



General Assembly

Amendment

January Session, 2023

LCO No. 10173



Offered by:

REP. STAFSTROM, 129th Dist.

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To: House Bill No. 6895

File No. 655

Cal. No. 423

"AN ACT CONCERNING A STUDY OF THE CRIMINAL LAWS OF THIS STATE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 29-35 of the general statutes, as
4 amended by section 1 of substitute house bill 6667 of the current session,
5 as amended by House Amendment Schedules "A" and "B", is repealed
6 and the following is substituted in lieu thereof (*Effective October 1, 2023*):

7 (a) (1) No person shall carry any pistol or revolver upon such person's
8 person, except when such person is within such person's dwelling
9 house, on land leased or owned by such person or within the place of
10 business of such person, without a permit to carry the same issued as
11 provided in section 29-28 as amended by [this act] substitute house bill
12 6667 of the current session, as amended by House Amendment
13 Schedules "A" and "B".

14 (2) No person shall knowingly carry any firearm with intent to
15 display such firearm, except when such person is within such person's
16 dwelling house, on land leased, [or] owned or otherwise possessed by
17 such person or within the place of business of such person, or such
18 person is engaged in firearm training or bona fide hunting activity, or
19 such person has been explicitly permitted by another person to carry
20 such firearm with intent to display such firearm while within such other
21 person's dwelling house, on land leased, owned or otherwise possessed
22 by such other person, or within the place of business of such other
23 person. For the purposes of this subdivision, a person shall not be
24 deemed to be carrying a firearm with intent to display such firearm if
25 such person has taken reasonable measures to conceal the fact that such
26 person is carrying a firearm. Neither a fleeting glimpse of a firearm nor
27 an imprint of a firearm through such person's clothing shall constitute a
28 violation of this subdivision. If a person displays a firearm temporarily
29 while engaged in self-defense or other conduct that is otherwise lawful,
30 such display shall not constitute a violation of this subdivision. The
31 provisions of this subdivision shall not apply to any (A) security guard
32 or other person employed to perform the duties of protecting public or
33 private property while in the performance of such duties or traveling to
34 or from such duties, (B) person carrying a firearm as a necessary part of
35 participation in an honor guard or an historic reenactment, or (C) bail
36 enforcement agent licensed under sections 29-152f to 29-152i, inclusive.

37 (3) The provisions of this subsection shall not apply to the carrying of
38 any firearm by any:

39 (A) [(i)] Parole officer or peace officer of this state; [, or (ii) parole]

40 (B) Parole officer or peace officer of any other state while engaged in
41 the pursuit of official duties;

42 [(B)] (C) Department of Motor Vehicles inspector appointed under
43 section 14-8 and certified pursuant to section 7-294d;

44 [(C)] (D) Federal marshal or federal law enforcement agent;

45 ~~[(D)]~~ [(E)] Member of the armed forces of the United States, as defined
46 in section 27-103, or of the state, as defined in section 27-2, when on duty
47 or going to or from duty;

48 ~~[(E)]~~ [(F)] Member of any military organization when on parade or
49 when going to or from any place of assembly;

50 ~~[(F)]~~ [(G)] Person transporting or inspecting a firearm as merchandise;

51 ~~[(G)]~~ [(H)] Person transporting a firearm contained in the package in
52 which such firearm was originally wrapped at the time of sale and while
53 transporting the same from the place of sale to the purchaser's residence
54 or place of business;

55 ~~[(H)]~~ [(I)] Person transporting a firearm as part of the process of
56 removing such person's household goods or effects from one place to
57 another;

58 ~~[(I)]~~ [(J)] Person transporting a firearm from such person's place of
59 residence or business to a place or person where or by whom such
60 firearm is to be repaired or while returning to such person's place of
61 residence or business after the same has been repaired;

62 ~~[(J)]~~ [(K)] Person transporting a firearm in or through the state for the
63 purpose of taking part in competitions, taking part in firearm training,
64 repairing such firearm or attending any meeting or exhibition of an
65 organized collectors' group if such person is a bona fide resident of the
66 United States and is permitted to possess and carry a firearm in the state
67 or subdivision of the United States in which such person resides;

68 ~~[(K)]~~ [(L)] Person transporting a firearm to and from a testing range at
69 the request of the issuing authority; or

70 ~~[(L)]~~ [(M)] Person transporting an antique pistol or revolver, as defined
71 in section 29-33, as amended by [this act] substitute house bill 6667 of
72 the current session, as amended by House Amendment Schedules "A"
73 and "B".

