

# Judiciary Committee

## JOINT FAVORABLE REPORT

**Bill No.:** HB-6817

AN ACT CONCERNING A TEMPORARY PERMIT TO CARRY A PISTOL OR REVOLVER, A RESPONSE PLAN FOR A MASS SHOOTING EVENT, AND THE POSTING OF A PERSON'S RIGHTS ASSOCIATED WITH OWNING,

**Title:** POSSESSING AND CARRYING A FIREARM.

**Vote Date:** 3/28/2023

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/6/2023

**File No.:** 635

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

### SPONSORS OF BILL:

Judiciary Committee

### REASONS FOR BILL:

This bill will help ensure a citizen's right to the second amendment by making various changes to permitting processes, exempting certain rifles from the assault weapon ban, ensure a mass shooting event response plan, allowing personal carry in state parks, and other provisions which support the right to bear arms.

### SUBSTITUTE LANGUAGE:

The substitute language gives appropriate local authorities eight weeks to act on a sufficient application for a temporary state permit. The applicant must be notified within that time frame, whether their application has been approved or denied. If denied, the notification explaining the reason for denial must be submitted to the applicant in writing. The applicant may present an affidavit to the local authorities at least nine weeks after submission of the application if the local authorities have failed to provide written reason for a denial during the eight-week period. The Commissioner of Emergency Services and Public Protection shall then issue to the applicant a state permit **or** inform the applicant in detailed writing that the application has been denied, or that the national criminal history records check have not been received. The bill makes clear that the failure of the local authority to act within the eight-week time frame shall not be grounds for the Commissioner to deny issuance of a state permit.

The substitute language will require the Commissioner to submit a response plan for a mass shooting, with any comprehensive plan and program developed by that office. Any response

plan for a mass shooting event, shall require the Commissioner to coordinate a meeting between the following persons and agencies: Department of Emergency Services and Public Protection, the local police department, community leaders, including religious leaders, and representatives of the Project Longevity Initiative, to determine why the shooting event occurred, circumstances leading to the shooting event, if there were warning signs that the event would occur, preventative measures that can be enacted to prevent other such events and, if any resources are available to assist the community in response to such event. The meeting participants shall report their findings to the Commissioner. The Commissioner shall report those findings to the appropriate Executive and Legislative Branch members and any joint standing committee with cognizance of matters relating to public safety.

The substitute language will require the Commissioner to coordinate with the Commissioner of Public Health, for the deployment of mental health providers to the family members or individuals with a close association with any victim of a mass shooting. The Commissioner shall coordinate with the Chief State's Attorney, an investigation into each mass shooting event. The administrative head shall post in a conspicuous place that is readily available for viewing by the public, a statement of their right to request and obtain an application for a permit to carry a pistol or revolver.

#### **RESPONSE FROM ADMINISTRATION/AGENCY:**

**Katie S. Dykes, Commissioner, Connecticut Department of Energy & Environmental Protection (DEEP):** DEEP opposes Section 12 of the bill which would allow people to carry firearms in state parks and state forests. The testimony states that increased visitation to our parks and forests often leads to crowded beaches and closely spaced campgrounds, creating challenges to safely secure firearms. They also state that allowing guns in these densely populated areas could generate public concern and confusion that could cause conflicts among visitors. DEEP's current restrictions on firearms in state parks and forests align with the policies in most of Connecticut's other large tourist attractions.

**Judicial Branch, External Affairs Division:** The Judicial Branch's Office of Victim Services (OVS) assists victims of crime in this state with expenses associated with medical and mental health care, lost wages for personal injury victims, funeral and burial expenses, loss of support, and lost wages to attend court proceedings. The Judicial Branch requests that the OVS be added to the list of organizations and persons organized to analyze any response plan for a mass shooting event. They also request that the Judicial Branch Office of Victim Services for Victim Compensation assistance be added to the group of professionals who are deployed by the Commissioner of Public Health, to assist family members or other individuals with a close association to any victim of a mass shooting.

