



# House of Representatives

General Assembly

**File No. 474**

January Session, 2015

Substitute House Bill No. 6863

*House of Representatives, April 7, 2015*

The Committee on Public Health reported through REP. RITTER of the 1st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE ENFORCEMENT OF ORDINANCES.**

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

1 Section 1. Subsection (a) of section 54-1f of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2015*):

4 (a) For purposes of this section, the respective precinct or  
5 jurisdiction of a state marshal or judicial marshal shall be wherever  
6 such marshal is required to perform duties. Peace officers, as defined  
7 in subdivision (9) of section 53a-3, in their respective precincts, shall  
8 arrest, without previous complaint and warrant, any person for any  
9 offense in their jurisdiction, when the person is taken or apprehended  
10 in the act or on the speedy information of others, provided that no  
11 constable elected pursuant to the provisions of section 9-200 shall be  
12 considered a peace officer for the purposes of this subsection, unless  
13 the town in which such constable holds office provides, by ordinance,  
14 that constables shall be considered peace officers for the purposes of  
15 this subsection. No peace officer shall pursue a person outside of the

16 peace officer's precinct for the purpose of enforcing a municipal  
17 ordinance.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	54-1f(a)

**Statement of Legislative Commissioners:**

On line 15, "an offender" was changed to "a person", for internal consistency.

**PH**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which prohibits peace officers from pursuing someone outside their district for the purpose of enforcing a municipal ordinance, has no fiscal impact. It is not expected to significantly reduce the number of people who are fined or arrested for violating municipal ordinances.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****sHB 6863*****AN ACT CONCERNING THE ENFORCEMENT OF ORDINANCES.*****SUMMARY:**

This bill prohibits a peace officer from pursuing a person outside of the officer's precinct to enforce a municipal ordinance.

EFFECTIVE DATE: October 1, 2015

**BACKGROUND*****Peace Officers***

By law, "peace officers" are state or local police officers, Criminal Justice Division inspectors, state or judicial marshals performing their duties, conservation or special conservation officers, constables who perform criminal law enforcement duties, appointed special policemen, adult probation officers, Department of Correction (DOC) officials authorized to make arrests in DOC facilities, Treasurer's Office investigators, federal narcotics agents, and certain tribal law enforcement officers (CGS § 53a-3).

***Arrest Authority Outside Precincts***

Existing law limits the authority of peace officers to arrest someone outside of their precincts. For example, outside their towns, local police officers may only arrest someone without a warrant if the officer:

1. crosses town lines while in immediate pursuit of someone the officer has authority to arrest within his or her town or
2. has reasonable grounds to believe the person committed or is committing a felony (CGS § 54-1f).

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 27 Nay 0 (03/23/2015)