



# Senate

General Assembly

**File No. 380**

January Session, 2023

Senate Bill No. 973

*Senate, April 3, 2023*

The Committee on Public Safety and Security reported through SEN. GASTON of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT AUTHORIZING ACCESS TO JUVENILE DELINQUENCY RECORDS TO EVALUATE A PROPOSED TRANSFER OF A FIREARM TO A PERSON UNDER AGE TWENTY-ONE.***

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

1 Section 1. Subsection (d) of section 46b-124 of the general statutes, as  
2 amended by sections 5 and 19 of public act 22-115, is repealed and the  
3 following is substituted in lieu thereof (*Effective July 1, 2023*):

4 (d) Records of cases of juvenile matters involving delinquency  
5 proceedings shall be available to (1) Judicial Branch employees who, in  
6 the performance of their duties, require access to such records, (2) judges  
7 and employees of the Probate Court who, in the performance of their  
8 duties, require access to such records, and (3) employees and authorized  
9 agents of municipal, state or federal agencies involved in (A) the  
10 delinquency proceedings, (B) the provision of services directly to the  
11 child, [or] (C) the delivery of court diversionary programs, or (D) the  
12 evaluation of a proposed transfer of a firearm to a person under the age  
13 of twenty-one, as required by Title II, Section 12001 of the Bipartisan

14 Safer Communities Act, Public Law 117-159, as amended from time to  
15 time. Such employees and authorized agents include, but are not limited  
16 to, law enforcement officials, community-based youth service bureau  
17 officials, state and federal prosecutorial officials, school officials in  
18 accordance with section 10-233h, court officials including officials of  
19 both the regular criminal docket and the docket for juvenile matters and  
20 officials of the Division of Criminal Justice, the Division of Public  
21 Defender Services, the Department of Children and Families, if the child  
22 is committed pursuant to section 46b-129, provided such disclosure  
23 shall be limited to (i) information that identifies the child as the subject  
24 of the delinquency petition, or (ii) the records of the delinquency  
25 proceedings, when the juvenile court orders the department to provide  
26 services to said child, the Court Support Services Division and agencies  
27 under contract with the Judicial Branch. Such records shall also be  
28 available to (I) the attorney representing the child, including the  
29 Division of Public Defender Services, in any proceeding in which such  
30 records are relevant, (II) the parents or guardian of the child, until such  
31 time as the subject of the record reaches the age of majority, (III) the  
32 subject of the record, upon submission of satisfactory proof of the  
33 subject's identity, pursuant to guidelines prescribed by the Office of the  
34 Chief Court Administrator, provided the subject has reached the age of  
35 majority, (IV) law enforcement officials and prosecutorial officials  
36 conducting legitimate criminal investigations, as provided in subsection  
37 (o) of this section or orders to detain pursuant to section 46b-133, (V) a  
38 state or federal agency providing services related to the collection of  
39 moneys due or funding to support the service needs of eligible juveniles,  
40 provided such disclosure shall be limited to that information necessary  
41 for the collection of and application for such moneys, (VI) members and  
42 employees of the Board of Pardons and Paroles and employees of the  
43 Department of Correction who, in the performance of their duties,  
44 require access to such records, provided the subject of the record has  
45 been convicted of a crime in the regular criminal docket of the Superior  
46 Court and such records are relevant to the performance of a risk and  
47 needs assessment of such person while such person is incarcerated, the  
48 determination of such person's suitability for release from incarceration

49 or for a pardon, or the determination of the supervision and treatment  
50 needs of such person while on parole or other supervised release, and  
51 (VII) members and employees of the Judicial Review Council who, in  
52 the performance of their duties related to said council, require access to  
53 such records. Records disclosed pursuant to this subsection shall not be  
54 further disclosed, except that information contained in such records  
55 may be disclosed in connection with bail or sentencing reports in open  
56 court during criminal proceedings involving the subject of such  
57 information, or as otherwise provided by law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	46b-124(d)

**PS**            *Joint Favorable*

*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**

This bill expands the instances in which records of cases of juvenile matters would be available to certain officials. Because this is a definitional change, it does not result in a fiscal impact.

**The Out Years****State Impact:** None**Municipal Impact:** None

---

**OLR Bill Analysis****SB 973*****AN ACT AUTHORIZING ACCESS TO JUVENILE DELINQUENCY RECORDS TO EVALUATE A PROPOSED TRANSFER OF A FIREARM TO A PERSON UNDER AGE TWENTY-ONE.*****SUMMARY**

This bill gives municipal, state, and federal agency employees and authorized agents access to juvenile delinquency case records to evaluate a proposed firearm transfer to someone under age 21, as the federal Bipartisan Safer Communities Act requires (see BACKGROUND). By law, juvenile delinquency case records are generally confidential and for the juvenile court's use, with exceptions in specified situations.

EFFECTIVE DATE: July 1, 2023

**BACKGROUND*****Bipartisan Safer Communities Act (BSCA)***

The BSCA prohibits firearm transfers to people who have potentially disqualifying juvenile records (P.L. 117-159, § 12001). It expands National Instant Criminal Background Check System (NICS) background check procedures to those ages 18 to 21 to screen for disqualifying juvenile or mental health records and gives authorities up to 10 business days to make eligibility determinations. Under this law, NICS must immediately contact three possible sources of disqualifying juvenile records for people under age 21 in the jurisdiction where they reside, including state repositories of juvenile justice information and local law enforcement agencies.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable

Yea 25    Nay 0    (03/16/2023)