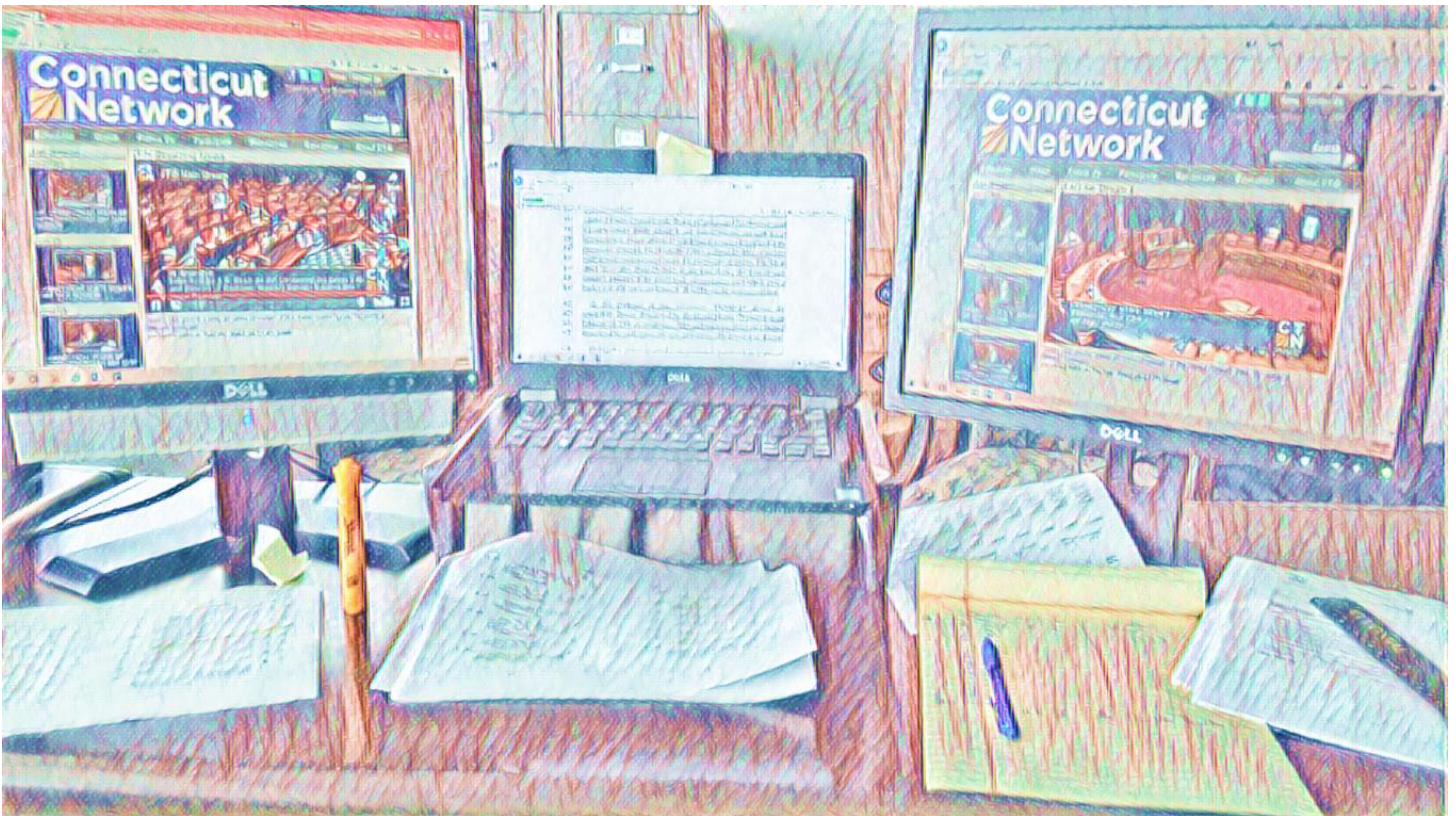


Connecticut Division of Public Defender Services Office of Chief Public Defender



2021 Legislative Summary

Attorney Deborah Del Prete Sullivan
Legal Counsel, Director
deborah.d.sullivan@pds.ct.gov

Attorney Benedict R. Daigle
Deputy Asst. Public Defender
benedict.daigle@pds.ct.gov

Office of Chief Public Defender
55 Farmington Avenue, 8th Floor | Hartford, CT 06105 | (860) 509-6405

Index
2021 Public and Special Acts

2021 Public Acts	Page
21-4 An Act Concerning Use of Force by a Peace Officer	56
21-8 An Act Concerning the Criminal Justice Commission, Division of Criminal Justice and the Office of the Inspector General	25
21-13 An Act Concerning the Counting of Incarcerated Persons for Purposes of Determining Legislative Districts	24
21-15 An Act Concerning Adoption and Implementation of the Connecticut Parentage Act	19
21-20 An Act Concerning the Safety of Children When Buying Ice Cream From a Frozen Dessert Truck	49
21-31 An Act Concerning Electronic Defense Weapons	63
21-32 An Act Concerning the Board of Pardons and Paroles, Erasure of Criminal Records for Certain Misdemeanor and Felony Offenses, Prohibiting Discrimination Based on Erased Criminal History Record Information and Concerning the Recommendations of the Connecticut Sentencing Commission With Respect to Misdemeanor Sentences	37
21-33 An Act Concerning Civilian Police Review Boards, Security Guards, Body-Worn Recording Equipment, Searches by Police, Limitations on Offenses Subject to Automatic Erasure, Enticing a Juvenile to Commit a Crime, Lawful Orders by Police Officers and Notice to a Victim Concerning Automatic Erasure of Criminal Record History	56
21-34 An Act Concerning the Right to Counsel in Eviction Proceedings, the Validity of Inland Wetlands Permits in Relation to Certain Other Land Use Approvals, and Extending the Time of Expiration of Certain Land Use Permits	42
21-46 An Act Concerning Social Equity and the Health, Safety and Education of Children	19

2021 Public Acts	Page
21-52 An Act Prohibiting the Import, Sale and Possession of African Elephants, Lions, Leopards, Black Rhinoceros, White Rhinoceros and Giraffes	2
21-54 An Act Concerning Communication Services in Correctional and Juvenile Detention Facilities	20
21-56 An Act Concerning Online Harassment	60
21-59 An Act Concerning Data Privacy Breaches	55
21-61 An Act Concerning Driver Responsibility at Inoperative Traffic Control Signals	50
21-64 An Act Requiring the Provision of Information Concerning Child Sexual Abuse	21
21-67 An Act Concerning Risk Protection Orders or Warrants and Disqualifiers for Firearm Permits and Eligibility Certificates	64
21-68 An Act Concerning Secondhand Dealers, Precious Metals or Stones Dealers and Pawnbrokers	55
21-78 An Act Concerning the Definition of Domestic Violence, Revising Statutes Concerning Domestic Violence, Child Custody, Family Relations Matter Filings and Bigotry or Bias Crimes and Creating a Program to Provide Legal Counsel to Indigents in Restraining Order Cases	32
21-81 An Act Concerning Sexual Misconduct on College Campuses	59
21-85 An Act Concerning the Department of Correction, a Reentry Employment Advisory Committee, Public Safety Committees in Municipalities Where a Correctional Facility Is Located, the Disclosure of Records, the Protection of Personal Data Relating to an Employee of the Department of Correction and the Provision of Debit Cards to Incarcerated Persons at the Time of Release	24
21-90 An Act Concerning Animal Welfare	3

2021 Public Acts	Page
21-97 An Act Concerning the Criminal Justice Policy and Planning Division and the Publication of Reports and Presentations by the Office of Policy and Management	53
21-102 An Act Concerning the Criminal Justice Process	27
21-103 An Act Concerning Human Trafficking	61
21-104 An Act Concerning Court Operations	43
21-106 An Act Concerning Recommendations by the Department of Motor Vehicles, Revisions to the Motor Vehicle Statutes and Peer-to-Peer Car Sharing	51
21-113 An Act Concerning Opioids	54
21-122 An Act Requiring Drivers of Paratransit Vehicles to Report Suspected Abuse, Neglect, Exploitation or Abandonment of Elderly Persons	48
21-128 An Act Concerning the Authority of the Office of the Attorney General	3
21-140 An Act Concerning the Department of Children and Families' Recommendations for Revisions to the Statutes Concerning Children	21
21-142 An Act Concerning Immunity From Criminal Prosecution for a Minor Who Possesses Alcohol When the Minor Seeks Emergency Assistance to Prevent the Death or Serious Injury of Another Person	22
21-148 An Act Concerning Revisions to Provisions of the General Statutes Affecting the Department Of Social Services and a Study of Payment Parity for Human Services Providers	54
21-152 An Act Expanding Economic Opportunity in Occupations Licensed by the Departments of Public Health and Consumer Protection and Requiring a Report From Certain Executive Branch Agencies Regarding Background Checks and the Feasibility of Establishing Preclearance Assessments of Criminal History	52

2021 Public Acts		Page
21-155	An Act Concerning Enhancements to Certain Agricultural Programs	2
21-170	An Act Concerning the Recommendations of the Jury Selection Task Force	31
21-174	An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee	22
21-177	An Act Concerning a Highway Use Fee	51
21-195	An Act Concerning Service Vehicles and Agricultural Tractors	52

2021 Special Acts		Page
21-22	An Act Creating a Task Force to Study the Regulation of Professional Bondsmen, Bail Enforcement Agents and Surety Bail Bond Agents	4

2021 June Special Session		Page
21-1 (S.S.)	An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (RERACA)	4
21-2 (S.S.)	An Act Concerning Provisions Related to Revenue and Other Items to Implement the State Budget for the Biennium Ending June 30, 2023	46

Connecticut
Division of Public Defender Services
Office of Chief Public Defender

2021 Public and Special Acts
From 2021 Regular and Special Sessions

The following is a summary of Public and Special Acts passed during the 2021 *Regular and Special Legislative Sessions* pertaining to criminal proceedings, juvenile delinquency, and child protection.

Thank you to Ben Daigle, Deputy Assistant Public Defender; Leslie OBrien, Administrative Assistant of this office; Chief Public Defender Chris Rapillo; the Public Defender Legislative Committee; and everyone who proposed or testified on legislation this year. If you have questions, please contact Deborah Del Prete Sullivan, Legal Counsel, Director, at (860) 509-6405 or deborah.d.sullivan@pds.ct.gov.

<u>CONTENTS</u>			
AGRICULTURE	2	MOTOR VEHICLES	49
ANIMALS	2	OCCUPATIONAL LICENSES	52
ATTORNEY GENERAL	3	OFFICE OF POLICY AND MANAGEMENT	53
BAIL/BOND	4	OPIOIDS	54
CANNABIS	4	PARDONS/PAROLES	54
CHILDREN/JUVENILES/YOUTH	19	PATERNITY/CHILD SUPPORT	54
CORRECTIONS	24	PAWNBROKERS	55
CRIMINAL JUSTICE, DIVISION OF	25	PERSONAL INFORMATION	55
CRIMINAL JUSTICE, PROCESS	27	POLICE	56
DOMESTIC VIOLENCE	32	SEXUAL MISCONDUCT	59
ERASURE/"CLEAN SLATE"	37	STALKING/HARASSMENT	60
EVICCTIONS	42	TRAFFICKING	61
JUDICIAL	43	VOTING RIGHTS	63
MANDATED REPORTER	48	WEAPONS	63
		SUBJECT INDEX	i

AGRICULTURE

➤ [P.A. 21-155](#) **An Act Concerning Enhancements to Certain Agricultural Programs**

Section 4 Effective October 1, 2021

This section amends *C.G.S. §22-39f, Penalty*, to mandate a \$50 fine for a first violation and increase the fine to \$100 for a subsequent violation of this statute. In addition to having the discretion to deny, suspend or revoke a license, the legislation gives the Commissioner of Agriculture the same discretion as to any permit, certificate, or registration.

Section 5 Effective October 1, 2021

This section amends *C.G.S. §22-61j, Violation. Penalty. Fine*, to reduce the penalty for a violation of this statute from a class D misdemeanor to only a fine of \$100 for a first offense and \$200 for any subsequent offense.

ANIMALS

➤ [P.A. 21-52](#) **An Act Prohibiting the Import, Sale and Possession of African Elephants, Lions, Leopards, Black Rhinoceros, White Rhinoceros and Giraffes**

Section 1 Effective October 1, 2021

This section is new and prohibits the possession, sale, transport, import, or offering for sale any of the “big six African species” animals: African elephant, African lion, African leopard, black rhinoceros, white rhinoceros, and African giraffe, including “any part, product or offspring” or “dead body or parts.” Subsection (d) provides exceptions to this prohibition.

This act is not applicable to the sale, import, or possession of ivory or the use of any such animal in television, motion pictures, or other media. Seized specimens or property are forfeited and certain property destroyed. The penalties are:

Infraction	1 st or 2 nd violation, unless the person acted in good faith and was unaware they were committing the prohibited conduct;
Class B misdemeanor	if a subsequent violation and the person had a prior infraction for a violation under this section;

Class D felony if a subsequent violation for which they had a prior class B misdemeanor for a violation under this section.

➤ [P.A. 21-90](#) **An Act Concerning Animal Welfare**

Section 8 Effective from passage

This amends *C.G.S. §22-344f, Veterinarian examination of cat or dog imported into state by animal importer. Records of veterinary services rendered to imported cat or dog. Fines*, to require examinations and certificates that animals are of good health. It imposes a fine of \$250 for a first violation and \$500 for a subsequent violation.

In addition, animal importers and persons who operate or maintain animal shelters are required to maintain certain records for 3 years or risk the imposition of a fine of \$250 for a first violation and \$500 for a subsequent violation.

Section 12 Effective July 1, 2021

This amends *C.G.S. §20-197, License required. Practice defined*, to require that, except for the provision of emergency veterinary care, no licensed veterinarian can practice veterinary medicine on an animal without first establishing a veterinarian-client-patient relationship (defined in the law) with the animal and the owner of the animal or person responsible for the care of the animal.

ATTORNEY GENERAL

➤ [P.A. 21-128](#) **An Act Concerning the Authority of the Office of the Attorney General**

Section 1 Effective July 1, 2021

This permits the Attorney General to investigate violations of *C.G.S. §53a-181j, Intimidation based on bigotry or bias in the first degree: Class C felony; C.G.S. §53a-181k, Intimidation based on bigotry or bias in the second degree: Class D felony; or C.G.S. §53a-181l, Intimidation based on bigotry or bias in the third degree: Class E felony*. It also permits the Attorney General to bring a civil action and issue subpoenas and interrogatories. This section clearly prohibits the use of any information obtained by the Attorney General in a criminal proceeding.

The Attorney General is prohibited from bringing a claim against a state agency, officer, or employee in their official capacity. The Attorney General is further prohibited from bringing an action if a matter with the same parties is pending before the Commission on Human Rights and Opportunities (CHRO).

Section 2 Effective July 1, 2021

This authorizes the Attorney General to “investigate, intervene in or bring a civil or administrative action” against a person who has deprived another of their constitutional rights or interfered with the rights of another by “threats, intimidation or coercion.” Again, the Attorney General is provided the power to issue subpoenas and interrogatories. Again, the act clearly prohibits the use of any information obtained by the Attorney General in a criminal proceeding.

This section also prohibits the Attorney General from bringing a claim against a state agency, officer, or employee in their official capacity or from bringing an action if a matter with the same parties is pending before the CHRO.

BAIL/BOND

- [S.A. 21-22](#) **An Act Creating a Task Force to Study the Regulation of Professional Bondsmen, Bail Enforcement Agents and Surety Bail Bond Agents**

Section 1 Effective from passage

This establishes a task force to study how to regulate, make more accountable, and achieve greater oversight of bondsmen, bail enforcement agents, and surety bail bond agents. The members are appointed by the General Assembly leadership and include the Chief Public Defender or their designee. A report is due to the General Assembly by January 1, 2022.

CANNABIS

- [June S.S. P.A. 21-1](#) **An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (RERACA)**

Section 1 Effective from passage

This is new legislation which defines the terms used within this act (“RERACA”), including cannabis flower, trim, concentrate, product, disqualifying conviction and transporter.

Section 2 Effective July 1, 2021

This section amends subsection (a) of *C.G.S. §21a-279, Penalty for illegal possession. Alternative sentences. Immunity*, and inserts possession of any quantity of cannabis in lieu of possession of less than a half ounce of cannabis. The penalties remain unchanged except as authorized in the public act.

Section 3 Effective July 1, 2021

Personal Possession Limit

A person's *personal possession limit* is defined as:

“(1) one and one-half ounces of cannabis plant material and five ounces of cannabis plant material in a locked container at such person's residence or a locked glove box or trunk of such person's motor vehicle,

(2) an equivalent amount of cannabis products, as provided in subsection (i) of this section, or

(3) an equivalent amount of a combination of cannabis and cannabis products, as provided in subsection (i) of this section.”

Subsection (i) provides the following:

“(i) (1) For purposes of determining any amount or limit specified in this section and RERACA, one ounce of cannabis plant material shall be considered equivalent to (A) five grams of cannabis concentrate, or (B) any other cannabis products with up to five hundred milligrams of THC.

