

General Assembly

Substitute Bill No. 7181

January Session, 2025



AN ACT CONCERNING ENFORCEMENT OF THE STATE'S CANNABIS, HEMP AND TOBACCO LAWS.

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

- 1 Section 1. Subdivision (1) of section 21a-420 of the general statutes is
- 2 repealed and the following is substituted in lieu thereof (*Effective July 1*,
- 3 2025):
- 4 (1) "Responsible and Equitable Regulation of Adult-Use Cannabis
- 5 Act" or "RERACA" means this section, sections 2-56j, 7-294kk, 7-294ll,
- 6 12-330ll to 12-330nn, inclusive, 14-227p, 21a-278b, 21a-278c, 21a-279c,
- 7 21a-279d, 21a-420a to 21a-420j, inclusive, 21a-420l to 21a-421r, inclusive,
- 8 21a-421aa to 21a-421ff, inclusive, 21a-421aaa to 21a-421hhh, inclusive, <u>as</u>
- 9 <u>amended by this act</u>, 21a-422 to 21a-422c, inclusive, 21a-422e to 21a-
- 10 422g, inclusive, 21a-422j to 21a-422s, inclusive, 22-61n, 23-4b, 47a-9a, 53-
- 247a, 53a-213a, 53a-213b, 54-33p, 54-56q, 54-56r, 54-125k and 54-142u,
- sections 23, 60, 63 to 65, inclusive, 124, 144 and 165 of public act 21-1 of
- the June special session, and the amendments in public act 21-1 of the
- 14 June special session to sections 7-148, 10-221, 12-30a, 12-35b, 12-412, 12-
- 15 650, 12-704d, 14-44k, 14-111e, 14-227a to 14-227c, inclusive, 14-227j, 15-
- 16 140q, 15-140r, 18-100h, 19a-342, 19a-342a, 21a-267, 21a-277, 21a-279, 21a-
- 279a, 21a-408 to 21a-408f, inclusive, 21a-408h to 21a-408p, inclusive, 21a-
- 18 408r to 21a-408w, inclusive, 21a-420aa, 21a-421s, 30-89a, 31-40q, 32-39,
- 19 46b-120, 51-164n, 53-394, 53a-39c, 54-1m, 54-33g, 54-41b, 54-56e, 54-56g,

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- 20 54-56i, 54-56k, 54-56n, 54-63d, 54-66a and 54-142e, section 20 of public 21 act 23-79 and sections 2 to 5, inclusive, of this act;
- 22 Sec. 2. (NEW) (Effective July 1, 2025) (a) There shall be within the 23 Department of Consumer Protection a state-wide cannabis and hemp 24 enforcement task force for the effective and cooperative enforcement of 25 the laws of this state concerning the cultivation, manufacturing, 26 distribution, transportation, display, purchase, sale, dispensing, 27 possession and use of (1) cannabis and cannabis products, as such terms 28 are defined in section 21a-420 of the general statutes, as amended by this 29 act, (2) infused beverages, as defined in section 21a-425 of the general 30 statutes, (3) hemp and hemp products, as such terms are defined in 31 section 22-61l of the general statutes, and (4) moderate-THC hemp 32 products, as defined in section 21a-426 of the general statutes.
- 33 (b) The state-wide cannabis and hemp enforcement task force shall 34 be authorized to conduct any investigation authorized by this section at 35 any place within the state as may be deemed necessary.

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- (c) The state-wide cannabis and hemp enforcement task force may request and receive from any federal, state or local agency cooperation and assistance in the performance of its duties, including, but not limited to, the temporary assignment of such personnel as may be necessary for the task force to perform its functions.
- (d) The state-wide cannabis and hemp enforcement task force may enter into mutual assistance and cooperation agreements with other states pertaining to cannabis, cannabis product, infused beverage, hemp, hemp product and moderate-THC hemp product law enforcement matters extending across state boundaries, and may consult and exchange information and personnel with agencies of other states with reference to cannabis, cannabis product, infused beverage, hemp, hemp product and moderate-THC hemp product law enforcement problems of mutual concern.
- (e) The Commissioner of Consumer Protection may, within available appropriations, appoint a director and such other personnel as the

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commissioner deems necessary for the duties of the state-wide cannabis and hemp enforcement task force.

