



# House of Representatives

General Assembly

**File No. 368**

January Session, 2023

Substitute House Bill No. 6839

*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 CONCERNING TEMPORARY STATE PERMITS TO CARRY A PISTOL OR REVOLVER ISSUED BY TRIBAL POLICE DEPARTMENTS.***

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

1 Section 1. Section 29-28 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) No person who sells ten or more pistols or revolvers in a calendar  
4 year or is a federally licensed firearm dealer shall advertise, sell, deliver,  
5 or offer or expose for sale or delivery, or have in such person's  
6 possession with intent to sell or deliver, any pistol or revolver at retail  
7 without having a permit therefor issued as provided in this subsection.  
8 The chief of police or, where there is no chief of police, the chief  
9 executive officer, as defined in section 7-193, of the municipality, as  
10 defined in section 7-148, or, if designated by such chief executive officer,  
11 the resident state trooper serving such municipality or a state police  
12 officer of the state police troop having jurisdiction over such  
13 municipality, may, upon the application of any person, issue a permit  
14 in such form as may be prescribed by the Commissioner of Emergency

15 Services and Public Protection for the sale at retail of pistols and  
16 revolvers within the jurisdiction of the authority issuing such permit.  
17 No permit for the sale at retail of any pistol or revolver shall be issued  
18 unless the applicant holds a valid eligibility certificate for a pistol or  
19 revolver issued pursuant to section 29-36f or a valid state permit to carry  
20 a pistol or revolver issued pursuant to subsection (b) of this section and  
21 the applicant submits documentation sufficient to establish that local  
22 zoning requirements have been met for the location where the sale is to  
23 take place, except that any person selling or exchanging a pistol or  
24 revolver for the enhancement of a personal collection or for a hobby or  
25 who sells all or part of such person's personal collection of pistols or  
26 revolvers shall not be required to submit such documentation for the  
27 location where the sale or exchange is to take place.

28 (b) Upon the application of any person having a bona fide permanent  
29 residence within the jurisdiction of any such authority, such chief of  
30 police or, where there is no chief of police, such chief executive officer,  
31 as defined in section 7-193, or, if designated by such chief executive  
32 officer, a resident state trooper or state police officer, as applicable, may  
33 issue a temporary state permit to such person to carry a pistol or  
34 revolver within the state, provided such authority shall find that such  
35 applicant intends to make no use of any pistol or revolver which such  
36 applicant may be permitted to carry under such permit other than a  
37 lawful use and that such person is a suitable person to receive such  
38 permit. Such applicant shall submit to a state and national criminal  
39 history records check in accordance with section 29-17a. If the applicant  
40 has a bona fide permanent residence within the jurisdiction of any  
41 federally recognized Native American tribe within the borders of the  
42 state, and such tribe has a law enforcement unit, as defined in section 7-  
43 294a, the chief of police of such law enforcement unit may issue a  
44 temporary state permit to such person pursuant to the provisions of this  
45 subsection, and any chief of police of any other law enforcement unit  
46 having jurisdiction over an area containing such person's bona fide  
47 permanent residence shall not issue such temporary state permit if such  
48 tribal law enforcement unit accepts applications for temporary state  
49 permits. Such applicant shall submit to a state and national criminal

