



General Assembly

February Session, 2022

***Raised Bill No. 5415***

LCO No. 3048



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE TRANSFER OF ASSAULT WEAPONS  
AND LARGE CAPACITY MAGAZINES.***

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

1 Section 1. Section 53-202d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) (1) (A) Except as provided in subparagraph (B) of this subdivision,  
4 any person who lawfully possesses an assault weapon, as defined in  
5 subparagraph (A) of subdivision (1) of section 53-202a, prior to October  
6 1, 1993, shall apply by October 1, 1994, or, if such person is a member of  
7 the military or naval forces of this state or of the United States and is  
8 unable to apply by October 1, 1994, because such member is or was on  
9 official duty outside of this state, shall apply within ninety days of  
10 returning to the state to the Department of Emergency Services and  
11 Public Protection, for a certificate of possession with respect to such  
12 assault weapon.

13 (B) No person who lawfully possesses an assault weapon pursuant to  
14 subdivision (1), (2) or (4) of subsection (b) of section 53-202c shall be  
15 required to obtain a certificate of possession pursuant to this subdivision

16 with respect to an assault weapon used for official duties, except that  
17 any person described in subdivision (2) of subsection (b) of section 53-  
18 202c who purchases an assault weapon, as defined in subparagraph (A)  
19 of subdivision (1) of section 53-202a, for use in the discharge of official  
20 duties who retires or is otherwise separated from service shall apply  
21 within ninety days of such retirement or separation from service to the  
22 Department of Emergency Services and Public Protection for a  
23 certificate of possession with respect to such assault weapon.

24 (2) (A) Except as provided in subparagraph (B) of this subdivision,  
25 any person who lawfully possesses an assault weapon, as defined in any  
26 provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of  
27 section 53-202a, on April 4, 2013, under the provisions of sections 53-  
28 202a to 53-202k, inclusive, in effect on January 1, 2013, or any person  
29 who regains possession of an assault weapon as defined in any  
30 provision of said subparagraphs pursuant to subsection (e) of section  
31 53-202f, or any person who lawfully purchases a firearm on or after  
32 April 4, 2013, but prior to June 18, 2013, that meets the criteria set forth  
33 in subdivision (3) or (4) of subsection (a) of section 53-202a of the general  
34 statutes, revision of 1958, revised to January 1, 2013, shall apply by  
35 January 1, 2014, or, if such person is a member of the military or naval  
36 forces of this state or of the United States and is unable to apply by  
37 January 1, 2014, because such member is or was on official duty outside  
38 of this state, shall apply within ninety days of returning to the state to  
39 the Department of Emergency Services and Public Protection for a  
40 certificate of possession with respect to such assault weapon. Any  
41 person who lawfully purchases a semiautomatic pistol that is defined as  
42 an assault weapon in any provision of subparagraphs (B) to (F),  
43 inclusive, of subdivision (1) of section 53-202a that the Commissioner of  
44 Emergency Services and Public Protection designates as being designed  
45 expressly for use in target shooting events at the Olympic games  
46 sponsored by the International Olympic Committee pursuant to  
47 regulations adopted under subdivision (4) of subsection (b) of section  
48 53-202b shall apply within ninety days of such purchase to the  
49 Department of Emergency Services and Public Protection for a

50 certificate of possession with respect to such assault weapon.

51 (B) No person who lawfully possesses an assault weapon pursuant to  
52 subdivision (1), (2) or (4) of subsection (b) of section 53-202c shall be  
53 required to obtain a certificate of possession pursuant to this subdivision  
54 with respect to an assault weapon used for official duties, except that  
55 any person described in subdivision (2) of subsection (b) of section 53-  
56 202c who purchases an assault weapon, as defined in any provision of  
57 subparagraphs (B) to (F), inclusive, of subdivision (1) of section 53-202a  
58 for use in the discharge of official duties who retires or is otherwise  
59 separated from service shall apply within ninety days of such retirement  
60 or separation from service to the Department of Emergency Services and  
61 Public Protection for a certificate of possession with respect to such  
62 assault weapon.