(2) For purposes of subsection (a) of this section, one and one-half ounces of cannabis plant material shall be considered equivalent to (A) seven and one-half grams of cannabis concentrate, or (B) any other cannabis products with up to seven hundred fifty milligrams of THC.

(3) For purposes of subsections (b) to (e), inclusive, of this section, five ounces of cannabis plant material shall be considered equivalent to (i) twenty-five grams of cannabis concentrate, or (ii) any other cannabis products with up to two thousand five hundred milligrams of THC.

(4) For purposes of determining any amount or limit specified in this section and RERACA, the amount possessed shall be calculated by converting any quantity of cannabis products to its equivalent quantity of cannabis plant material, and then taking the sum of any such quantities.”

21 years of age and older

Persons 21 years of age and older may possess, use, or consume cannabis within the limits as defined.

“On and after July 1, 2023, a person's personal possession limit does not include any live plant or cannabis plant material derived from any live plant cultivated by such person” so long as it complies with section 162 of this act.

This section lays out the new possession penalties. Below is a table summarizing the new penalties. The numbered items reference penalties for first, second, and third offenses. The penalty for any offense subsequent to a third offense is the same as that for a third offense. All fines will be able to be replaced by community service at \$25/hour.

Age/Amount	0-15	16-17	18-20	21+
0-1.5 oz.	(b)		(c) Sign health statement and:	(a) Legal
1.5-5 oz.	1) Written warning; optional referral to YSB/JRB 2) Mandatory YSB/JRB referral, no arrest 3) Delinquent act		1) \$50 2) \$150	(d) 1) \$100 2) \$250
5 oz.+	(e) Delinquent act		(e) 1) \$500; 2) Class D misdemeanor	(e) 1) \$500; 2) Class C misdemeanor

The court can suspend prosecution and order treatment if, after a drug dependency evaluation, it determines the person is drug dependent.

An indigent person can complete community service in lieu of paying a fine at a rate of \$25 per hour.

The section also defines the terms “trunk” and locked toolbox or utility box which is attached to a pickup truck bed. Trunk does not include hatchbacks, station wagons, SUVs, or compartments with a window.

Section 4 Effective July 1, 2021

This section amends *C.G.S. §21a-267, Penalty for use, possession or delivery of drug paraphernalia. Immunity*, and inserts “cannabis” in lieu of language referring to less than ½ ounce of cannabis.

Section 5 Effective July 1, 2021

This section amends *C.G.S. §46b-120, Definitions*, to exempt a 1st or 2nd offense committed by a juvenile under subdivision (1) of subsection (b) of section *C.G.S. §21a-279, Penalty for illegal possession. Alternative sentences. Immunity*, from the definition of delinquent.

Section 7 Effective July 1, 2021

This is new legislation which provides an exception to prosecution for anyone who, in good faith, seeks medical attention for another due to the use of cannabis.

Section 8 *Effective July 1, 2022*

This is new and provides the process for a person to file a *Petition for Erasure*. There is no fee to file a petition for a conviction as follows:

- (A) a conviction (i) on October 1, 2015, or thereafter, and prior to July 1, 2021, or (ii) prior to January 1, 2000, of *C.G.S. §21a-279, Penalty for illegal possession. Alternative sentences. Immunity*, for possession of a cannabis-type substance, less than or equal to 4 ounces;
- (B) a conviction prior to July 1, 2021, of subsection (a) of *C.G.S. §21a-267, Penalty for use, possession or delivery of drug paraphernalia. Immunity*, “use or possession with intent to use of drug paraphernalia to store, contain or conceal, or to ingest, inhale or otherwise introduce into the human body cannabis”, or,
- (C) a conviction prior to July 1, 2021, of subsection (b) of *C.G.S. §21a-277, Penalty for illegal manufacture, distribution, sale, prescription, dispensing*, “manufacturing, distributing, selling, prescribing, compounding, transporting with the intent to sell or dispense, possessing with the intent to sell or dispense, offering, giving or administering to another” cannabis less than or equal to 4 ounces or 6 plants that they grew for personal use in their residence.

Any petition must include a copy of the arrest record or affidavit in support. If the petition is in order, the court is “required” to direct that the court records (except transcripts) and any records of the prosecutor be erased. However, this section is not applicable in cases where there was more than one count, unless all counts are entitled to be erased, or if the case is pending.

Section 9 *Effective January 1, 2023*

This is new and provides for erasure of an electronic record and, by operation of law if not an electronic record, of any court or prosecutor records, for any conviction for possession under subsection (c) of *C.G.S. §21a-279, Penalty for illegal possession. Alternative sentences. Immunity*. Again, the section is not applicable in cases where there was more than 1 count, unless all counts are entitled to be erased, or if the case is pending.

Electronic record is defined in *C.G.S. §1-267, Definitions*, and does not include transcripts. Erasure is not applicable to the Department of Motor Vehicles (DMV).

Lastly, anyone who has had their records erased under this section can represent to anyone, “other than a criminal justice agency” that they have not been convicted or arrested for such.

Section 10 Effective January 1, 2023

This amends *C.G.S. §54-142a, Erasure of criminal records*, and provides a process for entities that have purchased criminal proceeding records to update such. It further prohibits the disclosure of such records that are erased.

Section 11 Effective July 1, 2021

This is new and prohibits the arrest, prosecution, imposition of a civil penalty, disciplinary action, or denial of any right or privilege of a person for conduct related to their employment in, or as a backer of, the distribution of cannabis so long as it comports with the laws and this act.

Section 12 Effective July 1, 2021

This is new and prohibits the denial of a professional license to anyone because of their employment or affiliation with a cannabis business; legal possession of cannabis under the statutes; or a conviction for the use or possession of cannabis for less than 4 ounces.

Section 13 Effective July 1, 2021

This lays out the new manufacture/ distribution/ sale penalties, which are reduced, although *C.G.S. §21a-278, Penalty for illegal manufacture, distribution, sale, prescription or administration by non-drug-dependent person*, remains in place. Here's a table summarizing:

Age/Amount	0-17	18+
0-8 oz.	Delinquent act	1) \$500 2) Class C misdemeanor
8 oz.+	Delinquent act	1) Class B misdemeanor 2) Class A misdemeanor

There are also a number of new penalties for supplying cannabis to minors.

Subsection (d) of this section provides the following penalties for anyone, 18 years of age or older, who violates subsection (a) of this section by growing 1-3 mature cannabis plants and three immature cannabis plants in their residence for personal use. The penalties are:

1st offense: a written warning

2nd offense: a fine of not more than \$500;

Subsequent offense: guilty of a class D misdemeanor

Any evidence discovered by law enforcement in the course of investigating offenses other than *C.G.S. §21a-278, Penalty for illegal manufacture, distribution, sale, prescription or administration by non-drug-dependent person*, or *C.G.S. §21a-279a, Penalty for illegal possession of small amount of cannabis-type substance*, is not admissible in a criminal proceeding.

Section 14 Effective July 1, 2021

This is new and allows a person to give cannabis to another, without any consideration, so long as they reasonably believe the other person will not exceed their personal possession limit.

Section 15 Effective July 1, 2021

This section amends subsection (b) of *C.G.S. §21a-277, Penalty for illegal manufacture, distribution, sale, prescription, dispensing*, to make a technical change and exempt cannabis from the statute.

Sections 16-17 Effective July 1, 2021

These indicate that legal use of cannabis cannot be used to violate an individual's bail, parole, special parole, or probation unless the court has made a finding that the use of cannabis is a danger to the individual or the public. If a court makes abstinence a standard condition of probation or parole, it needs to give reasons why it is necessary.

Section 18 Effective July 1, 2021

This pertains to searches. The smell of cannabis, on its own, is no longer probable cause to stop and search a person or motor vehicle. Neither is possession of less than 5 ounces or the presence of money near cannabis if it is \$500 or less.

Section 19 Effective October 1, 2021

This section mandates Boards of Education to implement policies that a student not face a greater penalty for using, selling, or possessing cannabis than the student would for using, selling, or possessing alcohol.

Section 20 Effective October 1, 2021

This is new and makes it a class C misdemeanor to give cannabis to domestic animal.

Section 22 Effective from passage

This section establishes a 15-member Social Equity Council. The Council is charged with seeking proposals for a study regarding:

“(1) Historical and present-day social, economic and familial consequences of cannabis prohibition, the criminalization and stigmatization of cannabis use and related public policies;

(2) *Historical and present-day structures, patterns, causes and consequences of intentional and unintentional racial discrimination and racial disparities in the development, application and enforcement of cannabis prohibition and related public policies;*

(3) *Foreseeable long-term social, economic and familial consequences of unremedied past racial discrimination and disparities arising from past and continued cannabis prohibition, stigmatization and criminalization;*

(4) *Existing patterns of racial discrimination and racial disparities in access to entrepreneurship, employment and other economic benefits arising in the lawful palliative use cannabis sector as established pursuant to chapter 420f of the general statutes; and*

(5) *Any other matters that the council deems relevant and feasible for study for the purpose of making reasonable and practical recommendations for the establishment of an equitable and lawful adult-use cannabis business sector in this state."*

Section 23 Effective from passage

This section is new and requires the Social Equity Council to report the following data to the Governor and the General Assembly regarding the:

- (1) **arrest or conviction for possession, manufacture, or sale of cannabis under C.G.S. §21a-279a, Penalty for illegal possession of small amount of cannabis-type substance**, and section 13 of this act; and,
- (2) **breakdown of such arrests or convictions by town, race, gender and age.**

Section 24 Effective July 1, 2021

This is new and requires any that a person be 21 years of age or older in order to be an employee, backer, or license holder for a cannabis establishment licensed under RERACA.

Section 25 Effective July 1, 2021

This bars officers from taking adverse action against people based solely on a violation of federal law relating to behavior that is lawful under state law in relation to cannabis. It also bars officers from expending state or local resources to assist federal law enforcement in taking action against licensed cannabis businesses.

Section 90 Effective July 1, 2022

This is new legislation which prohibits a landlord or property manager from refusing to rent or discriminate against a prospective or current tenant due to certain prior convictions for the possession of cannabis. Landlords or property managers cannot prohibit the possession or consumption of cannabis but can prohibit smoking including

using an electronic cannabis device or vapor product in the dwelling unit. Landlords cannot require tenants to undergo drug testing.

The section contains several exceptions to the applicability of this section, including circumstances when the tenant is renting only a room and not the entire residence.

Section 91 Effective July 1, 2022

Cannabis use is prohibited on state land or waters. A violation is punishable by a fine of not more than \$250.

Section 92 Effective July 1, 2021

This is new and provides discretion to the Department of Corrections (DOC) to prohibit cannabis in DOC or halfway houses.

Section 93 Effective July 1, 2022

This is new and states that a positive drug test “result solely for 11-nor-9-carboxy-delta-9-tetrahydrocannabinol shall not be construed, without other evidence, as proof that such individual is under the influence of or impaired by cannabis.”

Section 94 Effective July 1, 2021

In child protection proceedings, cannabis cannot be used against a parent unless a nexus between the drug use and the safety of the child is shown.

Section 95 Effective July 1, 2021

This is new and states that, in regard to a student, a positive drug test result solely for 11-nor-9-carboxy-delta-9-tetrahydrocannabinol cannot be the only basis for a denial to enroll or to penalize a student unless the failure to do so puts the educational institution in jeopardy of losing federal funding or in violation of a federal contract.

Section 96 Effective July 1, 2021

This is new and prohibits any higher education institution from expelling a student or revoking their loans or financial aid because of using cannabis, unless it would violate a federal contract or jeopardize the receipt of federal funds.

Section 98 Effective July 1, 2022

This is new. Employers are not required to provide accommodations to employees who use cannabis or are under the influence of such. This section does not apply to people who are qualifying patients who possess palliative cannabis under Connecticut law.

Sections 99 Effective July 1, 2022

Certain existing employees’ positive result for 11-nor-9-carboxy-delta-9-tetrahydrocannabinol cannot be the only basis to deny employment or penalize an existing employee, with some exceptions.

Section 100 Effective July 1, 2022

This is new and provides a process for a person to bring a civil action if aggrieved by an employer.

Section 104 Effective July 1, 2021

This is new. Hospitals are not required to let patients use cannabis.

Section 105 Effective July 1, 2021

Sale to a person under 21 years of age by a cannabis establishment or its agents is a class A misdemeanor.

Section 106 Effective July 1, 2021

This is new and provides an affirmative defense to a licensee, agent, or employee who is charged with sale or delivery of cannabis to a person under the age of 21 years of age. The defendant can assert that they sold, delivered, or provided the cannabis “in good faith and in reasonable reliance upon the identification presented” and took a photograph of the person and made a copy of the ID presented.

Section 107 Effective July 1, 2021

This is new and creates a class A misdemeanor for anyone who induces a person under the age of 21 to obtain cannabis from a licensed person. The section does provide exceptions.

Section 108 Effective July 1, 2021

This creates a penalty for anyone who misrepresents another person’s ID card or motor vehicle license to obtain cannabis. The penalty for a first offense is a fine of not more than \$250 and a class D misdemeanor for a second or subsequent offense. There are, however, exceptions to this.

Section 109 Effective July 1, 2021

This creates a class A misdemeanor for any person who permits a person under 21 to possess cannabis or fails to take reasonable efforts to stop the possession.

Section 110 Effective July 1, 2021

Under this section, retailers cannot permit loitering by persons under the age of 21 unless accompanied by a parent or guardian or an employee of the retailer. Penalty for a first violation is a fine of not more than \$1000. A subsequent offense is a class B misdemeanor.

Sections 111 Effective July 1, 2021

This amends *C.G.S. §30-89a, Permitting minor to illegally possess liquor in dwelling unit or on private property or failing to halt such illegal possession. Penalty, to remove*

criminal negligence as a mens rea in regard to permitting minors under 21 years of age to possess alcohol. Violation of this statute is a class A misdemeanor.

Sections 112 Effective July 1, 2021

This is new and creates a class C misdemeanor for anyone who smokes cannabis while driving. Law enforcement is prohibited from stopping a motor vehicle based solely on a violation of this section.

Sections 113 Effective July 1, 2021

This is new and creates a class D misdemeanor for anyone who smokes or ingests cannabis while a passenger in a motor vehicle. Law enforcement is prohibited from stopping a motor vehicle based solely on this violation.

Section 114 Effective July 1, 2021

This is new and is regarding law enforcement's need to have officers accredited as drug recognition experts. A drug recognition expert is a person certified by the International Association of Chiefs of Police, and ARIDE means advanced roadside impaired driving enforcement, an "impaired driving enforcement education" program for law enforcement.

Section 115 Effective April 1, 2022

This amends subsection (a) of *C.G.S. §14-111e, Suspension or delay in issuance of operator's license for person under twenty-one years of age convicted of certain violations*, and permits DMV to suspend a person's license if they were under 21 years of age and violated subsections (b) or (c) of *C.G.S. §21a-279a, Penalty for illegal possession of small amount of cannabis-type substance*.

Section 116 Effective April 1, 2022

This section amends subsections (a) to (e) of *C.G.S. §14-227a, Operation while under the influence of liquor or drug or while having an elevated blood alcohol content*, to define "drug influence evaluations," "drug recognition experts," and "nontestimonial portion of a drug influence evaluation." This section changes the word "analysis" to "test."

Subsection (e) is amended to make the "nontestimonial portion of a drug influence evaluation" admissible in a criminal prosecution, as is a defendant's refusal to submit to a blood, breath, or urine test.

The section also permits a court to take judicial notice in a prosecution for operation while impaired, that ingesting cannabis:

(A) can impair a person's ability to operate a motor vehicle;

(B) can cause impairment of motor function, reaction time, tracking ability, cognitive attention, decision-making, judgment, perception, peripheral vision, impulse control or memory; and

(C) does not enhance a person's ability to safely operate a motor vehicle.

Section 117 Effective April 1, 2022

This section amends subsection (j) of *C.G.S. §14-227a, Operation while under the influence of liquor or drug or while having an elevated blood alcohol content*, to provide discretion to the court to order a person into a new program created in section 167 of the act. The new program, the “pretrial impaired driving intervention program,” can be ordered in lieu of the alcohol education and treatment program for anyone convicted of driving under the influence of alcohol, a drug, or both.

Section 118 Effective April 1, 2022

This amends *C.G.S. §14-227b, Implied consent to test operator's blood, breath or urine. Testing procedures. License suspension. Hearing*, and provides that anyone, including the parents or guardian of a minor, driving in Connecticut is deemed to have given their consent to a nontestimonial portion of a drug influence evaluation conducted by a drug recognition expert.

