



General Assembly

Amendment

February Session, 2026

LCO No. 4990



Offered by:

REP. FISHBEIN, 90th Dist.

REP. HOWARD, 43rd Dist.

To: Subst. Senate Bill No. 397

File No. 399

Cal. No. 455

(As Amended)

**"AN ACT CONCERNING DEMOCRACY AND GOVERNMENT
ACCOUNTABILITY."**

1 Strike sections 6 and 7 in their entirety and insert the following in lieu
2 thereof:

3 "Sec. 6. (NEW) (*Effective from passage*) (a) As used in this section: (1)
4 "Federal immigration authority" has the same meaning as provided in
5 section 54-192h of the general statutes; and (2) "facial covering" means
6 any opaque mask, garment, helmet, headgear or other item that conceals
7 or obscures the facial identity of an individual, including, but not
8 limited to, a balaclava, tactical mask, gator, ski mask and any similar
9 type of facial covering or face-shielding item.

10 (b) A federal immigration authority, while carrying out the
11 enforcement of laws of the United States, shall not wear any facial
12 covering or personal disguise while interacting with the public in the

13 performance of such federal immigration authority's duties, except for
14 (1) a medical grade facial covering that is designed to protect the health
15 and safety of the federal immigration authority, provided protecting the
16 health and safety of the federal immigration authority does not include
17 protecting the identity of the federal immigration authority, (2) any
18 facial covering designed to prevent the transmission of airborne
19 diseases, (3) any facial covering designed to protect against exposure to
20 smoke during a fire-involved situation, (4) any facial covering necessary
21 to perform duties during a water rescue operation, (5) any facial
22 covering related to protection against exposure to biological or chemical
23 agents during an incident where such agents may be present, (6) any
24 facial covering protecting against freezing temperatures, provided such
25 facial covering is worn during an activity not requiring oral
26 communication with the public or a person sought to be placed in
27 custody, or (7) any facial covering necessary to perform duties during
28 an active undercover operation or assignment which have been
29 authorized to be worn by supervising personnel or court order.
30 Notwithstanding the provisions of this subsection, a federal
31 immigration authority assigned to a bomb squad, motorcycle unit or
32 specialized weapons and tactics team is permitted to utilize gear
33 necessary to protect such federal immigration authority's face and head
34 from physical harm while performing the duties associated with such
35 assignment. Any federal immigration authority who violates the
36 provisions of this subsection shall be guilty of a class D misdemeanor.

37 (c) In accordance with the provisions of section 7-294ii of the general
38 statutes, a federal immigration authority, who is conducting a planned
39 arrest or interacting with the public in such federal immigration
40 authority's official capacity and is authorized to make arrests, shall be
41 clearly identified by such federal immigration authority's badge and
42 name tag on the federal immigration authority's uniform, unless (1)
43 such federal immigration authority is performing duties during an
44 active undercover assignment authorized by supervising personnel, (2)
45 compliance is excused pursuant to the model policy adopted pursuant
46 to section 7-294ii of the general statutes, (3) compliance is excused

47 pursuant to a court order, or (4) while in the performance of such federal
48 immigration authority's duties, weather-related events or traffic safety
49 issues exist that prevent such federal immigration authority from
50 having a name tag or badge on such federal immigration authority's
51 outer garment. Any federal immigration authority who intentionally
52 violates the provisions of this subsection shall be guilty of a class D
53 misdemeanor.

54 (d) Notwithstanding any other law, any federal immigration
55 authority who is found to have committed an intentional tort of assault,
56 battery, false imprisonment, false arrest, abuse of process or malicious
57 prosecution pursuant to state law or 28 USC 2680(h), while wearing a
58 facial covering or personal disguise in a knowing and wilful violation of
59 this section, shall not be entitled to assert any privilege or immunity for
60 such federal immigration authority's tortious conduct against a claim of
61 civil liability.

