

**STATE OF CONNECTICUT
AGENCY LEGISLATIVE PROPOSAL
2010 SESSION**

Document Name (e.g., OPM051.doc; OPM052.doc)	
Agency DEPARTMENT OF PUBLIC SAFETY	Agency Priority (necessary)
Contact Person	Telephone
Email Address	
Title of Proposal Sec. 53-206. Carrying of dangerous weapons prohibited. Sec. 53-206c, "Sale, carrying and brandishing of facsimile firearms prohibited.	Statutory Reference Proposal Type New <input checked="" type="checkbox"/> Resubmittal
ATTACH COPY OF FULLY DRAFTED BILL (Required for review)	
APPROVAL OF OTHER AFFECTED AGENCY (Attach additional approvals if necessary)	
Agency N/A	Agency Contact (Name and Title)
Attach Summary of Agency Comments	Contact Date
Summary of Proposal (Include background information) That additional language be added to existing statutes, Section 53-206, " Carrying of dangerous weapons prohibited," and Section 53-206c, "Sale, carrying and brandishing of facsimile firearms prohibited." The additional language would allow for an exception to the carrying of dangerous weapons, and the sale, carrying and brandishing of facsimile firearms, for any person while participating in a qualified production under the auspices of a state certified production company.	
Reason for Proposal (Include significant policy and programmatic impacts) With the rise in movie and filmmaking productions within the state, it is necessary to take into consideration the special effects and certain legal obstacles in reference to firearms in order to make it easier to promote the influx of film industry to conduct business in Connecticut.	
Significant Fiscal Impacts Municipal: None Federal: None State: None	

Sec. 53-206. Carrying of dangerous weapons prohibited.

(a) Any person who carries upon his or her person any BB gun, blackjack, metal or brass knuckles, or any dirk knife, or any switch knife, or any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, or stiletto, or any knife the edged portion of the blade of which is four inches or over in length, any police baton or nightstick, or any martial arts weapon or electronic defense weapon, as defined in section 53a-3, or any other dangerous or deadly weapon or instrument, shall be fined not more than five hundred dollars or imprisoned not more than three years or both. Whenever any person is found guilty of a violation of this section, any weapon or other instrument within the provisions of this section, found upon the body of such person, shall be forfeited to the municipality wherein such person was apprehended, notwithstanding any failure of the judgment of conviction to expressly impose such forfeiture.

(b) The provisions of this section shall not apply to (1) any officer charged with the preservation of the public peace while engaged in the pursuit of such officer's official duties; (2) the carrying of a baton or nightstick by a security guard while engaged in the pursuit of such guard's official duties; (3) the carrying of a knife, the edged portion of the blade of which is four inches or over in length, by (A) any member of the armed forces of the United States, as defined in section 27-103, or any reserve component thereof, or of the armed forces of this state, as defined in section 27-2, when on duty or going to or from duty, (B) any member of any military organization when on parade or when going to or from any place of assembly, (C) any person while transporting such knife as merchandise or for display at an authorized gun or knife show, (D) any person who is found with any such knife concealed upon one's person while lawfully removing such person's household goods or effects from one place to another, or from one residence to another, (E) any person while actually and peaceably engaged in carrying any such knife from such person's place of abode or business to a place or person where or by whom such knife is to be repaired, or while actually and peaceably returning to such person's place of abode or business with such knife after the same has been repaired, (F) any person holding a valid hunting, fishing or trapping license issued pursuant to chapter 490 or any salt water fisherman carrying such knife for lawful hunting, fishing or trapping activities, or (G) any person while participating in an authorized historic reenactment; (4) the carrying by any person enrolled in or currently attending, or an instructor at, a martial arts school of a martial arts weapon while in a class or at an authorized event or competition or while transporting such weapon to or from such class, event or competition; (5) the carrying of a BB. gun by any person taking part in a supervised event or competition of the Boy Scouts of America or the Girl Scouts of America or in any other authorized event or competition while taking part in such event or competition or while

transporting such weapon to or from such event or competition; [and] (6) the carrying of a BB gun by any person upon such person's own property or the property of another person provided such other person has authorized the carrying of such weapon on such property, and the transporting of such weapon to or from such property **and (7) any person while participating as part of a state-certified production as defined in Section 12-217jj.**

Sec. 53-206c. Sale, carrying and brandishing of a facsimile firearms prohibited. Class B misdemeanor. (a) For the purposes of this section:

(1) "Facsimile of a firearm" means (A) any nonfunctional imitation of an original firearm which was manufactured, designed and produced since 1898, or (B) any nonfunctional representation of a firearm other than an imitation of an original firearm, provided such representation could reasonably be perceived to be a real firearm. Such term does not include any look-a-like, nonfiring, collector replica of an antique firearm developed prior to 1898, or traditional BB. or pellet-firing air gun that expels a metallic or paint-contained projectile through the force of air pressure.

(2) "Firearm" means firearm as defined in section 53a-3.

(b) No person shall give, offer for sale or sell any facsimile of a firearm. The provisions of this subsection shall not apply to any facsimile of a firearm, which, because of its distinct color, exaggerated size or other design feature, cannot reasonably be perceived to be a real firearm.

(c) Except in self defense, no person shall carry, draw, exhibit or brandish a facsimile of a firearm or simulate a firearm in a threatening manner, with intent to frighten, vex or harass another person.

(d) No person shall draw, exhibit or brandish a facsimile of a firearm or simulate a firearm in the presence of a peace officer, firefighter, emergency medical technician or paramedic engaged in the performance of his duties knowing or having reason to know that such peace officer, firefighter, emergency medical technician or paramedic is engaged in the performance of his duties, with intent to impede such person in the performance of such duties.

(e) The provisions of this section shall not apply to any person participating in a state-certified qualified production, as defined in section 12-217jj.

[(e)] **(f)** Any person who violates any provision of this section shall be guilty of a class B misdemeanor.