



House of Representatives

File No. 854

General Assembly

January Session, 2023

(Reprint of File No. 351)

Substitute House Bill No. 5360
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
June 2, 2023

AN ACT CONCERNING FIREARM INCIDENT REPORTS AND A TASK FORCE ON RECRUITMENT AND RETENTION OF POLICE OFFICERS.

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

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

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

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

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

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

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

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

42 Sec. 2. (*Effective from passage*) (a) There is established a task force to
43 study and make recommendations regarding the recruitment and
44 retention of police officers in the state.

- 45 (b) The task force shall consist of the following members:
- 46 (1) One appointed by the speaker of the House of Representatives;
- 47 (2) One appointed by the president pro tempore of the Senate;
- 48 (3) One appointed by the majority leader of the House of
49 Representatives;
- 50 (4) One appointed by the majority leader of the Senate;
- 51 (5) One appointed by the minority leader of the House of
52 Representatives;
- 53 (6) One appointed by the minority leader of the Senate;
- 54 (7) The Commissioner of Emergency Services and Public Protection,
55 or the commissioner's designee; and
- 56 (8) Two persons appointed by the Governor.
- 57 (c) Any member of the task force appointed under subdivision (1),
58 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
59 of the General Assembly.
- 60 (d) All initial appointments to the task force shall be made not later
61 than thirty days after the effective date of this section. Any vacancy shall
62 be filled by the appointing authority.
- 63 (e) The speaker of the House of Representatives and the president pro
64 tempore of the Senate shall select the chairpersons of the task force from
65 among the members of the task force. Such chairpersons shall schedule
66 the first meeting of the task force, which shall be held not later than sixty
67 days after the effective date of this section.
- 68 (f) The administrative staff of the joint standing committee of the
69 General Assembly having cognizance of matters relating to public safety
70 and security shall serve as administrative staff of the task force.

71 (g) Not later than January 1, 2024, the task force shall submit a report
72 on its findings and recommendations to the joint standing committee of
73 the General Assembly having cognizance of matters relating to public
74 safety and security, in accordance with the provisions of section 11-4a
75 of the general statutes. The task force shall terminate on the date that it
76 submits such report or January 1, 2024, whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	New section
Sec. 2	<i>from passage</i>	New section

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 (1) establishes reporting procedures for police officers responding to alleged crimes or fatalities involving the use of firearms and (2) establishes a task force to study and make recommendations regarding the recruitment and retention of police officers in the state, resulting in no fiscal impact to the state or municipalities as the task force has the expertise to meet the bill's requirements.

House "A" establishes said task force resulting in no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5360 (as amended by House "A")******AN ACT REQUIRING FIREARM INCIDENT REPORTS FROM POLICE OFFICERS AND ANNUAL REPORTS OF SUCH DATA BY THE DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION.*****SUMMARY**

Starting October 1, 2023, this bill requires that police officers responding to an alleged crime or fatality involving the use of a firearm (see BACKGROUND) complete a firearm incident report, whether or not an arrest is made. It requires law enforcement units to send these reports to the Department of Emergency Services and Public Protection (DESPP) commissioner and, in cases where an arrest was made, forward copies of them to the state's attorney for the appropriate judicial district.

DESPP must set a form for these firearm incident reports by October 1, 2023, to establish accurate data on the extent and severity of firearm incidents in the state. The commissioner must compile the firearm incident statistics and annually publish them in the Connecticut Uniform Crime Reports. Under the bill, (1) each incident reported to the police counts as an offense and (2) a zero must be reported if no incidents occurred during the reporting periods. Starting by January 1, 2026, DESPP must annually tabulate and compile data from these reports and report its findings to the governor and the Public Safety and Security Committee.

Additionally, the bill establishes a nine-member task force to study police recruitment and retention in Connecticut, make recommendations, and report to the legislature by January 1, 2024.

*House Amendment "A" adds the task force provision.

EFFECTIVE DATE: July 1, 2023, except the task force provision is effective upon passage.

FIREARM INCIDENT REPORTS

Under the bill, DESPP's form for these reports must include the following information:

1. the name of the person or people involved in the alleged crime or fatality;
2. the incident's location, time, and date;
3. the number and identification of any firearm involved;
4. whether the alleged crime was committed, or fatality caused, by someone with a prior conviction that prohibited him or her from legally possessing a firearm;
5. whether the alleged crime was committed with, or fatality caused by, an illegally possessed or unregistered firearm; and
6. any other data necessary for a complete analysis of the circumstances of firearm incidents in the state.

POLICE RECRUITMENT AND RETENTION TASK FORCE

Under the bill, the task force is composed of the DESPP commissioner, or his designee, and eight appointees, one appointed by each of the top six legislative leaders and two appointed by the governor. Appointing authorities must make their initial appointments within 30 days after the bill's passage and fill any vacancies. The legislative leaders' appointees may be legislators.

The House speaker and Senate president pro tempore must choose the task force's chairpersons from its members. The chairpersons must schedule the first meeting within 60 days after the bill's passage.

The Public Safety and Security Committee's administrative staff serves as the task force's administrative staff. The task force terminates when it submits its report or January 1, 2024, whichever is later.

BACKGROUND

Firearm

By law, a “firearm” is any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, loaded or unloaded, from which a shot may be discharged (CGS § 53a-3).

Law Enforcement Units and Police Officers

By law, a “law enforcement unit” is any state or municipal agency or department (or tribal agency or department created and governed under a memorandum of agreement) whose primary functions include enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime.

“Police officers” are sworn members of an organized local police department of the State Police; appointed constables who perform criminal law enforcement duties; special police officers appointed under law; or any members of a law enforcement unit who perform police duties (CGS § 7-294a).

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 25 Nay 0 (03/16/2023)