74 (4) For the purposes of this subsection, "firearm training" means
75 firearm training at a firing range, training facility or fish and game club
76 or sporting club, and "transporting a firearm" means transporting a
77 firearm that is unloaded and, if such firearm is being transported in a
78 motor vehicle, is not readily accessible or directly accessible from the
79 passenger compartment of the vehicle or, if such firearm is being
80 transported in a motor vehicle that does not have a compartment
81 separate from the passenger compartment, such firearm shall be
82 contained in a locked container other than the glove compartment or
83 console. Nothing in this section shall be construed to prohibit the
84 carrying of a firearm during firearm training or repair.

85 Sec. 2. Section 53-202x of the general statutes is repealed and the
86 following is substituted in lieu thereof (*Effective October 1, 2023*):

87 (a) (1) Except as provided in subdivision [(2)] (3) of this subsection,
88 any person who lawfully possesses a large capacity magazine prior to
89 January 1, 2014, shall apply by January 1, 2014, or, if such person is a
90 member of the military or naval forces of this state or of the United
91 States and is unable to apply by January 1, 2014, because such member
92 is or was on official duty outside of this state, shall apply within ninety
93 days of returning to the state to the Department of Emergency Services
94 and Public Protection to declare possession of such magazine. Such
95 application shall be made on such form or in such manner as the
96 Commissioner of Emergency Services and Public Protection prescribes.

97 (2) Except as provided in subdivision (3) of this subsection, any
98 person who lawfully possessed a large capacity magazine prior to
99 January 1, 2014, and had not yet declared possession of such magazine
100 as of July 1, 2023, shall apply by January 1, 2024, to declare possession
101 of such magazine. Such application shall be made on such form or in
102 such manner as the Commissioner of Emergency Services and Public
103 Protection prescribes. Truthful information included on a timely
104 registration application for a large capacity magazine pursuant to this
105 subdivision shall not be used against the defendant in any criminal
106 prosecution for possession of such large capacity magazine.

107 [(2)] (3) No person who lawfully possesses a large capacity magazine
108 pursuant to subdivision (1), (2), (4) or (5) of subsection (d) of section 53-
109 202w shall be required to declare possession of a large capacity
110 magazine pursuant to this section with respect to a large capacity
111 magazine used for official duties, except that any such person who
112 retires or is otherwise separated from service who possesses a large
113 capacity magazine that was purchased or obtained by such person for
114 official use before such person retired or separated from service shall
115 declare possession of the large capacity magazine within ninety days of
116 such retirement or separation from service to the Department of
117 Emergency Services and Public Protection. No person that lawfully
118 possesses a large capacity magazine pursuant to subdivision (6) of
119 subsection (d) of section 53-202w shall be required to declare possession
120 of such large capacity magazine.

121 (b) In addition to the application form prescribed under subsection
122 (a) of this section, the department shall design or amend the application
123 forms for a certificate of possession for an assault weapon under section
124 53-202d or for a permit to carry a pistol or revolver under section 29-28a,
125 a long gun eligibility certificate under section 29-37p, an eligibility
126 certificate for a pistol or revolver under section 29-36f or any renewal of
127 such permit or certificate to permit an applicant to declare possession of
128 a large capacity magazine pursuant to this section upon the same
129 application.