- Sec. 3. (NEW) (*Effective July 1, 2025*) (a) Upon request by the statewide cannabis and hemp enforcement task force established under section 2 of this act, the Commissioner of Emergency Services and Public Protection may from time to time select such number of police personnel of any municipality of the state to act temporarily as special state police officers to carry out the duties of the task force as the Commissioner of Emergency Services and Public Protection, in consultation with the task force, deems necessary. Such municipal police personnel shall be appointed from a list of municipal police personnel recommended to the State-Wide Cannabis and Hemp Enforcement Task Force Policy Board, established under section 5 of this act, by the chiefs of police of the municipalities and approved by the board.
 - (b) Each municipality shall be responsible for fully compensating the municipal police personnel temporarily assigned to the state-wide cannabis and hemp enforcement task force, and such compensation shall be payable to such assigned municipal police personnel while on duty with the task force.
 - (c) For purposes of indemnification of such municipal police personnel and municipalities against any losses, damages or liabilities arising out of the service and activities of the state-wide cannabis and hemp enforcement task force, municipal police personnel while assigned to, and performing the duties of, the task force shall be deemed to be acting as employees of the state.
 - Sec. 4. (NEW) (Effective July 1, 2025) Any municipal police officer, while assigned to duty with the state-wide cannabis and hemp enforcement task force established under section 2 of this act and working at the direction of the Commissioner of Emergency Services and Public Protection or the director of the task force, if any, shall, when acting within the scope of his or her authority, have the same powers, duties, privileges and immunities as are conferred upon him or her as a

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- 84 state police officer.
- Sec. 5. (NEW) (Effective July 1, 2025) (a) There shall be a State-Wide
- 86 Cannabis and Hemp Enforcement Task Force Policy Board, within the
- 87 Department of Consumer Protection for administrative purposes only,
- 88 consisting of the Commissioner of Consumer Protection, the
- 89 Commissioner of Emergency Services and Public Protection, the
- 90 Commissioner of Revenue Services, the Attorney General and the Chief
- 91 State's Attorney.
- 92 (b) The policy board shall direct and supervise the formulation of
- 93 policies and operating procedures, and coordinate the activities, of the
- 94 state-wide cannabis and hemp enforcement task force established under
- 95 section 2 of this act with law enforcement agencies within and without
- 96 the state.
- 97 (c) The policy board may apply for, and shall administer, any federal,
- 98 state, local or private appropriations or grant funds made available for
- 99 the operation of the task force.
- Sec. 6. Subdivision (6) of section 54-41a of the general statutes is
- repealed and the following is substituted in lieu thereof (Effective July 1,
- 102 2025):
- 103 (6) "Investigative officer" means (A) any officer of the Connecticut
- state police, (B) the chief inspector or any inspector in the Division of
- 105 Criminal Justice who is empowered by law to conduct investigations of
- or to make arrests for offenses enumerated in this chapter, (C) any
- municipal police officer who (i) has been duly sworn as a special state
- police officer under the provisions of section 29-177 [and who] or section
- 109 3 of this act, (ii) is currently assigned to the state-wide narcotics task
- 110 force, [or] the state-wide organized crime investigative task force or the
- state-wide cannabis and hemp enforcement task force, and (iii) is acting
- 112 under the direct authority of the Connecticut state police, and (D) any
- 113 attorney authorized by law to prosecute or participate in the
- prosecution of offenses enumerated in this chapter;

