



General Assembly

**Substitute Bill No. 6377**

January Session, 2021



**AN ACT CONCERNING LABOR PEACE AGREEMENTS AND A  
MODERN AND EQUITABLE CANNABIS WORKFORCE.**

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

1 Section 1. (NEW) (*Effective from passage*) As used in this section and  
2 sections 2 to 33, inclusive, of this act, sections 36 and 37 of this act,  
3 sections 47 to 50, inclusive, of this act, and sections 54 to 59, inclusive, of  
4 this act, unless the context otherwise requires:

5 (1) "Cannabis" means cannabis type substances, as defined in section  
6 21a-240 of the general statutes;

7 (2) "Consumer" means an individual who is twenty-one years of age  
8 or older;

9 (3) "Cultivation" has the same meaning as provided in section 21a-  
10 408 of the general statutes;

11 (4) "Distribute" has the same meaning as provided in section 21a-240  
12 of the general statutes;

13 (5) "Laboratory" means a laboratory located in the state that is  
14 licensed to provide analysis of controlled substances pursuant to section  
15 21a-246 and 21a-408r of the general statutes;

16 (6) "Cannabis concentrate" includes tinctures and extracts;

17 (7) "Cannabis cultivation facility" means a facility licensed to  
18 cultivate, prepare and package cannabis and sell cannabis to cannabis  
19 product manufacturing facilities, cannabis retailers and other cannabis  
20 cultivation facilities;

21 (8) "Cannabis establishment" or "cannabis business" means any  
22 cannabis business licensed or seeking licensure by the Cannabis Control  
23 Commission under section 13 of this act;

24 (9) "Cannabis lounge" means a type of social consumption  
25 establishment approved for the exclusive or principal purpose of selling  
26 cannabis or cannabis products for consumption on the premises, except  
27 by smoking;

28 (10) "Cannabis product" means a cannabis concentrate or a product  
29 that is comprised of cannabis or cannabis concentrates and other  
30 ingredients and is intended for use or consumption;

31 (11) "Cannabis product manufacturing facility" means a facility  
32 licensed to purchase cannabis, manufacture, prepare and package  
33 cannabis products and sell cannabis and cannabis products to cannabis  
34 product manufacturing facilities and cannabis retailers;

35 (12) "Cannabis retailer" means a person licensed (A) to purchase  
36 cannabis from cannabis cultivation facilities, (B) to purchase cannabis  
37 and cannabis products from cannabis product manufacturing facilities,  
38 and (C) to sell cannabis and cannabis products to consumers;

39 (13) "Cannabis microbusiness" means a vertically integrated cannabis  
40 business that does not have more than ten thousand total square feet of  
41 space dedicated to the cultivation of cannabis plants or the manufacture  
42 of cannabis products and that is (A) licensed to cultivate, process and  
43 distribute cannabis and cannabis products to cannabis retailers and to  
44 deliver its own cannabis or cannabis products directly to consumers  
45 pursuant to a single license, and (B) eligible for approval as a social

46 consumption establishment;

47 (14) "Bona fide labor organization" means a labor union (A) that  
48 represents employees in this state with regard to wages, hours and  
49 working conditions, (B) whose officers have been elected by a secret  
50 ballot or otherwise in a manner consistent with federal law, (C) that is  
51 free of domination or interference by any employer, (D) that has  
52 received no improper assistance or support from any employer, and (E)  
53 that is actively seeking to represent cannabis workers in this state;

54 (15) "Equity" and "equitable" mean or refer to efforts, regulations,  
55 policies, programs, standards, processes and any other functions of  
56 government or principles of law and governance intended to: (A)  
57 Identify and remedy past and present patterns of discrimination and  
58 disparities of race, ethnicity, gender and sexual orientation; (B) ensure  
59 that such patterns of discrimination and disparities, whether intentional  
60 or unintentional, are neither reinforced nor perpetuated; and (C)  
61 prevent the emergence and persistence of foreseeable future patterns of  
62 discrimination or disparities of race, ethnicity, gender and sexual  
63 orientation;

64 (16) "Equity applicant" means an applicant for a license issued by the  
65 Cannabis Control Commission who shall have priority eligibility for  
66 licensure based on criteria and qualifications established pursuant to  
67 section 13 of this act;

68 (17) "Labor peace agreement" means an agreement between a  
69 cannabis establishment and a bona fide labor organization that protects  
70 the state's interests by, at a minimum, prohibiting the labor organization  
71 from engaging in picketing, work stoppages or boycotts against the  
72 cannabis establishment;

73 (18) "Social consumption establishment" means a facility or venue or  
74 a dedicated part of a facility or venue that is (A) approved to sell  
75 cannabis or cannabis products to consumers for consumption on the  
76 premises of the facility or venue, except by smoking, or (B) approved to

77 allow consumers to bring cannabis or cannabis products to the premises  
78 of the facility or venue for the exclusive purpose of personal  
79 consumption on the premises of the facility or venue, except by  
80 smoking, without the intent to sell, distribute for compensation of any  
81 kind or engage in any other manner of commercial transaction involving  
82 cannabis or cannabis products; and

83 (19) "Cannabis Control Commission" means the commission  
84 established pursuant to section 8 of this act.

85 Sec. 2. (NEW) (*Effective from passage*) (a) The sum of five million  
86 dollars is appropriated to the Department of Economic and Community  
87 Development from the General Fund, for each fiscal year ending June  
88 30, 2022, to June 30, 2026, inclusive, for the following purposes:

89 (1) To provide grants-in-aid to create, support and deliver workforce  
90 training, education and other programs that prepare individuals with  
91 an adverse criminal history related to cannabis and who reside in the  
92 state or on tribal lands within the state to participate in the lawful  
93 cannabis business sector and in secondary industries that directly  
94 support such sector. The grants-in-aid provided pursuant to this section  
95 may be directed toward workforce training providers, educational  
96 institutions, economic development and human services agencies, labor  
97 unions, private employers, not-for-profit community organizations,  
98 not-for-profit economic development organizations, local governments  
99 and other public and private entities as identified by the Department of  
100 Economic and Community Development, in consultation with the  
101 Labor Department, the Black and Puerto Rican Caucus of the General  
102 Assembly, the Governor's Workforce Council, the Cannabis Control  
103 Commission and the Office of Justice Reinvestment established  
104 pursuant to section 18 of this act.

105 (2) To provide grants-in-aid or low-interest loans in support of equity  
106 among new small cannabis businesses operating in the state or on tribal  
107 lands within the state and that commit to engaging in substantial  
108 workforce development, apprenticeships or on-the-job training and

109 education, in ways generally consistent with the provisions of  
110 subdivision (1) of this subsection for individuals with an adverse  
111 criminal history related to cannabis.

112 (3) To provide grants-in-aid and loans to municipalities, community  
113 development corporations and other public or private entities for the  
114 purpose of rehabilitating disused or abandoned industrial and  
115 commercial facilities and remediating brownfields, provided such  
116 facilities and remediated areas are reserved for the use of cannabis  
117 equity applicants and licensees, pursuant to section 13 of this act and  
118 any regulations adopted pursuant to said section, and to support  
119 environmental justice in communities of color and low-income  
120 communities.

121 (4) To support the administration of such grants-in-aid, which may  
122 include the hiring of additional staff, contracting with vendors,  
123 engaging in public outreach and education and the funding of any other  
124 measures that the Commissioner of Economic and Community  
125 Development deems necessary to ensure that grants and loans issued  
126 pursuant to this section are provided in an equitable manner and are  
127 spent in compliance with regulations adopted pursuant to this section.

128 (b) The Commissioner of Economic and Community Development  
129 shall adopt regulations, in accordance with the provisions of chapter 54  
130 of the general statutes, and shall issue guidance and create such forms  
131 and procedures as the commissioner deems reasonable and necessary to  
132 ensure that grants-in-aid funded pursuant to the provisions of this  
133 section are distributed in an equitable manner and are used in a cost-  
134 effective manner for their intended purpose.

135 (c) For five consecutive years, beginning with the fiscal year ending  
136 June 30, 2022, funds disbursed under subsection (a) of this section shall  
137 be disbursed exclusively to individuals, organizations or public  
138 municipal entities that are located in any one or more of the following  
139 twelve municipalities: Hartford, New Haven, Bridgeport, Waterbury,  
140 New London, Windham, New Britain, Bloomfield, Norwalk,

141 Torrington, Ansonia and Derby.

142 (d) After the five-year exclusivity period under subsection (c) of this  
143 section, funds may be disbursed in accordance with the provisions of  
144 subsection (a) of this section to individuals, organizations or municipal  
145 entities in any municipality, including any municipality set forth in  
146 subsection (c) of this section.

147 Sec. 3. (NEW) (*Effective from passage*) (a) On and after one year after  
148 the effective date of this section, in order for the state to relieve  
149 employees, job seekers, employers and businesses of the unjustified  
150 stigmatization of cannabis and to further support the establishment of a  
151 modernized and equitable cannabis business sector, the following  
152 nondiscrimination and antiretaliation protections shall apply to all  
153 employers:

154 (1) No employer may implement a policy prohibiting the possession,  
155 use or other consumption of cannabis in the course of employment by  
156 an employee unless such policy is: (A) In writing, (B) equally applicable  
157 to each employee, (C) made available to each employee prior to the  
158 enactment of such policy, and (D) directly related to a clear business  
159 necessity. The employer shall provide any such written policy to each  
160 prospective employee at the time the employer makes an offer of  
161 employment to the prospective employee.

162 (2) No employer or agent of any employer shall require, as a  
163 condition of employment, that any employee or prospective employee  
164 refrain from using cannabis outside the course of his or her  
165 employment, or otherwise discriminate against any employee with  
166 respect to compensation, terms, conditions or privileges of employment  
167 for using cannabis outside the course of his or her employment.

168 (3) No employer or agent of any employer shall discriminate against  
169 any employee or prospective employee on the basis of his or her prior,  
170 current or future involvement in lawful cannabis commerce in this state  
171 or in any other state, territory, district, tribal land or other jurisdiction.

172 (4) No employer or agent of any employer shall retaliate against any  
173 employee or prospective employee for alleging a violation of any part  
174 of this section or assisting in any investigation of an alleged violation of  
175 any part of this section, or for assisting another employee or prospective  
176 employee in seeking to redress an alleged violation of any part of this  
177 section.

178 (b) The provisions of this section shall not apply to any position or  
179 condition of employment governed by federal law or regulation that  
180 preempts any provision of this section with regard to an employee's  
181 possession, use or other consumption of cannabis or involvement in  
182 lawful cannabis commerce.

183 (c) If an employer has violated any provision of this section and is not  
184 otherwise exempted by subsection (b) of this section or other  
185 superseding provision of state, federal or tribal law, an individual  
186 aggrieved by such violation may bring a civil action for compensatory  
187 damages and judicial enforcement of such provision in the superior  
188 court for the judicial district where the violation is alleged to have  
189 occurred or where the employer has its principal office. Any such  
190 individual who prevails in such civil action shall be awarded reasonable  
191 attorney's fees and costs.

192 Sec. 4. (NEW) (*Effective from passage*) There is established a cannabis  
193 equity task force whose purpose shall be to study, make findings of fact  
194 for and issue recommendations to the General Assembly and the  
195 Governor regarding equity, as such findings and recommendations are  
196 relevant to the establishment and regulation of cannabis cultivation,  
197 manufacture and sale as a lawful and modern business sector in the  
198 state. The task force shall be composed of seven commissioners, four of  
199 whom shall be appointed by the Black and Puerto Rican Caucus of the  
200 General Assembly, one of whom shall be the Labor Commissioner, or  
201 the commissioner's designee, one of whom shall be the Commissioner  
202 of Consumer Protection, or the commissioner's designee, and one of  
203 whom shall be the Commissioner of Economic and Community  
204 Development, or the commissioner's designee. The task force shall elect

205 a chairperson from among its commissioners. Except for the Labor  
206 Commissioner and the Commissioners of Consumer Protection and  
207 Economic and Community Development, any commissioner may be  
208 removed by such commissioner's appointing authority at any time and  
209 a replacement shall be appointed not later than fourteen days after the  
210 date of such commissioner's removal. No commissioner appointed by  
211 the Black and Puerto Rican Caucus of the General Assembly may have  
212 any present or pending financial or managerial interest in any cannabis  
213 establishment or other cannabis business in this state and shall have  
214 entirely divested themselves of any financial or managerial interest such  
215 person had in any cannabis establishment or other cannabis business in  
216 this state not less than fourteen days prior to accepting an appointment  
217 as a commissioner. The equity task force shall establish such rules for  
218 the task force's meetings and governance as the task force deems  
219 reasonable and necessary to carry out the purpose described in this  
220 section and sections 5 and 6 of this act, provided a quorum of not less  
221 than four commissioners shall be required to be present for any binding  
222 vote of the task force.

