

STATE OF CONNECTICUT
AGENCY LEGISLATIVE PROPOSAL
2010 SESSION

Document Name

Agency Department of Public Safety	Agency Priority (necessary) #
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Title of Proposal AAC The Department of Public Safety	Statutory Reference Proposal Type <input type="checkbox"/> New <input checked="" type="checkbox"/> Resubmittal
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ATTACH COPY OF FULLY DRAFTED BILL (Required for review)

APPROVAL OF OTHER AFFECTED AGENCY (Attach additional approvals if necessary)

Agency	Agency Contact (Name and Title)
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<i>Attach Summary of Agency Comments</i>	Contact Date
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Summary of Proposal (Include background information)
 Changes to Add Annual Firearms Refresher Training and DPS Approval of Instructors to the Bail Enforcement Agent Licensing and **Permit to Carry Firearm Statutes**: Additions are made to the bail enforcement agent licensing and special permit to carry firearm application process that would mandate annual firearms refresher training for armed bail enforcement agents, professional bondsmen and surety bail bond agents. **Proposal would also require DPS approval of instructors and allow for the suspension or revocation of such approval for cause.**

Reason for Proposal (Include significant policy and programmatic impacts)
 Changes to Add Annual Firearms Refresher Training and DPS Approval of Instructors to the Bail Enforcement Agent Licensing and **Permit to Carry Firearm Statutes**: Proposal would mandate annual firearms refresher training for bail enforcement agents, professional bondsmen and surety bail bond agents, providing consistency with firearms training requirements for armed security officers. **Proposal would also require DPS approval of instructors and allow for the suspension or revocation of such approval for cause.**

Significant Fiscal Impacts

Municipal: none

Federal: none

State: none

Insert Fully Drafted Bill Here

AN ACT CONCERNING THE REGULATION OF FIREARMS AND THE LICENSING OF BAIL ENFORCEMENT AGENTS, PROFESSIONAL BONDSMEN AND SURETY BAIL BOND AGENTS.

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

Section 1. Section 29-152m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

(a) No professional bondsman licensed under chapter 533, surety bail bond agent licensed under chapter 700f or bail enforcement agent licensed under sections 29-152f to 29-152i, inclusive, shall carry a pistol, revolver or other firearm while engaging in the business of a professional bondsman, surety bail bond agent or bail enforcement agent, as the case may be, or while traveling to or from such business unless such bondsman or agent obtains a special permit from the Commissioner of Public Safety in accordance with the provisions of subsection (b) of this section. The permit required under this section shall be in addition to the permit requirement imposed under section 29-28.

(b) The Commissioner of Public Safety may grant to any professional bondsman licensed under chapter 533, surety bail bond agent licensed under chapter 700f or bail enforcement agent licensed under sections 29-152f to 29-152i, inclusive, a permit to carry a pistol or revolver or other firearm while engaging in the business of professional bondsman, surety bail bond agent or bail enforcement agent, as the case may be, or while traveling to or from such business, provided that such bondsman or agent has proven to the satisfaction of the commissioner that such bondsman or agent has successfully completed a course, approved by the commissioner, of training in the safety and use of firearms. **[The commissioner shall adopt regulations in accordance with the provisions of chapter 54 concerning the approval of schools, institutions or organizations offering such courses, requirements for instructors and the required number of hours and content of such courses.]**

(c) Application for a permit issued pursuant to this section shall be made on forms provided by the commissioner and shall be accompanied by a thirty-one-dollar fee. Such permit shall have an expiration date that coincides with that of the state permit to carry a pistol or revolver issued pursuant to section 29-28. A permit issued pursuant to this section shall be renewable every five years with a renewal fee of thirty-one dollars. **Each such professional bondsman, surety bail bond agent or bail enforcement agent shall successfully complete a firearms safety refresher course approved by the commissioner each year as a condition of such renewal.**

(d) The commissioner shall send, by first class mail, a notice of expiration of the bail enforcement agent firearms permit issued pursuant to this section, together with a notice of expiration of the permit to carry a pistol or revolver issued

pursuant to section 29-28, in one combined form. The commissioner shall send such combined notice to the holder of the permits not later than ninety days before the date of the expiration of both permits, and shall enclose a form for renewal of the permits. A bail enforcement agent firearms permit issued pursuant to this section shall be valid for a period of ninety days after the expiration date, except this provision shall not apply if the permit to carry a pistol or revolver has been revoked or revocation is pending pursuant to section 29-32, in which case the bail enforcement agent firearms permit shall also be revoked.

(e) The commissioner shall adopt regulations in accordance with the provisions of chapter 54 concerning the approval of schools, institutions or organizations offering such courses, requirements for instructors and the required number of hours and content of such courses.

