
OLR Bill Analysis

sHB 6859

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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[BACKGROUND](#) **SUMMARY**

This bill makes changes related to sexual assault evidence storage, security professionals' credentials and carrying of certain weapons, the

sale and transfer of firearms, law enforcement information sharing on recovered firearms, and the school security infrastructure competitive grant program, 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.

§ 1 — STORAGE OF SEXUAL ASSAULT EVIDENCE

Requires DESPP, after analyzing sexual assault evidence, to transfer it back to the law enforcement agency rather than keeping it until the conclusion of criminal proceedings

Under current law, the Department of Emergency Services and Public Protection's (DESPP) Division of Scientific Services, after analyzing sexual assault evidence received from a law enforcement agency, must hold it until the conclusion of any criminal proceedings.

The bill reduces the amount of time the division must hold this evidence by requiring it to be transferred when the division concludes its analysis. Once the division completes its analysis, it must transfer the evidence (in a way that maintains its integrity) to the law enforcement agency that collected the evidence. The agency is then required to hold the evidence until the conclusion of any criminal proceedings.

The bill also eliminates the option for law enforcement agencies, after receiving sexual assault evidence from health care facilities, to transfer it to the FBI Laboratory, instead requiring in all cases that it be sent to DESPP.

§ 2 — RECORDS OF CASES OF JUVENILE MATTERS

Allows juvenile case records to be made available to authorized government agents and employees while evaluating the proposed transfer of a firearm to any person, regardless of their age

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 less than 21 years old. The bill grants this access regardless of the person's age.

The bill also makes a conforming change by eliminating the reference to this access provision being required by the federal Bipartisan Safer Communities Act (P.L. 117-159). Under the federal act, a federally licensed firearms importer, manufacturer, or dealer (licensee) may transfer a firearm to a person less than 21 years old if the national instant criminal background check system has not notified the licensee that there is reason to investigate the transferee for having a juvenile record that would disqualify them from purchasing a firearm.

EFFECTIVE DATE: July 1, 2025

§ 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 is required to 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 concerning the identity of the firearm 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, 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).

The bill also defines “law enforcement agency” (for the purposes of this law) to mean 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 are permitted to 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”); gives licensure applicants 30 days to complete their application if they are notified of a deficiency and intend to keep working while the application is pending

Permit to Carry an Electronic Defense Weapon (§ 4)

The bill authorizes the DESPP commissioner to grant to 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. 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 applicants for a security officer license who intend to carry a less lethal weapon (LLW) while on duty receive and complete 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 means 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).

Performing Security Officer Duties While an Application is Pending (§ 5)

Existing law allows security officer applicants, under certain conditions, to work in the role (except at a school or day care) while their license application is pending. The bill specifies that if the DESPP commissioner notifies them that the application is incomplete, they may continue to work while unlicensed if they complete it within 30 days of this notice.

Under existing law, applicants for a security officer license are permitted to perform the duties of a security officer if they (1) have been the subject of a state and national criminal history records check that reveals no disqualifying information about the applicant, (2) completed all requisite training or obtained a waiver for the training, and (3) are not a decertified police officer and have not had their certification cancelled, revoked, or renewal refused.

§§ 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 provide 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, similar to 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 of 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 similar to 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

By law, DESPP, the Department of Administrative Services, 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. It 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, provide for 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 regarding school security infrastructure.

EFFECTIVE DATE: Upon passage

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 such 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: July 1, 2025

BACKGROUND

Related Bill

sHB 7056, § 8, favorably reported by the Public Safety and Security Committee, 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)