



General Assembly

Amendment

January Session, 2023

LCO No. 9672



Offered by:

SEN. SAMPSON, 16th Dist.

SEN. BERTHEL, 32nd Dist.

To: Subst. House Bill No. 6667

File No. 841

Cal. No. 572

"AN ACT ADDRESSING GUN VIOLENCE."

1 Strike section 3 in its entirety and insert the following in lieu thereof:

2 "Sec. 3. Section 29-36a of the general statutes is repealed and the
3 following is substituted in lieu thereof (*Effective October 1, 2023*):

4 (a) No person shall complete the manufacture of a firearm [without
5 subsequently (1) obtaining a unique serial number or other mark of
6 identification from the Department of Emergency Services and Public
7 Protection pursuant to subsection (b) of this section, and (2) engraving
8 upon or permanently affixing to the firearm such serial number or other
9 mark in a manner that conforms with the requirements imposed on
10 licensed importers and licensed manufacturers of firearms pursuant to
11 18 USC 923(i), as amended from time to time, and any regulation
12 adopted thereunder] with intent to sell such firearm (1) unless such
13 person is a federally licensed firearms manufacturer, or (2) if such
14 person is a person who is otherwise prohibited by law from purchasing
15 or possessing a firearm.

16 [(b) Not later than thirty days after a person completes the
17 manufacture of a firearm or ninety days after the Department of
18 Emergency Services and Public Protection provides notice in
19 accordance with section 29-36b that the system to distribute a unique
20 serial number or other mark of identification pursuant to this section is
21 operational, whichever date is later, such person shall notify the
22 department of such manufacture and provide any identifying
23 information to the department concerning the firearm and the owner of
24 such firearm, in a manner prescribed by the Commissioner of
25 Emergency Services and Public Protection. Upon receiving a properly
26 submitted request for a unique serial number or other mark of
27 identification from a person who completes manufacture of a firearm,
28 the department shall determine if such person is prohibited from
29 purchasing a firearm and if not, shall issue to such person a unique serial
30 number or other mark of identification immediately and in no instance
31 more than three business days after the department receives such
32 request. Issuance of a unique serial number or other mark of
33 identification pursuant to this subsection shall not be evidence that the
34 firearm is otherwise lawfully possessed.

35 (c) The provisions of subsections (a) and (b) of this section shall not
36 apply to the manufacture of a firearm manufactured using an
37 unfinished frame or lower receiver on which a serial number or other
38 mark has been engraved or permanently affixed pursuant to subsection
39 (c) of section 53-206j.

40 (d) No person shall transfer to another person any firearm
41 manufactured in violation of this section.

42 (e) The provisions of this section shall not apply to (1) the
43 manufacture of firearms by a federally licensed firearm manufacturer,
44 (2) (A) any antique firearm, as defined in 18 USC 921, as amended from
45 time to time, or (B) any firearm manufactured prior to the effective date
46 of this section, provided such firearm is otherwise lawfully possessed,
47 or (3) delivery or transfer of a firearm to a law enforcement agency.

48 (f) No person shall facilitate, aid or abet the manufacture of a firearm
49 (1) by a person or for a person who is otherwise prohibited by law from
50 purchasing or possessing a firearm, or (2) that a person is otherwise
51 prohibited by law from purchasing or possessing.

52 (g) If the court finds that a violation of this section is not of a serious
53 nature and that the person charged with such violation (1) will probably
54 not offend in the future, (2) has not previously been convicted of a
55 violation of this section, and (3) has not previously had a prosecution
56 under this section suspended pursuant to this subsection, the court may
57 order suspension of prosecution. The court shall not order suspension
58 of prosecution unless the accused person has acknowledged that he or
59 she understands the consequences of the suspension of prosecution.
60 Any person for whom prosecution is suspended shall agree to the
61 tolling of any statute of limitations with respect to such violation and to
62 a waiver of his or her right to a speedy trial. Such person shall appear in
63 court and shall be released to the supervision of the Court Support
64 Services Division for such period, not exceeding two years, and under
65 such conditions as the court shall order. If the person refuses to accept,
66 or, having accepted, violates such conditions, the court shall terminate
67 the suspension of prosecution and the case shall be brought to trial. If
68 such person satisfactorily completes such person's period of probation,
69 he or she may apply for dismissal of the charges against such person
70 and the court, on finding such satisfactory completion, shall dismiss
71 such charges. If the person does not apply for dismissal of the charges
72 against such person after satisfactorily completing such person's period
73 of probation, the court, upon receipt of a report submitted by the Court
74 Support Services Division that the person satisfactorily completed such
75 person's period of probation, may on its own motion make a finding of
76 such satisfactory completion and dismiss such charges. Upon dismissal,
77 all records of such charges shall be erased pursuant to section 54-142a.
78 An order of the court denying a motion to dismiss the charges against a
79 person who has completed such person's period of probation or
80 terminating the participation of a defendant in such program shall be a
81 final judgment for purposes of appeal.]

82 [(h)] (b) Any person who violates any provision of this section shall
 83 be guilty of a class C felony for which two years of the sentence imposed
 84 may not be suspended or reduced by the court, and five thousand
 85 dollars of the fine imposed may not be remitted or reduced by the court
 86 unless the court states on the record its reasons for remitting or reducing
 87 such fine, and any firearm found in the possession of any person in
 88 violation of any provision of this section shall be forfeited.

89 [(i)] (c) For purposes of this section, "manufacture" means to fabricate
 90 or construct a firearm including the initial assembly [,] and "firearm"
 91 means firearm, as defined in section 53a-3, [and "law enforcement
 92 agency" means law enforcement agency, as defined in section 29-1i.]"

This act shall take effect as follows and shall amend the following sections:		
Sec. 3	October 1, 2023	29-36a