



House of Representatives

General Assembly

File No. 730

January Session, 2025

House Bill No. 7065

House of Representatives, April 17, 2025

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE DECRIMINALIZATION OF POSSESSION OF SMALL AMOUNTS OF PSILOCYBIN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (23) of section 21a-240 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2025*):

4 (23) "Hallucinogenic substances" are psychodysleptic substances,
5 other than cannabis-type substances, which assert a confusional or
6 disorganizing effect upon mental processes or behavior and mimic
7 acute psychotic disturbances. Exemplary of such drugs are mescaline,
8 peyote, psilocybin, psilocyn and d-lysergic acid diethylamide, which are
9 controlled substances under this chapter unless modified.

10 Sec. 2. (NEW) (*Effective October 1, 2025*) (a) Any person who possesses
11 or has under such person's control less than one-half ounce of
12 psilocybin, except as authorized in chapter 420b of the general statutes,
13 shall (1) for a first offense, be fined one hundred fifty dollars, and (2) for

14 a subsequent offense, be fined not less than two hundred dollars or more
15 than five hundred dollars.

16 (b) The law enforcement officer issuing a complaint for a violation of
17 subsection (a) of this section shall seize the psilocybin and cause such
18 substance to be destroyed as contraband in accordance with law.

19 Sec. 3. Subdivision (1) of subsection (a) of section 21a-279 of the
20 general statutes is repealed and the following is substituted in lieu
21 thereof (*Effective October 1, 2025*):

22 (a) (1) [Any] Except as authorized in this chapter or chapter 420f, any
23 person who possesses or has under such person's control any quantity
24 of any controlled substance [, except any quantity of cannabis, as
25 defined in section 21a-420, and except as authorized in this chapter or
26 chapter 420f,] shall be guilty of a class A misdemeanor. As used in this
27 section, "controlled substance" does not include (A) any quantity of
28 cannabis, as defined in section 21a-420, or (B) psilocybin in an amount
29 less than one-half ounce.

30 Sec. 4. Section 21a-267 of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective October 1, 2025*):

32 (a) No person shall use or possess with intent to use drug
33 paraphernalia, as defined in subdivision (20) of section 21a-240, to plant,
34 propagate, cultivate, grow, harvest, manufacture, compound, convert,
35 produce, process, prepare, test, analyze, pack, repack, store, contain or
36 conceal, or to ingest, inhale or otherwise introduce into the human body,
37 any controlled substance, as defined in section 21a-240, as amended by
38 this act, other than cannabis in any amount or psilocybin in an amount
39 less than one-half ounce. Any person who violates any provision of this
40 subsection shall be guilty of a class C misdemeanor.

41 (b) No person shall deliver, possess with intent to deliver or
42 manufacture with intent to deliver drug paraphernalia knowing, or
43 under circumstances where one reasonably should know, that it will be
44 used to plant, propagate, cultivate, grow, harvest, manufacture,

45 compound, convert, produce, process, prepare, test, analyze, pack,
46 repack, store, contain or conceal, or to ingest, inhale or otherwise
47 introduce into the human body, any controlled substance, other than
48 cannabis in any amount or psilocybin in an amount less than one-half
49 ounce. Any person who violates any provision of this subsection shall
50 be guilty of a class A misdemeanor.

51 (c) Any person who violates subsection (a) or (b) of this section (1)
52 with intent to commit such violation at a specific location that the trier
53 of fact determines is (A) in or on the real property comprising a public
54 or private elementary or secondary school, or (B) within two hundred
55 feet of the perimeter of the real property comprising a public or private
56 elementary or secondary school, and (2) who is not enrolled as a student
57 in such school shall be imprisoned for a term of one year which shall not
58 be suspended and shall be in addition and consecutive to any term of
59 imprisonment imposed for violation of subsection (a) or (b) of this
60 section.

61 (d) The provisions of subsection (a) of this section shall not apply to
62 any person (1) who in good faith, seeks medical assistance for another
63 person who such person reasonably believes is experiencing an
64 overdose from the ingestion, inhalation or injection of intoxicating
65 liquor or any drug or substance, (2) for whom another person, in good
66 faith, seeks medical assistance, reasonably believing such person is
67 experiencing an overdose from the ingestion, inhalation or injection of
68 intoxicating liquor or any drug or substance, or (3) who reasonably
69 believes he or she is experiencing an overdose from the ingestion,
70 inhalation or injection of intoxicating liquor or any drug or substance
71 and, in good faith, seeks medical assistance for himself or herself, if
72 evidence of the use or possession of drug paraphernalia in violation of
73 said subsection was obtained as a result of the seeking of such medical
74 assistance. For the purposes of this subsection, "good faith" does not
75 include seeking medical assistance during the course of the execution of
76 an arrest warrant or search warrant or a lawful search.