63 (3) Any person who obtained a certificate of possession for an assault  
64 weapon, as defined in subparagraph (A) of subdivision (1) of section 53-  
65 202a, prior to April 5, 2013, that is defined as an assault weapon  
66 pursuant to any provision of subparagraphs (B) to (F), inclusive, of  
67 subdivision (1) of section 53-202a shall be deemed to have obtained a  
68 certificate of possession for such assault weapon for the purposes of  
69 sections 53-202a to 53-202k, inclusive, and shall not be required to obtain  
70 a subsequent certificate of possession for such assault weapon.

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

75 (5) The department shall adopt regulations, in accordance with the  
76 provisions of chapter 54, to establish procedures with respect to the  
77 application for and issuance of certificates of possession pursuant to this  
78 section. Notwithstanding the provisions of sections 1-210 and 1-211, the  
79 name and address of a person issued a certificate of possession shall be  
80 confidential and shall not be disclosed, except such records may be  
81 disclosed to (A) law enforcement agencies and employees of the United

82 States Probation Office acting in the performance of their duties and  
83 parole officers within the Department of Correction acting in the  
84 performance of their duties, and (B) the Commissioner of Mental Health  
85 and Addiction Services to carry out the provisions of subsection (c) of  
86 section 17a-500.

87 (b) (1) No assault weapon, as defined in subparagraph (A) of  
88 subdivision (1) of section 53-202a, possessed pursuant to a certificate of  
89 possession issued under this section may be sold or transferred on or  
90 after January 1, 1994, to any person within this state other than to a  
91 licensed gun dealer, as defined in subsection (f) of section 53-202f, or as  
92 provided in section 53-202e, or as provided in subsection (g) of section  
93 53-202f, as amended by this act, or by bequest or intestate succession, or,  
94 upon the death of a testator or settlor: (A) To a trust, or (B) from a trust  
95 to a beneficiary who is eligible to possess the assault weapon.

96 (2) No assault weapon, as defined in any provision of subparagraphs  
97 (B) to (F), inclusive, of subdivision (1) of section 53-202a, possessed  
98 pursuant to a certificate of possession issued under this section may be  
99 sold or transferred on or after April 5, 2013, to any person within this  
100 state other than to a licensed gun dealer, as defined in subsection (f) of  
101 section 53-202f, or as provided in section 53-202e, or as provided in  
102 subsection (g) of section 53-202f, as amended by this act, or by bequest  
103 or intestate succession, or, upon the death of a testator or settlor: (A) To  
104 a trust, or (B) from a trust to a beneficiary who is eligible to possess the  
105 assault weapon.

106 (c) Any person who obtains title to an assault weapon for which a  
107 certificate of possession has been issued under this section by (1)  
108 transfer pursuant to subsection (g) of section 53-202f, as amended by  
109 this act, or (2) bequest or intestate succession shall, within ninety days  
110 of obtaining title, apply to the Department of Emergency Services and  
111 Public Protection for a certificate of possession as provided in subsection  
112 (a) of this section, render the assault weapon permanently inoperable,  
113 sell the assault weapon to a licensed gun dealer or remove the assault  
114 weapon from the state.

115 (d) Any person who moves into the state in lawful possession of an  
116 assault weapon, shall, within ninety days, either render the assault  
117 weapon permanently inoperable, sell the assault weapon to a licensed  
118 gun dealer or remove the assault weapon from this state, except that any  
119 person who is a member of the military or naval forces of this state or of  
120 the United States, is in lawful possession of an assault weapon and has  
121 been transferred into the state after October 1, 1994, may, within ninety  
122 days of arriving in the state, apply to the Department of Emergency  
123 Services and Public Protection for a certificate of possession with respect  
124 to such assault weapon.

