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## **OLR Bill Analysis**

### **sHB 5280**

#### ***AN ACT CONCERNING THE NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK.***

#### **SUMMARY**

This bill conforms law to practice by requiring the Department of Emergency Services and Public Protection's Division of Scientific Services to participate in the National Integrated Ballistic Information Network (NIBIN) databank (see BACKGROUND), rather than the firearms evidence databank that current law requires the division to establish.

Current law allows handguns in a police department's custody that pertain to a criminal investigation to be tested. The bill instead requires all firearms, not just these handguns, to be tested.

The bill subjects additional law enforcement agencies to the NIBIN databank-related requirements. It also requires law enforcement units that recover any spent cartridge case from a crime scene or an improper firearm discharge to submit an exam of the cartridge case to the NIBIN databank as soon as practicable.

Lastly, the bill makes various minor, technical, and conforming changes to implement these changes, including requiring laboratory personnel to use the NIBIN database in accordance with federal procedures and state regulations.

EFFECTIVE DATE: October 1, 2024

#### **FIREARMS TESTING FOR CRIMINAL INVESTIGATIONS**

Current law allows a police department to submit any handgun that comes into its custody during a criminal investigation to the Division of Scientific Services' laboratory for testing. The bill instead requires law enforcement units to (1) submit firearms that come into police custody

during a criminal investigation or fired components of ammunition from the firearms to the laboratory or (2) if allowed by the laboratory, test fire the firearm as soon as practicable and submit the results to the NIBIN database.

As under current law for handguns, the bill allows the laboratory to test fire any submitted firearm and collect fired components of ammunition from the test fires. The laboratory must label the fired components of ammunition with the firearm manufacturer, weapon type, serial number, test fire data, and name of the person who test fired the firearm and collected the ammunition.

### **LAW ENFORCEMENT UNITS**

The bill subjects additional law enforcement agencies to the NIBIN databank-related requirements. It does so by replacing the “police department” definition with a more expansive “law enforcement unit” definition.

Under current law, a “police department” includes the State Police and an organized local police department. Under the bill, a “law enforcement unit” includes state, municipal, or tribal agencies or departments whose primary functions include enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime. (This includes only the tribal agencies or departments that are created and governed under a memorandum of agreement.)

The bill extends existing law’s NIBIN databank provisions for police departments to law enforcement units. This includes:

1. allowing units to ask a laboratory to verify any matching result of cartridge cases, bullets, or other projectiles and to produce a report on the results; and
2. requiring units, before issuing a handgun, to (a) test fire it and collect the fired ammunition (the department may ask the State Police or the laboratory to assist) and (b) seal the fired ammunition in a tamper-evident manner, label the package with

certain identifying information, and submit it along with two intact cartridges.

## **BACKGROUND**

### ***NIBIN Databank***

The NIBIN databank is maintained by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives. Among other things, NIBIN is an interstate automated ballistic imaging network that automates ballistics evaluations.

## **COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable

Yea 25    Nay 0    (03/19/2024)