After being placed under arrest, a police officer may ask the arrestee to submit to a blood, breath, or urine test; a drug influence evaluation conducted by a drug recognition expert; or both, after having their rights read to them:

“(b) (1) A police officer who has placed a person under arrest for a violation of section 14-227a, 14-227m or subdivision (1) or (2) of subsection (a) of section 14-227n may request that such person submit to a blood, breath or urine test at the option of the police officer, a drug influence evaluation conducted by a drug recognition expert, or both, after such person has been

(A) apprised of such person's constitutional rights;

(B) afforded a reasonable opportunity to telephone an attorney prior to the performance of such test or evaluation;

(C) informed that evidence of any refusal to submit to such test or evaluation shall be admissible in accordance with subsection (e) of section 14-227a and may be used against such person in any criminal prosecution, except that refusal to submit to the testimonial portions of a drug influence evaluation shall not be considered evidence of refusal of such evaluation for purposes of any criminal prosecution; and

(D) informed that such person's license or operating privilege may be suspended in accordance with the provisions of this section if (i) such person refuses to submit to such test or the nontestimonial portion of a drug influence evaluation, (ii) such person submits to such test and the results of such test indicate that such person has an elevated blood

alcohol content, or (iii) the officer concludes, through investigation, that such person was operating a motor vehicle under the influence of intoxicating liquor or any drug, or both."

The section details the DMV process for a person who refuses the test or "nontestimonial portion of a drug influence evaluation," including the revocation of the person's license and a hearing on whether the police officer had probable cause to make an arrest. The results of tests conducted by a drug recognition expert are admissible at the hearing. The law continues to require a person found to have been under the influence of alcohol, a drug, or both, to install an ignition interlock device on their motor vehicle.

Section 119 Effective April 1, 2022

This amends *C.G.S. §14-227, Operation while intoxicated*, to require that a urine sample may be taken in lieu of the already required blood or breath sample from a surviving operator in an accident that resulted in serious physical injury or death. The legislation also requires that a drug recognition expert conduct a drug influence evaluation of the operator if they are not seriously injured.

Section 120 Effective April 1, 2022

This amends subsection (c) of *C.G.S. §14-44k, Disqualification from operation of commercial motor vehicles. Disqualification offenses. Lifetime disqualification. Mitigation of lifetime disqualification*, and outlines the penalty of disqualification of a person from operating a commercial motor vehicle.

Section 121 Effective July 1, 2021

This is new and requires the state Traffic Safety Resource Prosecutor to develop educational materials and programs about the drug recognition experts and the drug influence evaluation. This is to be done in collaboration with the Department of Transportation (DOT), the DMV, the statewide drug recognition expert coordinator, and the CT Police Chiefs Association. All materials developed are to be provided to the Judicial Branch and the CT Judges Association.

Sections 122, 123 Effective April 1, 2022

These sections amend *C.G.S. §15-140q, Consent for chemical analysis. Suspension of safe boating certificate. Procedures. Hearing on suspension. Penalties for conviction. Elevated blood alcohol content defined. Regulations*, and *C.G.S. §15-140r, Evidence of alcohol or drugs in blood or urine*, to make the process, testing and admissibility of a test or an evaluation in cases where a person is operating a motor vehicle under the influence see (sections 116 and 118) applicable to persons operating a watercraft vessel. The section outlines the process for suspending a person's safe boating certificate or certificate of personal watercraft operation.

Section 124 Effective July 1, 2021

This is new and requires DOT, DMV and the Statewide Impaired Driving Task Force to make recommendations to the Governor on how to enhance data collection; whether to separate the elements of driving under the influence of alcohol from under the influence of any drug; the development and implementation of an electronic warrant pilot program for impaired investigations; and, the creation of a pilot program to explore the use of oral fluid testing for cannabis.

Section 153 Effective January 1, 2022

This is new and requires the Police Officer Standards and Training (POST) Council to provide guidance on how law enforcement determines whether cannabis possessed by a person is over the person's personal possession limit.

Section 154 Effective July 1, 2021

This section amends subsection (h) of *C.G.S. §51-164n, Procedure upon summons for infraction or certain violations. Payment by mail. Procedure at trial*, and changes the standard of proof required for a conviction of *C.G.S. §21a-267, Penalty for use, possession or delivery of drug paraphernalia. Immunity*, an infraction, from preponderance to beyond a reasonable doubt.

Section 155 Effective July 1, 2021

This amends subdivision (4) of subsection (c) of *C.G.S. §19a-343, State action to abate public nuisance. Offenses*, to include section 13 of this act under this statute pertaining to manufacture, distribution, or sale.

Section 156 Effective July 1, 2021

This amends subsection (a) of *C.G.S. §53-394, Definitions*, to include section 13 of this act (manufacture, distribution, or sale) to the list of offenses for which a person can be charged with racketeering activity.

Section 157 Effective July 1, 2021

This amends subsections (a) through (c) of section *C.G.S. §54-33g, Forfeiture of moneys and property related to commission of criminal offense. In rem proceeding. Disposition. Secondary evidence of forfeited property*, to except from such forfeiture property associated with violations under section 13 of this act (manufacture, distribution, or sale).

Section 158 Effective July 1, 2021

This amends *C.G.S. §54-41b, Application for order authorizing interception*, to permit wire taps for violations under section 13 of this act (manufacture, distribution, or sale).

Section 159 Effective July 1, 2021

This amends subsection (b) of *C.G.S. §18-100h, Release of persons convicted of certain motor vehicle and drug offenses to their residences*, to permit DOC to conduct a risk and needs assessment for anyone sentenced to incarceration for a violation of *C.G.S. §21a-279a, Penalty for illegal possession of small amount of cannabis-type substance*.

Section 160 Effective July 1, 2021

This amends subsection (a) of *C.G.S. §53a-39c, Community service labor program*, to make persons convicted of a first violation of *C.G.S. §21a-279a, Penalty for illegal possession of small amount of cannabis-type substance*, eligible for the community service labor program.

Section 161 Effective July 1, 2021

This amends subsection (c) of *C.G.S. §54-56e, Accelerated pretrial rehabilitation*, to exclude from eligibility for the Accelerated Rehabilitation Program any person charged with violating *C.G.S. §21a-279a, Penalty for illegal possession of small amount of cannabis-type substance*, who is eligible for the pretrial drug education and community service program, or the pretrial drug intervention and community service program, or who has previously participated in either.

Section 162 Effective July 1, 2023

This is new and allows home growers to legally possess up to three mature and three immature plants in their primary residence so long as they are secure from access by another person.

Sections 163 Effective October 1, 2021

This section is new and creates a class A misdemeanor for anyone who is 23 years of age or older who “sells, delivers or gives cannabis” to a person under 21 years of age and knew or should have known the person was under 21.

Section 164 Effective from passage

This amends subsection (i) of *C.G.S. §54-1m, Adoption of policy prohibiting certain police actions. Traffic stop information. Standardized method. Data collection and reporting*, to include traffic stops that are conducted for suspicion of the following statutes in the reports issued by the Office of Policy and Management (OPM):

C.G.S. §14-227a, Operation while under the influence of liquor or drug or while having an elevated blood alcohol content.

C.G.S. §14-227g, Operation by person under twenty-one years of age while blood alcohol content exceeds two-hundredths of one per cent. Procedures. Penalties.

C.G.S. §14-227m, Operation of motor vehicle with a child passenger while under the influence of liquor or drug or while having an elevated blood alcohol content. Procedures. Penalties.

C.G.S. §14-227n, Operation of a school bus, student transportation vehicle or vehicle specifically designated to carry children by person under the influence of liquor or drug or while having an elevated blood alcohol content. Procedures. Penalties.

Sections 166, 167 Effective April 1, 2022

These sections are new and create **two new drug and alcohol diversion programs**; the *pretrial drug intervention and community service program* for a person charged with violating *C.G.S. §21a-257, Person receiving narcotic drug to keep it in original container, C.G.S. §21a-267, Penalty for use, possession or delivery of drug paraphernalia. Immunity*, or *C.G.S. §21a-279, Penalty for illegal possession. Alternative sentences. Immunity*, and the *pretrial impaired driving intervention program* created under section 167 of this act. There are exceptions to eligibility, however, if a person has already participated in certain pretrial diversionary programs, including the pretrial alcohol education program within 10 years prior to this application, or if a person has a prior conviction for certain driving offenses.

All fees are waived if the person has a public defender. The legislation details the process for participation for the program, what needs to be done to satisfactorily complete the program, and what happens should the person be terminated from or reinstated into the program. Any person who successfully completes the program may have their charges dismissed.

Section 168, 169 Effective from passage

These sections amends *C.G.S. §54-56g, Pretrial alcohol education program*, and *C.G.S. §54-56i, Pretrial drug education and community service program*, to sunset the current alcohol education and pretrial drug education program and community service labor programs as of as of April 1, 2022. The new programs created under sections 166 and 167 replace those programs.

Section 170 Effective April 1, 2022

This amends subsection (b) of *C.G.S. §14-227j, Court order prohibiting operation of motor vehicle not equipped with ignition interlock device*, to add the new program, pretrial impaired driving intervention, under section 167.

Section 171 Effective April 1, 2022

This permits the automatic termination and release of any bail bond whenever a person is granted the pretrial impaired driving intervention or pretrial drug intervention and community service program created under sections 167 and 166 of this act.

Section 173 Effective July 1, 2021

This section repeals *C.G.S. §12-651, Imposition of tax on marijuana and controlled substances. Stamps*, and *C.G.S. §12-660, Penalties. Exemption from limitation on prosecution*.

CHILDREN/JUVENILES/YOUTH

➤ [P.A. 21-15](#) **An Act Concerning Adoption and Implementation of the Connecticut Parentage Act**

Sections 1-37, 40-149 Effective January 1, 2022

Sections 38-39 Effective July 1, 2022 (*adjudicating de facto parentage*)

This new law establishes the process and requirements for courts to adjudicate parentage; it also establishes processes for the challenging of such adjudication.

This defines various terms, including “parent,” “intended parent,” and “presumed parent.” It defines “parent-child relationship” and extends the concept “equally to every child and parent, regardless of the marital status or gender of the parent or the circumstances of the birth of the child.” It provides that a child may have more than two parents under the Act if a court finds that failure to recognize more than two parents would be detrimental to the child. It sets forth “best interest of the child” factors and other factors courts must consider in resolving competing claims of parentage. It provides that the child support guidelines shall not be applied to situations in which a child has more than two parents until the guidelines are updated to address such situations. It defines “surrogacy agreement” and addresses various aspects of such agreements.

This provides that, “A person who intentionally releases an identifiable specimen of another person collected for genetic testing under sections 42 to 54, inclusive, of this act for a purpose not relevant to a proceeding regarding parentage, without a court order or written permission of the person who furnished the specimen, shall be fined not more than two hundred dollars or imprisoned not more than six months, or both.”

Sections 87-149 make corresponding changes to existing statutes.

➤ [P.A. 21-46](#) **An Act Concerning Social Equity and the Health, Safety and Education of Children**

Section 21 Effective July 1, 2021

This amends *C.G.S. §17a-10a, Visitation with child in care and custody of commissioner. Visitation of child with sibling. Reports*, to outline the Department of

Children and Families (DCF) commissioner's obligation to provide children in care with telephonic, video, or other means of communication with their parents and siblings in lieu of in-person visits during periods of certain public health emergencies or national emergencies. This section also requires DCF to develop a policy to temporarily cease in-person visitation on a case-by-case basis if the child or the child's parent or sibling is seriously ill from a communicable disease and to provide other opportunities to communicate in lieu of such visitation.

Section 23 Effective July 1, 2021

This amends *C.G.S. §17a-103d, Written notice to parent or guardian of rights re abuse or neglect investigation at initial face-to-face contact*, to require that DCF provide parents/guardians with: (1) written notice of their right to seek representation by an attorney and to have an attorney present at any meetings with DCF where removal of the child is being determined (Considered Removal Meetings), and (2) a list of free and low-cost legal services.

➤ [P.A. 21-54](#) **An Act Concerning Communication Services in Correctional and Juvenile Detention Facilities**

Note: This summary reflects provisions as amended by sections 52 and 53 of [June S.S. P.A. 21-2](#).

Section 1 Effective from passage

This new law prohibits DOC from using voice or any other communication service to supplant in-person contact visits for people who are confined to a correctional facility. On and after July 1, 2022, DOC is required to provide voice communication service to incarcerated persons free of charge, regardless of who places the call, for no fewer than ninety minutes on each day of such person's confinement (so long as such provision does not interfere with the standard operations of the facility in which such person is confined). Voice communication services can be supplemented with video and email, which likewise must be made available free of charge.

Section 2 Effective July 1, 2022

This new law prohibits the Court Support Services Division of the Judicial Branch from using voice or any other communication service to supplant in-person contact visits for youths who are detained in juvenile detention facilities.

On or after October 1, 2022, voice communication shall be provided, free of charge, regardless of who places the call, to any child in a juvenile detention facility. Voice communication can be supplemented with video and email, which likewise must be made available free of charge.

Section 3 Effective October 1, 2022

This section repeals *C.G.S. §18-81x, Funds for inmate educational services and reentry program initiatives*, and *C.G.S. §54-105a, Funds for the probation transition program and technical violation units*.

➤ [P.A. 21-64](#) **An Act Requiring the Provision of Information Concerning Child Sexual Abuse**

Section 1 Effective from passage

This new statute adopts definitions of various terms, including “youth athletic activity,” “youth camp,” and “youth coach.” It requires the development and posting of guidelines that provide instruction and best practices to youth coaches concerning ways to appropriately interact with youth athletes. It requires the development, posting, and distribution of guidelines to help in preventing and identifying child sexual abuse.

➤ [P.A. 21-140](#) **An Act Concerning the Department of Children and Families’ Recommendations for Revisions to the Statutes Concerning Children**

Section 5 Effective from passage

This eliminates the requirement that DCF report to the legislature annually the number of permanency cases where a child has identified an adult who is a permanency resource that can be utilized when making or revising a permanency plan.

Section 6 Effective from passage

This amends *C.G.S. §17a-93, Definitions*, to include a definition of qualified residential treatment programs (QRTP).

Section 7 Effective from passage

This is new and requires DCF to adopt regulations and standards for their qualified residential treatment programs (QRTP) regarding staffing and training and the care and treatment of children residing there.

Section 8 Effective from passage

This requires an assessment of any child placed in one of the QRTPs no later than 30 days after admission. A written explanation is required as to why a child should not be placed with the child’s family or a foster family and why the QRTP is the least restrictive environment and consistent with the permanency goals for the child. A process for review is detailed in the legislation.

Section 10 *Effective from passage*

This repeals *C.G.S. §17a-63, Private service provider. Contract with Department of Children and Families. Measurable outcomes. Annual report to General Assembly.*

- [P.A. 21-142](#) **An Act Concerning Immunity From Criminal Prosecution for a Minor Who Possesses Alcohol When the Minor Seeks Emergency Assistance to Prevent the Death or Serious Injury of Another Person**

Section 1 *Effective October 1, 2021*

This amends *C.G.S. §30-89, Purchasing liquor or making false statement to procure liquor by person forbidden to purchase prohibited. Possessing liquor by minor on public street or highway or other public or private location prohibited; exceptions*, to provide that a minor who possesses alcohol shall not be criminally prosecuted for such possession if the minor, with a reasonable belief that a person needs immediate medical help, calls 9-1-1 to prevent such person's death or serious bodily injury. The call must be placed before law enforcement learns of the minor's alcohol possession. The minor must be the first to call, must provide their name and information, and must remain on the scene and cooperate with law enforcement. Such immunity applies only to the alcohol possession charge.

- [P.A. 21-174](#) **An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee**

Section 1 *Effective July 1, 2021*

This amends *C.G.S. §46b-120, Definitions*, to raise the age of juvenile court delinquency jurisdiction (minimum age of arrest) from seven to ten years old.

Section 2 *Effective from passage*

This new law establishes an implementation team and requires it to assist DCF in the development of a plan (to be submitted to the JJPOC) to create an education unit within DCF for any child who resides in any juvenile justice facility and any child who is incarcerated.

Section 3 *Effective October 1, 2022*

This new law requires the DCF Commissioner to implement the plan developed pursuant to Section 2.

Section 4 *Effective from passage*

This new law requires the Department of Education to assemble and disseminate a list of persons who may perform the function of reentry coordinator.

Section 5 Effective October 1, 2022

This amends subsection (i) of **C.G.S. §10-221a, High school graduation requirements. Student support and remedial services. Excusal from physical education requirement. Diplomas for certain veterans and certain persons assisting in the war effort during World War II. Student success plans. Connecticut State Seal of Biliteracy**, to require the local or regional board of education of a student seventeen years of age or older to award the diploma earned by such student if the student is under the oversight of the DCF education unit. If a student qualifies for graduation and no such local or regional board can be identified, DCF must award the diploma.

Section 7 Effective October 1, 2022

This amends **C.G.S. §10-220h, Transfer of student records**, to require the local or regional board of education of a student placed in a juvenile justice facility to transfer the student's educational records to the DCF education unit.

Section 8 Effective from passage

This new law establishes a committee to study and report on the effects of and possible alternatives to suspensions and expulsions of students in any grade.

Section 9 Effective October 1, 2021

This amends **C.G.S. §46b-146, Erasure of police and court records**, to require the Court Support Services Division to provide written notice to children/parents/guardians concerning the potential for erasure of certain records regarding past delinquency convictions.

Section 10 Effective from passage

This new law establishes a committee to study and report on telephone call rates and commissary needs for all persons eighteen to twenty-one years of age who are incarcerated in DOC facilities.

