



General Assembly

**Amendment**

January Session, 2025

LCO No. **8913**



Offered by:

REP. STAFSTROM, 129<sup>th</sup> Dist.

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To: Subst. House Bill No. **7259**

File No. 808

Cal. No. 508

**"AN ACT CONCERNING REVISIONS TO VARIOUS STATUTES  
CONCERNING CRIMINAL JUSTICE."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 54-102j of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective October*  
5 *1, 2025*):

6 (a) It shall be the duty of the Division of Scientific Services within the  
7 Department of Emergency Services and Public Protection to receive  
8 blood or other biological samples and to analyze, classify and file the  
9 results of DNA identification characteristics profiles of blood or other  
10 biological samples submitted pursuant to section 54-102g and to make  
11 such information available as provided in this section, except that the  
12 division shall analyze samples taken pursuant to subsection (a) of  
13 section 54-102g only as available resources allow. The results of an  
14 analysis and comparison of the identification characteristics from two

15 or more blood or other biological samples shall be made available  
16 directly to federal, state and local law enforcement officers upon request  
17 made in furtherance of an official investigation of any criminal offense.  
18 Only when a sample or DNA profile supplied by the person making the  
19 request satisfactorily matches a profile in the data bank shall the  
20 existence of data in the data bank be confirmed or identifying  
21 information from the data bank be disseminated, except that if the  
22 results of an analysis and comparison do not reveal a match between the  
23 sample or samples supplied and a DNA profile contained in the data  
24 bank, the division may, upon request of the law enforcement officer,  
25 indicate whether the DNA profile of a named [individual] person is  
26 contained in the data bank provided the law enforcement officer has a  
27 reasonable and articulable suspicion that such [individual] person has  
28 committed the criminal offense being investigated. A request pursuant  
29 to this subsection may be made by personal contact, mail or electronic  
30 means. The name of the person making the request and the purpose for  
31 which the information is requested shall be maintained on file with the  
32 division. Information derived from a nonqualifying sample entered into  
33 the data bank shall, prior to the expungement of the sample from the  
34 data bank or the purging of such information and the destruction of the  
35 sample in accordance with section 54-102I, be disclosed to the conviction  
36 integrity unit of the office of the Chief State's Attorney for the purpose  
37 of discharging the constitutional obligations of the Division of Criminal  
38 Justice relating to exculpatory evidence. In the event that such  
39 information is determined to be exculpatory to any person charged with  
40 or convicted of a crime, the information shall be disclosed to such person  
41 or such person's attorney. Information so disclosed shall not otherwise  
42 be used for investigative or prosecutorial purposes. For purposes of this  
43 subsection, "nonqualifying sample" includes any sample that is entered  
44 into the data bank in good faith, but without authority, or one in which  
45 the sample and the information derived from such sample should have  
46 previously been purged or expunged from the data bank.

47 Sec. 2. Subsection (d) of section 19a-112a of the general statutes is  
48 repealed and the following is substituted in lieu thereof (*Effective October*

49 1, 2025):

50 (d) Each health care facility in the state that provides for the collection  
51 of sexual assault evidence shall follow the protocol adopted under  
52 subsection (b) of this section, contact a sexual assault counselor, as  
53 defined in section 52-146k, when a person who identifies himself or  
54 herself as a victim of sexual assault arrives at such health care facility  
55 and, with the consent of the victim, shall collect sexual assault evidence.  
56 After [the collection] collecting the evidence, the health care facility shall  
57 obtain the consent of the victim to establish a designation label for the  
58 sexual assault evidence collection kit, for which the victim may choose  
59 the designation of (1) "anonymous" by not including the victim's name  
60 on the sexual assault evidence collection kit and not reporting to a law  
61 enforcement agency at the time of evidence collection; (2) "identified" by  
62 including the victim's name on the sexual assault evidence collection kit,  
63 but not reporting to a law enforcement agency at the time of evidence  
64 collection; or (3) "reported" by including the victim's name on the sexual  
65 assault evidence collection kit and reporting to a law enforcement  
66 agency at the time of evidence collection. After the collection and  
67 designation of any evidence, the health care facility shall contact a law  
68 enforcement agency to receive the evidence. Not later than ten days after  
69 the collection of the evidence, the law enforcement agency shall transfer  
70 the evidence, in a manner that maintains the integrity of the evidence,  
71 to the Division of Scientific Services within the Department of  
72 Emergency Services and Public Protection, [or the Federal Bureau of  
73 Investigation laboratory.] If the evidence is transferred to the division  
74 and the sexual assault evidence collection kit is designated "identified"  
75 or "reported", the division shall analyze the evidence not later than sixty  
76 days after the collection of the evidence or, if the [victim chose to remain  
77 anonymous and not report the sexual assault to the law enforcement  
78 agency at the time of collection] sexual assault evidence collection kit is  
79 designated "anonymous", shall hold the evidence for at least five years  
80 after the collection of the evidence. If a victim reports the sexual assault  
81 to the law enforcement agency after the collection of the evidence, such  
82 law enforcement agency shall notify the division that a report has been