223       Sec. 5. (NEW) (*Effective from passage*) Not later than one year after the  
224 appointment of the seventh commissioner to the cannabis equity task  
225 force pursuant to section 4 of this act, said task force shall issue a written  
226 report, in accordance with the provisions of section 11-4a of the general  
227 statutes, to the General Assembly and the Governor, with detailed  
228 findings of fact regarding the following matters in the state:

229       (1) Historical and present-day social, economic and familial  
230 consequences of cannabis prohibition, the criminalization and  
231 stigmatization of cannabis use and related public policies;

232       (2) Historical and present-day structures, patterns, causes and  
233 consequences of intentional and unintentional racial discrimination and  
234 racial disparities in the development, application and enforcement of  
235 cannabis prohibition and related public policies;

236       (3) Foreseeable long-term social, economic and familial consequences



237 of unremedied past racial discrimination and disparities arising from  
238 past and continued cannabis prohibition, stigmatization and  
239 criminalization;

240 (4) Existing patterns of racial discrimination and racial disparities in  
241 access to entrepreneurship, employment and other economic benefits  
242 arising in the lawful palliative use cannabis sector as established  
243 pursuant to chapter 420f of the general statutes; and

244 (5) Any other matters that the task force deems relevant and feasible  
245 for study for the purpose of making reasonable and practical  
246 recommendations for the establishment of an equitable and lawful  
247 adult-use cannabis business sector in this state.

248 Sec. 6. (NEW) (*Effective from passage*) (a) Simultaneous with the  
249 issuance of the detailed findings of fact pursuant to section 5 of this act,  
250 and based upon such findings, the cannabis equity task force shall issue  
251 specific recommendations for legislation, the adoption or amendment  
252 of regulations, executive orders, programs, agencies, commissions,  
253 grants, financial instruments and any other tools of governance, public  
254 policy and public or private finance and investment that it deems:

255 (1) Necessary and feasible for the General Assembly and the  
256 Governor to implement in order to create and regulate an equity-based  
257 and lawful adult-use cannabis business sector;

258 (2) Necessary and feasible to remedy and uproot past and present  
259 patterns of racial and other forms of unlawful discrimination arising  
260 directly or indirectly from cannabis prohibition, stigmatization, and  
261 criminalization; and

262 (3) Necessary and feasible for the General Assembly and the  
263 Governor to improve and achieve equity within the palliative-use  
264 cannabis sector established pursuant to chapter 420f of the general  
265 statutes.

266 (b) The cannabis equity task force shall also issue recommendations

267 regarding:

268 (1) The criteria and regulatory structure the Cannabis Control  
269 Commission should use when defining "equity applicant" and "equity  
270 applicant ownership of a cannabis business", for purposes of licensure.  
271 Such recommendations shall include, but not be limited to:

272 (A) (i) Criteria an individual or business should meet to be classified  
273 as an equity applicant or business; (ii) benefits and responsibilities that  
274 should accompany such classification; and (iii) limitations and controls  
275 the commission should impose on the ownership, transfer and sale of  
276 businesses receiving the benefits of equity-related licensure;

277 (B) The amount of capital and overall number of cannabis businesses  
278 needed to sustain an equitable cannabis business sector and workforce  
279 composition in the state; and

280 (C) The amendment of cannabis-related criminal statutes, penalties  
281 and related collateral civil consequences of convictions.

282 Sec. 7. (NEW) (*Effective from passage*) The cannabis equity task force  
283 shall have a budget of five hundred thousand dollars allocated from the  
284 General Fund. From such budget, the task force shall contract with  
285 researchers and research organizations and may hire staff and otherwise  
286 purchase goods and services in order to carry out its duties and  
287 purposes pursuant to this section and sections 4 to 6, inclusive, of this  
288 act, in a thorough and timely manner. In selecting researchers and  
289 research organizations to conduct a study pursuant to section 4 of this  
290 act, the task force shall prioritize the hiring of researchers and research  
291 organizations with substantial experience in qualitative and  
292 quantitative research related to race and racial disparities, including, but  
293 not limited to, quantifying the economic and social impact of racism and  
294 racial discrimination. The task force shall prioritize the hiring of  
295 research organizations that are certified minority-owned businesses  
296 operating in the state. No part of this section shall be interpreted to limit  
297 the number or areas of knowledge and expertise of researchers and

298 research organizations that the task force may hire. The task force shall  
299 be responsible for supervising and managing all hires made pursuant to  
300 this section. Any moneys remaining after the completion of duties of the  
301 task force pursuant to this section and sections 4 to 6, inclusive, of this  
302 act shall be retained in trust and remitted to the Cannabis Control  
303 Commission to support the commission's first year of operations.

304       Sec. 8. (NEW) (*Effective from passage*) (a) Not later than six months  
305 after the date the cannabis equity task force issues findings of fact and  
306 recommendations pursuant to section 5 of this act, there shall be  
307 appointed and seated a Cannabis Control Commission, composed of  
308 five commissioners. Two of the commissioners of the commission shall  
309 be appointed by the Black and Puerto Rican Caucus of the General  
310 Assembly and the remaining commissioners shall be the Labor  
311 Commissioner and the Commissioners of Consumer Protection and  
312 Economic and Community Development, or a qualified designee of  
313 such commissioners. The commissioners appointed by the Black and  
314 Puerto Rican Caucus shall be appointed for a two-year term, renewable  
315 by such caucus at the end of each such term. Each commissioner  
316 appointed by the Black and Puerto Rican Caucus shall receive a base  
317 salary of not less than one hundred thousand dollars annually and may  
318 be removed by the caucus for cause at any time. No vacancy on the  
319 commission shall be permitted for longer than thirty consecutive days.

320       (b) The commission shall employ an executive director and may  
321 establish, alter and remove subordinate offices within said commission.  
322 Said commission may hire staff, contract with personnel and vendors,  
323 establish an operational budget, expend moneys, communicate with the  
324 general public and carry out all other ordinary duties and activities of a  
325 regulatory agency.

326       (c) The commission shall establish rules for its operations and  
327 decision-making, provided no decisions of public policy shall be made  
328 without a properly convened quorum, which shall consist of a  
329 minimum of three commissioners.

330       Sec. 9. (NEW) (*Effective from passage*) (a) The Cannabis Control  
331 Commission shall be an independent regulatory agency and shall have  
332 exclusive regulatory authority and oversight over all aspects of the  
333 cultivation, production, distribution, transport, sale and other  
334 commerce in cannabis and cannabis products for nonpalliative and  
335 nonmedical use, except as expressly provided in sections 13, 15, 16 and  
336 23 of this act. Nothing in said sections shall prevent the commission  
337 from cooperating with other departments, agencies or state or local  
338 authorities, provided the commission may not delegate final decision-  
339 making authority on any matter of regulation, public policy, licensure,  
340 funding, inspection, compliance or discipline under the commission's  
341 jurisdiction to any authority or body outside of the commission and the  
342 commission's subordinate offices.

343       (b) The commission may, consistent with sections 9 to 31, inclusive,  
344 of this act, adopt regulations in accordance with the provisions of  
345 chapter 54 of the general statutes, to establish a system of licenses for  
346 commerce in cannabis, investigate applicants, licensees and other  
347 relevant persons, set standards, set and waive fees, hold administrative  
348 hearings, impose discipline and otherwise take such measures and  
349 exercise such regulatory powers as necessary to establish a modern,  
350 well-regulated cannabis business sector, ensure equity in all aspects of  
351 the sector and protect public safety and public health related to the use  
352 of cannabis.

353       (c) The commission, in carrying out its duties and exercising its  
354 authority pursuant to this section and sections 11, 13, 16 to 20, inclusive,  
355 26, 27 and 31 of this act, shall adopt the findings of fact and seek to  
356 implement the recommendations issued by the cannabis equity task  
357 force pursuant to section 5 of this act. The commission and the Office of  
358 Justice Reinvestment, established pursuant to section 18 of this act, shall  
359 report, in accordance with the provisions of section 11-4a of the general  
360 statutes, every six months to the Governor and General Assembly on the  
361 commission's progress toward implementation of the recommendations  
362 of the cannabis equity task force, until such time as all such

363 recommendations are fulfilled. The commission shall make such reports  
364 available to the public.

365       Sec. 10. (NEW) (*Effective from passage*) If any provision of sections 3 to  
366 32, inclusive, of this act or any provision of any regulation adopted  
367 pursuant to section 2, 9, 13, 22 or 29 of this act conflicts with any  
368 provision of chapter 420f of the general statutes, the provisions of said  
369 sections shall prevail.

370       Sec. 11. (NEW) (*Effective from passage*) No person or entity licensed by  
371 the Cannabis Control Commission may hold itself out as providing for  
372 the palliative use of marijuana or cannabis, as defined in chapter 420f of  
373 the general statutes, or otherwise provide for the medical use of  
374 cannabis, unless licensed by the Department of Consumer Protection  
375 pursuant to said chapter and regulations adopted pursuant to said  
376 chapter. Nothing in this section shall be interpreted as prohibiting a  
377 holder of a license under section 13 of this act from concurrently holding  
378 a license issued pursuant to chapter 420f of the general statutes.

379       Sec. 12. (NEW) (*Effective from passage*) The Cannabis Control  
380 Commission shall not adopt or implement any regulation, standard,  
381 policy, application, process or other requirement that prohibits  
382 individuals from participating in or obtaining licensure in the lawful  
383 cannabis business sector on the basis of either an arrest or a conviction  
384 for: (1) Any cannabis-related offense in any jurisdiction, or (2) a  
385 misdemeanor drug offense of any type in any jurisdiction.

386       Sec. 13. (NEW) (*Effective from passage*) (a) Not later than one year after  
387 the establishment of the Cannabis Control Commission pursuant to  
388 section 8 of this act, the commission shall establish, set standards for,  
389 issue and regulate to following seven types of licenses:

390       (1) Licenses authorizing the cultivation and production of cannabis;

391       (2) Licenses authorizing the manufacture of cannabis products  
392 intended for sale;

393 (3) Licenses authorizing the retail sale of cannabis and cannabis  
394 products to consumers;

395 (4) Licenses authorizing laboratories for the testing of cannabis,  
396 pursuant to standards and requirements established by the commission;

397 (5) Licenses authorizing businesses that deliver cannabis and  
398 cannabis products directly to consumers at a residential address from  
399 one or more licensed cannabis retailers;

400 (6) Licenses authorizing microbusinesses; and

401 (7) Licenses authorizing social consumption establishments and  
402 cannabis lounges.

403 (b) The commission shall hold public hearings regarding the  
404 establishment of other types of licenses, including, but not limited to,  
405 single-use event licenses. The commission may, subsequent to one or  
406 more public hearings and upon its own discretion and judgment,  
407 establish, issue and regulate such additional license types that the  
408 commission deems likely to support equity within the cannabis business  
409 sector, fiscally prudent and consistent with public safety and public  
410 health.

411 (c) For all license types established pursuant to subsection (a) of this  
412 section, the commission shall adopt regulations in accordance with the  
413 provisions of chapter 54 of the general statutes, set such standards and  
414 establish such mechanisms as it deems necessary to enforce the  
415 provisions of sections 9 to 19, inclusive, of this act and to ensure equity,  
416 fiscal prudence, public safety and public health.

417 (d) The commission may revoke any license type authorized  
418 pursuant to subsection (a) of this section upon a finding by said  
419 commission that such license type fails to improve equity within the  
420 cannabis business sector, fails to be fiscally prudent or endangers public  
421 safety or public health, provided holders of such licenses are provided  
422 reasonable notice and an opportunity to appeal such decision pursuant

423 to the provisions of chapter 54 of the general statutes.

424 (e) (1) The commission, in consultation with the Office of Justice  
425 Reinvestment established pursuant to section 18 of this act, and  
426 consistent with the findings of fact and the recommendations the  
427 cannabis equity task force pursuant to section 5 of this act, shall establish  
428 criteria and qualifications for eligibility for licensure as an equity  
429 applicant.

430 (2) Any set of criteria or qualifications for eligibility for licensure as  
431 an equity applicant shall include persons who have been arrested for or  
432 convicted of a cannabis criminal offense or who has had a parent or  
433 sibling who has been arrested or convicted of a cannabis criminal  
434 offense. The absence of such an arrest or conviction for the person or the  
435 person's parent or sibling shall not automatically disqualify a person  
436 from eligibility for licensure as an equity applicant if other criteria and  
437 qualifications, as established by the commission, are satisfied.