130 (c) The department may adopt regulations, in accordance with the
131 provisions of chapter 54, to establish procedures with respect to
132 applications under this section. Notwithstanding the provisions of
133 sections 1-210 and 1-211, the name and address of a person who has
134 declared possession of a large capacity magazine shall be confidential
135 and shall not be disclosed, except such records may be disclosed to (1)
136 law enforcement agencies and employees of the United States Probation
137 Office acting in the performance of their duties and parole officers
138 within the Department of Correction acting in the performance of their
139 duties, and (2) the Commissioner of Mental Health and Addiction
140 Services to carry out the provisions of subsection (c) of section 17a-500.

141 (d) Any person who moves into the state in lawful possession of a
142 large capacity magazine shall, within ninety days, either render the
143 large capacity magazine permanently inoperable, sell the large capacity
144 magazine to a licensed gun dealer or remove the large capacity
145 magazine from this state, except that any person who is a member of the
146 military or naval forces of this state or of the United States, is in lawful
147 possession of a large capacity magazine and has been transferred into
148 the state after January 1, [2014] 2024, may, within ninety days of arriving
149 in the state, apply to the Department of Emergency Services and Public
150 Protection to declare possession of such large capacity magazine.

151 (e) (1) If an owner of a large capacity magazine transfers the large
152 capacity magazine to a licensed gun dealer, such dealer shall, at the time
153 of delivery of the large capacity magazine, execute a certificate of
154 transfer. For any transfer prior to January 1, 2014, or on or after July 1,
155 2023, and prior to January 1, 2024, the dealer shall provide to the
156 Commissioner of Emergency Services and Public Protection monthly
157 reports, on such form as the commissioner prescribes, regarding the
158 number of transfers that the dealer has accepted. For any transfer prior
159 to July 1, 2023, and on or after January 1, 2014, or on or after January 1,
160 2024, the dealer shall cause the certificate of transfer to be mailed or
161 delivered to the Commissioner of Emergency Services and Public
162 Protection. The certificate of transfer shall contain: (A) The date of sale
163 or transfer; (B) the name and address of the seller or transferor and the
164 licensed gun dealer, and their Social Security numbers or motor vehicle
165 operator license numbers, if applicable; (C) the licensed gun dealer's
166 federal firearms license number; and (D) a description of the large
167 capacity magazine.

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

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

174 (f) Any person who declared possession of a large capacity magazine
175 under this section may possess the large capacity magazine only under
176 the following conditions:

177 (1) At that person's residence;

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

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

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

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

187 (6) While transporting the large capacity magazine between any of
188 the places set forth in this subsection, or to any licensed gun dealer,
189 provided (A) such large capacity magazine contains not more than ten
190 bullets, and (B) the large capacity magazine is transported in the manner
191 required for an assault weapon under subdivision (2) of subsection (a)
192 of section 53-202f; or

193 (7) Pursuant to a valid permit to carry a pistol or revolver, provided
194 such large capacity magazine (A) is within a pistol or revolver that was
195 lawfully possessed by the person prior to April 5, 2013, (B) does not
196 extend more than one inch below the bottom of the pistol grip, and (C)
197 contains not more than ten bullets.

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

200 Sec. 3. Subsection (g) of section 53-202w of the general statutes, as
201 amended by section 18 of substitute house bill 6667 of the current
202 session, as amended by House Amendment Schedules "A" and "B", is

203 repealed and the following is substituted in lieu thereof (*Effective October*
204 *1, 2023*):

205 (g) [If] The court may order suspension of prosecution in addition to
206 any other diversionary programs available to the defendant, if the court
207 finds that a violation of this section is not of a serious nature and that
208 the person charged with such violation (1) will probably not offend in
209 the future, (2) has not previously been convicted of a violation of this
210 section, and (3) has not previously had a prosecution under this section
211 suspended pursuant to this subsection, it may order suspension of
212 prosecution in accordance with the provisions of subsection [(i)] (h) of
213 section 29-33, as amended by [this act] substitute house bill 6667 of the
214 current session, as amended by House Amendment Schedules "A" and
215 "B".

