
OLR Bill Analysis

sHB 6859 (as amended by House "A")

AN ACT CONCERNING THE DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION'S RECOMMENDATIONS REGARDING CERTAIN EVIDENCE AND RECORDS, FIREARM INFORMATION, SECURITY GUARDS, FIREARM TRANSFERS AND SCHOOL SECURITY GRANTS.

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Establishes a working group in DAS to study the Codes and Standards committee

BACKGROUND

SUMMARY

This bill makes changes related to (1) the identification and tracking of seized and recovered firearms; (2) security professionals' credentials and carrying of certain weapons; (3) the sale and transfer of firearms, (4) the school security infrastructure competitive grant program; (5) access to juvenile records and firearms eligibility of people adjudicated of a serious juvenile offense; (6) the Fire Marshal Training Council; (7) the Commission on Fire Prevention and Control; and (8) establishing a Codes and Standards Committee-related working group, as explained in the section-by-section summary below.

The bill also makes various minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2025, unless otherwise specified below.

*House Amendment "A" removes the underlying bill's provisions on storing sexual assault evidence and replaces the provision expanding disclosure of juvenile case records for evaluating firearm transfers of anyone, regardless of age, with provisions requiring disclosure to determine whether an applicant for various gun-related permits or certificates committed a serious juvenile offense on or after January 1, 2026. It adds provisions on (1) eligibility for various gun-related permits or certificates of persons adjudicated of a serious juvenile offense, (2) the Fire Marshal Training Council, (3) the Commission on Fire Prevention and Control, and (4) a working group to study the Codes and Standards Committee.

It also makes certain changes to the underlying provisions on security officers, including (1) requiring licensure renewal applicants to submit

fingerprints with the application and (2) removing from the underlying bill a provision setting a 30-day window for licensure applicants to complete their application if they are notified of a deficiency and intend to keep working.

§§ 1 & 2 — DELETED BY HOUSE AMENDMENT “A”

Deleted by House Amendment “A”

§ 3 — IDENTIFICATION AND TRACKING OF SEIZED AND RECOVERED FIREARMS

Requires law enforcement agencies to opt in to share information on recovered firearms through the ATF’s eTrace system

Under existing law, when a law enforcement agency seizes or recovers a firearm, it must take all appropriate steps to identify and trace its history. The bill changes the required steps, principally by requiring the agency to opt in to information sharing through the Bureau of Alcohol, Tobacco, Firearms, and Explosives’ (ATF’s) National Tracing Center’s (NTC’s) electronic tracking system (eTrace).

Under the bill, a law enforcement agency must:

1. submit all available information on the firearms’ identity to eTrace;
2. opt to allow the information to be shared via eTrace; and
3. if the firearm was stolen or missing, enter the information into the Connecticut on-line law enforcement communications teleprocessing system (COLLECT, the Department of Emergency Services and Public Protection’s (DESPP’s) digital tool to access online state and federal law enforcement resources).

Under current law, agencies must transmit information to the NTC or enter it into the COLLECT database (for transmission to the NTC).

Under the bill for this provision, a “law enforcement agency” is the state police, any municipal police department, or the police departments of the state colleges and universities.

§§ 4-6 — SECURITY OFFICERS

Requires security officers to obtain a special permit from the DESPP commissioner before they may carry an electronic defense weapon; requires security officer license applicants to complete relevant training if they intend to carry batons or pepper spray ("less lethal weapons"); requires licensure renewal applicants to submit fingerprints with the application

Permit to Carry an Electronic Defense Weapon (§ 4)

The bill authorizes the DESPP commissioner to grant security officers (whether employed by security firms or other entities) a permit to carry an electronic defense weapon (EDW) while actively on duty or directly traveling to or from work. Without a permit they are prohibited from carrying an EDW. Under the bill, the permit fee is \$62. It expires at the same time as the person's pistol (handgun) permit, and may be renewed for five-year periods.

To issue the permit, the commissioner must be given proof that the employee has successfully completed a DESPP-approved training course in the safety and use of EDWs. The commissioner must also adopt regulations on who can offer this training and its required hours and contents.

The DESPP commissioner may grant employees a temporary permit to carry an EDW while the application is pending. To be issued a temporary permit, the applicant must have submitted an application and completed the required training courses immediately after being hired.