438 (3) The commission, in consultation with the Office of Justice  
439 Reinvestment, may further require, as criteria and qualifications for  
440 eligibility for licensure as an equity applicant, provided such criteria  
441 and qualifications are compatible with the findings of fact and the  
442 recommendations of the cannabis equity task force pursuant to sections  
443 5 and 6 of this act, permanent residency in a neighborhood, as defined  
444 by the commission, that meets three or more of the following criteria:

445 (A) Has a median income that is not more than eighty per cent of the  
446 average median household income in the state;

447 (B) Has an unemployment rate that is at least one hundred fifty per  
448 cent of the unemployment rate in the state;

449 (C) Has an uninsured rate for health insurance that is at least one  
450 hundred fifty per cent of the uninsured rate for health insurance in the  
451 state;

452 (D) Has a food stamp or supplemental nutrition assistance plan rate

453 that is at least one hundred fifty per cent of the food stamp or  
454 supplemental nutrition assistance plan rate in the state;

455 (E) Has a poverty rate that is at least one hundred fifty per cent of the  
456 poverty rate in the state;

457 (F) Has disproportionately high rates of arrest, conviction and  
458 incarceration for cannabis possession; or

459 (G) Any other criteria and qualifications as identified by the  
460 commission.

461 (4) The commission, in consultation with the Office of Justice  
462 Reinvestment, may further require, as criteria and qualifications for  
463 eligibility for licensure as an equity applicant that are not based on  
464 residency or neighborhood, provided such criteria and qualifications  
465 are compatible with the findings of fact and the recommendations of the  
466 cannabis equity task force pursuant to sections 5 and 6 of this act.

467 (f) For all license types, the commission shall solicit applications,  
468 issue licenses and permit the start of operations in two phases, as  
469 follows:

470 (1) Equity applicants, as defined by the commission, and

471 (2) (A) Regular applicants, who shall consist of all other persons and  
472 entities. No regular applicant shall be accepted for review until one year  
473 after the first equity applicant licensee of the same type of license  
474 commences operations, except that any medical marijuana dispensary  
475 licensed under chapter 420f of the general statutes that is fully  
476 operational and in good standing with the Department of Consumer  
477 Protection and any other state agency, including, but not limited to, the  
478 Department of Revenue Services, for at least twelve consecutive months  
479 prior to January 1, 2021, shall be eligible to seek licensure under a  
480 cannabis retailer license and to begin operations under an approved  
481 cannabis retailer license, during such one-year period. Any medical  
482 marijuana dispensary that does not qualify as an equity applicant shall



483 be eligible for a license, other than a cannabis retailer license, as a regular  
484 applicant only.

485 (B) Any medical marijuana dispensary licensed pursuant to the  
486 exception for regular applicants under subparagraph (A) of this  
487 subdivision shall be required, as a condition of licensure, to purchase  
488 cannabis and cannabis products intended for sale under such cannabis  
489 retailer license exclusively from cultivators, retailers, manufacturers or  
490 microbusinesses who have been licensed as equity applicants and may  
491 not sell under the cannabis retailer license cannabis or cannabis  
492 products intended for medical or palliative care.

493 (g) For purposes of this section, "operations" means the first date that  
494 a cannabis business transaction authorized by a license takes place in  
495 the cannabis establishment.

496 (h) For all license types and for both equity applicants and regular  
497 applicants, the commission shall consult with the Office of Justice  
498 Reinvestment regarding regulations, requirements, qualifications,  
499 standards and the review of applications.

500 (i) The commission shall adopt regulations, in accordance with the  
501 provisions of chapter 54 of the general statutes, that limit changes or  
502 transfers of ownership of businesses holding a license as an equity  
503 applicant and strictly limit the use of subsidiaries, holding and shell  
504 companies and other similar corporate vehicles in the equity application  
505 process to preserve the equitable purposes of this section, sections 2 to  
506 7, inclusive, and sections 9, 16, 18 and 23 of this act and to prevent the  
507 misuse of the equity application process. Such regulations shall include,  
508 but not be limited to: (1) A ten-year prohibition on the transfer or sale of  
509 a business licensed by an equity applicant to a person or business that  
510 does not qualify as an equity applicant or licensee, and (2) the  
511 repayment of the previous ten years of all equity-based license fee  
512 waivers, subsidies, grants, low-interest loans and other financial  
513 supports provided through or regulated by the commission, the  
514 Department of Economic and Community Development or the Labor

515 Department, prior to the date of transfer or sale of the business.

516 Sec. 14. (NEW) (*Effective from passage*) On and after one year from the  
517 effective date of this section and notwithstanding any other provision of  
518 sections 1 to 32, inclusive, of this act or any provision of the general  
519 statutes or the Regulations of Connecticut State Agencies or of any local  
520 ordinance, a person twenty-one years of age or older shall not be  
521 required to hold a license and shall not be arrested, prosecuted,  
522 penalized, sanctioned or disqualified in any manner or denied any right  
523 or privilege and shall not be subject to seizure or forfeiture of assets, for:  
524 (1) Any cannabis produced by cannabis plants cultivated on the  
525 premises of the person's primary residence; (2) possessing, cultivating  
526 or processing not more than six flowering cannabis plants at any one  
527 time for personal use on the premises of his or her primary residence, as  
528 the sole adult resident; or (3) possessing, cultivating or processing not  
529 more than twelve flowering cannabis plants at any one time if the  
530 premises are shared by two or more adults twenty-one years of age or  
531 older as their primary residence.

532 Sec. 15. (NEW) (*Effective from passage*) Notwithstanding any  
533 requirements, standards or restrictions imposed by the Cannabis  
534 Control Commission pursuant to its authority under sections 9, 11, 13,  
535 16 to 20, inclusive, 26, 27 and 31 of this act, the holder of a cannabis  
536 microbusiness license may cultivate, process, manufacture or distribute  
537 cannabis and cannabis products to cannabis retailers and deliver the  
538 microbusinesses' cannabis and cannabis products directly to consumers.  
539 Any cannabis microbusiness may request to the commission to operate  
540 as a social consumption establishment and shall be eligible for approval,  
541 provided the social consumption establishment and the microbusiness  
542 are reasonably related and integrated into a single business operation  
543 sharing a single premises or adjacent premises, under the control of the  
544 license holder.

545 Sec. 16. (NEW) (*Effective from passage*) Notwithstanding any other  
546 provision of sections 11, 13 or 15 of this act or any regulation adopted  
547 pursuant to section 13 of this act, the Cannabis Control Commission

548 shall not accept an application for any license from a person or entity  
549 who owns or operates a business or other establishment licensed  
550 pursuant to chapter 420f of the general statutes, until such time as the  
551 Office of Justice Reinvestment makes a determination that equity in  
552 ownership in the cannabis business sector has been sustainably  
553 achieved.

554       Sec. 17. (NEW) (*Effective from passage*) (a) In addition to any other  
555 licensure requirements and standards established by the Cannabis  
556 Control Commission, the commission shall require each applicant for a  
557 cannabis establishment license to enter into, maintain and abide by the  
558 terms of a labor peace agreement. All labor peace agreements shall  
559 contain a clause that final and binding arbitration will be the exclusive  
560 remedy for any violation of such agreement. Each applicant, whether  
561 for an initial license or renewal of a license, shall submit an attestation  
562 signed by both the applicant and the bona fide labor organization  
563 stating that the applicant meets the requirements of this section. A labor  
564 peace agreement shall be an ongoing material condition of a cannabis  
565 establishment license and a violation of such agreement, established  
566 exclusively through arbitration, may result in suspension, revocation or  
567 denial of the renewal of such license.

568       (b) In addition to any other licensure requirements and standards  
569 established by the commission, the commission shall require each  
570 applicant for a cannabis cultivation or cannabis retailer license whose  
571 operation entails substantial construction or renovation of a facility, to  
572 (1) pay not less than the prevailing wage, as described in section 31-53  
573 of the general statutes, for mechanics, laborers or workers performing  
574 construction activities with respect to the project, and (2) require the  
575 applicant to engage in a good faith negotiation of a project labor  
576 agreement.

577       Sec. 18. (NEW) (*Effective from passage*) The Cannabis Control  
578 Commission shall establish an Office of Justice Reinvestment not later  
579 than six months after the commission is established. The commission  
580 shall hire staff and authorize the Office of Justice Reinvestment to hire

581 staff and shall provide funding and other resources necessary for the  
582 office to perform the following duties:

583 (1) Advise the commission, the General Assembly and the Governor  
584 on all equity matters under the commission's jurisdiction;

585 (2) Meet on a quarterly basis with the Black and Puerto Rican Caucus  
586 of the General Assembly to provide updates on the implementation of  
587 the recommendations of the cannabis equity task force, the condition of  
588 the cannabis business sector and any other equity-related matters of  
589 importance to said caucus and to request legislative remedies from said  
590 caucus that the Office of Justice Reinvestment deems reasonable;

591 (3) Oversee cannabis workforce grants, loans and other financial  
592 supports, distributed pursuant to this section or section 2, 6, 13 or 26 of  
593 this act or pursuant to any other cannabis-related programs under the  
594 commission's jurisdiction. Such oversight includes, but is not limited to,  
595 assessing the equitable distribution and the effectiveness of such grants,  
596 loans and other financial supports by recipients, compliance with the  
597 terms, conditions and goals of such grants, loans and other financial  
598 supports by recipients and any other matters regarding the effective and  
599 proper use of funds in the interest of equity in the cannabis business  
600 sector. The Office of Justice Reinvestment may exercise any authority  
601 and powers delegated to it by the commission, the Labor Department,  
602 the Departments of Consumer Protection and Economic and  
603 Community Development and any other state, local or tribal authority  
604 to carry out its oversight duties pursuant to this subdivision. Said office  
605 shall have the authority and power to request and compel the  
606 production of documents, data, witnesses and other investigatory  
607 materials from other public entities in the state and any private entity  
608 receiving any benefit or license pursuant to this section, provided that  
609 no part of such production by either a public or private entity shall be  
610 considered a public record or be subject to public inspection.

611 (4) Investigate any agreement between a cannabis business and a  
612 municipal government and refer such agreements and the parties to the

613 agreement to the commission for further review and action upon a  
614 finding that an agreement may be contrary to any provision of sections  
615 2 to 32, inclusive, of this act or any regulation adopted thereunder.

616 (5) Conduct research, engage in public outreach and education and  
617 carry out all other duties assigned to it by the commission with such  
618 powers and budget as allocated to it by the commission for the purposes  
619 of supporting and improving equity within the cannabis business sector  
620 and supporting and improving equity within the operations and  
621 administration of the commission.

622 Sec. 19. (NEW) (*Effective from passage*) Not later than one hundred  
623 eighty days after the establishment of the Office of Justice Reinvestment,  
624 the Cannabis Control Commission, the Labor Department and the  
625 Departments of Consumer Protection and Economic and Community  
626 Development shall expressly delegate to the Office of Justice  
627 Reinvestment such powers as are necessary for said office to carry out  
628 its duties and as may be subsequently assigned to it by the commission  
629 in a timely and efficient manner. The commission, the Labor  
630 Department and the Departments of Consumer Protection and  
631 Economic and Community Development may delegate additional  
632 powers to, or enter into cooperative agreements with, the Office of  
633 Justice Reinvestment so that said office may carry out its duties in a  
634 timely and efficient manner.

635 Sec. 20. (NEW) (*Effective from passage*) (a) There is established a  
636 Cannabis Control Commission operational trust fund that shall be held  
637 and administered by the Cannabis Control Commission and that shall  
638 receive one hundred per cent of all licensing and other regulatory fees  
639 and one hundred per cent of all cannabis sales tax surcharges imposed  
640 under section 21 of this act. Moneys in the fund shall be expended to  
641 support the regulatory operations of the commission and to supplement  
642 any funds allocated from the General Fund, provided not less than  
643 seventy per cent of the moneys in the fund shall be allocated to the  
644 support and duties of the Office of Justice Reinvestment.

645 (b) The commission shall expend not less than ten per cent of revenue  
646 in the fund to support workforce development programs aimed at  
647 increasing the number of qualified cannabis sector workers from  
648 disproportionately impacted backgrounds, which may include such  
649 programs as established or funded pursuant to sections 2, 4 to 7,  
650 inclusive, 9 and 13 of this act. Such allocation shall not reduce the  
651 amount allocated to the Department of Economic and Community  
652 Development pursuant to section 2 of this act in any manner, but shall  
653 be used to supplement and increase such allocation.