Section 11 Effective from passage

This new law requires DOC to study and report on the use of and alternatives to chemical agents in DOC facilities housing youths under eighteen years of age.

Section 12 Effective from passage

This new law establishes an implementation team and requires it to develop plans for mandatory pre-arrest diversion of low-risk children.

Section 13 Effective from passage

This new law requires the Judicial Branch to develop and report a plan to securely house any person under eighteen years of age who is arrested and detained prior to sentencing or disposition on or after January 1, 2023.

Section 14 *Effective from passage*

This amends *C.G.S. §46b-124, Confidentiality of records of juvenile matters. Exceptions*, to permit a child's information obtained during mental health screening or assessment to be shared with the Court Support Services Division and its contracted quality assurance providers (for program evaluation purposes).

CORRECTIONS

➤ [P.A. 21-13](#) **An Act Concerning the Counting of Incarcerated Persons for Purposes of Determining Legislative Districts**

Section 1 *Effective from passage*

This is new and requires that anyone who is incarcerated be counted in the census as a resident of the town in which they reside, not where the correctional facility is located. The only exception is if the person is sentenced to life without the possibility of release. In this case, the address of the correctional facility is to be used.

➤ [P.A. 21-85](#) **An Act Concerning the Department of Correction, a Reentry Employment Advisory Committee, Public Safety Committees in Municipalities Where a Correctional Facility Is Located, the Disclosure of Records, the Protection of Personal Data Relating to an Employee of the Department of Correction and the Provision of Debit Cards to Incarcerated Persons at the Time of Release**

Section 1 *Effective from passage*

This amends *C.G.S. §18-82, Administrators of correctional institutions: Appointment, removal and qualifications*, to permit the DOC commissioner to designate a deputy warden to serve as director of reentry services.

Section 2 *Effective July 1, 2021*

This new statute establishes a reentry employment advisory committee to advise the DOC commissioner on alignment of education and job training programs offered by the DOC with the needs of employers in the community.

Section 3 *Effective October 1, 2021*

This amends *C.G.S. §18-81h, Public safety committees established in municipalities with correctional facilities. Report*, to permit a municipality to create a public safety committee to meet at least annually to review not only correctional safety and security but also reentry efforts for persons who are being released. The members of this

committee are selected by the chief elected official of the municipality and must include the warden or their designee.

Section 5 Effective October 1, 2021

This section amends subsection (g) of *C.G.S. §17a-28, Definitions. Confidentiality and access to records; exceptions. Procedure for aggrieved persons*, to permit DCF to disclose records to DOC, without the consent of the subject of the record, for the purpose of determining and providing supervision and treatment services for a child or youth in DOC custody.

Section 6 Effective from passage

This amends *C.G.S. §18-81, Lost property board*, to make the DOC commissioner's adoption of regulations to implement the provisions of this section permissive rather than mandatory.

Section 7 Effective January 1, 2022

This section amends *C.G.S. §18-85, Compensation of inmates. Deposit in account. Disbursement priorities*, to require payment, in the form of a debit card, to be made to an inmate upon release for compensation earned.

Section 8 Effective October 1, 2021

This section repeals *C.G.S. §18-81bb, Advisory committees established in certain municipalities with correctional facilities*.

See also [Children/Juveniles/Youth](#):

- [P.A. 21-54](#) **An Act Concerning Communication Services in Correctional and Juvenile Detention Facilities**

CRIMINAL JUSTICE, DIVISION OF

- [P.A. 21-8](#) **An Act Concerning the Criminal Justice Commission, Division of Criminal Justice and the Office of the Inspector General**

Section 1 Effective October 1, 2021

This amends *C.G.S. §51-275a, Criminal Justice Commission established. Meetings*, to require that the Governor's nominee for chair of the Criminal Justice Commission be referred to the Judiciary Committee and the General Assembly.

Section 2 Effective from passage

This amends subsection (b) of *C.G.S. §51-278, Appointment, salaries and removal of prosecutorial officials*, to specify that the Inspector General receives their prosecutorial

powers as a designee of the Chief State's Attorney, and it requires the Chief State's Attorney to notify the Criminal Justice Commission of any promotions of deputy assistant state's attorneys. It specifies that the Criminal Justice Commission will determine how many recommendations it shall require for each appointment to fill a vacancy in the office of the Chief State's Attorney or the office of a state's attorney, as the Commission makes its appointments from the recommendations of the Chief State's Attorney. It specifies that when a commission vote on an Inspector General appointment is tied, the chairperson of the commission shall select the nominee (from those in the tie position) to be appointed to serve as Inspector General.

Section 3 Effective October 1, 2021

This amends *C.G.S. §51-279a, Division of Criminal Justice Advisory Board. Members. Duties*, to include a nonvoting member designated by the Criminal Justice Commission to sit on the Division of Criminal Justice Advisory Board.

Section 4 Effective October 1, 2021

This amends *C.G.S. §51-280, Performance rating of state's attorneys*, to require the Chief State's Attorney to conduct biennial performance reviews for all prosecutors (state's attorneys, assistant state's attorneys, and deputy assistant state's attorneys) and submit such to the Criminal Justice Commission. It also permits the Commission to call a state's attorney before it for questions regarding issues raised.

Section 5 Effective October 1, 2021

This amends *C.G.S. §51-285, Special prosecutors, special inspectors and special federal prosecutors*, to remove the discretion of the Chief State's Attorney to appoint state's attorneys and inspectors on a contractual basis. The legislation requires that the Chief State's Attorney recommend to the Commission attorneys and inspectors for a contract.

Section 6 Effective from passage

This amends *C.G.S. §51-277e, Office of the Inspector General established. Appointment of Inspector General. Powers and duties of office*, to make the Office of the Inspector General a separate – rather than independent – office within the Division of Criminal Justice and to allow for the appointment of a person other than a Division employee as Inspector General.

Section 7 Effective from passage

This amends *C.G.S. §51-277a, Investigation and prosecution by the Inspector General of the use of physical force by a peace officer, the death of a person in custody or failure of a peace officer to intervene in or report an incident. Reporting upon conclusion of investigation*, requiring that the Division of Criminal Justice cause an investigation to be made into a death from officers' physical force and officers' use of deadly force, and specifying that the Inspector General has the responsibility of determining whether the

use of physical force was justifiable under *C.G.S. §53a-22, Use of physical force in making arrest or preventing escape.*

CRIMINAL JUSTICE, PROCESS

➤ **P.A. 21-102** **An Act Concerning the Criminal Justice Process**

Section 1 Effective October 1, 2021

This section amends subsection (a) of *C.G.S. §54-86, Depositions*. It currently provides that an accused can apply for a court order to take a deposition of a witness if the witness is unable to testify at trial due to their residing out of state or because of physical infirmity. The legislation now permits the state to apply to depose a witness if the witness is infirm and 75 years of age or older.

Sections 2, 3 Effective October 1, 2021

These sections make a technical change to *C.G.S. §53a-83, Patronizing a prostitute: Class A misdemeanor*, and *C.G.S. §53a-84, Defenses barred*. They insert “soliciting sexual acts” in lieu of “patronizing a prostitute.” The penalty for *C.G.S. §53a-83* remains a class A misdemeanor.

Section 4 Effective October 1, 2021

This section amends *C.G.S. §7-22, Removal of town clerks*, to provide a process for whenever a complaint of “misconduct, willful and material neglect of duty or incompetence in the conduct” of the office of a town clerk shall be investigated by the Attorney General instead of the state’s attorney for a particular judicial district. If the Attorney General deems it appropriate, the office can have the town clerk appear in court to show cause as to why they should not be removed from office.

Section 5 Effective October 1, 2021

This section amends *C.G.S. §7-81, Removal of town treasurers*, to provide a process for whenever a complaint of “misconduct, willful and material neglect of duty or incompetence in the conduct” of the treasurer of a town shall be investigated by the Attorney General instead of the state’s attorney for a particular judicial district. If the Attorney General deems it appropriate, the office can have the treasurer appear in court to show cause as to why they should not be removed from office.

Section 6 Effective October 1, 2021

This amends subsection (f) of *C.G.S. §1-110a, Pension revocation or reduction for public officials and state or municipal employees convicted of crimes related to state or municipal office. Factors. Voluntary provision of information. Innocent spouse, dependents and beneficiaries. Notification to prosecutor. Severability of provisions*, to

provide in state (not federal) proceedings that a state prosecutor notify the Attorney General whenever a person who is a public official or state or municipal employee is charged with a crime related to their employment. Once notified, the Attorney General is required to pursue not only litigation to revoke the person's pension, but also the payment of fines, restitution, or other from the pension.

Section 7 Effective October 1, 2021

This amends *C.G.S. §53a-290, "Vendor fraud" defined*, to expand the elements for vendor fraud to include circumstances when a person has knowledge that they are not entitled to a benefit or payment or a benefit for someone else on whose behalf they have applied.

Section 8 Effective October 1, 2021

This amends *C.G.S. §53a-181f, Electronic stalking: Class B misdemeanor*, to provide definitions for immediate family member and intimate partner. It also removes the mens rea of "recklessly" with regard to causing a person to fear that they are the subject of electronic monitoring. It replaces that mens rea with the intent to "kill, injure, harass or intimidate" another person using electronic monitoring or "engage in a course of conduct that: (1) Places such other person in reasonable fear of the death of or serious bodily injury to (A) such person, (B) an immediate family member of such person, or (C) an intimate partner of such person; or (2) causes, attempts to cause or would be reasonably expected to cause substantial emotional distress to a person"

The legislation also raises the penalty for a violation of this statute from a class B misdemeanor to a class D felony.

Section 9 Effective October 1, 2021

This amends *C.G.S. §53a-189c, Unlawful dissemination of an intimate image: Class A misdemeanor*, to define "harm" caused by unlawful dissemination of an intimate image to include, among other things, subjecting another "to hatred, contempt, ridicule, physical injury, financial injury, psychological harm or serious emotional distress."

The section already provides an exemption to prosecution if a person is not "clearly identifiable." The legislation provides, however, that if personally identifying information accompanies the image, a prosecution can occur. In addition, it clarifies that the current penalty as a class A misdemeanor applies to cases where the image is disseminated to one other person. However, the penalty is enhanced to a class D felony if the image is disseminated to more than one person through a computer or the internet.

Section 10 Effective October 1, 2021

This section amends subsections (f) and (g) of *C.G.S. §53a-40, Persistent offenders: Definitions; defense; authorized sentences; procedure*. It provides a 10-year lookback before a person can be convicted as:

- (1) a persistent offender because of twice being convicted of possession of a controlled substance; and,
- (2) a persistent felony offender because of twice being convicted of a class D or E felony.

Sections 11-18 Effective October 1, 2021

These sections amend the following statutes to waive all program fees for anyone who has been appointed a public defender after a determination of indigency has been made by the court pursuant to *C.G.S. §51-296, Designation of public defender for indigent defendant, codefendant. Legal services and guardians ad litem in family relations matters and juvenile matters. Contracts for legal services*:

- Subsection (b) of *C.G.S. §53a-39c, Community service labor program*;
- *C.G.S. §54-56e, Accelerated pretrial rehabilitation*;
- *C.G.S. §54-56g, Pretrial alcohol education program*;
- *C.G.S. §54-56i, Pretrial drug education and community service program*;
- Subsection (f) of *C.G.S. §54-56j, Pretrial school violence prevention program*;
- Subsection (i) of *C.G.S. §46b-38c, Family violence response and intervention units. Local units. Duties and functions. Protective orders. Electronic monitoring pilot program. Pretrial family violence education program; fees. Training program*;
- *C.G.S. §17a-694, Examination for alcohol or drug dependency. Report*; and,
- *C.G.S. §17a-696, Order for suspension of prosecution and treatment for alcohol or drug dependency*.

The legislation also prohibits the court from ordering that community service be performed by an indigent person in lieu of these program fees.

Section 19 Effective October 1, 2021

This section amends *C.G.S. §21a-257, Person receiving narcotic drug to keep it in original container*, to reduce the current penalty that can be imposed on a person charged with failure to keep a narcotic drug in its original container from the imposition of a fine of \$3500 or not more than 2 years or both for a first offense to a class D misdemeanor. The legislation carves out an exception from prosecution to anyone who “in good faith” stores their narcotics in (1) a pill box within their residence, or (2) a secured pill box which is accompanied by proof of the prescription.

Section 20 Effective October 1, 2021

This section amends *C.G.S. §51-164r, Failure to pay or plead*, to reduce the infraction penalty for failing to pay a fine or plead not guilty by the answer date, or willfully failing to appear in court, from a class C misdemeanor to an unclassified misdemeanor with a sentence of incarceration of not more than 10 days.

In addition, the legislation reduces the penalty for a person charged with violating subsection (b) of *C.G.S. §51-164n, Procedure upon summons for infraction or certain violations. Payment by mail. Procedure at trial*, for failing to pay a fine or plead not guilty by the answer date, or willfully failing to appear in court, from a class A misdemeanor to an unclassified misdemeanor with a sentence of incarceration of not more than 10 days.

Section 21 Effective October 1, 2021

This section amends subdivision (1) of subsection (a) of *C.G.S. §18-98d, Credit for presentence confinement*, to allow for presentence confinement credit for offenses committed after October 1, 2021, on all concurrent sentences regardless of the day the sentences are imposed, while ensuring that consecutive sentences are not credited twice, and provides for presentence confinement credit when a sentenced inmate is subsequently sentenced to a concurrent sentence. It also provides that where a fine is imposed, each day spent in confinement prior to sentencing be “credited against the sentence at a per diem rate equal to the average cost of incarceration.”

Section 22-24 Effective October 1, 2021

These sections amend *C.G.S. §21a-267, Penalty for use, possession or delivery of drug paraphernalia. Immunity*; *C.G.S. §21a-278a, Penalty for illegal manufacture, distribution, sale, prescription or administration*; and, *C.G.S. §21a-279, Penalty for illegal possession. Alternative sentences. Immunity*, to reduce the drug free zones from 1500 feet to 200 feet from the perimeter of the school property, public housing, or a licensed child care center.

Section 25 Effective from passage

Note: The effective date of Section 25 was amended to October 1, 2021, by Section 63 of [P.A. 21-104](#), An Act Concerning Court Operations.

This section amends *C.G.S. §53a-39, Reduction of sentence or discharge of defendant by sentencing court or judge. Statement by victim*. Now any person who went to trial, regardless of the sentence imposed, or who was sentenced to an executed period of incarceration of 7 years or less can move for a sentence modification without the permission of the state’s attorney.

Anyone sentenced to an executed period of incarceration of more than 7 years for a plea bargain, or an agreed upon recommendation with a right to argue for less, must seek the agreement of the state's attorney prior to review.

If a person is denied a sentence modification under this legislation, they must wait 5 years before they can file for a sentence modification again.

➤ [P.A. 21-170](#) **An Act Concerning the Recommendations of the Jury Selection Task Force**

Section 1 Effective October 1, 2021

This section amends *C.G.S. §51-217, Qualification of jurors*, to:

- (1) allow a person to be a juror so long as they are a permanent resident under federal law;
- (2) reduce from seven to three years the prohibition from jury service against a person with a felony conviction; and,
- (3) extend from 70 to 75 the age at which a person can decline service as a juror or being summoned.

Section 2 Effective July 1, 2023

This section amends *C.G.S. §51-220, Number of jurors for each town*, to create a formula for the Jury Administrator to calculate the number of jurors selected which “reflect the proportional representation” of the town's population to calculate the percentage under the statute.

Section 3 Effective October 1, 2022

This section amends *C.G.S. §51-220a, Use of electronic processing in selection and summoning of jurors*, to require the Jury Administrator to collect data on the number of jurors who were summoned and appeared for jury service.

Section 4 Effective July 1, 2022

This amends *C.G.S. §51-232, Summoning of jurors. Juror questionnaire. Reduction of panel. Courthouse*. Upon a summons being undeliverable, the Jury Administrator is required to send a randomly generated jury summons to another person in the same zip code.

Section 5 Effective October 1, 2022

This amends subsection (c) of *C.G.S. §51-232, Summoning of jurors. Juror questionnaire. Reduction of panel. Courthouse*. Currently the juror questionnaire asks for the age, race, ethnicity, and other information pertaining to the potential juror. This legislation requires that gender and other demographic information as determined by the Judicial Branch also be requested on the form. Thereafter, the Judicial Branch is required to

compile all of this information as to the number of persons who were summoned, participated, removed for a peremptory challenge or challenged for cause, or who served on a jury. The compilation cannot include personally identifiable information. Further, the compilation will be accessible on the internet.