77 (e) For purposes of this section, "cannabis" has the same meaning as

78 provided in section 21a-240, as amended by this act.

79 Sec. 5. Section 14-111e of the general statutes is repealed and the
80 following is substituted in lieu thereof (*Effective October 1, 2025*):

81 (a) (1) The Commissioner of Motor Vehicles shall suspend, for a
82 period of one hundred fifty days, the motor vehicle operator's license or
83 nonresident operating privilege of any person who has been convicted
84 of a violation of section 30-88a involving the misuse of an operator's
85 license and who was under the age of twenty-one at the time of such
86 violation.

87 (2) The commissioner shall suspend, for a period of sixty days, the
88 motor vehicle operator's license or nonresident operating privilege of
89 any person who has been convicted of a violation of subdivision (1) of
90 subsection (b) of section 30-89, section 2 of this act or subsection (b) or
91 (c) of section 21a-279a and who was under the age of twenty-one at the
92 time of such violation.

93 (3) The commissioner shall suspend, for a period of thirty days, the
94 motor vehicle operator's license or nonresident operating privilege of
95 any person who has been convicted of a violation of subdivision (2) of
96 subsection (b) of section 30-89 and who was under the age of twenty-
97 one at the time of such violation.

98 (b) The commissioner shall not issue a new motor vehicle operator's
99 license under the provisions of section 14-36 to any person who has been
100 convicted of a violation of section 30-88a or section 30-89, subsection (e)
101 of section 1-1h, subsection (a) of section 21a-279a, [or] subsection (d) of
102 section 21a-267, as amended by this act, or section 2 of this act, and who
103 was under the age of twenty-one at the time of such violation until a
104 period of one hundred fifty days has elapsed from the date all applicable
105 requirements for any such license have been satisfied by such person.

106 Sec. 6. Subsection (b) of section 51-164n of the general statutes is
107 repealed and the following is substituted in lieu thereof (*Effective October*
108 *1, 2025*):

109 (b) Notwithstanding any provision of the general statutes, any person
110 who is alleged to have committed (1) a violation under the provisions of
111 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)
112 of section 7-66, section 7-83, 7-147h, 7-148, 7-283, 7-325, 7-393, 8-12, 8-25,
113 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-
114 254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision (3) of
115 subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 12-
116 326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of
117 section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c, 12-487, 13a-
118 26b, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-
119 124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection
120 (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a) of section
121 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-
122 324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,
123 subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4,
124 subdivision (2) of subsection (a) of section 14-12, subsection (d) of
125 section 14-12, subsection (f) of section 14-12a, subsection (a) of section
126 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a,
127 subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58
128 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a,
129 subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h,
130 section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a,
131 section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a, 14-146, 14-152, 14-
132 153, 14-161 or 14-163b, subsection (f) of section 14-164i, section 14-213b
133 or 14-219, subdivision (1) of section 14-223a, subsection (d) of section 14-
134 224, section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-
135 267a, 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of
136 section 14-275c, section 14-276, subsection (a) or (b) of section 14-277,
137 section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-
138 283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa,
139 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326,
140 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section
141 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of
142 section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15,
143 subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of

144 section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152,
145 subsection (b) of section 17a-227, section 17a-465, subsection (c) of
146 section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-
147 87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b,
148 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224,
149 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,
150 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-
151 153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or
152 20-329g, subsection (b) of section 20-334, section 20-341l, 20-366, 20-482,
153 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or
154 21-63, subsection (d) of section 21-71, section 21-76a or 21-100,
155 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section
156 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25,
157 section 21a-26, subsection (a) of section 21a-37, section 21a-46, 21a-61,
158 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-79, section
159 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159,
160 section 21a-278b, subsection (c), (d) or (e) of section 21a-279a, section
161 21a-415a, 21a-421eee, 21a-421fff or 21a-421hhh, subsection (a) of section
162 21a-430, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34,
163 22-35, 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l,
164 subdivision (1) of subsection (n) of section 22-61l, subsection (f) of
165 section 22-61m, subdivision (1) of subsection (f) of section 22-61m,
166 section 22-84, 22-89, 22-90, 22-96, 22-98, 22-99, 22-100 or 22-111o,
167 subsection (d) of section 22-118l, section 22-167, subsection (c) of section
168 22-277, section 22-278, 22-279, 22-280a, 22-318a, 22-320h, 22-324a or 22-
169 326, subsection (b), subdivision (1) or (2) of subsection (e) or subsection
170 (g) of section 22-344, subsection (a) or (b) of section 22-344b, subsection
171 (d) of section 22-344d, section 22-344f, 22-350a, 22-354, 22-359, 22-366,
172 22-391, 22-413, 22-414, 22-415, 22-415c, 22a-66a or 22a-246, subsection (a)
173 of section 22a-250, section 22a-256g, subsection (e) of section 22a-256h,
174 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e,
175 section 22a-449, 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b,
176 subsection (a) or subdivision (1) of subsection (c) of section 23-65, section
177 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-
178 18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-

