



General Assembly

January Session, 2013

Bill No. 1160

LCO No. 5428



Referred to Committee on No Committee

Introduced by:

SEN. WILLIAMS, 29th Dist.

REP. SHARKEY, 88th Dist.

***AN ACT CONCERNING GUN VIOLENCE PREVENTION AND
CHILDREN'S SAFETY.***

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

1 Section 1. Section 29-37a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) For the purposes of this section, "long gun" means a firearm, as
4 defined in section 53a-3, other than a pistol or revolver.

5 (b) (1) Except as provided in subdivision (2) of this subsection, no
6 person, firm or corporation may sell, deliver or otherwise transfer, at
7 retail, any long gun to any person under eighteen years of age.

8 (2) No person, firm or corporation may sell, deliver or otherwise
9 transfer, at retail, any semi-automatic centerfire rifle that has or accepts
10 a magazine with a capacity exceeding five rounds to any person under
11 twenty-one years of age. The provisions of this subdivision shall not
12 apply to the sale, delivery or transfer of such a rifle to any person who

13 is a member or employee of an organized local police department, the
14 Department of Emergency Services and Public Protection or the
15 Department of Correction or a member of the military or naval forces
16 of this state or of the United States for use in the discharge of their
17 duties.

18 (c) On and after April 1, 2014, no person may purchase or receive
19 any long gun unless such person holds a valid long gun eligibility
20 certificate issued pursuant to section 2 of this act, a valid permit to
21 carry a pistol or revolver issued pursuant to subsection (b) of section
22 29-28, as amended by this act, a valid permit to sell at retail a pistol or
23 revolver issued pursuant to subsection (a) of section 29-28 or a valid
24 eligibility certificate for a pistol or revolver issued pursuant to section
25 29-36f, as amended by this act, or is a federal marshal, parole officer or
26 peace officer.

27 [(a)] (d) No person, firm or corporation may [deliver, at retail,] sell,
28 deliver or otherwise transfer, at retail, any [firearm, as defined in
29 section 53a-3, other than a pistol or revolver,] long gun to any person
30 unless such person makes application on a form prescribed and
31 furnished by the Commissioner of Emergency Services and Public
32 Protection, which shall be filed and retained by the transferor for at
33 least twenty years or, if the transferor is a federally licensed firearm
34 dealer, attached by the [vendor] transferor to the federal sale or
35 transfer document and filed and retained by the [vendor] transferor for
36 at least twenty years or until such [vendor] transferor goes out of
37 business. Such application shall be available for inspection during
38 normal business hours by law enforcement officials. [No sale or
39 delivery of any firearm shall be made until the expiration of two weeks
40 from the date of the application, and] No such sale, delivery or other
41 transfer of any long gun shall be made until the person, firm or
42 corporation making such sale, delivery or transfer has [insured]
43 ensured that such application has been completed properly and has
44 obtained an authorization number from the Commissioner of
45 Emergency Services and Public Protection for such sale, delivery or

46 transfer. The Department of Emergency Services and Public Protection
47 shall make every effort, including performing the national instant
48 criminal background check, to determine if the applicant is eligible to
49 receive such [firearm] long gun. If it is determined that the applicant is
50 ineligible to receive such [firearm] long gun, the Commissioner of
51 Emergency Services and Public Protection shall immediately notify the
52 person, firm or corporation to whom such application was made and
53 no such [firearm] long gun shall be sold, [or] delivered or otherwise
54 transferred to such applicant by such person, firm or corporation.
55 When any [firearm] long gun is delivered in connection with [the] any
56 sale or purchase, such [firearm] long gun shall be enclosed in a
57 package, the paper or wrapping of which shall be securely fastened,
58 and no such [firearm] long gun when delivered on any sale or
59 purchase shall be loaded or contain any gunpowder or other explosive
60 or any bullet, ball or shell.

61 [(b)] Upon the sale, delivery or other transfer of the [firearm] long
62 gun, the [purchaser] transferee shall sign in triplicate a receipt for such
63 [firearm] long gun, which shall contain the name, [and] address and
64 date and place of birth of such [purchaser] transferee, the date of such
65 sale, delivery or transfer and the caliber, make, model and
66 manufacturer's number and a general description thereof. Not later
67 than twenty-four hours after such sale, delivery or transfer, the
68 [vendor] transferor shall send by first class mail or electronically
69 transfer one receipt to the Commissioner of Emergency Services and
70 Public Protection and one receipt to the chief of police or, where there
71 is no chief of police, the warden of the borough or the first selectman,
72 of the town in which the [purchaser] transferee resides, and shall retain
73 one receipt, together with the original application, for at least five
74 years. [The]

75 (e) No sale, delivery or other transfer of any long gun shall be made
76 by a person who is not a federally-licensed firearm manufacturer,
77 importer or dealer to a person who is not a federally-licensed firearm
78 manufacturer, importer or dealer unless:

79 (1) The prospective transferor and prospective transferee comply
80 with the provisions of subsection (d) of this section and the prospective
81 transferor has obtained an authorization number from the
82 Commissioner of Emergency Services and Public Protection for such
83 sale, delivery or transfer; or

84 (2) A national instant criminal background check has been initiated
85 by a federally-licensed firearm dealer who has consented to initiate
86 such check at the request of the prospective transferor or prospective
87 transferee in accordance with subsection (f) of this section and the
88 response received by the federally-licensed firearm dealer indicates the
89 prospective transferee is eligible to receive such long gun.

90 (f) (1) On and after January 1, 2014, for purposes of a transfer
91 pursuant to subdivision (2) of subsection (e) of this section, a
92 prospective transferor or prospective transferee may request a
93 federally-licensed firearm dealer to initiate a national instant criminal
94 background check of the prospective transferee. If a federally-licensed
95 firearm dealer consents to initiate a national instant criminal
96 background check, the prospective transferor or prospective transferee
97 shall provide to such dealer the name, sex, race, date of birth and state
98 of residence of the prospective transferee and, if necessary to verify the
99 identity of the prospective transferee, may provide a unique numeric
100 identifier including, but not limited to, a Social Security number, and
101 additional identifiers including, but not limited to, height, weight, eye
102 and hair color, and place of birth. The prospective transferee shall
103 present to the dealer such prospective transferee's valid long gun
104 eligibility certificate issued pursuant to section 2 of this act, valid
105 permit to carry a pistol or revolver issued pursuant to subsection (b) of
106 section 29-28, as amended by this act, valid permit to sell at retail a
107 pistol or revolver issued pursuant to subsection (a) of section 29-28 or
108 valid eligibility certificate for a pistol or revolver issued pursuant to
109 section 29-36f, as amended by this act. The dealer may charge a fee not
110 to exceed twenty dollars for initiating such background check.

111 (2) Notwithstanding the provisions of subsections (d) and (f) of
112 section 29-36l, the dealer shall initiate a background check of such
113 prospective transferee by contacting the national instant criminal
114 background check system operations center for purposes of
115 conducting such background check. Upon receiving a response from
116 the operations center of the results of such check, the dealer shall
117 immediately notify the prospective transferor or prospective transferee
118 of such response. If the response indicates the prospective transferee is
119 ineligible to receive such long gun, no long gun shall be sold, delivered
120 or otherwise transferred by the prospective transferor to the
121 prospective transferee. If the response indicates the prospective
122 transferee is eligible to receive such long gun, the prospective
123 transferor may proceed to sell, deliver or otherwise transfer the long
124 gun to the prospective transferee.

125 (3) Upon the sale, delivery or other transfer of the long gun, the
126 transferor or transferee shall complete a form, prescribed by the
127 Commissioner of Emergency Services and Public Protection, that
128 contains the name and address of the transferor, the name and address
129 of the transferee, the date and place of birth of such transferee, the
130 firearm permit or certificate number of the transferee, the firearm
131 permit or certificate number of the transferor, if any, the date of such
132 sale, delivery or transfer, the caliber, make, model and manufacturer's
133 number and a general description of such long gun and the transaction
134 number assigned by the national instant criminal background check
135 system to the background check request. Not later than twenty-four
136 hours after such sale, delivery or transfer, the transferor shall send by
137 first class mail or electronically transfer one copy of such form to the
138 Commissioner of Emergency Services and Public Protection and one
139 copy to the chief of police or, where there is no chief of police, the
140 warden of the borough or the first selectman, of the town in which the
141 transferee resides, and shall retain one copy, for at least five years.

142 (g) Prior to April 1, 2014, no sale, delivery or other transfer of any
143 long gun shall be made until the expiration of two weeks from the date

144 of the application, except that such waiting period [specified in
145 subsection (a) of this section during which delivery may not be made
146 and the provisions of this subsection] shall not apply to any federal
147 marshal, parole officer or peace officer, or to the [delivery at retail]
148 sale, delivery or other transfer of (1) any [firearm] long gun to a holder
149 of a valid state permit to carry a pistol or revolver issued under the
150 provisions of section 29-28, as amended by this act, [or] a valid
151 eligibility certificate issued under the provisions of section 29-36f, as
152 amended by this act, or a valid long gun eligibility certificate issued
153 under the provisions of section 2 of this act, (2) any [firearm] long gun
154 to an active member of the armed forces of the United States or of any
155 reserve component thereof, (3) any [firearm] long gun to a holder of a
156 valid hunting license issued pursuant to chapter 490, or (4) antique
157 firearms. For the purposes of this [section] subsection, "antique
158 firearm" means any firearm which was manufactured in or before 1898
159 and any replica of such firearm, provided such replica is not designed
160 or redesigned for using rimfire or conventional centerfire fixed
161 ammunition except rimfire or conventional centerfire fixed
162 ammunition which is no longer manufactured in the United States and
163 not readily available in the ordinary channel of commercial trade.

164 (h) The provisions of this section shall not apply to the sale, delivery
165 or transfer of long guns between (1) a federally-licensed firearm
166 manufacturer and a federally-licensed firearm dealer, (2) a federally-
167 licensed firearm importer and a federally-licensed firearm dealer, or (3)
168 federally-licensed firearm dealers.

169 (i) If the court finds that a violation of this section is not of a serious
170 nature and that the person charged with such violation (1) will
171 probably not offend in the future, (2) has not previously been
172 convicted of a violation of this section, and (3) has not previously had a
173 prosecution under this section suspended pursuant to this subsection,
174 it may order suspension of prosecution. The court shall not order
175 suspension of prosecution unless the accused person has
176 acknowledged that he understands the consequences of the suspension

177 of prosecution. Any person for whom prosecution is suspended shall
178 agree to the tolling of any statute of limitations with respect to such
179 violation and to a waiver of his right to a speedy trial. Such person
180 shall appear in court and shall be released to the custody of the Court
181 Support Services Division for such period, not exceeding two years,
182 and under such conditions as the court shall order. If the person
183 refuses to accept, or, having accepted, violates such conditions, the
184 court shall terminate the suspension of prosecution and the case shall
185 be brought to trial. If such person satisfactorily completes his period of
186 probation, he may apply for dismissal of the charges against him and
187 the court, on finding such satisfactory completion, shall dismiss such
188 charges. If the person does not apply for dismissal of the charges
189 against him after satisfactorily completing his period of probation, the
190 court, upon receipt of a report submitted by the Court Support
191 Services Division that the person satisfactorily completed his period of
192 probation, may on its own motion make a finding of such satisfactory
193 completion and dismiss such charges. Upon dismissal, all records of
194 such charges shall be erased pursuant to section 54-142a. An order of
195 the court denying a motion to dismiss the charges against a person
196 who has completed his period of probation or terminating the
197 participation of a defendant in such program shall be a final judgment
198 for purposes of appeal.

199 (j) Any person who violates any provision of this section shall be
200 guilty of a class D felony, except that any person who sells, delivers or
201 otherwise transfers a long gun in violation of the provisions of this
202 section, knowing that such long gun is stolen or that the
203 manufacturer's number or other mark of identification on such long
204 gun has been altered, removed or obliterated, shall be guilty of a class
205 B felony, and any long gun found in the possession of any person in
206 violation of any provision of this section shall be forfeited.

207 Sec. 2. (NEW) (*Effective July 1, 2013*) (a) Any person who is eighteen
208 years of age or older may apply to the Commissioner of Emergency
209 Services and Public Protection for a long gun eligibility certificate.

210 (b) The Commissioner of Emergency Services and Public Protection
211 shall issue a long gun eligibility certificate unless said commissioner
212 finds that the applicant: (1) Has failed to successfully complete a
213 course approved by the Commissioner of Emergency Services and
214 Public Protection in the safety and use of firearms including, but not
215 limited to, a safety or training course in the use of firearms available to
216 the public offered by a law enforcement agency, a private or public
217 educational institution or a firearms training school, utilizing
218 instructors certified by the National Rifle Association or the
219 Department of Energy and Environmental Protection and a safety or
220 training course in the use of firearms conducted by an instructor
221 certified by the state or the National Rifle Association; (2) has been
222 convicted of (A) a felony, or (B) a violation of subsection (c) of section
223 21a-279 of the general statutes or section 53a-58, 53a-61, 53a-61a, 53a-
224 62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d of the general
225 statutes; (3) has been convicted as delinquent for the commission of a
226 serious juvenile offense, as defined in section 46b-120 of the general
227 statutes; (4) has been discharged from custody within the preceding
228 twenty years after having been found not guilty of a crime by reason of
229 mental disease or defect pursuant to section 53a-13 of the general
230 statutes; (5) has been confined in a hospital for persons with
231 psychiatric disabilities, as defined in section 17a-495 of the general
232 statutes, within the preceding sixty months by order of a probate court;
233 (6) has been voluntarily admitted to a hospital for persons with
234 psychiatric disabilities, as defined in section 17a-495 of the general
235 statutes, within the preceding six months for care and treatment of a
236 psychiatric disability and not solely for being an alcohol-dependent
237 person or a drug-dependent person as those terms are defined in
238 section 17a-680 of the general statutes; (7) is subject to a restraining or
239 protective order issued by a court in a case involving the use,
240 attempted use or threatened use of physical force against another
241 person; (8) is subject to a firearms seizure order issued pursuant to
242 subsection (d) of section 29-38c of the general statutes, as amended by
243 this act, after notice and hearing; (9) is prohibited from shipping,

244 transporting, possessing or receiving a firearm pursuant to 18 USC
245 922(g)(4); or (10) is an alien illegally or unlawfully in the United States.

246 Sec. 3. (NEW) (*Effective July 1, 2013*) (a) Requests for long gun
247 eligibility certificates under section 2 of this act shall be submitted to
248 the Commissioner of Emergency Services and Public Protection on
249 application forms prescribed by the commissioner. No long gun
250 eligibility certificate shall be issued under the provisions of section 2 of
251 this act unless the applicant for such certificate gives to the
252 Commissioner of Emergency Services and Public Protection, upon the
253 commissioner's request, full information concerning the applicant's
254 criminal record and relevant information concerning the applicant's
255 mental health history. The commissioner shall require each applicant
256 to submit to state and national criminal history records checks in
257 accordance with section 29-17a of the general statutes. The
258 commissioner shall take a full description of such applicant. The
259 commissioner shall take the fingerprints of such applicant or conduct
260 any other method of positive identification required by the State Police
261 Bureau of Identification or the Federal Bureau of Investigation. The
262 commissioner shall record the date the fingerprints were taken in the
263 applicant's file and shall conduct criminal history records checks in
264 accordance with section 29-17a of the general statutes. The
265 commissioner shall, not later than sixty days after receipt of the
266 national criminal history records check from the Federal Bureau of
267 Investigation, either approve the application and issue the long gun
268 eligibility certificate or deny the application and notify the applicant of
269 the reason for such denial in writing.

270 (b) A long gun eligibility certificate shall be of such form and
271 content as the commissioner may prescribe, shall be signed by the
272 certificate holder and shall contain an identification number, the name,
273 address, place and date of birth, height, weight and eye color of the
274 certificate holder and a full-face photograph of the certificate holder.

275 (c) A person holding a long gun eligibility certificate issued by the

276 commissioner shall notify the commissioner not later than two
277 business days after any change of such person's address. The
278 notification shall include both the old address and the new address of
279 such person.

280 (d) Notwithstanding the provisions of sections 1-210 and 1-211 of
281 the general statutes, the name and address of a person issued a long
282 gun eligibility certificate under the provisions of section 2 of this act
283 shall be confidential and shall not be disclosed, except (1) such
284 information may be disclosed to law enforcement officials acting in the
285 performance of their duties, including, but not limited to, employees of
286 the United States Probation Office acting in the performance of their
287 duties, (2) the Commissioner of Emergency Services and Public
288 Protection may disclose such information to the extent necessary to
289 comply with a request made pursuant to section 29-37a of the general
290 statutes, as amended by this act, or section 14 of this act for verification
291 that such certificate is still valid and has not been suspended or
292 revoked, and (3) such information may be disclosed to the
293 Commissioner of Mental Health and Addiction Services to carry out
294 the provisions of subsection (c) of section 17a-500 of the general
295 statutes, as amended by this act.

296 Sec. 4. (NEW) (*Effective July 1, 2013*) (a) The fee for each long gun
297 eligibility certificate originally issued under the provisions of section 2
298 of this act shall be thirty-five dollars and for each renewal thereof
299 thirty-five dollars, which fees shall be paid to the Commissioner of
300 Emergency Services and Public Protection. Upon deposit of such fees
301 in the General Fund, the fees shall be credited to the appropriation to
302 the Department of Emergency Services and Public Protection to a
303 separate nonlapsing account for the purposes of the issuance of long
304 gun eligibility certificates under said section.

305 (b) A long gun eligibility certificate originally issued under the
306 provisions of section 2 of this act shall expire five years after the date it
307 becomes effective and each renewal thereof shall expire five years after

308 the expiration date of the certificate being renewed.

309 (c) The renewal fee shall apply for each renewal that is requested
310 not earlier than thirty-one days before, and not later than thirty-one
311 days after, the expiration date of the certificate being renewed.

312 (d) No fee or portion thereof paid under the provisions of this
313 section for issuance or renewal of a long gun eligibility certificate shall
314 be refundable except if the certificate for which the fee or portion
315 thereof was paid was not issued or renewed.

316 (e) The Commissioner of Emergency Services and Public Protection
317 shall send a notice of the expiration of a long gun eligibility certificate
318 issued pursuant to section 2 of this act to the holder of such certificate,
319 by first class mail, at the address of such person as shown by the
320 records of the commissioner, not less than ninety days before such
321 expiration, and shall enclose therein a form for the renewal of such
322 certificate. A long gun eligibility certificate issued pursuant to said
323 section shall be valid for a period of ninety days from the expiration
324 date, except this provision shall not apply to any certificate which has
325 been revoked or for which revocation is pending, pursuant to section 5
326 of this act.

327 Sec. 5. (NEW) (*Effective July 1, 2013*) (a) A long gun eligibility
328 certificate shall be revoked by the Commissioner of Emergency
329 Services and Public Protection upon the occurrence of any event which
330 would have disqualified the holder from being issued the certificate
331 pursuant to section 2 of this act.

332 (b) Upon the revocation of any long gun eligibility certificate, the
333 person whose certificate is revoked shall be notified, in writing, and
334 such certificate shall be forthwith delivered to the Commissioner of
335 Emergency Services and Public Protection. Any person who fails to
336 surrender such certificate within five days of notification, in writing, of
337 revocation thereof shall be guilty of a class A misdemeanor.

338 Sec. 6. Subsection (b) of section 29-32b of the general statutes is
339 repealed and the following is substituted in lieu thereof (*Effective July*
340 *1, 2013*):

341 (b) Any person aggrieved by any refusal to issue or renew a permit
342 or certificate under the provisions of section 29-28, as amended by this
343 act, or 29-36f, as amended by this act, or section 2 of this act, or by any
344 limitation or revocation of a permit or certificate issued under any of
345 said sections, or by a refusal or failure of any issuing authority to
346 furnish an application as provided in section 29-28a, may, within
347 ninety days after receipt of notice of such refusal, limitation or
348 revocation, or refusal or failure to supply an application as provided in
349 section 29-28a, and without prejudice to any other course of action
350 open to such person in law or in equity, appeal to the board. On such
351 appeal the board shall inquire into and determine the facts, de novo,
352 and unless it finds that such a refusal, limitation or revocation, or such
353 refusal or failure to supply an application, as the case may be, would
354 be for just and proper cause, it shall order such permit or certificate to
355 be issued, renewed or restored, or the limitation removed or modified,
356 as the case may be. If the refusal was for failure to document
357 compliance with local zoning requirements, under subsection (a) of
358 section 29-28, the board shall not issue a permit.

359 Sec. 7. Subsection (a) of section 29-36l of the general statutes is
360 repealed and the following is substituted in lieu thereof (*Effective July*
361 *1, 2013*):

362 (a) The Commissioner of Emergency Services and Public Protection
363 shall establish a state database that any person, firm or corporation
364 who sells or otherwise transfers [pistols or revolvers] firearms may
365 access, by telephone or other electronic means in addition to the
366 telephone, for information to be supplied immediately, on whether a
367 permit to carry a pistol or revolver, issued pursuant to subsection (b)
368 of section 29-28, as amended by this act, a permit to sell at retail a
369 pistol or revolver, issued pursuant to subsection (a) of section 29-28,

370 [or] an eligibility certificate for a pistol or revolver, issued pursuant to
371 section 29-36f, as amended by this act, or a long gun eligibility
372 certificate, issued pursuant to section 2 of this act, is valid and has not
373 been revoked or suspended.

374 Sec. 8. Section 29-38b of the general statutes is repealed and the
375 following is substituted in lieu thereof (*Effective July 1, 2013*):

376 (a) The Commissioner of Emergency Services and Public Protection,
377 in fulfilling his obligations under sections 29-28 to 29-38, inclusive, as
378 amended by this act, sections 2 to 5, inclusive, of this act and section
379 53-202d, as amended by this act, shall verify that any person who, on
380 or after October 1, 1998, applies for or seeks renewal of a permit to sell
381 at retail a pistol or revolver, a permit to carry a pistol or revolver, an
382 eligibility certificate for a pistol or revolver or a certificate of
383 possession for an assault weapon, or who, on or after July 1, 2013,
384 applies for or seeks renewal of a long gun eligibility certificate, has not
385 been confined in a hospital for persons with psychiatric disabilities, as
386 defined in section 17a-495, within the preceding [twelve] sixty months
387 by order of a probate court or has not been voluntarily admitted to a
388 hospital for persons with psychiatric disabilities, as defined in section
389 17a-495, within the preceding six months for care and treatment of a
390 psychiatric disability and not solely for being an alcohol-dependent
391 person or a drug-dependent person as those terms are defined in
392 section 17a-680, by making an inquiry to the Department of Mental
393 Health and Addiction Services in such a manner so as to only receive a
394 report on the commitment or admission status of the person with
395 respect to whom the inquiry is made including identifying information
396 in accordance with the provisions of subsection (b) of section 17a-500,
397 as amended by this act.

398 (b) If the Commissioner of Emergency Services and Public
399 Protection determines pursuant to subsection (a) of this section that a
400 person has been confined in a hospital for persons with psychiatric
401 disabilities, as defined in section 17a-495, within the preceding

402 [twelve] sixty months by order of a probate court or has been
403 voluntarily admitted to a hospital for persons with psychiatric
404 disabilities, as defined in section 17a-495, within the preceding six
405 months for care and treatment of a psychiatric disability and not solely
406 for being an alcohol-dependent person or a drug-dependent person as
407 those terms are defined in section 17a-680, said commissioner shall
408 report the status of such person's application for or renewal of a permit
409 to sell at retail a pistol or revolver, a permit to carry a pistol or
410 revolver, an eligibility certificate for a pistol or revolver, [or] a
411 certificate of possession for an assault weapon or a long gun eligibility
412 certificate to the Commissioner of Mental Health and Addiction
413 Services for the purpose of fulfilling his responsibilities under
414 subsection (c) of section 17a-500, as amended by this act.

415 Sec. 9. Subsection (b) of section 54-36e of the general statutes is
416 repealed and the following is substituted in lieu thereof (*Effective July*
417 *1, 2013*):

418 (b) Firearms turned over to the state police pursuant to subsection
419 (a) of this section which are not destroyed or retained for appropriate
420 use shall be sold at public auctions, conducted by the Commissioner of
421 Administrative Services or [such] said commissioner's designee. Pistols
422 and revolvers, as defined in section 53a-3, which are antiques, as
423 defined in section 29-33, as amended by this act, or curios or relics, as
424 defined in the Code of Federal Regulations, Title 27, Chapter 1, Part
425 178, or modern pistols and revolvers which have a current retail value
426 of one hundred dollars or more may be sold at such public auctions,
427 provided such pistols and revolvers shall be sold only to persons who
428 have a valid permit to sell a pistol or revolver, or a valid permit to
429 carry a pistol or revolver, issued pursuant to section 29-28, as amended
430 by this act. Rifles and shotguns, as defined in section 53a-3, shall be
431 sold only to persons qualified under federal law to purchase such rifles
432 and shotguns and who have a valid long gun eligibility certificate
433 issued pursuant to section 2 of this act. The proceeds of any such sale
434 shall be paid to the State Treasurer and deposited by the State

435 Treasurer in the forfeit firearms account within the General Fund.

436 Sec. 10. (NEW) (*Effective October 1, 2013*) Whenever a person is
437 voluntarily admitted to a hospital for persons with psychiatric
438 disabilities, as defined in section 17a-495 of the general statutes, for
439 care and treatment of a psychiatric disability and not solely for being
440 an alcohol-dependent person or a drug-dependent person as those
441 terms are defined in section 17a-680 of the general statutes, the hospital
442 shall forthwith notify the Commissioner of Mental Health and
443 Addiction Services of such admission and provide identifying
444 information including, but not limited to, name, address, sex, date of
445 birth and the date of admission. The commissioner shall maintain such
446 identifying information on all such admissions occurring on and after
447 the effective date of this section.

448 Sec. 11. Section 17a-500 of the general statutes is repealed and the
449 following is substituted in lieu thereof (*Effective July 1, 2013*):

450 (a) Each court of probate shall keep a record of the cases relating to
451 persons with psychiatric disabilities coming before it under sections
452 17a-75 to 17a-83, inclusive, 17a-450 to 17a-484, inclusive, 17a-495 to
453 17a-528, inclusive, 17a-540 to 17a-550, inclusive, 17a-560 to 17a-576,
454 inclusive, and 17a-615 to 17a-618, inclusive, and the disposition of
455 them. It shall also keep on file the original application and certificate of
456 physicians required by said sections, or a microfilm duplicate of such
457 records in accordance with regulations issued by the Probate Court
458 Administrator. All records maintained in the courts of probate under
459 the provisions of said sections shall be sealed and available only to the
460 respondent or his or her counsel unless the Court of Probate, after
461 hearing held with notice to the respondent, determines such records
462 should be disclosed for cause shown.

463 (b) [Notwithstanding the provisions of subsection (a) of this section,
464 the] The Commissioner of Mental Health and Addiction Services shall,
465 notwithstanding the provisions of subsection (a) of this section,

466 maintain information, in accordance with section 17a-499, [shall
467 maintain information] on commitment orders by a probate court, and
468 shall maintain information, in accordance with section 10 of this act, on
469 voluntary admissions, and shall provide such information to the
470 Commissioner of Emergency Services and Public Protection in
471 fulfillment of his obligations under sections 29-28 to 29-38, inclusive, as
472 amended by this act, sections 2 to 5, inclusive, of this act and section
473 53-202d, as amended by this act, in such a manner as to report
474 identifying information on the commitment or voluntary admission
475 status, including, but not limited to, name, address, sex, date of birth
476 and date of commitment or admission, for a person who applies for or
477 holds a permit or certificate under said sections 29-28 to 29-38,
478 inclusive, as amended by this act, sections 2 to 5, inclusive, of this act
479 and section 53-202d, as amended by this act. The Commissioner of
480 Emergency Services and Public Protection shall maintain as
481 confidential any such information provided to him and shall use such
482 information only for purposes of fulfilling his obligations under
483 sections 29-28 to 29-38, inclusive, as amended by this act, sections 2 to
484 5, inclusive, of this act and section 53-202d, as amended by this act,
485 except that nothing in this section shall prohibit said commissioner
486 from entering such information into evidence at a hearing held in
487 accordance with section 29-32b, as amended by this act.

488 (c) (1) The Commissioner of Mental Health and Addiction Services
489 shall obtain from the Commissioner of Emergency Services and Public
490 Protection the status of any firearm application, permit or certificate
491 under sections 29-28 to 29-38, inclusive, as amended by this act,
492 sections 2 to 5, inclusive, of this act and section 53-202d, as amended
493 by this act, of each person who is the subject of an order of
494 commitment [pursuant to] as provided in section 17a-499 or is the
495 subject of a voluntary admission as provided in section 10 of this act, in
496 such a manner so as to only receive a report on the firearm application,
497 permit or certificate status of the person with respect to whom the
498 inquiry is made.

499 (2) The Commissioner of Mental Health and Addiction Services
500 shall report to the Commissioner of Emergency Services and Public
501 Protection any commitment or voluntary admission status and
502 identifying information for any person who is an applicant for or
503 holder of any permit or certificate under said sections 29-28 to 29-38,
504 inclusive, as amended by this act, sections 2 to 5, inclusive, of this act
505 and section 53-202d, as amended by this act.

506 (3) The Commissioner of Mental Health and Addiction Services
507 shall advise the hospital for psychiatric disabilities to which a person
508 has been committed or voluntarily admitted of the status of a firearm
509 application, permit or certificate of such person under sections 29-28 to
510 29-38, inclusive, as amended by this act, sections 2 to 5, inclusive, of
511 this act and section 53-202d, as amended by this act, as reported by the
512 Commissioner of Emergency Services and Public Protection for
513 consideration by such hospital in any psychiatric treatment
514 procedures.

515 (4) The Commissioner of Mental Health and Addiction Services and
516 a hospital for psychiatric disabilities shall maintain as confidential any
517 information provided to said commissioner or such hospital
518 concerning the status of a firearm application, permit or certificate
519 under sections 29-28 to 29-38, inclusive, as amended by this act,
520 sections 2 to 5, inclusive, of this act and section 53-202d, as amended
521 by this act, of any person.

522 Sec. 12. Subsection (a) of section 53-202g of the general statutes is
523 repealed and the following is substituted in lieu thereof (*Effective from*
524 *passage*):

525 (a) Any person who lawfully possesses an assault weapon under
526 sections [29-37j and] 53-202a to 53-202k, inclusive, as amended by this
527 act, [and subsection (h) of section 53a-46a] or a firearm, as defined in
528 section 53a-3, that is lost or stolen from such person shall report the
529 loss or theft to the organized local police department for the town in

530 which the loss or theft occurred or, if such town does not have an
531 organized local police department, to the state police troop having
532 jurisdiction for such town within seventy-two hours of when such
533 person discovered or should have discovered the loss or theft. Such
534 department or troop shall forthwith forward a copy of such report to
535 the Commissioner of Emergency Services and Public Protection. The
536 provisions of this subsection shall not apply to the loss or theft of an
537 antique firearm as defined in [subsection (b) of] section 29-37a, as
538 amended by this act.

