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## HB 5220 - Unanimous vote in favor

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Rep. Urban, Diana <Diana.Urban@cga.ct.gov>  
To: Rich Burgess <connecticutcarry@gmail.com>

Fri, Mar 9, 2012

Please read the bill..the language was changed to eliminate the 1500' and reads "on school grounds" and they penalty for either possession on school grounds or removal of the orange tip is now an infraction

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Rich Burgess <connecticutcarry@gmail.com>

Fri, Mar 9, 2012

To: "Rep. Urban, Diana" <Diana.Urban@cga.ct.gov>  
Cc: Anthony Musto <musto@senatedems.ct.gov>, "John Thompson\" <Jack.Thompson@cga.ct.gov>, \"Juan Candelaria\" <Juan.Candelaria@cga.ct.gov>, \"Kim Fawcett\" <Kim.Fawcett@cga.ct.gov>, \"Kim Rose\" <Kim.Rose@cga.ct.gov>, \"Len Suzio\" <Len.Suzio@cga.ct.gov>, \"Mary Mushinsky\" <Mary.Mushinsky@cga.ct.gov>, \"Rosa Rebimbas Esq.\" <Rosa.Rebimbas@housegop.ct.gov>, \"Terrie Wood\" <Terrie.Wood@housegop.ct.gov>, \"Terry Gerratana\" <gerratana@senatedems.ct.gov>, \"Whit Betts\" <whit.betts@housegop.ct.gov>

Representative Urban,

First, thank you for your reply.

You are correct that the bill has changed since this morning, but at the time, the bill still read 'within 1500'. I see some more activity on this bill occurred today since then.

It is progress to see this taken off the bill, but it hardly concludes most of the objections present with this bill.

I think the main question left now is: "***Why do we need a new bill that simply seeks to make an infraction out of something that is already a Class B misdemeanor?***"

This bill is now just a poorly thought out version of 53-206c:

**Sec. 53-206c. Sale, carrying and brandishing of 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) Any person who violates any provision of this section shall be guilty of a class B misdemeanor.

If the legislature is concerned about 'orange tips', perhaps they should attempt to modify the current statute instead of making a new one?

Further, where are all these issues of people cutting the orange tips off their toys and committing crimes that the state is powerless to arrest for due to a lack of law? Did threatening someone stop being illegal? Robbing someone?

Here is another major issue to consider, and it is one that I have a real concern about:

Is this committee aware of the potential impact this law could have on the lawful carry of a firearm for permit holders in this state? How is a law enforcement officer supposed to know that the Glock in my holster is a real glock and not an Airsoft Glock or similar toy with the orange tip removed? Is the committee prepared and OK with that officer violating my fourth amendment rights each time he encounters me by attempting to use this statute as "Reasonable Articulate Suspicion" to check my firearm?

Further, does the committee believe this statute will prevent or reduce any forms of crime? Do we believe that the robber who is desperate enough to rob a liquor store with a fake firearm is going to be discouraged by your infraction? If so, why wasn't he discouraged from his actions by the law against armed robbery?

In the instance of possession of a toy on school grounds, why do we need a law against this? Do we believe that all schools do not already address this in their rules and handle the discipline of the child adequately?

I hope this committee can articulate on these points, as this kind of redundant and reactionary (although a reaction to what, I am unsure) law is fraught with problems and dangers.

Respectfully,

Rich Burgess  
President

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