



House of Representatives

File No. 855

General Assembly

January Session, 2023

(Reprint of File No. 368)

Substitute House Bill No. 6839
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
June 2, 2023

***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 Section 29-28 of the general statutes is repealed and the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, as amended by this act, 29-37a, as amended
148 by this act, or 29-38m for verification that such state or temporary state
149 permit is still valid and has not been suspended or revoked, and the
150 local authority may disclose such information to the extent necessary to
151 comply with a request made pursuant to section 29-33, as amended by

152 this act, 29-37a, as amended by this act. or 29-38m for verification that a
153 local permit is still valid and has not been suspended or revoked, and
154 (3) such information may be disclosed to the Commissioner of Mental
155 Health and Addiction Services to carry out the provisions of subsection
156 (c) of section 17a-500.

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

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

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 Section 29-28a of the general statutes is repealed and the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

174 (a) Requests for temporary state permits under section 29-28, as
175 amended by this act, shall be submitted to the chief of police, the chief
176 of police of a law enforcement unit of any federally recognized Native
177 American tribe within the borders of the state as referenced in
178 subsection (b) of section 29-28, as amended by this act, or, where there
179 is no chief of police, to the chief executive officer, as defined in section
180 7-193, of the municipality, as defined in section 7-148, or, if designated
181 by such chief executive officer, the resident state trooper serving such
182 municipality or a state police officer of the state police troop having
183 jurisdiction over such municipality, on application forms prescribed by

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

212 (b) The local authority, or the chief of police of a law enforcement unit
213 of any federally recognized Native American tribe within the borders of
214 the state as referenced in subsection (b) of section 29-28, as amended by
215 this act, shall, not later than eight weeks after a sufficient application for
216 a temporary state permit has been made, inform the applicant that such
217 applicant's request for a temporary state permit has been approved or

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

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

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

252 history records checks. The local authority, or the chief of police of a law
253 enforcement unit of any federally recognized Native American tribe
254 within the borders of the state as referenced in subsection (b) of section
255 29-28, as amended by this act, shall take a full description of such
256 applicant and make an investigation concerning the applicant's
257 suitability to carry any such weapons.

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

278 (c) The local authority, or the chief of police of a law enforcement unit
279 of any federally recognized Native American tribe within the borders of
280 the state as referenced in subsection (b) of section 29-28, as amended by
281 this act, may, in its discretion, issue a temporary state permit before a
282 national criminal history records check relative to such applicant's
283 record has been received. Upon receipt of the results of such national
284 criminal history records check, the commissioner shall send a copy of
285 the results of such national criminal history records check to the local

286 authority, or the chief of police of a law enforcement unit of any
287 federally recognized Native American tribe within the borders of the
288 state as referenced in subsection (b) of section 29-28, as amended by this
289 act, which shall inform the applicant and render a decision on the
290 application within one week of the receipt of such results. If such results
291 have not been received within eight weeks after a sufficient application
292 for a permit has been made, the local authority, or the chief of police of
293 a law enforcement unit of any federally recognized Native American
294 tribe within the borders of the state as referenced in subsection (b) of
295 section 29-28, as amended by this act, shall inform the applicant of such
296 delay, in writing. No temporary state permit shall be issued if the local
297 authority, or the chief of police of a law enforcement unit of any
298 federally recognized Native American tribe within the borders of the
299 state as referenced in subsection (b) of section 29-28, as amended by this
300 act, has reason to believe the applicant has ever been convicted of a
301 felony, or that any other condition exists for which the issuance of a
302 permit for possession of a pistol or revolver is prohibited under state or
303 federal law.