539 Sec. 13. Subsection (c) of section 53-202aa of the general statutes is
540 repealed and the following is substituted in lieu thereof (*Effective from*
541 *passage*):

542 (c) For the purposes of this section, "firearm" means "firearm" as
543 defined in section 53a-3, but does not include a rifle or shotgun or an
544 antique firearm as defined in [subsection (b) of] section 29-37a, as
545 amended by this act.

546 Sec. 14. (NEW) (*Effective from passage*) (a) For the purposes of this
547 section and sections 15 to 17, inclusive, of this act, "ammunition"
548 means a loaded cartridge, consisting of a primed case, propellant or
549 projectile, designed for use in any firearm, "firearm" has the meaning
550 provided in section 53a-3 of the general statutes, and "magazine"
551 means any firearm magazine, belt, drum, feed strip or similar device
552 that accepts ammunition.

553 (b) No person, firm or corporation shall sell ammunition or an
554 ammunition magazine to any person under eighteen years of age.

555 (c) On and after October 1, 2013, no person, firm or corporation shall
556 sell ammunition or an ammunition magazine to any person unless
557 such person holds a valid permit to carry a pistol or revolver issued
558 pursuant to subsection (b) of section 29-28 of the general statutes, as
559 amended by this act, a valid permit to sell at retail a pistol or revolver
560 issued pursuant to subsection (a) of section 29-28 of the general

561 statutes, a valid eligibility certificate for a pistol or revolver issued
562 pursuant to section 29-36f of the general statutes, as amended by this
563 act, or a valid long gun eligibility certificate issued pursuant to section
564 2 of this act and presents to the transferor such permit or certificate, or
565 unless such person holds a valid ammunition certificate issued
566 pursuant to section 15 of this act and presents to the transferor such
567 certificate and such person's motor vehicle operator's license, passport
568 or other valid form of identification issued by the federal government
569 or a state or municipal government that contains such person's date of
570 birth and photograph.

571 (d) The provisions of this section shall not apply to the sale, delivery
572 or transfer of ammunition between (1) a federally-licensed firearm
573 manufacturer and a federally-licensed firearm dealer, (2) a federally-
574 licensed firearm importer and a federally-licensed firearm dealer, or (3)
575 federally-licensed firearm dealers.

576 (e) Any person who violates any provision of this section shall be
577 guilty of a class D felony.

578 Sec. 15. (NEW) (*Effective July 1, 2013*) (a) Any person who is eighteen
579 years of age or older may request the Commissioner of Emergency
580 Services and Public Protection to (1) conduct a national criminal
581 history records check of such person, in accordance with the
582 provisions of section 29-17a of the general statutes, using such person's
583 name and date of birth only, and (2) issue an ammunition certificate to
584 such person in accordance with the provisions of this section.

585 (b) After conducting the national criminal history records check of
586 such person, the commissioner shall issue an ammunition certificate to
587 such person unless the commissioner determines, based on a review of
588 the results of such criminal history records check, that such person
589 would be ineligible to be issued a long gun eligibility certificate under
590 section 2 of this act, except that a conviction of a violation specified in
591 subparagraph (B) of subdivision (2) of subsection (b) of section 2 of this

592 act shall cause such person to be ineligible for an ammunition
593 certificate only if such conviction was for a violation committed on or
594 after the effective date of this section.

595 (c) Such ammunition certificate shall be of such form as the
596 commissioner may prescribe, contain an identification number and the
597 name, address and date of birth of the certificate holder and be signed
598 by the certificate holder.

599 (d) A person holding an ammunition certificate issued by the
600 commissioner shall notify the commissioner not later than two
601 business days after any change of such person's address. The
602 notification shall include both the old address and the new address of
603 such person.

604 (e) Notwithstanding the provisions of sections 1-210 and 1-211 of
605 the general statutes, the name and address of a person issued an
606 ammunition certificate under this section shall be confidential and
607 shall not be disclosed, except (1) such information may be disclosed to
608 law enforcement officials acting in the performance of their duties,
609 including, but not limited to, employees of the United States Probation
610 Office acting in the performance of their duties, (2) the Commissioner
611 of Emergency Services and Public Protection may disclose such
612 information to the extent necessary to comply with a request made
613 pursuant to section 14 of this act for verification that such certificate is
614 still valid and has not been suspended or revoked, and (3) such
615 information may be disclosed to the Commissioner of Mental Health
616 and Addiction Services to carry out the provisions of subsection (c) of
617 section 17a-500 of the general statutes, as amended by this act.

618 Sec. 16. (NEW) (*Effective July 1, 2013*) (a) The fee for each
619 ammunition certificate originally issued under the provisions of this
620 section shall be thirty-five dollars and for each renewal thereof thirty-
621 five dollars, which fees shall be paid to the Commissioner of
622 Emergency Services and Public Protection and shall be in addition to

623 the fee paid pursuant to subsection (b) of section 29-17a of the general
624 statutes for conducting the national criminal history records check.
625 Upon deposit of such fees in the General Fund, the fees shall be
626 credited to the appropriation to the Department of Emergency Services
627 and Public Protection to a separate nonlapsing account for the
628 purposes of the issuance of ammunition certificates under section 15 of
629 this act.

630 (b) An ammunition certificate originally issued under the provisions
631 of section 15 of this act shall expire five years after the date it becomes
632 effective and each renewal thereof shall expire five years after the
633 expiration date of the certificate being renewed.

634 (c) The renewal fee shall apply for each renewal that is requested
635 not earlier than thirty-one days before, and not later than thirty-one
636 days after, the expiration date of the certificate being renewed.

637 (d) No fee or portion thereof paid under the provisions of this
638 section for issuance or renewal of an ammunition certificate shall be
639 refundable except if the certificate for which the fee or portion thereof
640 was paid was not issued or renewed.

641 (e) An ammunition certificate issued pursuant to section 15 of this
642 act shall be valid for a period of ninety days from the expiration date,
643 except this provision shall not apply to any certificate which has been
644 revoked or for which revocation is pending, pursuant to section 17 of
645 this act.

646 Sec. 17. (NEW) (*Effective July 1, 2013*) (a) An ammunition certificate
647 shall be revoked by the Commissioner of Emergency Services and
648 Public Protection upon the occurrence of any event which would have
649 disqualified the holder from being issued the certificate pursuant to
650 section 15 of this act.

651 (b) Upon the revocation of any ammunition certificate, the person
652 whose certificate is revoked shall be notified, in writing, and such

653 certificate shall be forthwith delivered to the Commissioner of
654 Emergency Services and Public Protection. Any person who fails to
655 surrender such certificate within five days of notification, in writing, of
656 revocation thereof shall be guilty of a class A misdemeanor.

657 Sec. 18. (NEW) (*Effective January 1, 2014*) (a) For the purposes of this
658 section and sections 19 and 20 of this act, and sections 45a-99 and 52-11
659 of the general statutes, as amended by this act:

660 (1) "Commissioner" means the Commissioner of Emergency Services
661 and Public Protection;

662 (2) "Convicted" means that a person has a judgment entered in this
663 state against such person by a court upon a plea of guilty, a plea of
664 nolo contendere or a finding of guilty by a jury or the court
665 notwithstanding any pending appeal or habeas corpus proceeding
666 arising from such judgment;

667 (3) "Deadly weapon" means a deadly weapon, as defined in section
668 53a-3 of the general statutes;

669 (4) "Department" means the Department of Emergency Services and
670 Public Protection;

671 (5) "Identifying factors" means fingerprints, a photographic image,
672 and a description of any other identifying characteristics as may be
673 required by the Commissioner of Emergency Services and Public
674 Protection;

675 (6) "Not guilty by reason of mental disease or defect" means a
676 finding by a court or jury of not guilty by reason of mental disease or
677 defect pursuant to section 53a-13 of the general statutes
678 notwithstanding any pending appeal or habeas corpus proceeding
679 arising from such finding;

680 (7) "Offender convicted of committing a crime with a deadly
681 weapon" or "offender" means a person who has been convicted of an

682 offense committed with a deadly weapon;

683 (8) "Offense committed with a deadly weapon" or "offense" means:

684 (A) A violation of subsection (c) of section 2-1e, subsection (e) of
685 section 29-28, subsections (a) to (e), inclusive, or (i) of section 29-33, as
686 amended by this act, section 29-34, as amended by this act, subsection
687 (a) of section 29-35, section 29-36, as amended by this act, 29-36k, as
688 amended by this act, 29-37a, as amended by this act, or 29-37e,
689 subsection (c) of section 29-37g, section 29-37j, as amended by this act,
690 subsection (b), (c) or (g) of section 53-202, section 53-202b, as amended
691 by this act, 53-202c, as amended by this act, 53-202j, 53-202k, 53-202l, as
692 amended by this act, 53-202aa, as amended by this act, or 53-206b,
693 subsection (b) of section 53a-8, section 53a-55a, 53a-56a, 53a-60a, 53a-
694 60c, 53a-72b, 53a-92a, 53a-94a, 53a-102a, 53a-103a, 53a-211, 53a-212, as
695 amended by this act, 53a-216, 53a-217, as amended by this act, 53a-
696 217a, as amended by this act, 53a-217b or 53a-217c, as amended by this
697 act, or a second or subsequent violation of section 53-202g of the
698 general statutes, as amended by this act; or (B) a violation of any
699 section of the general statutes which constitutes a felony, as defined in
700 section 53a-25 of the general statutes, provided the court makes a
701 finding that, at the time of the offense, the offender used a deadly
702 weapon, or was armed with and threatened the use of or displayed or
703 represented by words or conduct that the offender possessed a deadly
704 weapon;

705 (9) "Registrant" means a person required to register under section 19
706 of this act;

707 (10) "Registry" means a central record system in this state that is
708 established pursuant to this section and receives, maintains and
709 disseminates to law enforcement agencies information on persons
710 convicted or found not guilty by reason of mental disease or defect of
711 an offense committed with a deadly weapon; and

712 (11) "Release into the community" means, with respect to a

713 conviction or a finding of not guilty by reason of mental disease or
714 defect of an offense committed with a deadly weapon, (A) any release
715 by a court after such conviction or finding of not guilty by reason of
716 mental disease or defect, a sentence of probation or any other sentence
717 under section 53a-28 of the general statutes that does not result in the
718 offender's immediate placement in the custody of the Commissioner of
719 Correction; (B) release from a correctional facility at the discretion of
720 the Board of Pardons and Paroles, by the Department of Correction to
721 a program authorized by section 18-100c of the general statutes or
722 upon completion of the maximum term or terms of the offender's
723 sentence or sentences, or to the supervision of the Court Support
724 Services Division in accordance with the terms of the offender's
725 sentence; or (C) temporary leave to an approved residence by the
726 Psychiatric Security Review Board pursuant to section 17a-587 of the
727 general statutes, conditional release from a hospital for mental illness
728 or a facility for persons with intellectual disability by the Psychiatric
729 Security Review Board pursuant to section 17a-588 of the general
730 statutes, or release upon termination of commitment to the Psychiatric
731 Security Review Board.

732 (b) The Department of Emergency Services and Public Protection
733 shall, not later than January 1, 2014, establish and maintain a registry
734 of all persons required to register under section 19 of this act as
735 offenders convicted of an offense committed with a deadly weapon.
736 The department shall, in cooperation with the Office of the Chief Court
737 Administrator, the Department of Correction and the Psychiatric
738 Security Review Board, develop appropriate forms for use by agencies
739 and individuals to report registration information, including changes
740 of address. Upon receipt of registration information, the department
741 shall enter the information into the registry and notify the local police
742 department or state police troop having jurisdiction where the
743 registrant resides or plans to reside. Upon receiving notification
744 pursuant to section 19 of this act that a registrant has changed his or
745 her address, the department shall enter the information into the

746 registry and notify the local police departments or state police troops
747 having jurisdiction where the registrant previously resided and the
748 jurisdiction where the registrant has relocated. The Commissioner of
749 Emergency Services and Public Protection shall also ensure that the
750 name and residence address of each registrant is available through the
751 Connecticut on-line law enforcement communication teleprocessing
752 system maintained by the department. If a registrant reports a
753 residence in another state, the department may notify the state police
754 agency of that state or such other agency in that state that maintains
755 registry information, if known.

756 (c) The Department of Emergency Services and Public Protection
757 may suspend the registration of any person registered under section 19
758 of this act while such person is incarcerated, under civil commitment
759 or residing outside this state. During the period that such registration
760 is under suspension, the department may withdraw the registration
761 information from access to law enforcement agencies. Upon the release
762 of the registrant from incarceration or civil commitment or resumption
763 of residency in this state by the registrant, the department shall
764 reinstate the registration and redistribute the registration information
765 in accordance with subsection (b) of this section. Suspension of
766 registration shall not affect the date of expiration of the registration
767 obligation of the registrant under section 19 of this act.

768 (d) The Department of Emergency Services and Public Protection
769 shall include in the registry the most recent photographic image of
770 each registrant taken by the department, the Department of Correction,
771 a law enforcement agency or the Court Support Services Division of
772 the Judicial Department.

773 (e) Whenever the Commissioner of Emergency Services and Public
774 Protection receives notice from a superior court pursuant to section 52-
775 11 of the general statutes, as amended by this act, or a probate court
776 pursuant to section 45a-99 of the general statutes, as amended by this
777 act, that such court has ordered the change of name of a person, and

778 the department determines that such person is listed in the registry,
779 the department shall revise such person's registration information
780 accordingly.

781 (f) The Commissioner of Emergency Services and Public Protection
782 shall develop a protocol for the notification of other state agencies, the
783 Judicial Department and local police departments whenever a person
784 listed in the registry changes such person's name and notifies the
785 commissioner of the new name pursuant to section 19 of this act or
786 whenever the commissioner determines pursuant to subsection (e) of
787 this section that a person listed in the registry has changed such
788 person's name.

789 (g) The information in the registry shall not be a public record or file
790 for the purposes of section 1-200 of the general statutes. Any
791 information disclosed pursuant to this section or section 19 or 20 of this
792 act, shall not be further disclosed unless such disclosure is permitted
793 under this section or section 19 or 20 of this act.

794 Sec. 19. (NEW) (*Effective January 1, 2014*) (a) (1) Any person who has
795 been convicted or found not guilty by reason of mental disease or
796 defect of an offense committed with a deadly weapon and is released
797 into the community on or after January 1, 2014, shall, within fourteen
798 calendar days following such release or, if such person is in the
799 custody of the Commissioner of Correction, at such time prior to
800 release as the Commissioner of Correction shall direct, and whether or
801 not such person's place of residence is in this state, register such
802 person's name, identifying factors, criminal history record, residence
803 address and electronic mail address with the Commissioner of
804 Emergency Services and Public Protection, on such forms and in such
805 locations as the Commissioner of Emergency Services and Public
806 Protection shall direct, and shall maintain such registration for five
807 years.

808 (2) Prior to accepting a plea of guilty or nolo contendere from a

809 person with respect to an offense committed with a deadly weapon,
810 the court shall (A) inform the person that the entry of a finding of
811 guilty after acceptance of the plea will subject the person to the
812 registration requirements of this section, and (B) determine that the
813 person fully understands the consequences of the plea.

814 (3) If any person who is subject to registration under this section
815 changes such person's name, such person shall, without undue delay,
816 notify the Commissioner of Emergency Services and Public Protection
817 in writing of the new name. If any person who is subject to registration
818 under this section changes such person's address, such person shall,
819 without undue delay, notify the Commissioner of Emergency Services
820 and Public Protection in writing of the new address. During such
821 period of registration, each registrant shall complete and return any
822 forms mailed to such registrant to verify such registrant's residence
823 address and shall submit to the retaking of a photographic image upon
824 request of the Commissioner of Emergency Services and Public
825 Protection.

826 (b) Any offender convicted of committing a crime with a deadly
827 weapon who is required to register under this section shall, not later
828 than twenty calendar days after each anniversary date of such initial
829 registration, until the date such registration requirement expires under
830 subdivision (1) of subsection (a) of this section, personally appear at
831 the local police department or state police troop having jurisdiction
832 where the registrant resides to verify and update, as appropriate, the
833 contents of his or her registration. The local police department or state
834 police troop, as the case may be, may defer such requirement to
835 personally appear to a later date for good cause shown. Not later than
836 thirty calendar days prior to such anniversary date, the Department of
837 Emergency Services and Public Protection shall mail written notice of
838 the personal appearance requirement of this subsection to the
839 registrant and the local police department or state police troop having
840 jurisdiction where the registrant resides. Not later than thirty calendar
841 days after the anniversary date of each registrant, the local police

842 department or state police troop having jurisdiction where the
843 registrant resides shall notify the Commissioner of Emergency Services
844 and Public Protection, on such form as the commissioner may
845 prescribe, (1) whether the registrant complied with the personal
846 appearance requirement of this subsection or whether such personal
847 appearance requirement was deferred to a later date for good cause
848 shown, and (2) if the personal appearance requirement was deferred to
849 a later date for good cause shown, the local police department or state
850 police troop shall indicate the later date established for such personal
851 appearance and describe the good cause shown.

852 (c) Any person who is subject to registration under this section who
853 violates any provisions of subsection (a) or (b) of this section, except a
854 violation consisting of failure to notify the Commissioner of
855 Emergency Services and Public Protection of a change of name or
856 address, shall be guilty of a class D felony. Any person who is subject
857 to registration under this section who fails to notify the Commissioner
858 of Emergency Services and Public Protection of a change of name or
859 address not later than five business days after such change of name or
860 address shall be guilty of a class D felony.

861 Sec. 20. (NEW) (*Effective January 1, 2014*) (a) The registration
862 information for each registrant shall include:

863 (1) The offender's name, including any other name by which the
864 offender has been legally known, and any aliases used by the offender;

865 (2) Identifying information, including a physical description of the
866 offender;

867 (3) The current residence address of the offender;

868 (4) The date of conviction of the offense;

869 (5) A description of the offense; and

870 (6) If the offender was sentenced to a term of incarceration for such

871 offense, a portion of which was not suspended, the date the offender
872 was released from such incarceration.

873 (b) The offender shall sign and date the registration.

874 (c) At the time that the offender appears for the purpose of
875 registering, the Department of Emergency Services and Public
876 Protection shall photograph the offender and arrange for the
877 fingerprinting of the offender and include such photograph and a
878 complete set of fingerprints in the registry. If the offender is required
879 to submit to the taking of a blood or other biological sample of
880 sufficient quality for DNA (deoxyribonucleic acid) analysis pursuant
881 to section 54-102g of the general statutes, and has not submitted to the
882 taking of such sample, the commissioner shall also require such
883 sample to be taken for analysis pursuant to section 54-102g of the
884 general statutes.

885 (d) The Department of Emergency Services and Public Protection
886 may require the offender to provide documentation to verify the
887 contents of his or her registration.

888 Sec. 21. Section 45a-99 of the general statutes is repealed and the
889 following is substituted in lieu thereof (*Effective January 1, 2014*):

890 (a) The courts of probate shall have concurrent jurisdiction with the
891 Superior Court, as provided in section 52-11, as amended by this act, to
892 grant a change of name, except a change of name granted in
893 accordance with subsection (a) of section 46b-63, except that no court
894 of probate may issue an order or otherwise allow for the change of
895 name of a person who is required to register with the Commissioner of
896 Emergency Services and Public Protection as a sexual offender or as an
897 offender convicted of committing a crime with a deadly weapon unless
898 such person complies with the requirements of subdivision (1) of
899 subsection (b) of this section.

900 (b) (1) Any person who is required to register with the

901 Commissioner of Emergency Services and Public Protection as a sexual
902 offender or as an offender convicted of committing a crime with a
903 deadly weapon who files an application with the Court of Probate for a
904 change of name shall (A) prior to filing such application, notify the
905 Commissioner of Emergency Services and Public Protection, on such
906 form as the commissioner may prescribe, that the person intends to file
907 an application for a change of name, indicating the change of name
908 sought, and (B) include with such application a sworn statement that
909 such change of name is not being sought for the purpose of avoiding
910 the legal consequences of a criminal conviction, including, but not
911 limited to, a criminal conviction that requires such person to register as
912 a sexual offender or as an offender convicted of committing a crime
913 with a deadly weapon.

914 (2) The Commissioner of Emergency Services and Public Protection
915 shall have standing to challenge such person's application for a change
916 of name in the court of probate where such change of name is sought.
917 The commissioner shall challenge the change of name through the
918 Attorney General. The court of probate may deny such person's
919 application for a change of name if the court finds, by a preponderance
920 of the evidence, that the person is applying for such change of name
921 for the purpose of avoiding the legal consequences of a criminal
922 conviction.

923 (c) Whenever the court, pursuant to this section, orders a change of
924 name of a person, the court shall notify the Commissioner of
925 Emergency Services and Public Protection of the issuance of such order
926 if the court finds that such person is listed in the registry established
927 and maintained pursuant to section 54-257 or in the registry
928 established and maintained pursuant to section 18 of this act.

929 Sec. 22. Section 52-11 of the general statutes is repealed and the
930 following is substituted in lieu thereof (*Effective January 1, 2014*):

931 (a) The superior court in each judicial district shall have jurisdiction

932 of complaints praying for a change of name, brought by any person
933 residing in the judicial district, and may change the name of the
934 complainant, who shall thereafter be known by the name prescribed by
935 said court in its decree, except that no superior court may issue an
936 order or otherwise allow for the change of name of a person who is
937 required to register with the Commissioner of Emergency Services and
938 Public Protection as a sexual offender or as an offender convicted of
939 committing a crime with a deadly weapon unless such person
940 complies with the requirements of subdivision (1) of subsection (b) of
941 this section.

942 (b) (1) Any person who is required to register with the
943 Commissioner of Emergency Services and Public Protection as a sexual
944 offender or as an offender convicted of committing a crime with a
945 deadly weapon who files an application with the Superior Court for a
946 change of name shall (A) prior to filing such application, notify the
947 Commissioner of Emergency Services and Public Protection, on such
948 form as the commissioner may prescribe, that the person intends to file
949 an application for a change of name, indicating the change of name
950 sought, and (B) include with such application a sworn statement that
951 such change of name is not being sought for the purpose of avoiding
952 the legal consequences of a criminal conviction, including, but not
953 limited to, a criminal conviction that requires such person to register as
954 a sexual offender or as an offender convicted of committing a crime
955 with a deadly weapon.

956 (2) The Commissioner of Emergency Services and Public Protection
957 shall have standing to challenge such person's application for a change
958 of name in the superior court where such change of name is sought.
959 The commissioner shall challenge the change of name through the
960 Attorney General. The superior court may deny such person's
961 application for a change of name if the court finds, by a preponderance
962 of the evidence, that the person is applying for such change of name
963 for the purpose of avoiding the legal consequences of a criminal
964 conviction.

965 (c) Whenever the court, pursuant to this section, orders a change of
966 name of a person, the clerk of the court shall notify the Commissioner
967 of Emergency Services and Public Protection of the issuance of such
968 order if the clerk finds that such person is listed in the registry
969 established and maintained pursuant to section 54-257 or in the
970 registry established and maintained pursuant to section 18 of this act.

971 Sec. 23. (NEW) (*Effective from passage*) (a) As used in this section and
972 section 24 of this act:

973 (1) "Large capacity magazine" means any firearm magazine, belt,
974 drum, feed strip or similar device that has the capacity of, or can be
975 readily restored or converted to accept, more than ten rounds of
976 ammunition, but does not include: (A) A feeding device that has been
977 permanently altered so that it cannot accommodate more than ten
978 rounds of ammunition, (B) a .22 caliber tube ammunition feeding
979 device, (C) a tubular magazine that is contained in a lever-action
980 firearm, or (D) a magazine that is permanently inoperable;

981 (2) "Lawfully possesses", with respect to a large capacity magazine,
982 means that a person has (A) actual and lawful possession of the large
983 capacity magazine, or (B) constructive possession of the large capacity
984 magazine pursuant to a lawful purchase of a firearm that contains a
985 large capacity magazine that was transacted prior to the effective date
986 of this section, regardless of whether the firearm was delivered to the
987 purchaser prior to the effective date of this section; and

988 (3) "Licensed gun dealer" means a person who has a federal firearms
989 license and a permit to sell firearms pursuant to section 29-28 of the
990 general statutes.

991 (b) Except as provided in this section, on and after the effective date
992 of this section, any person who, within this state, distributes, imports
993 into this state, keeps for sale, offers or exposes for sale, or purchases a
994 large capacity magazine shall be guilty of a class D felony. On and
995 after the effective date of this section, any person who, within this

996 state, transfers a large capacity magazine, except as provided in
997 subsection (f) of this section, shall be guilty of a class D felony.

998 (c) Except as provided in this section and section 24 of this act: (1)
999 Any person who possesses a large capacity magazine on or after
1000 January 1, 2014, that was obtained prior to the effective date of this
1001 section shall commit an infraction and be fined not more than ninety
1002 dollars for a first offense and shall be guilty of a class D felony for any
1003 subsequent offense, and (2) any person who possesses a large capacity
1004 magazine on or after January 1, 2014, that was obtained on or after the
1005 effective date of this section shall be guilty of a class D felony.

1006 (d) A large capacity magazine may be possessed, purchased or
1007 imported by:

1008 (1) Members or employees of the Department of Emergency
1009 Services and Public Protection, police departments, the Department of
1010 Correction or the military or naval forces of this state or of the United
1011 States for use in the discharge of their official duties or when off duty;

1012 (2) Employees of a Nuclear Regulatory Commission licensee
1013 operating a nuclear power generating facility in this state for the
1014 purpose of providing security services at such facility, or any person,
1015 firm, corporation, contractor or subcontractor providing security
1016 services at such facility; or

1017 (3) Any person, firm or corporation engaged in the business of
1018 manufacturing large capacity magazines in this state that
1019 manufactures or transports large capacity magazines in this state for
1020 sale within this state to persons specified in subdivision (1) or (2) of
1021 this subsection or for sale outside this state.

1022 (e) A large capacity magazine may be possessed by:

1023 (1) A licensed gun dealer;

1024 (2) A gunsmith who is in a licensed gun dealer's employ, who

1025 possesses such large capacity magazine for the purpose of servicing or
1026 repairing a lawfully possessed large capacity magazine;

1027 (3) Any person who has declared possession of the magazine
1028 pursuant to section 24 of this act; or

1029 (4) Any person who is the executor or administrator of an estate that
1030 includes a large capacity magazine, the possession of which has been
1031 declared to the Department of Emergency Services and Public
1032 Protection pursuant to section 24 of this act, which is disposed of as
1033 authorized by the Probate Court, if the disposition is otherwise
1034 permitted by this section and section 24 of this act.

1035 (f) Subsection (b) of this section shall not prohibit:

1036 (1) The transfer by bequest or intestate succession of a large capacity
1037 magazine, the possession of which has been declared to the
1038 Department of Emergency Services and Public Protection pursuant to
1039 section 24 of this act;

1040 (2) The transfer of a large capacity magazine to a police department
1041 or the Department of Emergency Services and Public Protection; or

1042 (3) The transfer of a large capacity magazine to a licensed gun dealer
1043 in accordance with section 24 of this act.

1044 (g) If the court finds that a violation of this section is not of a serious
1045 nature and that the person charged with such violation (1) will
1046 probably not offend in the future, (2) has not previously been
1047 convicted of a violation of this section, and (3) has not previously had a
1048 prosecution under this section suspended pursuant to this subsection,
1049 it may order suspension of prosecution in accordance with the
1050 provisions of subsection (h) of section 29-33 of the general statutes, as
1051 amended by this act.

1052 Sec. 24. (NEW) (*Effective from passage*) (a) Any person who lawfully
1053 possesses a large capacity magazine prior to January 1, 2014, shall

1054 apply by January 1, 2014, or, if such person is a member of the military
1055 or naval forces of this state or of the United States and is unable to
1056 apply by January 1, 2014, because such member is or was on official
1057 duty outside of this state, shall apply within ninety days of returning
1058 to the state to the Department of Emergency Services and Public
1059 Protection to declare possession of such magazine. Such application
1060 shall be made on such form or in such manner as the Commissioner of
1061 Emergency Services and Public Protection prescribes.

1062 (b) In addition to the application form prescribed under subsection
1063 (a) of this section, the department shall design or amend the
1064 application forms for a certificate of possession for an assault weapon
1065 under section 53-202d of the general statutes, as amended by this act,
1066 or for a permit to carry a pistol or revolver under section 29-28a of the
1067 general statutes, a long gun eligibility certificate under section 2 of this
1068 act, an eligibility certificate for a pistol or revolver under section 29-36f
1069 of the general statutes, as amended by this act, or any renewal of such
1070 permit or certificate to permit an applicant to declare possession of a
1071 large capacity magazine pursuant to this section upon the same
1072 application.

1073 (c) The department may adopt regulations, in accordance with the
1074 provisions of chapter 54 of the general statutes, to establish procedures
1075 with respect to applications under this section. Notwithstanding the
1076 provisions of sections 1-210 and 1-211 of the general statutes, the name
1077 and address of a person who has declared possession of a large
1078 capacity magazine shall be confidential and shall not be disclosed,
1079 except such records may be disclosed to (1) law enforcement agencies
1080 and employees of the United States Probation Office acting in the
1081 performance of their duties, and (2) the Commissioner of Mental
1082 Health and Addiction Services to carry out the provisions of
1083 subsection (c) of section 17a-500 of the general statutes, as amended by
1084 this act.

1085 (d) Any person who moves into the state in lawful possession of a

1086 large capacity magazine shall, within ninety days, either render the
1087 large capacity magazine permanently inoperable, sell the large
1088 capacity magazine to a licensed gun dealer or remove the large
1089 capacity magazine from this state, except that any person who is a
1090 member of the military or naval forces of this state or of the United
1091 States, is in lawful possession of a large capacity magazine and has
1092 been transferred into the state after January 1, 2014, may, within ninety
1093 days of arriving in the state, apply to the Department of Emergency
1094 Services and Public Protection to declare possession of such large
1095 capacity magazine.