654 Sec. 21. (NEW) (*Effective from passage*) (a) There shall be a state-wide  
655 ten per cent sales tax surcharge, in addition to the sales tax under section  
656 12-408 of the general statutes, on the sale of cannabis and cannabis  
657 products. Any municipality may impose a municipal cannabis tax of not  
658 more than five per cent on the sale of cannabis and cannabis products in  
659 such municipality that shall be in addition to the sales tax under section  
660 12-408 of the general statutes and sales tax surcharge described in this  
661 subsection. No part of the sales tax surcharge, the sales tax under section  
662 12-408 of the general statutes or any municipal cannabis tax shall be  
663 applied to the sale of cannabis or cannabis products sold to a medical  
664 marijuana patient by a licensed medical marijuana dispensary for the  
665 purpose of palliative care for a debilitating medical condition.

666 (b) There shall be a restorative justice tax on cannabis businesses,  
667 including pass-through entities, in addition to any other corporate tax  
668 or taxation on pass-through income, at the rate of (1) two per cent on the  
669 portion of the annual gross revenue of a cannabis business over one  
670 million dollars up to and including ten million dollars, and (2) ten per  
671 cent on the portion of the annual gross revenue of a cannabis business  
672 in excess of ten million dollars.

673 (c) The Department of Revenue Services shall adopt regulations, in  
674 accordance with the provisions of chapter 54 of the general statutes,  
675 issue guidance and issue or amend such forms, and otherwise institute  
676 such measures as necessary and reasonable to enact and enforce the  
677 provisions of this section in a timeline consistent with the needs and

678 requirements of the Cannabis Control Commission.

679       Sec. 22. (NEW) (*Effective from passage*) No municipality may  
680 unconditionally prohibit the operation of a cannabis business in such  
681 municipality. The provisions of this section shall not prevent a  
682 municipality from regulating the zoning, licensing, hours of operation,  
683 outward appearance or other matters subject to municipal jurisdiction  
684 of business establishments, provided no ordinance, regulation, license,  
685 permit, fee or tax imposes a burden on cannabis businesses substantially  
686 greater than the burden imposed by the municipality on a similarly-  
687 sized business involved in the manufacture, distribution or sale of  
688 alcoholic liquor.

689       Sec. 23. (NEW) (*Effective from passage*) Not later than six months after  
690 the establishment of the Cannabis Control Commission pursuant to  
691 section 8 of this act, the Governor shall, in consultation with the  
692 Cannabis Control Commission and the Office of Justice Reinvestment,  
693 invite the District of Columbia and those other states, territories and  
694 tribes where commerce in cannabis is lawful to enter into an interstate  
695 or interjurisdictional compact that shall provide for well-regulated  
696 interstate and interjurisdictional commerce in cannabis. The Governor  
697 shall take such steps as needed to secure agreement from such federal  
698 agencies that regulate commerce to withhold interference or interdiction  
699 of a well-regulated commerce in cannabis established through such  
700 compacts. No compact shall be proposed or entered into pursuant to  
701 this section unless the terms of such compact are consistent with the  
702 equity-related goals established by the Cannabis Control Commission  
703 and the Office of Justice Reinvestment pursuant to sections 2 to 7,  
704 inclusive, and sections 9, 13, 16, 18 and 23 of this act.

705       Sec. 24. (NEW) (*Effective from passage*) No (1) commissioner of the  
706 Cannabis Control Commission, during the commissioner's term in office  
707 and for one year after the commissioner leaves office, (2) executive or  
708 managerial employee of the state or a municipal government, or (3)  
709 judge, prosecutor or employee of a police department or other law  
710 enforcement agency with jurisdiction over the investigation and

711 enforcement of cannabis-related crimes or crimes regarding controlled  
712 substances, shall:

713 (A) Have, directly or indirectly, individually or as a member of a  
714 partnership or as a shareholder of a corporation, any financial or  
715 managerial interest in any cannabis establishment licensed by the  
716 Cannabis Control Commission pursuant to section 13 of this act or  
717 licensed under chapter 420f of the general statutes or in any business  
718 whose principal source of revenue or market involves providing goods  
719 or services specifically and directly to cannabis establishments licensed  
720 pursuant to section 13 of this act or under chapter 420f of the general  
721 statutes; or

722 (b) Be permitted to receive any commission, profit, gratuities, offer of  
723 future employment, partnership, ownership or other financially  
724 beneficial association or gifts of any kind, from any person or cannabis  
725 establishment licensed pursuant to section 13 of this act or under  
726 chapter 420f of the general statutes.

727 Sec. 25. (NEW) (*Effective from passage*) Except as authorized under  
728 section 26 of this act, no municipality or local official shall condition any  
729 official action or accept any donation, in moneys or in kind, from any  
730 cannabis establishment or from an individual or corporation that has  
731 applied for a license to open or operate a cannabis establishment in such  
732 municipality or a neighboring municipality. No municipality may  
733 negotiate or enter into a local host agreement with a cannabis  
734 establishment or an individual or corporation that has applied for a  
735 license to open or operate a cannabis establishment in such municipality  
736 or a neighboring municipality that violates, directly or indirectly, any  
737 provision of section 2 to 32, inclusive, of this act or any regulation  
738 adopted thereunder.

739 Sec. 26. (NEW) (*Effective from passage*) Each municipality shall be  
740 eligible for cannabis workforce and economic development grants and  
741 loans or other funds under the jurisdiction of the Cannabis Control  
742 Commission, the Office of Justice Reinvestment, the Labor Department



743 or the Departments of Consumer Protection and Economic and  
744 Community Development, except that no municipality shall be eligible  
745 for any such cannabis workforce or economic development grant or loan  
746 or other funds unless such municipality has passed a resolution or  
747 ordinance adopting the findings of fact made by the cannabis equity  
748 task force under section 5 of this act and committing the municipality to  
749 the implementation of the task force's recommendations concerning  
750 municipalities.

751       Sec. 27. (NEW) (*Effective from passage*) The Cannabis Control  
752 Commission shall, not later than sixty days after its establishment,  
753 consult with The University of Connecticut regarding entering into a  
754 research partnership to provide studies, research, training, education  
755 and any other manner of engagement in support of equity in the  
756 cannabis business sector, equity applicants and licensees and equity in  
757 the cannabis workforce. The commission shall seek to enter into formal  
758 and informal partnerships with The University of Connecticut for not  
759 more than one hundred eighty days and as needed thereafter.

760       Sec. 28. (NEW) (*Effective from passage*) Neither the presence of  
761 cannabinoid components or metabolites in a person's bodily fluids nor  
762 conduct related to the use of cannabis or the participation in cannabis-  
763 related business or other activities made lawful under section 3 or 11 or  
764 sections 13 to 15, inclusive, of this act, or by any section of the general  
765 statutes, the regulations of state agencies or a local ordinance, by a  
766 custodial or noncustodial parent, grandparent, pregnant woman, legal  
767 guardian or other person charged with the well-being of a child, shall  
768 form the sole or primary basis for: (1) Any action or proceeding by a  
769 child welfare agency or in a family or juvenile court, or (2) any adverse  
770 finding, adverse evidence or restriction of any right of privilege in a  
771 proceeding related to adoption, fostering or a person's fitness to adopt  
772 or foster a child.

773       Sec. 29. (NEW) (*Effective from passage*) (a) On and after one hundred  
774 eighty days after the effective date of this section: Any educational  
775 institution receiving public funds or subject to the regulations of state

776 agencies shall revise and implement student disciplinary policies to  
777 conform to the criteria in this section.

778 (b) The Department of Education and the Office of Higher Education,  
779 in consultation with the Cannabis Control Commission and the Office  
780 of Justice Reinvestment, shall adopt regulations in accordance with the  
781 provisions of chapter 54 of the general statutes for the implementation  
782 of the provisions of this section. Such regulations shall include, but not  
783 be limited to, regulations for collecting information regarding student  
784 disciplinary actions related to cannabis and to undertake remedial  
785 measures to correct discriminatory conduct, disparate impacts and  
786 improper implementation of the provisions of this section.

787 (c) Each educational institution subject to the provisions of subsection  
788 (a) of this section shall file a detailed report, consistent with regulations  
789 adopted pursuant to subsection (b) of this section, with the relevant  
790 regulatory agency for each disciplinary action related to cannabis.

791 (d) Any student found unlawfully in possession of cannabis on the  
792 premises of his or her school or while engaged in school activities, such  
793 as field trips, athletic competitions or science fairs, may receive or be  
794 subject to counseling, drug-related education or community service  
795 related to the school, or any combination of such programs, as may be  
796 appropriate for the individual student's educational and social needs.  
797 Such disciplinary action shall not be more severe than equivalent school  
798 penalties for the underage use of alcohol.

799 (e) Any educational institution subject to the provisions of subsection  
800 (a) of this section may elect to establish a restorative justice program for  
801 addressing matters related to cannabis, other controlled substances,  
802 alcohol or tobacco. Any such restorative justice program shall include,  
803 but not be limited to, an education curriculum that is tailored to the  
804 needs and circumstances of individual students.

805 (f) Any educational institution subject to the provisions of subsection  
806 (a) of this section may elect to establish a cannabis diversion program or

807 other substance abuse diversion program, as part of a school drug  
808 policy. Any such diversion program shall include, but not be limited to,  
809 counseling, support and education regarding cannabis abuse and other  
810 substance abuse.

811 (g) No student found unlawfully in possession of cannabis on school  
812 premises or while engaged in school activities, such as field trips,  
813 athletic competitions or science fairs off school premises, may be subject  
814 to out-of-school suspension of more than ten days.

815 (h) No school disciplinary policy shall be construed to prohibit the  
816 involvement of a student or school in a criminal investigation  
817 reasonably related to the unlawful possession or distribution of  
818 cannabis on school premises or in the course of school activities. In any  
819 investigation or other proceeding where a student subject to school  
820 discipline for possession of cannabis may reasonably be expected to be  
821 a witness or to be subject to arrest, the student shall have a right to  
822 independent counsel free of charge. Any student entitled to counsel  
823 under this section or any other provision of state, federal or tribal law  
824 shall be promptly informed of his or her right to counsel and be granted  
825 the means to request counsel by the school.

826 (i) No beneficiary of financial aid or student loans shall have his or  
827 her eligibility, rights, privileges or options revoked, restricted or  
828 otherwise adversely changed on the basis of cannabis-related activity  
829 that is lawful under sections 13 to 15, inclusive, of this act. Any  
830 contractual provision or policy contrary to the provisions of this section  
831 shall be deemed void and against public policy.

832 (j) No person lawfully dwelling in student housing shall be subject to  
833 discipline, termination of residency, eviction, or any other housing-  
834 related sanction for cannabis-related activity permitted under sections  
835 13 to 15, inclusive, of this act or shall be subject to school discipline for  
836 cannabis-related activity permitted under sections 13 to 15, inclusive, of  
837 this act, that does not substantially involve housing-related misconduct.  
838 Any contractual provision or policy contrary to this section shall be

839 deemed void and against public policy.

840 (k) Violation of any provision of this section shall give rise to a private  
841 right of action by any student subject to school discipline under this  
842 section or any legal parent or guardian of such a student. Such private  
843 right of action may be filed in the superior court for the district in which  
844 the school is located.

845 Sec. 30. (NEW) (*Effective from passage*) (a) On and after one hundred  
846 eighty days after the effective date of this section, it shall be unlawful to:

847 (1) Refuse to rent, lease, license, sell or otherwise make unavailable  
848 any unit of housing on the basis of a person's prior charge or conviction  
849 for a cannabis-related offense or past, current or future involvement or  
850 participation in the lawful cannabis business sector;

851 (2) Make any inquiry into a prospective tenant, licensee or  
852 purchaser's criminal history related to cannabis; or

853 (3) Discriminate in the terms, conditions or privileges of the sale or  
854 rental of any dwelling on the basis of a person's prior charge or  
855 conviction for a cannabis-related offense or past, current or future  
856 involvement or participation in the lawful cannabis business sector.

857 (b) Homeless shelters, respite homes, nursing homes and other long-  
858 term care facilities shall not be exempt from the provisions of subsection  
859 (a) of this section.

860 (c) The provisions of subsection (a) of this section shall not apply to  
861 sober living houses or other housing intended to provide a therapeutic  
862 or rehabilitative environment related to drug or alcohol use or to  
863 temporary lodgings, including hotels, motels, camps and private homes  
864 rented for brief stays.

865 Sec. 31. (NEW) (*Effective from passage*) (a) On and after one hundred  
866 eighty days after the effective date of this section, the provisions of this  
867 section shall apply to any housing governed by the federal Quality

868 Housing and Work Responsibility Act of 1998 or any housing governed  
869 by any other provisions of federal law that grants persons or entities that  
870 own or manage federally assisted housing the discretion to deny  
871 persons housing to or evict persons from housing on the basis of drug-  
872 related offenses.

873 (b) It shall be unlawful to refuse to rent, lease or license or to  
874 otherwise make unavailable any unit of housing subject to the  
875 provisions of this section on the basis of a person's charge or arrest for a  
876 cannabis-related offense, without a conviction or other substantial  
877 independent and relevant evidence based on actual conduct.