50 history records check in accordance with section 29-17a. No state or  
51 temporary state permit to carry a pistol or revolver shall be issued under  
52 this subsection if the applicant (1) has failed to successfully complete a  
53 course approved by the Commissioner of Emergency Services and  
54 Public Protection in the safety and use of pistols and revolvers  
55 including, but not limited to, a safety or training course in the use of  
56 pistols and revolvers available to the public offered by a law  
57 enforcement agency, a private or public educational institution or a  
58 firearms training school, utilizing instructors certified by the National  
59 Rifle Association or the Department of Energy and Environmental  
60 Protection and a safety or training course in the use of pistols or  
61 revolvers conducted by an instructor certified by the state or the  
62 National Rifle Association, (2) has been convicted of (A) a felony, or (B)  
63 a misdemeanor violation of section 21a-279 on or after October 1, 2015,  
64 or (C) a misdemeanor violation of section 53a-58, 53a-61, 53a-61a, 53a-  
65 62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d during the  
66 preceding twenty years, (3) has been convicted as delinquent for the  
67 commission of a serious juvenile offense, as defined in section 46b-120,  
68 (4) has been discharged from custody within the preceding twenty years  
69 after having been found not guilty of a crime by reason of mental disease  
70 or defect pursuant to section 53a-13, (5) (A) has been confined in a  
71 hospital for persons with psychiatric disabilities, as defined in section  
72 17a-495, within the preceding sixty months by order of a probate court,  
73 or (B) has been voluntarily admitted on or after October 1, 2013, to a  
74 hospital for persons with psychiatric disabilities, as defined in section  
75 17a-495, within the preceding six months for care and treatment of a  
76 psychiatric disability and not solely for being an alcohol-dependent  
77 person or a drug-dependent person, as those terms are defined in  
78 section 17a-680, (6) is subject to a restraining or protective order issued  
79 by a court in a case involving the use, attempted use or threatened use  
80 of physical force against another person, including an ex parte order  
81 issued pursuant to section 46b-15 or 46b-16a, (7) is subject to a firearms  
82 seizure order issued prior to June 1, 2022, pursuant to section 29-38c  
83 after notice and hearing, or a risk protection order or risk protection  
84 investigation order issued on or after June 1, 2022, pursuant to section

85 29-38c, (8) is prohibited from shipping, transporting, possessing or  
86 receiving a firearm pursuant to 18 USC 922(g)(4), (9) is an alien illegally  
87 or unlawfully in the United States, or (10) is less than twenty-one years  
88 of age. Nothing in this section shall require any person who holds a  
89 valid permit to carry a pistol or revolver on October 1, 1994, to  
90 participate in any additional training in the safety and use of pistols and  
91 revolvers. No person may apply for a temporary state permit to carry a  
92 pistol or revolver more than once within any twelve-month period, and  
93 no temporary state permit to carry a pistol or revolver shall be issued to  
94 any person who has applied for such permit more than once within the  
95 preceding twelve months. Any person who applies for a temporary state  
96 permit to carry a pistol or revolver shall indicate in writing on the  
97 application, under penalty of false statement in such manner as the  
98 issuing authority prescribes, that such person has not applied for a  
99 temporary state permit to carry a pistol or revolver within the past  
100 twelve months. Upon issuance of a temporary state permit to carry a  
101 pistol or revolver to the applicant, the local authority, or the chief of  
102 police of a law enforcement unit of any federally recognized Native  
103 American tribe within the borders of the state as referenced in this  
104 subsection, shall forward the original application to the commissioner.  
105 Not later than sixty days after receiving a temporary state permit, an  
106 applicant shall appear at a location designated by the commissioner to  
107 receive the state permit. The commissioner may then issue, to any  
108 holder of any temporary state permit, a state permit to carry a pistol or  
109 revolver within the state. Upon issuance of the state permit, the  
110 commissioner shall make available to the permit holder a copy of the  
111 law regarding the permit holder's responsibility to report the loss or  
112 theft of a firearm and the penalties associated with the failure to comply  
113 with such law. Upon issuance of the state permit, the commissioner shall  
114 forward a record of such permit to the local authority, or the chief of  
115 police of a law enforcement unit of any federally recognized Native  
116 American tribe within the borders of the state as referenced in this  
117 subsection, issuing the temporary state permit. The commissioner shall  
118 retain records of all applications, whether approved or denied. The copy  
119 of the state permit delivered to the permittee shall be laminated and

120 shall contain a full-face photograph of such permittee. A person holding  
121 a state permit issued pursuant to this subsection shall notify the issuing  
122 authority within two business days of any change of such person's  
123 address. The notification shall include the old address and the new  
124 address of such person.

125 (c) No issuing authority may require any sworn member of the  
126 Department of Emergency Services and Public Protection or an  
127 organized local police department to furnish such sworn member's  
128 residence address in a permit application. The issuing authority shall  
129 allow each such sworn member who has a permit to carry a pistol or  
130 revolver issued by such authority to revise such member's application  
131 to include a business or post office address in lieu of the residence  
132 address. The issuing authority shall notify each such member of the  
133 right to revise such application.