1096 (e) (1) If an owner of a large capacity magazine transfers the large
1097 capacity magazine to a licensed gun dealer, such dealer shall, at the
1098 time of delivery of the large capacity magazine, execute a certificate of
1099 transfer. For any transfer prior to January 1, 2014, the dealer shall
1100 provide to the Commissioner of Emergency Services and Public
1101 Protection monthly reports, on such form as the commissioner
1102 prescribes, regarding the number of transfers that the dealer has
1103 accepted. For any transfer on or after January 1, 2014, the dealer shall
1104 cause the certificate of transfer to be mailed or delivered to the
1105 Commissioner of Emergency Services and Public Protection. The
1106 certificate of transfer shall contain: (A) The date of sale or transfer; (B)
1107 the name and address of the seller or transferor and the licensed gun
1108 dealer, and their Social Security numbers or motor vehicle operator
1109 license numbers, if applicable; (C) the licensed gun dealer's federal
1110 firearms license number; and (D) a description of the large capacity
1111 magazine.

1112 (2) The licensed gun dealer shall present such dealer's federal
1113 firearms license and seller's permit to the seller or transferor for
1114 inspection at the time of purchase or transfer.

1115 (3) The Commissioner of Emergency Services and Public Protection
1116 shall maintain a file of all certificates of transfer at the commissioner's
1117 central office.

1118 (f) Any person who declared possession of a large capacity
1119 magazine under this section may possess the large capacity magazine
1120 only under the following conditions:

1121 (1) At that person's residence;

1122 (2) At that person's place of business or other property owned by
1123 that person, provided such large capacity magazine contains not more
1124 than ten bullets;

1125 (3) While on the premises of a target range of a public or private
1126 club or organization organized for the purpose of practicing shooting
1127 at targets;

1128 (4) While on a target range which holds a regulatory or business
1129 license for the purpose of practicing shooting at that target range;

1130 (5) While on the premises of a licensed shooting club;

1131 (6) While transporting the large capacity magazine between any of
1132 the places set forth in this subsection, or to any licensed gun dealer,
1133 provided (A) such large capacity magazine contains not more than ten
1134 bullets, and (B) the large capacity magazine is transported in the
1135 manner required for an assault weapon under subdivision (2) of
1136 subsection (a) of section 53-202f of the general statutes, as amended by
1137 this act; or

1138 (7) Pursuant to a valid permit to carry a pistol or revolver, provided
1139 such large capacity magazine (A) is within a pistol or revolver that was
1140 lawfully possessed by the person prior to the effective date of this
1141 section, (B) does not extend beyond the bottom of the pistol grip, and
1142 (C) contains not more than ten bullets.

1143 (g) Any person who violates the provisions of subsection (f) of this
1144 section shall be guilty of a class C misdemeanor.

1145 Sec. 25. Section 53-202a of the general statutes is repealed and the

1146 following is substituted in lieu thereof (*Effective from passage*):

1147 [(a)] As used in this section and sections 53-202b to 53-202k,
1148 inclusive; ["assault weapon" means:]

1149 (1) [Any] "Assault weapon" means:

1150 (A) (i) Any selective-fire firearm capable of fully automatic,
1151 semiautomatic or burst fire at the option of the user or any of the
1152 following specified semiautomatic firearms: Algimec Agmi; Armalite
1153 AR-180; Australian Automatic Arms SAP Pistol; Auto-Ordnance
1154 Thompson type; Avtomat Kalashnikov AK-47 type; Barrett Light-Fifty
1155 model 82A1; Beretta AR-70; Bushmaster Auto Rifle and Auto Pistol;
1156 Calico models M-900, M-950 and 100-P; Chartered Industries of
1157 Singapore SR-88; Colt AR-15 and Sporter; Daewoo K-1, K-2, Max-1 and
1158 Max-2; Encom MK-IV, MP-9 and MP-45; Fabrique Nationale FN/FAL,
1159 FN/LAR, or FN/FNC; FAMAS MAS 223; Feather AT-9 and Mini-AT;
1160 Federal XC-900 and XC-450; Franchi SPAS-12 and LAW-12; Galil AR
1161 and ARM; Goncz High-Tech Carbine and High-Tech Long Pistol;
1162 Heckler & Koch HK-91, HK-93, HK-94 and SP-89; Holmes MP-83;
1163 MAC-10, MAC-11 and MAC-11 Carbine type; Intratec TEC-9 and
1164 Scorpion; Iver Johnson Enforcer model 3000; Ruger Mini-14/5F folding
1165 stock model only; Scarab Skorpion; SIG 57 AMT and 500 series; Spectre
1166 Auto Carbine and Auto Pistol; Springfield Armory BM59, SAR-48 and
1167 G-3; Sterling MK-6 and MK-7; Steyr AUG; Street Sweeper and Striker
1168 12 revolving cylinder shotguns; USAS-12; UZI Carbine, Mini-Carbine
1169 and Pistol; Weaver Arms Nighthawk; Wilkinson "Linda" Pistol;

1170 [(2)] (ii) A part or combination of parts designed or intended to
1171 convert a firearm into an assault weapon, as defined in subparagraph
1172 (A)(i) of this subdivision, [(1) of this subsection,] or any combination of
1173 parts from which an assault weapon, as defined in subparagraph (A)(i)
1174 of this subdivision, [(1) of this subsection,] may be rapidly assembled if
1175 those parts are in the possession or under the control of the same
1176 person;

1177 (B) Any of the following specified semiautomatic centerfire rifles, or
1178 copies or duplicates thereof with the capability of any such rifles, that
1179 were in production prior to or on the effective date of this section: (i)
1180 AK-47; (ii) AK-74; (iii) AKM; (iv) AKS-74U; (v) ARM; (vi) MAADI
1181 AK47; (vii) MAK90; (viii) MISR; (ix) NHM90 and NHM91; (x) Norinco
1182 56, 56S, 84S and 86S; (xi) Poly Technologies AKS and AK47; (xii) SA 85;
1183 (xiii) SA 93; (xiv) VEPR; (xv) WASR-10; (xvi) WUM; (xvii) Rock River
1184 Arms LAR-47; (xviii) Vector Arms AK-47; (xix) AR-10; (xx) AR-15; (xxi)
1185 Bushmaster Carbon 15, Bushmaster XM15, Bushmaster ACR Rifles,
1186 Bushmaster MOE Rifles; (xxii) Colt Match Target Rifles; (xxiii)
1187 Armalite M15; (xxiv) Olympic Arms AR-15, A1, CAR, PCR, K3B, K30R,
1188 K16, K48, K8 and K9 Rifles; (xxv) DPMS Tactical Rifles; (xxvi) Smith
1189 and Wesson M&P15 Rifles; (xxvii) Rock River Arms LAR-15; (xxviii)
1190 Doublestar AR Rifles; (xxix) Barrett REC7; (xxx) Beretta Storm; (xxxi)
1191 Calico Liberty 50, 50 Tactical, 100, 100 Tactical, I, I Tactical, II and II
1192 Tactical Rifles; (xxxii) Hi-Point Carbine Rifles; (xxxiii) HK-PSG-1;
1193 (xxxiv) Kel-Tec Sub-2000, SU Rifles, and RFB; (xxxv) Remington
1194 Tactical Rifle Model 7615; (xxxvi) SAR-8, SAR-4800 and SR9; (xxxvii)
1195 SLG 95; (xxxviii) SLR 95 or 96; (xxxix) TNW M230 and M2HB; (xl)
1196 Vector Arms UZI; (xli) Galil and Galil Sporter; (xlii) Daewoo AR 100
1197 and AR 110C; (xliii) Fabrique Nationale/FN 308 Match and L1A1
1198 Sporter; (xliv) HK USC; (xlv) IZHMAASH Saiga AK; (xlvi) SIG Sauer
1199 551-A1, 556, 516, 716 and M400 Rifles; (xlvii) Valmet M62S, M71S and
1200 M78S; (xlviii) Wilkinson Arms Linda Carbine; and (xlix) Barrett
1201 M107A1;

1202 (C) Any of the following specified semiautomatic pistols, or copies
1203 or duplicates thereof with the capability of any such pistols, that were
1204 in production prior to or on the effective date of this section: (i)
1205 Centurion 39 AK; (ii) Draco AK-47; (iii) HCR AK-47; (iv) IO Inc.
1206 Hellpup AK-47; (v) Mini-Draco AK-47; (vi) Yugo Krebs Krink; (vii)
1207 American Spirit AR-15; (viii) Bushmaster Carbon 15; (ix) Doublestar
1208 Corporation AR; (x) DPMS AR-15; (xi) Olympic Arms AR-15; (xii)
1209 Rock River Arms LAR 15; (xiii) Calico Liberty III and III Tactical

1210 Pistols; (xiv) Masterpiece Arms MPA Pistols and Velocity Arms VMA
1211 Pistols; (xv) Intratec TEC-DC9 and AB-10; (xvi) Colefire Magnum;
1212 (xvii) German Sport 522 PK and Chiappa Firearms Mfour-22; (xviii)
1213 DSA SA58 PKP FAL; (xix) I.O. Inc. PPS-43C; (xx) Kel-Tec PLR-16
1214 Pistol; (xxi) Sig Sauer P516 and P556 Pistols; and (xxii) Thompson TA5
1215 Pistols;

1216 (D) Any of the following semiautomatic shotguns, or copies or
1217 duplicates thereof with the capability of any such shotguns, that were
1218 in production prior to or on the effective date of this section: All
1219 IZHMASH Saiga 12 Shotguns;

1220 [(3)] (E) Any semiautomatic firearm [not listed in subdivision (1) of
1221 this subsection] regardless of whether such firearm is listed in
1222 subparagraphs (A) to (D), inclusive, of this subdivision, and regardless
1223 of the date such firearm was produced, that meets the following
1224 criteria:

1225 [(A)] (i) A semiautomatic, centerfire rifle that has an ability to accept
1226 a detachable magazine and has at least [two] one of the following:

1227 [(i)] (I) A folding or telescoping stock;

1228 [(ii) A] (II) Any grip of the weapon, including a pistol grip, [that
1229 protrudes conspicuously beneath the action of the weapon] a
1230 thumbhole stock, or any other stock, the use of which would allow an
1231 individual to grip the weapon, resulting in any finger on the trigger
1232 hand in addition to the trigger finger being directly below any portion
1233 of the action of the weapon when firing;

1234 [(iii)] (III) A [bayonet mount] forward pistol grip;

1235 [(iv)] (IV) A flash suppressor; or [threaded barrel designed to
1236 accommodate a flash suppressor; and]

1237 [(v)] (V) A grenade launcher or flare launcher; or

1238 (ii) A semiautomatic, centerfire rifle that has a fixed magazine with
1239 the ability to accept more than ten rounds; or

1240 (iii) A semiautomatic, centerfire rifle that has an overall length of
1241 less than thirty inches; or

1242 [(B)] (iv) A semiautomatic pistol that has an ability to accept a
1243 detachable magazine and has at least [two] one of the following:

1244 [(i)] (I) An ability to accept a detachable ammunition magazine that
1245 attaches [to the pistol] at some location outside of the pistol grip;

1246 [(ii)] (II) A threaded barrel capable of accepting a [barrel extender,]
1247 flash suppressor, forward [handgrip] pistol grip or silencer;

1248 [(iii)] (III) A shroud that is attached to, or partially or completely
1249 encircles, the barrel and that permits the shooter to [hold] fire the
1250 firearm [with the nontrigger hand] without being burned, [;] except a
1251 slide that encloses the barrel; or

1252 [(iv) A manufactured weight of fifty ounces or more when the pistol
1253 is unloaded; and]

1254 (IV) A second hand grip; or

1255 (v) A semiautomatic pistol with a fixed magazine that has the ability
1256 to accept more than ten rounds;

1257 [(v) A semiautomatic version of an automatic firearm; or]

1258 [(C)] (vi) A semiautomatic shotgun that has [at least two] both of the
1259 following:

1260 [(i)] (I) A folding or telescoping stock; and

1261 [(ii) A] (II) Any grip of the weapon, including a pistol grip, [that
1262 protrudes conspicuously beneath the action of the weapon;] a
1263 thumbhole stock, or any other stock, the use of which would allow an

1264 individual to grip the weapon, resulting in any finger on the trigger
1265 hand in addition to the trigger finger being directly below any portion
1266 of the action of the weapon when firing; or

1267 [(iii) A fixed magazine capacity in excess of five rounds; and]

1268 [(iv) An] (vii) A semiautomatic shotgun that has the ability to accept
1269 a detachable magazine;

1270 (viii) A shotgun with a revolving cylinder; or

1271 [(4)] (F) A part or combination of parts designed or intended to
1272 convert a firearm into an assault weapon, as defined in [subdivision (3)
1273 of this subsection] any provision of subparagraphs (B) to (E), inclusive,
1274 of this subdivision, or any combination of parts from which an assault
1275 weapon, as defined in [subdivision (3) of this subsection] any
1276 provision of subparagraphs (B) to (E), inclusive, of this subdivision,
1277 may be [rapidly] assembled if those parts are in the possession or
1278 under the control of the same person; [.]

1279 [(b) As used in this section and sections 53-202b to 53-202k,
1280 inclusive, the term "assault weapon" does not include any firearm
1281 modified to render it permanently inoperable.]

1282 (2) "Assault weapon" does not include (A) any firearm modified to
1283 render it permanently inoperable, or (B) a part or any combination of
1284 parts of an assault weapon, that are not assembled as an assault
1285 weapon, when in the possession of a licensed gun dealer, as defined in
1286 subsection (d) of section 53-202f, as amended by this act, or a gunsmith
1287 who is in the licensed gun dealer's employ, for the purposes of
1288 servicing or repairing lawfully possessed assault weapons under
1289 sections 53-202a to 53-202k, inclusive, as amended by this act;

1290 (3) "Action of the weapon" means the part of the firearm that loads,
1291 fires and ejects a cartridge, which part includes, but is not limited to,
1292 the upper and lower receiver, charging handle, forward assist,

1293 magazine release and shell deflector;

1294 (4) "Detachable magazine" means an ammunition feeding device
1295 that can be removed without disassembling the firearm action;

1296 (5) "Firearm" means a firearm, as defined in section 53a-3;

1297 (6) "Forward pistol grip" means any feature capable of functioning
1298 as a grip that can be held by the nontrigger hand;

1299 (7) "Lawfully possesses" means, with respect to an assault weapon
1300 described in any provision of subparagraphs (B) to (F), inclusive, of
1301 this subdivision, (A) actual possession that is lawful under sections 53-
1302 202b to 53-202k, as amended by this act, or (B) constructive possession
1303 pursuant to a lawful purchase transacted prior to the effective date of
1304 this section, regardless of whether the assault weapon was delivered to
1305 the purchaser prior to the effective date of this section;

1306 (8) "Pistol grip" means a grip or similar feature that can function as a
1307 grip for the trigger hand; and

1308 (9) "Second hand grip" means a grip or similar feature that can
1309 function as a grip that is additional to the trigger hand grip.

1310 Sec. 26. Section 53-202b of the general statutes is repealed and the
1311 following is substituted in lieu thereof (*Effective from passage*):

1312 (a) (1) Any person who, within this state, distributes, transports or
1313 imports into the state, keeps for sale, or offers or exposes for sale, or
1314 who gives any assault weapon, except as provided by sections [29-37]
1315 and] 53-202a to 53-202k, inclusive, as amended by this act, [and
1316 subsection (h) of section 53a-46a,] shall be guilty of a class C felony and
1317 shall be sentenced to a term of imprisonment of which two years may
1318 not be suspended or reduced by the court.

1319 (2) Any person who transfers, sells or gives any assault weapon to a
1320 person under eighteen years of age in violation of subdivision (1) of

1321 this subsection shall be sentenced to a term of imprisonment of six
 1322 years, which shall not be suspended or reduced by the court and shall
 1323 be in addition and consecutive to the term of imprisonment imposed
 1324 under subdivision (1) of this subsection.

1325 (b) The provisions of subsection (a) of this section shall not apply to:

1326 (1) The sale of assault weapons to (A) the Department of Emergency
 1327 Services and Public Protection, police departments, the Department of
 1328 Correction or the military or naval forces of this state or of the United
 1329 States, for use in the discharge of their official duties or when off duty,
 1330 or (B) any employee of a Nuclear Regulatory Commission licensee
 1331 operating a nuclear power generating facility in this state for the
 1332 purpose of providing security services at such facility, or any person,
 1333 firm, corporation, contractor or subcontractor providing security
 1334 services at such facility for use in the discharge of their official duties;

1335 (2) A person who is the executor or administrator of an estate that
 1336 includes an assault weapon for which a certificate of possession has
 1337 been issued under section 53-202d, as amended by this act, which is
 1338 disposed of as authorized by the Probate Court, if the disposition is
 1339 otherwise permitted by sections [29-37j and] 53-202a to 53-202k,
 1340 inclusive, as amended by this act; [and subsection (h) of section 53a-
 1341 46a;]

1342 (3) The transfer by bequest or intestate succession of an assault
 1343 weapon for which a certificate of possession has been issued under
 1344 section 53-202d, as amended by this act.

1345 Sec. 27. Section 53-202c of the general statutes is repealed and the
 1346 following is substituted in lieu thereof (*Effective from passage*):

1347 (a) Except as provided in section 53-202e, any person who, within
 1348 this state, possesses [any] an assault weapon, except as provided in
 1349 sections [29-37j,] 53-202a to 53-202k, inclusive, as amended by this act,
 1350 and 53-202o, [and subsection (h) of section 53a-46a,] shall be guilty of a

1351 class D felony and shall be sentenced to a term of imprisonment of
1352 which one year may not be suspended or reduced [;] by the court,
1353 except that a first-time violation of this subsection shall be a class A
1354 misdemeanor if (1) the person presents proof that [he] such person
1355 lawfully possessed the assault weapon (A) prior to October 1, 1993,
1356 with respect to an assault weapon described in subparagraph (A) of
1357 subdivision (1) of section 53-202a, as amended by this act, or (B) on the
1358 date immediately preceding the effective date of this act, under the
1359 provisions of sections 53-202a to 53-202k, inclusive, in effect on January
1360 1, 2013, with respect to an assault weapon described in any provision
1361 of subparagraphs (B) to (F), inclusive, of subdivision (1) of section 53-
1362 202a, as amended by this act, and (2) the person has otherwise
1363 possessed the [firearm] assault weapon in compliance with subsection
1364 [(d)] (f) of section 53-202d, as amended by this act.

1365 (b) The provisions of subsection (a) of this section shall not apply to
1366 the possession of assault weapons by members or employees of the
1367 Department of Emergency Services and Public Protection, police
1368 departments, the Department of Correction, [or] the military or naval
1369 forces of this state or of the United States, any employee of a Nuclear
1370 Regulatory Commission licensee operating a nuclear power generating
1371 facility in this state for the purpose of providing security services at
1372 such facility, or any person, firm, corporation, contractor or
1373 subcontractor providing security services at such facility for use in the
1374 discharge of their official duties; nor shall [anything] any provision in
1375 sections [29-37j and] 53-202a to 53-202k, inclusive, as amended by this
1376 act, [and subsection (h) of section 53a-46a] prohibit the possession or
1377 use of assault weapons by sworn members of these agencies when on
1378 duty and [the] when the possession or use is within the scope of [their]
1379 such member's duties.

1380 (c) The provisions of subsection (a) of this section shall not apply to
1381 the possession of an assault weapon described in subparagraph (A) of
1382 subdivision (1) of section 53-202a, as amended by this act, by any
1383 person prior to July 1, 1994, if all of the following are applicable:

1384 (1) The person is eligible under sections [29-37j and] 53-202a to 53-
1385 202k, inclusive, as amended by this act, [and subsection (h) of section
1386 53a-46a] to apply for a certificate of possession for the assault weapon
1387 by July 1, 1994;

1388 (2) The person lawfully possessed the assault weapon prior to
1389 October 1, 1993; and

1390 (3) The person is otherwise in compliance with sections [29-37j and]
1391 53-202a to 53-202k, inclusive, as amended by this act. [and subsection
1392 (h) of section 53a-46a.]

1393 (d) The provisions of subsection (a) of this section shall not apply to
1394 the possession of an assault weapon described in any provision of
1395 subparagraphs (B) to (F), inclusive, of subdivision (1) of section 53-
1396 202a, as amended by this act, by any person prior to the effective date
1397 of this section if all of the following are applicable:

1398 (1) The person is eligible under sections 53-202a to 53-202k,
1399 inclusive, as amended by this act, to apply for a certificate of
1400 possession for the assault weapon by January 1, 2014;

1401 (2) The person lawfully possessed the assault weapon on the date
1402 immediately preceding the effective date of this section, under the
1403 provisions of sections 53-202a to 53-202k, inclusive, in effect on January
1404 1, 2013; and

1405 (3) The person is otherwise in compliance with sections 53-202a to
1406 53-202k, inclusive, as amended by this act.

1407 [(d)] (e) The provisions of subsection (a) of this section shall not
1408 apply to a person who is the executor or administrator of an estate that
1409 includes an assault weapon for which a certificate of possession has
1410 been issued under section 53-202d, as amended by this act, if the
1411 assault weapon is possessed at a place set forth in subdivision (1) of
1412 subsection [(d)] (f) of section 53-202d, as amended by this act, or as

1413 authorized by the Probate Court.

1414 Sec. 28. Section 53-202d of the general statutes is repealed and the
1415 following is substituted in lieu thereof (*Effective from passage*):

1416 (a) (1) Any person who lawfully possesses an assault weapon, as
1417 defined in subparagraph (A) of subdivision (1) of section 53-202a, as
1418 amended by this act, prior to October 1, 1993, shall apply by October 1,
1419 1994, or, if such person is a member of the military or naval forces of
1420 this state or of the United States and is unable to apply by October 1,
1421 1994, because [he or she] such member is or was on official duty
1422 outside of this state, shall apply within ninety days of returning to the
1423 state to the Department of Emergency Services and Public Protection,
1424 for a certificate of possession with respect to such assault weapon.

1425 (2) Any person who lawfully possesses an assault weapon, as
1426 defined in any provision of subparagraphs (B) to (F), inclusive, of
1427 subdivision (1) of section 53-202a, as amended by this act, on the date
1428 immediately preceding the effective date of this section, under the
1429 provisions of sections 53-202a to 53-202k, inclusive, in effect on January
1430 1, 2013, shall apply by January 1, 2014, or, if such person is a member
1431 of the military or naval forces of this state or of the United States and is
1432 unable to apply by January 1, 2014, because such member is or was on
1433 official duty outside of this state, shall apply within ninety days of
1434 returning to the state to the Department of Emergency Services and
1435 Public Protection for a certificate of possession with respect to such
1436 assault weapon.

1437 (3) Any person who obtained a certificate of possession for an
1438 assault weapon, as defined in subparagraph (A) of subdivision (1) of
1439 section 53-202a, as amended by this act, prior to the effective date of
1440 this section, that is defined as an assault weapon pursuant to any
1441 provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of
1442 section 53-202a, as amended by this act, shall be deemed to have
1443 obtained a certificate of possession for such assault weapon for the

1444 purposes of sections 53-202a to 53-202k, inclusive, as amended by this
1445 act, and shall not be required to obtain a subsequent certificate of
1446 possession for such assault weapon.

1447 (4) The certificate of possession shall contain a description of the
1448 firearm that identifies it uniquely, including all identification marks,
1449 the full name, address, date of birth and thumbprint of the owner, and
1450 any other information as the department may deem appropriate.

1451 (5) The department shall adopt regulations, in accordance with the
1452 provisions of chapter 54, to establish procedures with respect to the
1453 application for and issuance of certificates of possession pursuant to
1454 this section. Notwithstanding the provisions of sections 1-210 and 1-
1455 211, the name and address of a person issued a certificate of possession
1456 shall be confidential and shall not be disclosed, except such records
1457 may be disclosed to [(1)] (A) law enforcement agencies and employees
1458 of the United States Probation Office acting in the performance of their
1459 duties, and [(2)] (B) the Commissioner of Mental Health and Addiction
1460 Services to carry out the provisions of subsection (c) of section 17a-500,
1461 as amended by this act.

1462 (b) (1) No assault weapon, as defined in subparagraph (A) of
1463 subdivision (1) of section 53-202a, as amended by this act, possessed
1464 pursuant to a certificate of possession issued under this section may be
1465 sold or transferred on or after January 1, 1994, to any person within
1466 this state other than to a licensed gun dealer, as defined in subsection
1467 (d) of section 53-202f, as amended by this act, or as provided in section
1468 53-202e, or by bequest or intestate succession.

1469 (2) No assault weapon, as defined in any provision of
1470 subparagraphs (B) to (F), inclusive, of subdivision (1) of section 53-
1471 202a, as amended by this act, possessed pursuant to a certificate of
1472 possession issued under this section may be sold or transferred on or
1473 after the effective date of this section, to any person within this state
1474 other than to a licensed gun dealer, as defined in subsection (d) of

1475 section 53-202f, as amended by this act, or as provided in section 53-
1476 202e, or by bequest or intestate succession.

1477 (c) Any person who obtains title to an assault weapon for which a
1478 certificate of possession has been issued under this section by bequest
1479 or intestate succession shall, within ninety days of obtaining title,
1480 apply to the Department of Emergency Services and Public Protection
1481 for a certificate of possession as provided in subsection (a) of this
1482 section, render the assault weapon permanently inoperable, sell the
1483 assault weapon to a licensed gun dealer or remove the assault weapon
1484 from the state.

1485 (d) Any person who moves into the state in lawful possession of an
1486 assault weapon, shall, within ninety days, either render the assault
1487 weapon permanently inoperable, sell the assault weapon to a licensed
1488 gun dealer or remove the assault weapon from this state, except that
1489 any person who is a member of the military or naval forces of this state
1490 or of the United States, is in lawful possession of an assault weapon
1491 and has been transferred into the state after October 1, 1994, may,
1492 within ninety days of arriving in the state, apply to the Department of
1493 Emergency Services and Public Protection for a certificate of
1494 possession with respect to such assault weapon.

1495 [(c)] (e) If an owner of an assault weapon sells or transfers the
1496 assault weapon to a licensed gun dealer, [he or she] such dealer shall,
1497 at the time of delivery of the assault weapon, execute a certificate of
1498 transfer and cause the certificate of transfer to be mailed or delivered
1499 to the Commissioner of Emergency Services and Public Protection. The
1500 certificate of transfer shall contain: (1) The date of sale or transfer; (2)
1501 the name and address of the seller or transferor and the licensed gun
1502 dealer, their Social Security numbers or motor vehicle operator license
1503 numbers, if applicable; (3) the licensed gun dealer's federal firearms
1504 license number and seller's permit number; (4) a description of the
1505 assault weapon, including the caliber of the assault weapon and its
1506 make, model and serial number; and (5) any other information the

1507 commissioner prescribes. The licensed gun dealer shall present [his or
 1508 her] such dealer's motor vehicle operator's license or Social Security
 1509 card, federal firearms license and seller's permit to the seller or
 1510 transferor for inspection at the time of purchase or transfer. The
 1511 Commissioner of Emergency Services and Public Protection shall
 1512 maintain a file of all certificates of transfer at [said] the commissioner's
 1513 central office.

1514 [(d) A] (f) Any person who has been issued a certificate of
 1515 possession [of] for an assault weapon under this section may possess
 1516 [it] the assault weapon only under the following conditions:

1517 (1) At that person's residence, place of business or other property
 1518 owned by that person, or on property owned by another person with
 1519 the owner's express permission;

1520 (2) While on the premises of a target range of a public or private
 1521 club or organization organized for the purpose of practicing shooting
 1522 at targets;

1523 (3) While on a target range which holds a regulatory or business
 1524 license for the purpose of practicing shooting at that target range;

1525 (4) While on the premises of a licensed shooting club;

1526 (5) While attending any exhibition, display or educational project
 1527 which is about firearms and which is sponsored by, conducted under
 1528 the auspices of, or approved by a law enforcement agency or a
 1529 nationally or state recognized entity that fosters proficiency in, or
 1530 promotes education about, firearms; or

1531 (6) While transporting the assault weapon between any of the places
 1532 [mentioned] set forth in this subsection, or to any licensed gun dealer,
 1533 as defined in subsection (d) of section 53-202f, as amended by this act,
 1534 for servicing or repair pursuant to subsection (c) of section 53-202f, as
 1535 amended by this act, provided the assault weapon is transported as

1536 required by section 53-202f, as amended by this act.

1537 Sec. 29. Section 53-202f of the general statutes is repealed and the
1538 following is substituted in lieu thereof (*Effective from passage*):

1539 (a) While transporting an assault weapon between any of the places
1540 [mentioned] set forth in subdivisions (1) to (6), inclusive, of subsection
1541 [(d)] (f) of section 53-202d, as amended by this act, no person shall
1542 carry a loaded assault weapon concealed from public view or
1543 knowingly have, in any motor vehicle owned, operated or occupied by
1544 [him] such person (1) a loaded assault weapon, or (2) an unloaded
1545 assault weapon unless such weapon is kept in the trunk of such vehicle
1546 or in a case or other container which is inaccessible to the operator of
1547 such vehicle or any passenger in such vehicle. Any person who
1548 violates the provisions of this subsection shall be fined not more than
1549 five hundred dollars or imprisoned not more than three years, or both.

1550 (b) Any licensed gun dealer, as defined in subsection (d) of this
1551 section, who lawfully possesses an assault weapon pursuant to section
1552 53-202d, as amended by this act, in addition to the uses allowed in
1553 section 53-202d, as amended by this act, may transport the assault
1554 weapon between dealers or out of the state, display [it] the assault
1555 weapon at any gun show licensed by a state or local governmental
1556 entity or sell [it] the assault weapon to a resident outside the state. Any
1557 transporting of the assault weapon allowed by this subsection must be
1558 done as required by subsection (a) of this section.

1559 (c) (1) Any licensed gun dealer, as defined in subsection (d) of this
1560 section, may take possession of any assault weapon for the purposes of
1561 servicing or repair from any person to whom has been issued a
1562 certificate of possession for such weapon pursuant to sections [29-37]
1563 and] 53-202a to 53-202k, inclusive, as amended by this act. [and
1564 subsection (h) of section 53a-46a.]

1565 (2) Any licensed gun dealer may transfer possession of any assault
1566 weapon received pursuant to subdivision (1) of this subsection [.] to a

1567 gunsmith for purposes of accomplishing service or repair of the same.
1568 [Transfers] Such transfers are permissible only to the following
1569 persons:

1570 (A) A gunsmith who is in the licensed gun dealer's employ; or

1571 (B) A gunsmith with whom the dealer has contracted for
1572 gunsmithing services, provided the gunsmith receiving the assault
1573 weapon holds a dealer's license issued pursuant to Chapter 44,
1574 commencing with Section 921, of Title 18 of the United States Code and
1575 the regulations issued pursuant thereto.

1576 (d) The term "licensed gun dealer", as used in sections [29-37j and]
1577 53-202a to 53-202k, inclusive, as amended by this act, [and subsection
1578 (h) of section 53a-46a] means a person who has a federal firearms
1579 license and a permit to sell firearms pursuant to section 29-28, as
1580 amended by this act.