The bill also requires all security officers who carry EDWs to undergo annual refresher and safety training as directed by the DESPP commissioner.

Carry of Less Lethal Weapons (§§ 5 & 6)

The bill generally requires that applicants for a security officer license who intend to carry a less lethal weapon (LLW) while on duty receive and complete additional DESPP-approved training. The training must teach the security officer how to use LLWs legally and in line with the manufacturer's recommendations. Under the bill, an LLW is a baton or oleoresin capsicum spray (i.e. pepper spray).

The bill exempts active military members, and veterans within two years after an honorable discharge, from the training requirement if they received equivalent training while serving and apply within two years of their discharge. The same exemption applies under existing law to other training requirements for security officer license applicants.

Current law exempts security guards, while performing their work, from the general prohibition on carrying police batons or nightsticks (or various other weapons). The bill instead applies this exemption to LLWs, and specifies that it applies to licensed security officers or those authorized to work while their application is pending (see below).

Fingerprints With Renewal Application (§ 5)

By law, applicants for a security officer license or license renewal must submit to a state and national criminal history records check.

Current law requires these license applicants, but not renewal applicants, to submit two sets of their fingerprints along with the application. The bill removes the exemption for renewal applicants, requiring that they submit fingerprints.

Currently, the law exempts security officer licensure renewal applicants from paying certain background check fees. The bill limits the fee exemption to the fingerprint search or fingerprinting.

§§ 7-9 — TRANSFER OF FIREARMS

Updates documentation requirements for firearm transfers, consolidates the separate process required for the private transfer of long guns into the process for gun dealers, and makes related changes

Process of Transferring Handguns (§ 7)

Generally, current law requires handgun buyers (or other transferees) to (1) complete a DESPP firearms purchase application and (2) after the transaction is approved (e.g., following a background check), sign a receipt with specified information.

The bill instead combines these requirements into one form, referred to as a transfer document. It requires the seller or other transferor to complete the document on a DESPP-provided form. Generally similar

to current law for the receipt, the transfer document must be signed by the buyer and contain the following:

1. the name and address of the transferor and transferee;
2. the date of sale;
3. the caliber, make, model, and manufacturer's number of the handgun;
4. a general description of the handgun;
5. the identification number of the transferor's and transferee's handgun permit, permit to sell firearms at retail, or handgun eligibility certificate; and
6. the DESPP authorization number for the transfer.

The bill makes related minor and conforming changes, such as on the requirements to give the document to certain officials.

Current law requires handgun sellers to keep the transaction records for certain minimum periods (application for 20 years and receipt for five years). Under the bill, if either party to the transfer is a federally licensed firearm dealer (i.e. a federal firearms licensee (FFL)), the dealer must keep the transfer document for at least 20 years (or until they go out of business, like current law).

Under the bill, sellers are no longer specifically required to ensure that questions on the document are answered properly prior to releasing the handgun.

As under existing law, the above requirements do not apply to transfers (1) between FFLs, importers, and manufacturers or (2) involving antique handguns.

Transfer of Firearms From Deceased Persons' Estates (§ 7)

Existing law generally prohibits the DESPP commissioner from issuing more than three authorization numbers for the retail sale of

handguns to any transferee within a 30-day period (or six authorization numbers if the transferee is a certified firearms instructor).

The bill exempts from these limits any firearm transferred by bequest (left to a beneficiary by a will) or intestate succession (distribution to a deceased person's beneficiary without a will), or to or from a trust upon the death of a testator (a person who makes a will) or settlor (person who creates a trust).

Process for Transferring Long Guns (§§ 8 & 9)

Under current law, the procedures for long gun sales and transfers differ in some respects for gun dealers versus other sellers. For sales by dealers, the required procedures are like those governing handgun transfers. Private sellers, before transferring a long gun, must either (1) get a DESPP authorization number or (2) ask a gun dealer to contact DESPP on his or her behalf and obtain the authorization number. (A DESPP policy change in September 2023, made at the FBI's direction, effectively eliminated the first option for private sellers and requires all private long gun sales to be facilitated through an FFL.)

The bill eliminates the separate process for sales by non-dealers. Under the bill, private long gun transfers must go through the same process as transfers by gun dealers.

