

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 26-130—HB 5563

Judiciary Committee

AN ACT CONCERNING VARIOUS CRIMINAL LAW AND CRIMINAL JUSTICE PROPOSALS, CERTIFICATES OF APPROVAL FOR AIRPORTS, HELIPORTS, VERTIPOINTS, RESTRICTED LANDING AREAS AND OTHER AIR NAVIGATION FACILITIES, POLICE COLLABORATION WITH SOCIAL WORKERS, SURVEILLANCE PRICING, EDUCATION COST SHARING AND WITHHOLDING OF TAXES FROM LUMP SUM PAYMENTS

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Requires POST to expand its guidance on police officer collaboration with social workers to include (1) the potential impact of this collaboration and (2) instances where it may or may not be feasible

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Expands the prohibition under PA 26-64, § 11, as amended by PA 26-100, § 44, to include all retail transactions, not just in-person ones

§§ 12-16 — LOCAL BUDGET AND TAX ADJUSTMENTS DUE TO INCREASED AID

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§ 17 — CORRECTION OMBUDS REPORTING ON DECISIONS NOT TO INVESTIGATE

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§ 18 — INCOME TAX WITHHOLDING FOR CERTAIN RETIREMENT INCOME DISTRIBUTIONS

Extends, by one year, the suspension of the income tax withholding requirement on lump sum distributions from pensions, annuities, and other specified sources

SUMMARY: This act makes changes to laws on retail theft and larceny, acknowledgement of parentage, navigation facility oversight, correctional institution prescription medication procedures, a corrections pilot program on discharge planning and care coordination, post-conviction DNA testing, crime victim statements, guidance for law enforcement on working with social workers, surveillance pricing, municipal budgeting for education, correction ombuds reporting, and income tax withholding. The changes are described in the following section-by-section analysis.

EFFECTIVE DATE: Various; see below.

§ 1 — ORGANIZED RETAIL THEFT

Expands the crime of organized retail theft by lengthening the time period, from 180 to 365 days, within which the \$2,000 threshold element of the crime must be reached; specifies that a person is guilty of being an accessory to organized retail theft by using certain online and electronic tools to receive, control, and dispose of the stolen property

By law, a person commits organized retail theft when, for financial gain, he or she works with at least one other person to shoplift retail property that has an aggregate value of more than \$2,000 and (1) does it within a specified time frame or (2) sells, delivers, or otherwise transfers it to a retail property fence. A fence is someone who buys retail property that he or she knows or should know is stolen with the intent to unlawfully distribute it or to promote, manage, carry on, or facilitate organized retail theft.

The act lengthens, from 180 to 365 days, the time period within which the person who shoplifts the property is guilty of this crime.

Under existing law, a person is an accessory to organized retail theft if he or she receives, possesses, conceals, stores, barter, sells, or otherwise disposes of the stolen property intending to (1) distribute the proceeds or (2) promote, manage, carry on, or facilitate organized retail theft. The act specifies this includes doing so through an online platform, Internet website, or electronic device.

By law, organized retail theft and accessory to organized theft are both class D felonies (see [Table on Penalties](#)). But if the financial benefit is \$10,000 or more, then it is a class C felony (see [Table on Penalties](#)).

EFFECTIVE DATE: October 1, 2026

§ 2 — NEW FORMS OF LARCENY: FOSTERING THE SALE OF STOLEN PROPERTY AND GIFT CARD CRIME

Establishes two new crimes as forms of larceny: (1) fostering the sale of stolen property and (2) gift card crimes, such as altering or tampering with a gift card

The act establishes the following two new crimes as forms of larceny (see *Background — Larceny*): (1) fostering the sale of stolen property and (2) gift card crimes, such as altering or tampering with a gift card.

Under the act, a person is guilty of “fostering the sale of stolen property” when he or she (1) hosts, advertises, or otherwise helps sell stolen property, including through an online platform, and (2) knows or believes that the property was stolen. This crime does not apply if the property is received, retained, or disposed of in order to give it back to the owner.