216 Sec. 4. Subsections (c) to (h), inclusive, of section 14-224 of the general
217 statutes, as amended by section 39 of substitute senate bill 904 of the
218 current session, as amended by Senate Amendment Schedule "A", are
219 repealed and the following is substituted in lieu thereof (*Effective October*
220 *1, 2023*):

221 (c) (1) No person shall operate a motor vehicle upon any public
222 highway or parking area for any race, contest, demonstration of speed
223 or skill [.] or street takeover. [or motor vehicle stunt.] As used in this
224 section, "street takeover" means taking over a portion of a public
225 highway or parking area by blocking or impeding the regular flow of
226 traffic [for the purpose of causing disorder or creating a nuisance to]
227 with intent to cause disorder or create a nuisance for other users of such
228 highway or parking area.

229 (2) No person shall (A) possess a motor vehicle under circumstances
230 manifesting an intent that it be used in a race, contest, demonstration [.]
231 or street takeover [or motor vehicle stunt] prohibited under subdivision
232 (1) of this subsection, (B) act as a starter, timekeeper or judge at any such
233 race, contest, demonstration [.] or street takeover, or [motor vehicle
234 stunt,] (C) wager on the outcome of any such race, contest,

235 demonstration [,] or street takeover, [,or motor vehicle stunt,] or (D)
236 knowingly [encourage, promote, instigate, assist, facilitate or aid or abet
237 any person] incite or recruit by any action, method, device or means,
238 including, but not limited to, electronic or social media, in advance of
239 any such race, contest, demonstration or street takeover, any person for
240 participation in the performance of any such race, contest,
241 demonstration [,] or street takeover. [,or motor vehicle stunt.]

242 (d) Each person operating a motor vehicle who is knowingly
243 involved in an accident on a limited access highway which causes
244 damage to property only shall immediately move or cause such person's
245 motor vehicle to be moved from the traveled portion of the highway to
246 an untraveled area which is adjacent to the accident site if it is possible
247 to move the motor vehicle without risk of further damage to property
248 or injury to any person.

249 (e) No person who acts in accordance with the provisions of
250 subsection (d) of this section may be considered to have violated
251 subdivision (3) of subsection (b) of this section.

252 (f) Any person who violates the provisions of subsection (a) or
253 subdivision (1) of subsection (b) of this section shall be [fined not more
254 than twenty thousand dollars or be imprisoned not less than two years
255 or more than twenty years or be both fined and imprisoned] guilty of a
256 class B felony.

257 (g) (1) Any person who violates the provisions of subdivision (2) of
258 subsection (b) of this section shall be [fined not less than seventy-five
259 dollars or more than six hundred dollars or be imprisoned not more
260 than five years or be both fined and imprisoned, and for any subsequent
261 offense shall be fined not less than one hundred dollars or more than
262 one thousand dollars or be imprisoned not more than five years or be
263 both fined and imprisoned] guilty of a class D felony.

264 (2) Any person who violates the provisions of subdivision (3) of
265 subsection (b) of this section or subdivision (1) of subsection (c) of this
266 section shall be [fined not less than seventy-five dollars or more than six

267 hundred dollars or be imprisoned not more than one year or be both
268 fined and imprisoned, and for any subsequent offense shall be fined not
269 less than one hundred dollars or more than one thousand dollars or be
270 imprisoned not more than one year or be both fined and imprisoned]
271 guilty of a (A) class A misdemeanor for a first offense, and (B) class D
272 felony for any subsequent offense.

273 [(3) Any person who violates the provisions of subdivision (1) of
274 subsection (c) of this section shall be fined not less than one hundred
275 fifty dollars or more than six hundred dollars or be imprisoned not more
276 than one year or be both fined and imprisoned, and for any subsequent
277 offense shall be fined not less than three hundred dollars or more than
278 one thousand dollars or be imprisoned not more than one year or be
279 both fined and imprisoned.]

280 [(4)] (3) Any person who violates the provisions of subdivision (2) of
281 subsection (c) of this section shall be [fined not more than one thousand
282 dollars or be imprisoned not more than six months or be both fined and
283 imprisoned] guilty of a class B misdemeanor.