83 filed not later than five days after filing such report and the division  
84 shall analyze the evidence not later than sixty days after receiving such  
85 notification. [The division] Following the analysis of any evidence  
86 received, the division may, at the division's discretion, return the  
87 evidence submitted, or any portion of such evidence, to the submitting  
88 law enforcement agency in a manner that maintains the integrity of the  
89 evidence. The division or law enforcement agency, as applicable, shall  
90 hold any evidence received and analyzed pursuant to this subsection  
91 until the conclusion of any criminal proceedings. The failure of a law  
92 enforcement agency to transfer the evidence not later than ten days after  
93 the collection of the evidence, or the division to analyze the evidence not  
94 later than sixty days after the collection of the evidence or after receiving  
95 a notification from a law enforcement agency, shall not affect the  
96 admissibility of the evidence in any suit, action or proceeding if the  
97 evidence is otherwise admissible. The failure of any person to comply  
98 with this section or the protocol shall not affect the admissibility of the  
99 evidence in any suit, action or proceeding if the evidence is otherwise  
100 admissible.

101 Sec. 3. Section 53a-173 of the general statutes is repealed and the  
102 following is substituted in lieu thereof (*Effective October 1, 2025*):

103 (a) A person is guilty of failure to appear in the second degree when  
104 (1) while charged with the commission of a misdemeanor or a motor  
105 vehicle violation for which a sentence to a term of imprisonment may  
106 be imposed and while out on bail or released under other procedure of  
107 law, such person wilfully fails to appear when legally called according  
108 to the terms of such person's bail bond or promise to appear, or (2) while  
109 on probation for conviction of a misdemeanor or motor vehicle  
110 violation, such person wilfully fails to appear when legally called for  
111 any court hearing relating to a violation of such probation.

112 (b) Failure to appear in the second degree is (1) a class [A] D  
113 misdemeanor for a first offense, and (2) a class A misdemeanor for any  
114 subsequent offense.

115 Sec. 4. Subsections (a) and (b) of section 54-192h of the general  
116 statutes are repealed and the following is substituted in lieu thereof  
117 (*Effective October 1, 2025*):

118 (a) For the purposes of this section:

119 (1) "Administrative warrant" means a warrant, notice to appear,  
120 removal order or warrant of deportation issued by an agent of a federal  
121 agency charged with the enforcement of immigration laws or the  
122 security of the borders, including ICE and the United States Customs  
123 and Border Protection, but does not include a warrant issued or signed  
124 by a judicial officer.

125 (2) "Civil immigration detainer" means a request from a federal  
126 immigration authority to a local or state law enforcement agency for a  
127 purpose including, but not limited to:

128 (A) Detaining an individual suspected of violating a federal  
129 immigration law or who has been issued a final order of removal;

130 (B) Facilitating the (i) arrest of an individual by a federal immigration  
131 authority, or (ii) transfer of an individual to the custody of a federal  
132 immigration authority;

133 (C) Providing notification of the release date and time of an  
134 individual in custody; and

135 (D) Notifying a law enforcement officer, through DHS Form I-247A,  
136 or any other form used by the United States Department of Homeland  
137 Security or any successor agency thereto, of the federal immigration  
138 authority's intent to take custody of an individual;