1581 Sec. 30. Section 53-202i of the general statutes is repealed and the
1582 following is substituted in lieu thereof (*Effective from passage*):

1583 Nothing in sections [29-37j and] 53-202a to 53-202k, inclusive, as
1584 amended by this act, [and subsection (h) of section 53a-46a] shall be
1585 construed to prohibit any person, firm or corporation engaged in the
1586 business of manufacturing assault weapons in this state from
1587 manufacturing or transporting assault weapons in this state for sale
1588 within this state in accordance with subdivision (1) of subsection (b) of
1589 section 53-202b, as amended by this act, or for sale outside this state.

1590 Sec. 31. Subsection (a) of section 53-202o of the general statutes is
1591 repealed and the following is substituted in lieu thereof (*Effective from*
1592 *passage*):

1593 (a) In any prosecution for a violation of section 53-202c, as amended
1594 by this act, based on the possession by the defendant of a specified
1595 assault weapon, it shall be an affirmative defense that the defendant

1596 (1) in good faith purchased or otherwise obtained title to such specified
1597 assault weapon on or after October 1, 1993, and prior to May 8, 2002, in
1598 compliance with any state and federal laws concerning the purchase or
1599 transfer of firearms, (2) is not otherwise disqualified or prohibited
1600 from possessing such specified assault weapon, and (3) has possessed
1601 such specified assault weapon in compliance with subsection [(d)] (f)
1602 of section 53-202d, as amended by this act.

1603 Sec. 32. Section 53-202l of the general statutes is repealed and the
1604 following is substituted in lieu thereof (*Effective October 1, 2013*):

1605 (a) For the purposes of this section:

1606 (1) "Armor piercing [.50 caliber] bullet" means (A) any .50 caliber
1607 bullet that [is (A)] (i) is designed for the purpose of, [(B)] (ii) is held out
1608 by the manufacturer or distributor as, or [(C)] (iii) is generally
1609 recognized as having a specialized capability to penetrate armor or
1610 bulletproof glass, including, but not limited to, such bullets commonly
1611 designated as "M2 Armor-Piercing" or "AP", "M8 Armor-Piercing
1612 Incendiary" or "API", "M20 Armor-Piercing Incendiary Tracer" or
1613 "APIT", "M903 Caliber .50 Saboted Light Armor Penetrator" or "SLAP",
1614 or "M962 Saboted Light Armor Penetrator Tracer" or "SLAPT", or (B)
1615 any bullet that can be fired from a pistol or revolver that (i) has
1616 projectiles or projectile cores constructed entirely, excluding the
1617 presence of traces of other substances, from tungsten alloys, steel, iron,
1618 brass, bronze, beryllium copper or depleted uranium, or (ii) is fully
1619 jacketed with a jacket weight of more than twenty-five per cent of the
1620 total weight of the projectile, is larger than .22 caliber and is designed
1621 and intended for use in a firearm, and (iii) does not have projectiles
1622 whose cores are composed of soft materials such as lead or lead alloys,
1623 zinc or zinc alloys, frangible projectiles designed primarily for sporting
1624 purposes, or any other projectiles or projectile cores that the Attorney
1625 General of the United States finds to be primarily intended to be used
1626 for sporting purposes or industrial purposes or that otherwise does not
1627 constitute "armor piercing ammunition" as defined in federal law.

1628 "Armor piercing bullet" does not include a shotgun shell.

1629 (2) "Incendiary .50 caliber bullet" means any .50 caliber bullet that
1630 [is] (A) is designed for the purpose of, (B) is held out by the
1631 manufacturer or distributor as, or (C) is generally recognized as having
1632 a specialized capability to ignite upon impact, including, but not
1633 limited to, such bullets commonly designated as "M1 Incendiary",
1634 "M23 Incendiary", "M8 Armor-Piercing Incendiary" or "API", or "M20
1635 Armor-Piercing Incendiary Tracer" or "APIT".

1636 (b) Any person who knowingly distributes, transports or imports
1637 into the state, keeps for sale or offers or exposes for sale or gives to any
1638 person any ammunition that is an armor piercing [.50 caliber] bullet or
1639 an incendiary.50 caliber bullet shall be guilty of a class D felony, except
1640 that a first-time violation of this subsection shall be a class A
1641 misdemeanor.

1642 (c) Any person who knowingly transports or carries a firearm with
1643 an armor piercing bullet or incendiary .50 caliber bullet loaded shall be
1644 guilty of a class D felony.

1645 [(c)] (d) The provisions of [subsection] subsections (b) and (c) of this
1646 section shall not apply to the following:

1647 (1) The sale of such ammunition to the Department of Emergency
1648 Services and Public Protection, police departments, the Department of
1649 Correction or the military or naval forces of this state or of the United
1650 States for use in the discharge of their official duties;

1651 (2) A person who is the executor or administrator of an estate that
1652 includes such ammunition that is disposed of as authorized by the
1653 Probate Court; or

1654 (3) The transfer by bequest or intestate succession of such
1655 ammunition.

1656 [(d)] (e) If the court finds that a violation of this section is not of a

1657 serious nature and that the person charged with such violation (1) will
1658 probably not offend in the future, (2) has not previously been
1659 convicted of a violation of this section, and (3) has not previously had a
1660 prosecution under this section suspended pursuant to this subsection,
1661 it may order suspension of prosecution in accordance with the
1662 provisions of subsection (h) of section 29-33.

1663 Sec. 33. Section 29-38c of the general statutes is repealed and the
1664 following is substituted in lieu thereof (*Effective October 1, 2013*):

1665 (a) Upon complaint on oath by any state's attorney or assistant
1666 state's attorney or by any two police officers, to any judge of the
1667 Superior Court, that such state's attorney or police officers have
1668 probable cause to believe that (1) a person poses a risk of imminent
1669 personal injury to himself or herself or to other individuals, (2) such
1670 person possesses one or more firearms, and (3) such firearm or
1671 firearms are within or upon any place, thing or person, such judge may
1672 issue a warrant commanding a proper officer to enter into or upon
1673 such place or thing, search the same or the person and take into such
1674 officer's custody any and all firearms and ammunition. Such state's
1675 attorney or police officers shall not make such complaint unless such
1676 state's attorney or police officers have conducted an independent
1677 investigation and have determined that such probable cause exists and
1678 that there is no reasonable alternative available to prevent such person
1679 from causing imminent personal injury to himself or herself or to
1680 others with such firearm.

1681 (b) A warrant may issue only on affidavit sworn to by the
1682 complainant or complainants before the judge and establishing the
1683 grounds for issuing the warrant, which affidavit shall be part of the
1684 seizure file. In determining whether grounds for the application exist
1685 or whether there is probable cause to believe they exist, the judge shall
1686 consider: (1) Recent threats or acts of violence by such person directed
1687 toward other persons; (2) recent threats or acts of violence by such
1688 person directed toward himself or herself; and (3) recent acts of cruelty

1689 to animals as provided in subsection (b) of section 53-247 by such
1690 person. In evaluating whether such recent threats or acts of violence
1691 constitute probable cause to believe that such person poses a risk of
1692 imminent personal injury to himself or herself or to others, the judge
1693 may consider other factors including, but not limited to (A) the
1694 reckless use, display or brandishing of a firearm by such person, (B) a
1695 history of the use, attempted use or threatened use of physical force by
1696 such person against other persons, (C) prior involuntary confinement
1697 of such person in a hospital for persons with psychiatric disabilities,
1698 and (D) the illegal use of controlled substances or abuse of alcohol by
1699 such person. If the judge is satisfied that the grounds for the
1700 application exist or that there is probable cause to believe that they
1701 exist, such judge shall issue a warrant naming or describing the
1702 person, place or thing to be searched. The warrant shall be directed to
1703 any police officer of a regularly organized police department or any
1704 state police officer. It shall state the grounds or probable cause for its
1705 issuance and it shall command the officer to search within a reasonable
1706 time the person, place or thing named for any and all firearms and
1707 ammunition. A copy of the warrant shall be given to the person named
1708 therein together with a notice informing the person that such person
1709 has the right to a hearing under this section and the right to be
1710 represented by counsel at such hearing.

1711 (c) The applicant for the warrant shall file a copy of the application
1712 for the warrant and all affidavits upon which the warrant is based with
1713 the clerk of the court for the geographical area within which the search
1714 will be conducted no later than the next business day following the
1715 execution of the warrant. Prior to the execution and return of the
1716 warrant, the clerk of the court shall not disclose any information
1717 pertaining to the application for the warrant or any affidavits upon
1718 which the warrant is based. The warrant shall be executed and
1719 returned with reasonable promptness consistent with due process of
1720 law and shall be accompanied by a written inventory of all firearms
1721 and ammunition seized.

1722 (d) Not later than fourteen days after the execution of a warrant
1723 under this section, the court for the geographical area where the
1724 person named in the warrant resides shall hold a hearing to determine
1725 whether the [seized] firearm or firearms and any ammunition seized
1726 should be returned to the person named in the warrant or should
1727 continue to be held by the state. At such hearing the state shall have
1728 the burden of proving all material facts by clear and convincing
1729 evidence. If, after such hearing, the court finds by clear and convincing
1730 evidence that the person poses a risk of imminent personal injury to
1731 himself or herself or to other individuals, [it] the court may order that
1732 the firearm or firearms and any ammunition seized pursuant to the
1733 warrant issued under subsection (a) of this section continue to be held
1734 by the state for a period not to exceed one year, otherwise the court
1735 shall order the [seized] firearm or firearms and any ammunition seized
1736 to be returned to the person named in the warrant. If the court finds
1737 that the person poses a risk of imminent personal injury to himself or
1738 herself or to other individuals, [it] the court shall give notice to the
1739 Department of Mental Health and Addiction Services which may take
1740 such action pursuant to chapter 319i as it deems appropriate.

1741 (e) Any person whose firearm or firearms and ammunition have
1742 been ordered seized pursuant to subsection (d) of this section, or such
1743 person's legal representative, may transfer such firearm or firearms
1744 and ammunition in accordance with the provisions of section 29-33, as
1745 amended by this act, or other applicable state or federal law, to any
1746 person eligible to possess such firearm or firearms and ammunition.
1747 Upon notification in writing by such person, or such person's legal
1748 representative, and the transferee, the head of the state agency holding
1749 such seized firearm or firearms and ammunition shall within ten days
1750 deliver such firearm or firearms and ammunition to the transferee.

1751 (f) For the purposes of this section, "ammunition" means a loaded
1752 cartridge, consisting of a primed case, propellant or projectile,
1753 designed for use in any firearm.

1754 Sec. 34. Section 29-36k of the general statutes is repealed and the
1755 following is substituted in lieu thereof (*Effective October 1, 2013*):

1756 (a) Not later than two business days after the occurrence of any
1757 event that makes a person ineligible to possess a pistol or revolver or
1758 other firearm or ammunition, such person shall (1) transfer in
1759 accordance with section 29-33, as amended by this act, all pistols and
1760 revolvers which such person then possesses to any person eligible to
1761 possess a pistol or revolver and transfer in accordance with any
1762 applicable state and federal laws all other firearms to any person
1763 eligible to possess such other firearms by obtaining an authorization
1764 number for the sale or transfer of the firearm from the Commissioner
1765 of Emergency Services and Public Protection, and submit a sale or
1766 transfer of firearms form to said commissioner within two business
1767 days, except that a person described in subdivision [(3)] (4) of
1768 subsection (a) of section 53a-217, as amended by this act, may only
1769 transfer a pistol, revolver or other firearm or ammunition under this
1770 subdivision to a federally licensed firearms dealer pursuant to the sale
1771 of the pistol, revolver or other firearm and ammunition to the federally
1772 licensed firearms dealer, or (2) deliver or surrender such pistols and
1773 revolvers and other firearms and ammunition to the Commissioner of
1774 Emergency Services and Public Protection, or (3) transfer such
1775 ammunition to any person eligible to possess such ammunition. The
1776 commissioner shall exercise due care in the receipt and holding of such
1777 pistols and revolvers and other firearms or ammunition. For the
1778 purposes of this section, a "person described in subdivision [(3)] (4) of
1779 subsection (a) of section 53a-217" means a person described in said
1780 subdivision, regardless of whether such person was convicted under
1781 said subdivision.

1782 (b) Such person, or such person's legal representative, may, at any
1783 time up to one year after such delivery or surrender, transfer such
1784 pistols and revolvers in accordance with the provisions of section 29-
1785 33, as amended by this act, to any person eligible to possess a pistol or
1786 revolver and transfer such other firearms and ammunition, in

1787 accordance with any applicable state and federal laws, to any person
1788 eligible to possess such other firearms and ammunition, provided any
1789 such person described in subdivision [(3)] (4) of subsection (a) of
1790 section 53a-217, as amended by this act, or such person's legal
1791 representative, may only transfer such pistol, revolver or other firearm
1792 or ammunition to a federally licensed firearms dealer pursuant to the
1793 sale of the pistol, revolver or other firearm or ammunition to the
1794 federally licensed firearms dealer. Upon notification in writing by the
1795 transferee and such person, the Commissioner of Emergency Services
1796 and Public Protection shall, within ten days, deliver such pistols and
1797 revolvers or other firearms or ammunition to the transferee. If, at the
1798 end of such year, such pistols and revolvers or other firearms or
1799 ammunition have not been so transferred, the commissioner shall
1800 cause them to be destroyed.

1801 (c) Any person who fails to transfer, deliver or surrender any such
1802 pistols and revolvers and other firearms or ammunition as provided in
1803 this section shall be subject to the penalty provided for in section 53a-
1804 217, as amended by this act, or 53a-217c, as amended by this act.

1805 Sec. 35. Section 29-36n of the general statutes is repealed and the
1806 following is substituted in lieu thereof (*Effective October 1, 2013*):

1807 (a) The Commissioner of Emergency Services and Public Protection,
1808 in conjunction with the Chief State's Attorney and the Connecticut
1809 Police Chiefs Association, shall develop a protocol to ensure that
1810 persons who become ineligible to possess a pistol or revolver or
1811 ammunition have, in accordance with section 29-36k, as amended by
1812 this act, transferred such pistol or revolver or ammunition to a person
1813 eligible to possess such pistol or revolver or ammunition or have
1814 delivered or surrendered such pistol or revolver or ammunition to said
1815 commissioner.

1816 (b) The Commissioner of Emergency Services and Public Protection,
1817 in conjunction with the Chief State's Attorney and the Connecticut

1818 Police Chiefs Association, shall update the protocol developed
1819 pursuant to subsection (a) of this section to reflect the provisions of
1820 sections 29-7h, 29-28, as amended by this act, 29-28a, 29-29, 29-30, 29-
1821 32, as amended by this act, and 29-35, subsections (b) and (e) of section
1822 46b-15, as amended by this act, subsections (c) and (d) of section 46b-
1823 38c, as amended by this act, and sections 53-202a, as amended by this
1824 act, 53-202l, as amended by this act, 53-202m and 53a-217, as amended
1825 by this act, and shall include in such protocol specific instructions for
1826 the transfer, delivery or surrender of pistols and revolvers and
1827 ammunition when the assistance of more than one law enforcement
1828 agency is necessary to effect the requirements of section 29-36k, as
1829 amended by this act.

1830 Sec. 36. Subsection (b) of section 46b-15 of the general statutes is
1831 repealed and the following is substituted in lieu thereof (*Effective*
1832 *October 1, 2013*):

1833 (b) The application form shall allow the applicant, at the applicant's
1834 option, to indicate whether the respondent holds a permit to carry a
1835 pistol or revolver or possesses one or more firearms or ammunition.
1836 The application shall be accompanied by an affidavit made under oath
1837 which includes a brief statement of the conditions from which relief is
1838 sought. Upon receipt of the application the court shall order that a
1839 hearing on the application be held not later than fourteen days from
1840 the date of the order. The court, in its discretion, may make such
1841 orders as it deems appropriate for the protection of the applicant and
1842 such dependent children or other persons as the court sees fit. In
1843 making such orders, the court, in its discretion, may consider relevant
1844 court records if the records are available to the public from a clerk of
1845 the Superior Court or on the Judicial Branch's Internet web site. Such
1846 orders may include temporary child custody or visitation rights, and
1847 such relief may include, but is not limited to, an order enjoining the
1848 respondent from (1) imposing any restraint upon the person or liberty
1849 of the applicant; (2) threatening, harassing, assaulting, molesting,
1850 sexually assaulting or attacking the applicant; or (3) entering the family

1851 dwelling or the dwelling of the applicant. Such order may include
1852 provisions necessary to protect any animal owned or kept by the
1853 applicant including, but not limited to, an order enjoining the
1854 respondent from injuring or threatening to injure such animal. If an
1855 applicant alleges an immediate and present physical danger to the
1856 applicant, the court may issue an ex parte order granting such relief as
1857 it deems appropriate. If a postponement of a hearing on the
1858 application is requested by either party and granted, the order shall
1859 not be continued except upon agreement of the parties or by order of
1860 the court for good cause shown.

1861 Sec. 37. Subsection (a) of section 46b-38b of the general statutes is
1862 repealed and the following is substituted in lieu thereof (*Effective*
1863 *October 1, 2013*):

1864 (a) Whenever a peace officer determines upon speedy information
1865 that a family violence crime has been committed within such officer's
1866 jurisdiction, such officer shall arrest the person or persons suspected of
1867 its commission and charge such person or persons with the
1868 appropriate crime. The decision to arrest and charge shall not (1) be
1869 dependent on the specific consent of the victim, (2) consider the
1870 relationship of the parties, or (3) be based solely on a request by the
1871 victim. Whenever a peace officer determines that a family violence
1872 crime has been committed, such officer may seize any firearm or
1873 electronic defense weapon, as defined in section 53a-3, or ammunition
1874 at the location where the crime is alleged to have been committed that
1875 is in the possession of any person arrested for the commission of such
1876 crime or suspected of its commission or that is in plain view. Not later
1877 than seven days after any such seizure, the law enforcement agency
1878 shall return such firearm, [or] electronic defense weapon or
1879 ammunition in its original condition to the rightful owner thereof
1880 unless such person is ineligible to possess such firearm, [or] electronic
1881 defense weapon or ammunition or unless otherwise ordered by the
1882 court.

1883 Sec. 38. Subsection (c) of section 46b-38c of the general statutes is
1884 repealed and the following is substituted in lieu thereof (*Effective*
1885 *October 1, 2013*):

1886 (c) Each such local family violence intervention unit shall: (1) Accept
1887 referrals of family violence cases from a judge or prosecutor, (2)
1888 prepare written or oral reports on each case for the court by the next
1889 court date to be presented at any time during the court session on that
1890 date, (3) provide or arrange for services to victims and offenders, (4)
1891 administer contracts to carry out such services, and (5) establish
1892 centralized reporting procedures. All information provided to a family
1893 relations counselor, family relations counselor trainee or family
1894 services supervisor employed by the Judicial Department in a local
1895 family violence intervention unit shall be used solely for the purposes
1896 of preparation of the report and the protective order forms for each
1897 case and recommendation of services and shall otherwise be
1898 confidential and retained in the files of such unit and not be subject to
1899 subpoena or other court process for use in any other proceeding or for
1900 any other purpose, except that a family relations counselor, family
1901 relations counselor trainee or family services supervisor employed by
1902 the Judicial Department:

1903 (A) Shall disclose to the court and the prosecuting authority for
1904 appropriate action information that the victim has indicated that the
1905 defendant holds a permit to carry a pistol or revolver, [or] possesses
1906 one or more firearms or possesses ammunition;

1907 (B) Shall disclose to an employee of the Department of Children and
1908 Families information that indicates that a defendant poses a danger or
1909 threat to a child or a custodial parent of the child;

1910 (C) May disclose to another family relations counselor, family
1911 relations counselor trainee or family services supervisor information
1912 pursuant to guidelines adopted by the Chief Court Administrator;

1913 (D) May disclose to a bail commissioner or an intake, assessment

1914 and referral specialist employed by the Judicial Department
1915 information regarding a defendant who is on or is being considered for
1916 pretrial release;

1917 (E) May disclose to a law enforcement agency information that
1918 indicates that a defendant poses a danger or threat to another person;

1919 (F) May disclose, after disposition of a family violence case, to a
1920 probation officer or a juvenile probation officer, for purposes of
1921 determining service needs and supervision levels, information
1922 regarding a defendant who has been convicted and sentenced to a
1923 period of probation in the family violence case;

1924 (G) May disclose, after a conviction in a family violence case, to a
1925 probation officer for the purpose of preparing a presentence
1926 investigation report, any information regarding the defendant that has
1927 been provided to the family relations counselor, family relations
1928 counselor trainee or family services supervisor in the case or in any
1929 other case that resulted in the conviction of the defendant;

1930 (H) May disclose to any organization under contract with the
1931 Judicial Department to provide family violence programs and services,
1932 for the purpose of determining program and service needs,
1933 information regarding any defendant who is a client of such
1934 organization, provided no information that personally identifies the
1935 victim may be disclosed to such organization; and

1936 (I) Shall disclose such information as may be necessary to fulfill
1937 such counselor's, trainee's or supervisor's duty as a mandated reporter
1938 under section 17a-101a to report suspected child abuse or neglect.

1939 Sec. 39. Section 54-36e of the general statutes is repealed and the
1940 following is substituted in lieu thereof (*Effective October 1, 2013*):

1941 (a) Except as provided in sections 26-85 and 26-90, firearms and
1942 ammunition, adjudged by the court to be contraband pursuant to

1943 subsection (c) of section 54-36a, or adjudicated a nuisance pursuant to
1944 section 54-33g, shall be turned over to the Bureau of Identification of
1945 the Connecticut Division of State Police within the Department of
1946 Emergency Services and Public Protection for destruction or
1947 appropriate use or disposal by sale at public auction.

1948 (b) Firearms and ammunition turned over to the state police
1949 pursuant to subsection (a) of this section which are not destroyed or
1950 retained for appropriate use shall be sold at public auctions, conducted
1951 by the Commissioner of Administrative Services or such
1952 commissioner's designee. Pistols and revolvers, as defined in section
1953 53a-3, which are antiques, as defined in section 29-33, as amended by
1954 this act, or curios or relics, as defined in the Code of Federal
1955 Regulations, Title 27, Chapter 1, Part 178, or modern pistols and
1956 revolvers which have a current retail value of one hundred dollars or
1957 more may be sold at such public auctions, provided such pistols and
1958 revolvers shall be sold only to persons who have a valid permit to sell
1959 a pistol or revolver, or a valid permit to carry a pistol or revolver,
1960 issued pursuant to section 29-28, as amended by this act. Rifles and
1961 shotguns, as defined in section 53a-3, shall be sold only to persons
1962 qualified under federal law to purchase such rifles and shotguns. The
1963 proceeds of any such sale shall be paid to the State Treasurer and
1964 deposited by the State Treasurer in the forfeit firearms account within
1965 the General Fund.

1966 Sec. 40. Subsection (d) of section 29-38f of the general statutes is
1967 repealed and the following is substituted in lieu thereof (*Effective*
1968 *October 1, 2013*):

1969 (d) The receipts from the sale of seized firearms and ammunition
1970 pursuant to section 54-36e, as amended by this act, shall be deposited
1971 in the General Fund and credited to a separate, nonlapsing forfeit
1972 firearms account which shall be established by the Comptroller. All
1973 moneys in the account are deemed to be appropriated and shall be
1974 expended for the purposes established in section 29-38e.

1975 Sec. 41. Subsection (d) of section 54-36n of the general statutes is
1976 repealed and the following is substituted in lieu thereof (*Effective*
1977 *October 1, 2013*):

1978 (d) Whenever a firearm is identified and is determined to have been
1979 stolen, the law enforcement agency shall return such firearm, and any
1980 ammunition seized or recovered with such firearm that is determined
1981 to be stolen, to the rightful owner thereof, provided such owner is not
1982 prohibited from possessing such firearm or ammunition and such
1983 agency does not need to retain such firearm or ammunition as
1984 evidence in a criminal prosecution.

1985 Sec. 42. Subsections (a) and (b) of section 53-202aa of the general
1986 statutes are repealed and the following is substituted in lieu thereof
1987 (*Effective October 1, 2013*):

1988 (a) A person is guilty of firearms trafficking if such person,
1989 knowingly and intentionally, directly or indirectly, causes one or more
1990 firearms that such person owns, is in possession of or is in control of to
1991 come into the possession of or control of another person who such
1992 person knows or has reason to believe is prohibited from owning or
1993 possessing any firearm under state or federal law.

1994 (b) (1) Any person who violates any provision of this section shall
1995 be guilty of a class C felony if such person, on or after October 1, 2007,
1996 but prior to October 1, 2013, sells, delivers or otherwise transfers five
1997 or fewer firearms, and a class B felony if such person, on or after
1998 October 1, 2007, but prior to October 1, 2013, sells, delivers or
1999 otherwise transfers more than five firearms. (2) Any person who
2000 violates any provision of this section on or after October 1, 2013, shall
2001 be guilty of a class B felony for which three years of the sentence
2002 imposed may not be suspended or reduced by the court, and ten
2003 thousand dollars of the fine imposed may not be remitted or reduced
2004 by the court unless the court states on the record its reasons for
2005 remitting or reducing such fine.

2006 Sec. 43. Section 53a-212 of the general statutes is repealed and the
2007 following is substituted in lieu thereof (*Effective October 1, 2013*):

2008 (a) A person is guilty of stealing a firearm when, with intent to
2009 deprive another person of [his] such other person's firearm or to
2010 appropriate the [same] firearm to [himself] such person or a third
2011 party, [he] such person wrongfully takes, obtains or withholds a
2012 firearm, as defined in subdivision (19) of section 53a-3.

2013 (b) Stealing a firearm is a class [D] C felony for which two years of
2014 the sentence imposed may not be suspended or reduced by the court,
2015 and five thousand dollars of the fine imposed may not be remitted or
2016 reduced by the court unless the court states on the record its reasons
2017 for remitting or reducing such fine.

2018 Sec. 44. Section 53a-217 of the general statutes is repealed and the
2019 following is substituted in lieu thereof (*Effective October 1, 2013*):

2020 (a) A person is guilty of criminal possession of a firearm,
2021 ammunition or an electronic defense weapon when such person
2022 possesses a firearm, ammunition or an electronic defense weapon and
2023 (1) has been convicted of a felony committed prior to, on or after
2024 October 1, 2013, or of a violation of subsection (c) of section 21a-279 or
2025 section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176,
2026 53a-178 or 53a-181d committed on or after October 1, 2013, (2) has been
2027 convicted as delinquent for the commission of a serious juvenile
2028 offense, as defined in section 46b-120, (3) has been discharged from
2029 custody within the preceding twenty years after having been found
2030 not guilty of a crime by reason of mental disease or defect pursuant to
2031 section 53a-13, (4) knows that such person is subject to (A) a
2032 restraining or protective order of a court of this state that has been
2033 issued against such person, after notice and an opportunity to be heard
2034 has been provided to such person, in a case involving the use,
2035 attempted use or threatened use of physical force against another
2036 person, or (B) a foreign order of protection, as defined in section 46b-

2037 15a, that has been issued against such person in a case involving the
2038 use, attempted use or threatened use of physical force against another
2039 person, ~~[(4)]~~ (5) (A) has been confined on or after October 1, 2013, in a
2040 hospital for persons with psychiatric disabilities, as defined in section
2041 17a-495, within the preceding sixty months by order of a probate court,
2042 or with respect to any person who holds a valid permit or certificate
2043 that was issued or renewed under the provisions of section 29-28, as
2044 amended by this act, or 29-36f, as amended by this act, in effect prior to
2045 October 1, 2013, such person has been confined in such hospital within
2046 the preceding twelve months, or (B) has been voluntarily admitted on
2047 or after October 1, 2013, to a hospital for persons with psychiatric
2048 disabilities, as defined in section 17a-495, within the preceding six
2049 months for care and treatment of a psychiatric disability and not solely
2050 for being an alcohol-dependent person or a drug-dependent person as
2051 those terms are defined in section 17a-680, (6) knows that such person
2052 is subject to a firearms seizure order issued pursuant to subsection (d)
2053 of section 29-38c, as amended by this act, after notice and an
2054 opportunity to be heard has been provided to such person, or ~~[(5)]~~ (7)
2055 is prohibited from shipping, transporting, possessing or receiving a
2056 firearm pursuant to 18 USC 922(g)(4). For the purposes of this section,
2057 "convicted" means having a judgment of conviction entered by a court
2058 of competent jurisdiction, "ammunition" means a loaded cartridge,
2059 consisting of a primed case, propellant or projectile, designed for use
2060 in any firearm, and a motor vehicle violation for which a sentence to a
2061 term of imprisonment of more than one year may be imposed shall be
2062 deemed an unclassified felony.

2063 (b) Criminal possession of a firearm, ammunition or an electronic
2064 defense weapon is a class ~~[D]~~ C felony, for which two years of the
2065 sentence imposed may not be suspended or reduced by the court, and
2066 five thousand dollars of the fine imposed may not be remitted or
2067 reduced by the court unless the court states on the record its reasons
2068 for remitting or reducing such fine.

2069 Sec. 45. Section 53a-217c of the general statutes is repealed and the

2070 following is substituted in lieu thereof (*Effective October 1, 2013*):

2071 (a) A person is guilty of criminal possession of a pistol or revolver
2072 when such person possesses a pistol or revolver, as defined in section
2073 29-27, and (1) has been convicted of a felony or of a violation of
2074 subsection (c) of section 21a-279 or section 53a-58, 53a-61, 53a-61a, 53a-
2075 62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d, (2) has been
2076 convicted as delinquent for the commission of a serious juvenile
2077 offense, as defined in section 46b-120, (3) has been discharged from
2078 custody within the preceding twenty years after having been found
2079 not guilty of a crime by reason of mental disease or defect pursuant to
2080 section 53a-13, (4) (A) has been confined prior to October 1, 2013, in a
2081 hospital for persons with psychiatric disabilities, as defined in section
2082 17a-495, within the preceding twelve months by order of a probate
2083 court, or has been confined on or after October 1, 2013, in a hospital for
2084 persons with psychiatric disabilities, as defined in section 17a-495,
2085 within the preceding sixty months by order of a probate court, or, with
2086 respect to any person who holds a valid permit or certificate that was
2087 issued or renewed under the provisions of section 29-28, as amended
2088 by this act, or 29-36f, as amended by this act, in effect prior to October
2089 1, 2013, such person has been confined in such hospital within the
2090 preceding twelve months, or (B) has been voluntarily admitted on or
2091 after October 1, 2013, to a hospital for persons with psychiatric
2092 disabilities, as defined in section 17a-495, within the preceding six
2093 months for care and treatment of a psychiatric disability and not solely
2094 for being an alcohol-dependent person or a drug-dependent person as
2095 those terms are defined in section 17a-680, (5) knows that such person
2096 is subject to (A) a restraining or protective order of a court of this state
2097 that has been issued against such person, after notice and an
2098 opportunity to be heard has been provided to such person, in a case
2099 involving the use, attempted use or threatened use of physical force
2100 against another person, or (B) a foreign order of protection, as defined
2101 in section 46b-15a, that has been issued against such person in a case
2102 involving the use, attempted use or threatened use of physical force

2103 against another person, (6) knows that such person is subject to a
2104 firearms seizure order issued pursuant to subsection (d) of section 29-
2105 38c after notice and an opportunity to be heard has been provided to
2106 such person, (7) is prohibited from shipping, transporting, possessing
2107 or receiving a firearm pursuant to 18 USC 922(g)(4), or (8) is an alien
2108 illegally or unlawfully in the United States. For the purposes of this
2109 section, "convicted" means having a judgment of conviction entered by
2110 a court of competent jurisdiction.