125 (e) If an owner of an assault weapon sells or transfers the assault  
126 weapon to a licensed gun dealer, such dealer shall, at the time of  
127 delivery of the assault weapon, execute a certificate of transfer and cause  
128 the certificate of transfer to be mailed or delivered to the Commissioner  
129 of Emergency Services and Public Protection. The certificate of transfer  
130 shall contain: (1) The date of sale or transfer; (2) the name and address  
131 of the seller or transferor and the licensed gun dealer, their Social  
132 Security numbers or motor vehicle operator license numbers, if  
133 applicable; (3) the licensed gun dealer's federal firearms license number  
134 and seller's permit number; (4) a description of the assault weapon,  
135 including the caliber of the assault weapon and its make, model and  
136 serial number; and (5) any other information the commissioner  
137 prescribes. The licensed gun dealer shall present such dealer's motor  
138 vehicle operator's license or Social Security card, federal firearms license  
139 and seller's permit to the seller or transferor for inspection at the time of  
140 purchase or transfer. The Commissioner of Emergency Services and  
141 Public Protection shall maintain a file of all certificates of transfer at the  
142 commissioner's central office.

143 (f) Any person who has been issued a certificate of possession for an  
144 assault weapon under this section may possess the assault weapon only  
145 under the following conditions:

146 (1) At that person's residence, place of business or other property  
147 owned by that person, or on property owned by another person with

148 the owner's express permission;

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

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

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

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

160 (6) While transporting the assault weapon between any of the places  
161 set forth in this subsection, or to any licensed gun dealer, as defined in  
162 subsection (f) of section 53-202f, for servicing or repair pursuant to  
163 subsection (c) of section 53-202f, or for purposes of a transfer pursuant  
164 to subsection (g) of section 53-202f, as amended by this act, provided the  
165 assault weapon is transported as required by section 53-202f, as  
166 amended by this act;

167 (7) With respect to a nonresident of this state, while transporting a  
168 semiautomatic pistol that is defined as an assault weapon in any  
169 provision of subparagraphs (B) to (F), inclusive, of subdivision (1) of  
170 section 53-202a that the Commissioner of Emergency Services and  
171 Public Protection designates as being designed expressly for use in  
172 target shooting events at the Olympic games sponsored by the  
173 International Olympic Committee pursuant to regulations adopted  
174 under subdivision (4) of subsection (b) of section 53-202b, into or  
175 through this state in order to attend any exhibition, display or  
176 educational project described in subdivision (5) of this subsection, or to  
177 participate in a collegiate, Olympic or target pistol shooting competition  
178 in this state which is sponsored by, conducted under the auspices of, or

179 approved by a law enforcement agency or a nationally or state  
180 recognized entity that fosters proficiency in, or promotes education  
181 about, firearms, provided (A) such pistol is transported into or through  
182 this state not more than forty-eight hours prior to or after such  
183 exhibition, display, project or competition, (B) such pistol is unloaded  
184 and carried in a locked carrying case and the ammunition for such pistol  
185 is carried in a separate locked container, (C) such nonresident has not  
186 been convicted of a felony in this state or of an offense in another state  
187 that would constitute a felony if committed in this state, and (D) such  
188 nonresident has in his or her possession a pistol permit or firearms  
189 registration card if such permit or card is required for possession of such  
190 pistol under the laws of his or her state of residence.

191 Sec. 2. Section 53-202f of the general statutes is amended by adding  
192 subsection (g) as follows (*Effective October 1, 2022*):

193 (NEW) (g) (1) Any licensed gun dealer, as defined in subsection (f) of  
194 this section, may take possession of any assault weapon from any  
195 person to whom has been issued a certificate of possession for such  
196 weapon pursuant to sections 53-202a to 53-202k, inclusive, for purposes  
197 of transferring such assault weapon to another person pursuant to  
198 subdivision (2) of this subsection.

199 (2) Any licensed gun dealer may transfer possession of any assault  
200 weapon received pursuant to subdivision (1) of this subsection to a  
201 person who lawfully possesses another assault weapon and to whom  
202 has previously been issued a certificate of possession for such weapon  
203 pursuant to sections 53-202a to 53-202k, inclusive.

204 (3) Any such transfer shall only be between two persons known to  
205 each other prior to such transfer and pursuant to an agreement between  
206 such persons to transfer specific inventory.

