

HB 5220 - Please put a stop to this bill

Rich Burgess <connecticutcarry@gmail.com>

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To: Al Adinolfi <al.adinolfi@housegop.ct.gov>, Anthony Guglielmo <Anthony.Guglielmo@cga.ct.gov>, "Charles Clemons Jr." <Charles.Clemons@cga.ct.gov>, Christopher Davis <christopher.davis@housegop.ct.gov>, Daniel Rovero <Danny.Rovero@cga.ct.gov>, Dave Yaccarino <dave.yaccarino@housegop.ct.gov>, Ed Jutila <Ed.Jutila@cga.ct.gov>, Eileen Daily <daily@senatedems.ct.gov>, Elizabeth Boukus <Betty.Boukus@cga.ct.gov>, "Frank Nicastro Sr." <Frank.Nicastro@cga.ct.gov>, Hector Robles <Hector.Robles@cga.ct.gov>, Janice Giegler <Janice.Giegler@housegop.ct.gov>, Joan Hartley <Hartley@senatedems.ct.gov>, Kevin Witkos <Kevin.Witkos@cga.ct.gov>, "Leonard Greene Jr." <len.greene@housegop.ct.gov>, Linda Orange <Linda.Orange@cga.ct.gov>, "Louis Esposito Jr." <Lou.Esposito@cga.ct.gov>, Marie Lopez Kirkley-Bey <Marie.Lopez.Kirkley-Bey@cga.ct.gov>, Minnie Gonzalez <Minnie.Gonzalez@cga.ct.gov>, Penny Bacchiochi <Penny.Bacchiochi@housegop.ct.gov>, Richard Roy <Richard.Roy@cga.ct.gov>, "Rosa Rebimbas Esq." <Rosa.Rebimbas@housegop.ct.gov>, Stephen Dargan <Stephen.Dargan@cga.ct.gov>, Steve Cassano <cassano@senatedems.ct.gov>, Steven Mikutel <Steve.Mikutel@cga.ct.gov>

Members of the Committee,

Please do your best to put a stop to the fundamentally flawed [HB 5220](#) that the Select Committee on Children has handed you. This bill has been a disaster from the start. The [original text](#) of the bill included provisions that made it an effective ban on all paintball guns, air soft guns, BB guns, air guns and most toy guns. This was done through an exclusion zone of 1500 ft (.25 miles) around a public school's property. When you map this out, it make entire towns and cities potential legal minefields.

The bill you see in front of you today has removed those provisions, however we believe the correct action to take with this bill is to trash it. There is no good that comes out of this bill becoming law. It is wishful thinking of a reactionary kind. It will do absolutely nothing to prohibit tragedy or crime, but instead, it seeks to make illegal what is already penalized by every public school in existence. I cannot imagine a public school where a child could bring a facsimile firearm into the school, perform a bad behavior with it, and not be penalized. The current zero tolerance penalties in school are, without a doubt, going to surpass any penalty an infraction such as the one this bill seeks to provide. Further, we already have a law on the books in Connecticut that would penalize the person who enters a school zone carrying facsimile firearm. In fact, the current law already provides for a class B misdemeanor ([CGS 53-206c](#)) for carrying, drawing, exhibiting or brandishing a facsimile firearm **anywhere**.

This law would add needless complication, confusion and redundancy to an existing simple and easy to understand law.

This was [explained](#) to the Select Committee on Children, however the bill's sponsor Rep Diana Urban has [indicated](#) that this bill is necessary because she was told by an attorney that ([CGS 53-206c](#)) somehow exempted schools. This is untrue. Please read the bill for yourself, and you will see it has no mention of any exemption that can be construed as a public school.

For an example of this statute being applied in a school zone: <http://www.wtnh.com/dpp/news/crime/man-flashes-gun-look-alike-arrested>

Representative Mushinsky [replied](#) that this bill now only applied to school property. That is clearly incorrect.

These clauses in the bill clearly apply to everywhere, not just on school property:

(b) (1) No person shall alter, change, deface, remove, paint, emboss or in any other manner obliterate any coloration or markings that are required by any applicable state or federal law or regulation for any look-a-like firearm, in a manner that makes the look-a-like firearm look more like a firearm.

(2) No person shall possess any look-a-like firearm with coloration or markings, as required by any applicable state or federal law or regulation, that have been altered, changed, defaced, removed, painted, embossed or obliterated.

Clearly the Select Committee on Children was confused in the creation of this bill. This bill creates vague and poorly worded defacto bans on most air guns and many hobby replicas. It creates legal grey areas not only for these items, but for people who carry real firearms. By adding these vague words into statute, it provides more confusion for law enforcement when encountering law abiding citizens with real firearms.

This bill, while it may have been made with the best of intentions, falls short of its ambitions and has only propensity to create bad, not good.

A quick look at the lack of supporting written [testimony](#) but the monopoly of opposing [testimony](#) should mean something to the committee. The Select Committee on Children [acknowledged](#) there was only opposition and no support for this bill.

Thank you,
Rich Burgess
President

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

Wed, Mar 28, 2012

Dear Rich,

Thank you for your email concerning HB 5520.

When it comes to considering issues and voting on bills, I always consider the feelings and inputs of my constituents.

If you have any other concerns or issues that I may assist you with, please do not hesitate to contact my office.

Best wishes,

Representative Stephen Dargan