2111 (b) Criminal possession of a pistol or revolver is a class [D] C felony,
2112 for which two years of the sentence imposed may not be suspended or
2113 reduced by the court, and five thousand dollars of the fine imposed
2114 may not be remitted or reduced by the court unless the court states on
2115 the record its reasons for remitting or reducing such fine.

2116 Sec. 46. Section 29-32 of the general statutes is repealed and the
2117 following is substituted in lieu thereof (*Effective October 1, 2013*):

2118 (a) For the purposes of this section, "conviction" means the entry of a
2119 judgment of conviction by any court of competent jurisdiction.

2120 (b) Any state permit or temporary state permit for the carrying of
2121 any pistol or revolver may be revoked by the Commissioner of
2122 Emergency Services and Public Protection for cause and shall be
2123 revoked by said commissioner upon conviction of the holder of such
2124 permit of a felony or of any misdemeanor specified in subsection (b) of
2125 section 29-28, as amended by this act, or upon the occurrence of any
2126 event which would have disqualified the holder from being issued the
2127 state permit or temporary state permit pursuant to subsection (b) of
2128 section 29-28, as amended by this act. Upon the revocation of any state
2129 permit or temporary state permit, the person whose state permit or
2130 temporary state permit is revoked shall be notified in writing and such
2131 state permit or temporary state permit shall be forthwith delivered to
2132 the commissioner. Any law enforcement authority shall confiscate and
2133 immediately forward to the commissioner any state permit or

2134 temporary state permit that is illegally possessed by any person. The
2135 commissioner may revoke the state permit or temporary state permit
2136 based upon the commissioner's own investigation or upon the request
2137 of any law enforcement agency. Any person who fails to surrender any
2138 permit within five days of notification in writing of revocation thereof
2139 shall be guilty of a class [C] A misdemeanor.

2140 (c) Any local permit for the carrying of a pistol or revolver issued
2141 prior to October 1, 2001, may be revoked by the authority issuing the
2142 same for cause, and shall be revoked by the authority issuing the same
2143 upon conviction of the holder of such permit of a felony or of any
2144 misdemeanor specified in subsection (b) of section 29-28, as amended
2145 by this act or upon the occurrence of any event which would have
2146 disqualified the holder from being issued such local permit. Upon the
2147 revocation of any local permit, the person whose local permit is
2148 revoked shall be notified in writing and such permit shall be forthwith
2149 delivered to the authority issuing the same. Upon the revocation of
2150 any local permit, the authority issuing the same shall forthwith notify
2151 the commissioner. Upon the revocation of any permit issued by the
2152 commissioner, the commissioner shall forthwith notify any local
2153 authority which the records of the commissioner show as having
2154 issued a currently valid local permit to the holder of the permit
2155 revoked by the commissioner. Any person who fails to surrender such
2156 permit within five days of notification in writing or revocation thereof
2157 shall be guilty of a class [C] A misdemeanor.

2158 Sec. 47. Subsections (h) and (i) of section 29-33 of the general
2159 statutes are repealed and the following is substituted in lieu thereof
2160 (*Effective October 1, 2013*):

2161 (h) If the court finds that a violation of this section is not of a serious
2162 nature and that the person charged with such violation (1) will
2163 probably not offend in the future, (2) has not previously been
2164 convicted of a violation of this section, and (3) has not previously had a
2165 prosecution under this section suspended pursuant to this subsection,

2166 [it] the court may order suspension of prosecution. The court shall not
2167 order suspension of prosecution unless the accused person has
2168 acknowledged that he understands the consequences of the suspension
2169 of prosecution. Any person for whom prosecution is suspended shall
2170 agree to the tolling of any statute of limitations with respect to such
2171 violation and to a waiver of his right to a speedy trial. Such person
2172 shall appear in court and shall be released to the custody of the Court
2173 Support Services Division for such period, not exceeding two years,
2174 and under such conditions as the court shall order. If the person
2175 refuses to accept, or, having accepted, violates such conditions, the
2176 court shall terminate the suspension of prosecution and the case shall
2177 be brought to trial. If such person satisfactorily completes his period of
2178 probation, he may apply for dismissal of the charges against him and
2179 the court, on finding such satisfactory completion, shall dismiss such
2180 charges. If the person does not apply for dismissal of the charges
2181 against him after satisfactorily completing his period of probation, the
2182 court, upon receipt of a report submitted by the Court Support
2183 Services Division that the person satisfactorily completed his period of
2184 probation, may on its own motion make a finding of such satisfactory
2185 completion and dismiss such charges. Upon dismissal, all records of
2186 such charges shall be erased pursuant to section 54-142a. An order of
2187 the court denying a motion to dismiss the charges against a person
2188 who has completed his period of probation or terminating the
2189 participation of a defendant in such program shall be a final judgment
2190 for purposes of appeal.

2191 (i) Any person who violates any provision of this section shall be
2192 guilty of a class [D] C felony for which two years of the sentence
2193 imposed may not be suspended or reduced by the court, and five
2194 thousand dollars of the fine imposed may not be remitted or reduced
2195 by the court unless the court states on the record its reasons for
2196 remitting or reducing such fine, except that any person who sells,
2197 delivers or otherwise transfers a pistol or revolver in violation of the
2198 provisions of this section [J] knowing that such pistol or revolver is

2199 stolen or that the manufacturer's number or other mark of
2200 identification on such pistol or revolver has been altered, removed or
2201 obliterated, shall be guilty of a class B felony for which three years of
2202 the sentence imposed may not be suspended or reduced by the court,
2203 and ten thousand dollars of the fine imposed may not be remitted or
2204 reduced by the court unless the court states on the record its reasons
2205 for remitting or reducing such fine, and any pistol or revolver found in
2206 the possession of any person in violation of any provision of this
2207 section shall be forfeited.

2208 Sec. 48. Section 29-34 of the general statutes is repealed and the
2209 following is substituted in lieu thereof (*Effective October 1, 2013*):

2210 (a) No person shall make any false statement or give any false
2211 information connected with any purchase, sale, delivery or other
2212 transfer of any pistol or revolver. Any person violating any provision
2213 of this subsection shall be guilty of a class [D] C felony for which two
2214 years of the sentence imposed may not be suspended or reduced by
2215 the court, and five thousand dollars of the fine imposed may not be
2216 remitted or reduced by the court unless the court states on the record
2217 its reasons for remitting or reducing such fine.

2218 (b) No person shall sell, barter, hire, lend, give, deliver or otherwise
2219 transfer to any person under the age of twenty-one years any pistol or
2220 revolver, except that a pistol or revolver may be temporarily
2221 transferred to any person only for the use by such person in target
2222 shooting or on a firing or shooting range, provided such use is
2223 otherwise permitted by law and is under the immediate supervision of
2224 a person eligible to possess a pistol or revolver. Any person violating
2225 any provision of this subsection shall be guilty of a class [D] C felony
2226 for which [one year] two years of the sentence imposed may not be
2227 suspended or reduced by the court, and five thousand dollars of the
2228 fine imposed may not be remitted or reduced by the court unless the
2229 court states on the record its reasons for remitting or reducing such
2230 fine.

2231 (c) Any pistol or revolver found in the possession of any person in
2232 violation of any provision of this section shall be forfeited.

2233 Sec. 49. Section 29-36 of the general statutes is repealed and the
2234 following is substituted in lieu thereof (*Effective October 1, 2013*):

2235 (a) No person shall remove, deface, alter or obliterate the name of
2236 any maker or model or any maker's number or other mark of
2237 identification on any firearm as defined in section 53a-3. The
2238 possession of any firearm upon which any identifying mark, number
2239 or name has been removed, defaced, altered or obliterated shall be
2240 prima facie evidence that the person owning or in possession of such
2241 firearm has removed, defaced, altered or obliterated the same.

2242 (b) Any person who violates any provision of this section shall be
2243 [fined not more than one thousand dollars or imprisoned not more
2244 than five years or both] guilty of a class C felony for which two years
2245 of the sentence imposed may not be suspended or reduced by the
2246 court, and five thousand dollars of the fine imposed may not be
2247 remitted or reduced by the court unless the court states on the record
2248 its reasons for remitting or reducing such fine, and any firearm found
2249 in the possession of any person in violation of said provision shall be
2250 forfeited.

2251 Sec. 50. Subsection (b) of section 53-202g of the general statutes is
2252 repealed and the following is substituted in lieu thereof (*Effective*
2253 *October 1, 2013*):

2254 (b) Any person who fails to make a report required by subsection (a)
2255 of this section, as amended by this act, within the prescribed time
2256 period shall commit an infraction and be fined not more than ninety
2257 dollars for a first offense and be guilty of a class [D] C felony for any
2258 subsequent offense, except that, if such person intentionally fails to
2259 make such report within the prescribed time period, such person shall
2260 be guilty of a class [C] B felony. Any person who violates subsection
2261 (a) of this section, as amended by this act, for the first offense shall not

2262 lose such person's right to hold or obtain any firearm permit under the
2263 general statutes.

2264 Sec. 51. Subsection (e) of section 29-36g of the general statutes is
2265 repealed and the following is substituted in lieu thereof (*Effective July*
2266 *1, 2013*):

2267 (e) Notwithstanding the provisions of sections 1-210 and 1-211, the
2268 name and address of a person issued an eligibility certificate for a
2269 pistol or revolver under the provisions of section 29-36f, as amended
2270 by this act, shall be confidential and shall not be disclosed, except (1)
2271 such information may be disclosed to law enforcement officials acting
2272 in the performance of their duties, including, but not limited to,
2273 employees of the United States Probation Office acting in the
2274 performance of their duties, (2) the Commissioner of Emergency
2275 Services and Public Protection may disclose such information to the
2276 extent necessary to comply with a request made pursuant to section
2277 29-33, as amended by this act, section 29-37a, as amended by this act,
2278 or section 14 of this act for verification that such certificate is still valid
2279 and has not been suspended or revoked, and (3) such information may
2280 be disclosed to the Commissioner of Mental Health and Addiction
2281 Services to carry out the provisions of subsection (c) of section 17a-500,
2282 as amended by this act.

2283 Sec. 52. Section 29-36i of the general statutes is repealed and the
2284 following is substituted in lieu thereof (*Effective October 1, 2013*):

2285 (a) Any eligibility certificate for a pistol or revolver shall be revoked
2286 by the Commissioner of Emergency Services and Public Protection
2287 upon the occurrence of any event which would have disqualified the
2288 holder from being issued the certificate pursuant to section 29-36f, as
2289 amended by this act.

2290 (b) Upon the revocation of any eligibility certificate, the person
2291 whose eligibility certificate is revoked shall be notified in writing and
2292 such certificate shall be forthwith delivered to the Commissioner of

2293 Emergency Services and Public Protection. Any person who fails to
2294 surrender such certificate within five days of notification in writing of
2295 revocation thereof shall be guilty of a class [C] A misdemeanor.

2296 Sec. 53. Section 29-37j of the general statutes is repealed and the
2297 following is substituted in lieu thereof (*Effective October 1, 2013*):

2298 (a) Any person who purchases a firearm, as defined in section 53a-3,
2299 pursuant to section 29-33, as amended by this act, or 29-37a, as
2300 amended by this act, with the intent to transfer such firearm to any
2301 other person who the transferor knows or has reason to believe is
2302 prohibited from purchasing or otherwise receiving such a firearm
2303 pursuant to section 29-33, as amended by this act, or 29-37a, as
2304 amended by this act, shall be [fined not more than one thousand
2305 dollars or imprisoned not more than five years or both] guilty of a class
2306 C felony for which two years of the sentence imposed may not be
2307 suspended or reduced by the court, and five thousand dollars of the
2308 fine imposed may not be remitted or reduced by the court unless the
2309 court states on the record its reasons for remitting or reducing such
2310 fine.

2311 (b) Any person prohibited from purchasing or otherwise receiving
2312 or possessing a firearm and who solicits, employs or assists any person
2313 in violating the provisions of subsection (a) of this section shall be
2314 guilty of a class [B misdemeanor. If the] D felony for which one year of
2315 the sentence imposed may not be suspended or reduced by the court,
2316 and three thousand dollars of the fine imposed may not be remitted or
2317 reduced by the court unless the court states on the record its reasons
2318 for remitting or reducing such fine, except that if such person who is
2319 prohibited from purchasing or otherwise receiving or possessing a
2320 firearm obtains a firearm pursuant to a violation of subsection (a) of
2321 this section, [involves a transfer of more than one firearm,] such person
2322 shall be guilty of a class [A misdemeanor] C felony for which two
2323 years of the sentence imposed may not be suspended or reduced by
2324 the court, and five thousand dollars of the fine imposed may not be

2325 remitted or reduced by the court unless the court states on the record
2326 its reasons for remitting or reducing such fine. Each transfer shall
2327 constitute a separate offense.

2328 (c) Any person convicted of violating the provisions of subsection
2329 (a) or (b) of this section and who was convicted of a felony within the
2330 prior five-year period shall be guilty of a class [D] B felony for which
2331 three years of the sentence imposed may not be suspended or reduced
2332 by the court, and ten thousand dollars of the fine imposed may not be
2333 remitted or reduced by the court unless the court states on the record
2334 its reasons for remitting or reducing such fine.

2335 Sec. 54. Section 29-37i of the general statutes is repealed and the
2336 following is substituted in lieu thereof (*Effective October 1, 2013*):

2337 No person shall store or keep any loaded firearm on any premises
2338 under [his] such person's control if [he] such person knows or
2339 reasonably should know that (1) a minor is likely to gain access to the
2340 firearm without the permission of the parent or guardian of the minor,
2341 (2) a resident of the premises is ineligible to possess a firearm under
2342 state or federal law, or (3) a resident of the premises poses a risk of
2343 imminent personal injury to himself or herself or to other individuals,
2344 unless such person [(1)] (A) keeps the firearm in a securely locked box
2345 or other container or in a location which a reasonable person would
2346 believe to be secure, or [(2)] (B) carries the firearm on his or her person
2347 or within such close proximity thereto that [he] such person can
2348 readily retrieve and use [it] the firearm as if [he] such person carried
2349 [it] the firearm on his or her person. For the purposes of this section,
2350 "minor" means any person under the age of sixteen years.

2351 Sec. 55. Section 52-571g of the general statutes is repealed and the
2352 following is substituted in lieu thereof (*Effective October 1, 2013*):

2353 Any person whose act or omission constitutes a violation of section
2354 29-37i, as amended by this act, shall be strictly liable for damages when
2355 a minor or, a resident of the premises who is ineligible to possess a

2356 firearm under state or federal law or who poses a risk of imminent
2357 personal injury to himself or herself or to other individuals, obtains a
2358 firearm, as defined in section 53a-3, and causes the injury or death of
2359 such minor, resident or any other person. For the purposes of this
2360 section, "minor" means any person under the age of sixteen years.

2361 Sec. 56. Section 53a-217a of the general statutes is repealed and the
2362 following is substituted in lieu thereof (*Effective October 1, 2013*):

2363 (a) A person is guilty of criminally negligent storage of a firearm
2364 when [he] such person violates the provisions of section 29-37i, as
2365 amended by this act, and a minor or, a resident of the premises who is
2366 ineligible to possess a firearm under state or federal law or who poses
2367 a risk of imminent personal injury to himself or herself or to other
2368 individuals, obtains the firearm and causes the injury or death of
2369 [himself] such minor, resident or any other person. For the purposes of
2370 this section, "minor" means any person under the age of sixteen years.

2371 (b) The provisions of this section shall not apply if the minor obtains
2372 the firearm as a result of an unlawful entry to any premises by any
2373 person.

2374 (c) Criminally negligent storage of a firearm is a class D felony.

2375 Sec. 57. Subsections (b) to (f), inclusive, of section 29-28 of the
2376 general statutes are repealed and the following is substituted in lieu
2377 thereof (*Effective October 1, 2013*):

2378 (b) Upon the application of any person having a bona fide
2379 permanent residence [or place of business] within the jurisdiction of
2380 any such authority, such chief of police, warden or selectman may
2381 issue a temporary state permit to such person to carry a pistol or
2382 revolver within the state, provided such authority shall find that such
2383 applicant intends to make no use of any pistol or revolver which such
2384 applicant may be permitted to carry under such permit other than a
2385 lawful use and that such person is a suitable person to receive such

2386 permit. No state or temporary state permit to carry a pistol or revolver
2387 shall be issued under this subsection if the applicant (1) has failed to
2388 successfully complete a course approved by the Commissioner of
2389 Emergency Services and Public Protection in the safety and use of
2390 pistols and revolvers including, but not limited to, a safety or training
2391 course in the use of pistols and revolvers available to the public offered
2392 by a law enforcement agency, a private or public educational
2393 institution or a firearms training school, utilizing instructors certified
2394 by the National Rifle Association or the Department of Energy and
2395 Environmental Protection and a safety or training course in the use of
2396 pistols or revolvers conducted by an instructor certified by the state or
2397 the National Rifle Association, (2) has been convicted of a felony or of
2398 a violation of subsection (c) of section 21a-279 or section 53a-58, 53a-61,
2399 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d,
2400 (3) has been convicted as delinquent for the commission of a serious
2401 juvenile offense, as defined in section 46b-120, (4) has been discharged
2402 from custody within the preceding twenty years after having been
2403 found not guilty of a crime by reason of mental disease or defect
2404 pursuant to section 53a-13, (5) (A) has been confined in a hospital for
2405 persons with psychiatric disabilities, as defined in section 17a-495,
2406 within the preceding [twelve] sixty months by order of a probate court,
2407 or (B) has been voluntarily admitted on or after October 1, 2013, to a
2408 hospital for persons with psychiatric disabilities, as defined in section
2409 17a-495, within the preceding six months for care and treatment of a
2410 psychiatric disability and not solely for being an alcohol-dependent
2411 person or a drug-dependent person as those terms are defined in
2412 section 17a-680, (6) is subject to a restraining or protective order issued
2413 by a court in a case involving the use, attempted use or threatened use
2414 of physical force against another person, (7) is subject to a firearms
2415 seizure order issued pursuant to subsection (d) of section 29-38c after
2416 notice and hearing, (8) is prohibited from shipping, transporting,
2417 possessing or receiving a firearm pursuant to 18 USC 922(g)(4), (9) is
2418 an alien illegally or unlawfully in the United States, or (10) is less than
2419 twenty-one years of age. Nothing in this section shall require any

2420 person who holds a valid permit to carry a pistol or revolver on
2421 October 1, 1994, to participate in any additional training in the safety
2422 and use of pistols and revolvers. No person may apply for a temporary
2423 state permit to carry a pistol or revolver more than once within any
2424 twelve-month period, and no temporary state permit to carry a pistol
2425 or revolver shall be issued to any person who has applied for such
2426 permit more than once within the preceding twelve months. Any
2427 person who applies for a temporary state permit to carry a pistol or
2428 revolver shall indicate in writing on the application, under penalty of
2429 false statement in such manner as the issuing authority prescribes, that
2430 such person has not applied for a temporary state permit to carry a
2431 pistol or revolver within the past twelve months. Upon issuance of a
2432 temporary state permit to carry a pistol or revolver to the applicant,
2433 the local authority shall forward the original application to the
2434 commissioner. Not later than sixty days after receiving a temporary
2435 state permit, an applicant shall appear at a location designated by the
2436 commissioner to receive the state permit. [Said] The commissioner
2437 may then issue, to any holder of any temporary state permit, a state
2438 permit to carry a pistol or revolver within the state. Upon issuance of
2439 the state permit, the commissioner shall make available to the permit
2440 holder a copy of the law regarding the permit holder's responsibility to
2441 report the loss or theft of a firearm and the penalties associated with
2442 the failure to comply with such law. Upon issuance of the state permit,
2443 the commissioner shall forward a record of such permit to the local
2444 authority issuing the temporary state permit. The commissioner shall
2445 retain records of all applications, whether approved or denied. The
2446 copy of the state permit delivered to the permittee shall be laminated
2447 and shall contain a full-face photograph of such permittee. A person
2448 holding a state permit issued pursuant to this subsection shall notify
2449 the issuing authority within two business days of any change of such
2450 person's address. The notification shall include the old address and the
2451 new address of such person.

2452 (c) No issuing authority may require any sworn member of the

2453 Department of Emergency Services and Public Protection or an
2454 organized local police department to furnish such sworn member's
2455 residence address in a permit application. The issuing authority shall
2456 allow each such sworn member who has a permit to carry a pistol or
2457 revolver issued by such authority to revise such member's application
2458 to include a business or post office address in lieu of the residence
2459 address. The issuing authority shall notify each such member of the
2460 right to revise such application.

2461 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the
2462 name and address of a person issued a permit to sell at retail pistols
2463 and revolvers pursuant to subsection (a) of this section or a state or a
2464 temporary state permit to carry a pistol or revolver pursuant to
2465 subsection (b) of this section, or a local permit to carry pistols and
2466 revolvers issued by local authorities prior to October 1, 2001, shall be
2467 confidential and shall not be disclosed, except (1) such information
2468 may be disclosed to law enforcement officials acting in the
2469 performance of their duties, including, but not limited to, employees of
2470 the United States Probation Office acting in the performance of their
2471 duties, (2) the issuing authority may disclose such information to the
2472 extent necessary to comply with a request made pursuant to section
2473 29-33, as amended by this act, section 29-37a, as amended by this act,
2474 or section 14 of this act for verification that such state or temporary
2475 state permit is still valid and has not been suspended or revoked, and
2476 the local authority may disclose such information to the extent
2477 necessary to comply with a request made pursuant to section 29-33, as
2478 amended by this act, section 29-37a, as amended by this act, or section
2479 14 of this act for verification that a local permit is still valid and has not
2480 been suspended or revoked, and (3) such information may be
2481 disclosed to the Commissioner of Mental Health and Addiction
2482 Services to carry out the provisions of subsection (c) of section 17a-500,
2483 as amended by this act.

2484 (e) The issuance of any permit to carry a pistol or revolver does not
2485 thereby authorize the possession or carrying of a pistol or revolver in

2486 any premises where the possession or carrying of a pistol or revolver is
2487 otherwise prohibited by law or is prohibited by the person who owns
2488 or exercises control over such premises.

2489 (f) Any bona fide resident of the United States having no bona fide
2490 permanent residence [or place of business] within the jurisdiction of
2491 any local authority in the state, but who has a permit or license to carry
2492 a pistol or revolver issued by the authority of another state or
2493 subdivision of the United States, may apply directly to the
2494 Commissioner of Emergency Services and Public Protection for a
2495 permit to carry a pistol or revolver in this state. All provisions of
2496 subsections (b), (c), (d) and (e) of this section shall apply to
2497 applications for a permit received by the commissioner under this
2498 subsection.

2499 Sec. 58. Subsection (b) of section 29-36f of the general statutes is
2500 repealed and the following is substituted in lieu thereof (*Effective*
2501 *October 1, 2013*):

2502 (b) The Commissioner of Emergency Services and Public Protection
2503 shall issue an eligibility certificate unless said commissioner finds that
2504 the applicant: (1) Has failed to successfully complete a course
2505 approved by the Commissioner of Emergency Services and Public
2506 Protection in the safety and use of pistols and revolvers including, but
2507 not limited to, a safety or training course in the use of pistols and
2508 revolvers available to the public offered by a law enforcement agency,
2509 a private or public educational institution or a firearms training school,
2510 utilizing instructors certified by the National Rifle Association or the
2511 Department of Energy and Environmental Protection and a safety or
2512 training course in the use of pistols or revolvers conducted by an
2513 instructor certified by the state or the National Rifle Association; (2)
2514 has been convicted of a felony or of a violation of subsection (c) of
2515 section 21a-279 or section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-
2516 96, 53a-175, 53a-176, 53a-178 or 53a-181d; (3) has been convicted as
2517 delinquent for the commission of a serious juvenile offense, as defined

2518 in section 46b-120; (4) has been discharged from custody within the
2519 preceding twenty years after having been found not guilty of a crime
2520 by reason of mental disease or defect pursuant to section 53a-13; (5) (A)
2521 has been confined in a hospital for persons with psychiatric
2522 disabilities, as defined in section 17a-495, within the preceding
2523 [twelve] sixty months by order of a probate court; or (B) has been
2524 voluntarily admitted on or after October 1, 2013, to a hospital for
2525 persons with psychiatric disabilities, as defined in section 17a-495,
2526 within the preceding six months for care and treatment of a psychiatric
2527 disability and not solely for being an alcohol-dependent person or a
2528 drug-dependent person as those terms are defined in section 17a-680,
2529 (6) is subject to a restraining or protective order issued by a court in a
2530 case involving the use, attempted use or threatened use of physical
2531 force against another person; (7) is subject to a firearms seizure order
2532 issued pursuant to subsection (d) of section 29-38c after notice and
2533 hearing; (8) is prohibited from shipping, transporting, possessing or
2534 receiving a firearm pursuant to 18 USC 922(g)(4); or (9) is an alien
2535 illegally or unlawfully in the United States.

2536 Sec. 59. Section 54-125a of the general statutes is repealed and the
2537 following is substituted in lieu thereof (*Effective July 1, 2013*):

2538 (a) A person convicted of one or more crimes who is incarcerated on
2539 or after October 1, 1990, who received a definite sentence or aggregate
2540 sentence of more than two years, and who has been confined under
2541 such sentence or sentences for not less than one-half of the aggregate
2542 sentence less any risk reduction credit earned under the provisions of
2543 section 18-98e or one-half of the most recent sentence imposed by the
2544 court less any risk reduction credit earned under the provisions of
2545 section 18-98e, whichever is greater, may be allowed to go at large on
2546 parole in the discretion of the panel of the Board of Pardons and
2547 Paroles for the institution in which the person is confined, if (1) it
2548 appears from all available information, including any reports from the
2549 Commissioner of Correction that the panel may require, that there is
2550 reasonable probability that such inmate will live and remain at liberty

2551 without violating the law, and (2) such release is not incompatible with
2552 the welfare of society. At the discretion of the panel, and under the
2553 terms and conditions as may be prescribed by the panel including
2554 requiring the parolee to submit personal reports, the parolee shall be
2555 allowed to return to the parolee's home or to reside in a residential
2556 community center, or to go elsewhere. The parolee shall, while on
2557 parole, remain under the jurisdiction of the board until the expiration
2558 of the maximum term or terms for which the parolee was sentenced
2559 less any risk reduction credit earned under the provisions of section
2560 18-98e. Any parolee released on the condition that the parolee reside in
2561 a residential community center may be required to contribute to the
2562 cost incidental to such residence. Each order of parole shall fix the
2563 limits of the parolee's residence, which may be changed in the
2564 discretion of the board and the Commissioner of Correction. Within
2565 three weeks after the commitment of each person sentenced to more
2566 than two years, the state's attorney for the judicial district shall send to
2567 the Board of Pardons and Paroles the record, if any, of such person.

2568 (b) (1) No person convicted of any of the following offenses, which
2569 was committed on or after July 1, 1981, shall be eligible for parole
2570 under subsection (a) of this section: (A) Capital felony, as provided
2571 under the provisions of section 53a-54b in effect prior to April 25, 2012,
2572 (B) murder with special circumstances, as provided under the
2573 provisions of section 53a-54b in effect on or after April 25, 2012, (C)
2574 felony murder, as provided in section 53a-54c, (D) arson murder, as
2575 provided in section 53a-54d, (E) murder, as provided in section 53a-
2576 54a, or (F) aggravated sexual assault in the first degree, as provided in
2577 section 53a-70a. (2) A person convicted of (A) a violation of section 53a-
2578 100aa or 53a-102, or (B) an offense, other than an offense specified in
2579 subdivision (1) of this subsection, where the underlying facts and
2580 circumstances of the offense involve the use, attempted use or
2581 threatened use of physical force against another person shall be
2582 ineligible for parole under subsection (a) of this section until such
2583 person has served not less than eighty-five per cent of the definite

2584 sentence imposed. [less any risk reduction credit earned under the
2585 provisions of section 18-98e.]

2586 (c) The Board of Pardons and Paroles shall, not later than July 1,
2587 1996, adopt regulations in accordance with chapter 54 to ensure that a
2588 person convicted of an offense described in subdivision (2) of
2589 subsection (b) of this section is not released on parole until such person
2590 has served eighty-five per cent of the definite sentence imposed by the
2591 court. [less any risk reduction credit earned under the provisions of
2592 section 18-98e.] Such regulations shall include guidelines and
2593 procedures for classifying a person as a violent offender that are not
2594 limited to a consideration of the elements of the offense or offenses for
2595 which such person was convicted.

2596 (d) The Board of Pardons and Paroles shall hold a hearing to
2597 determine the suitability for parole release of any person whose
2598 eligibility for parole release is not subject to the provisions of
2599 subsection (b) of this section upon completion by such person of
2600 seventy-five per cent of such person's definite or aggregate sentence
2601 less any risk reduction credit earned under the provisions of section
2602 18-98e. An employee of the board or, if deemed necessary by the
2603 chairperson, a panel of the board shall reassess the suitability for
2604 parole release of such person based on the following standards: (1)
2605 Whether there is reasonable probability that such person will live and
2606 remain at liberty without violating the law, and (2) whether the
2607 benefits to such person and society that would result from such
2608 person's release to community supervision substantially outweigh the
2609 benefits to such person and society that would result from such
2610 person's continued incarceration. After hearing, if the board
2611 determines that continued confinement is necessary, it shall articulate
2612 for the record the specific reasons why such person and the public
2613 would not benefit from such person serving a period of parole
2614 supervision while transitioning from incarceration to the community.
2615 The decision of the board under this subsection shall not be subject to
2616 appeal.