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115	Sec. 7. Section 21a-420c of the general statutes is repealed and the		
116	following is substituted in lieu thereof (Effective October 1, 2025):		
117	(a) As used in this section:		
118	(1) "Cigarette" has the same meaning as provided in section 4-28h;		
119	(2) "Electronic cigarette liquid" has the same meaning as provided in		
120	section 21a-415, as amended by this act;		
121	(3) "Electronic nicotine delivery system" has the same meaning as		
122	provided in section 21a-415, as amended by this act;		
123	(4) "Immediate threat to public health and safety" includes, but is not		
124	limited to, the presence of (A) any cannabis or cannabis product in		
125	connection with a violation of this section, or (B) any cigarette, tobacco		
126	product, electronic cigarette liquid, electronic nicotine delivery system		
127	or liquid nicotine container alongside any cannabis or cannabis product;		
128	(5) "Liquid nicotine container" has the same meaning as provided in		
129	section 19a-342a; and		
130	(6) "Tobacco product" has the same meaning as provided in section		
131	<u>12-330a.</u>		
132	[(a)] (b) Except as provided in RERACA and chapter 420b or 420f, (1)		
133	no person, other than a retailer, hybrid retailer, micro-cultivator or		
134	delivery service, or an employee thereof in the course of such		
135	employee's employment, may sell or offer any cannabis or cannabis		
136	product to a consumer, and (2) no person, other than a hybrid retailer,		
137	dispensary facility or a delivery service, or an employee thereof in the		
138	course of such employee's employment, may sell or offer <u>any</u> cannabis		
139	or cannabis product to a qualifying [patients and caregivers] patient or		
140	<u>caregiver</u> .		
141	[(b)] (c) No person except a delivery convice on an employee of a		
	[(b)] (c) No person except a delivery service, or an employee of a		
142	delivery service, subject to the restrictions set forth in section 21a-420z,		
143	acting in the course of such employee's employment may deliver any		

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- cannabis <u>or cannabis product</u> to [consumers, patients or caregivers] <u>a</u> consumer, qualifying patient or caregiver.
- [(c)] (d) Any violation of the provisions of this section shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b.
- [(d)] (e) (1) Any municipality may, by vote of its legislative body, prohibit the operation of any business within such municipality that is found to be in violation of the provisions of this section or if such operation poses an immediate threat to public health and safety.

- (2) If the chief executive officer of a municipality determines that a business within the municipality is operating in violation of the provisions of this section or poses an immediate threat to public health and safety, the chief executive officer may apply to the Superior Court for an order under subdivision (3) of this subsection <u>and</u>, <u>upon making such application</u>, <u>submit a written copy of such application to the Attorney General</u>.
 - (3) Upon an application under subdivision (2) of this subsection, the Superior Court, upon a finding that a business within the municipality is operating in violation of the provisions of this section or poses an immediate threat to public health and safety, may issue forthwith, ex parte and without a hearing, an order that shall direct the chief law enforcement officer of the municipality to take from such business possession and control of any merchandise related to such violation or immediate threat to public health and safety, which merchandise shall include, but need not be limited to, (A) any cannabis or cannabis product, (B) any cigarette, tobacco, [or] tobacco product, electronic cigarette liquid, electronic nicotine delivery system or liquid nicotine container, (C) any merchandise related to the merchandise described in subparagraphs (A) and (B) of this subdivision, and (D) any proceeds related to the merchandise described in subparagraphs (A) to (C), inclusive, of this subdivision.
- (4) As used in this subsection, [(A) "cigarette" has the same meaning

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as provided in section 4-28h, (B) "immediate threat to public health and safety" includes, but is not limited to, the presence of (i) any cannabis or cannabis product in connection with a violation of this section, or (ii) any cigarette or tobacco product alongside any cannabis or cannabis product, and (C)] "operation" and "operating" mean engaging in the sale of, or otherwise offering for sale, goods and services to the general public, including, but not limited to, through indirect retail sales.

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- [(e)] (f) (1) Any person who violates any provision of this section shall be assessed a civil penalty of thirty thousand dollars for each violation. Each day that such violation continues shall constitute a separate offense.
- (2) Any person who aids or abets any violation of the provisions of this section shall be assessed a civil penalty of thirty thousand dollars for each violation. Each day that such person aids or abets such violation shall constitute a separate offense. For the purposes of this subdivision, no person shall be deemed to have aided or abetted a violation of the provisions of this section unless (A) such person was the owner, officer, controlling shareholder or in a similar position of authority that allowed such person to make command or control decisions regarding the operations and management of another person who (i) is prohibited from selling or offering any cannabis or cannabis product under this section, and (ii) sold or offered any cannabis or cannabis product in violation of this section, (B) such person knew that such other person (i) is prohibited from selling or offering any cannabis or cannabis product under this section, and (ii) sold or offered any cannabis or cannabis product in violation of this section, (C) such person provided substantial assistance or encouragement in connection with the sale or offer of such cannabis or cannabis product in violation of this section, and (D) such person's conduct was a substantial factor in furthering the sale or offer of such cannabis or cannabis product in violation of this section.
- (3) Any person who manages or controls a commercial property, or who manages or controls a commercial building, room, space or enclosure, in such person's capacity as an owner, lessee, agent,