134 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the  
135 name and address of a person issued a permit to sell at retail pistols and  
136 revolvers pursuant to subsection (a) of this section or a state or a  
137 temporary state permit to carry a pistol or revolver pursuant to  
138 subsection (b) of this section, or a local permit to carry pistols and  
139 revolvers issued by local authorities prior to October 1, 2001, shall be  
140 confidential and shall not be disclosed, except (1) such information may  
141 be disclosed to law enforcement officials acting in the performance of  
142 their duties, including, but not limited to, employees of the United  
143 States Probation Office acting in the performance of their duties and  
144 parole officers within the Department of Correction acting in the  
145 performance of their duties, (2) the issuing authority may disclose such  
146 information to the extent necessary to comply with a request made  
147 pursuant to section 29-33, 29-37a or 29-38m for verification that such  
148 state or temporary state permit is still valid and has not been suspended  
149 or revoked, and the local authority may disclose such information to the  
150 extent necessary to comply with a request made pursuant to section 29-  
151 33, 29-37a or 29-38m for verification that a local permit is still valid and  
152 has not been suspended or revoked, and (3) such information may be  
153 disclosed to the Commissioner of Mental Health and Addiction Services

154 to carry out the provisions of subsection (c) of section 17a-500.

155 (e) The issuance of any permit to carry a pistol or revolver does not  
156 thereby authorize the possession or carrying of a pistol or revolver in  
157 any premises where the possession or carrying of a pistol or revolver is  
158 otherwise prohibited by law or is prohibited by the person who owns or  
159 exercises control over such premises.

160 (f) Any bona fide resident of the United States having no bona fide  
161 permanent residence within the jurisdiction of any local authority in the  
162 state, but who has a permit or license to carry a pistol or revolver issued  
163 by the authority of another state or subdivision of the United States, may  
164 apply directly to the Commissioner of Emergency Services and Public  
165 Protection for a permit to carry a pistol or revolver in this state. All  
166 provisions of subsections (b), (c), (d) and (e) of this section shall apply  
167 to applications for a permit received by the commissioner under this  
168 subsection. Such applicant shall submit to a state and national criminal  
169 history records check in accordance with section 29-17a.

170 Sec. 2. Section 29-28a of the general statutes is repealed and the  
171 following is substituted in lieu thereof (*Effective July 1, 2023*):

172 (a) Requests for temporary state permits under section 29-28, as  
173 amended by this act, shall be submitted to the chief of police, the chief  
174 of police of a law enforcement unit of any federally recognized Native  
175 American tribe within the borders of the state as referenced in  
176 subsection (b) of section 29-28, as amended by this act, or, where there  
177 is no chief of police, to the chief executive officer, as defined in section  
178 7-193, of the municipality, as defined in section 7-148, or, if designated  
179 by such chief executive officer, the resident state trooper serving such  
180 municipality or a state police officer of the state police troop having  
181 jurisdiction over such municipality, on application forms prescribed by  
182 the Commissioner of Emergency Services and Public Protection. Upon  
183 written request by any person for a temporary state permit not on a  
184 prescribed application form, or upon request by any person for such  
185 application form, the local authority, or the chief of police of a law  
186 enforcement unit of any federally recognized Native American tribe

187 within the borders of the state as referenced in subsection (b) of section  
188 29-28, as amended by this act, shall supply such forms. When any such  
189 request is made in person at the office of the local authority, the local  
190 authority, or the chief of police of a law enforcement unit of any  
191 federally recognized Native American tribe within the borders of the  
192 state as referenced in subsection (b) of section 29-28, as amended by this  
193 act, shall supply such application form immediately. When any such  
194 request is made in any other manner, the local authority, or the chief of  
195 police of a law enforcement unit of any federally recognized Native  
196 American tribe within the borders of the state as referenced in  
197 subsection (b) of section 29-28, as amended by this act, shall supply such  
198 application form not later than one week after receiving such request. If  
199 such application form is not supplied within the time limits required by  
200 this section, the request therefor shall constitute a sufficient application.  
201 If any local authority, or the chief of police of a law enforcement unit of  
202 any federally recognized Native American tribe within the borders of  
203 the state as referenced in subsection (b) of section 29-28, as amended by  
204 this act, fails to supply an application form upon the request of any  
205 person, such person may request an application form from the  
206 Commissioner of Emergency Services and Public Protection or any  
207 barracks of the Division of State Police, and the time limits and  
208 procedures set forth in this section for handling requests for such forms  
209 shall be applicable.