For a “a gift card crime,” a person is guilty under the act when, with intent to defraud, the person:

1. acquires or keeps a gift card or gift card redemption information without the consent of the cardholder or the gift card’s issuer or seller;
2. alters or tampers with a gift card or its packaging; or
3. devises a scheme to get a gift card or gift card information from a cardholder

or gift card issuer or seller by false or fraudulent pretenses, representations, or promises.

For this purpose, gift cards are physical or digital, closed-loop or open-loop gift cards that are activated or inactivated. Closed-loop gift cards are cards, codes, or devices on which consumers prepay a specified amount, but can only redeem at the specific merchant or group of affiliated merchants who issued it. Open-loop gift cards are redeemable at multiple unaffiliated merchants within a payment card network (Visa, for example).

EFFECTIVE DATE: October 1, 2026

Background — Larceny

By law, the punishment for larceny depends on the value of the property taken, generally ranging from a class C misdemeanor (see [Table on Penalties](#)) when the property value is up to \$500, to a class B felony (see [Table on Penalties](#)) when the property value exceeds \$20,000 (CGS §§ 53a-122 to -125b).

§ 3 — LIABILITY FOR SHOPLIFTING

Increases the maximum civil liability for punitive damages, from \$300 to \$1,000, for shoplifting certain goods or merchandise from a store or agricultural produce from real property; in cases where the plaintiff loses, eliminates the court's ability to award defendants up to \$300 in damages

The act increases the maximum civil liability for punitive damages, from \$300 to \$1,000, for an adult or emancipated minor who shoplifts, without the owner's consent and with the intent of not paying for them or altering their price, (1) goods or merchandise a store displays or (2) certain agricultural produce. As under existing law, the person taking the goods or merchandise is also liable for the actual and reasonable costs of (1) maintaining the civil action, including court costs and reasonable attorney's fees, and (2) the retail value of the goods, merchandise, or produce taken. Additionally, a larceny criminal conviction is not needed to maintain this civil action, but all actions must be brought within two years of the initial complaint. The act also eliminates the court's ability to award damages of up to \$300 to the defendant if the plaintiff loses. But as under existing law, the court may award the defendant costs and reasonable attorney's fees.

EFFECTIVE DATE: October 1, 2026

§ 4 — ACKNOWLEDGEMENT OF PARENTAGE

Adds an authorized DCF representative to the list of people and entities that DPH may give information to about an acknowledgement of parentage

The act adds an authorized Department of Children and Families (DCF) representative to the existing list of people and entities that the Department of Public Health (DPH) may give information to about an acknowledgement of parentage. But the information may only be given when it is requested for work on a matter pending in Superior Court for juvenile matters and the child's parentage is

outstanding. (PA 26-26, § 21, also allows an authorized DCF representative to receive this information, but without the limitation.)

By law, DPH keeps a parentage registry of completed acknowledgement of parentage forms. By law, this information may also be released to a court, a federal agency, an authorized representative of the Department of Social Services, or a child support agency, among others.

EFFECTIVE DATE: October 1, 2026

§ 5 — REGISTRATION FOR CERTAIN AIR NAVIGATION FACILITIES

Establishes a statutory registration process for smaller air navigation facilities; makes it a class C misdemeanor to operate these facilities in violation of the registration requirement and applies this penalty to existing law's prohibition on operating a larger facility without CAA first approving and licensing it; increases the air navigation facility licensure or renewal fee from \$150 to \$300

The act establishes a statutory registration process for smaller air navigation facilities by:

1. specifying that existing law's licensing requirements for airports, heliports, vertiports, restricted landing areas, and other air navigation facilities only apply to those where more than 36 combined aircraft landings and takeoffs are expected in any year (see *Background — Air Navigation Facility Licensing*);
2. explicitly authorizing the Connecticut Airport Authority (CAA) to register (and renew registrations for) facilities below this landings-takeoffs threshold; and
3. requiring that these facilities be registered with CAA before they are used or operated.