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

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

314 Sec. 4. Subsection (a) of section 29-30 of the general statutes is
315 repealed and the following is substituted in lieu thereof (*Effective July 1,*
316 *2023*):

317 (a) The fee for each permit originally issued under the provisions of

318 subsection (a) of section 29-28, as amended by this act, for the sale at
319 retail of pistols and revolvers shall be two hundred dollars and for each
320 renewal of such permit two hundred dollars. The fee for each state
321 permit originally issued under the provisions of subsection (b) of section
322 29-28, as amended by this act, for the carrying of pistols and revolvers
323 shall be one hundred forty dollars plus sufficient funds as required to
324 be transmitted to the Federal Bureau of Investigation to cover the cost
325 of a national criminal history records check. The local authority, or the
326 chief of police of a law enforcement unit of any federally recognized
327 Native American tribe within the borders of the state as referenced in
328 subsection (b) of section 29-28, as amended by this act, shall forward
329 sufficient funds for the national criminal history records check to the
330 commissioner no later than five business days after receipt by the local
331 authority, or such chief of police of a law enforcement unit of any
332 federally recognized Native American tribe, of the application for the
333 temporary state permit. Seventy dollars shall be retained by the local
334 authority, or such chief of police of a law enforcement unit of any
335 federally recognized Native American tribe. Upon approval by the local
336 authority, or such chief of police of a law enforcement unit of any
337 federally recognized Native American tribe, of the application for a
338 temporary state permit, seventy dollars shall be sent to the
339 commissioner. The fee to renew each state permit originally issued
340 under the provisions of subsection (b) of section 29-28, as amended by
341 this act, shall be seventy dollars. Upon deposit of such fees in the
342 General Fund, ten dollars of each fee shall be credited within thirty days
343 to the appropriation for the Department of Emergency Services and
344 Public Protection to a separate nonlapsing account for the purposes of
345 the issuance of permits under subsections (a) and (b) of section 29-28, as
346 amended by this act.

347 Sec. 5. Subsection (c) of section 29-33 of the general statutes is
348 repealed and the following is substituted in lieu thereof (*Effective July 1,*
349 *2023*):

350 (c) No person, firm or corporation shall sell, deliver or otherwise
351 transfer any pistol or revolver except upon written application on a form

352 prescribed and furnished by the Commissioner of Emergency Services
353 and Public Protection. Such person, firm or corporation shall ensure that
354 all questions on the application are answered properly prior to releasing
355 the pistol or revolver and shall retain the application, which shall be
356 attached to the federal sale or transfer document, for at least twenty
357 years or until such vendor goes out of business. Such application shall
358 be available for inspection during normal business hours by law
359 enforcement officials. No sale, delivery or other transfer of any pistol or
360 revolver shall be made unless the person making the purchase or to
361 whom the same is delivered or transferred is personally known to the
362 person selling such pistol or revolver or making delivery or transfer
363 thereof or provides evidence of his identity in the form of a motor
364 vehicle operator's license, identity card issued pursuant to section 1-1h
365 or valid passport. No sale, delivery or other transfer of any pistol or
366 revolver shall be made until the person, firm or corporation making
367 such transfer obtains an authorization number from the Commissioner
368 of Emergency Services and Public Protection. Said commissioner shall
369 perform the national instant criminal background check and make a
370 reasonable effort to determine whether there is any reason that would
371 prohibit such applicant from possessing a pistol or revolver as provided
372 in section 53a-217c. If the commissioner determines the existence of such
373 a reason, the commissioner shall (1) deny the sale and no pistol or
374 revolver shall be sold, delivered or otherwise transferred by such
375 person, firm or corporation to such applicant, and (2) inform the chief of
376 police of the town in which the applicant resides, or, where there is no
377 chief of police, the warden of the borough or the first selectman of the
378 town, or the chief of police of a law enforcement unit of any federally
379 recognized Native American tribe within the borders of the state as
380 referenced in subsection (b) of section 29-28, as amended by this act, if
381 the applicant has a bona fide permanent residence within the
382 jurisdiction of such tribe, as the case may be, that there exists a reason
383 that would prohibit such applicant from possessing a pistol or revolver.

