(3)] (4) a resident of the premises poses a risk of imminent personal injury to himself or herself or to [other individuals] another person, unless such person (A) keeps the firearm in a securely locked box or other container or in a manner which a reasonable person would believe to be secure, or (B) carries the firearm on his or her person or within such close proximity thereto that such person can readily retrieve and use the

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firearm as if such person carried the firearm on his or her person. For the purposes of this section, "minor" means any person under the age of eighteen years.

Approved June 24, 2021