284 (h) In addition to any penalty imposed pursuant to subsection (g) of
285 this section: (1) If any person is convicted of a violation of subdivision
286 (1) of subsection (c) of this section and the motor vehicle being operated
287 by such person at the time of the violation is registered to such person,
288 the court may order such motor vehicle to be impounded for not more
289 than thirty days and such person shall be responsible for any fees or
290 costs resulting from such impoundment; or (2) if any person is convicted
291 of a violation of subdivision (1) of subsection (c) of this section and the
292 motor vehicle being operated by such person at the time of the violation
293 is not registered to such person, the court may fine such person not more
294 than two thousand dollars, and for any subsequent offense may fine
295 such person not more than three thousand dollars.

296 Sec. 5. (*Effective from passage*) Section 24 of public act 23-46 shall take
297 effect from its passage and be applicable to civil actions filed on or after
298 July 1, 2022.

299 Sec. 6. Subsection (d) of section 20-7c of the general statutes is
300 repealed and the following is substituted in lieu thereof (*Effective October*
301 *1, 2023*):

302 (d) Upon a written request of a patient, a patient's attorney or
303 authorized representative, or pursuant to a written authorization, a
304 provider, except as provided in section 4-194, shall furnish to the person
305 making such request a copy of the patient's health record, including but
306 not limited to, bills, x-rays and copies of laboratory reports, contact lens
307 specifications based on examinations and final contact lens fittings
308 given within the preceding three months or such longer period of time
309 as determined by the provider but no longer than six months, records of
310 prescriptions and other technical information used in assessing the
311 patient's health condition. No provider shall refuse to return to a patient
312 original records or copies of records that the patient has brought to the
313 provider from another provider. When returning records to a patient, a
314 provider may retain copies of such records for the provider's file,
315 provided such provider does not charge the patient for the costs
316 incurred in copying such records. [No provider shall charge more than]
317 If a provider uses an electronic health record system or database, and
318 the written request for a health record requests an electronic copy to be
319 delivered, the provider shall furnish such copy in an electronic format,
320 at a cost not exceeding twenty-five dollars, including any research fees,
321 handling fees or related costs for supplies but not including the cost of
322 first class postage, if applicable. If a provider does not use an electronic
323 health record system or database, the charge for providing a copy of a
324 health record under this subsection shall not exceed a fee of sixty-five
325 cents per page, including any research fees, handling fees or related
326 costs, and the cost of first class postage, if applicable, [for furnishing a
327 health record pursuant to this subsection,] except such provider may
328 charge a patient (1) the amount necessary to cover the cost of materials
329 and supplies for furnishing a copy of an x-ray [, provided no such charge
330 shall be made] or other imaging study not reproducible in electronic
331 format, plus first class postage, if applicable, and (2) a special handling
332 fee of ten dollars in addition to the fees specified in this subsection if the

333 patient, the patient's attorney or authorized representative requests the
 334 records to be delivered to the person making the request on an
 335 expedited basis. No provider may charge a fee for furnishing a health
 336 record or part thereof to a patient, a patient's attorney or authorized
 337 representative if the record or part thereof is necessary for the purpose
 338 of supporting a claim or appeal under any provision of the Social
 339 Security Act or a claim or appeal for veterans' benefits under any
 340 provision of Title 38 of the United States Code or chapter 506 and the
 341 request is accompanied by documentation of the claim or appeal. A
 342 provider shall furnish a health record requested pursuant to this section
 343 within thirty days of the request, except as otherwise provided in this
 344 subsection. No health care provider, who has purchased or assumed the
 345 practice of a provider who is retiring or deceased, may refuse to return
 346 original records or copied records to a patient who decides not to seek
 347 care from the successor provider. When returning records to a patient
 348 who has decided not to seek care from a successor provider, such
 349 provider may not charge a patient for costs incurred in copying the
 350 records of the retired or deceased provider."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	29-35(a)
Sec. 2	October 1, 2023	53-202x
Sec. 3	October 1, 2023	53-202w(g)
Sec. 4	October 1, 2023	14-224(c) to (h)
Sec. 5	from passage	New section
Sec. 6	October 1, 2023	20-7c(d)