
OLR Bill Analysis

sHB 5360 (as amended by House "A")*

AN ACT REQUIRING FIREARM INCIDENT REPORTS FROM POLICE OFFICERS AND ANNUAL REPORTS OF SUCH DATA BY THE DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION.

SUMMARY

Starting October 1, 2023, this bill requires that police officers responding to an alleged crime or fatality involving the use of a firearm (see BACKGROUND) complete a firearm incident report, whether or not an arrest is made. It requires law enforcement units to send these reports to the Department of Emergency Services and Public Protection (DESPP) commissioner and, in cases where an arrest was made, forward copies of them to the state's attorney for the appropriate judicial district.

DESPP must set a form for these firearm incident reports by October 1, 2023, to establish accurate data on the extent and severity of firearm incidents in the state. The commissioner must compile the firearm incident statistics and annually publish them in the Connecticut Uniform Crime Reports. Under the bill, (1) each incident reported to the police counts as an offense and (2) a zero must be reported if no incidents occurred during the reporting periods. Starting by January 1, 2026, DESPP must annually tabulate and compile data from these reports and report its findings to the governor and the Public Safety and Security Committee.

Additionally, the bill establishes a nine-member task force to study police recruitment and retention in Connecticut, make recommendations, and report to the legislature by January 1, 2024.

*House Amendment "A" adds the task force provision.

EFFECTIVE DATE: July 1, 2023, except the task force provision is effective upon passage.

FIREARM INCIDENT REPORTS

Under the bill, DESPP's form for these reports must include the following information:

1. the name of the person or people involved in the alleged crime or fatality;
2. the incident's location, time, and date;
3. the number and identification of any firearm involved;
4. whether the alleged crime was committed, or fatality caused, by someone with a prior conviction that prohibited him or her from legally possessing a firearm;
5. whether the alleged crime was committed with, or fatality caused by, an illegally possessed or unregistered firearm; and
6. any other data necessary for a complete analysis of the circumstances of firearm incidents in the state.

POLICE RECRUITMENT AND RETENTION TASK FORCE

Under the bill, the task force is composed of the DESPP commissioner, or his designee, and eight appointees, one appointed by each of the top six legislative leaders and two appointed by the governor. Appointing authorities must make their initial appointments within 30 days after the bill's passage and fill any vacancies. The legislative leaders' appointees may be legislators.

The House speaker and Senate president pro tempore must choose the task force's chairpersons from its members. The chairpersons must schedule the first meeting within 60 days after the bill's passage.

The Public Safety and Security Committee's administrative staff serves as the task force's administrative staff. The task force terminates when it submits its report or January 1, 2024, whichever is later.

BACKGROUND

Firearm

By law, a "firearm" is any sawed-off shotgun, machine gun, rifle,

shotgun, pistol, revolver, or other weapon, loaded or unloaded, from which a shot may be discharged (CGS § 53a-3).

Law Enforcement Units and Police Officers

By law, a “law enforcement unit” is any state or municipal agency or department (or tribal agency or department created and governed under a memorandum of agreement) whose primary functions include enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime.

“Police officers” are sworn members of an organized local police department of the State Police; appointed constables who perform criminal law enforcement duties; special police officers appointed under law; or any members of a law enforcement unit who perform police duties (CGS § 7-294a).

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 25 Nay 0 (03/16/2023)