



House of Representatives

General Assembly

File No. 181

February Session, 2022

Substitute House Bill No. 5305

House of Representatives, March 29, 2022

The Committee on Public Safety and Security reported through REP. HORN of the 64th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE PENALTY FOR A FIREARMS DEALER WHO FAILS TO INSTALL A BURGLAR ALARM SYSTEM ON THE PREMISES OF ITS ESTABLISHMENT.

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

1 Section 1. Section 29-37d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 (a) On and after July 1, 1993, each business organization which
4 engages in the retail sale of firearms, as defined in section 53a-3, as a
5 regular course of trade or business, shall have a burglar alarm system
6 installed on the premises of its establishment in which ten or more
7 firearms are stored and kept for sale. Such alarm system shall be directly
8 connected to the local police department or monitored by a central
9 station and shall activate upon unauthorized entry or interruption to
10 such system. For the purposes of this section, "business organization"
11 means a sole proprietorship, partnership, firm, corporation or other
12 form of business or legal entity. The provisions of this section shall not
13 apply to any person who (1) sells or exchanges a firearm for the

14 enhancement of a personal collection or as a hobby, (2) sells all or part
15 of a personal collection of firearms, or (3) sells firearms from his own
16 residence and keeps for sale not more than ten firearms.

17 (b) The Commissioner of Emergency Services and Public Protection
18 may, after notice and opportunity for a hearing, impose a civil penalty
19 of not more than one hundred dollars for a violation of this section. Each
20 violation shall be a separate and distinct offense and, in case of a
21 continuing violation, each day's continuance thereof shall be deemed a
22 separate and distinct offense, provided the civil penalty may not exceed
23 four thousand nine hundred dollars in the aggregate for a continuing
24 violation.

25 (c) The commissioner may adopt regulations, in accordance with the
26 provisions of chapter 54, to implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	29-37d

PS Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill allows the Commissioner of the Department of Emergency Services and Public Protection to impose a civil penalty of up to \$100 for violations of the alarm system requirements for firearm dealers, resulting in a potential revenue gain to the state depending on if violations occur and if a civil fine is imposed.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations and civil penalties imposed.

OLR Bill Analysis**sHB 5305*****AN ACT CONCERNING THE PENALTY FOR A FIREARMS DEALER WHO FAILS TO INSTALL A BURGLAR ALARM SYSTEM ON THE PREMISES OF ITS ESTABLISHMENT.*****SUMMARY**

This bill authorizes the Department of Emergency Services and Public Protection (DESPP) commissioner, after notice and a hearing, to impose a civil penalty of up to \$100 for violations of the alarm system requirement for firearms dealers (see BACKGROUND). Under the bill, each violation is a separate offense and, in cases of continuing violations, each day is a separate offense subject to an aggregate penalty of up to \$4,900.

The bill also authorizes the commissioner to adopt regulations to implement the alarm requirement and penalty provisions.

EFFECTIVE DATE: July 1, 2022

BACKGROUND***Alarm System Requirement for Firearms Dealers***

By law, each retail business that sells firearms as a regular course of trade must have an alarm system on the premises if 10 or more firearms are stored or kept for sale. The alarm system must (1) be directly connected to the local police department or monitored by a central station and (2) activate upon unauthorized entry or system interruption. This requirement does not apply to people who (1) sell or exchange firearms to enhance their personal collection or as a hobby, (2) sell all or part of a personal collection, or (3) sell firearms from their residence and keep 10 or fewer for sale (CGS § 29-37d(a)).

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 24 Nay 0 (03/15/2022)