878 (c) All persons or entities that own, manage or otherwise regulate  
879 housing subject to the provisions of this section shall provide written  
880 notification of any denial of housing or any eviction on the basis of the  
881 lawful cultivation, possession or use of cannabis or other cannabis-  
882 related offense to the Cannabis Control Commission and the Office of  
883 Justice Reinvestment. Such written notice shall provide, with specificity,  
884 the name and address of the affected person, the race and ethnicity of  
885 the affected person, the gender of the affected person, the persons with  
886 knowledge and decision-making authority regarding the denial or  
887 eviction, the specific circumstances of the denial or eviction and the  
888 specific reasons, facts and evidence for the denial or eviction. Notice  
889 shall be issued to the office of the Attorney General not more than seven  
890 days after the denial or issuance of a notice of eviction.

891 (d) The office of Attorney General shall conduct periodic disparate  
892 racial impact reviews of denials and evictions for cannabis-related  
893 reasons under Title VI of the federal Civil Rights Act of 1964, at its  
894 discretion, but not less than once every two years. If any such review  
895 identifies any pattern of disparate racial impact or intentional  
896 discrimination in the provision or retention of federally assisted housing  
897 on the basis of lawful cannabis activity, the office of the Attorney  
898 General shall promptly undertake, upon the recommendation of the  
899 Cannabis Control Commission or on its own initiative, such remedial  
900 and corrective measures as it deems reasonable, including seeking

901 equitable and injunctive relief and imposing civil penalties not to exceed  
902 one hundred thousand dollars for each instance of a policy or practice  
903 that creates a disparate racial impact in the provision or retention of  
904 housing covered by this section.

905       Sec. 32. (NEW) (*Effective from passage*) No provision of sections 1 to 33,  
906 inclusive, of this act shall be interpreted to infringe on tribal sovereignty  
907 to establish laws, regulations or ordinances or to govern and regulate  
908 matters of public policy within the boundaries of tribal jurisdiction.  
909 Lawful cannabis operations certified by the tribes shall be considered  
910 licensed entities for the purpose of commerce between tribal cannabis  
911 businesses and licensed cannabis businesses in this state.

912       Sec. 33. Section 54-142d of the general statutes is repealed and the  
913 following is substituted in lieu thereof (*Effective July 1, 2022*):

914       (a) Whenever any person has been convicted of an offense in any  
915 court in this state and such offense has been decriminalized subsequent  
916 to the date of such conviction, such person may file a petition with the  
917 [superior court] Superior Court at the location in which such conviction  
918 was effected, or with the [superior court] Superior Court at the location  
919 having custody of the records of such conviction or [with the records  
920 center of the Judicial Department] if such conviction was in the Court of  
921 Common Pleas, Circuit Court, municipal court or by a trial justice in the  
922 Superior Court where venue would exist for criminal prosecution, for  
923 an order of erasure, and the Superior Court [or records center of the  
924 Judicial Department] shall direct all police and court records and  
925 records of the state's or prosecuting attorney pertaining to such [case]  
926 offense to be physically destroyed, provided the person shall be given a  
927 complete paper or electronic copy of all records covered under this  
928 subsection that are certified for authenticity prior to the destruction of  
929 such records. If an electronic copy is provided to the person, no  
930 duplicate electronic record shall be retained by any agency, department  
931 or court covered under this subsection.

932       (b) Any person who has been convicted on October 1, 2015, or

933 thereafter, in any court in this state for possession of marijuana or a  
934 cannabis-type substance or for possession of marijuana or a cannabis-  
935 type substance with the intent to distribute and the amount possessed  
936 was less than or equal to six ounces of such substance, may file a petition  
937 with the Superior Court at the location in which such conviction was  
938 effected, or with the Superior Court at the location having custody of  
939 the records of such conviction or if such conviction was in the Court of  
940 Common Pleas, Circuit Court, municipal court or by a trial justice, in the  
941 Superior Court where venue would currently exist for criminal  
942 prosecution, for an order of erasure. As part of such petition, such  
943 person shall include a copy of the arrest record or an affidavit  
944 supporting such person's petition that such person possessed six ounces  
945 or less of a cannabis-type substance for which such person was  
946 convicted. If such petition is in order, the Superior Court shall direct all  
947 police and court records and records of the state's or prosecuting  
948 attorney pertaining to such offense to be erased. No fee may be charged  
949 by any agency, department or court with respect to any petition under  
950 this subsection. The petitioner shall be given a complete paper or  
951 electronic copy of all records covered under this section that are certified  
952 for authenticity prior to the destruction of such records. If an electronic  
953 copy is provided, no duplicate electronic record shall be retained by any  
954 agency, department or court covered under this subsection.

955 (c) The provisions of this section shall not apply to any police or court  
956 records or records of the state's or prosecuting attorney pertaining to  
957 such offense (1) while the criminal case is pending, or (2) in instances  
958 where the case contains more than one count, until the records  
959 pertaining to all counts are entitled to destruction or erasure. If the  
960 records pertaining to all counts are not entitled to destruction, the court  
961 shall direct the records of any offenses that would otherwise be entitled  
962 to destruction pursuant to this section to be erased pursuant to section  
963 54-142a, as amended by this act, provided the person to whom the  
964 records pertain shall be given a complete paper or electronic copy of all  
965 records subject to erasure under this subsection that are certified for  
966 authenticity prior to the erasure of the record. If an electronic copy is

967 provided, no duplicate electronic record shall be retained by any  
968 agency, department or court covered under this subsection. No fee may  
969 be charged by any agency, department or court with respect to any  
970 action under this subsection.

971       Sec. 34. (NEW) (*Effective July 1, 2022*) (a) Whenever prior to October  
972 1, 2015, any person has been convicted in any court of this state of  
973 possession under subsection (c) of section 21a-279 of the general  
974 statutes, all police and court records and records of the state's or  
975 prosecuting attorney pertaining to such a conviction in any court of this  
976 state shall be (1) erased, if such records are electronic records; or (2)  
977 deemed erased by operation of law, if such records are not electronic  
978 records. The person to whom the records pertain shall be given a  
979 complete paper or electronic copy of electronic records covered under  
980 this subsection that are certified for authenticity prior to the erasure of  
981 such records. No fee may be charged by any agency, department or  
982 court with respect to any petition or action under this subsection.

983       (b) The provisions of this section shall not apply to any police or court  
984 records or the records of any state's attorney or prosecuting attorney  
985 with respect to any record referencing more than one count unless and  
986 until all counts are entitled to erasure in accordance with the provisions  
987 of this section, except that electronic records or portions of electronic  
988 records released to the public that reference a charge that would  
989 otherwise be entitled to erasure under this section shall be erased in  
990 accordance with the provisions of this section. The person to whom the  
991 records pertain shall be given a complete paper or electronic copy of  
992 electronic records covered under this subsection that are certified for  
993 authenticity prior to the erasure of such records. No fee may be charged  
994 by any agency, department or court with respect to any petition or  
995 action under this subsection.

996       (c) Nothing in this section shall limit any other procedure for erasure  
997 of criminal history record information, as defined in section 54-142g of  
998 the general statutes, or prohibit a person from participating in any such



999 procedure, even if such person's electronic criminal history record  
1000 information has been erased pursuant to this section.

1001 (d) For the purposes of this section, "electronic record" means any  
1002 police or court record or record of any state's attorney or prosecuting  
1003 attorney that is an electronic record, as defined in section 1-267 of the  
1004 general statutes, other than a scanned copy of a physical document.

1005 (e) Nothing in this section shall be construed to require the redaction  
1006 of records held internally by the Department of Correction.

1007 Sec. 35. Section 21a-408s of the general statutes is repealed and the  
1008 following is substituted in lieu thereof (*Effective from passage*):

1009 (a) [No] A laboratory or a laboratory employee licensed for the testing  
1010 of cannabis and cannabis products may [(1) acquire marijuana from a  
1011 person other than a licensed producer, licensed dispensary or  
1012 organization engaged in a research program, (2) deliver, transport or  
1013 distribute marijuana to (A) a person who is not a licensed dispensary,  
1014 (B) a person who is not a licensed producer, or (C) an organization not  
1015 engaged in a research program, or (3)] acquire and test cannabis or  
1016 cannabis products obtained from any source or person and may report  
1017 the test results to the person requesting such test without inquiry into  
1018 the source of the cannabis or cannabis product, provided the laboratory  
1019 or laboratory employee (1) finds such testing is relevant to health or  
1020 safety, and (2) does not obtain or transport marijuana outside of this  
1021 state in violation of state or federal law.

1022 (b) (1) No laboratory employee acting within the scope of his or her  
1023 employment shall be subject to arrest or prosecution, penalized in any  
1024 manner, including, but not limited to, being subject to any civil penalty,  
1025 or denied any right or privilege, including, but not limited to, being  
1026 subject to any disciplinary action by a professional licensing board, for  
1027 [acquiring, possessing, delivering, transporting or distributing  
1028 marijuana to a licensed dispensary, a licensed producer or an  
1029 organization engaged in an approved research program under the

1030 provisions of this chapter] obtaining and testing cannabis products and  
1031 reporting test results pursuant to subsection (a) of this section.

1032 (2) No laboratory shall be subject to prosecution, penalized in any  
1033 manner, including, but not limited to, being subject to any civil penalty  
1034 or denied any right or privilege, for [acquiring, possessing, delivering,  
1035 transporting or distributing marijuana to a licensed dispensary, a  
1036 licensed producer or an organization engaged in an approved research  
1037 program under the provisions of this chapter] obtaining and testing  
1038 cannabis products and reporting test results pursuant to subsection (a)  
1039 of this section.

1040 (c) Nothing in subsection (a) or (b) of this section shall be interpreted  
1041 to release any laboratory employee from any requirement, obligation,  
1042 responsibility or liability to any government agency arising from law or  
1043 regulation or as a condition of licensing.

1044 Sec. 36. (NEW) (*Effective October 1, 2021*) (a) A person is guilty of  
1045 smoking, otherwise inhaling or ingesting cannabis while operating a  
1046 motor vehicle when he or she smokes, otherwise inhales or ingests a  
1047 cannabis product while operating a motor vehicle upon a public  
1048 highway of this state or upon any road of any specially chartered  
1049 municipal association or of any district organized under the provisions  
1050 of chapter 105 of the general statutes, a purpose of which is the  
1051 construction and maintenance of roads and sidewalks, or in any parking  
1052 area for ten cars or more or upon any private road on which a speed  
1053 limit has been established in accordance with the provisions of section  
1054 14-218a of the general statutes or upon any school property. No person  
1055 shall be convicted of smoking or otherwise inhaling or ingesting  
1056 cannabis while operating a motor vehicle and possessing or having  
1057 under such person's control a controlled substance upon the same  
1058 transaction. A person may be charged and prosecuted for either or each  
1059 such offense, a violation of operating a motor vehicle while under the  
1060 influence of any drug and any other applicable offense upon the same  
1061 information.

1062 (b) Smoking, otherwise inhaling or ingesting cannabis while  
1063 operating a motor vehicle is a class C misdemeanor.

1064 Sec. 37. (NEW) (*Effective October 1, 2021*) (a) A person is guilty of  
1065 smoking cannabis in a motor vehicle when he or she smokes cannabis  
1066 in a motor vehicle that is being operated by another person upon a  
1067 public highway of this state or upon any road of any specially chartered  
1068 municipal association or of any district organized under the provisions  
1069 of chapter 105 of the general statutes, a purpose of which is the  
1070 construction and maintenance of roads and sidewalks, or in any parking  
1071 area for ten cars or more or upon any private road on which a speed  
1072 limit has been established in accordance with the provisions of section  
1073 14-218a of the general statutes or upon any school property. No person  
1074 shall be convicted of smoking cannabis as a passenger in a motor vehicle  
1075 and possessing or having under such person's control a controlled  
1076 substance upon the same transaction, but such person may be charged  
1077 and prosecuted for both offenses upon the same information.

1078 (b) Smoking cannabis in a motor vehicle is a class D misdemeanor.

1079 Sec. 38. (NEW) (*Effective July 1, 2021*) (a) Not later than January 1,  
1080 2022, each law enforcement unit shall report to the Police Officer  
1081 Standards and Training Council, in the manner specified by the council,  
1082 a recommendation as to the minimum number of officers that such law  
1083 enforcement unit should have accredited as drug recognition experts in  
1084 order to ensure adequate availability of drug recognition experts to  
1085 respond to instances of impaired driving, taking into account that law  
1086 enforcement units may call upon drug recognition experts from other  
1087 law enforcement units as necessary and available. Such  
1088 recommendation shall be based on data on impaired driving made  
1089 available to law enforcement units by the Department of Transportation  
1090 and any guidance issued by the council.