179 56, 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-61,
180 section 26-64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89,
181 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117,
182 subsection (b) of section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138,
183 26-139 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215,
184 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-
185 230, 26-231, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-
186 285, 26-286, 26-287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13,
187 29-6a, 29-16, 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d),
188 (e), (g) or (h) of section 29-161q, section 29-161y or 29-161z, subdivision
189 (1) of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of
190 section 29-291c, section 29-316 or 29-318, subsection (b) of section 29-
191 335a, section 29-381, 30-19f, 30-48a or 30-86a, subsection (b) of section
192 30-89, subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11,
193 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36,
194 31-47 or 31-48, subsection (b) of section 31-48b, section 31-51, 31-51g, 31-
195 52, 31-52a, 31-53 or 31-54, subsection (a) or (c) of section 31-69, section
196 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of
197 section 31-273, section 31-288, 31-348, 33-624, 33-1017, 34-13d or 34-412,
198 subdivision (1) of section 35-20, subsection (a) of section 36a-57,
199 subsection (b) of section 36a-665, section 36a-699, 36a-739, 36a-787, 38a-
200 2 or 38a-140, subsection (a) or (b) of section 38a-278, section 38a-479qq,
201 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713, 38a-733, 38a-764,
202 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230, 42-470 or 42-480,
203 subsection (a) or (c) of section 43-16q, section 45a-283, 45a-450, 45a-634
204 or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46a-
205 81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or 47-53, subsection
206 (i) of section 47a-21, subdivision (1) of subsection (k) of section 47a-21,
207 section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection (j) of section 52-
208 362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-
209 290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-323 or 53-331,
210 subsection (b) of section 53-343a, section 53-344, subsection (b) or (c) of
211 section 53-344b, subsection (b) of section 53-345a, section 53-377, 53-422
212 or 53-450 or subsection (i) of section 54-36a or section 2 of this act, or (2)
213 a violation under the provisions of chapter 268, or (3) a violation of any

214 regulation adopted in accordance with the provisions of section 12-484,
215 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or
216 bylaw of any town, city or borough, except violations of building codes
217 and the health code, for which the penalty exceeds ninety dollars but
218 does not exceed two hundred fifty dollars, unless such town, city or
219 borough has established a payment and hearing procedure for such
220 violation pursuant to section 7-152c, shall follow the procedures set
221 forth in this section.

222 Sec. 7. Subsection (i) of section 51-164n of the general statutes is
223 repealed and the following is substituted in lieu thereof (*Effective October*
224 *1, 2025*):

225 (i) In any trial for the alleged commission of a violation specified in
226 subsection (b) of this section, the practice, procedure, rules of evidence
227 and burden of proof applicable in criminal proceedings shall apply,
228 except that in any trial for the alleged commission of a violation under
229 section 2 of this act or subsection (a) of section 21a-279a, the burden of
230 proof shall be by the preponderance of the evidence. Any person found
231 guilty at the trial or upon a plea shall be guilty of the commission of a
232 violation and shall be fined not more than the statutory amount
233 applicable to such violation.

234 Sec. 8. Subdivision (2) of section 46b-120 of the general statutes is
235 repealed and the following is substituted in lieu thereof (*Effective October*
236 *1, 2025*):

237 (2) (A) A child may be adjudicated as "delinquent" who has, while
238 under sixteen years of age, (i) violated any federal or state law, except a
239 first or second offense under subdivision (1) of subsection (b) of section
240 21a-279a or section 2 of this act, or except section 53a-172, 53a-173, 53a-
241 222, 53a-222a, 53a-223 or 53a-223a, or violated a municipal or local
242 ordinance, (ii) wilfully failed to appear in response to a summons under
243 section 46b-133 or at any other court hearing in a delinquency
244 proceeding of which the child had notice, (iii) violated any order of the
245 Superior Court in a delinquency proceeding, or (iv) violated conditions
246 of probation supervision or probation supervision with residential