2617 (e) The Board of Pardons and Paroles shall hold a hearing to
2618 determine the suitability for parole release of any person whose
2619 eligibility for parole release is subject to the provisions of subdivision
2620 (2) of subsection (b) of this section upon completion by such person of
2621 eighty-five per cent of such person's definite or aggregate sentence,
2622 [less any risk reduction credit earned under the provisions of section
2623 18-98e.] An employee of the board or, if deemed necessary by the
2624 chairperson, a panel of the board shall assess the suitability for parole
2625 release of such person based on the following standards: (1) Whether
2626 there is reasonable probability that such person will live and remain at
2627 liberty without violating the law, and (2) whether the benefits to such
2628 person and society that would result from such person's release to
2629 community supervision substantially outweigh the benefits to such
2630 person and society that would result from such person's continued
2631 incarceration. After hearing, if the board determines that continued
2632 confinement is necessary, it shall articulate for the record the specific
2633 reasons why such person and the public would not benefit from such
2634 person serving a period of parole supervision while transitioning from
2635 incarceration to the community. The decision of the board under this
2636 subsection shall not be subject to appeal.

2637 (f) Any person released on parole under this section shall remain in
2638 the custody of the Commissioner of Correction and be subject to
2639 supervision by personnel of the Department of Correction during such
2640 person's period of parole.

2641 Sec. 60. Subsection (a) of section 29-32b of the general statutes is
2642 repealed and the following is substituted in lieu thereof (*Effective July*
2643 *1, 2013*):

2644 (a) There [shall be] is established a Board of Firearms Permit
2645 Examiners, within the Office of Governmental Accountability
2646 established under section 1-300, to be comprised of [seven] nine
2647 members, eight of whom shall be appointed by the Governor to serve
2648 during [his] the Governor's term and until [their] such members'

2649 successors are appointed and qualify, and one of whom shall be a
2650 retired judge of the Superior Court appointed by the Chief Court
2651 Administrator. With the exception of two public members, the
2652 members appointed by the Governor shall be appointed from
2653 nominees of the Commissioner of Emergency Services and Public
2654 Protection, the Commissioner of Mental Health and Addiction
2655 Services, the Connecticut State Association of Chiefs of Police, the
2656 Commissioner of Energy and Environmental Protection, The
2657 Connecticut State Rifle and Revolver Association, Inc., and Ye
2658 Connecticut Gun Guild, Inc., and each of said organizations shall be
2659 entitled to representation on the board. At least one member of the
2660 board appointed by the Governor shall be a lawyer licensed to practice
2661 in this state [] who shall act as chairman of the board during the
2662 hearing of appeals brought under this section.

2663 Sec. 61. Subsection (c) of section 29-32b of the general statutes is
2664 repealed and the following is substituted in lieu thereof (*Effective July*
2665 *1, 2013*):

2666 (c) Any person aggrieved by the action of an issuing authority may
2667 file with the board a clear and concise statement of the facts on which
2668 [he] such person relies for relief, and shall state the relief sought by the
2669 appellant. The receipt by the board of the appellant's statement shall
2670 initiate the appeals process, and no appeal may be rejected for mere
2671 lack of formality. The board shall, [within] not later than ten days [next
2672 following] after receipt of the appeal, set a time and place at which the
2673 appeal shall be heard. The board, while such appeal is pending, may
2674 request such additional information from the appellant and from the
2675 issuing authority as it deems reasonably necessary to conduct a fair
2676 and impartial hearing, and shall require of the issuing authority from
2677 whose decision or action the appeal is being sought a written
2678 statement [in writing] setting forth the reasons for such failure, refusal,
2679 revocation or limitation. [Failure] The failure, absent good cause
2680 shown, or refusal of the issuing authority to furnish such written
2681 statement, or to supply the appellant with an application, at least ten

2682 days prior to the hearing shall be cause for the board to grant the relief
2683 sought, forthwith and without further hearing. If the issuing authority
2684 shows good cause for its failure to furnish such written statement, the
2685 board shall continue the matter to the next scheduled meeting of the
2686 board, provided the issuing authority shall be allowed only one such
2687 continuance.

2688 Sec. 62. (*Effective from passage*) (a) The Commissioner of Emergency
2689 Services and Public Protection shall study the feasibility and cost of
2690 establishing and maintaining a system to electronically submit and
2691 access information required for the sale, delivery or transfer of a
2692 firearm. Such system shall permit the electronic submission to the
2693 Department of Emergency Services and Public Protection of
2694 information required for the sale, delivery or transfer of a firearm,
2695 including, but not limited to, the information required by sections 29-
2696 33 and 29-37a of the general statutes, as amended by this act. Such
2697 system shall permit electronic access to the state database established
2698 pursuant to section 29-36l of the general statutes, as amended by this
2699 act. Notwithstanding the provisions of subsections (d) and (f) of
2700 section 29-36l of the general statutes, the system shall permit a retail
2701 seller to directly initiate a background check on individuals purchasing
2702 firearms through the National Instant Criminal Background Check
2703 System (NICS).

2704 (b) The system may permit the electronic submission of other
2705 documents and forms related to firearms permitting including, but not
2706 limited to, an application for the renewal of a permit to carry a pistol
2707 or revolver pursuant to section 29-30 of the general statutes, an
2708 application for renewal of an eligibility certificate pursuant to section
2709 29-36h of the general statutes, an application for renewal of a long gun
2710 eligibility certificate pursuant to section 4 of this act, an application for
2711 a certificate of possession for an assault weapon pursuant to section 53-
2712 202d of the general statutes, as amended by this act, and an application
2713 to declare possession of a large capacity magazine pursuant to section
2714 24 of this act.

2715 (c) The commissioner shall submit a report to the General Assembly,
2716 in accordance with section 11-4a of the general statutes, on or before
2717 January 1, 2014, on the results of the study and shall include in such
2718 report recommendations for the development and implementation of
2719 such system.

2720 Sec. 63. (*Effective July 1, 2013*) The sum of one million dollars is
2721 appropriated to the Department of Emergency Services and Public
2722 Protection, from the General Fund, for the fiscal year ending June 30,
2723 2014, for the purpose of funding the activities of the state-wide
2724 firearms trafficking task force established in section 29-38e of the
2725 general statutes.

2726 Sec. 64. Subsection (a) of section 10-220a of the general statutes is
2727 repealed and the following is substituted in lieu thereof (*Effective from*
2728 *passage*):

2729 (a) Each local or regional board of education shall provide an in-
2730 service training program for its teachers, administrators and pupil
2731 personnel who hold the initial educator, provisional educator or
2732 professional educator certificate. Such program shall provide such
2733 teachers, administrators and pupil personnel with information on (1)
2734 the nature and the relationship of drugs, as defined in subdivision (17)
2735 of section 21a-240, and alcohol to health and personality development,
2736 and procedures for discouraging their abuse, (2) health and mental
2737 health risk reduction education which includes, but need not be
2738 limited to, the prevention of risk-taking behavior by children and the
2739 relationship of such behavior to substance abuse, pregnancy, sexually
2740 transmitted diseases, including HIV-infection and AIDS, as defined in
2741 section 19a-581, violence, teen dating violence, domestic violence, child
2742 abuse and youth suicide, (3) the growth and development of
2743 exceptional children, including handicapped and gifted and talented
2744 children and children who may require special education, including,
2745 but not limited to, children with attention-deficit hyperactivity
2746 disorder or learning disabilities, and methods for identifying, planning

2747 for and working effectively with special needs children in a regular
2748 classroom, including, but not limited to, implementation of student
2749 individualized education programs, (4) school violence prevention,
2750 conflict resolution, the prevention of and response to youth suicide
2751 and the identification and prevention of and response to bullying, as
2752 defined in subsection (a) of section 10-222d, except that those boards of
2753 education that implement any evidence-based model approach that is
2754 approved by the Department of Education and is consistent with
2755 subsection (d) of section 10-145a, [subsection (a) of section 10-220a,]
2756 sections 10-222d, 10-222g and 10-222h, subsection (g) of section 10-233c
2757 and sections 1 and 3 of public act 08-160, shall not be required to
2758 provide in-service training on the identification and prevention of and
2759 response to bullying, (5) cardiopulmonary resuscitation and other
2760 emergency life saving procedures, (6) computer and other information
2761 technology as applied to student learning and classroom instruction,
2762 communications and data management, (7) the teaching of the
2763 language arts, reading and reading readiness for teachers in grades
2764 kindergarten to three, inclusive, (8) second language acquisition in
2765 districts required to provide a program of bilingual education
2766 pursuant to section 10-17f, (9) the requirements and obligations of a
2767 mandated reporter. Each local and regional board of education may
2768 allow any paraprofessional or noncertified employee to participate, on
2769 a voluntary basis, in any in-service training program provided
2770 pursuant to this section, and (10) the teacher evaluation and support
2771 program developed pursuant to subsection (b) of section 10-151b. The
2772 State Board of Education, within available appropriations and utilizing
2773 available materials, shall assist and encourage local and regional
2774 boards of education to include: (A) Holocaust and genocide education
2775 and awareness; (B) the historical events surrounding the Great Famine
2776 in Ireland; (C) African-American history; (D) Puerto Rican history; (E)
2777 Native American history; (F) personal financial management; (G)
2778 domestic violence and teen dating violence; [and] (H) mental health
2779 first aid training; and (I) topics approved by the state board upon the
2780 request of local or regional boards of education as part of in-service

2781 training programs pursuant to this subsection.

2782 Sec. 65. (*Effective from passage*) (a) The Commissioner of Education
2783 shall consider whether to include mental health first aid training as a
2784 requirement for a candidate in a program of teacher preparation
2785 leading to professional certification pursuant to section 10-145a of the
2786 general statutes.

2787 (b) Not later than January 1, 2014, the Commissioner of Education
2788 shall report, in accordance with the provisions of section 11-4a of the
2789 general statutes, to the joint standing committees of the General
2790 Assembly having cognizance of matters relating to education, public
2791 health and appropriations concerning the commissioner's
2792 recommendation for inclusion of such training as a requirement for
2793 such program of teacher preparation.

2794 Sec. 66. (*Effective from passage*) (a) There is established a task force to
2795 study the provision of behavioral health services in the state with
2796 particular focus on the provision of behavioral health services for
2797 persons sixteen to twenty-five years of age, inclusive.

2798 (b) The task force shall analyze and make recommendations
2799 concerning: (1) Improving behavioral health screening, early
2800 intervention and treatment; (2) closing gaps in private insurance
2801 coverage; (3) improving behavioral health case management services;
2802 (4) addressing the insufficient number of certain behavioral health
2803 providers, including psychiatrists who specialize in treating children
2804 and those offering specialized services; (5) improving the delivery
2805 system for behavioral health services; (6) improving payment models
2806 for behavioral health services; (7) creating a central clearinghouse with
2807 information for members of the public concerning behavioral health
2808 services; (8) providing intensive, individualized behavioral health
2809 intervention services in schools for students who are exhibiting violent
2810 tendencies; (9) requiring the State Department of Education to provide
2811 technical assistance to school districts concerning behavioral

2812 intervention specialists in public and private schools and for preschool
2813 programs; (10) employing the use of assisted outpatient behavioral
2814 health services and involuntary outpatient commitment as treatment
2815 options; (11) conducting behavioral health screenings of public school
2816 children; (12) requiring disclosure of communications by mental health
2817 professionals concerning persons who present a clear and present
2818 danger to the health or safety of themselves or other persons; and (13)
2819 reducing the stigma of mental illness as it presents a barrier to a
2820 person's receipt of appropriate mental health services.

2821 (c) The task force shall consist of the following members:

2822 (1) The Healthcare Advocate;

2823 (2) The Child Advocate;

2824 (3) Two appointed by the president pro tempore of the Senate, one
2825 of whom shall be a child psychiatrist and the other a primary care
2826 provider;

2827 (4) Two appointed by the speaker of the House of Representatives,
2828 one of whom shall be a pediatrician whose practice is focused on
2829 treating adolescents and the other a representative of a school-based
2830 health center;

2831 (5) Two appointed by the majority leader of the Senate, one of
2832 whom shall be a judge of probate and the other a parent with a child
2833 who has utilized behavioral health services;

2834 (6) Two appointed by the majority leader of the House of
2835 Representatives, one of whom shall be a school psychologist and the
2836 other a representative of a community health center;

2837 (7) Two appointed by the minority leader of the Senate, one of
2838 whom shall be a representative of a health insurer and the other a
2839 representative of a hospital that offers behavioral health services; and

2840 (8) Two appointed by the minority leader of the House of
2841 Representatives, one of whom shall be a representative of an
2842 organization that offers behavioral health case management services
2843 and the other a consumer of behavioral health services or the
2844 representative of an organization that advocates for consumers of
2845 behavioral health services;

2846 (9) One appointed by the Governor, who shall be a representative of
2847 an institution of higher education; and

2848 (10) The Commissioners of Children and Families, Mental Health
2849 and Addiction Services, Public Health and Education, and the
2850 Insurance Commissioner or the commissioners' designees.

2851 (d) All appointments to the task force shall be made not later than
2852 thirty days after the effective date of this section. Any vacancy shall be
2853 filled by the appointing authority.

2854 (e) The president pro tempore of the Senate and the speaker of the
2855 House of Representatives shall each appoint one chairperson of the
2856 task force from among the members. Such chairpersons shall schedule
2857 the first meeting of the task force, which shall be held not later than
2858 sixty days after the effective date of this section. A majority of the
2859 voting task force members shall constitute a quorum. A majority vote
2860 of a quorum shall be required for any official action of the task force.
2861 Any tie vote shall be decided by the chairpersons. The task force shall
2862 meet not less than monthly until February 1, 2014, and at other times
2863 upon the call of the chairs or upon the request of a majority of the
2864 members.

2865 (f) The administrative staff of the joint standing committee of the
2866 General Assembly having cognizance of matters relating to public
2867 health shall serve as administrative staff of the task force.

2868 (g) Members of the task force shall serve without compensation,
2869 except for necessary expenses incurred in the performance of their

2870 duties.

2871 (h) The task force may seek funding from any state, federal or
2872 private source and may enter into contracts to carry out its duties.

2873 (i) Not later than February 1, 2014, the task force shall submit a
2874 report on its findings and recommendations to the Governor, the
2875 president pro tempore of the Senate, the speaker of the House of
2876 Representatives, the minority leader of the Senate, the minority leader
2877 of the House of Representatives, and the joint standing committees of
2878 the General Assembly having cognizance of matters relating to
2879 appropriations, public health, human services, education and
2880 insurance, in accordance with the provisions of section 11-4a of the
2881 general statutes. The task force shall provide additional information
2882 not contained in such report to said members of the General Assembly,
2883 upon their request. The task force shall terminate on July 1, 2014.

2884 Sec. 67. (NEW) (*Effective July 1, 2013*) The Commissioner of Mental
2885 Health and Addiction Services shall implement an assertive
2886 community treatment program to provide behavioral health support
2887 services in three cities of the state that, on June 30, 2013, do not have a
2888 program that offers such services. Such program shall use a person-
2889 centered, recovery-based approach to provide to persons, including
2890 those released from commitment, who have been diagnosed with a
2891 severe and persistent mental illness: (1) Assertive outreach; (2) mental
2892 health services; (3) vocational assistance; (4) education concerning
2893 family issues; (5) information to develop wellness skills; and (6) peer
2894 support services. Such services shall be provided by mobile, multi-
2895 disciplinary teams in community settings.

2896 Sec. 68. (NEW) (*Effective July 1, 2013*) The Commissioner of Mental
2897 Health and Addiction Services shall provide case management and
2898 case coordination services to not more than one hundred persons with
2899 mental illness who are involved in the Probate Court system and who,
2900 on June 30, 2013, are not receiving such services.

2901 Sec. 69. (NEW) (*Effective from passage*) (a) Not later than January 1,
2902 2014, the Commissioner of Children and Families shall establish and
2903 implement a regional behavioral health consultation and care
2904 coordination program for primary care providers who serve children.
2905 Such program shall provide to such primary care providers: (1) Timely
2906 access to a consultation team that includes a child psychiatrist, social
2907 worker and a care coordinator; (2) patient care coordination and
2908 transitional services for behavioral health care; and (3) training and
2909 education concerning patient access to behavioral health services. Said
2910 commissioner may enter into a contract for services to administer such
2911 program.

2912 (b) Not later than October 1, 2013, said commissioner shall submit a
2913 plan, in accordance with the provisions of section 11-4a of the general
2914 statutes, to the joint standing committees of the General Assembly
2915 having cognizance of matters relating to public health, children,
2916 human services and appropriations concerning the program to be
2917 established pursuant to subsection (a) of this section.

2918 (c) The Commissioner of Children and Families may adopt
2919 regulations, in accordance with the provisions of chapter 54 of the
2920 general statutes, to implement the provisions of this section.

2921 Sec. 70. Subdivision (7) of section 38a-591a of the general statutes is
2922 repealed and the following is substituted in lieu thereof (*Effective*
2923 *October 1, 2013*):

2924 (7) "Clinical peer" means a physician or other health care
2925 professional who (A) holds a nonrestricted license in a state of the
2926 United States and in the same or similar specialty as typically manages
2927 the medical condition, procedure or treatment under review, and (B)
2928 for a review specified under subparagraph (B) or (C) of subdivision
2929 (38) of section 38a-591a, as amended by this act, concerning (i) a child
2930 or adolescent substance use disorder or a child or adolescent mental
2931 disorder, holds a national board certification in child and adolescent

2932 psychiatry or child and adolescent psychology, and has training or
2933 clinical experience in the treatment of child and adolescent substance
2934 use disorder or child and adolescent mental disorder, as applicable, or
2935 (ii) an adult substance use disorder or an adult mental disorder, holds
2936 a national board certification in psychiatry or psychology, and has
2937 training or clinical experience in the treatment of adult substance use
2938 disorders or adult mental disorders, as applicable.

2939 Sec. 71. Subdivision (38) of section 38a-591a of the general statutes is
2940 repealed and the following is substituted in lieu thereof (*Effective*
2941 *October 1, 2013*):

2942 (38) "Urgent care request" means a request for a health care service
2943 or course of treatment (A) for which the time period for making a non-
2944 urgent care request determination [(A)] (i) could seriously jeopardize
2945 the life or health of the covered person or the ability of the covered
2946 person to regain maximum function, or [(B)] (ii) in the opinion of a
2947 health care professional with knowledge of the covered person's
2948 medical condition, would subject the covered person to severe pain
2949 that cannot be adequately managed without the health care service or
2950 treatment being requested, or (B) for a substance use disorder, as
2951 described in section 17a-458, or for a co-occurring mental disorder, or
2952 (C) for a mental disorder requiring (i) inpatient services, (ii) partial
2953 hospitalization, as defined in section 38a-496, (iii) residential treatment,
2954 or (iv) intensive outpatient services necessary to keep a covered person
2955 from requiring an inpatient setting.

2956 Sec. 72. Section 38a-591c of the general statutes is repealed and the
2957 following is substituted in lieu thereof (*Effective October 1, 2013*):

2958 (a) (1) Each health carrier shall contract with (A) health care
2959 professionals to administer such health carrier's utilization review
2960 program, [and oversee utilization review determinations,] and (B)
2961 [with] clinical peers to conduct utilization reviews and to evaluate the
2962 clinical appropriateness of an adverse determination.

2963 (2) Each utilization review program shall use documented clinical
2964 review criteria that are based on sound clinical evidence and are
2965 evaluated periodically by the health carrier's organizational
2966 mechanism specified in subparagraph (F) of subdivision (2) of
2967 subsection (c) of section 38a-591b to assure such program's ongoing
2968 effectiveness. A health carrier may develop its own clinical review
2969 criteria or it may purchase or license clinical review criteria from
2970 qualified vendors approved by the commissioner. Each health carrier
2971 shall make its clinical review criteria available upon request to
2972 authorized government agencies.

2973 (3) (A) Notwithstanding subdivision (2) of this subsection, for any
2974 utilization review for the treatment of a substance use disorder, as
2975 described in section 17a-458, the clinical review criteria used shall be:
2976 (i) The most recent edition of the American Society of Addiction
2977 Medicine's Patient Placement Criteria; or (ii) clinical review criteria
2978 that the health carrier demonstrates is consistent with the most recent
2979 edition of the American Society of Addiction Medicine's Patient
2980 Placement Criteria, in accordance with subparagraph (B) of this
2981 subdivision.

2982 (B) A health carrier that uses clinical review criteria as set forth in
2983 subparagraph (A)(ii) of this subdivision shall create and maintain a
2984 document in an easily accessible location on such health carrier's
2985 Internet web site that (i) compares each aspect of such clinical review
2986 criteria with the American Society of Addiction Medicine's Patient
2987 Placement Criteria, and (ii) provides citations to peer-reviewed
2988 medical literature generally recognized by the relevant medical
2989 community or to professional society guidelines that justify each
2990 deviation from the American Society of Addiction Medicine's Patient
2991 Placement Criteria.

2992 (4) (A) Notwithstanding subdivision (2) of this subsection, for any
2993 utilization review for the treatment of a child or adolescent mental
2994 disorder, the clinical review criteria used shall be: (i) The most recent

2995 guidelines of the American Academy of Child and Adolescent
2996 Psychiatry's Child and Adolescent Service Intensity Instrument; or (ii)
2997 clinical review criteria that the health carrier demonstrates is consistent
2998 with the most recent guidelines of the American Academy of Child
2999 and Adolescent Psychiatry's Child and Adolescent Service Intensity
3000 Instrument, in accordance with subparagraph (B) of this subdivision.

3001 (B) A health carrier that uses clinical review criteria as set forth in
3002 subparagraph (A)(ii) of this subdivision for children and adolescents
3003 shall create and maintain a document in an easily accessible location
3004 on such health carrier's Internet web site that (i) compares each aspect
3005 of such clinical review criteria with the guidelines of the American
3006 Academy of Child and Adolescent Psychiatry's Child and Adolescent
3007 Service Intensity Instrument, and (ii) provides citations to peer-
3008 reviewed medical literature generally recognized by the relevant
3009 medical community or to professional society guidelines that justify
3010 each deviation from the guidelines of the American Academy of Child
3011 and Adolescent Psychiatry's Child and Adolescent Service Intensity
3012 Instrument.

3013 (5) (A) Notwithstanding subdivision (2) of this subsection, for any
3014 utilization review for the treatment of an adult mental disorder, the
3015 clinical review criteria used shall be: (i) The most recent guidelines of
3016 the American Psychiatric Association or the most recent Standards and
3017 Guidelines of the Association for Ambulatory Behavioral Healthcare;
3018 or (ii) clinical review criteria that the health carrier demonstrates is
3019 consistent with the most recent guidelines of the American Psychiatric
3020 Association or the most recent Standards and Guidelines of the
3021 Association for Ambulatory Behavioral Healthcare, in accordance with
3022 subparagraph (B) of this subdivision.

3023 (B) A health carrier that uses clinical review criteria as set forth in
3024 subparagraph (A)(ii) of this subdivision for adults shall create and
3025 maintain a document in an easily accessible location on such health
3026 carrier's Internet web site that (i) compares each aspect of such clinical

3027 review criteria with the guidelines of the American Psychiatric
3028 Association or the most recent Standards and Guidelines of the
3029 Association for Ambulatory Behavioral Healthcare, and (ii) provides
3030 citations to peer-reviewed medical literature generally recognized by
3031 the relevant medical community or to professional society guidelines
3032 that justify each deviation from the guidelines of the American
3033 Psychiatric Association or the most recent Standards and Guidelines of
3034 the Association for Ambulatory Behavioral Healthcare.

3035 (b) Each health carrier shall:

3036 (1) Have procedures in place to ensure that (A) the health care
3037 professionals administering such health carrier's utilization review
3038 program are applying the clinical review criteria consistently in
3039 utilization review determinations, and (B) the appropriate or required
3040 clinical peers are being designated to conduct utilization reviews;

3041 (2) Have data systems sufficient to support utilization review
3042 program activities and to generate management reports to enable the
3043 health carrier to monitor and manage health care services effectively;

3044 (3) Provide covered persons and participating providers with access
3045 to its utilization review staff through a toll-free telephone number or
3046 any other free calling option or by electronic means;

3047 (4) Coordinate the utilization review program with other medical
3048 management activity conducted by the health carrier, such as quality
3049 assurance, credentialing, contracting with health care professionals,
3050 data reporting, grievance procedures, processes for assessing member
3051 satisfaction and risk management; and

3052 (5) Routinely assess the effectiveness and efficiency of its utilization
3053 review program.

3054 (c) If a health carrier delegates any utilization review activities to a
3055 utilization review company, the health carrier shall maintain adequate

3056 oversight, which shall include (1) a written description of the
3057 utilization review company's activities and responsibilities, including
3058 such company's reporting requirements, (2) evidence of the health
3059 carrier's formal approval of the utilization review company program,
3060 and (3) a process by which the health carrier shall evaluate the
3061 utilization review company's performance.

3062 (d) When conducting utilization review, the health carrier shall (1)
3063 collect only the information necessary, including pertinent clinical
3064 information, to make the utilization review or benefit determination,
3065 and (2) ensure that such review is conducted in a manner to ensure the
3066 independence and impartiality of the [individual or individuals]
3067 clinical peer or peers involved in making the utilization review or
3068 benefit determination. No health carrier shall make decisions
3069 regarding the hiring, compensation, termination, promotion or other
3070 similar matters of such [individual or individuals] clinical peer or
3071 peers based on the likelihood that the [individual or individuals]
3072 clinical peer or peers will support the denial of benefits.

3073 Sec. 73. Section 38a-591d of the general statutes is repealed and the
3074 following is substituted in lieu thereof (*Effective October 1, 2013*):

3075 (a) (1) Each health carrier shall maintain written procedures for (A)
3076 utilization review and benefit determinations, (B) expedited utilization
3077 review and benefit determinations with respect to prospective urgent
3078 care requests and concurrent review urgent care requests, and (C)
3079 notifying covered persons or covered persons' authorized
3080 representatives of such review and benefit determinations. Each health
3081 carrier shall make such review and benefit determinations within the
3082 specified time periods under this section.

3083 (2) In determining whether a benefit request shall be considered an
3084 urgent care request, an individual acting on behalf of a health carrier
3085 shall apply the judgment of a prudent layperson who possesses an
3086 average knowledge of health and medicine, except that any benefit

3087 request (A) determined to be an urgent care request by a health care
3088 professional with knowledge of the covered person's medical
3089 condition, or (B) specified under subparagraph (B) or (C) of
3090 subdivision (38) of section 38a-591a, as amended by this act, shall be
3091 deemed an urgent care request.

3092 (3) After a covered person, a covered person's authorized
3093 representative or a covered person's health care professional is notified
3094 of an initial adverse determination that was based, in whole or in part,
3095 on medical necessity, of a concurrent or prospective utilization review
3096 or of a benefit request, a health carrier may offer a covered person's
3097 health care professional the opportunity to confer with a clinical peer
3098 of such health carrier, provided such covered person, covered person's
3099 authorized representative or covered person's health care professional
3100 has not filed a grievance of such initial adverse determination prior to
3101 such conference. Such conference shall not be considered a grievance
3102 of such initial adverse determination.

3103 (b) With respect to a nonurgent care request:

3104 (1) (A) For a prospective or concurrent review request, a health
3105 carrier shall make a determination within a reasonable period of time
3106 appropriate to the covered person's medical condition, but not later
3107 than fifteen calendar days after the date the health carrier receives such
3108 request, and shall notify the covered person and, if applicable, the
3109 covered person's authorized representative of such determination,
3110 whether or not the carrier certifies the provision of the benefit.

3111 (B) If the review under subparagraph (A) of this subdivision is a
3112 review of a grievance involving a concurrent review request, pursuant
3113 to 45 CFR 147.136, as amended from time to time, the treatment shall
3114 be continued without liability to the covered person until the covered
3115 person has been notified of the review decision.

3116 (2) For a retrospective review request, a health carrier shall make a
3117 determination within a reasonable period of time, but not later than

3118 thirty calendar days after the date the health carrier receives such
3119 request.

3120 (3) The time periods specified in subdivisions (1) and (2) of this
3121 subsection may be extended once by the health carrier for up to fifteen
3122 calendar days, provided the health carrier:

3123 (A) Determines that an extension is necessary due to circumstances
3124 beyond the health carrier's control; and

3125 (B) Notifies the covered person and, if applicable, the covered
3126 person's authorized representative prior to the expiration of the initial
3127 time period, of the circumstances requiring the extension of time and
3128 the date by which the health carrier expects to make a determination.

3129 (4) (A) If the extension pursuant to subdivision (3) of this subsection
3130 is necessary due to the failure of the covered person or the covered
3131 person's authorized representative to provide information necessary to
3132 make a determination on the request, the health carrier shall:

3133 (i) Specifically describe in the notice of extension the required
3134 information necessary to complete the request; and

3135 (ii) Provide the covered person and, if applicable, the covered
3136 person's authorized representative with not less than forty-five
3137 calendar days after the date of receipt of the notice to provide the
3138 specified information.

3139 (B) If the covered person or the covered person's authorized
3140 representative fails to submit the specified information before the end
3141 of the period of the extension, the health carrier may deny certification
3142 of the benefit requested.

3143 (c) With respect to an urgent care request:

3144 (1) (A) Unless the covered person or the covered person's
3145 authorized representative has failed to provide information necessary

3146 for the health carrier to make a determination and except as specified
3147 under subparagraph (B) of this subdivision, the health carrier shall
3148 make a determination as soon as possible, taking into account the
3149 covered person's medical condition, but not later than seventy-two
3150 hours after the health carrier receives such request, provided, if the
3151 urgent care request is a concurrent review request to extend a course of
3152 treatment beyond the initial period of time or the number of
3153 treatments, such request is made at least twenty-four hours prior to the
3154 expiration of the prescribed period of time or number of treatments. [;]

3155 (B) Unless the covered person or the covered person's authorized
3156 representative has failed to provide information necessary for the
3157 health carrier to make a determination, for an urgent care request
3158 specified under subparagraph (B) or (C) of subdivision (38) of section
3159 38a-591a, as amended by this act, the health carrier shall make a
3160 determination as soon as possible, taking into account the covered
3161 person's medical condition, but not later than twenty-four hours after
3162 the health carrier receives such request, provided, if the urgent care
3163 request is a concurrent review request to extend a course of treatment
3164 beyond the initial period of time or the number of treatments, such
3165 request is made at least twenty-four hours prior to the expiration of the
3166 prescribed period of time or number of treatments.

3167 (2) (A) If the covered person or the covered person's authorized
3168 representative has failed to provide information necessary for the
3169 health carrier to make a determination, the health carrier shall notify
3170 the covered person or the covered person's representative, as
3171 applicable, as soon as possible, but not later than twenty-four hours
3172 after the health carrier receives such request.