139 (3) "Confidential information" means any information obtained and  
140 maintained by a law enforcement agency relating to (A) an individual's  
141 (i) sexual orientation, or (ii) status as a victim of domestic violence or  
142 sexual assault, (B) whether such individual is a (i) crime witness, or (ii)  
143 recipient of public assistance, or (C) an individual's income tax or other

144 financial records, including, but not limited to, Social Security numbers;

145 (4) "Federal immigration authority" means any officer, employee or  
146 other person otherwise paid by or acting as an agent of ICE or any  
147 division thereof or any officer, employee or other person otherwise paid  
148 by or acting as an agent of the United States Department of Homeland  
149 Security or any successor agency thereto who is charged with  
150 enforcement of the civil provisions of the Immigration and Nationality  
151 Act;

152 (5) "ICE" means United States Immigration and Customs  
153 Enforcement or any successor agency thereto;

154 (6) "ICE access" means any of the following actions taken by a law  
155 enforcement officer with respect to an individual who is stopped by a  
156 law enforcement officer with or without the individual's consent,  
157 arrested, detained or otherwise under the control of a law enforcement  
158 official or agency:

159 (A) Responding to a civil immigration detainer or request for  
160 notification pursuant to subparagraph (B) of this subdivision  
161 concerning such individual;

162 (B) Providing notification to a federal immigration authority that  
163 such individual is being or will be released at a certain date and time  
164 through data sharing or otherwise;

165 (C) Providing a federal immigration authority nonpublicly available  
166 information concerning such individual regarding release date or time,  
167 home address or work address, whether obtained through a computer  
168 database or otherwise;

169 (D) Allowing a federal immigration authority to interview such  
170 individual under the control of the law enforcement agency;

171 (E) Allowing a federal immigration authority to use a facility or  
172 resources in the control of a law enforcement agency to conduct

173 interviews, administrative proceedings or other immigration  
174 enforcement activities concerning such individual; or

175 (F) Providing a federal immigration authority information regarding  
176 dates and times of probation or parole supervision or any other  
177 information related to such individual's compliance with the terms of  
178 probation or parole;

179 "ICE access" does not include submission by a law enforcement  
180 officer of fingerprints to the Automated Fingerprints Identification  
181 system of an arrested individual or the accessing of information from  
182 the National Crime Information Center by a law enforcement officer  
183 concerning an arrested individual;

184 (7) "Judicial officer" means any judge of the state or federal judicial  
185 branches and any federal magistrate judge. "Judicial officer" does not  
186 mean an immigration judge;

187 (8) "Law enforcement agency" means any agency for which a law  
188 enforcement officer is an employee of or otherwise paid by or acting as  
189 an agent of;

190 (9) "Law enforcement officer" means:

191 (A) Each officer, employee or other person otherwise paid by or  
192 acting as an agent of the Department of Correction;

193 (B) Each officer, employee or other person otherwise paid by or acting  
194 as an agent of a municipal police department;

195 (C) Each officer, employee or other person otherwise paid by or  
196 acting as an agent of the Division of State Police within the Department  
197 of Emergency Services and Public Protection; [and]

198 (D) Each judicial marshal, state marshal and adult or juvenile  
199 probation officer;

200 (E) Each state's attorney, assistant state's attorney, supervising state's

201 attorney, special deputy assistant state's attorney and each officer,  
202 employee or other person otherwise paid by or acting as an agent of the  
203 Division of Criminal Justice; and

204 (F) Each officer, employee or other person otherwise paid by or acting  
205 as an agent of the Board of Pardons and Paroles;

206 (10) "Bail commissioner or intake, assessment or referral specialist"  
207 means an employee of the Judicial Branch whose duties are described in  
208 section 54-63d; and

209 (11) "School police or security department" means any police or  
210 security department of (A) the constituent units of the state system of  
211 higher education, as defined in section 10a-1, (B) a public school, or (C)  
212 a local or regional school district.