1091 (b) The Police Officer Standards and Training Council, in conjunction  
1092 with the Highway Safety Office within the Department of

1093 Transportation, shall determine the minimum number of police officers  
1094 to be accredited as drug recognition experts for each law enforcement  
1095 unit. In making such determination, the council and office shall consider  
1096 the recommendation made by each law enforcement unit pursuant to  
1097 subsection (a) of this section. The council and office shall submit the  
1098 results of such determination to the Governor and the Secretary of the  
1099 Office of Policy and Management not later than July 1, 2022.

1100 (c) Not later than April 1, 2022, the Police Officer Standards and  
1101 Training Council shall develop and promulgate a model drug  
1102 recognition expert policy to ensure that enough police officers become  
1103 trained drug recognition experts in each law enforcement unit to meet  
1104 the minimum number established in subsection (b) of this section.

1105 (d) Not later than October 1, 2022, each law enforcement unit shall  
1106 adopt and maintain a written policy that meets or exceeds the standards  
1107 of the model policy developed pursuant to subsection (c) of this section.

1108 (e) Not later than January 1, 2022, the Police Officer Standards and  
1109 Training Council and the Highway Safety Office within the Department  
1110 of Transportation shall jointly issue a plan to increase access to  
1111 advanced roadside impaired driving enforcement training and drug  
1112 recognition expert training for police officers and law enforcement units  
1113 in the state.

1114 (f) On and after January 1, 2022, each police officer who has not yet  
1115 been recertified pursuant to section 7-294e of the general statutes for the  
1116 first time after receiving an initial certification, shall complete training  
1117 and receive certification in advanced roadside impaired driving  
1118 enforcement prior to being recertified pursuant to section 7-294e of the  
1119 general statutes.

1120 (g) For purposes of this section, "advanced roadside impaired driving  
1121 enforcement" means a program developed by the National Highway  
1122 Traffic Safety Administration with the International Association of  
1123 Chiefs of Police and the Technical Advisory Panel, which focuses on

1124 impaired driving enforcement education for police officers, or any  
1125 successor to such program; "drug recognition expert" means a person  
1126 certified by the International Association of Chiefs of Police as having  
1127 met all requirements of the International Drug Evaluation and  
1128 Classification Program; "law enforcement unit" has the same meaning  
1129 as provided in section 7-294a of the general statutes; and "Police Officer  
1130 Standards and Training Council" means the council established under  
1131 section 7-294b of the general statutes.

1132 Sec. 39. Subsections (a) to (e), inclusive, of section 14-227a of the  
1133 general statutes are repealed and the following is substituted in lieu  
1134 thereof (*Effective April 1, 2022*):

1135 (a) No person shall operate a motor vehicle while under the influence  
1136 of intoxicating liquor or any drug or both. A person commits the offense  
1137 of operating a motor vehicle while under the influence of intoxicating  
1138 liquor or any drug or both if such person operates a motor vehicle (1)  
1139 while under the influence of intoxicating liquor or any drug or both, or  
1140 (2) while such person has an elevated blood alcohol content. For the  
1141 purposes of this section, "elevated blood alcohol content" means a ratio  
1142 of alcohol in the blood of such person that is eight-hundredths of one  
1143 per cent or more of alcohol, by weight, except that if such person is  
1144 operating a commercial motor vehicle, "elevated blood alcohol content"  
1145 means a ratio of alcohol in the blood of such person that is four-  
1146 hundredths of one per cent or more of alcohol, by weight, and "motor  
1147 vehicle" includes a snowmobile and all-terrain vehicle, as those terms  
1148 are defined in section 14-379. For purposes of this section, section 14-  
1149 227b, as amended by this act, and section 14-227c, as amended by this  
1150 act, (A) "advanced roadside impaired driving enforcement" means a  
1151 program developed by the National Highway Traffic Safety  
1152 Administration with the International Association of Chiefs of Police  
1153 and the Technical Advisory Panel, which focuses on impaired driving  
1154 enforcement education for police officers, or any successor to such  
1155 program; (B) "drug influence evaluation" means a twelve-part  
1156 evaluation developed by the National Highway Traffic Safety

1157 Administration and the International Association of Chiefs of Police that  
1158 is conducted by a drug recognition expert to determine the level of a  
1159 person's impairment from the use of drugs and the drug category  
1160 causing such impairment; (C) "drug recognition expert" means a person  
1161 certified by the International Association of Chiefs of Police as having  
1162 met all requirements of the International Drug Evaluation and  
1163 Classification Program; and (D) "nontestimonial portion of a drug  
1164 influence evaluation" means a drug influence evaluation conducted by  
1165 a drug recognition expert that does not include a verbal interview with  
1166 the subject.

1167 (b) (1) Except as provided in subsection (c) of this section, in any  
1168 criminal prosecution for violation of subsection (a) of this section,  
1169 evidence respecting the amount of alcohol or drug in the defendant's  
1170 blood or urine at the time of the alleged offense, as shown by a chemical  
1171 [analysis] test of the defendant's breath, blood or urine, shall be  
1172 admissible and competent provided: [(1)] (A) The defendant was  
1173 afforded a reasonable opportunity to telephone an attorney prior to the  
1174 performance of the test and consented to the taking of the test upon  
1175 which such analysis is made; [(2)] (B) a true copy of the report of the test  
1176 result was mailed to or personally delivered to the defendant within  
1177 twenty-four hours or by the end of the next regular business day, after  
1178 such result was known, whichever is later; [(3)] (C) the test was  
1179 performed by or at the direction of a police officer according to methods  
1180 and with equipment approved by the Department of Emergency  
1181 Services and Public Protection and was performed in accordance with  
1182 the regulations adopted under subsection (d) of this section; [(4)] (D) the  
1183 device used for such test was checked for accuracy in accordance with  
1184 the regulations adopted under subsection (d) of this section; [(5)] (E) an  
1185 additional chemical test of the same type was performed at least ten  
1186 minutes after the initial test was performed or, if requested by the police  
1187 officer for reasonable cause, an additional chemical test of a different  
1188 type was performed, including a test to detect the presence of a drug or  
1189 drugs other than or in addition to alcohol, provided the results of the  
1190 initial test shall not be inadmissible under this subsection if reasonable

1191 efforts were made to have such additional test performed in accordance  
1192 with the conditions set forth in this subsection and (i) such additional  
1193 test was not performed or was not performed within a reasonable time,  
1194 or (ii) the results of such additional test are not admissible for failure to  
1195 meet a condition set forth in this subsection; and [(6)] (F) evidence is  
1196 presented that the test was commenced within two hours of operation.  
1197 In any prosecution under this section it shall be a rebuttable  
1198 presumption that the results of such chemical [analysis] test establish  
1199 the ratio of alcohol in the blood of the defendant at the time of the  
1200 alleged offense, except that if the results of the additional test indicate  
1201 that the ratio of alcohol in the blood of such defendant is ten-hundredths  
1202 of one per cent or less of alcohol, by weight, and is higher than the  
1203 results of the first test, evidence shall be presented that demonstrates  
1204 that the test results and the analysis thereof accurately indicate the blood  
1205 alcohol content at the time of the alleged offense.

1206 (2) If a law enforcement officer who is a drug recognition expert  
1207 conducts a drug influence evaluation, the officer's testimony concerning  
1208 such evaluation shall be admissible and competent as evidence of  
1209 operation of a motor vehicle while under the influence of liquor or any  
1210 drug, or both, under subdivision (1) of subsection (a) of this section.

1211 (c) In any prosecution for a violation of subdivision (1) of subsection  
1212 (a) of this section, reliable evidence respecting the amount of alcohol in  
1213 the defendant's blood or urine at the time of the alleged offense, as  
1214 shown by a chemical analysis of the defendant's blood, breath or urine,  
1215 otherwise admissible under subdivision (1) of subsection (b) of this  
1216 section, shall be admissible only at the request of the defendant.

1217 (d) The Commissioner of Emergency Services and Public Protection  
1218 shall ascertain the reliability of each method and type of device offered  
1219 for chemical testing [and analysis purposes] of blood, of breath and of  
1220 urine and certify those methods and types which [said] the  
1221 commissioner finds suitable for use in testing [and analysis] of blood,  
1222 breath and urine, respectively, in this state. The Commissioner of  
1223 Emergency Services and Public Protection shall adopt regulations, in

1224 accordance with chapter 54, governing the conduct of chemical tests, the  
1225 operation and use of chemical test devices, the training and certification  
1226 of operators of such devices and the drawing or obtaining of blood,  
1227 breath or urine samples as [said] the commissioner finds necessary to  
1228 protect the health and safety of persons who submit to chemical tests  
1229 and to insure reasonable accuracy in testing results. Such regulations  
1230 shall not require recertification of a police officer solely because such  
1231 officer terminates such officer's employment with the law enforcement  
1232 agency for which certification was originally issued and commences  
1233 employment with another such agency. A person qualified to withdraw  
1234 blood or any hospital, laboratory or other clinic employing or utilizing  
1235 the services of such a person shall not incur any civil liability as a result  
1236 of such activities if requested by a police officer acting in accordance  
1237 with this section or section 14-227c, as amended by this act, to withdraw  
1238 blood unless the actions of the person while performing such activities  
1239 constitute gross negligence.

1240 (e) (1) In any criminal prosecution for a violation of subsection (a) of  
1241 this section, evidence that the defendant refused to submit to a blood,  
1242 breath or urine test or the nontestimonial portion of a drug influence  
1243 evaluation requested in accordance with section 14-227b, as amended  
1244 by this act, shall be admissible provided the requirements of subsection  
1245 (b) of said section have been satisfied. If a case involving a violation of  
1246 subsection (a) of this section is tried to a jury, the court shall instruct the  
1247 jury as to any inference that may or may not be drawn from the  
1248 defendant's refusal to submit to [a blood, breath or urine test] such a test  
1249 or evaluation.

1250 (2) A drug recognition expert may testify as to his or her opinion or  
1251 otherwise as to the significance of any symptoms of impairment or  
1252 intoxication for which evidence has been admitted or on the condition  
1253 that such evidence be introduced.

1254 (3) In any prosecution for a violation of subdivision (1) of subsection  
1255 (a) of this section in which it is alleged that the defendant's operation of  
1256 a motor vehicle was impaired, in whole or in part, by consumption of



1257 cannabis, cannabis products or THC, the court may take judicial notice  
1258 that the ingestion of THC (A) can impair a person's ability to operate a  
1259 motor vehicle; (B) can impair a person's motor function, reaction time,  
1260 tracking ability, cognitive attention, decision-making, judgment,  
1261 perception, peripheral vision, impulse control and memory; and (C)  
1262 does not enhance a person's ability to safely operate a motor vehicle. For  
1263 the purposes of this subdivision, "cannabis" and "cannabis products"  
1264 have the same meaning as provided in section 1 of this act and "THC"  
1265 means tetrahydrocannabinol and any material, compound, mixture or  
1266 preparation which contain their salts, isomers and salts of isomers,  
1267 whenever the existence of such salts, isomers and salts of isomers is  
1268 possible within the specific chemical designation, regardless of the  
1269 source, except: (i) Dronabinol in sesame oil and encapsulated in a soft  
1270 gelatin capsule in a federal Food and Drug Administration approved  
1271 product, and (ii) any tetrahydrocannabinol product that has been  
1272 approved by the federal Food and Drug Administration or successor  
1273 agency to have a medical use and reclassified in any schedule of  
1274 controlled substances or unscheduled by the federal Drug Enforcement  
1275 Administration or successor agency.

1276 Sec. 40. Section 14-227b of the general statutes is repealed and the  
1277 following is substituted in lieu thereof (*Effective April 1, 2022*):

1278 (a) Any person who operates a motor vehicle in this state shall be  
1279 deemed to have given such person's consent to: [a] (1) A chemical  
1280 [analysis] test of such person's blood, breath or urine; [and, if] and (2) a  
1281 nontestimonial portion of a drug influence evaluation conducted by a  
1282 drug recognition expert. If such person is a minor, such person's parent  
1283 or parents or guardian shall also be deemed to have given their consent  
1284 for such test or evaluation.