3173 (B) The health carrier shall provide the covered person or the
3174 covered person's authorized representative, as applicable, a reasonable
3175 period of time to submit the specified information, taking into account
3176 the covered person's medical condition, but not less than forty-eight
3177 hours after notifying the covered person or the covered person's

3178 authorized representative, as applicable.

3179 (3) The health carrier shall notify the covered person and, if
3180 applicable, the covered person's authorized representative of its
3181 determination as soon as possible, but not later than forty-eight hours
3182 after the earlier of (A) the date on which the covered person and the
3183 covered person's authorized representative, as applicable, provides the
3184 specified information to the health carrier, or (B) the date on which the
3185 specified information was to have been submitted.

3186 (d) (1) Whenever a health carrier receives a review request from a
3187 covered person or a covered person's authorized representative that
3188 fails to meet the health carrier's filing procedures, the health carrier
3189 shall notify the covered person and, if applicable, the covered person's
3190 authorized representative of such failure not later than five calendar
3191 days after the health carrier receives such request, except that for an
3192 urgent care request, the health carrier shall notify the covered person
3193 and, if applicable, the covered person's authorized representative of
3194 such failure not later than twenty-four hours after the health carrier
3195 receives such request.

3196 (2) If the health carrier provides such notice orally, the health carrier
3197 shall provide confirmation in writing to the covered person and the
3198 covered person's health care professional of record not later than five
3199 calendar days after providing the oral notice.

3200 (e) Each health carrier shall provide promptly to a covered person
3201 and, if applicable, the covered person's authorized representative a
3202 notice of an adverse determination.

3203 (1) Such notice may be provided in writing or by electronic means
3204 and shall set forth, in a manner calculated to be understood by the
3205 covered person or the covered person's authorized representative:

3206 (A) Information sufficient to identify the benefit request or claim
3207 involved, including the date of service, if applicable, the health care

3208 professional and the claim amount;

3209 (B) The specific reason or reasons for the adverse determination,
3210 including, upon request, a listing of the relevant clinical review
3211 criteria, including professional criteria and medical or scientific
3212 evidence and a description of the health carrier's standard, if any, that
3213 [was] were used in reaching the denial;

3214 (C) Reference to the specific health benefit plan provisions on which
3215 the determination is based;

3216 (D) A description of any additional material or information
3217 necessary for the covered person to perfect the benefit request or claim,
3218 including an explanation of why the material or information is
3219 necessary to perfect the request or claim;

3220 (E) A description of the health carrier's internal grievance process
3221 that includes (i) the health carrier's expedited review procedures, (ii)
3222 any time limits applicable to such process or procedures, (iii) the
3223 contact information for the organizational unit designated to
3224 coordinate the review on behalf of the health carrier, and (iv) a
3225 statement that the covered person or, if applicable, the covered
3226 person's authorized representative is entitled, pursuant to the
3227 requirements of the health carrier's internal grievance process, to [(I)
3228 submit written comments, documents, records and other material
3229 relating to the covered person's benefit request for consideration by the
3230 individual or individuals conducting the review, and (II)] receive from
3231 the health carrier, free of charge upon request, reasonable access to and
3232 copies of all documents, records, communications and other
3233 information and evidence regarding the covered person's benefit
3234 request;

3235 (F) If the adverse determination is based on a health carrier's
3236 internal rule, guideline, protocol or other similar criterion, (i) the
3237 specific rule, guideline, protocol or other similar criterion, or (ii) (I) a
3238 statement that a specific rule, guideline, protocol or other similar

3239 criterion of the health carrier was relied upon to make the adverse
3240 determination and that a copy of such rule, guideline, protocol or other
3241 similar criterion will be provided to the covered person free of charge
3242 upon request, [and] (II) instructions for requesting such copy, and (III)
3243 the links to such rule, guideline, protocol or other similar criterion on
3244 such health carrier's Internet web site. If the adverse determination
3245 involves the treatment of a substance use disorder, as described in
3246 section 17a-458, or a mental disorder, the notice of adverse
3247 determination shall also include, if applicable, a link to the document
3248 created and maintained by such health carrier pursuant to subdivision
3249 (3), (4) or (5) of subsection (a) of section 38a-591c, as amended by this
3250 act, as applicable, on such health carrier's Internet web site;

3251 (G) If the adverse determination is based on medical necessity or an
3252 experimental or investigational treatment or similar exclusion or limit,
3253 the written statement of the scientific or clinical rationale for the
3254 adverse determination and (i) an explanation of the scientific or clinical
3255 rationale used to make the determination that applies the terms of the
3256 health benefit plan to the covered person's medical circumstances or
3257 (ii) a statement that an explanation will be provided to the covered
3258 person free of charge upon request, and instructions for requesting a
3259 copy of such explanation; [and]

3260 (H) A statement explaining the right of the covered person to
3261 contact the commissioner's office or the Office of the Healthcare
3262 Advocate at any time for assistance or, upon completion of the health
3263 carrier's internal grievance process, to file a civil suit in a court of
3264 competent jurisdiction. Such statement shall include the contact
3265 information for said offices; [.] and

3266 (I) A statement that if the covered person or the covered person's
3267 authorized representative chooses to file a grievance of an adverse
3268 determination, (i) such appeals are sometimes successful, (ii) such
3269 covered person or covered person's authorized representative may
3270 benefit from free assistance from the Office of the Healthcare

3271 Advocate, which can assist such covered person or covered person's
3272 authorized representative with the filing of a grievance pursuant to 42
3273 USC 300gg-93, as amended from time to time, or from the Division of
3274 Consumer Affairs within the Insurance Department, (iii) such covered
3275 person or covered person's authorized representative is entitled and
3276 encouraged to submit supporting documentation for the health
3277 carrier's consideration during the review of an adverse determination,
3278 including narratives from such covered person or covered person's
3279 authorized representative and letters and treatment notes from such
3280 covered person's health care professional, and (iv) such covered person
3281 or covered person's authorized representative has the right to ask such
3282 covered person's health care professional for such letters or treatment
3283 notes.

3284 (2) Upon request pursuant to subparagraph (E) of subdivision (1) of
3285 this subsection, the health carrier shall provide such copies in
3286 accordance with subsection (a) of section 38a-591n.

3287 (f) If the adverse determination is a rescission, the health carrier
3288 shall include with the advance notice of the application for rescission
3289 required to be sent to the covered person, a written statement that
3290 includes:

3291 (1) Clear identification of the alleged fraudulent act, practice or
3292 omission or the intentional misrepresentation of material fact;

3293 (2) An explanation as to why the act, practice or omission was
3294 fraudulent or was an intentional misrepresentation of a material fact;

3295 (3) A disclosure that the covered person or the covered person's
3296 authorized representative may file immediately, without waiting for
3297 the date such advance notice of the proposed rescission ends, a
3298 grievance with the health carrier to request a review of the adverse
3299 determination to rescind coverage, pursuant to sections 38a-591e and
3300 38a-591f, as amended by this act;

3301 (4) A description of the health carrier's grievance procedures
3302 established under sections 38a-591e and 38a-591f, as amended by this
3303 act, including any time limits applicable to those procedures; and

3304 (5) The date such advance notice of the proposed rescission ends
3305 and the date back to which the coverage will be retroactively
3306 rescinded.

3307 (g) (1) Whenever a health carrier fails to strictly adhere to the
3308 requirements of this section with respect to making utilization review
3309 and benefit determinations of a benefit request or claim, the covered
3310 person shall be deemed to have exhausted the internal grievance
3311 process of such health carrier and may file a request for an external
3312 review in accordance with the provisions of section 38a-591g, as
3313 amended by this act, regardless of whether the health carrier asserts it
3314 substantially complied with the requirements of this section or that
3315 any error it committed was de minimis.

3316 (2) A covered person who has exhausted the internal grievance
3317 process of a health carrier may, in addition to filing a request for an
3318 external review, pursue any available remedies under state or federal
3319 law on the basis that the health carrier failed to provide a reasonable
3320 internal grievance process that would yield a decision on the merits of
3321 the claim.

3322 Sec. 74. Section 38a-591e of the general statutes is repealed and the
3323 following is substituted in lieu thereof (*Effective October 1, 2013*):

3324 (a) (1) Each health carrier shall establish and maintain written
3325 procedures for (A) the review of grievances of adverse determinations
3326 that were based, in whole or in part, on medical necessity, (B) the
3327 expedited review of grievances of adverse determinations of urgent
3328 care requests, including concurrent review urgent care requests
3329 involving an admission, availability of care, continued stay or health
3330 care service for a covered person who has received emergency services
3331 but has not been discharged from a facility, and (C) notifying covered

3332 persons or covered persons' authorized representatives of such
3333 adverse determinations.

3334 (2) Each health carrier shall file with the commissioner a copy of
3335 such procedures, including all forms used to process requests, and any
3336 subsequent material modifications to such procedures.

3337 (3) In addition to a copy of such procedures, each health carrier shall
3338 file annually with the commissioner, as part of its annual report
3339 required under subsection (e) of section 38a-591b, a certificate of
3340 compliance stating that the health carrier has established and
3341 maintains grievance procedures for each of its health benefit plans that
3342 are fully compliant with the provisions of sections 38a-591a to 38a-
3343 591n, inclusive, as amended by this act.

3344 (b) (1) A covered person or a covered person's authorized
3345 representative may file a grievance of an adverse determination that
3346 was based, in whole or in part, on medical necessity with the health
3347 carrier not later than one hundred eighty calendar days after the
3348 covered person or the covered person's authorized representative, as
3349 applicable, receives the notice of an adverse determination.

3350 (2) For prospective or concurrent urgent care requests, a covered
3351 person or a covered person's authorized representative may make a
3352 request for an expedited review orally or in writing.

3353 (c) (1) (A) When conducting a review of an adverse determination
3354 under this section, the health carrier shall ensure that such review is
3355 conducted in a manner to ensure the independence and impartiality of
3356 the [individual or individuals] clinical peer or peers involved in
3357 making the review decision.

3358 (B) If the adverse determination involves utilization review, the
3359 health carrier shall designate an appropriate clinical peer or peers to
3360 review such adverse determination. Such clinical peer or peers shall
3361 not have been involved in the initial adverse determination.

3362 (C) The [individual or individuals] clinical peer or peers conducting
3363 a review under this section shall take into consideration all comments,
3364 documents, records and other information relevant to the covered
3365 person's benefit request that is the subject of the adverse determination
3366 under review, that are submitted by the covered person or the covered
3367 person's authorized representative, regardless of whether such
3368 information was submitted or considered in making the initial adverse
3369 determination.

3370 (D) Prior to issuing a decision, the health carrier shall provide free
3371 of charge, by facsimile, electronic means or any other expeditious
3372 method available, to the covered person or the covered person's
3373 authorized representative, as applicable, any new or additional
3374 documents, communications, information and evidence relied upon
3375 and any new or additional scientific or clinical rationale used by the
3376 health carrier in connection with the grievance. Such documents,
3377 communications, information, evidence and rationale shall be
3378 provided sufficiently in advance of the date the health carrier is
3379 required to issue a decision to permit the covered person or the
3380 covered person's authorized representative, as applicable, a reasonable
3381 opportunity to respond prior to such date.

3382 (2) If the review under subdivision (1) of this subsection is an
3383 expedited review, all necessary information, including the health
3384 carrier's decision, shall be transmitted between the health carrier and
3385 the covered person or the covered person's authorized representative,
3386 as applicable, by telephone, facsimile, electronic means or any other
3387 expeditious method available.

3388 (3) If the review under subdivision (1) of this subsection is an
3389 expedited review of a grievance involving an adverse determination of
3390 a concurrent review [urgent care] request, pursuant to 45 CFR 147.136,
3391 as amended from time to time, the treatment shall be continued
3392 without liability to the covered person until the covered person has
3393 been notified of the review decision.

3394 (d) (1) The health carrier shall notify the covered person and, if
3395 applicable, the covered person's authorized representative, in writing
3396 or by electronic means, of its decision within a reasonable period of
3397 time appropriate to the covered person's medical condition, but not
3398 later than:

3399 (A) For prospective review and concurrent review requests, thirty
3400 calendar days after the health carrier receives the grievance;

3401 (B) For retrospective review requests, sixty calendar days after the
3402 health carrier receives the grievance; [and]

3403 (C) For expedited review requests, except as specified under
3404 subparagraph (D) of this subdivision, seventy-two hours after the
3405 health carrier receives the grievance; and

3406 (D) For expedited review requests of a health care service or course
3407 of treatment specified under subparagraph (B) or (C) of subdivision
3408 (38) of section 38a-591a, as amended by this act, twenty-four hours
3409 after the health carrier receives the grievance.

3410 (2) The time periods set forth in subdivision (1) of this subsection
3411 shall apply regardless of whether all of the information necessary to
3412 make a decision accompanies the filing.

3413 (e) (1) The notice required under subsection (d) of this section shall
3414 set forth, in a manner calculated to be understood by the covered
3415 person or the covered person's authorized representative:

3416 (A) The titles and qualifying credentials of the [individual or
3417 individuals] clinical peer or peers participating in the review process;

3418 (B) Information sufficient to identify the claim involved with respect
3419 to the grievance, including the date of service, if applicable, the health
3420 care professional and the claim amount;

3421 (C) A statement of such [individual's or individuals'] clinical peer's

3422 or peers' understanding of the covered person's grievance;

3423 (D) The [individual's or individuals'] clinical peer's or peers'
3424 decision in clear terms and the health benefit plan contract basis or
3425 scientific or clinical rationale for such decision in sufficient detail for
3426 the covered person to respond further to the health carrier's position;

3427 (E) Reference to the evidence or documentation used as the basis for
3428 the decision;

3429 (F) For a decision that upholds the adverse determination:

3430 (i) The specific reason or reasons for the final adverse
3431 determination, including the denial code and its corresponding
3432 meaning, as well as a description of the health carrier's standard, if
3433 any, that was used in reaching the denial;

3434 (ii) Reference to the specific health benefit plan provisions on which
3435 the decision is based;

3436 (iii) A statement that the covered person may receive from the
3437 health carrier, free of charge and upon request, reasonable access to
3438 and copies of, all documents, records, communications and other
3439 information and evidence not previously provided regarding the
3440 adverse determination under review;

3441 (iv) If the final adverse determination is based on a health carrier's
3442 internal rule, guideline, protocol or other similar criterion, (I) the
3443 specific rule, guideline, protocol or other similar criterion, or (II) a
3444 statement that a specific rule, guideline, protocol or other similar
3445 criterion of the health carrier was relied upon to make the final adverse
3446 determination and that a copy of such rule, guideline, protocol or other
3447 similar criterion will be provided to the covered person free of charge
3448 upon request and instructions for requesting such copy;

3449 (v) If the final adverse determination is based on medical necessity
3450 or an experimental or investigational treatment or similar exclusion or

3451 limit, the written statement of the scientific or clinical rationale for the
3452 final adverse determination and (I) an explanation of the scientific or
3453 clinical rationale used to make the determination that applies the terms
3454 of the health benefit plan to the covered person's medical
3455 circumstances, or (II) a statement that an explanation will be provided
3456 to the covered person free of charge upon request and instructions for
3457 requesting a copy of such explanation;

3458 (vi) A statement describing the procedures for obtaining an external
3459 review of the final adverse determination;

3460 (G) If applicable, the following statement: "You and your plan may
3461 have other voluntary alternative dispute resolution options such as
3462 mediation. One way to find out what may be available is to contact
3463 your state Insurance Commissioner."; and

3464 (H) A statement disclosing the covered person's right to contact the
3465 commissioner's office or the Office of the Healthcare Advocate at any
3466 time. Such disclosure shall include the contact information for said
3467 offices.

3468 (2) Upon request pursuant to subparagraph (F)(iii) of subdivision (1)
3469 of this subsection, the health carrier shall provide such copies in
3470 accordance with subsection (b) of section 38a-591n.

3471 (f) (1) Whenever a health carrier fails to strictly adhere to the
3472 requirements of this section with respect to receiving and resolving
3473 grievances involving an adverse determination, the covered person
3474 shall be deemed to have exhausted the internal grievance process of
3475 such health carrier and may file a request for an external review,
3476 regardless of whether the health carrier asserts that it substantially
3477 complied with the requirements of this section, or that any error it
3478 committed was de minimis.

3479 (2) A covered person who has exhausted the internal grievance
3480 process of a health carrier may, in addition to filing a request for an

3481 external review, pursue any available remedies under state or federal
3482 law on the basis that the health carrier failed to provide a reasonable
3483 internal grievance process that would yield a decision on the merits of
3484 the claim.

3485 Sec. 75. Subsection (d) of section 38a-591f of the general statutes is
3486 repealed and the following is substituted in lieu thereof (*Effective*
3487 *October 1, 2013*):

3488 (d) (1) The written decision issued pursuant to subsection (c) of this
3489 section shall contain:

3490 (A) The titles and qualifying credentials of the individual or
3491 individuals participating in the review process;

3492 (B) A statement of such individual's or individuals' understanding
3493 of the covered person's grievance;

3494 (C) The individual's or individuals' decision in clear terms and the
3495 health benefit plan contract basis for such decision in sufficient detail
3496 for the covered person to respond further to the health carrier's
3497 position;

3498 (D) Reference to the documents, communications, information and
3499 evidence used as the basis for the decision; and

3500 (E) For a decision that upholds the adverse determination, a
3501 statement (i) that the covered person may receive from the health
3502 carrier, free of charge and upon request, reasonable access to and
3503 copies of, all documents, communications, information and evidence
3504 regarding the adverse determination that is the subject of the final
3505 adverse determination, and (ii) disclosing the covered person's right to
3506 contact the commissioner's office or the Office of the Healthcare
3507 Advocate at any time, and that such covered person may benefit from
3508 free assistance from the Office of the Healthcare Advocate, which can
3509 assist such covered person with the filing of a grievance pursuant to 42

3510 USC 300gg-93, as amended from time to time, or from the Division of
3511 Consumer Affairs within the Insurance Department. Such disclosure
3512 shall include the contact information for said offices.

3513 (2) Upon request pursuant to subparagraph (E) of subdivision (1) of
3514 this subsection, the health carrier shall provide such copies in
3515 accordance with subsection (b) of section 38a-591n.

3516 Sec. 76. Subdivision (1) of subsection (i) of section 38a-591g of the
3517 general statutes is repealed and the following is substituted in lieu
3518 thereof (*Effective October 1, 2013*):

3519 (i) (1) The independent review organization shall notify the
3520 commissioner, the health carrier, the covered person and, if applicable,
3521 the covered person's authorized representative in writing of its
3522 decision to uphold, reverse or revise the adverse determination or the
3523 final adverse determination, not later than:

3524 (A) For external reviews, forty-five calendar days after such
3525 organization receives the assignment from the commissioner to
3526 conduct such review;

3527 (B) For external reviews involving a determination that the
3528 recommended or requested health care service or treatment is
3529 experimental or investigational, twenty calendar days after such
3530 organization receives the assignment from the commissioner to
3531 conduct such review;

3532 (C) For expedited external reviews, except as specified under
3533 subparagraph (D) of this subdivision, as expeditiously as the covered
3534 person's medical condition requires, but not later than seventy-two
3535 hours after such organization receives the assignment from the
3536 commissioner to conduct such review; [and]

3537 (D) For expedited external reviews involving a health care service or
3538 course of treatment specified under subparagraph (B) or (C) of

3539 subdivision (38) of section 38a-591a, as amended by this act, as
3540 expeditiously as the covered person's medical condition requires, but
3541 not later than twenty-four hours after such organization receives the
3542 assignment from the commissioner to conduct such review; and

3543 [(D)] (E) For expedited external reviews involving a determination
3544 that the recommended or requested health care service or treatment is
3545 experimental or investigational, as expeditiously as the covered
3546 person's medical condition requires, but not later than five calendar
3547 days after such organization receives the assignment from the
3548 commissioner to conduct such review.

3549 Sec. 77. Section 38a-1046 of the general statutes is repealed and the
3550 following is substituted in lieu thereof (*Effective October 1, 2013*):

3551 Each employer [, other than a self-insured employer,] that provides
3552 health insurance or health care benefits to employees shall obtain from
3553 the Healthcare Advocate and post, in a conspicuous location, a notice
3554 concerning the services that the Healthcare Advocate provides.

3555 Sec. 78. Section 38a-478l of the general statutes is amended by
3556 adding subsection (e) as follows (*Effective October 1, 2013*):

3557 (NEW) (e) The commissioner shall analyze annually the data
3558 submitted under subparagraphs (E) and (F) of subdivision (1) of
3559 subsection (b) of this section for the accuracy of, trends in and
3560 statistically significant differences in such data among the health care
3561 centers and licensed health insurers included in the consumer report
3562 card. The commissioner may investigate any such differences to
3563 determine whether further action by the commissioner is warranted.

3564 Sec. 79. (*Effective from passage*) (a) Not later than September 15, 2013,
3565 the Insurance Commissioner shall seek input from stakeholders,
3566 including, but not limited to, the Healthcare Advocate, health
3567 insurance companies, health care professionals and behavioral health
3568 advocacy groups on methods the Insurance Department might use to

3569 check for compliance with state and federal mental health parity laws
3570 by health insurance companies and other entities under its jurisdiction.
3571 The department shall also post notice of such request for input on its
3572 Internet web site and provide for a written public comment period of
3573 thirty days following the posting of such notice. The department shall
3574 include in such posting the date the public comment period closes and
3575 instructions on how to submit comments to the department.

3576 (b) (1) Not later than January 1, 2014, the commissioner shall issue a
3577 report, in accordance with the provisions of section 11-4a of the general
3578 statutes, to the joint standing committees of the General Assembly
3579 having cognizance of matters relating to insurance and public health
3580 and provide an educational presentation to said committees. Such
3581 report and presentation shall (A) cover the methodology the
3582 department is using to check for compliance with the interim
3583 regulations or guidance or the final regulations or guidance, whichever
3584 is in effect, published by the United States Department of Health and
3585 Human Services relating to the compliance and oversight requirements
3586 of the Paul Wellstone and Pete Domenici Mental Health Parity and
3587 Addiction Equity Act of 2008, (B) cover the methodology the
3588 department is using to check for compliance with mental health parity
3589 under state law, and (C) detail the department's regulatory and
3590 educational approaches relating to the financing of mental health
3591 services in this state. The report shall describe and address any public
3592 comments received pursuant to subsection (a) of this section.

3593 (2) Not later than February 1, 2014, the joint standing committees of
3594 the General Assembly having cognizance of matters relating to
3595 insurance and public health shall hold a joint public hearing on the
3596 report.

3597 Sec. 80. (NEW) (*Effective from passage*) (a) There is established a
3598 School Safety Infrastructure Council. The council shall consist of: (1)
3599 The Commissioner of Construction Services, or the commissioner's
3600 designee; (2) the Commissioner of Emergency Services and Public

3601 Protection, or the commissioner's designee; (3) the Commissioner of
3602 Education, or the commissioner's designee; (4) one appointed by the
3603 president pro tempore of the Senate, who shall be a person with
3604 expertise in building security, preferably school building security; (5)
3605 one appointed by the speaker of the House of Representatives, who
3606 shall be a licensed professional engineer who is a structural engineer;
3607 (6) one appointed by the majority leader of the Senate, who shall be a
3608 public school administrator certified by the State Board of Education;
3609 (7) one appointed by the majority leader of the House of
3610 Representatives, who shall be a firefighter, emergency medical
3611 technician or a paramedic; (8) one appointed by the minority leader of
3612 the Senate, who shall be a school resource officer; and (9) one
3613 appointed by the minority leader of the House of Representatives, who
3614 shall be a public school teacher certified by the State Board of
3615 Education. The Commissioner of Construction Services shall serve as
3616 the chairperson of the council. The administrative staff of the
3617 Department of Construction Services shall serve as staff for the council
3618 and assist with all ministerial duties.

3619 (b) The School Safety Infrastructure Council shall develop school
3620 safety infrastructure standards for school building projects under
3621 chapter 173 of the general statutes and projects receiving
3622 reimbursement as part of the school security infrastructure competitive
3623 grant program, pursuant to section 84 of this act. Such school safety
3624 infrastructure standards shall conform to industry standards for school
3625 building safety infrastructure and shall include, but not be limited to,
3626 standards regarding (1) entryways to school buildings and classrooms,
3627 such as, reinforcement of entryways, ballistic glass, solid core doors,
3628 double door access, computer-controlled electronic locks, remote locks
3629 on all entrance and exits and buzzer systems, (2) the use of cameras
3630 throughout the school building and at all entrances and exits,
3631 including the use of closed-circuit television monitoring, (3)
3632 penetration resistant vestibules, and (4) other security infrastructure
3633 improvements and devices as they become industry standards. The

3634 council shall meet at least annually to review and update, if necessary,
3635 the school safety infrastructure standards and make such standards
3636 available to local and regional boards of education.

3637 (c) Not later than January 1, 2014, and annually thereafter, the
3638 School Safety Infrastructure Council shall submit the school safety
3639 infrastructure standards to the Commissioners of Emergency Services
3640 and Public Protection and Education, the School Building Projects
3641 Advisory Council, established pursuant to section 10-292q of the
3642 general statutes, as amended by this act, and the joint standing
3643 committees of the General Assembly having cognizance of matters
3644 relating to public safety and education, in accordance with the
3645 provisions of section 11-4a of the general statutes.

3646 Sec. 81. Subsection (a) of section 10-284 of the general statutes is
3647 repealed and the following is substituted in lieu thereof (*Effective July*
3648 *1, 2013*):

3649 (a) The Commissioner of Education shall have authority to receive
3650 and review applications for state grants under this chapter, and the
3651 Commissioner of Construction Services shall have authority to review
3652 and approve any such application, or to disapprove any such
3653 application if (1) it does not comply with the requirements of the State
3654 Fire Marshal or the Department of Public Health, (2) it is not
3655 accompanied by a life-cycle cost analysis approved by the
3656 Commissioner of Construction Services pursuant to section 16a-38, (3)
3657 it does not comply with the provisions of sections 10-290d and 10-291,
3658 (4) it does not meet (A) the standards or requirements established in
3659 regulations adopted in accordance with section 10-287c, or (B) school
3660 building categorization requirements described in section 10-283, as
3661 amended by this act, (5) the estimated construction cost exceeds the
3662 per square foot cost for schools established in regulations adopted by
3663 the Commissioner of Construction Services for the county in which the
3664 project is proposed to be located, (6) on and after July 1, 2014, the
3665 application does not comply with the school safety infrastructure

3666 standards developed by the School Safety Infrastructure Council,
3667 pursuant to section 80 of this act, or [(6)] (7) the Commissioner of
3668 Education determines that the proposed educational specifications for
3669 or theme of the project for which the applicant requests a state grant
3670 duplicates a program offered by a technical high school or an
3671 interdistrict magnet school in the same region.

3672 Sec. 82. Subdivision (1) of subsection (a) of section 10-283 of the
3673 general statutes is repealed and the following is substituted in lieu
3674 thereof (*Effective July 1, 2013*):

3675 (a) (1) Each town or regional school district shall be eligible to apply
3676 for and accept grants for a school building project as provided in this
3677 chapter. Any town desiring a grant for a public school building project
3678 may, by vote of its legislative body, authorize the board of education of
3679 such town to apply to the Commissioner of Education and to accept or
3680 reject such grant for the town. Any regional school board may vote to
3681 authorize the supervising agent of the regional school district to apply
3682 to the Commissioner of Education for and to accept or reject such grant
3683 for the district. Applications for such grants under this chapter shall be
3684 made by the superintendent of schools of such town or regional school
3685 district on the form provided and in the manner prescribed by the
3686 Commissioner of Construction Services. The application form shall
3687 require the superintendent of schools to affirm that the school district
3688 considered the maximization of natural light, [and] the use and
3689 feasibility of wireless connectivity technology and, on and after July 1,
3690 2014, the school safety infrastructure standards, developed by the
3691 School Safety Infrastructure Council, pursuant to section 80 of this act,
3692 in projects for new construction and alteration or renovation of a
3693 school building. The Commissioner of Education shall review each
3694 grant application for a school building project for compliance with
3695 educational requirements and on the basis of categories for building
3696 projects established by the State Board of Education in accordance with
3697 this section, and shall evaluate, if appropriate, whether the project will
3698 assist the state in meeting the goals of the 2008 stipulation and order

3699 for Milo Sheff, et al. v. William A. O'Neill, et al., provided grant
3700 applications submitted for purposes of subsection (a) of section 10-65
3701 or section 10-76e shall be reviewed annually by the commissioner on
3702 the basis of the educational needs of the applicant. The Commissioner
3703 of Education shall forward each application and the category that the
3704 Commissioner of Education has assigned to each such project in
3705 accordance with subdivision (2) of this subsection to the Commissioner
3706 of Construction Services not later than August thirty-first of each fiscal
3707 year. The Commissioner of Construction Services shall review [all
3708 grant applications for school building projects on the basis of] each
3709 grant application for a school building project for compliance with
3710 standards for school [construction, established in regulation] building
3711 projects pursuant to regulations, adopted in accordance with section
3712 10-287c, and, on and after July 1, 2014, the school safety infrastructure
3713 standards, developed by the School Safety Infrastructure Council
3714 pursuant to section 80 of this act. Notwithstanding the provisions of
3715 this chapter, the Board of Trustees of the Community-Technical
3716 Colleges on behalf of Quinebaug Valley Community College and
3717 Three Rivers Community College and the following entities that will
3718 operate an interdistrict magnet school that will assist the state in
3719 meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.
3720 v. William A. O'Neill, et al., as determined by the Commissioner of
3721 Education, may apply for and shall be eligible to receive grants for
3722 school building projects pursuant to section 10-264h for such a school:
3723 (A) The Board of Trustees of the Community-Technical Colleges on
3724 behalf of a regional community-technical college, (B) the Board of
3725 Trustees of the Connecticut State University System on behalf of a state
3726 university, (C) the Board of Trustees for The University of Connecticut
3727 on behalf of the university, (D) the board of governors for an
3728 independent college or university, as defined in section 10a-37, or the
3729 equivalent of such a board, on behalf of the independent college or
3730 university, (E) cooperative arrangements pursuant to section 10-158a,
3731 and (F) any other third-party not-for-profit corporation approved by
3732 the Commissioner of Education.

3733 Sec. 83. Subsection (b) of section 10-292q of the general statutes is
3734 repealed and the following is substituted in lieu thereof (*Effective from*
3735 *passage*):

3736 (b) The School Building Projects Advisory Council shall (1) develop
3737 model blueprints for new school building projects that are in
3738 accordance with industry standards for school buildings and the
3739 school safety infrastructure standards, developed pursuant to section
3740 80 of this act, (2) conduct studies, research and analyses, and (3) make
3741 recommendations for improvements to the school building projects
3742 processes to the Governor and the joint standing committee of the
3743 General Assembly having cognizance of matters relating to
3744 appropriations and the budgets of state agencies, education and
3745 finance, revenue and bonding.