247 placement in a delinquency proceeding as ordered by the court;

248 (B) A child may be adjudicated as "delinquent" who has (i) while
249 sixteen or seventeen years of age, violated any federal or state law, other
250 than (I) an infraction, (II) a violation, (III) a motor vehicle offense or
251 violation under title 14, (IV) a violation of a municipal or local
252 ordinance, (V) a violation of section 51-164r, 53a-172, 53a-173, 53a-222,
253 53a-222a, 53a-223 or 53a-223a, or (VI) a first or second offense under
254 subdivision (1) of subsection (b) of section 21a-279a or section 2 of this
255 act, (ii) while sixteen years of age or older, wilfully failed to appear in
256 response to a summons under section 46b-133 or at any other court
257 hearing in a delinquency proceeding of which the child had notice, (iii)
258 while sixteen years of age or older, violated any order of the Superior
259 Court in a delinquency proceeding, or (iv) while sixteen years of age or
260 older, violated conditions of probation supervision or probation
261 supervision with residential placement in a delinquency proceeding as
262 ordered by the court;

263 Sec. 9. Subdivision (7) of section 46b-120 of the general statutes is
264 repealed and the following is substituted in lieu thereof (*Effective October*
265 *1, 2025*):

266 (7) "Delinquent act" means (A) the violation by a child under the age
267 of sixteen of any federal or state law, except a first or second offense
268 under subdivision (1) of subsection (b) of section 21a-279a or section 2
269 of this act, the violation of section 53a-172, 53a-173, 53a-222, 53a-222a,
270 53a-223 or 53a-223a [,] or the violation of a municipal or local ordinance,
271 (B) the violation by a child sixteen or seventeen years of age of any
272 federal or state law, other than (i) an infraction, (ii) a violation, (iii) a
273 motor vehicle offense or violation under title 14, (iv) the violation of a
274 municipal or local ordinance, (v) the violation of section 51-164r, 53a-
275 172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or (vi) a first or
276 second offense under subdivision (1) of subsection (b) of section 21a-
277 279a or section 2 of this act, (C) the wilful failure of a child, including a
278 child who has attained the age of eighteen, to appear in response to a
279 summons under section 46b-133 or at any other court hearing in a

280 delinquency proceeding of which the child has notice, (D) the violation
281 of any order of the Superior Court in a delinquency proceeding by a
282 child, including a child who has attained the age of eighteen, or (E) the
283 violation of conditions of probation supervision or probation
284 supervision with residential placement in a delinquency proceeding by
285 a child, including a child who has attained the age of eighteen, as
286 ordered by the court;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2025</i>	21a-240(23)
Sec. 2	<i>October 1, 2025</i>	New section
Sec. 3	<i>October 1, 2025</i>	21a-279(a)(1)
Sec. 4	<i>October 1, 2025</i>	21a-267
Sec. 5	<i>October 1, 2025</i>	14-111e
Sec. 6	<i>October 1, 2025</i>	51-164n(b)
Sec. 7	<i>October 1, 2025</i>	51-164n(i)
Sec. 8	<i>October 1, 2025</i>	46b-120(2)
Sec. 9	<i>October 1, 2025</i>	46b-120(7)

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Savings	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Loss	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill reduces the penalty for possession of small amounts of psilocybin and other psilocybin associated items¹, which results in a potential savings to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue loss to the General Fund from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300² while the average marginal cost for supervision in the community is less than \$600³ each year for adults and \$450 each year for juveniles.

¹ The bill makes the penalty an infraction. Infractions are not crimes and are punishable by fines that usually range from \$100 to \$300. The current penalties range from a class C misdemeanor to a mandatory sentence of 364 days of imprisonment.

² Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.)

³ Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the actual number of violations.

OLR Bill Analysis**HB 7065****AN ACT CONCERNING THE DECRIMINALIZATION OF POSSESSION OF SMALL AMOUNTS OF PSILOCYBIN.****SUMMARY**

This bill reduces the penalty for illegally possessing less than half an ounce of psilocybin from a crime that carries a possible prison term to a (1) \$150 fine for a first offense and (2) \$200 to \$500 fine for a subsequent offense. (The bill does not define psilocybin, which is a chemical compound obtained from certain types of hallucinogenic mushrooms.)

Under the bill, people fined for this possession must follow the procedures set by law for infractions. For example, they can pay the fine by mail without making a court appearance. But the bill provides a lower burden of proof than is generally required for infractions or other violations that follow infraction procedures.