DOMESTIC VIOLENCE

➤ [P. A. 21-78](#) **An Act Concerning the Definition of Domestic Violence, Revising Statutes Concerning Domestic Violence, Child Custody, Family Relations Matter Filings and Bigotry or Bias Crimes and Creating a Program to Provide Legal Counsel to Indigents in Restraining Order Cases**

Section 1 Effective from passage

This section amends *C.G.S. §46b-1, Family relations matters defined*, to define domestic violence as:

- (1) A continuous threat of present physical pain or physical injury against a family or household member, as defined in section *C.G.S. §46b-38a, Family violence prevention and response: Definitions*, as amended by this act;
- (2) stalking, including but not limited to, stalking as described in section *C.G.S. §53a-181d, Stalking in the second degree: Class A misdemeanor*, of such family or household member;
- (3) a pattern of threatening, including but not limited to, a pattern of threatening as described in section *C.G.S. §53a-62, Threatening in the second degree: Class A misdemeanor or class D felony*, of such family or household member or a third party that intimidates such family or household member; or
- (4) coercive control of such family or household member, which is a pattern of behavior that in purpose or effect unreasonably interferes with a person's free will and personal liberty.

“Coercive control” includes, but is not limited to, unreasonably engaging in any of the following:

- (A) *Isolating the family or household member from friends, relatives, or other sources of support;*
- (B) *Depriving the family or household member of basic necessities;*
- (C) *Controlling, regulating or monitoring the family or household member's movements, communications, daily behavior, finances, economic resources or access to services;*

(D) *Compelling the family or household member by force, threat or intimidation, including, but not limited to, threats based on actual or suspected immigration status, to*

(i) engage in conduct from which such family or household member has a right to abstain, or

(ii) abstain from conduct that such family or household member has a right to pursue;

(E) *Committing or threatening to commit cruelty to animals that intimidates the family or household member; or*

(F) *Forced sex acts, or threats of a sexual nature, including, but not limited to, threatened acts of sexual conduct, threats based on a person's sexuality or threats to release sexual images."*

Section 2 Effective October 1, 2021

This amends **C.G.S. §46b-15, *Relief from physical abuse, stalking or pattern of threatening by family or household member. Application. Court orders. Duration. Service of application, affidavit, any ex parte order and notice of hearing. Copies. Expedited hearing for violation of order. Other remedies,*** and permits a family or household member as defined under **C.G.S. §46b-38a, *Family violence prevention and response: Definitions,*** who is a victim of domestic violence as now defined under **C.G.S. §46b-1, *Family relations matters defined,*** (see Section 1 of this act) to file an application for an ex parte restraining order.

Under the act an applicant can choose to appear virtually at the family court proceeding on behalf of themselves or their child, and documents can be accepted electronically by a sheriff for service.

Section 3 Effective October 1, 2021

This amends **C.G.S. §46b-15c, *Powers of court in family relations matter re taking out-of-court testimony when one party is subject to a protective order, restraining order or standing criminal protective order. Videoconference hearings permitted. Oaths. Cross-examination,*** to remove the discretion of the court to allow testimony to be taken outside the presence of any party if a protective order, restraining order, or standing criminal protective order has been issued. The act requires the court, upon a written request made not less than two days prior to the hearing, to permit such.

Section 4 *Effective July 1, 2021*

This amends subdivision (3) of *C.G.S. §46b-38a, Family violence prevention and response: Definitions*, to expand the offenses within the definition of “family violence crimes” to include:

“any violation of section 53a-222, 53a-222a, 53a-223, 53a-223a or 53a-223b when the condition of release or court order is issued for an act of family violence or a family violence crime.”

Section 5 *Effective July 1, 2021*

This amends subdivision (5) of subsection (g) of *C.G.S. §46b-38b, Investigation of family violence crime by peace officer. Arrest. Assistance to victim. Guidelines. Compliance with model law enforcement policy on family violence. Education and training program. Assistance and protocols for victims whose immigration status is questionable. Exceptions*, to provide a definition of “expeditiously” to mean not later than 60 days after receiving a certificate of helpfulness.

For purposes of issuing a certificate of helpfulness for U Nonimmigrant Status in certain circumstances, this amends subdivision (5) of subsection (g) of *C.G.S. §46b-38b, Investigation of family violence crime by peace officer. Arrest. Assistance to victim. Guidelines. Compliance with model law enforcement policy on family violence. Education and training program. Assistance and protocols for victims whose immigration status is questionable. Exceptions*, to define “expeditiously” as not being:

“later than sixty days after the date of receipt of the request for certification of helpfulness, or not later than fourteen days after the date of receipt of such request if (I) the victim is in federal immigration removal proceedings or detained, or (II) the victim's child, parents or siblings would become ineligible for an immigration benefit by virtue of the victim or the sibling of such victim attaining the age of eighteen years, or the victim's child attaining the age of twenty-one years.”

Section 6 *Effective October 1, 2021*

This amends subsection (e) of *C.G.S. §46b-38c, Family violence response and intervention units. Local units. Duties and functions. Protective orders. Electronic monitoring pilot program. Pretrial family violence education program; fees. Training program*, to permit anyone who receives a protective order to receive notice that they can appear in family court remotely on their or their child’s behalf so long as they notify the court, in writing, at least two days in advance.

Section 7 *Effective October 1, 2021*

This amends *C.G.S. §53a-40e, Standing criminal protective orders*, to permit anyone who receives a criminal protective order to receive notice that they can appear in family

court remotely on their or their child's behalf so long as they notify the court, in writing, at least two days in advance.

Section 8 Effective October 1, 2021

This amends subsection (f) of *C.G.S. §46b-54, Appointment of counsel or guardian ad litem for a minor child. Duties. Best interests of the child*, to include an additional factor – the physical and emotional safety of the child – to be considered by counsel or the GAL when considering the best interests of the child.

Section 9 Effective October 1, 2021

This amends *C.G.S. §46b-56, Orders re custody, care, education, visitation and support of children. Best interests of the child. Access to records of minor child by noncustodial parent. Orders re therapy, counseling and drug or alcohol screening*, to require the court to consider, in addition to the current statutory factors, the physical and emotional safety of the child when considering the best interests of the child.

Section 10 Effective October 1, 2021

This is new legislation which mandates that the court sanction a party if it finds that there is a pattern of frivolous and intentionally fabricated pleadings or motions filed by such party.

Section 11 Effective July 1, 2021

This amends *C.G.S. §51-27h, Courthouse facilities to include secure room for victims of family violence crimes and advocates*, to require that every court has a secure room for victims of family violence crimes and the advocates for the victims separate from the private and public areas and the state's attorney office in the court, provided a room is available in courthouses constructed before July 1, 2021.

Section 12 Effective July 1, 2021

This amends *C.G.S. §51-27i, Family violence victim advocate services in Family Division of Superior Court*, to provide to a family violence victim advocate, upon request, any state or municipal police report that the state's attorney, local police, or state police have in their possession.

Section 13 Effective July 1, 2021

This amends subsection (a) of *C.G.S. §17b-112g, Diversion assistance program for families. Eligibility. Notification of benefits and services. Regulations*, so that the assets and income of the "spouse, domestic partner or other household member" who is accused of domestic violence shall not be counted for diversion assistance eligibility purposes by the Department of Social Services for a domestic violence victim.

Section 14 *Effective July 1, 2021*

This amends *C.G.S. §17b-191, Operation of state-administered general assistance program. Cash assistance. Eligibility*, to provide a one-time assistance payment to any victim of domestic violence denied diversion assistance pursuant to *C.G.S. §17b-112g, Diversion assistance program for families. Eligibility. Notification of benefits and services. Regulations*, as amended. The assets and income of the “spouse, domestic partner or other household member” who is accused of domestic violence shall not be considered for eligibility purposes by the Department of Social Services for a domestic violence victim.

Section 15 *Effective from passage*

This is new legislation which establishes a grant program to provide legal assistance to indigent persons who are applying for a restraining order at no cost to the applicant.

Section 16 *Effective October 1, 2021*

This amends subsections (a) and (b) of *C.G.S. §54-64a, Release by judicial authority*, by adding “the heightened risk posed to victims of family violence” if the conditions of release are violated as a factor for consideration when determining the conditions of release for a person charged with violating *C.G.S. §53a-222a, Violation of conditions of release in the second degree: Class A misdemeanor or Class D felony*.

Sections 17-19 *Effective October 1, 2021*

These sections amend subsection (a) of *C.G.S. §53a-181j, Intimidation based on bigotry or bias in the first degree: Class C felony*; subsection (a) of *C.G.S. §53a-181k, Intimidation based on bigotry or bias in the second degree: Class D felony*; and, subsection (a) of *C.G.S. §53a-181l, Intimidation based on bigotry or bias in the third degree: Class E felony*, to provide that a person is guilty of intimidation based on bigotry or bias when a person violates any of these statutes intending to intimidate or harass another “motivated in whole or in substantial part” by the person’s protected class status.

Section 20 *Effective October 1, 2021*

This is new legislation which requires a landlord to change the locks or permit the tenant to do so whenever the tenant has requested such and is the protected person in a protective or restraining order, or a foreign order of protection under certain circumstances. The landlord must change the locks within 48 hours or permit the tenant to do so within 6 hours of the request. The cost for such initially paid by the landlord may be reimbursed by the tenant.

If a tenant is named as a respondent and ordered to stay away from the dwelling unit, the landlord is prohibited from providing new keys to the respondent/tenant. Further, the landlord has no duty to allow the respondent/tenant access. However, the

respondent/tenant remains liable for all payments and/or damages under the rental agreement.

ERASURE/"CLEAN SLATE"

- [P.A. 21-32](#) **An Act Concerning the Board of Pardons and Paroles, Erasure of Criminal Records for Certain Misdemeanor and Felony Offenses, Prohibiting Discrimination Based on Erased Criminal History Record Information and Concerning the Recommendations of the Connecticut Sentencing Commission With Respect to Misdemeanor Sentences**

Section 1 Effective July 1, 2021

This amends subsection (l) of *C.G.S. §54-124a, Board of Pardons and Paroles*, to require annual training of members of the Board of Pardons and Paroles on the pardons process including collateral consequences.

Section 2 Effective January 1, 2023

This section amends *C.G.S. §54-130a, Jurisdiction and authority of board to grant commutations of punishment, releases, pardons and certificates of rehabilitation*, to require the Board of Pardons and Paroles to provide a written statement to any pardon applicant who is denied a pardon. The statement must articulate the factors considered and explain which factors were unsatisfied.

Section 3 Effective January 1, 2023

This amends *C.G.S. §54-142a, Erasure of criminal records*, to provide erasure of certain convictions once a certain period of time has passed. There is no fee for any petition for erasure filed under this section.

Erasure of records does not include records held by DOC or transcripts of the proceedings. Records for erasure include:

- police or court records;
- records held by the prosecutor;
- records of the prosecuting grand juror which pertain to the conviction; and,
- records of the Board of Pardons and Paroles which pertain to court obligations which arise from the conviction.

The new subsection (e) provides that any person convicted of *a classified or unclassified misdemeanor* shall have their conviction *erased seven years* from the date court entered the convicted person's most recent judgment of conviction. The erasure will happen by operation of law if the offense occurred on or after January 1, 2000. If it

occurred prior to January 1, 2000, the person must file a petition for erasure with the sentencing court.

It also provides that any person convicted of a *class D or E felony or an unclassified felony for which a term of incarceration of not more than 5 years could be imposed* can have their felony *erased 10 years* from the date the court entered the convicted person's most recent judgment of conviction. The erasure will happen by operation of law if the offense occurred on or after January 1, 2000. If the offense occurred prior to January 1, 2000, the person must file a petition for erasure with the sentencing court.

In regard to juveniles convicted of *one or more misdemeanors*, the record will be erased if the offense was committed when *the juvenile was under 18 years of age*. Erasure will happen by operation of law if the offense occurred on or after January 1, 2000, and before July 1, 2012. If it occurred prior to January 1, 2000, the person must file a petition for erasure with the sentencing court.

There are exceptions to this erasure legislation. The following are not eligible for erasure under this section:

- where the conviction for a charge to which erasure is not applicable arises from the same information;
- a conviction for a family violence crime as defined in *C.G.S. §46b-38a, Family violence prevention and response: Definitions*;
- a conviction for a nonviolent sexual offense or sexually violent offense defined in *C.G.S. §54-250, Definitions*;
- a conviction pursuant to subsection (c) of *C.G.S. §21a-279, Penalty for illegal possession. Alternative sentences. Immunity*, prior to October 1, 2015, as such conviction "shall not be considered as a most recent offense when evaluating whether a sufficient period of time has elapsed" to qualify for erasure; or,
- a motor vehicle offense under *C.G.S. Title 14, Motor Vehicles. Use of the Highway By Vehicles. Gasoline*, or *C.G.S. §51-164r, Failure to pay or plead*.

The new subsection (j) provides access to an attorney for a person in an immigration matter, "to the degree that such information has been retained, to all records held by the police, court or prosecutor, where the person's records are required under federal law.

Section 5 Effective January 1, 2023

This section is new and requires the Department of Emergency Services and Public Protection (DESPP), the Judicial Branch, and the Criminal Justice Information System (CJIS) Governing Board to develop and implement a plan for automatic erasure.

Section 6 Effective January 1, 2023

This section amends *C.G.S. §54-142e, Duty of consumer reporting agency to update and delete erased criminal records. Judicial Department to make available information to identify erased records*, to require entities that purchase criminal matter information

from the Judicial Department or any criminal justice agency to be provided information pertaining to erased records so that they may be deleted no later than 30 calendar days after receiving the update information. The legislation further prohibits such entities from disclosing the erased records.

Section 7 Effective July 1, 2021

This amends subsection (c) of *C.G.S. §29-11, State Police Bureau of Identification. Fees. Agreements re fingerprinting. Regulations*, and permits State Police to waive fees for, among other records, a criminal history record information search, when requested for a pardon application provided the applicant completes a form asserting indigency.

Section 9 Effective January 1, 2023

This is new and defines the terms “criminal history record information” and “erased criminal history record information” for purposes of proceedings before the CHRO.

Section 10 Effective January 1, 2023

This section amends the definition contained in subdivisions (7) and (8) of *C.G.S. §46a-51, Definitions*, pertaining to discriminatory employment practice and discriminatory practice for purposes of proceedings before the CHRO.

Sections 11 Effective October 1, 2021

This is new and makes it a discriminatory practice “for any person to subject, or cause to be subjected, any other person to the deprivation of any rights, privileges or immunities, secured or protected by the Constitution or laws of this state or of the United States, on account of a person's erased criminal history record information.”

Sections 12 Effective October 1, 2021

This is new to create a discriminatory practice in the rental or sale of a dwelling, if a person discriminates against another person on account of their erased criminal history record information. An exception to this is if the owner occupies part of the unit or dwelling as their residence in certain situations.

Sections 13–32 See below for effective dates.

The following sections provide that a person cannot be discriminated against on the basis of an erased criminal history record information:

<p><i>Section 13 Effective January 1, 2023</i></p>	<p><i>C.G.S. §8-265c, Discrimination re housing financed by authority barred.</i></p>	<p><i>Housing Authority</i></p>
--	---	---------------------------------

Section 14 Effective January 1, 2023	C.G.S. §8-315, <i>Discrimination prohibited in housing financed under this chapter.</i>	<i>Municipal Housing</i>
Section 15 Effective January 1, 2023	C.G.S. §31-51i, <i>Employer inquiries about erased criminal record prohibited. Discrimination on basis of erased criminal record, provisional pardon or certificate of rehabilitation prohibited. Availability of information on employment application form. Duties of consumer reporting agency issuing consumer report for employment purposes containing criminal matters of public record. Complaints.</i>	<i>Employers, employment applications</i>
Section 16 Effective October 1, 2021	New	<i>Compensation, terms, conditions or privileges of employment</i>
Section 17 Effective October 1, 2021	New	<i>Membership on Boards, association or other</i>
Section 18 Effective October 1, 2021	New	<i>State to recruit, appoint, assign, train, evaluate and promote without regard to erased criminal history record information</i>
Section 19 Effective October 1, 2021	New	<i>Revoke a license or charter of a person</i>
Section 20 Effective October 1, 2021	New	<i>Educational, counseling and vocational guidance programs, apprenticeship, and on the job training programs of state agencies</i>

Section 21 <i>Effective</i> October 1, 2021	New	<i>State-administered programs</i>
Section 22 <i>Effective</i> October 1, 2021	New	<i>Services of any state agency</i>
Section 23 <i>Effective</i> October 1, 2021	New	<i>Public accommodation, resort or amusement</i>
Section 24 <i>Effective</i> October 1, 2021	New	<i>Higher education</i>
Section 25 <i>Effective</i> January 1, 2023	Subsection (b) of C.G.S. §10a-6, <i>Duties of the Board of Regents for Higher Education. Policy goals. Access to information.</i>	<i>Policies of state system of higher education</i>
Section 26 <i>Effective</i> October 1, 2021	New	<i>Credit transactions for persons 18 years of age or over</i>
Section 27 <i>Effective</i> January 1, 2023	C.G.S. §38a-358, <i>Declination, cancellation or nonrenewal of private passenger nonfleet auto insurance policies prohibited for certain reasons.</i>	<i>Private motor vehicle insurance</i>
Section 28 <i>Effective</i> January 1, 2023	C.G.S. §38a-447, <i>Discrimination against persons on the basis of race prohibited.</i>	<i>Life insurance or enhanced premiums for such</i>
Section 29 <i>Effective</i> January 1, 2023	C.G.S. §46a-74, <i>State agencies not to permit discriminatory practices in professional or occupational associations, public accommodations or housing.</i>	<i>State departments, boards or agencies</i>

Section 30 <i>Effective January 1, 2023</i>	<i>C.G.S. §46a-79, State policy re employment of criminal offenders.</i>	<i>Legislative statement regarding employers to give favorable consideration</i>
Section 31 <i>Effective January 1, 2023</i>	<i>C.G.S. §46a-80, Denial of employment based on prior conviction of crime. Inquiry re prospective employee's past convictions. Dissemination of arrest record prohibited.</i>	<i>License, permit, certificate, registration issued by state</i>
Section 32 <i>Effective January 1, 2023</i>	<i>Subsection (a) of C.G.S. §46a-81, Statutes controlling law enforcement agencies excepted.</i>	<i>License, permit, certificate, registration issued by state</i>

Section 33 Effective January 1, 2023

This section amends subsection (b) of *C.G.S. §54-142g, Definitions*, to add the Division of Criminal Justice and DESPP to the list of agencies defined as criminal justice agencies.