#### **NATURE AND SOURCES OF SUPPORT:**

Several Connecticut residents provided testimony in favor of this legislation because they believe it: creates a fairer environment to obtain a carry permit in the state in line with the 14<sup>th</sup> Amendment of the US Constitution and reduces the burden for lower income citizens to partake in their 2<sup>nd</sup> Amendment rights, because it requires permits to be granted in eight weeks, eliminates permit fees and creates a tax credit for gun safes; strengthens security through the creation of mass-shooting response plans; increases school safety by allowing

peace officers to carry a firearm on school grounds when off-duty; allows gun owners to carry in state parks and forests; strengthens the ability to defend one's family in a home invasion by adopting the Castle Doctrine; removes certain firearms used for competitive sports from the assault weapons ban; creates reciprocity of state permitting with other states; and, allows for a lawful transfer of legally-owned firearms.

- **R. Doherty**
- **Ken Hanks**
- **Travis Marshall**
- **R Salvatore**
- **Stephan Liszka**
- **Scott Lunt**
- **Brendan Malone**
- **Michael Marek**
- **John Klisenbauer**
- **Zachary Kudlak**
- **Keith Lambert**
- **Martin Grabeck**
- **Daniella Dutkiewicz**
- **Andrew Dutkiewicz**
- **Daniel Dutkiewicz**
- **Yoland Dutkiewicz**
- **Robbie Dugan**
- **Michael Conserva**
- **Kimberly Carlascio**
- **Mark Carlascio**
- **Edward Banasiak**
- **Stephen Bennett**
- **Jared Blakeman**
- **Christopher Bitel**
- **Ivan Bailey**
- **Sean Cady**
- **Brian R. Kowalczyk**

**Stephen Bisi**: Mr. Bisi supports this legislation because he believes that fees associated with gun ownership are already too high and citizens of this State should be able to carry firearms in State forests and parks so that they can protect themselves.

**Jo-Ann Cartier**: They provided testimony in support of this legislation because it eliminates permit fees associated with obtaining and keeping a firearm. They state that gun ownership is a God given right for everyone, not just for those who can afford it. They also include support for the section of the bill which eliminates certain target shooting pistols from the assault weapon definition.

**Greg Cartier**: They provided testimony in support of this legislation because it eliminates permit fees associated with obtaining and keeping a firearm. They state that gun ownership is a God given right for everyone, not just for those who can afford it. They also include support for the section of the bill which eliminates certain target shooting pistols from the assault weapon definition.

**Branden Bergeron**: They provided testimony in support of this legislation because it eliminates permit fees associated with obtaining and keeping a firearm. They state that gun ownership is a God given right for everyone, not just for those who can afford it. They also include support for the section of the bill which eliminates certain target shooting pistols from the assault weapon definition.

**Mark Hansen**: They provided testimony in support of this legislation because it eliminates permit fees associated with obtaining and keeping a firearm. They state that gun ownership is a God given right for everyone, not just for those who can afford it. They also include support for the section of the bill which eliminates certain target shooting pistols from the assault weapon definition.

**Peter Brown:** Mr. Brown states his support for the bill particularly with respect to the section that will allow permit holders to carry a concealed firearm in a state park for self-defense. He states that banning guns from these areas creates a gun-free zone which makes it dangerous for unarmed victims against those who would prey upon them.

**Maciej Bregisz:** Mr. Bregisz supports the bill as it relates to reducing the pistol permit fees because it will allow residents in lower economic situations to be able to afford a means to defend themselves.

**Jacob Harman:** Mr. Harman supports this bill because it creates a tax credit for obtaining or upgrading a gun safe. He states that these items carry a "hefty" price tag. He also states that the State of Connecticut has many great hiking trails and allowing people to carry in state parks and forests, will provide an extra level of protection and make people feel safer.

**Chris Marino, Secretary, Northwest CT Sportsman's Council:** Mr. Marino provides that this organization is supportive of the bill because it eliminates excessive fees to procure and renew pistol permits. He states that the members of this organization support dropping the assault weapons restrictions on "Olympic style target pistols". He states that these pistols are, "large, expensive guns with target type grips, not conducive to concealed carry". Lastly, he states his organizations support of allowing handgun carry in State forests.

**Brooke Cheney, Instructor and Competitive Shooter, A Great Start Shooting School:** Ms. Cheney supports the bill because it provides a consistent time frame for every permit application, and it makes permit renewal fees more affordable for everyone. She also states that she and other women do not carry guns to find violence, but rather, "choose to carry a gun so that if someone else chooses violence", they will have options. She specifically shares this statement regarding allowing permit holders to carry in state parks and forests. As a competitive shooter who travels all over the country, she is currently required to hold several (other) State permits. By allowing reciprocity with other States, she says that she can reduce her budget significantly. She also states that giving a tax credit for the purchase of gun safes will reduce gun violence.