213 (b) (1) No law enforcement officer, bail commissioner or intake,  
214 assessment or referral specialist, or employee of a school police or  
215 security department shall:

216 (A) Arrest or detain an individual pursuant to a civil immigration  
217 detainer unless (i) the detainer is accompanied by a warrant issued or  
218 signed by a judicial officer, (ii) the individual has been convicted of [a]  
219 (I) a violation of section 53-21, 53a-56a, 53a-64aa, 53a-71, 53a-72a, 53a-  
220 72b, 53a-90a, 53a-102a, 53a-196e, 53a-196f, 53a-196i, 53a-222 or 53a-223,  
221 or (II) any class A or B felony offense, or (iii) the individual is identified  
222 as a possible match in the federal Terrorist Screening Database or similar  
223 database;

224 (B) Expend or use time, money, facilities, property, equipment,  
225 personnel or other resources to communicate with a federal  
226 immigration authority regarding the custody status or release of an  
227 individual targeted by a civil immigration detainer, except as provided  
228 in subsection (e) of this section;

229 (C) Arrest or detain an individual based on an administrative  
230 warrant;

231 (D) Give a federal immigration authority access to interview an  
232 individual who is in the custody of a law enforcement agency unless the  
233 individual (i) has been convicted of [a] (I) a violation of section 53-21,  
234 53a-56a, 53a-64aa, 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-102a, 53a-196e,  
235 53a-196f, 53a-196i, 53a-222 or 53a-223, or (II) any class A or B felony  
236 offense, (ii) is identified as a possible match in the federal Terrorist  
237 Screening Database or similar database, or (iii) is the subject of a court  
238 order issued under 8 USC 1225(d)(4)(B); or

239 (E) Perform any function of a federal immigration authority, whether  
240 pursuant to 8 USC 1357(g) or any other law, regulation, agreement,  
241 contract or policy, whether formal or informal.

242 (2) The provisions of this subsection shall not prohibit submission by  
243 a law enforcement officer of fingerprints to the Automated Fingerprints  
244 Identification system of an arrested individual or the accessing of  
245 information from the National Crime Information Center by a law  
246 enforcement officer concerning an arrested individual.

247 Sec. 5. Subsection (a) of section 18-98d of the general statutes is  
248 repealed and the following is substituted in lieu thereof (*Effective October*  
249 *1, 2025*):

250 (a) (1) (A) Any person who is confined to a community correctional  
251 center or a correctional institution for an offense committed on or after  
252 July 1, 1981, and prior to October 1, 2021, under a mittimus or because  
253 such person is unable to obtain bail or is denied bail shall, if  
254 subsequently imprisoned, earn a reduction of such person's sentence  
255 equal to the number of days which such person spent in such facility  
256 from the time such person was placed in presentence confinement to the  
257 time such person began serving the term of imprisonment imposed;  
258 provided (i) each day of presentence confinement shall be counted only  
259 once for the purpose of reducing all sentences imposed after such  
260 presentence confinement; and (ii) the provisions of this section shall  
261 only apply to a person for whom the existence of a mittimus, an inability  
262 to obtain bail or the denial of bail is the sole reason for such person's

263 presentence confinement, except that if a person is serving a term of  
264 imprisonment at the same time such person is in presentence  
265 confinement on another charge and the conviction for such  
266 imprisonment is reversed on appeal, such person shall be entitled, in  
267 any sentence subsequently imposed, to a reduction based on such  
268 presentence confinement in accordance with the provisions of this  
269 section. In the case of a fine, each day spent in such confinement prior  
270 to sentencing shall be credited against the sentence at a per diem rate  
271 equal to the average daily cost of incarceration as determined by the  
272 Commissioner of Correction.