Similar to the handgun provisions (see above), the bill also combines separate requirements for long gun transaction applications and receipts into one transfer document, with generally similar information and recordkeeping requirements as under current law for the separate forms. The bill's procedures for documenting long gun transactions generally mirror those for handgun transactions.

As under existing law, the above requirements do not apply to long gun transfers (1) to certain parties (e.g., the police); (2) between FFLs, importers, and manufacturers; or (3) involving antique firearms.

§§ 10 & 11 — SCHOOL SECURITY GRANT PROGRAM

Requires that applicants for the school security infrastructure grant program conduct a school assessment using guidelines established by DESPP's Division of Emergency

Management and Homeland Security, and sets a cap on DESPP's use of the program's funds for certain communications systems

Assessment Guidelines (§ 10)

By law, DESPP, the Department of Administrative Services (DAS), and the State Department of Education (SDE) are collectively responsible for administering the School Security Infrastructure Grant Program. The program reimburses approved applicants, within certain limits, for developing or improving security infrastructure, related training, or portable entrance security devices. Grants can be given to various entities, such as towns (for their public schools), private schools, and certain licensed childcare centers.

To be eligible, an applicant must, among other things, have a uniform assessment of the schools (or other applicable entities) under its jurisdiction, including security infrastructure. Under current law, applicants must do so using the National Clearinghouse for Educational Facilities' Safe School Facilities Checklist. The bill instead requires applicants to use guidelines established by DESPP's Division of Emergency Management and Homeland Security that are based on best practices for school security infrastructure.

Use of Bonds (§ 11)

Existing law authorizes \$107 million in bond funding for the program. Current law requires SDE to use the bond proceeds for the program, except DESPP must use at least \$5 million for school security projects that involve multimedia interoperable communications systems.

Under the bill, DESPP may fund the projects from these proceeds, but is not required to. If DESPP decides to fund such projects, they may not use more than \$5 million.

EFFECTIVE DATE: Upon passage

§§ 501-504 — RECORDS OF CASES OF JUVENILE MATTERS AND FIREARMS ELIGIBILITY

Allows juvenile case records to be made available to authorized government agents and employees while determining if a person applying for various gun-related permits or certificates committed a serious juvenile offense (SJO) on or after January 1, 2026; limits

the prohibition on eligibility for various gun-related permits or certificates based on an SJO to only SJOs committed on and after January 1, 2026

Under existing law, juvenile case records involving delinquency proceedings are confidential and may only be disclosed to select persons whose professional duties require access to these records.

Current law grants access to these records to employees and authorized agents of municipal, state, or federal agencies involved in evaluating the proposed transfer of a firearm to someone under age 21 as required by federal law (see BACKGROUND). The bill makes technical changes to this provision and also requires that records of juvenile cases be made available to these employees and agents to determine whether an applicant has committed a serious juvenile offense (SJO; see BACKGROUND) on or after January 1, 2026, when determining their eligibility to receive a (1) permit to carry a pistol or revolver (handgun), (2) an eligibility certificate for a handgun, (3) a long gun eligibility certificate, or (4) an ammunition certificate.

Juvenile Adjudications and Handgun Permits (§§ 502-504)

Current law prohibits someone from being issued (1) a permanent or temporary state permit to carry a handgun, (2) an eligibility certificate for a handgun, (3) an eligibility certificate for a long gun, and (4) an ammunition certificate, if the person has been adjudicated as delinquent for committing an SJO. The bill limits this prohibition to SJOs committed on or after January 1, 2026.

EFFECTIVE DATE: January 1, 2026

§ 505 — FIRE MARSHAL TRAINING COUNCIL

Reduces and adjusts the membership of the Fire Marshal Training Council

The bill reduces the membership of the Fire Marshal Training Council from 12 to 9 and changes its composition, as shown in the table below. Principally, the bill (1) eliminates the members appointed by the governor (two chief elected officials and two public members), Board of Regents for Higher Education (one member), and Board of Trustees for the Community-Technical Colleges (two members) and (2) adds four members appointed by specified entities.

The bill allows out-of-state residents to serve on the council by eliminating the requirement that the council's members be state residents. It also eliminates the provision requiring that members serve without compensation but allowing them to be reimbursed for necessary expenses.