**Other testimony:** Due to the quantity of testimony received for this bill, it is not possible to give a summary of each individual submission. Of the remaining testimonies in support of the bill, the following ideas were expressed.

**1,548** solely expressed support for the bill.

**274** expressed support for the bill because it was their right, guaranteed by the Second Amendment.

**92** expressed support for the bill because they believe owning a gun gives them protection and the ability to protect their families.

**10** expressed support for the bill because criminals don't follow the law and take advantage of "gun free zones".

**53** support the bill because they believe it will eliminate onerous rules and administrative fees.

9 support the bill because it seeks to establish reciprocity with other states.

7 expressed support for the bill because it eliminates certain firearms used for sports competition from the assault weapon ban.

#### **NATURE AND SOURCES OF OPPOSITION:**

**Paula Bacolini:** Ms. Bacolini opposes this legislation because she states that we must not put gun rights above the rights of our citizens and communities to live safely.

**Steven Bonnell:** Mr. Bonnell provided testimony in opposition to the bill, stating that law abiding citizens should be allowed to own semi-automatic pistols and long guns. He suggests that enforcing current laws which punish offenders, would prevent further crime.

**Michael Bono:** Mr. Bono opposes this bill because he states that it will do nothing to keep law abiding citizens safe from gun crime. He suggests that the legislature address gun crime through mental health measures and "stricter bail laws for gun and violent crime offenders".

**Leonard Cannon, III:** Mr. Cannon opposes this bill because, he states, criminals will get guns, "no matter what laws you try to pass". He suggests that the only way to reduce gun violence is to prosecute convicted criminals guilty of committing crimes with guns, to a mandatory ten years in prison and to stop letting them out on bail.

**Jeffrey Calorossi:** Mr. Calorossi opposes this bill because he states that it will not stop gun violence. He provides that to stop gun violence, the State needs to go after the criminals and address mental health.

**Bruce Bridges:** Mr. Bridges opposes this legislation because he believes that gun control laws infringe upon the right to self-defense and deny people a sense of safety.

**Martin E. Cobern:** Mr. Cobern opposes this legislation because he states that it would, "eliminate prohibitions on carrying firearms in many sensitive places, including bars and state parks, weaken the ability to perform background checks, effectively eliminate all our firearms safety laws by encouraging reciprocity with the states with the most lenient firearms regulations, and facilitate (rather than discourage) the sale of assault weapons." He adds that the Second Amendment does not grant the "unalienable right of citizens to keep and bear arms".

**Michael Chadwick:** Mr. Chadwick provided testimony in opposition to the legislation, stating that legal firearms owners are not the ones committing crimes with firearms. He believes that we live in a very dangerous society today, and that taking someone's ability away to protect themselves is harmful to residents.

**Peter Ceulemans:** Mr. Ceulemans provided testimony in opposition to the bill, stating that repeat offenders are the problem, not law-abiding gun owners.

**Dylan Council:** They provided testimony in opposition to the bill, because they believe that permit applications need to be carefully reviewed and not subject to automatic approval if the

State does not meet an eight week deadline requirement; allowing firearms to be carried on school grounds increases the risk of harm for students and personnel; and, instituting the Castle Doctrine would allow individuals to use lethal force against anyone they claim to reasonably believe is trespassing. They believe that "any legislation that permits a citizen to use lethal force without themselves being in physical danger places the right of gun property ownership over the right to life".

**Alexander Martinez-Garcia:** They provided testimony in opposition to the bill, because they believe that permit applications need to be carefully reviewed and not subject to automatic approval if the State does not meet an eight week deadline requirement; allowing firearms to be carried on school grounds increases the risk of harm for students and personnel; and, instituting the Castle Doctrine would allow individuals to use lethal force against anyone they claim to reasonably believe is trespassing. They believe that "any legislation that permits a citizen to use lethal force without themselves being in physical danger places the right of gun property ownership over the right to life".