210 (b) The local authority, or the chief of police of a law enforcement unit  
211 of any federally recognized Native American tribe within the borders of  
212 the state as referenced in subsection (b) of section 29-28, as amended by  
213 this act, shall, not later than eight weeks after a sufficient application for  
214 a temporary state permit has been made, inform the applicant that such  
215 applicant's request for a temporary state permit has been approved or  
216 denied. The local authority, or the chief of police of a law enforcement  
217 unit of any federally recognized Native American tribe within the  
218 borders of the state as referenced in subsection (b) of section 29-28, as  
219 amended by this act, shall forward a copy of the application indicating  
220 approval or denial of the temporary state permit to the Commissioner  
221 of Emergency Services and Public Protection. If the local authority, or

222 the chief of police of a law enforcement unit of any federally recognized  
223 Native American tribe within the borders of the state as referenced in  
224 subsection (b) of section 29-28, as amended by this act, has denied the  
225 application for a temporary state permit, no state permit may be issued.  
226 The commissioner shall, not later than eight weeks after receiving an  
227 application indicating approval from the local authority, or the chief of  
228 police of a law enforcement unit of any federally recognized Native  
229 American tribe within the borders of the state as referenced in  
230 subsection (b) of section 29-28, as amended by this act, inform the  
231 applicant in writing that the applicant's application for a state permit  
232 has been approved or denied, or that the results of the national criminal  
233 history records check have not been received. If grounds for denial  
234 become known after a temporary state permit has been obtained, the  
235 temporary state permit shall be immediately revoked pursuant to  
236 section 29-32.

237 Sec. 3. Section 29-29 of the general statutes is repealed and the  
238 following is substituted in lieu thereof (*Effective July 1, 2023*):

239 (a) No temporary state permit for carrying any pistol or revolver shall  
240 be issued under the provisions of section 29-28, as amended by this act,  
241 unless the applicant for such permit gives to the local authority, or the  
242 chief of police of a law enforcement unit of any federally recognized  
243 Native American tribe within the borders of the state as referenced in  
244 subsection (b) of section 29-28, as amended by this act, upon its request,  
245 full information concerning the applicant's criminal record. The local  
246 authority, or the chief of police of a law enforcement unit of any  
247 federally recognized Native American tribe within the borders of the  
248 state as referenced in subsection (b) of section 29-28, as amended by this  
249 act, shall require the applicant to submit to state and national criminal  
250 history records checks. The local authority, or the chief of police of a law  
251 enforcement unit of any federally recognized Native American tribe  
252 within the borders of the state as referenced in subsection (b) of section  
253 29-28, as amended by this act, shall take a full description of such  
254 applicant and make an investigation concerning the applicant's  
255 suitability to carry any such weapons.



256       (b) The local authority, or the chief of police of a law enforcement unit  
257 of any federally recognized Native American tribe within the borders of  
258 the state as referenced in subsection (b) of section 29-28, as amended by  
259 this act, or the commissioner in the case of an application pursuant to  
260 subsection (f) of section 29-28, as amended by this act, shall take the  
261 fingerprints of such applicant or conduct any other method of positive  
262 identification required by the State Police Bureau of Identification or the  
263 Federal Bureau of Investigation, [ unless the local authority or the  
264 commissioner determines that the fingerprints of such applicant have  
265 been previously taken and the applicant's identity established, and such  
266 applicant presents identification that the local authority or the  
267 commissioner verifies as valid.] The local authority, the chief of police  
268 of a law enforcement unit of any federally recognized Native American  
269 tribe within the borders of the state as referenced in subsection (b) of  
270 section 29-28, as amended by this act, or the commissioner shall record  
271 the date the fingerprints were taken in the applicant's file and, within  
272 five business days of such date, shall forward such fingerprints [or] and  
273 other positive identifying information to the State Police Bureau of  
274 Identification which shall conduct criminal history records checks in  
275 accordance with section 29-17a.