384 Sec. 6. Subsection (e) of section 29-33 of the general statutes is
385 repealed and the following is substituted in lieu thereof (*Effective July 1,*

386 2023):

387 (e) Upon the sale, delivery or other transfer of any pistol or revolver,
388 the person making the purchase or to whom the same is delivered or
389 transferred shall sign a receipt for such pistol or revolver, which shall
390 contain the name and address of such person, the date of sale, the
391 caliber, make, model and manufacturer's number and a general
392 description of such pistol or revolver, the identification number of such
393 person's permit to carry pistols or revolvers, issued pursuant to
394 subsection (b) of section 29-28, as amended by this act, permit to sell at
395 retail pistols or revolvers, issued pursuant to subsection (a) of said
396 section, or eligibility certificate for a pistol or revolver, issued pursuant
397 to section 29-36f, if any, and the authorization number designated for
398 the transfer by the Department of Emergency Services and Public
399 Protection. The person, firm or corporation selling such pistol or
400 revolver or making delivery or transfer thereof shall (1) give one copy
401 of the receipt to the person making the purchase of such pistol or
402 revolver or to whom the same is delivered or transferred, (2) retain one
403 copy of the receipt for at least five years, and (3) send, by first class mail,
404 or electronically transmit, within forty-eight hours of such sale, delivery
405 or other transfer, (A) one copy of the receipt to the Commissioner of
406 Emergency Services and Public Protection, and (B) one copy of the
407 receipt to the chief of police of the municipality in which the transferee
408 resides or, where there is no chief of police, the chief executive officer of
409 the municipality, as defined in section 7-148, in which the transferee
410 resides or, if designated by such chief executive officer, the resident state
411 trooper serving such municipality or a state police officer of the state
412 police troop having jurisdiction over such municipality, or the chief of
413 police of a law enforcement unit of any federally recognized Native
414 American tribe within the borders of the state as referenced in
415 subsection (b) of section 29-28, as amended by this act, if the transferee
416 has a bona fide permanent residence within the jurisdiction of such
417 tribe.

418 Sec. 7. Subsection (d) of section 29-37a of the general statutes is
419 repealed and the following is substituted in lieu thereof (*Effective July 1,*

420 2023):

421 (d) No person, firm or corporation may sell, deliver or otherwise
422 transfer, at retail, any long gun to any person unless such person makes
423 application on a form prescribed and furnished by the Commissioner of
424 Emergency Services and Public Protection, which shall be attached by
425 the transferor to the federal sale or transfer document and filed and
426 retained by the transferor for at least twenty years or until such
427 transferor goes out of business. Such application shall be available for
428 inspection during normal business hours by law enforcement officials.
429 No such sale, delivery or other transfer of any long gun shall be made
430 until the person, firm or corporation making such sale, delivery or
431 transfer has ensured that such application has been completed properly
432 and has obtained an authorization number from the Commissioner of
433 Emergency Services and Public Protection for such sale, delivery or
434 transfer. The Department of Emergency Services and Public Protection
435 shall make every effort, including performing the national instant
436 criminal background check, to determine if the applicant is eligible to
437 receive such long gun. If it is determined that the applicant is ineligible
438 to receive such long gun, the Commissioner of Emergency Services and
439 Public Protection shall immediately notify the (1) person, firm or
440 corporation to whom such application was made and no such long gun
441 shall be sold, delivered or otherwise transferred to such applicant by
442 such person, firm or corporation, and (2) chief of police of the town in
443 which the applicant resides, or, where there is no chief of police, the
444 warden of the borough or the first selectman of the town, or the chief of
445 police of a law enforcement unit of any federally recognized Native
446 American tribe within the borders of the state as referenced in
447 subsection (b) of section 29-28, as amended by this act, if the applicant
448 has a bona fide permanent residence within the jurisdiction of such
449 tribe, as the case may be, that the applicant is not eligible to receive a
450 long gun. When any long gun is delivered in connection with any sale
451 or purchase, such long gun shall be enclosed in a package, the paper or
452 wrapping of which shall be securely fastened, and no such long gun
453 when delivered on any sale or purchase shall be loaded or contain any