**Table: Fire Marshal Training Council Composition
Under Current Law and the Bill**

<i>Current Law</i>	<i>Bill</i>
State fire marshal or her designee	State fire marshal or her designee
A Codes and Standards Committee member elected by the committee	A Codes and Standards Committee member elected by the committee
Three members appointed by the Connecticut Fire Marshals Association who are local or deputy fire marshals or fire inspectors (one volunteer, one part-time paid, and one full-time)	Three members designated by the Connecticut Fire Marshals Association, who are local or deputy fire marshals or fire inspectors (one part-time paid and two full-time)
One member appointed by the Board of Regents for Higher Education	One member designated by the Connecticut Chapter of the American Institute of Architects
Two members appointed by the Board of Trustees for the Community-Technical Colleges	One member appointed by DAS' Office of Education and Data Management
Two chief elected officials appointed by the governor, one from a municipality with more than 70,000 people and the other from a municipality with less than 70,000 people	One member designated by the Connecticut Conference of Municipalities
Two public members appointed by the governor	One member designated by the Connecticut Council of Small Towns

§ 506 — COMMISSION ON FIRE PREVENTION AND CONTROL

Designates all of the Commission on Fire Prevention and Control's members as voting members, and specifically allows the State Fire Marshal to select a designee

Under existing law, starting on July 1, 2025, the Commission on Fire Prevention and Control includes 21 members, including the state fire marshal. (Before then, there are 12 members.) The bill specifically allows the state fire marshal to select a designee to serve in her place.

Starting on July 1, 2025, the commission currently includes three nonvoting members. The bill makes these members voting members. This applies to the following officials or their designees:

1. the state fire marshal,
2. the Department of Energy and Environmental Protection Forestry Division's forest protection supervisor, and
3. the DESPP State Police Fire and Explosion Investigation Unit's commanding officer.

EFFECTIVE DATE: July 1, 2025

§ 507 — CODES AND STANDARDS COMMITTEE WORKING GROUP

Establishes a working group in DAS to study the Codes and Standards committee

The bill requires the DAS commissioner to convene a working group to study the Codes and Standards Committee. The study must include a review of the committee's membership and procedures.

The working group must consist of:

1. four members appointed by the DAS commissioner,
2. one member appointed by the DESPP commissioner,
3. two members designated by the Connecticut Building Officials Association, and
4. two members designated by the Connecticut Fire Marshals Association.

It must submit a report that includes its findings and recommendations to the Public Safety and Security Committee by July 1, 2026. The working group ends on that date or when it submits the report, whichever is later.

Working group members may not be a current member of the Codes and Standards Committee.

By law, the Codes and Standards Committee works with the state building inspector and state fire marshal to enforce the state building and fire codes (CGS § 29-251).

EFFECTIVE DATE: Upon passage

BACKGROUND

Serious Juvenile Offense

By law, serious juvenile offenses include, among other things, murder with special circumstances, arson murder, most class A felonies, many class B felonies, and running away without just cause from a secure residential facility in which the court has placed the child after adjudicating him or her delinquent (CGS § 46b-120(8)).

Federal Law on Sale of Firearms and Ammunition

Federal law (18 U.S.C. § 922(d)) prohibits the sale or disposition of any firearm or ammunition to anyone who:

1. is under indictment or has been convicted of a crime punishable by a prison sentence of more than one year,
2. is a fugitive from justice,
3. is an unlawful user of (or addicted to) a controlled substance under federal law,
4. has been adjudicated as a mental defective or has been committed to any mental institution at 16 years of age or older,
5. who is illegally or unlawfully in the U.S.,
6. has been admitted to the U.S. under a nonimmigrant visa,
7. has been dishonorably discharged from the U.S. Armed Forces,
8. has renounced their U.S. citizenship,
9. is subject to a court-issued restraining order against certain persons,
10. has been convicted of a misdemeanor crime of domestic violence, or
11. intends to sell or dispose of the firearm or ammunition in

furtherance of certain crimes or to a person prohibited from having it.

Related Act

PA 25-18, § 8, also expands the exemption from the handgun purchase limit within a 30-day period by adding transfers to defense contractors, nuclear-powered submarine manufacturers, aerospace companies, or nuclear power generating facilities through an agreement with a federal agency or federal regulations for the purpose of training armed security force personnel or providing an armed security force.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/18/2025)

Appropriations Committee

Joint Favorable

Yea 40 Nay 10 (05/05/2025)