3746 Sec. 84. (*Effective from passage*) (a) For the fiscal years ending June 30,
3747 2013, to June 30, 2015, inclusive, the Departments of Emergency
3748 Services and Public Protection, Construction Services and Education
3749 shall jointly administer a school security infrastructure competitive
3750 grant program to reimburse towns for certain expenses for schools
3751 under the jurisdiction of the town's school district incurred on or after
3752 the effective date of this section for: (1) The development or
3753 improvement of the security infrastructure of schools, based on the
3754 results of school building security assessments pursuant to subsection
3755 (b) of this section, including, but not limited to, the installation of
3756 surveillance cameras, penetration resistant vestibules, ballistic glass,
3757 solid core doors, double door access, computer-controlled electronic
3758 locks, entry door buzzer systems, scan card systems, panic alarms or
3759 other systems; and (2) (A) the training of school personnel in the
3760 operation and maintenance of the security infrastructure of school
3761 buildings, or (B) the purchase of portable entrance security devices,
3762 including, but not limited to, metal detector wands and screening
3763 machines and related training.

3764 (b) On and after the effective date of this section, each local and

3765 regional board of education may, on behalf of its town or its member
3766 towns, apply, at such time and in such manner as the Commissioner of
3767 Emergency Services and Public Protection prescribes, to the
3768 Department of Emergency Services and Public Protection for a grant.
3769 Prior to the date that the School Safety Infrastructure Council makes its
3770 initial submission of the school safety infrastructure standards,
3771 pursuant to subsection (c) of section 80 of this act, the Commissioner of
3772 Emergency Services and Public Protection, in consultation with the
3773 Commissioners of Construction Services and Education, shall
3774 determine which expenses are eligible for reimbursement under the
3775 program. On and after the date that the School Safety Infrastructure
3776 Council submits the school safety infrastructure standards, the
3777 decision to approve or deny an application and the determination of
3778 which expenses are eligible for reimbursement under the program
3779 shall be in accordance with the most recent submission of the school
3780 safety infrastructure standards, pursuant to subsection (c) of section 80
3781 of this act.

3782 (c) A town may receive a grant equal to a percentage of its eligible
3783 expenses. The percentage shall be determined as follows: (1) Each
3784 town shall be ranked in descending order from one to one hundred
3785 sixty-nine according to town wealth, as defined in subdivision (26) of
3786 section 10-262f of the general statutes, (2) based upon such ranking, a
3787 percentage of not less than twenty or more than eighty shall be
3788 assigned to each town on a continuous scale, and (3) the town ranked
3789 first shall be assigned a percentage of twenty and the town ranked last
3790 shall be assigned a percentage of eighty. If there are not sufficient
3791 funds to provide grants to all towns based on the percentage
3792 determined pursuant to this subsection, the Commissioner of
3793 Emergency Services and Public Protection, in consultation with the
3794 Commissioners of Construction Services and Education, shall give
3795 priority to applicants on behalf of schools with the greatest need for
3796 security infrastructure, as determined by said commissioners based on
3797 school building security assessments of the schools under the

3798 jurisdiction of the town's school district conducted pursuant to this
3799 subsection. Of the applicants on behalf of such schools with the
3800 greatest need for security infrastructure, said commissioners shall give
3801 first priority to applicants on behalf of schools that have no security
3802 infrastructure at the time of such school building security assessment
3803 and succeeding priority to applicants on behalf of schools located in
3804 priority school districts pursuant to section 10-266p of the general
3805 statutes. To be eligible for reimbursement pursuant to this section, an
3806 applicant board of education shall (A) demonstrate that it has
3807 developed and periodically practices an emergency plan at the schools
3808 under its jurisdiction and that such plan has been developed in concert
3809 with applicable state or local first-responders, and (B) provide for a
3810 uniform assessment of the schools under its jurisdiction, including any
3811 security infrastructure, using the National Clearinghouse for
3812 Educational Facilities' Safe Schools Facilities Check List. The
3813 assessment shall be conducted under the supervision of the local law
3814 enforcement agency.

3815 Sec. 85. (*Effective from passage*) (a) For the purposes described in
3816 subsection (b) of this section, the State Bond Commission shall have
3817 the power from time to time to authorize the issuance of bonds of the
3818 state in one or more series and in principal amounts not exceeding in
3819 the aggregate fifteen million dollars.

3820 (b) The proceeds of the sale of said bonds, to the extent of the
3821 amount stated in subsection (a) of this section, shall be used by the
3822 Department of Education for the purpose of the school security
3823 infrastructure competitive grant program, established pursuant to
3824 section 84 of this act.

3825 (c) All provisions of section 3-20 of the general statutes, or the
3826 exercise of any right or power granted thereby, which are not
3827 inconsistent with the provisions of this section are hereby adopted and
3828 shall apply to all bonds authorized by the State Bond Commission
3829 pursuant to this section, and temporary notes in anticipation of the

3830 money to be derived from the sale of any such bonds so authorized
3831 may be issued in accordance with said section 3-20 and from time to
3832 time renewed. Such bonds shall mature at such time or times not
3833 exceeding twenty years from their respective dates as may be provided
3834 in or pursuant to the resolution or resolutions of the State Bond
3835 Commission authorizing such bonds. None of said bonds shall be
3836 authorized except upon a finding by the State Bond Commission that
3837 there has been filed with it a request for such authorization which is
3838 signed by or on behalf of the Secretary of the Office of Policy and
3839 Management and states such terms and conditions as said commission,
3840 in its discretion, may require. Said bonds issued pursuant to this
3841 section shall be general obligations of the state and the full faith and
3842 credit of the state of Connecticut are pledged for the payment of the
3843 principal of and interest on said bonds as the same become due, and
3844 accordingly and as part of the contract of the state with the holders of
3845 said bonds, appropriation of all amounts necessary for punctual
3846 payment of such principal and interest is hereby made, and the State
3847 Treasurer shall pay such principal and interest as the same become
3848 due.

3849 Sec. 86. (NEW) (*Effective from passage*) (a) Not later than January 1,
3850 2014, the Department of Emergency Services and Public Protection, in
3851 consultation with the Department of Education, shall develop school
3852 security and safety plan standards. The school security and safety plan
3853 standards shall be an all-hazards approach to emergencies at public
3854 schools and shall include, but not be limited to, (1) involvement of
3855 local officials, including the chief executive officer of the municipality,
3856 the superintendent of schools, law enforcement, fire, public health,
3857 emergency management and emergency medical services, in the
3858 development of school security and safety plans, (2) a command center
3859 organization structure based on the federal National Incident
3860 Management System and a description of the responsibilities of such
3861 command center organization, (3) a requirement that a school security
3862 and safety committee be established at each school, in accordance with

3863 the provisions of section 87 of this act, (4) crisis management
3864 procedures, (5) a requirement that local law enforcement and other
3865 local public safety officials evaluate, score and provide feedback on fire
3866 drills and crisis response drills, conducted pursuant to section 10-231
3867 of the general statutes, (6) a requirement that local and regional boards
3868 of education annually submit reports to the Department of Emergency
3869 Services and Public Protection regarding such fire drills and crisis
3870 response drills, (7) procedures for managing various types of
3871 emergencies, (8) a requirement that each local and regional board of
3872 education conduct a security and vulnerability assessment for each
3873 school under the jurisdiction of such board every two years and
3874 develop a school security and safety plan for each such school, in
3875 accordance with the provisions of section 87 of this act, based on the
3876 results of such assessment, (9) a requirement that the safe school
3877 climate committee for each school, established pursuant to section 10-
3878 222k of the general statutes, as amended by this act, collect and
3879 evaluate information relating to instances of disturbing or threatening
3880 behavior that may not meet the definition of bullying, as defined in
3881 section 10-222d of the general statutes, and report such information, as
3882 necessary, to the district safe school climate coordinator, described in
3883 section 10-222k of the general statutes, as amended by this act, and the
3884 school security and safety committee for the school, established
3885 pursuant to section 87 of this act, and (10) a requirement that the
3886 school security and safety plan for each school provide an orientation
3887 on such school security and safety plan to each school employee, as
3888 defined in section 10-222d of the general statutes, at such school and
3889 provide violence prevention training in a manner prescribed in such
3890 school security and safety plan. The Department of Emergency
3891 Services and Public Protection shall make such standards available to
3892 local officials, including local and regional boards of education.

3893 (b) Not later than January 1, 2014, and annually thereafter, the
3894 Department of Emergency Services and Public Protection shall submit
3895 the school security and safety plan standards and any

3896 recommendations for legislation regarding such standards to the joint
3897 standing committees of the General Assembly having cognizance of
3898 matters relating to public safety and education, in accordance with the
3899 provisions of section 11-4a of the general statutes.

3900 Sec. 87. (NEW) (*Effective from passage*) (a) For the school year
3901 commencing July 1, 2014, and each school year thereafter, each local
3902 and regional board of education shall develop and implement a school
3903 security and safety plan for each school under the jurisdiction of such
3904 board. Such plans shall be based on the school security and safety plan
3905 standards developed by the Department of Emergency Services and
3906 Public Protection, pursuant to section 86 of this act. Each local and
3907 regional board of education shall annually review and update, if
3908 necessary, such plans.

3909 (b) For the school year commencing July 1, 2014, and each school
3910 year thereafter, each local and regional board of education shall
3911 establish a school security and safety committee at each school under
3912 the jurisdiction of such board. The school security and safety
3913 committee shall be responsible for assisting in the development of the
3914 school security and safety plan for the school and administering such
3915 plan. Such school security and safety committee shall consist of a local
3916 police officer, a local first responder, a teacher and an administrator
3917 employed at the school, a mental health professional, as defined in
3918 section 10-76t of the general statutes, a parent or guardian of a student
3919 enrolled in the school and any other person the board of education
3920 deems necessary. Any parent or guardian serving as a member of a
3921 school security and safety committee shall not have access to any
3922 information reported to such committee, pursuant to subparagraph (c)
3923 of subdivision (2) of subsection (c) of section 10-222k of the general
3924 statutes, as amended by this act.

3925 (c) Each local and regional board of education shall annually submit
3926 the school security and safety plan for each school under the
3927 jurisdiction of such board, developed pursuant to subsection (a) of this

3928 section, to the Department of Emergency Services and Public
3929 Protection.

3930 Sec. 88. Subsection (c) of section 10-222k of the general statutes is
3931 repealed and the following is substituted in lieu thereof (*Effective from*
3932 *passage*):

3933 (c) (1) For the school year commencing July 1, 2012, and each school
3934 year thereafter, the principal of each school shall establish a committee
3935 or designate at least one existing committee in the school to be
3936 responsible for developing and fostering a safe school climate and
3937 addressing issues relating to bullying in the school. Such committee
3938 shall include at least one parent or guardian of a student enrolled in
3939 the school appointed by the school principal.

3940 (2) Any such committee shall: (A) [~~receive~~] Receive copies of
3941 completed reports following investigations of bullying, (B) identify
3942 and address patterns of bullying among students in the school, (C)
3943 implement the provisions of the school security and safety plan,
3944 developed pursuant to section 87 of this act, regarding the collection,
3945 evaluation and reporting of information relating to instances of
3946 disturbing or threatening behavior that may not meet the definition of
3947 bullying, (D) review and amend school policies relating to bullying,
3948 [(D)] (E) review and make recommendations to the district safe school
3949 climate coordinator regarding the district's safe school climate plan
3950 based on issues and experiences specific to the school, [(E)] (F) educate
3951 students, school employees and parents and guardians of students on
3952 issues relating to bullying, [(F)] (G) collaborate with the district safe
3953 school climate coordinator in the collection of data regarding bullying,
3954 in accordance with the provisions of subsection (b) of section 10-222d
3955 and subsection (a) of section 10-222h, and [(G)] (H) perform any other
3956 duties as determined by the school principal that are related to the
3957 prevention, identification and response to school bullying for the
3958 school.

3959 (3) Any parent or guardian serving as a member of any such
3960 committee shall not participate in the activities described in
3961 subparagraphs (A) [and (B)] to (C), inclusive, of subdivision (2) of this
3962 subsection or any other activity that may compromise the
3963 confidentiality of a student.

3964 Sec. 89. Section 10-222h of the general statutes is repealed and the
3965 following is substituted in lieu thereof (*Effective from passage*):

3966 (a) The Department of Education shall, within available
3967 appropriations, (1) document school districts' articulated needs for
3968 technical assistance and training related to safe learning and bullying,
3969 (2) collect information on the prevention and intervention strategies
3970 used by schools to reduce the incidence of bullying, improve school
3971 climate and improve reporting outcomes, (3) develop or recommend a
3972 model safe school climate plan for grades kindergarten to twelve,
3973 inclusive, and (4) in collaboration with the Connecticut Association of
3974 Schools, disseminate to all public schools grade-level appropriate
3975 school climate assessment instruments approved by the department,
3976 including surveys, to be used by local and regional boards of
3977 education for the purposes of collecting information described in
3978 subdivision (2) of this subsection so that the department can monitor
3979 bullying prevention efforts over time and compare each district's
3980 progress to state trends.

3981 (b) On or before February 1, [2010] 2014, and [biennially] annually
3982 thereafter, the department shall, in accordance with the provisions of
3983 section 11-4a, submit a report on the status of its efforts pursuant to
3984 this section including, but not limited to, the number of verified acts of
3985 bullying in the state, an analysis of the responsive action taken by
3986 school districts and any recommendations it may have regarding
3987 additional activities or funding to prevent bullying in schools and
3988 improve school climate to the joint standing [committee] committees of
3989 the General Assembly having cognizance of matters relating to
3990 education and [to the select committee of the General Assembly having

3991 cognizance of matters relating to] children and to the speaker of the
3992 House of Representatives, the president pro tempore of the Senate and
3993 the majority and minority leaders of the House of Representatives and
3994 the Senate.

3995 [(b)] (c) The department may accept private donations for the
3996 purposes of this section.

3997 Sec. 90. (NEW) (*Effective from passage*) (a) The Commissioner of
3998 Mental Health and Addiction Services, in consultation with the
3999 Commissioner of Education, shall administer a mental health first aid
4000 training program. Said program shall: (1) Help persons attending the
4001 training program recognize the signs of mental disorders in children
4002 and young adults; and (2) connect children and young adults who
4003 show signs of having a mental disorder with a professional who offers
4004 the appropriate services.

4005 (b) Said commissioners may seek federal and state funding and may
4006 accept private donations for the administration of, and providing for
4007 persons to participate in, the mental health first aid training program.

4008 (c) (1) For the school year commencing July 1, 2014, the
4009 Commissioner of Mental Health and Addiction Services shall provide
4010 mental health first aid training to any person appointed to serve as the
4011 district safe school climate coordinator, pursuant to section 10-222k of
4012 the general statutes, as amended by this act. Each such district safe
4013 school climate coordinator shall successfully complete such mental
4014 health first aid training.

4015 (2) For the school year commencing July 1, 2015, the Commissioner
4016 of Mental Health and Addiction Services shall provide mental health
4017 and first aid training to any person appointed to serve as the district
4018 safe school climate coordinator for such school year and who did not
4019 serve as the district safe school climate coordinator for the prior school
4020 year or did not otherwise successfully complete such training. Each
4021 such district safe school climate coordinator shall successfully

4022 complete such mental health first aid training.

4023 (3) No district safe school climate coordinator shall be required to
 4024 successfully complete such mental health first aid training more than
 4025 once.

4026 (d) Each local and regional board of education may require teachers,
 4027 school nurses, counselors and other school employees to participate in
 4028 mental health first aid training.

4029 Sec. 91. (NEW) (*Effective from passage*) The Department of Emergency
 4030 Services and Public Protection shall establish and maintain a registry
 4031 of school security consultants operating in the state. The registry shall
 4032 contain the names and employers of school security consultants and
 4033 such other information as the Commissioner of Emergency Services
 4034 and Public Protection may require. Such registry shall be updated at
 4035 least annually by the department, be made available to the public upon
 4036 request and be published on the department's Internet web site.

4037 Sec. 92. Section 10a-156a of the general statutes is repealed and the
 4038 following is substituted in lieu thereof (*Effective from passage*):

4039 [Each] (a) Not later than October 1, 2013, each constituent unit of the
 4040 state system of higher education and each independent [college or
 4041 university] institution of higher education, as defined in section 10a-37,
 4042 as amended by this act, shall submit [a plan described in this section to
 4043 the Department of Higher Education by January 1, 2009] an up-to-date
 4044 security protocol plan to the Department of Emergency Services and
 4045 Public Protection. Such plan shall identify procedures specifically
 4046 designed to heighten awareness by all faculty and staff regarding
 4047 potentially at-risk students and other individuals on campus through
 4048 effective educational strategies. Such procedures shall be designed to
 4049 educate faculty and staff on how to recognize and respond to students
 4050 and such other individuals who may be at risk of harm to themselves
 4051 or others. Not later than July 1, 2015, and biennially thereafter, each
 4052 constituent unit and independent institution of higher education shall

4053 review the security protocol plan with each of its chiefs of police or
4054 heads of campus security to determine whether such plan adequately
4055 addresses campus security concerns or requires revisions. In the event
4056 that revisions are required, the constituent unit or independent
4057 institution of higher education making revisions shall submit a revised
4058 security protocol plan to the Department of Emergency Services and
4059 Public Protection not later than August first of the year in which
4060 revisions are deemed necessary.

4061 (b) Not later than January 1, 2014, each constituent unit and
4062 independent institution of higher education shall establish a trained
4063 threat assessment team for each of its campuses. The threat assessment
4064 team shall consist of individuals selected by the president of each state
4065 college, regional community-technical college or independent
4066 institution of higher education in consultation with its chief of police or
4067 head of campus security and may include not less than one member of
4068 its special police force or campus security personnel, administration,
4069 faculty and senior and mid-level staff. The chief of police or head of
4070 campus security at each state college, regional community-technical
4071 college and independent institution of higher education shall be
4072 responsible for ensuring that every member of the treat assessment
4073 team (1) is capable of executing the security protocol plan developed in
4074 accordance with subsection (a) of this section, and (2) receives
4075 comprehensive training in identifying potentially at-risk students,
4076 other potentially at-risk individuals on campus and any other potential
4077 threats to campus safety.

4078 Sec. 93. Section 10a-142 of the general statutes is repealed and the
4079 following is substituted in lieu thereof (*Effective from passage*):

4080 (a) There are established special police forces for The University of
4081 Connecticut at Storrs and its several campuses, The University of
4082 Connecticut Health Center in Farmington, Central Connecticut State
4083 University in New Britain, Southern Connecticut State University in
4084 New Haven, Eastern Connecticut State University in Willimantic and

4085 Western Connecticut State University in Danbury. The members of
4086 each special police force shall have the same duties, responsibilities
4087 and authority under sections 7-281, 14-8, 54-1f and 54-33a and title 53a
4088 as members of a duly organized local police department. The
4089 jurisdiction of said special police forces shall extend to the
4090 geographical limits of the property owned or under the control of the
4091 above institutions, and to property occupied by The University of
4092 Connecticut in the town of Mansfield, except as provided in subsection
4093 (b) of section 7-277a.

4094 (b) Members of said special police forces shall continue to be state
4095 employees and, except as provided in subsection (e) of this section,
4096 shall be subject to the provisions of chapter 67, and parts III and IV of
4097 this chapter. The provisions of part V of chapter 104 and section 7-433c
4098 shall not apply to such members.

4099 (c) Said special police forces shall have access to, and use of, the
4100 Connecticut on-line law enforcement communications teleprocessing
4101 system without charge.

4102 (d) The chief executive officer of any institution listed in subsection
4103 (a) of this section which maintains a special police force may enter into
4104 an agreement with one or more of said other institutions which
4105 maintain a special police force to furnish or receive police assistance
4106 under the same conditions and terms specified in subsection (a) of
4107 section 7-277a.

4108 (e) (1) Notwithstanding any provision of chapter 67, the Board of
4109 Regents for Higher Education shall determine (A) the preliminary
4110 requirements, including educational qualifications, for members of the
4111 special police forces for the state colleges, and (B) the timeline for
4112 filling any vacancies on any of such special police forces, including, but
4113 not limited to, when an examination for a vacant position shall occur
4114 and how soon after the examination is conducted shall an appointment
4115 to a vacant position be made or, in the event an examination for a

4116 vacant position is unnecessary due to a sufficient candidate list
4117 provided in accordance with section 5-215a, when an appointment of a
4118 candidate from such candidate list shall be made.

4119 (2) Notwithstanding any provision of chapter 67, the Board of
4120 Trustees of The University of Connecticut shall determine (A) the
4121 preliminary requirements including educational qualifications, for
4122 members of the special police force for The University of Connecticut,
4123 and (B) the timeline for filling any vacancies on such police force,
4124 including, but not limited to, when an examination for a vacant
4125 position shall occur and how soon after the examination is conducted
4126 shall an appointment to a vacant position be made or, in the event an
4127 examination for a vacant position is unnecessary due to a sufficient
4128 candidate list provided in accordance with section 5-215a, when an
4129 appointment of a candidate from such candidate list shall be made.

4130 Sec. 94. (*Effective from passage*) (a) The Board of Regents for Higher
4131 Education, in consultation with the Department of Emergency Services
4132 and Public Protection, shall evaluate the effectiveness of establishing a
4133 special police force for each regional community-technical college and
4134 replacing campus security personnel at each regional community-
4135 technical college with the special police force. Not later than January 1,
4136 2014, the president of the Board of Regents for Higher Education shall
4137 report, in accordance with the provisions of section 11-4a of the general
4138 statutes, on such evaluation to the joint standing committee of the
4139 General Assembly having cognizance of matters relating to higher
4140 education.

4141 (b) The Board of Regents for Higher Education shall develop a
4142 coordinated security plan for the Connecticut State University System
4143 and the regional community-technical college system. Not later than
4144 January 1, 2014, the president of the Board of Regents for Higher
4145 Education shall report, in accordance with the provisions of section 11-
4146 4a of the general statutes, on such plan to the joint standing committee
4147 of the General Assembly having cognizance of matters relating to

4148 higher education.

4149 Sec. 95. (NEW) (*Effective from passage*) Any armed security personnel
4150 of any public institution of higher education or armed member of a
4151 special police force established under section 10a-142 of the general
4152 statutes shall be certified under the provision of sections 7-294a to 7-
4153 294e, inclusive, of the general statutes.

4154 Sec. 96. (*Effective from passage*) (a) Not later than December 1, 2014,
4155 the Department of Emergency Services and Public Protection shall
4156 conduct or require a safety and security audit of every campus of the
4157 constituent units identified in subdivisions (1) to (4), inclusive, of
4158 section 10a-1 of the general statutes, to determine the safety and
4159 security characteristics of each campus and any building or structure
4160 located thereon. Such security audit shall be conducted in cooperation
4161 with the Board of Regents for Higher Education or, for a safety and
4162 security audit of any campus of The University of Connecticut, with
4163 the Board of Trustees of The University of Connecticut.

4164 (b) Any recommendations for safety or security upgrades in any
4165 such safety and security audit shall be based on the audit's findings
4166 and, at a minimum, shall enable the constituent unit to successfully
4167 implement its security protocol plan developed in accordance with
4168 section 10a-156a of the general statutes, as amended by this act.

4169 (c) Not later than January 1, 2015, the department shall report on
4170 such audit to the joint standing committee of the General Assembly
4171 having cognizance of matters relating to higher education.

4172 Sec. 97. Subsection (d) of section 10a-37 of the general statutes is
4173 repealed and the following is substituted in lieu thereof (*Effective from*
4174 *passage*):

4175 (d) An ["independent college or university"] "independent
4176 institution of higher education": (1) Is a nonprofit institution
4177 established in this state; (2) has degree-granting authority in this state;

4178 (3) has its home campus located in this state; (4) is not included in the
 4179 Connecticut system of public higher education; and (5) is an institution
 4180 whose primary function is not the preparation of students for religious
 4181 vocation;

4182 Sec. 98. Section 12 of public act 07-7 of the June special session, as
 4183 amended by section 233 of public act 10-44 and section 143 of public
 4184 act 10-179, is amended to read as follows (*Effective from passage*):

4185 The State Bond Commission shall have power, in accordance with
 4186 the provisions of sections 12 to 19, inclusive, of public act 07-7 of the
 4187 June special session, from time to time to authorize the issuance of
 4188 bonds of the state in one or more series and in principal amounts in the
 4189 aggregate, not exceeding [~~\$195,103,868~~] \$192,103,868.

4190 Sec. 99. Subdivision (6) of subsection (j) of section 13 of public act
 4191 07-7 of the June special session, as amended by section 309 of public act
 4192 10-44, is repealed. (*Effective from passage*)

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 29-37a |
| Sec. 2 | <i>July 1, 2013</i> | New section |
| Sec. 3 | <i>July 1, 2013</i> | New section |
| Sec. 4 | <i>July 1, 2013</i> | New section |
| Sec. 5 | <i>July 1, 2013</i> | New section |
| Sec. 6 | <i>July 1, 2013</i> | 29-32b(b) |
| Sec. 7 | <i>July 1, 2013</i> | 29-36l(a) |
| Sec. 8 | <i>July 1, 2013</i> | 29-38b |
| Sec. 9 | <i>July 1, 2013</i> | 54-36e(b) |
| Sec. 10 | <i>October 1, 2013</i> | New section |
| Sec. 11 | <i>July 1, 2013</i> | 17a-500 |
| Sec. 12 | <i>from passage</i> | 53-202g(a) |
| Sec. 13 | <i>from passage</i> | 53-202aa(c) |
| Sec. 14 | <i>from passage</i> | New section |
| Sec. 15 | <i>July 1, 2013</i> | New section |
| Sec. 16 | <i>July 1, 2013</i> | New section |

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| Sec. 17 | July 1, 2013 | New section |
| Sec. 18 | January 1, 2014 | New section |
| Sec. 19 | January 1, 2014 | New section |
| Sec. 20 | January 1, 2014 | New section |
| Sec. 21 | January 1, 2014 | 45a-99 |
| Sec. 22 | January 1, 2014 | 52-11 |
| Sec. 23 | from passage | New section |
| Sec. 24 | from passage | New section |
| Sec. 25 | from passage | 53-202a |
| Sec. 26 | from passage | 53-202b |
| Sec. 27 | from passage | 53-202c |
| Sec. 28 | from passage | 53-202d |
| Sec. 29 | from passage | 53-202f |
| Sec. 30 | from passage | 53-202i |
| Sec. 31 | from passage | 53-202o(a) |
| Sec. 32 | October 1, 2013 | 53-202l |
| Sec. 33 | October 1, 2013 | 29-38c |
| Sec. 34 | October 1, 2013 | 29-36k |
| Sec. 35 | October 1, 2013 | 29-36n |
| Sec. 36 | October 1, 2013 | 46b-15(b) |
| Sec. 37 | October 1, 2013 | 46b-38b(a) |
| Sec. 38 | October 1, 2013 | 46b-38c(c) |
| Sec. 39 | October 1, 2013 | 54-36e |
| Sec. 40 | October 1, 2013 | 29-38f(d) |
| Sec. 41 | October 1, 2013 | 54-36n(d) |
| Sec. 42 | October 1, 2013 | 53-202aa(a) and (b) |
| Sec. 43 | October 1, 2013 | 53a-212 |
| Sec. 44 | October 1, 2013 | 53a-217 |
| Sec. 45 | October 1, 2013 | 53a-217c |
| Sec. 46 | October 1, 2013 | 29-32 |
| Sec. 47 | October 1, 2013 | 29-33(h) and (i) |
| Sec. 48 | October 1, 2013 | 29-34 |
| Sec. 49 | October 1, 2013 | 29-36 |
| Sec. 50 | October 1, 2013 | 53-202g(b) |
| Sec. 51 | July 1, 2013 | 29-36g(e) |
| Sec. 52 | October 1, 2013 | 29-36i |
| Sec. 53 | October 1, 2013 | 29-37j |
| Sec. 54 | October 1, 2013 | 29-37i |
| Sec. 55 | October 1, 2013 | 52-571g |

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| Sec. 56 | October 1, 2013 | 53a-217a |
| Sec. 57 | October 1, 2013 | 29-28(b) to (f) |
| Sec. 58 | October 1, 2013 | 29-36f(b) |
| Sec. 59 | July 1, 2013 | 54-125a |
| Sec. 60 | July 1, 2013 | 29-32b(a) |
| Sec. 61 | July 1, 2013 | 29-32b(c) |
| Sec. 62 | from passage | New section |
| Sec. 63 | July 1, 2013 | New section |
| Sec. 64 | from passage | 10-220a(a) |
| Sec. 65 | from passage | New section |
| Sec. 66 | from passage | New section |
| Sec. 67 | July 1, 2013 | New section |
| Sec. 68 | July 1, 2013 | New section |
| Sec. 69 | from passage | New section |
| Sec. 70 | October 1, 2013 | 38a-591a(7) |
| Sec. 71 | October 1, 2013 | 38a-591a(38) |
| Sec. 72 | October 1, 2013 | 38a-591c |
| Sec. 73 | October 1, 2013 | 38a-591d |
| Sec. 74 | October 1, 2013 | 38a-591e |
| Sec. 75 | October 1, 2013 | 38a-591f(d) |
| Sec. 76 | October 1, 2013 | 38a-591g(i)(1) |
| Sec. 77 | October 1, 2013 | 38a-1046 |
| Sec. 78 | October 1, 2013 | 38a-478l |
| Sec. 79 | from passage | New section |
| Sec. 80 | from passage | New section |
| Sec. 81 | July 1, 2013 | 10-284(a) |
| Sec. 82 | July 1, 2013 | 10-283(a)(1) |
| Sec. 83 | from passage | 10-292q(b) |
| Sec. 84 | from passage | New section |
| Sec. 85 | from passage | New section |
| Sec. 86 | from passage | New section |
| Sec. 87 | from passage | New section |
| Sec. 88 | from passage | 10-222k(c) |
| Sec. 89 | from passage | 10-222h |
| Sec. 90 | from passage | New section |
| Sec. 91 | from passage | New section |
| Sec. 92 | from passage | 10a-156a |
| Sec. 93 | from passage | 10a-142 |
| Sec. 94 | from passage | New section |

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| Sec. 95 | <i>from passage</i> | New section |
| Sec. 96 | <i>from passage</i> | New section |
| Sec. 97 | <i>from passage</i> | 10a-37(d) |
| Sec. 98 | <i>from passage</i> | PA 07-7 of the June Sp. Sess.Section 12 |
| Sec. 99 | <i>from passage</i> | Repealer section |