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employee or mortgagor, who knowingly leases, rents or makes such property, building, room, space or enclosure available for use, with or without compensation, for the purpose of any sale or offer of any cannabis or cannabis product in violation of this section shall be assessed a civil penalty of ten thousand dollars for each violation. Each day that such violation continues shall constitute a separate offense.

- (4) No person other than the Attorney General, upon complaint of the Commissioner of Consumer Protection, or a municipality in which the violation of this section occurred shall assess any civil penalty under this subsection or institute a civil action to recover any civil penalty imposed under this subsection. If a municipality institutes a civil action to recover any civil penalty imposed under this subsection, such penalty shall be paid [first] to the municipality. [to reimburse such municipality for the costs incurred in instituting such action. One-half of the remainder, if any, shall be payable to the treasurer of such municipality and one-half of such remainder shall be payable to the Treasurer and deposited in the General Fund.]
- [(f)] (g) Nothing in this section shall be construed to prohibit the imposition of any criminal penalty on any person who (1) is prohibited from selling or offering any cannabis or cannabis product under this section, and (2) sells or offers any cannabis or cannabis product in violation of this section.
- Sec. 8. Subdivision (1) of subsection (f) of section 21a-420p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
 - (f) (1) Subject to the requirements of this subsection and subsection [(b)] (c) of section 21a-420c, as amended by this act, a micro-cultivator may sell its own cannabis, including, but not limited to, its own cannabis seedlings, to consumers, excluding qualifying patients and caregivers, through a delivery service. No cannabis establishment other than a micro-cultivator shall sell cannabis seedlings to consumers, and no cannabis establishment other than a delivery service shall deliver

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- cannabis seedlings sold by a micro-cultivator to consumers.
- Sec. 9. Subsection (d) of section 21a-420r of the general statutes is
- repealed and the following is substituted in lieu thereof (*Effective October*)
- 244 1, 2025):
- 245 (d) A retailer may deliver cannabis through a delivery service or by
- 246 utilizing its own employees, subject to the provisions of subsection [(b)]
- 247 (c) of section 21a-420c, as amended by this act.
- Sec. 10. Subsections (d) and (e) of section 21a-420t of the general
- 249 statutes are repealed and the following is substituted in lieu thereof
- 250 (Effective October 1, 2025):
- 251 (d) On and after September 1, 2021, a dispensary facility or hybrid
- 252 retailer may apply to the department, in a form and in a manner
- 253 prescribed by the commissioner, to provide delivery services through a
- 254 delivery service or utilizing its own employees, subject to the provisions
- of subsection [(b)] (c) of section 21a-420c, as amended by this act, to
- 256 qualifying patients, caregivers, research program subjects, as defined in
- 257 section 21a-408, and hospice and other inpatient care facilities licensed
- 258 by the Department of Public Health pursuant to chapter 368v that have
- a protocol for the handling and distribution of cannabis that has been
- 260 approved by the Department of Consumer Protection. A dispensary
- 261 facility or hybrid retailer may deliver cannabis or medical marijuana
- 262 products only from its own inventory to qualifying patients and
- 263 caregivers. If such application is approved by the commissioner, the
- 264 dispensary facility or hybrid retailer may commence delivery services
- on and after January 1, 2022, provided the commissioner may authorize
- dispensary facilities or hybrid retailers to commence delivery services
- 267 prior to January 1, 2022, upon forty-five days advance written notice,
- 268 published on the department's Internet web site.
- (e) Hybrid retailers may commence delivery of cannabis directly to
- 270 consumers as of the date the first adult use cannabis sales are permitted
- 271 by the commissioner as set forth in subsection (f) of this section, through
- 272 a delivery service, or utilizing their own employees, subject to the