Section 35 Effective October 1, 2021

This is new and requires that a class A misdemeanor carry a sentence of imprisonment not to exceed 364 days, not the current one year or 365 days. The legislation is retroactive and applicable to anyone who was sentenced to a year before, on, or after October 1, 2021. It also allows a person sentenced for an offense punishable by a term of imprisonment of up to one year to apply for a sentence modification not to exceed 364 days.

EVICCTIONS

- [P.A. 21-34](#) **An Act Concerning the Right to Counsel in Eviction Proceedings, the Validity of Inland Wetlands Permits in Relation to Certain Other Land Use Approvals, and Extending the Time of Expiration of Certain Land Use Permits**

Section 1 Effective July 1, 2021

This creates a “right to counsel program” for certain “covered” persons as defined in this section. Counsel is to be paid for by the Judicial Branch, at no cost to the person, for matters initiated on or after July 1, 2021.

JUDICIAL

➤ [P.A. 21-104](#) **An Act Concerning Court Operations**

Note: Throughout the act, numerous statutes have been amended to replace the phrase “juvenile detention center” with “juvenile residential center.” The name change is effective January 1, 2022.

Also, the act amends areas which currently require testimony or documentation and identification on the record. The act provides that, in the alternative, an affidavit will suffice so long as it is under oath and the person states that there is not a restraining or protective order in place or pending.

The act makes numerous changes to the statutes pertaining to the process for a dissolution of marriage, issues related to child support, visitation and custody and the modification of such.

Section 17 Effective from passage

This amends *C.G.S. §46b-16a, Issuance of civil protection order on behalf of person who has been victim of sexual abuse, sexual assault or stalking. Application. Hearing. Court orders. Duration. Notice. Other remedies*, and requires the court, upon the request of the applicant, if service has not been made on the respondent in conformance with the statutes, to extend any ex parte order for a civil protection order for up to 14 days from the originally scheduled hearing date.

Section 24 Effective January 1, 2022

This section amends *C.G.S. §46b-120, Definitions*, to include a definition of a juvenile residential center as:

“a hardware-secured residential facility operated by the Court Support Services Division of the Judicial Branch that includes direct staff supervision, surveillance enhancements and physical barriers that allow for close supervision and controlled movement in a treatment setting for preadjudicated juveniles and juveniles adjudicated as delinquent.”

Sections 25 & 26 Effective from passage

These sections amend subsections (b) and (d) of *C.G.S. §46b-124, Confidentiality of records of juvenile matters. Exceptions*, to permit members and employees of the Judicial Review Council access to all juvenile matters, including delinquency proceedings.

Section 28 Effective from passage

This amends subsection (c) of *C.G.S. §46b-127, Transfer of child charged with a felony to the regular criminal docket. Transfer of youth aged sixteen or seventeen to docket for*

juvenile matters, to specify that a victim and the victim's next of kin shall not be excluded from proceedings wherein a case is transferred from the juvenile court to the regular criminal docket.

The section defines a victim as "the victim of the crime, a parent or guardian of such person, the legal representative of such person, or a victim advocate for such person under section 54-220, or a person designated by a victim in accordance with section 1-56r, as amended by this act, and (II) 'next of kin' means a spouse, an adult child, a parent, an adult sibling, an aunt, an uncle or a grandparent."

Section 37 Effective from passage

This amends subsection (m) of *C.G.S. §46b-231, Definitions. Family Support Magistrate Division. Family support magistrates; appointment, salaries, powers and duties. Orders. Appeal. Attorney General; duties re actions for support. Department of Social Services; powers*. It details the process for allowing the filing of the parties' agreement to the modification or enforcement of support orders and the approval of the family support magistrate. It specifically provides a process for a person to file a motion to modify an existing order of support where the Social Security Administration, or a state agency which awards disability payments, has made a determination that the person is eligible for disability payments. The act gives discretion to the family support magistrate to modify an existing order of support based upon such.

Section 38 Effective from passage

This amends *C.G.S. §51-14, Rules of court. Disapproval of rules by General Assembly. Hearings*, to permit certain rules of court to be effective prior to the current 60 day time period if a rule needs to be adopted "expeditiously."

Section 39 Effective from passage

This amends subsection (a) of *C.G.S. §51-511, Investigation of conduct of judge, compensation commissioner or family support magistrate*, and grants the Judicial Review Council access to all juvenile matters records and transcripts and those of youthful offenders.

Section 48 Effective from passage

This amends subsection (b) of *C.G.S. §54-761, Records or other information of youth to be confidential. Exceptions*, and grants the Judicial Review Council access to youthful offender records.

Section 49 Effective from passage

This amends subsection (a) of *C.G.S. §54-108f, Issuance of certificate of rehabilitation by Court Support Services Division. Modification or revocation*, to clarify that CSSD does not need to continue monitoring a person who has received a certificate of rehabilitation once the person is no longer under its supervision.

Section 50 Effective from passage

This amends *C.G.S. §54-130e, Provisional pardons. Certificates of rehabilitation*, to clarify that the Board of Pardons and Paroles is not required to continue monitoring the criminal activity of a person who has received a provisional pardon or certificate of rehabilitation and who is no longer on parole or special parole.

Section 51 Effective from passage

This amends *C.G.S. §54-209, When compensation may be ordered. Order inadmissible in civil or criminal proceeding*, and expands the offenses for which compensation may be ordered to include family violence crimes pursuant to *C.G.S. §46b-38a, Family violence prevention and response: Definitions*.

Section 52 Effective July 1, 2021

This amends *C.G.S. §54-228, Request by victim or family member of inmate for notification*, to permit any member of a victim's immediate family, in addition to a victim or immediate family of an inmate, to be notified if the inmate applies for parole or sentence review, is scheduled for release from DOC, or on furlough. It also permits any member of the victim's immediate family of a minor victim to be notified if a person was convicted, found not guilty by reason of mental disease or defect, or moves to be exempted from the registration requirements. In both cases, the member must complete and file a request for notification with the Office of Victim Services or the Victim Services Unit at DOC.

Section 54 Effective from passage

This is new legislation which permits a number of individuals, including employees of the Division of Public Defender Services or a juvenile's attorney, to enter into a juvenile residential center, physically or virtually, to interact with either the juveniles or staff to carry out their official duties.

A person who divulges confidential information obtained that identifies the juvenile, without a court order or as provided by law, can be charged with a class B misdemeanor.

Section 56 Effective from passage

This authorizes oaths to be taken virtually in a court proceeding.

Section 59 Effective October 1, 2021

This section amends *C.G.S. §22-61j, Violation. Penalty. Fine*, to reduce the penalty for violation of *C.G.S. §22-61c, Seed label and other requirements*, through *C.G.S. §22-61f, Exemptions*, (regarding vegetable or flower seeds) from a class D misdemeanor to a \$100 fine for a first offense and \$200 fine for a subsequent offense.

Section 60 Effective July 1, 2021, and applicable to any cause of action arising from a criminal proceeding terminating prior to, on or after said date

This is applicable to any cause of action arising from a criminal proceeding terminating prior to, on or after said date. This is new and establishes the statute of limitations for filing a malicious prosecution case to no more than “three years from the date of the termination of the criminal proceeding that is the subject of such action.”

Section 61 Effective October 1, 2021

This section is new and requires a law enforcement officer seeking an order for detention of a child under subdivision (3) of subsection (c) of *C.G.S. §46b-133, Arrest of child. Notice of arrest. Release or detention of arrested child. Alcohol or drug testing or treatment as condition of release. Admission of child to juvenile detention center. Entry of take into custody order or other process into central computer system. Duration of order to detain*, to attach, along with the summons, a copy of the completed form to detain.

The legislation requires the Judicial Branch to compile data on the number of requests for detention made by a law enforcement officer and how many were denied. The report on such is to be provided to the General Assembly.

Section 62 Effective October 1, 2021

This section makes technical revisions to Section 7 of [P.A. 21-103](#), *An Act Concerning Human Trafficking*, pertaining to the vacatur section.

Section 63 Effective from passage

This amends the effective date for Section 25 of [P.A. 21-102](#), *An Act Concerning the Criminal Justice Process*, which was the Office of Chief Public Defender and Division of Criminal Justice omnibus bill. The effective date for Section 25 regarding sentence modification is changed from upon passage to October 1, 2021.

➤ [June S.S. P.A. 21-2](#) **An Act Concerning Provisions Related to Revenue and Other Items to Implement the State Budget for the Biennium Ending June 30, 2023**

Sections 11-14 Effective upon passage

These sections increase the salaries of judges and other judicial officials for FY 22 by 4.5%.

Section 84 Effective July 1, 2021

This section amends *C.G.S. §29-11, State Police Bureau of Identification. Fees. Agreements re fingerprinting. Regulations*, to permit DESPP to waive the criminal history record information search fee of \$75 for persons applying for a pardon.

Sections 96 Effective July 1, 2021

This section amends *C.G.S. §9-45, Removal from registry list of convicted felons who are committed to custody of Commissioner of Correction*, to require DOC to send to the Secretary of State a list of persons who were returned to confinement from parole or special parole, or released pursuant to:

- *C.G.S. §18-100, Work-release and education-release programs. Transfer to correctional institution, halfway house, group home, mental health facility or community or private residence.*
- *C.G.S. §18-100c, Release of prisoners with definite sentences of two years or less to halfway house, group home, mental health facility or other approved community correction program.*
- *C.G.S. §18-100e, Pilot zero-tolerance drug supervision program.*
- **C.G.S. §18-100h, Release of persons convicted of certain motor vehicle and drug offenses to their residences.**
- *C.G.S. §18-100i, Release of inmate from custody and transfer to community-based nursing home for palliative and end-of-life care, or*
- a furlough pursuant to section *C.G.S. §18-101a, Furloughs.*

The purpose is for the Secretary of State to be able to transmit these names to the registrars of towns where the list of persons may be electors.

Section 97 Effective July 1, 2021

This amends *C.G.S. §9-46, Forfeiture of electoral rights*, and removes a person who is confined in a community residence in this state or any other state from having their right to become an elector forfeited as a result of a felony conviction.

If, however, a person has regained their privileges as an elector but is returned in accordance with this section, the person will again forfeit their privileges. In addition, anyone who has forfeited their privileges and not regained them, or who regained them and forfeited them again, cannot be a candidate for public office.

Section 98 Effective July 1, 2021

This amends *C.G.S. §9-46a, Restoration or granting of electoral privileges*, to provide that anyone convicted of a felony and incarcerated in a federal or any state correctional institution shall have their electoral privileges restored once they are released from confinement. As a result, a person on parole shall have their electoral privileges restored.

Also, any person convicted of a felony incarcerated in this state in a community residence shall also have their electoral privileges restored if they had previously been forfeited.

Sections 110-112 Effective from passage

These restore the voting rights of persons convicted of a felony and on parole, including those convicted of a felony and committed to confinement in a federal or state community residence.

Section 463 Effective July 1, 2023, and applicable to calendar quarters commencing on or after July 1, 2023

This section is new and creates a penalty of a fine of not more than \$1000 or imprisonment of not more than 1 year, or both, if an ambulatory surgical center, as defined under the act, fails to pay the tax, file a return, or keep or supply records in accordance with this act.

In addition, the act creates a class D felony for anyone who willfully “delivers or discloses” to the Commissioner of Revenue Services, “any list, return, account, statement or other document, known by such person to be fraudulent or false in any material matter.”

MANDATED REPORTER

➤ **[P.A. 21-122](#) **An Act Requiring Drivers of Paratransit Vehicles to Report Suspected Abuse, Neglect, Exploitation or Abandonment of Elderly Persons****

Section 1 Effective July 1, 2021

This section amends subsection (a) of *C.G.S. §17b-451, Report of suspected abuse, neglect, exploitation or abandonment or need for protective services. Penalty for failure to report. Immunity and protection from retaliation. Training program*, and reorganizes and redefines a mandated reporter as follows:

- (1) physician or surgeon licensed under the provisions of *C.G.S. Chapter 370, Medicine and Surgery*
- (2) resident physician or intern in any hospital in this state, whether or not so licensed,
- (3) registered nurse,
- (4) nursing home administrator, nurse's aide or orderly in a nursing home facility or residential care home,
- (5) person paid for caring for a resident in a nursing home facility or residential care home,
- (6) staff person employed by a nursing home facility or residential care home,

(7) residents' advocate, other than a representative of the Office of the Long-Term Care Ombudsman, as established under *C.G.S. §17a-405, Office of the Long-Term Care Ombudsman. Regional ombudsmen. Appointments. Inclusion in classified service. Definitions*, including the State Ombudsman,

(8) licensed practical nurse, medical examiner, dentist, optometrist, chiropractor, podiatrist, social worker, clergyman, police officer, pharmacist, psychologist or physical therapist,

(9) person paid for caring for an elderly person by any institution, organization, agency or facility, including but not limited to, any employee of a community-based services provider, senior center, home care agency, homemaker and companion agency, adult day care center, village-model community and congregate housing facility,

(10) person licensed or certified as an emergency medical services provider pursuant to *C.G. S. Chapter 368d, Emergency Medical Services*, or *Chapter 384d, Emergency Medical Services Personnel*, including any such emergency medical services provider who is a member of a municipal fire department, and

(11) driver of a paratransit vehicle, as defined in *C.G.S. §13b-38k, Paratransit vehicles defined. Bidding for service programs*.

MOTOR VEHICLES

➤ **P.A. 21-20** **An Act Concerning the Safety of Children When Buying Ice Cream From a Frozen Dessert Truck**

Section 2 Effective July 1, 2021

This new statute sets parameters around operating a vehicle near a frozen dessert truck. Vehicles must stop ten feet or more from the front when approaching and ten feet or more from the rear when overtaking any frozen dessert truck on a highway when the frozen dessert truck is displaying flashing red signal lights and extending the stop signal arm and the front crossing arm. Vehicles may then “proceed past the frozen dessert truck at a reasonable and prudent speed, not exceeding five miles per hour, and shall yield the right-of-way to any pedestrian who crosses the highway to or from the frozen dessert truck.” Stopping is not required on highways with lanes separated by islands/barriers when the frozen dessert truck is in another lane.

Violation on and after July 1, 2021, through September 30, 2021, shall result in a warning. On and after October 1, 2021, a first offense shall be an infraction, and a subsequent offense shall result in a fine of not more than one hundred dollars.

Section 3 Effective July 1, 2021

Subsection (a). This new statute sets requirements regarding how frozen dessert trucks must be equipped, applicable May 1, 2022, and thereafter. A first offense shall be an infraction, and a subsequent offense shall result in a fine of not less than one hundred dollars and not more than five hundred dollars.

Subsection (b). On and after September 1, 2021, and until April 30, 2022, a person operating a frozen dessert truck shall not stop or park the truck to vend to a child in any location where the child would have to cross the highway to approach the truck. Exceptions: (1) the child is physically escorted by an adult, or (2) the truck is equipped as required by subsection (a) of this section. Violation shall be an infraction.

Section 4 Effective July 1, 2021

This new statute sets parameters around the deployment of the truck's safety features when vending, applicable May 1, 2022, and thereafter, or when a frozen dessert truck is equipped as required by this new law, whichever is earlier. A first offense shall be an infraction, and a subsequent offense shall result in a fine of not less than one hundred dollars and not more than five hundred dollars.

Section 5 Effective July 1, 2021

This new statute sets various parameters around vending from a frozen dessert truck. Violation on and after July 1, 2021, and until September 30, 2021, shall result in a warning. On and after October 1, 2021, a first offense shall be an infraction, and a subsequent offense shall result in a fine of not more than one hundred dollars.

➤ **[P.A. 21-61](#) **An Act Concerning Driver Responsibility at Inoperative Traffic Control Signals****

Section 1 Effective October 1, 2021

This new statute requires a driver approaching an intersection controlled by a traffic signal that is inoperative to stop and proceed as though the intersection were controlled by stop signs, unless otherwise directed by a police officer. Violation of this section is an infraction.

➤ [P.A. 21-106](#) **An Act Concerning Recommendations by the Department of Motor Vehicles, Revisions to the Motor Vehicle Statutes and Peer-to-Peer Car Sharing**

Section 1 Effective July 1, 2021

This section amends subsection (e) of *C.G.S. §1-1h, Identity cards*, to mandate that a person's identity card will also be revoked, in addition to the person being guilty of a class D misdemeanor, for misrepresenting their age to obtain one.