273 (B) Any person who is confined to a community correctional center  
274 or a correctional institution [for an offense committed] as a result of any  
275 charges in an information or indictment, including for an alleged  
276 violation of section 53a-32, filed on or after October 1, 2021, under a  
277 mittimus or because such person is unable to obtain bail or is denied bail  
278 shall, if subsequently imprisoned, earn a reduction of such person's  
279 sentence on each offense charged in such information or indictment  
280 equal to the number of days which such person spent in such facility  
281 from the time such person was placed in presentence confinement to the  
282 time such person began serving the term of imprisonment imposed;  
283 provided (i) each day of presentence confinement shall be counted  
284 equally in reduction of any concurrent sentence imposed for any offense  
285 pending at the time such sentence was imposed; (ii) each day of  
286 presentence confinement shall be counted only once in reduction of any  
287 consecutive sentence so imposed; and (iii) the provisions of this section  
288 shall only apply to a person for whom the existence of a mittimus, an  
289 inability to obtain bail or the denial of bail is the sole reason for such  
290 person's presentence confinement, except that if a person is serving a  
291 term of imprisonment at the same time such person is in presentence  
292 confinement on another charge and the conviction for which such  
293 imprisonment was imposed is reversed on appeal, such person shall be  
294 entitled, in any sentence subsequently imposed, to a reduction based on  
295 such presentence confinement in accordance with the provisions of this  
296 section. In the case of a fine, each day spent in such confinement prior

297 to sentencing shall be credited against the sentence at a per diem rate  
298 equal to the average daily cost of incarceration as determined by the  
299 Commissioner of Correction.

300 (C) Any person who is confined in a correctional institution, police  
301 station, county jail, courthouse lockup or any other form of  
302 imprisonment while in another state for a period of time solely due to a  
303 demand by this state on or after October 1, 2025, for the extradition of  
304 such person to face criminal charges in this state, shall, if subsequently  
305 imprisoned in the matter extradited for, earn a reduction of such  
306 person's sentence to a term of imprisonment, equal to the number of  
307 days such person was imprisoned in another state solely due to the  
308 pendency of the proceedings for such extradition.

309 (2) (A) Any person convicted of any offense and sentenced on or after  
310 October 1, 2001, to a term of imprisonment who was confined to a police  
311 station or courthouse lockup in connection with such offense because  
312 such person was unable to obtain bail or was denied bail shall, if  
313 subsequently imprisoned, earn a reduction of such person's sentence in  
314 accordance with subdivision (1) of this subsection equal to the number  
315 of days which such person spent in such lockup, provided such person  
316 at the time of sentencing requests credit for such presentence  
317 confinement. Upon such request, the court shall indicate on the  
318 judgment mittimus the number of days such person spent in such  
319 presentence confinement.

320 (B) Any person convicted of any offense and sentenced prior to  
321 October 1, 2001, to a term of imprisonment, who was confined in a  
322 correctional facility for such offense on October 1, 2001, shall be  
323 presumed to have been confined to a police station or courthouse lockup  
324 in connection with such offense because such person was unable to  
325 obtain bail or was denied bail and shall, unless otherwise ordered by a  
326 court, earn a reduction of such person's sentence in accordance with the  
327 provisions of subdivision (1) of this subsection of one day.

328 (C) The provisions of this subdivision shall not be applied so as to

329 negate the requirement that a person convicted of a first violation of  
330 subsection (a) of section 14-227a and sentenced pursuant to  
331 subparagraph (B)(i) of subdivision (1) of subsection (g) of said section  
332 serve a term of imprisonment of at least forty-eight consecutive hours.

333 Sec. 6. Section 54-192h of the general statutes is amended by adding  
334 subsection (h) as follows (*Effective October 1, 2025*):

335 (NEW) (h) A municipality may be subject to an action by any  
336 aggrieved person for injunctive or declaratory relief, including a  
337 determination of past violations, if an officer, employee or other person  
338 otherwise paid by or acting as an agent of such municipality's police  
339 department or of any school police or security department described in  
340 subparagraph (B) or (C) of subdivision (11) of subsection (a) of this  
341 section for the school district of such municipality violates any provision  
342 of this section. Such action may be brought in the superior court for the  
343 judicial district in which the municipality is located. If an aggrieved  
344 person prevails in an action under this subsection and an order of  
345 injunctive relief is issued, such aggrieved person may be entitled to  
346 recover court costs and reasonable attorney's fees associated only with  
347 an action or that portion of an action concerning a request and order for  
348 injunctive relief. An action under this subsection shall be privileged  
349 with respect to assignment for trial.