The act sets a \$100 registration or renewal fee for these smaller facilities and makes registrations effective for three years. Under the act, municipally owned or operated airports are not subject to registration fees. The act requires registrants to certify, on a CAA-provided form, that (1) the facility will comply with all applicable federal, state, and local laws and regulations during the registration period and (2) there will be 36 or fewer combined aircraft landings and takeoffs at the facility in any year during the registration period.

Under the act, it is a class C misdemeanor to operate a facility in violation of the registration requirement (see [Table on Penalties](#)). The act also applies this penalty to existing law's prohibition on operating a facility (that is above the landings-takeoffs threshold) without CAA first approving and licensing it. (As under existing law, these provisions do not apply to federally owned facilities.)

Additionally, beginning October 1, 2026, the act increases the air navigation facility licensure or renewal fee (for facilities above the landings-takeoffs threshold) from \$150 to \$300. As under existing law, licenses are effective for three years.

EFFECTIVE DATE: October 1, 2026

Background — Air Navigation Facility Licensing

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Under existing law, any proposed air navigation facility (for example, airports and heliports) where more than 36 combined aircraft landings and takeoffs are expected in any year must be approved by CAA before the authority licenses it according to specified criteria demonstrating the facility will provide or currently provides for safe aircraft operations. In practice, facilities below this threshold have voluntarily registered with CAA.

§ 6 — DOC INTAKE PROCEDURES AND PRESCRIPTION MEDICATIONS

Makes minor, clarifying changes to provisions in PA 26-40 on DOC's required actions after accepting prescription medications at a person's intake

PA 26-40, § 2 sets medication-related procedures that the Department of Correction (DOC) must follow during someone's intake to a correctional institution. Under that act, if the person has prescription medication in their possession, DOC must accept that medication to be stored and administered by appropriate department staff as prescribed.

This act specifies that DOC must accept, store, and possibly administer this medication (as prescribed), in line with the department's written policies and procedures to ensure patient safety.

EFFECTIVE DATE: October 1, 2026

§ 7 — DOC DISCHARGE PLANNING AND CARE COORDINATION PILOT

Moves up the start date of a DOC pilot program on discharge planning and care coordination at York Correctional Institution

PA 26-40, § 8, requires DOC and certain other agencies, within available appropriations, to begin a pilot program by October 1, 2027, to help with discharge planning and care coordination for people being released from York Correctional Institution.

This act moves up by one year the deadline for the agencies to begin the program, setting it at October 1, 2026. It correspondingly advances by one year the due date for the first required program report, making it now due January 15, 2028.

EFFECTIVE DATE: Upon passage

§ 8 — POST-CONVICTION DNA TESTING

Expands the timeframe in which people sentenced to prison may file post-conviction petitions for DNA testing of evidence and explicitly allows petition denials to be appealed

By law, anyone convicted of a crime and sentenced to prison may file a petition with the sentencing court requesting DNA testing of evidence (see *Background — Post-Conviction DNA Testing*). The act eliminates the requirement that these petitions be filed only while the person is incarcerated, also allowing them while the person is on probation or parole or otherwise under correctional jurisdiction or

supervision after the prison term ends.

The act also codifies existing practice by specifying that the denial of this kind of petition is a final judgment that can be appealed.

EFFECTIVE DATE: October 1, 2026

Background — Post-Conviction DNA Testing

By law, a sentenced defendant can file a petition requesting DNA testing of evidence that is in the possession or control of the Division of Criminal Justice, a law enforcement agency, a laboratory, or the Superior Court. The petitioner must state under penalties of perjury that the testing is related to the underlying investigation or prosecution and that the evidence they want tested contains biological evidence.

The court must notify the prosecutor and hold a hearing. If it finds, among other things, that the evidence still exists and can be tested, the court:

1. must order testing if a reasonable probability exists that the petitioner would not have been prosecuted or convicted if exculpatory results (evidence raising doubt about the defendant’s guilt) had been obtained through DNA testing and
2. may order testing if a reasonable probability exists that it will produce DNA results that would have altered the verdict or reduced the petitioner’s sentence.

