



General Assembly

Amendment

February Session, 2026

LCO No. 6037



Offered by:

REP. STAFSTROM, 129th Dist.

SEN. KISSEL, 7th Dist.

SEN. WINFIELD, 10th Dist.

SEN. FLEXER, 29th Dist.

REP. FISHBEIN, 90th Dist.

REP. KAVROS DEGRAW, 17th Dist.

To: Subst. House Bill No. 5306

File No. 598

Cal. No. 401

"AN ACT CONCERNING SENTENCE REDUCTION OR RELIEF FOR SURVIVORS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, STALKING OR HUMAN TRAFFICKING."

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

3 "Section 1. Section 53a-39 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective January 1, 2027*):

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

11 (b) [On] Except as provided in subsection (g) of this section, on and
12 after October 1, 2021, at any time during the period of a sentence in

13 which a defendant has been sentenced prior to, on or after October 1,
14 2021, to an executed period of incarceration of more than seven years as
15 a result of a plea agreement, including an agreement in which there is
16 an agreed upon range of sentence, upon agreement of the defendant and
17 the state's attorney to seek review of the sentence, the sentencing court
18 or judge may, after hearing and for good cause shown, reduce the
19 sentence, order the defendant discharged, or order the defendant
20 discharged on probation or conditional discharge for a period not to
21 exceed that to which the defendant could have been originally
22 sentenced.

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

33 (d) [The] Except as provided in subsection (g) of this section, the
34 provisions of this section shall not apply to any portion of a sentence
35 imposed that is a mandatory minimum sentence for an offense which
36 may not be suspended or reduced by the court.

37 (e) At the time the defendant files a motion with the court, the
38 defendant shall provide the state with a copy of the motion and any
39 materials and documentation filed with the court in support of such
40 motion.

41 (f) At a hearing held by the sentencing court or judge under this
42 section, such court or judge shall permit any victim of the crime to
43 appear before the court or judge for the purpose of making a statement
44 for the record concerning whether or not the sentence of the defendant

45 should be reduced, the defendant should be discharged or the
46 defendant should be discharged on probation or conditional discharge
47 pursuant to subsection (a) or (b) of this section. In lieu of such
48 appearance, the victim may submit a written statement to the court or
49 judge and the court or judge shall make such statement a part of the
50 record at the hearing. For the purposes of this subsection, "victim"
51 means the victim, the legal representative of the victim or a member of
52 the deceased victim's immediate family.

53 (g) (1) For purposes of this subsection, (A) "survivor" means an adult
54 or child who has been a victim of domestic violence, sexual assault,
55 stalking, or trafficking in persons; (B) "domestic violence" has the same
56 meaning as provided in subsection (b) of section 46b-1; (C) "sexual
57 assault" means any act that constitutes a violation of section 53a-70b of
58 the general statutes, revision of 1958, revised to January 1, 2019, or
59 section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a; (D)
60 "stalking" means any act that constitutes a violation of section 53a-181c,
61 53a-181d, 53a-181e or 53a-181f; (E) "trafficking in persons" means
62 trafficking in persons under section 53a-192a or a criminal violation of
63 18 USC Chapter 77, as amended from time to time; and (F) "significant
64 contributing factor" means that there is a substantial likelihood that the
65 abuse suffered by the survivor influenced the survivor's commission of
66 the crime. In determining whether the abuse suffered by the survivor
67 was a significant contributing factor, the court may consider the
68 cumulative impact of the abuse suffered by the survivor together with
69 the events immediately surrounding the crime.

70 (2) In addition to any other evidence that a defendant filing a motion
71 for sentence modification pursuant to subsections (a) and (b) of this
72 section may present, a defendant shall have the opportunity to present
73 evidence demonstrating that (A) the defendant is a survivor of domestic
74 violence, sexual assault, stalking or trafficking in persons, and (B) the
75 defendant being a victim of domestic violence, sexual assault, stalking
76 or trafficking in persons was a significant contributing factor in the
77 commission of the offense.

78 (3) Regardless of whether the defendant is subject to a mandatory
 79 minimum sentence, except any sentence that is life imprisonment
 80 without the possibility of release, if the court finds by clear and
 81 convincing evidence that (A) the defendant is a survivor of domestic
 82 violence, sexual assault, stalking or trafficking in persons, and (B) the
 83 defendant being a victim of domestic violence, sexual assault, stalking
 84 or trafficking in persons was a significant contributing factor in the
 85 commission of the offense, the court may reduce the sentence. No
 86 defendant may receive a sentence modification pursuant to this
 87 subsection if the defendant's original sentence was reduced as a result
 88 of the defendant being a victim of domestic violence, sexual assault,
 89 stalking or trafficking in persons.

90 (4) Nothing in this subsection shall preclude a defendant from
 91 seeking or obtaining relief under section 51-195, 51-196, 54-95c, 54-125a
 92 or 54-130a or any other statute pertaining to sentence reduction relief.

93 (h) Any modification of a sentence pursuant to this section shall not
 94 constitute evidence for purposes of a claim for compensation under
 95 section 54-102uu."

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2027	53a-39