Sec. 2. **(NEW)** *(Effective October 1, 2010)* (a) (1) On and after October 1, 2010, no person may be an instructor for the course in the criminal justice system required pursuant to section 29-152f of the general statutes or the course in the safety and use of firearms required pursuant to subsection (b) of section 29-152m of the general statutes, as amended by this act, without the approval of the commissioner. Application for such approval shall be submitted on a form prescribed by the commissioner. Such application shall be made under oath and shall contain the following: (A) The applicant's name, address, and date and place of birth; (B) the applicant's employment for the five years prior to the date of application; (C) the applicant's education or training in the subject matter of the courses required by section 29-152f of the general statutes or subsection (b) of section 29-152m of the general statutes, as amended by this act, as applicable; (D) any convictions for violations of the law; and (E) such other information as required by the commissioner including photographs and fingerprints in accordance with 29-17a, or any regulation adopted pursuant to this section to investigate the character, competency and integrity of the applicant. The commissioner shall submit the applicant's fingerprints to the Federal Bureau of Investigation for a national criminal history record check.

(2) No person shall be approved as an instructor who (A) has been convicted of a felony or any misdemeanor pursuant to section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173, 53a-175, 53a-176, 53a-178 or 53a-181d of the general statutes, (B) has been denied a license as a professional bondsman, surety bail bond agent or bail enforcement agent, or (C) has had said license revoked or suspended or (D) who does not possess a permit to carry pistols or revolvers..

(3) If a course conducted by an instructor pursuant to section 29-152f of the general statutes or subsection (b) of section 29-152m of the general statutes, as amended by this act, is approved by the commissioner on or before September 30, 2010, the instructor of such course shall have until April 1, 2011, to apply for approval as an instructor in accordance with subdivision (1) of this subsection.

(b) Upon being satisfied, after investigation, that the applicant is a suitable person to receive approval as an instructor and that the applicant satisfies the requirements of subsection (a) of this section, the Commissioner of Public Safety may issue an approval to such applicant to do business in this state as an approved instructor. The fee for such approval shall be twenty dollars. The term

for such approval shall not exceed two years. Not later than two business days after any change of address, any person approved as an instructor under this section shall notify the commissioner of such change and such notification shall include both the old and new addresses.

(c) Each person approved as an instructor under this section may apply for renewal of such approval on a form provided by the Commissioner of Public Safety that provides for the disclosure of such information as said commissioner requires to determine whether such instructor's suitability to continue as an instructor has changed since the issuance of the prior approval. The fee for such renewal shall be twenty dollars.

(d) The commissioner may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to implement the provisions of this section.

(e) Any person that violates any provision of this section shall be fined seventy-five dollars for each offense. Each distinct violation of this section shall be a separate offense and, in the case of a continuing violation, each day thereof shall be deemed a separate offense.

Sec. 3. (NEW) (*Effective October 1, 2010*) The Commissioner of Public Safety may suspend, revoke or refuse to renew the approval of any instructor pursuant to section 2 of this act, provided notice shall have been given to the instructor to appear before the commissioner to show cause why the approval should not be suspended, revoked or refused renewal, upon a finding by the commissioner that the instructor: (1) Has violated any of the terms or provisions of section 2 of this act; (2) has practiced fraud, deceit or misrepresentation; (3) has made a material misstatement in the application for issuance or renewal of such approval; (4) has demonstrated incompetence or untrustworthiness in the conduct of the instructor's courses; (5) has been convicted of a felony, a misdemeanor specified in section 29-152f of the general statutes, or other crime affecting the instructor's honesty, integrity or moral fitness; or (6) is unsuitable. Any party aggrieved by an order of the commissioner under this section may appeal therefrom in accordance with the provisions of section 4-183 of the general statutes, except venue for such appeal shall be in the judicial district of Hartford.

Sec. 4. Subsection (b) of section 51-164n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

(b) Notwithstanding any provision of the general statutes, any person who is alleged to have committed (1) a violation under the provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, or 12-326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e) of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or 14-58,

subsection (b) of section 14-66, section 14-66a, 14-66b or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first violation as specified in subsection (f) of section 14-164i, section 14-219 as specified in subsection (e) of said section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) of section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-33, subsection (a) of section 15-115, section 16-256, 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-734, subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-257, 20-265 or 20-324e, subsection (a) of section 20-341, section 20-341i, 20-597, 20-608, 20-610, 21-30, 21-38, 21-39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-159, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b) or (e) of section 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of section 22a-250, subsection (e) of section 22a-256h, subsection (a) of section 22a-381d, section 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or (b) of section 23-65, section 25-37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79, 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138, 26-141, 26-207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-109, 29-143o, 29-143z, [29-152, 29-152n](#), 29-156a, subsection (b), (d), (e) or (g) of section 29-161q, section 29-161y, 29-161z, 29-198, 29-210, 29-243, 29-277, 29-316, 29-318, 29-341, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48, 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288, 36a-787, 42-230, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 46b-38dd, 46b-38gg, 46b-38kk, 47-34a, 47-47, 49-8a, 49-16 or 53-133, or section 53-212a, 53-249a, 53-252, 53-264, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344 or 53-450, or (2) a violation under the provisions of chapter 268, or (3) a violation of any regulation adopted in accordance with the provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any town, city or borough, except violations of building codes and the health code, for which the penalty exceeds ninety dollars but does not exceed two hundred fifty dollars, unless such town, city or borough has established a payment and hearing procedure for such violation pursuant to section 7-152c, shall follow the procedures set forth in this section.