350 Sec. 7. Subdivision (1) of subsection (a) of section 51-277a of the  
351 general statutes is repealed and the following is substituted in lieu  
352 thereof (*Effective October 1, 2025*):

353 (a) (1) Whenever a peace officer, in the performance of such officer's  
354 duties, uses physical force upon another person and such person dies as  
355 a result thereof or uses deadly force, as defined in section 53a-3, as  
356 amended by this act, upon another person, the Division of Criminal  
357 Justice shall cause an investigation to be made and the Inspector General  
358 shall have the responsibility of determining whether the use of physical  
359 force by the peace officer was justifiable under section 53a-22, as  
360 amended by this act. The use of an electronic defense weapon, as

361 defined in section 53a-3, as amended by this act, by a peace officer shall  
362 not be considered deadly force for purposes of this section.

363 Sec. 8. Subdivision (6) of section 53a-3 of the general statutes is  
364 repealed and the following is substituted in lieu thereof (*Effective October*  
365 *1, 2025*):

366 (6) "Deadly weapon" means any weapon, whether loaded or  
367 unloaded, from which a shot may be discharged, or a switchblade knife,  
368 gravity knife, billy, blackjack, bludgeon, or metal knuckles. The  
369 definition of "deadly weapon" in this subdivision shall be deemed not  
370 to apply to section 29-38 or 53-206 and does not include an electronic  
371 defense weapon when used by a peace officer;

372 Sec. 9. Subsection (d) of section 53a-22 of the general statutes is  
373 repealed and the following is substituted in lieu thereof (*Effective October*  
374 *1, 2025*):

375 (d) A peace officer or an authorized official of the Department of  
376 Correction or the Board of Pardons and Paroles is justified in using a  
377 chokehold or other method of restraint applied to the neck area or that  
378 otherwise impedes the ability to breathe or restricts blood circulation to  
379 the brain of another person for the purposes specified in subsection (b)  
380 of this section only when he or she reasonably believes such use to be  
381 necessary to defend himself or herself or a third person from the use or  
382 imminent use of deadly physical force.

383 Sec. 10. Section 30-113 of the general statutes is repealed and the  
384 following is substituted in lieu thereof (*Effective October 1, 2025*):

385 Any person convicted of a violation of any provision of this chapter  
386 for which a specified penalty is not imposed [,] shall, for [each offense,  
387 be subject to any penalty set forth in section 30-55] a first violation, be  
388 guilty of a class C misdemeanor, and for any subsequent violation, be  
389 guilty of a class B misdemeanor.

390 Sec. 11. (NEW) (*Effective October 1, 2025*) (a) No person shall

391 knowingly allow a person who is not of the legal age for participation  
392 in online gaming and retail sports wagering to (1) open, maintain or use  
393 an account with an online gaming operator, or (2) make or attempt to  
394 make a wager on Internet games or with a sports wagering retailer.

395 (b) For purposes of this section, "online gaming operator", "Internet  
396 games" and "sports wagering retailer" have the same meanings as  
397 provided in section 12-850 of the general statutes.

398 (c) Any person who violates any provision of subsection (a) of this  
399 section shall be guilty of a class C misdemeanor."

|                                                                               |                 |                    |
|-------------------------------------------------------------------------------|-----------------|--------------------|
| This act shall take effect as follows and shall amend the following sections: |                 |                    |
| Section 1                                                                     | October 1, 2025 | 54-102j(a)         |
| Sec. 2                                                                        | October 1, 2025 | 19a-112a(d)        |
| Sec. 3                                                                        | October 1, 2025 | 53a-173            |
| Sec. 4                                                                        | October 1, 2025 | 54-192h(a) and (b) |
| Sec. 5                                                                        | October 1, 2025 | 18-98d(a)          |
| Sec. 6                                                                        | October 1, 2025 | 54-192h(h)         |
| Sec. 7                                                                        | October 1, 2025 | 51-277a(a)(1)      |
| Sec. 8                                                                        | October 1, 2025 | 53a-3(6)           |
| Sec. 9                                                                        | October 1, 2025 | 53a-22(d)          |
| Sec. 10                                                                       | October 1, 2025 | 30-113             |
| Sec. 11                                                                       | October 1, 2025 | New section        |