Section 2 Effective July 1, 2021

This section amends subsection (a) of *C.G.S. §14-50b, Fee for restoration of operator's license or registration. School bus seat belt account*, to require a restoration fee of \$175 for a person to obtain their identity card which had been revoked under *C.G.S. §1-1h, Identity cards*.

Section 17 Effective October 1, 2021

This section amends subsection (g) of *C.G.S. §14-44k, Disqualification from operation of commercial motor vehicles. Disqualification offenses. Lifetime disqualification. Mitigation of lifetime disqualification*, to disqualify persons for life and make them ineligible for reinstatement if the person used a commercial motor vehicle in the commission of a felony for trafficking in persons as defined in *22 U.S.C. §7102(11), Definitions*.

Section 26 Effective July 1, 2021

This amends subsection (a) of *C.G.S. §14-227b, Implied consent to test operator's blood, breath or urine. Testing procedures. License suspension. Hearing*, to include snowmobiles and all-terrain vehicles in the definition of a motor vehicle under *C.G.S. §14-379, Definitions*, for purposes of driving under the influence.

➤ [P.A. 21-177](#) **An Act Concerning a Highway Use Fee**

Section 1 Effective from passage and applicable to calendar months commencing on or after January 1, 2023

This section is new and creates a tax on certain motor vehicle carriers traveling on certain state highways, measured by the number of miles traveled. A person's willful failure to pay the tax, file a return, and keep or supply information is punishable by a fine of not more than \$1,000, incarceration for a year, or both. This penalty is in addition to any other penalty under the law and defines a person as a corporation or partnership.

➤ [P.A. 21-195](#) **An Act Concerning Service Vehicles and Agricultural Tractors**

Section 1 *Effective October 1, 2021*

This amends *C.G.S. §14-300i, Vehicle operator to exercise reasonable care when near vulnerable user on a public way*, adding to the definition of a “vulnerable use” a person operating (i) a commercial motor vehicle equipped with a garbage compactor, a detachable container or a curbside recycling body, (ii) a tank vehicle, (iii) a vehicle authorized by the United States government to carry mail, or (iv) a vehicle operated by an express delivery carrier.

Section 3 *Effective October 1, 2021*

This amends *C.G.S. §14-232, Passing*, adding the same vehicles noted in Section 1, plus agricultural tractors, to the list of vehicles which must be given safe passing distance (at least three feet) by vehicles overtaking and passing them.

OCCUPATIONAL LICENSES

➤ [P.A. 21-152](#) **An Act Expanding Economic Opportunity in Occupations Licensed by the Departments of Public Health and Consumer Protection and Requiring a Report From Certain Executive Branch Agencies Regarding Background Checks and the Feasibility of Establishing Preclearance Assessments of Criminal History**

Section 5 *Effective October 1, 2021*

This section amends *C.G.S. §20-333, Requirements for licensure. Examinations. Fees*, and deletes criteria that require an applicant applying for a license under this statute to prove that they are of good moral character.

The legislation does permit the Department of Consumer Protection the discretion, subject to *C.G.S. §46a-80, Denial of employment based on prior conviction of crime. Inquiry re prospective employee's past convictions. Dissemination of arrest record prohibited*, to deny or grant a license pursuant to a consent order, with conditions to be met by the applicant, if the applicant has been found guilty or been convicted of an act that constitutes a felony under the laws of Connecticut or another state or federal law.

OFFICE OF POLICY AND MANAGEMENT

➤ [P.A. 21-97](#) **An Act Concerning the Criminal Justice Policy and Planning Division and the Publication of Reports and Presentations by the Office of Policy and Management**

Section 1 Effective October 1, 2021

This amends *C.G.S. §4-68m, Criminal Justice Policy and Planning Division. Duties. Collaboration with other agencies. Access to information and data. Reports*, to require that OPM's Criminal Justice Policy and Planning Division publish on its website any of the Division's publicly-available reports and presentations.

Section 2 Effective October 1, 2021

This amends *C.G.S. §4-68n, Correctional system population projections*, to require that OPM's Criminal Justice Policy and Planning Division publish on its website the Division's reports on correctional system population projections.

Section 3 Effective October 1, 2021

This amends *C.G.S. §4-68o, Reporting system to track criminal justice system trends and outcomes*, to require that the reporting system used by OPM's Criminal Justice Policy and Planning Division track data on recidivism of offenders who received earned risk reduction credits pursuant to *C.G.S. §18-98e, Earned risk reduction credit*; reporting is required monthly and must be posted online.

Section 4 Effective October 1, 2021

This amends *C.G.S. §4-68p, Report and presentation*, to require that OPM's Criminal Justice Policy and Planning Division submit to the Governor and the Judiciary Committee, and post online, annual reports containing data analysis of state criminal justice system trends, including, if available, the number of reported crimes and arrests, and the size of the populations on probation, parole, special parole, and in prison.

Section 5 Effective October 1, 2021

This amends subsection (a) of *C.G.S. §18-87k, Powers and duties of commission*, to remove certain reentry reporting and planning requirements of OPM's Criminal Justice Policy and Planning Division.

Section 6 Effective October 1, 2021

This amends *C.G.S. §51-296b, Pilot program re representation at parole revocation hearings*, to require that OPM's Criminal Justice Policy and Planning Division post the Chief Public Defender's annual case report on the Division's website.

Section 7 Effective October 1, 2021

This amends subsection (i) of *C.G.S. §54-1m, Adoption of policy prohibiting certain police actions. Traffic stop information. Standardized method. Data collection and reporting*, to require that OPM's Criminal Justice Policy and Planning Division post on its website its annual review of the prevalence and disposition of traffic stops and complaints.

Section 9 Effective October 1, 2021

This repeals *C.G.S. §4-68q, Notification of outstanding rearrest warrants and arrest warrants for probation violations; C.G.S. §4-68t, Tracking, analysis and reporting of recidivism rates for children; C.G.S. §4-68x, Urban violence reduction grant program; and C.G.S. §18-98f, Use of earned risk reduction credits. Report.*

OPIOIDS

➤ [P.A. 21-113](#) **An Act Concerning Opioids**

Section 1 Effective July 1, 2021

This is new and authorizes the Department of Mental Health and Addiction Services (DMHAS) to establish a pilot program in at least 5 communities, including urban, suburban, and rural, to serve persons with opioid use disorder.

PARDONS/PAROLES

See also Judicial:

➤ [June S.S. P.A. 21-2](#) **An Act Concerning Provisions Related to Revenue and Other Items to Implement the State Budget for the Biennium Ending June 30, 2023**

PATERNITY/CHILD SUPPORT

➤ [P.A. 21-148](#) **An Act Concerning Revisions to Provisions of the General Statutes Affecting the Department Of Social Services and a Study of Payment Parity for Human Services Providers**

Section 10 Effective July 1, 2021

This section incorporated S.B. 854, *An Act Concerning A List Of The 100 Most Delinquent Child Support Obligor*s. It repeals the requirement in *C.G.S. §17b-179*,

Office of Child Support Services. Duties. Determination of parents' financial liability. Use of unemployment compensation for child support obligations. Recovery of costs. Fees. Electronic funds transfer and debit card access for support payments. Regulations. Annual report to General Assembly re child support enforcement program, that the Office of Child Support Services establish, maintain, and periodically update a list of all delinquent child support obligors, and publish online the names, residential addresses, and amounts of delinquent child support owed by the 100 individuals having the highest delinquent child support obligations.

PAWNBROKERS

➤ **P.A. 21-68** **An Act Concerning Secondhand Dealers, Precious Metals or Stones Dealers and Pawnbrokers**

Sections 1, 2 Effective July 1, 2021

These sections amend subsection (f) *C.G.S. §21-47, Penalties*, and subsections (i) to (l) inclusive of *C.G.S. §21-100, License required. Record-keeping system. Permitted activities. Sworn statement of transactions. Property retention requirements. Seizure of property by law enforcement officials. Penalty*, to eliminate the sunset provisions and change the time frame for the sale or disposition of property.

PERSONAL INFORMATION

➤ **P.A. 21-59** **An Act Concerning Data Privacy Breaches**

Section 1 Effective October 1, 2021

This amends *C.G.S. §36a-701b, Breach of security re computerized data containing personal information. Notice of breach. Provision of identity theft prevention services and identity theft mitigation services. Delay for criminal investigation. Means of notice. Unfair trade practice*, as amended by section 231 of **P.A. 19-117** and section 9 of **P.A. 19-196** to include taxpayer identification and IRS issued identity protection personal identification numbers, passport, military or other ID numbers issued by the government, medical information, health insurance policy number, biometric information or user names/ passwords for access to online accounts, under the definition of “personal information.”

This section provides the process to give notice to anyone who has had their personal information breached and to the Attorney General. Such notice must be given no more than *60 days* after the breach. Identity theft prevention services are already required to be offered to the resident who has had their personal information breached.

POLICE

➤ [P.A. 21-4](#) **An Act Concerning Use of Force by a Peace Officer**

Section 1 Effective March 31, 2021

This changes the effective date of section 29 of [P.A. 20-1](#) of the July 2020 special session (regarding circumstances under which law enforcement's use of deadly physical force is justified) from April 1, 2021, to January 1, 2022.

Section 2 Effective January 1, 2022

This amends subsection (c) of *C.G.S. §53a-22, Use of physical force in making arrest or preventing escape*, as amended by section 29 of [P.A. 20-1](#) of the July 2020 special session (regarding circumstances under which law enforcement's use of deadly physical force is justified), to change the "objectively reasonable under the circumstances" standard to "objectively reasonable under the given circumstances at that time." It changes the "exhausted the reasonable alternatives" requirement to "reasonably determined that there are no available reasonable alternatives." It changes the "reasonably believes that the force employed creates no substantial risk of injury to a third party" requirement to "...no unreasonable risk..." It requires, where feasible, a law enforcement officer to warn of the intent to use deadly physical force. Regarding preventing escape, it requires a law enforcement officer to reasonably believe the person poses a significant threat of death or serious physical injury to others. It adds to the factors to determine whether a law enforcement officer's actions are reasonable any unreasonable conduct of the officer.

➤ [P.A. 21-33](#) **An Act Concerning Civilian Police Review Boards, Security Guards, Body-Worn Recording Equipment, Searches by Police, Limitations on Offenses Subject to Automatic Erasure, Enticing a Juvenile to Commit a Crime, Lawful Orders by Police Officers and Notice to a Victim Concerning Automatic Erasure of Criminal Record History**

Section 1 Effective October 1, 2021

This amends *C.G.S. §7-294aaa, Establishment of civilian police review boards*, to establish a process to object to a civilian police review board subpoena.

Section 2 Effective October 1, 2021

This amends subsection (f) of *C.G.S. §29-6d, Use of body-worn recording equipment. When recording prohibited. Retention of data*, regarding police officer review of recordings of incidents in use of force situations and disciplinary investigations, and regarding the public disclosure of such recordings.

Section 3 *Effective July 1, 2022*

This amends subsection (f) of *C.G.S. §29-6d, Use of body-worn recording equipment. When recording prohibited. Retention of data*, as amended by [P.A. 20-1](#) of the July 2020 special session, regarding police officer review of recordings of incidents in use of force situations and disciplinary investigations, and regarding the public disclosure of such recordings.

Section 4 *Effective October 1, 2021*

This amends subsection (c) of *C.G.S. §29-161h, Qualifications for security service license. Appeal*, adding any jurisdiction's cancellation, revocation, or renewal refusal to the factors causing a person to be ineligible for a security service license.

Section 5 *Effective October 1, 2021*

This amends *C.G.S. §29-161q, Qualifications of security officers. License. Instructor approval. Registration. Identification card. Prohibition. Applicant performance of security officer duties. Penalty*, adding any jurisdiction's cancellation, revocation, or renewal refusal to the factors causing a person to be ineligible for a security officer license.

Section 6 *Effective October 1, 2021*

This amends *C.G.S. §54-33b, Search of person*, removing the requirement that a person's consent to a search be accompanied by probable cause in order to be justified. A law enforcement official may solicit consent to search only if such official has reasonable and articulable suspicion that weapons, contraband, or other evidence of a crime is contained upon the person, or that the search is reasonably necessary to further an ongoing law enforcement investigation. Whether or not consent is granted, the official must complete a police report documenting the reasonable and articulable suspicion for the solicitation of consent, or the facts and circumstances that support the search being reasonably necessary to further an ongoing law enforcement investigation.

Section 7 *Effective October 1, 2021*

This amends *C.G.S. §54-33a, Issuance of search warrant, warrant for tracking device or warrant for foreign corporation records or data*, to define and prohibit no-knock warrants.

Section 8 *Effective January 1, 2022*

This amends *C.G.S. §53a-22, Use of physical force in making arrest or preventing escape*, as amended by section 29 of [P.A. 20-1](#) of the July 2020 special session and section 2 of [P.A. 21-4](#), to add subsection (h), which provides that in determining whether use of force by a police officer is justified, the trier of fact may draw an unfavorable inference from a police officer's deliberate failure to record such use of physical force.

Section 9 *Effective July 1, 2021*

This amends *C.G.S. §52-571k, Action for equitable relief or damages resulting from deprivation of equal protection of the laws of the state committed by a police officer*, to permit a trier of fact in any civil action brought under the section to draw an adverse inference from a police officer's deliberate failure, in violation of *C.G.S. §29-6d, Use of body-worn recording equipment. When recording prohibited. Retention of data*, as amended, to record any event relevant to such action.

Section 10 *Effective July 1, 2023*

This amends subdivision (2) of subsection (e) of *C.G.S. §54-142a, Erasure of criminal records*, as amended by section 3 of [P.A. 21-32](#), removing from "clean slate" (erasure) eligibility various class D felony convictions and class A misdemeanor convictions, and requiring that sentences (including incarceration, special parole, parole, and probation) be completed, and certain time requirements met, for erasure eligibility.

Section 11 *Effective October 1, 2021*

This amends subsection (c) of *C.G.S. §7-294d, Powers of council. Certification of police officers, police training schools and law enforcement instructors. Refusal to renew, suspension, cancellation or revocation of certification. Hearing. Automatic certification. Exemptions. Written guidance to law enforcement units*, defining lawful orders and adding, for purposes of POST cancellation or revocation of any certificate, the issuance of orders that are not lawful orders as conduct that undermines public confidence.

Section 12 *Effective October 1, 2021*

This new statute adds the crime of enticing a juvenile to commit a criminal act. A person is guilty of this crime if such person is twenty-three years of age or older and knowingly causes, encourages, solicits, recruits, intimidates or coerces a person under eighteen years of age to commit or participate in the commission of a criminal act. The offense is a class A misdemeanor for the first offense and class D felony for any subsequent offense.

Section 13 *Effective from passage*

This new statute requires the Judicial Branch to study and report to the Legislature regarding: 1) interventions/requirements between a child's arrest and initial court appearance, and 2) a potential diversionary program for children who are arrested.

Section 14 *Effective January 1, 2023*

This amends subsection (d) of *C.G.S. §54-91c, Testimony of victim or representative of deceased victim prior to acceptance of plea agreement and at sentencing hearing. Terms of proposed plea agreement. Notification by state's attorney*, to require that a state's

attorney include the defendant's potential clean slate eligibility in the information shared with the respective victim regarding a proposed plea agreement.

SEXUAL MISCONDUCT

➤ **P.A. 21-81** **An Act Concerning Sexual Misconduct on College Campuses**

Section 1 Effective July 1, 2021

This amends subsections (a) and (b) of *C.G.S. §10a-55m, Sexual assault, stalking and intimate partner violence policies. Affirmative consent. Prevention and awareness programming and campaigns. Anonymous reporting and disclosure. Notification of victim's rights and options. Report*, related to requirements on institutions of higher education with regard to sexual assault, stalking, and intimate partner violence. Where a student or employee reports or discloses such alleged assault, stalking, or violence, and was in violation of a policy regarding the use of drugs or alcohol, it prohibits an institution of higher education from bringing disciplinary action against such student or employee if: 1) the report or disclosure was made in good faith, and 2) the violation of such policy did not place the health or safety of another person at risk.

Section 2 Effective July 1, 2021

This new statute establishes a Council on Sexual Misconduct Climate Assessments within the Legislative Department to develop data points to be collected by institutions of higher education through student responses to sexual misconduct climate assessments.

Section 3 Effective July 1, 2021

This new statute requires each institution of higher education to conduct a confidential sexual misconduct climate assessment consistent with Section 2, and to report thereon.

Section 4 Effective July 1, 2021

This amends subsection (f) of *C.G.S. §10a-55m, Sexual assault, stalking and intimate partner violence policies. Affirmative consent. Prevention and awareness programming and campaigns. Anonymous reporting and disclosure. Notification of victim's rights and options. Report*, to require institutions of higher education to report summary results of such sexual misconduct climate assessments on a biennial basis.