454 gunpowder or other explosive or any bullet, ball or shell. Upon the sale,
455 delivery or other transfer of the long gun, the transferee shall sign in
456 triplicate a receipt for such long gun, which shall contain the name,
457 address and date and place of birth of such transferee, the date of such
458 sale, delivery or transfer and the caliber, make, model and
459 manufacturer's number and a general description thereof. Not later than
460 twenty-four hours after such sale, delivery or transfer, the transferor
461 shall send by first class mail or electronically transfer one receipt to the
462 Commissioner of Emergency Services and Public Protection and one
463 receipt to the chief of police of the municipality in which the transferee
464 resides or, where there is no chief of police, the chief executive officer of
465 the municipality, as defined in section 7-148, in which the transferee
466 resides or, if designated by such chief executive officer, the resident state
467 trooper serving such municipality or a state police officer of the state
468 police troop having jurisdiction over such municipality, or the chief of
469 police of a law enforcement unit of any federally recognized Native
470 American tribe within the borders of the state as referenced in
471 subsection (b) of section 29-28, as amended by this act, if the transferee
472 has a bona fide permanent residence within the jurisdiction of such
473 tribe, and shall retain one receipt, together with the original application,
474 for at least five years.

475 Sec. 8. Subdivision (3) of subsection (f) of section 29-37a of the general
476 statutes is repealed and the following is substituted in lieu thereof
477 (*Effective July 1, 2023*):

478 (3) Upon the sale, delivery or other transfer of the long gun, the
479 transferor or transferee shall complete a form, prescribed by the
480 Commissioner of Emergency Services and Public Protection, that
481 contains the name and address of the transferor, the name and address
482 of the transferee, the date and place of birth of such transferee, the
483 firearm permit or certificate number of the transferee, the firearm permit
484 or certificate number of the transferor, if any, the date of such sale,
485 delivery or transfer, the caliber, make, model and manufacturer's
486 number and a general description of such long gun and the
487 authorization number provided by the department. Not later than

488 twenty-four hours after such sale, delivery or transfer, the transferor
 489 shall send by first class mail or electronically transfer one copy of such
 490 form to the Commissioner of Emergency Services and Public Protection
 491 and one copy to the chief of police of the municipality in which the
 492 transferee resides or, where there is no chief of police, the chief executive
 493 officer of the municipality, as defined in section 7-148, in which the
 494 transferee resides or, if designated by such chief executive officer, the
 495 resident state trooper serving such municipality or a state police officer
 496 of the state police troop having jurisdiction over such municipality, or
 497 the chief of police of a law enforcement unit of any federally recognized
 498 Native American tribe within the borders of the state as referenced in
 499 subsection (b) of section 29-28, as amended by this act, if the transferee
 500 has a bona fide permanent residence within the jurisdiction of such
 501 tribe, and shall retain one copy, for at least five years.

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
Sec. 4	July 1, 2023	29-30(a)
Sec. 5	July 1, 2023	29-33(c)
Sec. 6	July 1, 2023	29-33(e)
Sec. 7	July 1, 2023	29-37a(d)
Sec. 8	July 1, 2023	29-37a(f)(3)

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

House "A" makes additional conforming and technical changes some firearms permitting statutes, resulting in no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6839 (as amended by House "A")******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 and notifying applicants about their permit's approval or denial within specified timeframes;
2. requiring applicants to submit to fingerprinting, positive identification procedures, and state and national criminal history records checks;
3. 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 state or federal law prohibits issuing a handgun permit;
4. retaining a portion of the handgun permit fee and forwarding sufficient funds to pay for the national criminal history check to

the Department of Emergency Services and Public Protection (DESPP) commissioner;

5. receiving notifications from the DESPP commissioner (a) about reasons that would prohibit applicants from possessing a handgun or (b) that an applicant is ineligible for a long gun; and
6. receiving copies of receipts for handgun and long gun sales and transfers.

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.

*House Amendment "A" adds conforming changes to statutes on (1) retaining a portion of the handgun permit fee and forwarding sufficient funds for a background check to DESPP, (2) receiving notifications from the DESPP commissioner about applicants being ineligible to possess a handgun or long gun, and (3) receiving copies of receipts for handgun and long gun sales and transfers.

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)