



## Bipartisan Task Force on Gun Violence Prevention and Children's Safety



### CONTACTS:

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## Summary of Gun Violence Prevention Provisions

### 1. The bill establishes a first in the nation statewide dangerous weapon offender registry

The bill creates a first in the nation statewide dangerous weapon offender registry (a handful of cities across the country have their own gun offender registries). *This has been the top priority of urban mayors and the Police Chiefs Association for the last several years.* Under the bill, individuals must register with DESPP if they have been convicted of any of more than 40 enumerated weapons offenses (mostly gun offenses) or another felony that the court makes a finding involved the use or threatened use of a deadly weapon.

Individuals must register with DESPP for a total of five years after their release into the community. During that time they must keep their registration address current at all times, and they must check in once per year, on the anniversary of their release, with local law enforcement in the town where they currently reside. Unlike Megan's List, this registry will not be public. Instead, it will be available to law enforcement only.

### 2. The bill requires "universal background checks" for the sale of all firearms immediately, upon passage.

Under current law, private sales of rifles and shotguns are completely unregulated (while the sale of any pistol or revolver or the sale of a rifle or shotgun by a licensed dealer requires a criminal background check). Under the bill, this glaring loophole is immediately closed, and all private long gun sales must be preceded by the buyer passing a national criminal background check.

Immediately upon passage, no pistol, revolver, rifle or shotgun can be sold to any Connecticut resident until the buyer undergoes and passes a national criminal background check -- whether such sale is private, at a gun show, or through a dealer.

### 3. The bill significantly expands the Connecticut Assault Weapons Ban.

Currently, Connecticut is one of only a handful of states with a state-level assault weapons ban. Under current law, an "assault weapon" is defined as one of 66 different specified firearms, or any other semiautomatic weapon that contains "two or more" of a list of physical characteristics.

Under the current bill, a) an additional list of more than 100 new specified weapons will be designated as banned assault weapons, in addition to all of the other weapons captured by the "physical characteristics" test. Also, that characteristics test is being amended to add some new banned military-style features, and also to require an assault weapon to have only one of the listed features in order to fall under the ban.

Thus, many more weapons -- well over a hundred additional models -- will now fall under the Connecticut Assault Weapons Ban. Therefore, under the bill, *effective on passage*, they will no longer be allowed to be bought or sold in Connecticut nor imported into the state (with some law enforcement exemptions). Those currently legally possessed will have to be registered with DESPP, and their legal use and transport will be tightly limited.

**4. The bill immediately bans the sale or purchase of large capacity magazines, and imposes extremely stringent restrictions on the use of those currently possessed.**

Only 7 states and the District of Columbia have any limits on the legal size or use of ammunition magazines. The definition of those regulated large capacity magazines ("LCMs"), with regard to the threshold capacity, varies. New York recently went down to 7 rounds, but apparently is going to go back up to 10. Maryland is at 20 rounds, and may go down to 10 via a Senate bill currently pending in the House. New Jersey and Colorado are at 15 rounds. California and Hawaii are at 10, but the Hawaii law only applies to handguns.

Under the bill, Connecticut will now join these states. An LCM will be defined as one that can hold more than 10 rounds.

**Immediate ban on sale, purchase or importation of LCMs:** effective on passage, it will be a class D felony to sell, buy, transfer or import an LCM into the state (other than to turn it in or trade it in to law enforcement or a licensed gun dealer). Going forward, possession of any LCM not possessed as of the effective date will be a class D felony.

**LCMs that are currently possessed must be registered with DESPP by January 1, 2014 to remain legal, and even when registered will be subject to extremely strict usage limitations:**

- Possession of such magazines must be declared to DESPP by January 1, 2014. After January 1, 2014, any LCM that has not been the subject of such a declaration cannot be legally possessed under any circumstances (even if it had been possessed before the effective date).
- Even with regard to such legally declared LCMs, upon passage the bill will immediately impose the following stringent limitations on their use:
  - *Except for in an individual's home or on the premises of a shooting range, an LCM can never be loaded with more than 10 bullets.*
  - Even if an individual has a permit to carry a pistol or revolver, they can never carry, other than at a shooting range, a pistol that has an LCM loaded with more than 10 bullets.
  - If an individual with a carry permit has a pistol that they purchased prior to the effective date that accepts an LCM, they can carry the LCM in that pistol, but only loaded with 10 bullets. Moreover, under no circumstances can the LCM in such pistol extend below the pistol grip.
  - *If an individual has a pistol purchased after the effective date, an LCM can never be carried with that pistol other than at a shooting range. Instead, the individual must use only a magazine that takes 10 or fewer bullets in any pistol purchased from the effective date forward.*