§ 9 — VICTIM STATEMENT AND NOTIFICATION

Requires the court, before any proceeding to dismiss or nolle certain sexual and family violence-related charges, to allow the crime victim to state their opinion about the charge; requires victims to give a state’s attorney their contact information to be notified of the hearing

Victim Statement

Similar to what existing law requires for cases involving plea agreements, the act requires a court, before any proceeding to dismiss or nolle (the prosecutor chooses not to prosecute) a charge against the defendant for any of the offenses below, to allow the crime victim to state on the record his or her opinion about the charge being dismissed or nolle. As under existing law for this victim statement-related provision, a “victim” is a person who is a crime victim, his or her legal representative, a deceased victim’s immediate family member, or a decision maker designated by a deceased victim, with certain rights and obligations under the law.

Under the act, the court must allow the victim to make a statement related to the following offenses:

1. 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; aggravated sexual assault of a minor; commercial sexual abuse or sexual exploitation of a minor; incest; or impairing the morals of a child through sexual contact or transferring or receiving the custody of a child for payment;
2. 1st degree promotion of prostitution, enticing a minor or misrepresenting

- age to entice a minor, or human trafficking;
- 3. voyeurism, obscenity as to a minor, using or promoting a minor in an obscene performance, or harmful communication with a minor;
- 4. unlawful dissemination of an intimate image; importing child sexual abuse material; 1st, 2nd, or 3rd degree possession of child sexual abuse material; possessing or transmitting child sexual abuse material by a minor; or
- 5. any other offense that is (a) a nonviolent sexual offense or a sexually violent offense (these add a few crimes to those already listed, plus attempt, conspiracy, and accomplice liability for certain crimes) or (b) designated as a family violence crime (generally any crime that includes an element of family violence or violation of protective orders related to family violence).

Victim Notification

Existing law allows all crime victims to make a statement for the record before sentencing and on any plea agreement before its acceptance by the court. Previously, if the victim wished to make or submit a statement, he or she had to give a stamped, self-addressed postcard for the notification, in compliance with the state's attorney's request. The act instead requires the victim to give the state's attorney, assistant state's attorney, or deputy assistant state's attorney up-to-date contact information to be notified of the hearing.

EFFECTIVE DATE: January 1, 2027

§ 10 — ADDITIONAL GUIDANCE ON POLICE OFFICER COLLABORATION WITH SOCIAL WORKERS

Requires POST to expand its guidance on police officer collaboration with social workers to include (1) the potential impact of this collaboration and (2) instances where it may or may not be feasible

The act requires the Police Officer Standards and Training Council (POST) to add to its guidance to law enforcement units on police officer collaboration with social workers. (This guidance is currently published as part of POST General Notice 25-01.) Beginning October 1, 2026, the guidance must include (1) the potential impact of this collaboration and (2) instances where it may or may not be feasible, including when a social worker may respond to a call for assistance or accompany a police officer on certain calls for assistance.

EFFECTIVE DATE: Upon passage

§§ 11 & 19 — SURVEILLANCE PRICING

Expands the prohibition under PA 26-64, § 11, as amended by PA 26-100, § 44, to include all retail transactions, not just in-person ones

PA 26-64, § 11, as amended by PA 26-100, § 44, generally prohibits the use of surveillance pricing by third-party delivery services and retailers making in-person sales of tangible personal property. This act replaces those provisions with identical

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provisions except it expands the prohibition by eliminating the “in-person” limitation, applying it to all retail sales of tangible personal property.

Additionally, the act delays the effective date from February 1, 2027, to July 1, 2027.

EFFECTIVE DATE: July 1, 2027, except the repeal of provisions in PA 26-100, § 44, is effective upon passage.