1285 [(b) If any such person, having been placed under arrest for a  
1286 violation of section 14-227a or 14-227m or subdivision (1) or (2) of  
1287 subsection (a) of section 14-227n, and thereafter, after being apprised of  
1288 such person's constitutional rights, having been requested to submit to  
1289 a blood, breath or urine test at the option of the police officer, having

1290 been afforded a reasonable opportunity to telephone an attorney prior  
1291 to the performance of such test and having been informed that such  
1292 person's license or nonresident operating privilege may be suspended  
1293 in accordance with the provisions of this section if such person refuses  
1294 to submit to such test, or if such person submits to such test and the  
1295 results of such test indicate that such person has an elevated blood  
1296 alcohol content, and that evidence of any such refusal shall be  
1297 admissible in accordance with subsection (e) of section 14-227a and may  
1298 be used against such person in any criminal prosecution, refuses to  
1299 submit to the designated test, the test shall not be given; provided, if the  
1300 person refuses or is unable to submit to a blood test, the police officer  
1301 shall designate the breath or urine test as the test to be taken. The police  
1302 officer shall make a notation upon the records of the police department  
1303 that such officer informed the person that such person's license or  
1304 nonresident operating privilege may be suspended if such person  
1305 refused to submit to such test or if such person submitted to such test  
1306 and the results of such test indicated that such person had an elevated  
1307 blood alcohol content.]

1308 (b) (1) A police officer who has placed a person under arrest for a  
1309 violation of section 14-227a, as amended by this act, 14-227m or  
1310 subdivision (1) or (2) of subsection (a) of section 14-227n may request  
1311 that such person submit to a blood, breath or urine test at the option of  
1312 the police officer, a drug influence evaluation conducted by a drug  
1313 recognition expert, or both, after such person has been (A) apprised of  
1314 such person's constitutional rights; (B) afforded a reasonable  
1315 opportunity to telephone an attorney prior to the performance of such  
1316 test or evaluation; (C) informed that evidence of any refusal to submit  
1317 to such test or evaluation shall be admissible in accordance with  
1318 subsection (e) of section 14-227a, as amended by this act, and may be  
1319 used against such person in any criminal prosecution, except that  
1320 refusal to submit to the testimonial portions of a drug influence  
1321 evaluation shall not be considered evidence of refusal of such evaluation  
1322 for purposes of any criminal prosecution; and (D) informed that such  
1323 person's license or operating privilege may be suspended in accordance

1324 with the provisions of this section if (i) such person refuses to submit to  
1325 such test or the nontestimonial portion of a drug influence evaluation,  
1326 (ii) such person submits to such test and the results of such test indicate  
1327 that such person has an elevated blood alcohol content, or (iii) the officer  
1328 believes there is substantial evidence to conclude that such person was  
1329 operating a motor vehicle under the influence of intoxicating liquor or  
1330 any drug, or both.

1331 (2) If the person refuses to submit to any test or drug influence  
1332 evaluation, the test or evaluation shall not be given, except if the person  
1333 refuses or is unable to submit to a blood test, the police officer shall  
1334 designate another test to be taken. If a person submits to a breath test  
1335 and the results indicate that the person does not have an elevated blood  
1336 alcohol content, the police officer may request that the person submit to  
1337 a different type of test, except that if such person refuses or is unable to  
1338 submit to a blood test, the officer shall designate a urine test to be taken.  
1339 The police officer shall make a notation upon the records of the law  
1340 enforcement unit, as defined in section 7-294a, that such officer  
1341 informed the person that such person's license or operating privilege  
1342 may be suspended if (A) such person refused to submit to such test or  
1343 nontestimonial portion of a drug influence evaluation; (B) such person  
1344 submitted to such test and the results of such test indicated that such  
1345 person had an elevated blood alcohol content; or (C) the officer believes  
1346 there is substantial evidence to conclude that such person was operating  
1347 a motor vehicle under the influence of intoxicating liquor or any drug,  
1348 or both.

1349 (c) If the person arrested refuses to submit to such test or [analysis]  
1350 nontestimonial portion of a drug influence evaluation or submits to such  
1351 test, [or analysis,] commenced within two hours of the time of operation,  
1352 and the results of such test [or analysis] indicate that such person has an  
1353 elevated blood alcohol content, the police officer, acting on behalf of the  
1354 Commissioner of Motor Vehicles, shall immediately revoke and take  
1355 possession of the motor vehicle operator's license or, if such person is  
1356 not licensed or is a nonresident, suspend the [nonresident] operating

1357 privilege of such person, for a twenty-four-hour period. The police  
1358 officer shall prepare a report of the incident and shall mail or otherwise  
1359 transmit in accordance with this subsection the report and a copy of the  
1360 results of any chemical test [or analysis] to the Department of Motor  
1361 Vehicles within three business days, except that failure of an officer to  
1362 mail or transmit such report within three business days shall not impact  
1363 a decision to suspend such person's license or operating privilege and  
1364 shall not render such report inadmissible at a hearing under this section.  
1365 The report shall contain such information as prescribed by the  
1366 Commissioner of Motor Vehicles and shall be subscribed and sworn to  
1367 under penalty of false statement as provided in section 53a-157b by the  
1368 arresting officer. If the person arrested refused to submit to such test or  
1369 [analysis] evaluation, the report shall be endorsed by a third person who  
1370 witnessed such refusal. The report shall set forth the grounds for the  
1371 officer's belief that there was probable cause to arrest such person for a  
1372 violation of section 14-227a, as amended by this act, or 14-227m or  
1373 subdivision (1) or (2) of subsection (a) of section 14-227n and shall state  
1374 that such person had refused to submit to such test or [analysis]  
1375 evaluation when requested by such police officer to do so or that such  
1376 person submitted to such test, [or analysis,] commenced within two  
1377 hours of the time of operation, and the results of such test [or analysis]  
1378 indicated that such person had an elevated blood alcohol content. The  
1379 Commissioner of Motor Vehicles may accept a police report under this  
1380 subsection that is prepared and transmitted as an electronic record,  
1381 including electronic signature or signatures, subject to such security  
1382 procedures as the commissioner may specify and in accordance with the  
1383 provisions of sections 1-266 to 1-286, inclusive. In any hearing  
1384 conducted pursuant to the provisions of subsection (g) of this section, it  
1385 shall not be a ground for objection to the admissibility of a police report  
1386 that it is an electronic record prepared by electronic means.

1387 [(d) If the person arrested submits to a blood or urine test at the  
1388 request of the police officer, and the specimen requires laboratory  
1389 analysis in order to obtain the test results, the police officer shall not take  
1390 possession of the motor vehicle operator's license of such person or,

1391 except as provided in this subsection, follow the procedures subsequent  
1392 to taking possession of the operator's license as set forth in subsection  
1393 (c) of this section. If the test results indicate that such person has an  
1394 elevated blood alcohol content, the police officer, immediately upon  
1395 receipt of the test results, shall notify the Commissioner of Motor  
1396 Vehicles and submit to the commissioner the written report required  
1397 pursuant to subsection (c) of this section.]

1398 (d) If a police officer who has placed a person under arrest for a  
1399 violation of section 14-227a, as amended by this act, 14-227m or  
1400 subdivision (1) or (2) of subsection (a) of section 14-227n does not  
1401 request that such person submit to a blood, breath or urine test under  
1402 subsection (b) of this section, or obtains results from a test administered  
1403 under subsection (b) of this section that indicate that the person does not  
1404 have an elevated blood alcohol content, such officer shall:

1405 (1) Advise such person that such person's license or operating  
1406 privilege may be suspended in accordance with the provisions of this  
1407 section if such police officer believes there is substantial evidence to  
1408 conclude that such person was operating a motor vehicle under the  
1409 influence of intoxicating liquor or any drug, or both; and

1410 (2) Submit a report to the commissioner in accordance with the  
1411 procedure set forth in subsection (c) of this section and, if such report  
1412 contains the results of a blood, breath or urine test that does not show  
1413 an elevated blood alcohol content, such report shall conform to the  
1414 requirements in subsection (c) of this section for reports that contain  
1415 results showing an elevated blood alcohol content. In any report  
1416 submitted under this subdivision, the officer shall document (A) the  
1417 basis for the officer's belief that there was probable cause to arrest such  
1418 person for a violation of section 14-227a, as amended by this act, or 14-  
1419 227m or subdivision (1) or (2) of subsection (a) of section 14-227n, and  
1420 (B) whether the officer believes that there is substantial evidence to  
1421 conclude that the person was operating a motor vehicle under the  
1422 influence of intoxicating liquor or any drug, or both. With such report,  
1423 the officer may submit other supporting documentation indicating the

1424 person's intoxication by liquor or any drug, or both. If the officer  
1425 believes there is substantial evidence to conclude that the person was  
1426 operating a motor vehicle under the influence of intoxicating liquor or  
1427 any drug, or both, the officer shall immediately revoke and take  
1428 possession of the motor vehicle operator's license or, if such person is  
1429 not licensed or is a nonresident, suspend the operating privilege of such  
1430 person for a twenty-four-hour period.

1431 (e) (1) Except as provided in subdivision (2) of this subsection, upon  
1432 receipt of [such] a report submitted under subsection (c) or (d) of this  
1433 section, the [Commissioner of Motor Vehicles] commissioner may  
1434 suspend any operator's license or [nonresident] operating privilege of  
1435 such person effective as of a date certain, which date certain shall be not  
1436 later than thirty days [after] from the later of the date such person  
1437 received (A) notice of such person's arrest by the police officer, or (B) the  
1438 results of a blood or urine test or a drug influence evaluation. Any  
1439 person whose operator's license or [nonresident] operating privilege has  
1440 been suspended in accordance with this subdivision shall automatically  
1441 be entitled to a hearing before the commissioner to be held in accordance  
1442 with the provisions of chapter 54 and prior to the effective date of the  
1443 suspension. The commissioner shall send a suspension notice to such  
1444 person informing such person that such person's operator's license or  
1445 [nonresident] operating privilege is suspended as of a date certain and  
1446 that such person is entitled to a hearing prior to the effective date of the  
1447 suspension and may schedule such hearing by contacting the  
1448 Department of Motor Vehicles not later than seven days after the date  
1449 of mailing of such suspension notice.

1450 (2) [If the person arrested (A) is] Upon receipt of a report that (A) the  
1451 person's arrest involved [in] an accident resulting in a fatality, or (B) the  
1452 person has previously had such person's operator's license or  
1453 [nonresident] operating privilege suspended under the provisions of  
1454 section 14-227a, as amended by this act, 14-227m or 14-227n, as amended  
1455 by this act, during the ten-year period preceding the present arrest,  
1456 [upon receipt of such report, the Commissioner of Motor Vehicles] the

1457 commissioner may suspend any operator's license or [nonresident]  
1458 operating privilege of such person effective as of the date specified in a  
1459 notice of such suspension to such person. [Any] A person whose  
1460 operator's license or [nonresident] operating privilege has been  
1461 suspended in accordance with this subdivision shall automatically be  
1462 entitled to a hearing before the commissioner, to be held in accordance  
1463 with the provisions of chapter 54. The commissioner shall send a  
1464 suspension notice to such person informing such person that such  
1465 person's operator's license or [nonresident] operating privilege is  
1466 suspended as of the date specified in such suspension notice, and that  
1467 such person is entitled to a hearing and may schedule such hearing by  
1468 contacting the Department of Motor Vehicles not later than seven days  
1469 after the date of mailing of such suspension notice. Any suspension  
1470 issued under this subdivision shall remain in effect until such  
1471 suspension is affirmed under subsection (f) of this section or such  
1472 operator's license or [nonresident] operating privilege is reinstated in  
1473 accordance with [subsections (f) and] subsection (h) of this section.

1474 (f) If such person does not contact the department to schedule a  
1475 hearing, the commissioner shall affirm the suspension contained in the  
1476 suspension notice for the appropriate period specified in subsection (i)  
1477 of this section.

1478 (g) (1) If such person contacts the department to schedule a hearing,  
1479 the department shall assign a date, time and place for the hearing, which  
1480 date shall be prior to the effective date of the suspension, except that,  
1481 with respect to a person whose operator's license or [nonresident]  
1482 operating privilege is suspended in accordance with subdivision (2) of  
1483 subsection (e) of this section, such hearing shall be scheduled not later  
1484 than thirty days after such person contacts the department. At the  
1485 request of such person, the hearing officer or the department and upon  
1486 a showing of good cause, the commissioner may grant one or more  
1487 continuances. [The hearing]

1488 (2) A hearing based on a report submitted under subsection (c) of this  
1489 section shall be limited to a determination of the following issues: [(1)]

1490 (A) Did the police officer have probable cause to arrest the person for  
1491 operating a motor vehicle while under the influence of intoxicating  
1492 liquor or any drug, or both; ~~[(2)] (B) was such person placed under~~  
1493 ~~arrest; [(3)] (C) did such person (i) refuse to submit to such test or~~  
1494 ~~[analysis or did such person] nontestimonial portion of a drug influence~~  
1495 ~~evaluation, or (ii) submit to such test, [or analysis,] commenced within~~  
1496 ~~two hours of the time of operation, and the results of such test [or~~  
1497 ~~analysis] indicated that such person had an elevated blood alcohol~~  
1498 ~~content; and [(4)] (D) was such person operating the motor vehicle.~~

1499 (3) A hearing based on a report submitted under subsection (d) of this  
1500 section shall be limited to a determination of the following issues: (A)  
1501 Did the police officer have probable cause to arrest the person for  
1502 operating a motor vehicle while under the influence of intoxicating  
1503 liquor or any drug, or both; (B) was such person placed under arrest; (C)  
1504 is there substantial evidence to conclude that such person was operating  
1505 a motor vehicle under the influence of intoxicating liquor or any drug,  
1506 or both; and (D) was such person operating the motor vehicle.