**Ava Gaughan:** They provided testimony in opposition to the bill, because they believe that permit applications need to be carefully reviewed and not subject to automatic approval if the State does not meet an eight week deadline requirement; allowing firearms to be carried on school grounds increases the risk of harm for students and personnel; and, instituting the Castle Doctrine would allow individuals to use lethal force against anyone they claim to reasonably believe is trespassing. They believe that "any legislation that permits a citizen to use lethal force without themselves being in physical danger places the right of gun property ownership over the right to life".

**Yaz Liow:** They provided testimony in opposition to the bill, because they believe that permit applications need to be carefully reviewed and not subject to automatic approval if the State does not meet an eight week deadline requirement; allowing firearms to be carried on school grounds increases the risk of harm for students and personnel; and, instituting the Castle Doctrine would allow individuals to use lethal force against anyone they claim to reasonably believe is trespassing. They believe that "any legislation that permits a citizen to use lethal force without themselves being in physical danger places the right of gun property ownership over the right to life".

**Yale Dems:** They provided testimony in opposition to the bill, because they believe that permit applications need to be carefully reviewed and not subject to automatic approval if the State does not meet an eight week deadline requirement; allowing firearms to be carried on school grounds increases the risk of harm for students and personnel; and, instituting the Castle Doctrine would allow individuals to use lethal force against anyone they claim to reasonably believe is trespassing. They believe that "any legislation that permits a citizen to use lethal force without themselves being in physical danger places the right of gun property ownership over the right to life".

**Quinn Luong:** They provided testimony in opposition to the bill, because they believe that permit applications need to be carefully reviewed and not subject to automatic approval if the State does not meet an eight week deadline requirement; allowing firearms to be carried on school grounds increases the risk of harm for students and personnel; and, instituting the Castle Doctrine would allow individuals to use lethal force against anyone they claim to reasonably believe is trespassing. They believe that "any legislation that permits a citizen to

use lethal force without themselves being in physical danger places the right of gun property ownership over the right to life".

**Noam Bellin-Schonfeld:** They provided testimony in opposition to the bill, because they believe that permit applications need to be carefully reviewed and not subject to automatic approval if the State does not meet an eight week deadline requirement; allowing firearms to be carried on school grounds increases the risk of harm for students and personnel; and, instituting the Castle Doctrine would allow individuals to use lethal force against anyone they claim to reasonably believe is trespassing. They believe that "any legislation that permits a citizen to use lethal force without themselves being in physical danger places the right of gun property ownership over the right to life".

**Dominique Fawcett:** Ms. Fawcett opposes this legislation. She states that the bill will do nothing to address gun violence. She adds that, to address gun violence, the State needs to look at the real problems, "poverty, lack of education, drugs and generations of people being marginalized".

**Jeremy Stein, Executive Director, CT Against Gun Violence:** Mr. Stein provides testimony in opposition to this legislation. He believes creating an automatic issuance of a permit if the state has not yet finished review, would create a "Charleston Loophole". This refers to a flaw in the background check system that, "enabled a gunman to obtain the weapon used to murder nine people and wound three others as they participated in Bible study at the historic Emanuel AME Church in Charleston, South Carolina in June 2015. Had the FBI background check been completed, the perpetrator of the Emanuel massacre would have been barred from purchasing a firearm".

He states that his organization opposes allowing peace officers to possess firearms on school grounds when not on official duty, because the presence of more firearms has been linked to more gun deaths, and that there is no evidence to suggest this measure reduces gun violence or "thwarts mass shootings". They oppose language which would create a "stand your ground" element in the law because it is contrary to CT self-defense laws which have been clear that "taking a human life is not necessary, and is therefore not justified, if a person knows they could safely avoid any threat to themselves or others by simply stepping away from a confrontation". Research on "stand your ground" laws has demonstrated that they lead to increases in firearm homicides.

**Other testimony:** Due to the quantity of testimony received for this bill, it is not possible to give a summary of each individual submission. Of the remaining testimonies in opposition to the bill, the following ideas were expressed.

**180** solely expressed their opposition to the bill.

**144** expressed belief that the bill is unconstitutional in nature and that they are guaranteed the rights to firearms based on the U.S. Constitution.

**12** stated that the bill would make them less safe.

**67** expressed belief that criminals don't follow the law, so the bill does nothing to address gun violence.

**Reported by:** Jennifer Albrecht

**Date:** April 14, 2023