62 Sec. 7. (NEW) (*Effective October 1, 2026*) (a) As used in this section:

63 (1) "Protected area" means any of the following buildings or locations,
64 including the grounds of such buildings or locations and any garages or
65 parking lots utilized in the operation of such buildings or locations,
66 irrespective of whether such garages or parking lots are contiguous to
67 the buildings or locations:

68 (A) A school, including, but not limited to, a preschool, primary or
69 secondary school, vocational school or college or university;

70 (B) A hospital licensed pursuant to the provisions of chapter 368v of
71 the general statutes or an urgent care center, as defined in section 19a-
72 493d of the general statutes;

73 (C) A place of worship or religious study;

74 (D) A playground, recreation center, child care center, before or after-
75 school care center, foster care facility, group home for children or school
76 bus stop when children are present;

77 (E) A social services establishment, including, but not limited to, a
78 crisis center, domestic violence shelter, victims services center, child
79 advocacy center, supervised visitation center, family justice center,
80 facility that serves disabled persons, homeless shelter, drug or alcohol
81 counseling and treatment facility, or food bank, pantry or other
82 establishment distributing food or other essentials of life to people in
83 need;

84 (F) A place where disaster or emergency response and relief is
85 provided, including, but not limited to, such places along evacuation
86 routes, where shelter or emergency supplies, food or water are being
87 distributed, or registration for disaster-related assistance or family
88 reunification is underway; or

89 (G) A cemetery or other place of internment for the deceased.

90 (2) "State facility" means any building, or part thereof, owned, leased,
91 occupied, controlled by or used for business by an office or agency of
92 the Executive Department, either directly or indirectly, including, but
93 not limited to, entities providing direct services on behalf of offices or
94 agencies, but not including state-owned property leased to a federal
95 entity. "State facility" includes the grounds of such facility and any
96 garages or parking lots utilized in the operation of such facility,
97 irrespective of whether such garages or parking lots are contiguous to
98 the facility.

99 (3) "Municipal facility" means any building or part thereof, owned,
100 leased, occupied, controlled by or used for business by a municipal
101 government, either directly or indirectly, including, but not limited to,
102 entities providing direct services on behalf of a municipal government.
103 "Municipal facility" includes the grounds of such facility and any
104 garages or parking lots utilized in the operation of such facility,
105 irrespective of whether such garages or parking lots are contiguous to
106 the facility.

107 (4) "Civil offense" means an offense for which a local, state or federal

108 civil proceeding is available to the charged individual to offer a defense.
109 "Civil offense" does not include any offense identified as an infraction
110 by the general statutes, a motor vehicle violation or an arrest allowed
111 (A) for an alleged violation of the criminal law of: (i) The state or another
112 jurisdiction within the United States, for which a sentence of a term of
113 imprisonment is authorized by law; or (ii) the United States, for which
114 a sentence of a term of imprisonment is authorized by law, and for
115 which federal law requires an initial appearance before a federal judge,
116 federal magistrate or other judicial officer, pursuant to the federal rules
117 of criminal procedure that govern initial appearances; (B) for contempt
118 of court; (C) for a *capias* issued by a judge; (D) in response to a warrant
119 for a violation of parole or probation; or (E) for commitment under
120 emergency certificate or other arrest permitted under chapter 319i of the
121 general statutes.

122 (b) No federal immigration authority, as defined in section 54-192h of
123 the general statutes, shall detain, arrest or otherwise take an individual
124 in a protected area, state facility or municipal facility into custody on the
125 basis of a civil offense, unless (1) such federal immigration authority is
126 acting in the federal immigration authority's official capacity, and (2) the
127 individual to be detained, arrested or otherwise taken into custody is
128 the subject of a judicial warrant.

129 (c) (1) Any individual aggrieved by a violation of this section may
130 bring a civil action for equitable relief or damages in the Superior Court.
131 A civil action brought for damages may be triable by jury.

132 (2) In any action pursuant to this section, the court may grant a
133 plaintiff such legal and equitable relief which it deems appropriate,
134 including, but not limited to, temporary or permanent injunctive relief,
135 punitive damages, attorney's fees and court costs."