**5. The bill requires new state issued eligibility certificates for the purchase of any rifle, shotgun or ammunition.**

Long guns: The bill establishes a new revocable state-issued "long gun eligibility certificate", which will require the applicant to undergo a firearms safety training course, be fingerprinted, and undergo a national criminal background and involuntary commitment /voluntary admission check. Under the bill, as of April 1, 2014, such long gun eligibility certificate will be required to be presented for the purchase of any rifle or shotgun (in addition to the aforementioned now-"universal" criminal background check).

Ammunition: The bill establishes a new revocable state issued "ammunition eligibility certificate", which will require the applicant to pass a national criminal background check. The bill requires, as of October 1, 2013, that any sale of ammunition or an ammunition magazine to a Connecticut resident be accompanied by the presentation of either a permit to carry a pistol or revolver, an eligibility certificate for a pistol or revolver, a long gun eligibility certificate, a firearms dealer permit, or a combination of an ammunition eligibility certificate and a state issued photo ID. Therefore, *as of October 1, 2013 there will be no legal sales of ammunition or magazines to any Connecticut resident who has not passed a national criminal background check, and is in good standing with regard to such check (i.e. their state issued certificate has not been revoked).*

**6. The bill expands the scope of Connecticut's firearms safe storage law.**

Under current law, the legal duty to securely store a firearm applies only when a person under 16 years of age is likely to gain access to the firearm, The bill significantly expands the scope of that duty, to situations where the firearm owner knows or should know that: 1) any resident of the premises where the firearm is stored is ineligible to possess a firearm under state or federal law, or 2) that a resident of the premises poses a risk of imminent personal injury to himself or herself or to other individuals.

**7. The bill significantly increases penalties for many firearms trafficking and illegal possession offenses.**

**8. The bill expands the membership of the Board of Firearms Permit Examiners, and expands due process for local authorities in front of the board.**

In addition to the current 7 members, the bill adds a mental health professional appointed by the governor but nominated by DMHAS, and a retired Superior Court judge chosen by the Chief Court Administrator. Moreover, the bill allows an issuing authority to receive one continuance for good cause shown.

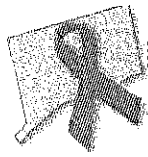
9. **The bill changes the status, with regard to the legal possession of firearms and permits therefor, of individuals who have been either involuntarily confined in or voluntarily admitted to a hospital for persons with psychiatric disabilities, as defined in section 17a-495 of the general statutes.**

Involuntary committals: under current law, an individual who has been involuntarily committed by order of the Probate Court to such a hospital within the previous 12 months can neither possess a firearm nor receive a permit or eligibility certificate. The bill expands that look back period to 60 months, for those receiving permits or eligibility certificates after the effective date.

Voluntary admissions: current law does not address voluntary admissions. Under the bill, an individual who has been so admitted will not be able to receive a permit or eligibility certificate for 6 months thereafter, nor will they be eligible to possess any firearm for those 6 months following their release from the hospital.

**10. The bill strengthens Connecticut law with regard to firearms in several additional respects.**

- The bill establishes the offense of illegal possession of ammunition, so that an individual who is ineligible to possess a firearm will also now be ineligible to possess any ammunition.
- The bill requires applicants for a temporary permit to carry a pistol or revolver to apply only in their town of residence (as opposed to also where they work), and further limits such applications to only one per twelve months.
- The bill establishes a new age limit for the purchase of centerfire semi-automatic rifles (other than banned assault weapons). Under the bill an individual will have to be at least 21 to purchase such a rifle, as opposed to the current federal age limit of 18.
- The bill bans the sale of armor piercing ammunition, and makes it a class D felony to carry a firearm loaded with any such ammunition.
- The bill amends the Earned Risk Reduction Program to ensure that violent felons, including those who committed crimes with firearms, serve at least eighty-five percent of their original sentences.