207 Sec. 3. Section 53-202w of the general statutes is repealed and the  
208 following is substituted in lieu thereof (*Effective October 1, 2022*):

209 (a) As used in this section and section 53-202x:

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

218 (2) "Lawfully possesses", with respect to a large capacity magazine,  
219 means that a person has (A) actual and lawful possession of the large  
220 capacity magazine, (B) constructive possession of the large capacity  
221 magazine pursuant to a lawful purchase of a firearm that contains a  
222 large capacity magazine that was transacted prior to or on April 4, 2013,  
223 regardless of whether the firearm was delivered to the purchaser prior  
224 to or on April 4, 2013, which lawful purchase is evidenced by a writing  
225 sufficient to indicate that (i) a contract for sale was made between the  
226 parties prior to or on April 4, 2013, for the purchase of the firearm, or (ii)  
227 full or partial payment for the firearm was made by the purchaser to the  
228 seller of the firearm prior to or on April 4, 2013, or (C) actual possession  
229 under subparagraph (A) of this subdivision, or constructive possession  
230 under subparagraph (B) of this subdivision, as evidenced by a written  
231 statement made under penalty of false statement on such form as the  
232 Commissioner of Emergency Services and Public Protection prescribes;  
233 and

234 (3) "Licensed gun dealer" means a person who has a federal firearms  
235 license and a permit to sell firearms pursuant to section 29-28.

236 (b) Except as provided in this section, on and after April 5, 2013, any  
237 person who, within this state, distributes, imports into this state, keeps  
238 for sale, offers or exposes for sale, or purchases a large capacity  
239 magazine shall be guilty of a class D felony. On and after April 5, 2013,  
240 any person who, within this state, transfers a large capacity magazine,  
241 except as provided in subsection (f) of this section, shall be guilty of a  
242 class D felony.



243 (c) Except as provided in this section and section 53-202x: (1) Any  
244 person who possesses a large capacity magazine on or after January 1,  
245 2014, that was obtained prior to April 5, 2013, shall commit an infraction  
246 and be fined not more than ninety dollars for a first offense and shall be  
247 guilty of a class D felony for any subsequent offense, and (2) any person  
248 who possesses a large capacity magazine on or after January 1, 2014, that  
249 was obtained on or after April 5, 2013, shall be guilty of a class D felony.

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

252 (1) The Department of Emergency Services and Public Protection,  
253 police departments, the Department of Correction, the Division of  
254 Criminal Justice, the Department of Motor Vehicles, the Department of  
255 Energy and Environmental Protection or the military or naval forces of  
256 this state or of the United States;

257 (2) A sworn and duly certified member of an organized police  
258 department, the Division of State Police within the Department of  
259 Emergency Services and Public Protection or the Department of  
260 Correction, a chief inspector or inspector in the Division of Criminal  
261 Justice, a salaried inspector of motor vehicles designated by the  
262 Commissioner of Motor Vehicles, a conservation officer or special  
263 conservation officer appointed by the Commissioner of Energy and  
264 Environmental Protection pursuant to section 26-5, or a constable who  
265 is certified by the Police Officer Standards and Training Council and  
266 appointed by the chief executive authority of a town, city or borough to  
267 perform criminal law enforcement duties, for use by such sworn  
268 member, inspector, officer or constable in the discharge of such sworn  
269 member's, inspector's, officer's or constable's official duties or when off  
270 duty;

271 (3) A member of the military or naval forces of this state or of the  
272 United States;

273 (4) A nuclear facility licensed by the United States Nuclear  
274 Regulatory Commission for the purpose of providing security services

275 at such facility, or any contractor or subcontractor of such facility for the  
276 purpose of providing security services at such facility;

277 (5) Any person who is sworn and acts as a policeman on behalf of an  
278 armored car service pursuant to section 29-20 in the discharge of such  
279 person's official duties; or

280 (6) Any person, firm or corporation engaged in the business of  
281 manufacturing large capacity magazines in this state that manufactures,  
282 purchases, tests or transports large capacity magazines in this state for  
283 sale within this state to persons specified in subdivisions (1) to (5),  
284 inclusive, of this subsection or for sale outside this state, or a federally-  
285 licensed firearm manufacturer engaged in the business of  
286 manufacturing firearms or large capacity magazines in this state that  
287 manufactures, purchases, tests or transports firearms or large capacity  
288 magazines in this state for sale within this state to persons specified in  
289 subdivisions (1) to (5), inclusive, of this subsection or for sale outside  
290 this state.

