



House of Representatives

General Assembly

File No. 351

January Session, 2023

Substitute House Bill No. 5360

House of Representatives, April 3, 2023

The Committee on Public Safety and Security reported through REP. BOYD of the 50th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

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

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

1 Section 1. (NEW) (*Effective July 1, 2023*) (a) For purposes of this
2 section, "police officer" and "law enforcement unit" have the same
3 meanings as provided in section 7-294a of the general statutes, and
4 "firearm" has the same meaning as provided in section 53a-3 of the
5 general statutes.

6 (b) On and after October 1, 2023, a police officer who responds to an
7 alleged crime or a fatality that involves the use of a firearm shall
8 complete a firearm incident report using the form prescribed by the
9 Commissioner of Emergency Services and Public Protection pursuant to
10 subsection (d) of this section, whether or not an arrest occurs.

11 (c) Each law enforcement unit shall send all firearm incident reports
12 to the Commissioner of Emergency Services and Public Protection, who

13 shall compile statistics of firearm incidents and cause them to be
 14 published annually in the report required pursuant to subsection (e) of
 15 section 29-1c of the general statutes. An offense shall be counted for each
 16 incident reported to the police. A zero shall be reported if no incidents
 17 have occurred during the reporting periods.

18 (d) Not later than October 1, 2023, for the purpose of establishing
 19 accurate data on the extent and severity of firearm incidents in the state,
 20 the Commissioner of Emergency Services and Public Protection shall
 21 prescribe a form for making firearm incident reports. The form shall
 22 include, but need not be limited to, the following: (1) Name of the
 23 individual or individuals involved in the alleged crime or fatality; (2)
 24 the location, time and date of the incident; (3) the number and
 25 identification of the firearm or firearms involved; (4) whether the
 26 alleged crime was committed by, or the fatality was caused by, a person
 27 who had a prior conviction that prohibited such person from legally
 28 possessing a firearm; (5) whether the alleged crime was committed with,
 29 or the fatality was caused by, an illegally possessed or unregistered
 30 firearm; and (6) any other data that may be necessary for a complete
 31 analysis of all circumstances of firearm incidents in the state.

32 (e) Each law enforcement unit shall forward a copy of the firearm
 33 incident report to the state's attorney for the appropriate judicial district
 34 in cases where an arrest has been made.

35 (f) Not later than January 1, 2026, and annually thereafter, the
 36 Department of Emergency Services and Public Protection shall tabulate
 37 and compile data from the firearm incident reports and report such
 38 compilation, to the Governor and the joint standing committee of the
 39 General Assembly having cognizance of matters relating to public safety
 40 and security, in accordance with the provisions of section 11-4a of the
 41 general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	New section

Statement of Legislative Commissioners:

In Subsec. (c), "Connecticut Uniform Crime Reports, pursuant to section 29-1c" was changed to "report required pursuant to subsection (e) of section 29-1c".

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: None

Municipal Impact: None

Explanation

The bill establishes reporting procedures for police officers responding to alleged crimes or fatalities involving the use of firearms, resulting in no fiscal impact to the state or municipalities.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5360*****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 Public Safety and Security Committee.

EFFECTIVE DATE: July 1, 2023

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.

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)