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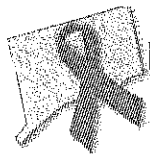
## Summary of Mental Health Provisions

*With regard to mental health, the proposal focuses on helping individuals and their families overcome obstacles to accessing treatment and support.*

- Requires DMHAS, in consultation with SDE, to administer a mental health first aid training program that teaches people to recognize the signs of mental disorders in children and young adults and connect them with services. Also allows boards of education to require teachers and other school employees to participate in mental health first aid training.
- Allows boards of education to offer mental health first aid as an in-service training.
- Requires the Commissioner of Education to consider whether mental health first aid training should be included in the teacher preparation program leading to certification.
- Creates a task force to conduct a comprehensive study of Connecticut's mental health system, with a special focus on the vulnerable 16-25 year old population. Research topics will include: early intervention, gaps in insurance coverage, the mental health workforce, outpatient commitment, mental health professionals' reporting responsibilities, services provided in the schools and stigma. Task force will report by 2/1/14.
- Expands DMHAS's Assertive Community Treatment (ACT) program to three additional locations. ACT teams are currently operating in three cities and provide recovery-oriented treatment and support services through a mobile, multi-disciplinary team.
- Adds additional slots for case management and coordination to assist people with mental illness who are involved with the probate system. (The Melissa's Project currently provides these services in some probate courts.)
- Establishes the ACCESS-MH program, modeled after the Massachusetts Child Psychiatry Access Project and similar programs in 26 other states. This program will provide training, support, and professional consultations for pediatricians to help them intervene with children who have mental health conditions.

*In addition, the bill contains several changes to commercial insurance based on the recommendations of the Program Review and Investigations Committee and bills from the PRI and Insurance Committees:*

- Requires Insurance Department to evaluate and report on its method for determining compliance with the state and federal mental health parity laws.
- Requires that certain mental health and substance abuse services be considered "urgent care" requests and shortens the review time for these requests from 72 to 24 hours.
- Institutes a more robust definition of "clinical peer" with regard to the review of mental health and substance abuse services, to ensure that the health professional reviewing the claim has similar qualifications to the mental health professional who prescribed the treatment.
- Designates disorder treatment criteria for mental health and substance use, so that coverage decisions are more consistent from carrier to carrier and consumers are given a clear reason for a denial.
- Requires insurers to inform consumers that they have the right to appeal a denial, they can request additional information, and they can contact the Office of the Healthcare Advocate for assistance.



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## Summary of School Security Provisions

### K-12 Language

- Establishes the *School Safety Infrastructure Council* which develops safety standards for school building projects.
  - The Council must have the initial standards developed by January 1, 2014 and then update them annually as necessary.
  - Requires projects reviewed by the Department of Construction Services after July 1, 2014 to comply with the school safety infrastructure standards developed by the School Safety Infrastructure Council.
  - Requires the already existing *School Building Projects Advisory Council* to include the school infrastructure safety standards developed in the model blueprints they have available to schools.
- Reauthorizes the school security infrastructure competitive grant program to reimburse towns for upgrades to school security infrastructure.
  - The reimbursement rate is the same as the districts reimbursement rate under school construction (between 20% and 80% depending on the municipality).
  - Authorizes the issuance \$15 million of bonds for the program.
- Requires the Department of Emergency Services and Public Protection in consultation with the Department of Education to develop school security and safety plan standards by January 1, 2014.
  - Annually the Department of Emergency Services and Public Protection submits a copy of the school security and safety standards along with any recommendations for legislation to the Public Safety and Education Committees.
- Requires that school security and safety plans be developed at each school.
  - These plans must be submitted to the Department of Emergency Services and Public Protection.
- Requires *safe school climate committees* established by the bullying law to investigate instances of disturbing and threatening behavior reported to it.
- Requires the Department of Emergency Services and Public Protection to maintain a registry of school security consultants operating in the state.

### Higher Education Language

- Requires all state and independent colleges and universities in Connecticut to submit their security plan to the Department of Emergency Services and Public Protection.
- Requires a security and vulnerability assessment every two years.
- Requires the creation of *threat assessment teams*.
- Requires the Board of Regents for Higher Education to study the creation of a police department for the community colleges.
- Requires security audits of the state universities and community colleges to be performed by the Department of Emergency Services and Public Protection.