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- provisions of subsection [(b)] (c) of section 21a-420c, as amended by this
- 274 act.
- Sec. 11. Subsection (a) of section 21a-415 of the general statutes is
- 276 repealed and the following is substituted in lieu thereof (Effective October
- 277 1, 2025):
- 278 (a) As used in this chapter, section 12 of this act and section 53-344:
- 279 (1) "Authorized owner" means the owner or authorized designee of a 280 business entity that is applying for a registration or is registered with
- 281 the Department of Consumer Protection pursuant to this chapter;
- 282 (2) "Business entity" means any corporation, limited liability
- 283 company, association, partnership, sole proprietorship, government,
- 284 governmental subdivision or agency, business trust, estate, trust or any
- other legal entity;
- 286 (3) "Dealer registration" means an electronic nicotine delivery system
- 287 certificate of dealer registration issued by the Commissioner of
- 288 Consumer Protection pursuant to this section;
- 289 (4) "Manufacturer registration" means an electronic nicotine delivery
- 290 system certificate of manufacturer registration issued by the
- 291 Commissioner of Consumer Protection pursuant to section 21a-415a to
- any person who mixes, compounds, repackages or resizes any nicotine-
- 293 containing electronic nicotine delivery system or vapor product;
- 294 (5) "Electronic cigarette liquid" means a liquid that, when used in an
- 295 electronic nicotine delivery system or vapor product, produces a vapor
- 296 that may or may not include nicotine and is inhaled by the user of such
- 297 electronic nicotine delivery system or vapor product;
- 298 (6) "Electronic nicotine delivery system" means an electronic device
- 299 used in the delivery of nicotine or other substances to a person inhaling
- 300 from the device, and includes, but is not limited to, an electronic
- 301 cigarette, electronic cigar, electronic cigarillo, electronic pipe or
- 302 electronic hookah and any related device and any cartridge or other

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component of such device, including, but not limited to, electronic cigarette liquid;

- (7) "Vapor product" means any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may include nicotine and is inhaled by the user of such product. "Vapor product" does not include a medicinal or therapeutic product that is (A) used by a licensed health care provider to treat a patient in a health care setting, (B) used by a patient, as prescribed or directed by a licensed health care provider in any setting, or (C) any drug or device, as defined in the federal Food, Drug and Cosmetic Act, 21 USC 321, as amended from time to time, any combination product, as described in said act, 21 USC 353(g), as amended from time to time, or any biological product, as described in 42 USC 262, as amended from time to time, and 21 CFR 600.3, as amended from time to time, authorized for sale by the United States Food and Drug Administration;
- (8) "Sale" or "sell" means an act done intentionally by any person, whether done as principal, proprietor, agent, servant or employee, of transferring, or offering or attempting to transfer, for consideration, including bartering or exchanging, or offering to barter or exchange; and
 - (9) "Deliver" or "delivering" means an act done intentionally by any person, whether as principal, proprietor, agent, servant or employee, of transferring, or offering or attempting to transfer, physical possession or control of an electronic nicotine delivery system or vapor product.
 - Sec. 12. (NEW) (Effective October 1, 2025) (a) No person engaged in the business of shipping or transporting electronic nicotine delivery systems or vapor products shall ship or transport, or cause to be shipped or transported, any electronic nicotine delivery system or vapor product to any person in this state except to (1) a person who holds a dealer registration or a manufacturer registration, or (2) a person who is an officer, employee or agent of the United States government, this state or a department, agency, instrumentality or political subdivision of the

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United States or of this state, when such person is acting in accordance with such person's official duties. The Commissioner of Consumer Protection shall publish, on the Department of Consumer Protection's Internet web site, a list of each person who holds a dealer registration or a manufacturer registration.