It requires a law enforcement officer who issues a complaint for this violation to seize the psilocybin and have it destroyed as contraband according to law.

The bill prohibits minors (under age 18) from being adjudicated delinquent for a first or second offense of possessing less than half an ounce of psilocybin. Currently, because possession is a crime, minors ages 10 and older may be adjudicated delinquent for possession of any amount. (Under existing law, 16- and 17-year-olds may not be adjudicated delinquent for non-criminal violations.)

The bill requires a 60-day suspension of the driver's license of anyone under age 21 who is convicted of a violation under the bill.

It also eliminates criminal penalties for specified actions involving drug paraphernalia relating to less than half an ounce of psilocybin.

Lastly, the bill specifically includes psilocybin as an example of a “hallucinogenic substance” under the state’s controlled substances law. (Existing Department of Consumer Protection regulations already classify psilocybin as a schedule I controlled substance (Conn. Agencies Regs., § 21a-243-7).)

EFFECTIVE DATE: October 1, 2025

PSILOCYBIN POSSESSION

The bill makes the first offense of possessing less than half an ounce of psilocybin punishable by a \$150 fine. A second or subsequent offense is punishable by a fine of \$200 to \$500.

Currently, it is generally a crime to illegally possess any amount of psilocybin, the same as for any controlled substances other than cannabis. The current penalties are shown in the following table. (These penalties continue to apply to the possession of one-half ounce or more of psilocybin.)

Table: Penalties for Psilocybin Possession Under Current Law

<i>Brief Description</i>	<i>Authorized Penalties</i>
Possession (CGS § 21a-279(a))	First offense: Class A misdemeanor, punishable by up to 364 days in prison, up to a \$2,000 fine, or both Second offense: The court must evaluate the defendant and may suspend prosecution and order substance abuse treatment if it determines that the person is drug dependent Subsequent offenses: The court may find the person to be a persistent offender for controlled substance possession and impose the prison term that applies to class E felonies (up to three years)
Possession within 200 feet of the property of a (1) K-12 school by a non-student or (2) licensed child care center identified by a sign in a conspicuous place (CGS § 21a-279(b))	Class A misdemeanor The court must sentence the person to a term of imprisonment and probation. The conditions of probation must include community service

The law imposes certain other restrictions on people convicted of criminal drug possession. For example, they (1) may be denied licensure

in certain areas, such as a family child care home (CGS § 19a-87e); (2) are prohibited from getting licensed in certain others, such as bail enforcement agents (CGS § 29-152f); and (3) are ineligible for various firearm credentials (e.g., CGS §§ 29-28 & 29-36f). Under the bill, these restrictions do not apply to people convicted of possessing less than half an ounce of psilocybin.

Burden of Proof (§ 7)

Under current law, trials for violations that follow infraction procedures generally use the same rules of evidence, procedure, burden of proof, and practice that apply to criminal proceedings. The bill creates an exception for trials involving the possession of less than half an ounce of psilocybin. For these trials, the bill lowers the burden of proof from beyond a reasonable doubt to a preponderance of the evidence.

Driver's License Penalties for People Under Age 21 (§ 5)

The bill sets driver's license penalties for people who are convicted of possessing less than half an ounce of psilocybin and were under 21 at the time of the violation. It requires the motor vehicles commissioner to suspend the person's driver's license or nonresident operating privilege for 60 days. If someone under age 21 commits this violation but does not have a driver's license, they are ineligible for one for 150 days after meeting all licensing requirements.

§ 4 — DRUG PARAPHERNALIA RELATED TO PSILOCYBIN USE

Current law has criminal penalties for drug paraphernalia-related actions involving all controlled substances other than cannabis. The bill eliminates these penalties for actions involving less than half an ounce of psilocybin.

The current penalties are as follows:

1. a class C misdemeanor (punishable by up to three months in prison, a fine of up to \$500, or both) for using or possessing with intent to use drug paraphernalia for various drug-related purposes (e.g., planting, preparing, or ingesting);

2. a class A misdemeanor for delivering, possessing with intent to deliver, or manufacturing with intent to deliver drug paraphernalia knowing, or under circumstances where the person should know, it will be used for these purposes; and
3. a 364-day mandatory minimum prison term for offenses near schools by non-students, in addition to the sentence for the underlying crime (although the court can depart from this under certain conditions (CGS § 21a-283a)).

Under the bill, these penalties continue to apply to the listed actions involving one-half ounce or more of psilocybin.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 29 Nay 12 (04/04/2025)