STALKING/HARASSMENT

➤ [P.A. 21-56](#) **An Act Concerning Online Harassment**

Section 1 Effective October 1, 2021

This amends *C.G.S. §53a-181c, Stalking in the first degree: Class D felony*. Currently a person is guilty of stalking in the first degree if they were previously convicted of violating *C.G.S. §53a-181d, Stalking in the second degree: Class A misdemeanor*, or violated a court order that was in effect at the time of the offense. This section expands the elements of stalking in the first degree to include circumstances where (1) a person is 22 years of age or older and the other is under 16 or (2) a person intentionally directs their conduct at another “in whole or in part, because of the actual or perceived race, religion, ethnicity, disability, sex, sexual orientation or gender identity or expression of such other person.”

The penalty for stalking in the first degree remains unchanged and is a class D felony.

Section 2 Effective October 1, 2021

This section amends *C.G.S. §53a-181d, Stalking in the second degree: Class A misdemeanor*, to define personally identifiable information as including but not limited to social security number, date or place of birth, and other information linked to a person, such as educational, medical or employment information.

The current statute makes it a violation if a person “knowingly engages in a course of conduct” that is directed at another which would cause a “reasonable person” to (a) fear for their or another’s physical safety or (b) suffer emotional distress. This section now makes it a violation if the person “knowing engages in a course of conduct” **concerning** another that causes a “reasonable person” to (a) fear for their or another’s physical safety, (b) suffer emotional distress, or (c) “*fear injury to or the death of an animal owned by or in possession and control of*” the person.

Further changes remove “intentionally” from subdivision (2) of subsection (b) of stalking in the second degree and inserts “with intent to harass, terrorize or alarm” pertaining to a course of conduct that is directed or “concerning” another. It also adds contact through electronic communications via video-teleconferencing or digital media to personal or telephone contact under the current law.

Lastly, a new section (3) is added to the stalking in the second degree for circumstances where a person disclose, electronically, another’s personally identifiable information without the consent of the subject, with the “intent to harass, terrorize or alarm” another. Such disclosure would cause a reasonable person to be in fear for their or another’s physical safety or suffer emotional distress.

The penalty for stalking in the second degree remains a class A misdemeanor.

Section 3 *Effective October 1, 2021*

This amends *C.G.S. §53a-129e, Trafficking in personal identifying information: Class D felony*, to include a violation of *C.G.S. §53a-181d, Stalking in the second degree: Class A misdemeanor*, as a basis for a person being guilty of trafficking in personal identifying information. The penalty continues to be a class D felony.

Section 4 *Effective October 1, 2021*

This is new legislation which provides the process for a person who has been a victim of stalking in the second degree where their personally identifiable information has been disclosed without their consent to bring a civil action against the person or persons who committed the offense or who benefitted financially from their participation in the offense. The statute of limitations for bringing an action is three years from the date of the act.

Section 5 *Effective October 1, 2021*

This amends *C.G.S. §53a-183, Harassment in the second degree: Class C misdemeanor*, to provide that a person is guilty of harassment in the second degree if “with the intent to harass, terrorize or alarm” another, they communicate electronically. Electronically includes by fax, email, text, or telephone. A person is also guilty of this offense if they share photographs, videos, “words,” or communicates to a “digital, electronic, online or other meeting space” to cause “terror, intimidation or alarm” to another. The penalty remains a class C misdemeanor.

TRAFFICKING

➤ **P.A. 21-103** **An Act Concerning Human Trafficking**

Section 1 *Effective July 1, 2021*

This amends subsection (b) of *C.G.S. §46a-170, Trafficking in Persons Council. Membership. Duties. Reports*, and adds to the membership of the Trafficking in Persons Council a public defender (in addition to the Chief Public Defender) and a representative of the CCDLA.

Section 2 *Effective October 1, 2021*

This amends subsection (a) of *C.G.S. §54-47a, Compelling testimony of witness. Immunity from prosecution*, to clarify that the statute is applicable to delinquency proceedings.

Section 3, 4, & 5 *Effective October 1, 2021*

These three sections amend *C.G.S. §53a-192a, Trafficking in persons: Class A felony*; *C.G.S. §53a-84, Defenses barred*; *C.G.S. §53a-83b, Commercial sexual abuse of a minor*:

Class B felony, to add “knowingly” as the mens rea for trafficking in persons. In addition, all of the sections broaden the definition of “sex trafficking” to include anyone who pays “anything of value,” not just a fee, to engage in sexual conduct.

Lastly, Section 3 amends *C.G.S. §53a-192a, Trafficking in persons: Class A felony*, to create an affirmative defense to a Trafficking in Persons charge, an A felony. The affirmative defense is available to a person so charged in an adult or juvenile prosecution if the defendant was under 18 years of age and participated in a criminal offense which was the result of being trafficked.

Section 6 *Effective October 1, 2021*

This section amends *C.G.S. §17a-106h, Training re identification and reporting of suspected human trafficking for law enforcement personnel, judges, persons involved with the criminal justice system, emergency and urgent care staff and school and constituent unit employees*. The statute currently requires an initial and refresher training program be offered to law enforcement, public defenders, the courts, and certain medical personnel and board of education members annually. The legislation reduces the time period for the training to every three years.

Section 7 *Effective October 1, 2021*

This section amends *C.G.S. §54-95c, Application to vacate prostitution conviction on basis of being a victim of trafficking in persons. Prosecutor's response. Court order*, to provide a process by which a person convicted of *C.G.S. §53a-82, Prostitution: Class A misdemeanor*, could apply to the Superior Court for their conviction to be vacated if their participation in the offense was the result of being trafficked.

The legislation expands the pool of offenses for which a person could apply for vacatur under the statute to now include all misdemeanors, class C, D, or E felonies, or any unclassified felony carrying a term of incarceration of not more than 10 years. Notice is required to be given to the victim, who has a right to be heard.

The burden is on the defendant to prove they were a trafficking victim at the time of the commission of the offense. If proven, the court is required to vacate any conviction for a violation of *C.G.S. §53a-82, Prostitution: Class A misdemeanor*, and dismiss the charge. However, the court has the discretion to vacate the conviction for any misdemeanor, class C, D, E felony, or such unclassified felony. The section further prohibits anyone from suing for compensation for a wrongful arrest, prosecution, conviction, or incarceration under the statutes.

Note: Section 7 was amended in Section 63 of [P.A. 21-104](#), *An Act Concerning Court Operations*.

VOTING RIGHTS

See Judicial:

- [June S.S. P.A. 21-2](#) **An Act Concerning Provisions Related to Revenue and Other Items to Implement the State Budget for the Biennium Ending June 30, 2023**

WEAPONS

- [P.A. 21-31](#) **An Act Concerning Electronic Defense Weapons**

Section 1 Effective July 1, 2021

This amends *C.G.S. §29-38, Weapons in vehicles. Penalty. Exceptions*, and decriminalizes having an electronic defense weapon (taser) in a motor vehicle for anyone 21 years or older who has a valid permit, or a valid firearm credential, to carry or sell handguns, long guns, or ammunition. Currently, a person could be charged with a class D felony if the weapon was in a motor vehicle.

Section 2 Effective July 1, 2021

This amends *C.G.S. §53-206, Carrying of dangerous weapons prohibited*, and decriminalizes carrying an electronic defense weapon for persons 21 years or older who have a valid permit, or a valid firearm credential, to carry or sell handguns, long guns or ammunition. Currently, a person is charged with a class E felony if the weapon was carried on their person.

Section 3 Effective July 1, 2021

This is new. It makes it a class D felony for anyone to sell or transfer an electronic defense weapon to anyone under the age of 21 or to someone without the firearm credential.

Section 4 Effective July 1, 2021

This amends subdivision (2) of *C.G.S. §53a-3, Definitions*, and deletes the element that the weapon not be capable of “inflicting death or serious physical injury.”

➤ [P.A. 21-67](#) **An Act Concerning Risk Protection Orders or Warrants and Disqualifiers for Firearm Permits and Eligibility Certificates**

Section 1 Effective June 1, 2022

This makes various changes to *C.G.S. §29-38c, Seizure of firearms and ammunition from person posing risk of imminent personal injury to self or others*, including the expansion to cover other deadly weapons (not just firearms and ammunition), the removal of the requirement that there be no reasonable alternative to a risk protection order, the expansion of eligible applicants to include family or household members or medical professionals, the removal of the one-year limit on how long firearms, etc. may be held by the state, and the setting of the order/warrant termination process. Regarding the description of “risk of imminent personal injury,” this section replaces “to other individuals” with “to another person.”

Section 2 Effective June 1, 2022

This amends subsection (a) of *C.G.S. §46b-15e, Chief Court Administrator's responsibilities re applications for restraining orders and collection of data relating to restraining orders and civil protection orders*, to require the Chief Court Administrator to create and post educational materials and an application form.

Section 3 Effective June 1, 2022

This amends subsection (b) of *C.G.S. §29-28, Permit for sale at retail of pistol or revolver. Permit to carry pistol or revolver. Confidentiality of name and address of permit holder. Permits for out-of-state residents*, to set a 20-year lookback on certain disqualifying misdemeanor convictions.

Section 4 Effective June 1, 2022

This amends subsection (b) of *C.G.S. §29-36f, Eligibility certificate for pistol or revolver*, to set a 20-year lookback on certain disqualifying misdemeanor convictions.

Section 5 Effective June 1, 2022

This amends subsection (b) of *C.G.S. §29-37p, Long gun eligibility certificate. Disqualifiers*, to set a 20-year lookback on certain disqualifying misdemeanor convictions.

Section 6 Effective June 1, 2022

This amends *C.G.S. §53a-217, Criminal possession of a firearm, ammunition or an electronic defense weapon: Class C felony*, to set a 20-year lookback on certain disqualifying misdemeanor convictions.

Section 7 *Effective June 1, 2022*

This amends *C.G.S. §53a-217c, Criminal possession of a pistol or revolver: Class C felony*, to set a 20-year lookback on disqualifying misdemeanor convictions.

Section 8 *Effective June 1, 2022*

This amends *C.G.S. §29-37i, Responsibilities re storage of firearms*, adding to the list of situations requiring the secure storage of any firearms the situation in which a person knows or reasonably should know that a resident of the premises is subject to a risk protection order. Regarding the description of “risk of imminent personal injury,” this section replaces “to other individuals” with “to another person.”

2021 Subject Index

<u>Subject</u>	<u>Act Number</u>
Accelerated Rehabilitation	21-102; June S.S. 21-1
Admissibility	June S.S. 21-1
Advanced Roadside Impaired Driving Enforcement (ARIDE)	June S.S. 21-1
Affirmative Defense	21-103; June S.S. 21-1
Agriculture	21-155; 21-195;
Alcohol	21-106; 21-142
Alcohol or Drug Dependency Examination	21-102
Animals	21-52; 21-78; 21-90; June S.S. 21-1
Attorney General	21-102; 21-128
Background Checks	21-152
Bail/Bond	S.A. 21-22; June S.S. 21-1
Bigotry/Bias	21-78; 21-128
Body Cameras/Dashboard Cameras	21-33
Cannabis	June S.S. 21-1
Certificate of Rehabilitation	21-104
Chemical Agents	21-174
Child Protection/Youth	21-15; 21-20; 21-46; 21-54; 21-64; 21-78; 21-104; 21-140; 21-142; 21-174;
Child Support	21-15; 21-148

<u>Subject</u>	<u>Act Number</u>
Children and Families, Department of	21-15; 21-20; 21-46; 21-54; 21-64; 21-104; 21-140; 21-174;
Civil Protection Order	21-104
Civilian Police Review Boards	21-33
Clean Slate	21-32
Coercive Control	21-78
Communications	21-54; 21-174
Community Residence	June S.S. 21-2
Community Service Labor Program	21-102
Confidentiality	21-104; 21-174
Corrections, Department of	21-13; 21-54; 21-85; 21-174; June S.S. 21-1; June S.S. 21-2
Counsel, Right to	21-34; 21-78
Courts	21-102; 21-104; June S.S. 21-2
Criminal History Record Information	June S.S. 21-2
Criminal Justice Commission/Division	21-8; 21-32
Criminal Justice Policy and Planning Division	21-97
Criminal Records	June S.S. 21-1
Court Support Services Division (CSSD)	21-104
Dangerous Weapons	21-31
Data Breach	21-59

<u>Subject</u>	<u>Act Number</u>
Deadly Force	21-4; 21-8
Depositions	21-102
Discrimination	21-32
Dissemination of Intimate Images	21-102
Diversionsary Programs	21-102
Domestic Violence	21-78
Drug Free Zones, Schools	21-102
Drug Influence Evaluation	June S.S. 21-1
Drug Recognition Expert (DRE)	June S.S. 21-1
Elderly, Abuse of	21-122
Electronic Defense Weapons	21-31
Electronic Stalking	21-102
Enticing a Juvenile	21-33
Erasure	21-32; 21-83; 21-174; June S.S. 21-1
Erasure, Petition for	June S.S. 21-1
Evictions	21-34
Failure to Pay or Plead	21-102
Family Matter	21-78
Family Relations	21-78
Family Support	21-104

<u>Subject</u>	<u>Act Number</u>
Financial Aid	June S.S. 21-1
Firearms	21-67
Forfeiture	June S.S. 21-1
Guardian Ad Litem	21-78
Habeas	21-102
Harassment	21-56
Higher Education	June S.S. 21-1
Highway Use Tax	21-177
Ice Cream Trucks	21-20
Identity Card	21-106
Ignition Interlock Device	June S.S. 21-1
Immigration/Immigrants	21-32; 21-102
Immigration/Customs Enforcement	21-32
Immunity	21-142; June S.S. 21-1
Infractions/Violations	21-20; 21-52; 21-102; June S.S. 21-1
Inmates	21-13; 21-54; 21-85
Inspector General	21-8
Jurors	21-170
Juvenile	21-33; 21-54; 21-104; 21-174; June S.S. 21-1
Juvenile Detention Center	21-104

<u>Subject</u>	<u>Act Number</u>
Juvenile Justice Policy and Oversight Committee	21-174
Juvenile Residential Center	21-104
Landlords	21-78; June S.S. 21-1
Law Enforcement	21-4
License Revocation/Denial	June S.S. 21-1
Long Guns	21-67
Mandated Reporter	21-122
Misdemeanor	21-32;
Motor Vehicle	21-61; 21-106; 21-177; June S.S. 21-1
Narcotics	21-102
Nontestimonial Portion	June S.S. 21-2
No-Knock Warrants	21-33
Oaths	21-104
Occupational Licenses	21-152
Office of Policy and Management (OPM)	21-97
Operating While Intoxicated	June S.S. 21-1
Opioids	21-113
Paraphernalia	21-102; June S.S. 21-1

<u>Subject</u>	<u>Act Number</u>
Pardons	21-104
Parentage	21-15
Pardons and Paroles, Board of	21-32
Parolees	June S.S. 21-1; June S.S. 21-2
Passengers, Motor Vehicle	June S.S. 21-1
Paternity	21-148
Patronizing a Prostitute	21-102
Pawnbrokers	21-68
Pension Revocation	21-102
Persistent Offender	21-102
Personal Identifying Information	21-56; 21-59
Physical Force	21-4; 21-8
Plants, Mature/Immature	June S.S. 21-1
Police Officer Standards and Training (POST) Council	21-4; 21-33; June S.S. 21-1
Presentence Confinement	21-102
Pretrial Alcohol Education Program	21-102
Pretrial Drug Education Program	21-102; June S.S. 21-1
Pretrial Drug Intervention Program	June S.S. 21-1

<u>Subject</u>	<u>Act Number</u>
Pretrial Family Violence Education Program	21-102
Pretrial Impaired Driving Intervention and Community Service Program	June S.S. 21-1
Pretrial School Violence Program	21-102
Probable Cause	June S.S. 21-1
Probationers	June S.S. 21-1
Racketeering	June S.S. 21-1
Re-entry	21-85
Restraining Orders	21-78
Risk and Needs Assessment	June S.S. 21-1
Risk Protection Orders/Warrants	21-67
Search Warrant	21-33
Searches	21-33
Seeds	21-104
Sentence Modification	21-102
Sentencing Commission, Connecticut	21-32
Service Vehicles	21-195
Sex Trafficking	21-103; 21-106;
Sexual Assault/Abuse	21-64

<u>Subject</u>	<u>Act Number</u>
Sexual Misconduct	21-81
Snowmobile/ATV	21-106
Social Equity	21-46; June S.S. 21-1
Soliciting Sexual Acts	21-102
Stalking	21-56; 21-78; 21-102
Standing Criminal Protective Orders	21-78
State Land/Waters	June S.S. 21-1
Subpoenas	21-128
Surrogacy	21-15
Suspensions/Expulsions	21-174
Suspension of Prosecution	21-102
Tenants	June S.S. 21-1
Threatening	21-78
Tractors	21-195
Traffic Stops	21-97; June S.S. 21-1
Trafficking of Persons	21-103; 21-104
Use of Force	21-4; 21-8
Under the Influence	June S.S. 21-1

<u>Subject</u>	<u>Act Number</u>
Vacatur	21-103
Vendor Fraud	21-102
Victims	21-33; 21-78; 21-104
Voting	21-13; June S.S. 21-2;
Wiretaps	June S.S. 21-1