



General Assembly

January Session, 2025

Raised Bill No. 1327

LCO No. 4769



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE REDUCTION OF A SENTENCE BY THE
SENTENCING COURT OR A JUDGE.***

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

1 Section 1. Section 53a-39 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2025*):

3 (a) [Except as provided in subsection (b) of this section, at] At any
4 time during an executed period of incarceration, the sentencing court or
5 judge may, after hearing and for good cause shown, reduce the sentence,
6 order the defendant discharged, or order the defendant discharged on
7 probation or conditional discharge for a period not to exceed that to
8 which the defendant could have been originally sentenced.

9 [(b) On and after October 1, 2021, at any time during the period of a
10 sentence in which a defendant has been sentenced prior to, on or after
11 October 1, 2021, to an executed period of incarceration of more than
12 seven years as a result of a plea agreement, including an agreement in
13 which there is an agreed upon range of sentence, upon agreement of the
14 defendant and the state's attorney to seek review of the sentence, the
15 sentencing court or judge may, after hearing and for good cause shown,

16 reduce the sentence, order the defendant discharged, or order the
17 defendant discharged on probation or conditional discharge for a period
18 not to exceed that to which the defendant could have been originally
19 sentenced.]

20 [(c)] (b) If, after a hearing pursuant to this section, the sentencing
21 court or judge denies or grants in full [a motion] an application to reduce
22 a defendant's sentence or discharge the defendant, including pursuant
23 to probation or conditional discharge, the defendant may not file a
24 subsequent [motion] application for relief under this section until [five]
25 two years have elapsed from the date of the most recent decision
26 denying such defendant relief pursuant to this section. If, after a hearing
27 pursuant to this section, the sentencing court or judge grants in part [a
28 motion] an application to reduce a defendant's sentence, the defendant
29 may not file a subsequent [motion] application for relief under this
30 section until [three] two years from the date of the most recent decision
31 granting such defendant relief pursuant to this section.

32 [(d)] The provisions of this section shall not apply to any portion of a
33 sentence imposed that is a mandatory minimum sentence for an offense
34 which may not be suspended or reduced by the court.]

35 (c) Notwithstanding any mandatory minimum term of imprisonment
36 that a person who is incarcerated is required to serve pursuant to a
37 provision of the general statutes, the sentencing court or judge may
38 modify a sentence below the prescribed mandatory minimum term of
39 imprisonment.

40 [(e)] (d) At the time the defendant files [a motion] an application with
41 the court, the defendant shall provide the state with a copy of the
42 [motion] application and any materials and documentation filed with
43 the court in support of such [motion] application. Not later than ninety
44 days after the receipt of the application, the sentencing court or a judge
45 shall schedule a hearing on the application or may reject the application
46 on technical grounds. If an application is rejected on technical grounds,

47 for reasons that include, but are not limited to, the use of an incorrect
 48 form, missing information, missing signatures or other errors or
 49 omissions of a clerical nature, the sentencing court or judge shall make
 50 a record of the reasons for the rejection and the defendant, upon
 51 receiving notice of the rejection, may submit an amended application to
 52 cure the defects in the initial application. The sentencing court or judge
 53 shall render a decision on the defendant's application not later than
 54 thirty days after the date of the hearing. Such decision shall be provided
 55 to the defendant not later than forty-five days after the date of the
 56 hearing and shall set forth the reasons for denying, granting or granting
 57 in part the application.

58 [(f)] (e) At a hearing held by the sentencing court or judge under this
 59 section, such court or judge shall permit any victim of the crime to
 60 appear before the court or judge for the purpose of making a statement
 61 for the record concerning whether or not the sentence of the defendant
 62 should be reduced, the defendant should be discharged or the
 63 defendant should be discharged on probation or conditional discharge
 64 pursuant to subsection (a) or (b) of this section. In lieu of such
 65 appearance, the victim may submit a written statement to the court or
 66 judge and the court or judge shall make such statement a part of the
 67 record at the hearing. For the purposes of this subsection, "victim"
 68 means the victim, the legal representative of the victim or a member of
 69 the deceased victim's immediate family.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2025	53a-39

Statement of Purpose:

To expand access to, and ensure timely resolution of, sentence modification hearings.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]