

FIREARMS-APPLICATION FOR PERMIT-LOCAL AUTHORITIES

Since the application form for a permit to carry firearms is prescribed by the Commissioner of State Police, local authorities cannot require a supplemental application or change the form of the prescribed application.

July 9, 1968

State Board of Firearms Permit Examiners
151 Farmington Avenue D-4

Hartford, Connecticut

Attention: Mr. James E. Murray, III, Chairman

Gentlemen:

Receipt is acknowledged of your letter dated June 18, 1968 wherein you inquire whether a municipal police department may require a supplemental application for a permit to carry a pistol in addition to the application prescribed by the Commissioner of State Police.

Section 29-28(a), Conn. Gen. Stat., Rev. of 1958, as amended, provides in relevant part that:

"Requests for permits under section 29-28 shall be submitted to the issuing authority on application forms prescribed by the commissioner of state police . . ."

The term "prescribe" means to lay down authoritatively as a guide, direction or rule; to impose as a peremptory order; to dictate; to point; to direct; to give as a guide, direction or rule of action; to give law.

Black's Law Dictionary, 4th Ed.

If the legislature had intended that each municipal police department devise an appropriate application form for the carrying of handguns it would not have expressly provided that the application forms be prescribed by the Commissioner of State Police. The clear and obvious intent of the General Assembly was to provide a uniform application for state-wide use by all issuing authorities. The authority to prescribe such a form having been granted to the Commissioner of State Police, a municipal police department may not alter, change or add to the prescribed form no matter how laudable the intent or motive for doing so. Suggested changes may be forwarded to the Commissioner of State Police for his consideration.

In view of the above, it is our opinion that a municipal police department may not require a supplemental application for a permit to carry a pistol in addition to the application prescribed by the Commissioner of State Police.

Your letter also inquires whether a municipal police department may require that an application for a permit to carry a pistol be notarized. The application form prescribed by the Commissioner of State Police does not require notarization. Accordingly, the answer to this inquiry is in the negative for the reasons already noted above.

Very truly yours,

Robert K. Killian
Attorney General

By: Robert L. Hirtle, Jr.
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