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

292 (1) A licensed gun dealer;

293 (2) A gunsmith who is in a licensed gun dealer's employ, who  
294 possesses such large capacity magazine for the purpose of servicing or  
295 repairing a lawfully possessed large capacity magazine;

296 (3) A person, firm, corporation or federally-licensed firearm  
297 manufacturer described in subdivision (6) of subsection (d) of this  
298 section that possesses a large capacity magazine that is lawfully  
299 possessed by another person for the purpose of servicing or repairing  
300 the large capacity magazine;

301 (4) Any person who has declared possession of the magazine  
302 pursuant to section 53-202x; or

303 (5) Any person who is the executor or administrator of an estate that  
304 includes a large capacity magazine, or the trustee of a trust that includes

305 a large capacity magazine, the possession of which has been declared to  
306 the Department of Emergency Services and Public Protection pursuant  
307 to section 53-202x, which is disposed of as authorized by the Probate  
308 Court, if the disposition is otherwise permitted by this section and  
309 section 53-202x.

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

311 (1) The transfer of a large capacity magazine, the possession of which  
312 has been declared to the Department of Emergency Services and Public  
313 Protection pursuant to section 53-202x, by bequest or intestate  
314 succession, or, upon the death of a testator or settlor: (A) To a trust, or  
315 (B) from a trust to a beneficiary;

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

318 (3) The transfer of a large capacity magazine to a licensed gun dealer  
319 in accordance with section 53-202x; [or]

320 (4) The transfer of a large capacity magazine prior to October 1, 2013,  
321 from a licensed gun dealer, pawnbroker licensed under section 21-40, or  
322 consignment shop operator, as defined in section 21-39a, to any person  
323 who (A) possessed the large capacity magazine prior to or on April 4,  
324 2013, (B) placed a firearm that such person legally possessed, with the  
325 large capacity magazine included or attached, in the possession of such  
326 dealer, pawnbroker or operator prior to or on April 4, 2013, pursuant to  
327 an agreement between such person and such dealer, pawnbroker or  
328 operator for the sale of the firearm to a third person, and (C) is eligible  
329 to possess the firearm on the date of such transfer; [.] or

330 (5) The transfer of a large capacity magazine pursuant to subsection  
331 (g) of this section, the possession of which has been declared to the  
332 Department of Emergency Services and Public Protection pursuant to  
333 section 53-202x.

334 (g) (1) Any person may transfer a large capacity magazine, the

335 possession of which has been declared to the Department of Emergency  
336 Services and Public Protection pursuant to section 53-202x to a licensed  
337 gun dealer.

338 (2) A licensed gun dealer who takes possession of a large capacity  
339 magazine pursuant to subdivision (1) of this subsection, may transfer  
340 ownership of such large capacity magazine to a person who lawfully  
341 possesses another large capacity magazine, the possession of which has  
342 been declared to the Department of Emergency Services and Public  
343 Protection pursuant to section 53-202x.

344 (3) Any such transfer shall only be between two persons known to  
345 each other prior to such transfer and pursuant to an agreement between  
346 such persons to transfer specific inventory.

347 ~~[(g)]~~ (h) If the court finds that a violation of this section is not of a  
348 serious nature and that the person charged with such violation (1) will  
349 probably not offend in the future, (2) has not previously been convicted  
350 of a violation of this section, and (3) has not previously had a  
351 prosecution under this section suspended pursuant to this subsection, it  
352 may order suspension of prosecution in accordance with the provisions  
353 of subsection (h) of section 29-33.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	53-202d
Sec. 2	<i>October 1, 2022</i>	53-202f
Sec. 3	<i>October 1, 2022</i>	53-202w

**Statement of Purpose:**

To allow the legal transfer of an assault weapon possessed under a certificate of possession and large capacity magazines possessed under a declaration of possession between people who already legally possess such weapons or magazines.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