276       (c) The local authority, or the chief of police of a law enforcement unit  
277 of any federally recognized Native American tribe within the borders of  
278 the state as referenced in subsection (b) of section 29-28, as amended by  
279 this act, may, in its discretion, issue a temporary state permit before a  
280 national criminal history records check relative to such applicant's  
281 record has been received. Upon receipt of the results of such national  
282 criminal history records check, the commissioner shall send a copy of  
283 the results of such national criminal history records check to the local  
284 authority, or the chief of police of a law enforcement unit of any  
285 federally recognized Native American tribe within the borders of the  
286 state as referenced in subsection (b) of section 29-28, as amended by this  
287 act, which shall inform the applicant and render a decision on the  
288 application within one week of the receipt of such results. If such results  
289 have not been received within eight weeks after a sufficient application  
290 for a permit has been made, the local authority, or the chief of police of

291 a law enforcement unit of any federally recognized Native American  
 292 tribe within the borders of the state as referenced in subsection (b) of  
 293 section 29-28, as amended by this act, shall inform the applicant of such  
 294 delay, in writing. No temporary state permit shall be issued if the local  
 295 authority, or the chief of police of a law enforcement unit of any  
 296 federally recognized Native American tribe within the borders of the  
 297 state as referenced in subsection (b) of section 29-28, as amended by this  
 298 act, has reason to believe the applicant has ever been convicted of a  
 299 felony, or that any other condition exists for which the issuance of a  
 300 permit for possession of a pistol or revolver is prohibited under state or  
 301 federal law.

302 (d) The commissioner may investigate any applicant for a state  
 303 permit and shall investigate each applicant for renewal of a state permit  
 304 to ensure that such applicant is eligible under state law for such permit  
 305 or for renewal of such permit.

306 (e) No state permit may be issued unless either the local authority,  
 307 the chief of police of a law enforcement unit of any federally recognized  
 308 Native American tribe within the borders of the state as referenced in  
 309 subsection (b) of section 29-28, as amended by this act or the  
 310 commissioner has received the results of the national criminal history  
 311 records check.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	29-28
Sec. 2	July 1, 2023	29-28a
Sec. 3	July 1, 2023	29-29

**PS**            *Joint Favorable Subst.*

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*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.*

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill makes conforming and technical changes to some firearms permitting statutes, resulting in no fiscal impact to the state or municipalities.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

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**OLR Bill Analysis****sHB 6839*****AN ACT CONCERNING TEMPORARY STATE PERMITS TO CARRY A PISTOL OR REVOLVER ISSUED BY TRIBAL POLICE DEPARTMENTS.*****SUMMARY**

Under PA 22-102, the police chiefs of the state's federally recognized Native American tribes with a law enforcement unit (i.e., the Mohegan and Mashantucket Pequot police chiefs) may issue temporary state handgun permits under the statutory permit approval process to applicants who are bona fide permanent residents of the tribal reservations. This bill makes numerous conforming changes throughout the firearm permitting statutes to extend the statutory permit approval process to these police chiefs, including provisions on the following:

1. supplying permit application forms;
2. notifying applicants of their permit's approval or denial within specified timeframes;
3. requiring applicants submit to fingerprinting, positive identification procedures, and state and national criminal history records checks; and
4. denying permits if they have reason to believe that (a) the applicant has ever been convicted of a felony or (b) any other condition exists for which issuing a handgun permit is prohibited under state or federal law.

(However, the bill does not make similar conforming changes to certain other provisions, including those on handgun permit fees.)

PA 22-102 also authorizes the chief executive officer (CEO) of any municipality (i.e., town, city, consolidated town and city, borough, or consolidated town and borough) without a police chief to perform various firearms permitting and administrative functions or designate the resident state trooper or relevant state police officer to do so. (Under prior law, only a town’s first selectman or borough’s warden were authorized to perform these functions.) The bill defines a municipal CEO for these purposes as the (1) first selectman; (2) chief administrative officer appointed by the board of selectmen or mayor; (3) mayor; (4) borough warden; or (5) appointed town, city, or borough manager (CGS § 7-193).

The bill also repeals a provision under current law allowing the handgun permit issuing authority to forgo taking an applicant’s fingerprints if (1) they determine that the applicant’s fingerprints were already taken and (2) the applicant presents identification that they determine is valid.

Lastly, the bill makes technical changes.

EFFECTIVE DATE: July 1, 2023

**BACKGROUND**

***Related Bill***

SB 967, favorably reported by the Public Safety and Security Committee, repeals the same provision allowing permit issuing authority to forgo taking an applicant’s fingerprints under certain circumstances.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea 25 Nay 0 (03/16/2023)