§§ 12-16 — LOCAL BUDGET AND TAX ADJUSTMENTS DUE TO INCREASED AID

Adds certain conditions to municipalities’ and regional school boards’ ability to amend their adopted budgets and adjust tax levies if they receive more state aid for FY 27 than projected; eliminates the prohibition on using the supplemental state aid to supplant local funding; and excludes Bridgeport from these provisions

Conditions for Modifying Budgets (§§ 12 & 15)

The act modifies a provision in PA 26-68, § 178, to place additional constraints on certain towns’ and regional school boards’ ability to change their budgets and tax levies if the state’s budget provides more state aid than the board or municipality had projected. It also creates a second, similar mechanism to allow towns and boards who increased their local share of education funding from FY 26 to FY 27 to modify their adopted budgets or tax levies.

PA 26-68, § 178, allows municipalities (by vote of their legislative body or selectmen) and school boards to (1) amend their budget, in an amount not exceeding the increase in state aid to the board or municipality, and (2) by July 1, 2026, adjust tax levies and any remaining tax installments. The act amends this by prohibiting these local budget amendments from reducing the funding the municipality provided for education below the greater of the (1) amount of local funding provided for education in the original budget or (2) town or region’s FY 27 minimum budget requirement for education plus the amount of supplemental education funds provided to the town or region in PA 26-68, §§ 391 & 394. Generally, the minimum budget requirement law prohibits a town or regional board from decreasing its education budget from one year to the next, with limited exceptions.

The act adds a second option to amend local budgets that (1) applies to any town or regional school board that increased its local share in its FY 27 education budget and (2) unlike the method provided under PA 26-68, does not set a July 1, 2026, deadline to adjust tax levies. A town or board that increased its local share for its FY 27 budget over the previous year can adjust its adopted budget or tax levies to reduce the local share for FY 27. However, the resulting local share may not be less than the greater of (1) the amount of education funding in the town or region’s adopted budget or (2) its FY 26 education budget amount plus the supplemental education funding provided in PA 26-68, §§ 391 & 394.

Repealing the Nonsupplant Provisions (§§ 13 & 14)

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Generally state education aid to towns, such as the Education Cost Sharing grant, comes with the requirement that the state dollars cannot be used to replace (supplant) local tax dollars that would have supported education. In PA 26-68, the supplemental education funding for towns included a provision preventing the funds from being used to supplant local dollars. This act eliminates this provision.

Bridgeport Exclusion (§ 16)

The act excludes Bridgeport from the provisions that (1) place constraints on the provisions of PA 26-68, § 178, that allow towns and regional boards of education to modify their budgets; (2) create a second mechanism to allow towns to modify their education budgets; (3) exempt the supplemental funds from a town's minimum budget requirement; and (4) repeal the nonsupplant requirement. EFFECTIVE DATE: Upon passage

§ 17 — CORRECTION OMBUDS REPORTING ON DECISIONS NOT TO INVESTIGATE

Requires the correction ombuds to annually report on how many complaints he chose not to investigate with a summary of the reason why for each one

By law, the correction ombuds can choose not to investigate a complaint if he determines that the investigation is unwarranted and, in that case, he must inform the complainant of his determination in writing. PA 26-40, § 1, requires these complaints and decisions not to investigate to be confidential and exempt from the Freedom of Information Act (FOIA).

This act requires the ombuds, starting by December 31, 2026, to annually report to the Judiciary Committee on the number of complaints for which he determined an investigation was unwarranted, with a summary of the reason why in each case. The act specifies that this report is a public record under FOIA. EFFECTIVE DATE: Upon passage

§ 18 — INCOME TAX WITHHOLDING FOR CERTAIN RETIREMENT INCOME DISTRIBUTIONS

Extends, by one year, the suspension of the income tax withholding requirement on lump sum distributions from pensions, annuities, and other specified sources

Prior law suspended the income tax withholding requirement on lump sum distributions from pensions, annuities, and other specified sources from July 1, 2025, through December 31, 2026. The act extends this suspension through December 31, 2027. As under existing law, payers (for example, retirement plan servicers) must still withhold taxes from these distributions if the payee has requested it.

By law, a "lump sum distribution" is a payment greater than \$5,000 or more than 50% of the payee's entire account balance, whichever is less, excluding any other tax withholding and any administrative charges and fees.

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EFFECTIVE DATE: July 1, 2026