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- (b) No common or contract carrier shall knowingly transport any electronic nicotine delivery system or vapor product to a residential dwelling or to any person in this state who the common or contract carrier reasonably believes is not a person described in subdivision (1) or (2) of subsection (a) of this section. No person other than a common or contract carrier shall knowingly transport any electronic nicotine delivery system or vapor product to any person in this state who is not a person described in subdivision (1) or (2) of subsection (a) of this section.
- (c) When a person engaged in the business of selling or delivering electronic nicotine delivery systems or vapor products ships or transports, or causes to be shipped or transported, any electronic nicotine delivery system or vapor product to any person described in subdivision (1) or (2) of subsection (a) of this section, other than in the electronic nicotine delivery system or vapor product manufacturer's original container or wrapping, the container or wrapping shall be plainly and visibly marked with the words "electronic nicotine delivery system" or "vapor product", as applicable. Any person engaged in the business of selling or delivering electronic nicotine delivery systems or vapor products who ships, or causes to be shipped, any electronic nicotine delivery system or vapor product to any person described in subdivision (1) or (2) of subsection (a) of this section (1) shall require, as a condition of such sale or delivery, such person to sign an acknowledgment of receipt and provide proper proof of age, and (2) may not sell or deliver such electronic nicotine delivery system or vapor product to such person unless such person provides proper proof of age.
- (d) Any electronic nicotine delivery system or vapor product shipped or transported in violation of this section is a common nuisance and is

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368 subject to immediate seizure by the Commissioner of Consumer 369 Protection, any agent or employee of the commissioner authorized to 370 make such seizure or any peace officer of this state whom the 371 commissioner has directed to make such seizure. The commissioner or 372 such agent, employee or peace officer shall hold such electronic nicotine 373 delivery system or vapor product subject to confiscation and destruction 374 by order of a court of competent jurisdiction. All costs of such seizure, 375 confiscation and destruction shall be borne by the shipper or 376 transporter.

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- (e) The Commissioner of Consumer Protection may impose a civil penalty of not more than ten thousand dollars for each violation of this section. For purposes of this subsection, each shipment or transport of electronic nicotine delivery systems or vapor products shall constitute a separate violation. The Attorney General, upon request of the commissioner, may bring an action in the superior court for the judicial district of Hartford to collect such civil penalty and for any injunctive or equitable relief. In any action brought by the Attorney General to enforce the provisions of this section, the state shall be entitled to recover, when the state is the prevailing party, the costs of investigation, expert witness fees, costs of the action and reasonable attorneys' fees.
- 388 (f) A violation of this section shall be an unfair or deceptive act or 389 practice pursuant to subsection (a) of section 42-110b of the general 390 statutes.
- Sec. 13. Section 21a-421aaa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
- 393 (a) Any cannabis establishment licensee or any servant or agent of a 394 licensee who sells or delivers cannabis [or cannabis paraphernalia] to 395 any person under twenty-one years of age shall be guilty of a class [A 396 misdemeanor] E felony.
 - (b) Any cannabis establishment licensee or any servant or agent of a licensee who sells or delivers cannabis paraphernalia to any person under twenty-one years of age shall be guilty of a class C misdemeanor.

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For purposes of this section, "paraphernalia" has the same meaning as provided in section 21a-420, as amended by this act.

Sec. 14. (NEW) (*Effective October 1, 2025*) Any cannabis establishment licensee or any servant or agent of a licensee who sells or delivers any synthetic cannabinoid to any person shall be guilty of a class E felony. For purposes of this section, "synthetic cannabinoid" has the same meaning as provided in section 21a-240 of the general statutes.

Sec. 15. Section 21a-418 of the general statutes is repealed. (*Effective October 1, 2025*)

This act shall take effect as follows and shall amend the following			
sections:			
Section 1	July 1, 2025	21a-420(1)	
Sec. 2	July 1, 2025	New section	
Sec. 3	July 1, 2025	New section	
Sec. 4	July 1, 2025	New section	
Sec. 5	July 1, 2025	New section	
Sec. 6	July 1, 2025	54-41a(6)	
Sec. 7	October 1, 2025	21a-420c	
Sec. 8	October 1, 2025	21a-420p(f)(1)	
Sec. 9	October 1, 2025	21a-420r(d)	
Sec. 10	October 1, 2025	21a-420t(d) and (e)	
Sec. 11	October 1, 2025	21a-415(a)	
Sec. 12	October 1, 2025	New section	
Sec. 13	October 1, 2025	21a-421aaa	
Sec. 14	October 1, 2025	New section	
Sec. 15	October 1, 2025	Repealer section	

JUD Joint Favorable Subst.

APP Joint Favorable

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