1507 (4) In [the] a hearing under this subsection, the results of the test, [or  
1508 analysis] if administered, shall be sufficient to indicate the ratio of  
1509 alcohol in the blood of such person at the time of operation, provided  
1510 such test was commenced within two hours of the time of operation.  
1511 The fees of any witness summoned to appear at [the] a hearing under  
1512 this subsection shall be the same as provided by the general statutes for  
1513 witnesses in criminal cases. Notwithstanding the provisions of  
1514 subsection (a) of section 52-143, any subpoena summoning a police  
1515 officer as a witness shall be served not less than seventy-two hours prior  
1516 to the designated time of the hearing.

1517 (5) In a hearing based on a report submitted under subsection (d) of  
1518 this section, evidence of operation under the influence of intoxicating  
1519 liquor or any drug, or both shall be admissible. Such evidence may  
1520 include, but need not be limited to, (A) the police officer's observations  
1521 of intoxication, as documented in a report submitted to the  
1522 commissioner under subsection (d) of this section; (B) the results of any



1523 chemical test administered under this section or a toxicology report  
1524 certified by the Division of Scientific Services within the Department of  
1525 Emergency Services and Public Protection; (C) hospital or medical  
1526 records obtained in accordance with subsection (j) of this section or by  
1527 the consent of the operator; (D) the results of any tests conducted by, or  
1528 the report of, an officer trained in advanced roadside impaired driving  
1529 enforcement; or (E) reports of drug recognition experts.

1530 (h) If, after [such] a hearing under subdivision (2) of subsection (g) of  
1531 this section, the commissioner finds in the negative on any one of the  
1532 [said] issues [in the negative] specified in subparagraph (A), (B), (C) or  
1533 (D) of said subdivision, the commissioner shall reinstate such license or  
1534 operating privilege. If, after a hearing under subdivision (3) of  
1535 subsection (g) of this section, the commissioner finds in the negative on  
1536 any one of the issues specified in subparagraph (A), (B), (C) or (D) of  
1537 said subdivision, the commissioner shall reinstate such license or  
1538 operating privilege. If, after such hearing under subdivision (2) or (3) of  
1539 subsection (g) of this section, the commissioner does not find on any one  
1540 of [the] said issues in the negative or if such person fails to appear at  
1541 such hearing, the commissioner shall affirm the suspension contained  
1542 in the suspension notice for the appropriate period specified in  
1543 subsection (i) of this section. The commissioner shall render a decision  
1544 at the conclusion of such hearing and send a notice of the decision by  
1545 bulk certified mail to such person. The notice of such decision sent by  
1546 bulk certified mail to the address of such person as shown by the records  
1547 of the commissioner shall be sufficient notice to such person that such  
1548 person's operator's license or [nonresident] operating privilege is  
1549 reinstated or suspended, as the case may be.

1550 (i) (1) The commissioner shall suspend the operator's license or  
1551 [nonresident] operating privilege of a person who did not contact the  
1552 department to schedule a hearing, who failed to appear at a hearing, or  
1553 against whom a decision was issued, after a hearing, pursuant to  
1554 subsection (h) of this section, as of the effective date contained in the  
1555 suspension notice, for a period of forty-five days. As a condition for the

1556 restoration of such operator's license or [nonresident] operating  
1557 privilege, such person shall be required to install an ignition interlock  
1558 device on each motor vehicle owned or operated by such person and,  
1559 upon such restoration, be prohibited from operating a motor vehicle  
1560 unless such motor vehicle is equipped with a functioning, approved  
1561 ignition interlock device, as defined in section 14-227j, for the longer of  
1562 either (A) the period prescribed in subdivision (2) of this subsection for  
1563 the present arrest and suspension, or (B) the period prescribed in  
1564 subdivision (1), (2) or (3) of subsection (g) of section 14-227a or  
1565 subdivision (1), (2) or (3) of subsection (c) of section 14-227m or  
1566 subdivision (1) or (2) of subsection (c) of section 14-227n for the present  
1567 arrest and conviction, if any.

1568 (2) (A) A person twenty-one years of age or older at the time of the  
1569 arrest who submitted to a test [or analysis] and the results of such test  
1570 [or analysis] indicated that such person had an elevated blood alcohol  
1571 content, or was found to have been operating a motor vehicle under the  
1572 influence of intoxicating liquor or any drug, or both based on a report  
1573 filed pursuant to subsection (d) of this section, shall install and maintain  
1574 an ignition interlock device for the following periods: (i) For a first  
1575 suspension under this section, six months; (ii) for a second suspension  
1576 under this section, one year; and (iii) for a third or subsequent  
1577 suspension under this section, two years; (B) a person under twenty-one  
1578 years of age at the time of the arrest who submitted to a test [or analysis]  
1579 and the results of such test [or analysis] indicated that such person had  
1580 an elevated blood alcohol content, or was found to have been operating  
1581 a motor vehicle under the influence of intoxicating liquor or any drug,  
1582 or both based on a report filed pursuant to subsection (d) of this section,  
1583 shall install and maintain an ignition interlock device for the following  
1584 periods: (i) For a first suspension under this section, one year; (ii) for a  
1585 second suspension under this section, two years; and (iii) for a third or  
1586 subsequent suspension under this section, three years; and (C) a person,  
1587 regardless of age, who refused to submit to a test or [analysis]  
1588 nontestimonial portion of a drug influence evaluation shall install and  
1589 maintain an ignition interlock device for the following periods: (i) For a

1590 first suspension under this section, one year; (ii) for a second suspension  
1591 under this section, two years; and (iii) for a third or subsequent  
1592 suspension, under this section, three years.

1593 (3) Notwithstanding the provisions of subdivisions (1) and (2) of this  
1594 subsection, a person whose motor vehicle operator's license or  
1595 [nonresident] operating privilege has been permanently revoked upon  
1596 a third offense pursuant to subsection (g) of section 14-227a, as amended  
1597 by this act, or subsection (c) of section 14-227m shall be subject to the  
1598 penalties prescribed in subdivision (2) of subsection (i) of section 14-111.

1599 (j) Notwithstanding the provisions of subsections (b) to (i), inclusive,  
1600 of this section, any police officer who obtains the results of a [chemical  
1601 analysis] test of a blood sample taken from or a urine sample provided  
1602 by an operator of a motor vehicle who was involved in an accident and  
1603 suffered or allegedly suffered physical injury in such accident, or who  
1604 was otherwise deemed by a police officer to require treatment or  
1605 observation at a hospital, shall notify the [Commissioner of Motor  
1606 Vehicles] commissioner and submit to the commissioner a written  
1607 report if such results indicate that such person had an elevated blood  
1608 alcohol content, or any quantity of an intoxicating liquor or any drug, or  
1609 both, in such person's blood, and if such person was arrested for  
1610 violation of section 14-227a, as amended by this act, or 14-227m or  
1611 subdivision (1) or (2) of subsection (a) of section 14-227n. The report  
1612 shall be made on a form approved by the commissioner containing such  
1613 information as the commissioner prescribes, and shall be subscribed and  
1614 sworn to under penalty of false statement, as provided in section 53a-  
1615 157b, by the police officer. The commissioner may, after notice and an  
1616 opportunity for hearing, which shall be conducted by a hearing officer  
1617 on behalf of the commissioner in accordance with chapter 54, suspend  
1618 the motor vehicle operator's license or [nonresident] operating privilege  
1619 of such person for the appropriate period of time specified in subsection  
1620 (i) of this section and require such person to install and maintain an  
1621 ignition interlock device for the appropriate period of time prescribed  
1622 in subsection (i) of this section. Each hearing conducted under this

1623 subsection shall be limited to a determination of the following issues: (1)  
1624 Whether the police officer had probable cause to arrest the person for  
1625 operating a motor vehicle while under the influence of intoxicating  
1626 liquor or drug, or both; (2) whether such person was placed under  
1627 arrest; (3) whether such person was operating the motor vehicle; (4)  
1628 whether the results of the analysis of the blood or urine of such person  
1629 indicate that such person had an elevated blood alcohol content, or there  
1630 is substantial evidence to conclude that the person was operating a  
1631 motor vehicle under the influence of intoxicating liquor or any drug, or  
1632 both; and (5) in the event that a blood sample was taken, whether the  
1633 blood sample was obtained in accordance with conditions for  
1634 admissibility and competence as evidence as set forth in subsection (k)  
1635 of section 14-227a. If, after such hearing, the commissioner finds on any  
1636 one of the said issues in the negative, the commissioner shall not impose  
1637 a suspension. The fees of any witness summoned to appear at the  
1638 hearing shall be the same as provided by the general statutes for  
1639 witnesses in criminal cases, as provided in section 52-260.

1640 (k) The provisions of this section shall apply with the same effect to  
1641 the refusal by any person to submit to an additional chemical test as  
1642 provided in subparagraph (E) of subdivision [(5)] (1) of subsection (b)  
1643 of section 14-227a, as amended by this act.

1644 (l) The provisions of this section shall not apply to any person whose  
1645 physical condition is such that, according to competent medical advice,  
1646 such test would be inadvisable.

1647 (m) The state shall pay the reasonable charges of any physician who,  
1648 at the request of a [municipal police department] law enforcement unit,  
1649 as defined in section 7-294a, takes a blood sample for purposes of a test  
1650 under the provisions of this section.

1651 (n) For the purposes of this section, "elevated blood alcohol content"  
1652 means (1) a ratio of alcohol in the blood of such person that is eight-  
1653 hundredths of one per cent or more of alcohol, by weight, (2) if such  
1654 person is operating a commercial motor vehicle, a ratio of alcohol in the

1655 blood of such person that is four-hundredths of one per cent or more of  
1656 alcohol, by weight, or (3) if such person is less than twenty-one years of  
1657 age, a ratio of alcohol in the blood of such person that is two-hundredths  
1658 of one per cent or more of alcohol, by weight.

1659 (o) The Commissioner of Motor Vehicles shall adopt regulations, in  
1660 accordance with chapter 54, to implement the provisions of this section.

1661 Sec. 41. Section 14-227c of the general statutes is repealed and the  
1662 following is substituted in lieu thereof (*Effective April 1, 2022*):

1663 (a) As part of the investigation of any motor vehicle accident resulting  
1664 in the death of a person, the Chief Medical Examiner, Deputy Chief  
1665 Medical Examiner, an associate medical examiner, a pathologist as  
1666 specified in section 19a-405, or an authorized assistant medical  
1667 examiner, as the case may be, shall order that a blood sample be taken  
1668 from the body of any operator or pedestrian who dies as a result of such  
1669 accident. Such blood samples shall be examined for the presence and  
1670 concentration of alcohol and any drug by the Division of Scientific  
1671 Services within the Department of Emergency Services and Public  
1672 Protection or by the Office of the Chief Medical Examiner, or by any  
1673 forensic toxicology laboratory pursuant to an agreement with the office.  
1674 Nothing in this subsection or section 19a-406 shall be construed as  
1675 requiring such medical examiner to perform an autopsy in connection  
1676 with obtaining such blood samples.

1677 (b) [A blood or breath sample shall be obtained from any surviving  
1678 operator whose motor vehicle is involved in an accident resulting in the  
1679 serious physical injury, as defined in section 53a-3, or death of another  
1680 person, if] If any surviving operator whose motor vehicle is involved in  
1681 an accident resulting in the serious physical injury, as defined in section  
1682 53a-3, or death of another person, and (1) a police officer has probable  
1683 cause to believe that such operator operated such motor vehicle while  
1684 under the influence of intoxicating liquor or any drug, or both, or (2)  
1685 such operator has been charged with a motor vehicle violation in  
1686 connection with such accident and a police officer has a reasonable and

1687 articulable suspicion that such operator operated such motor vehicle  
1688 while under the influence of intoxicating liquor or any drug, or both;

1689 (A) A blood, breath or urine sample shall be obtained from such  
1690 surviving operator. The test shall be performed by or at the direction of  
1691 a police officer according to methods and with equipment approved by  
1692 the Department of Emergency Services and Public Protection and shall  
1693 be performed by a person certified or recertified for such purpose by  
1694 said department or recertified by persons certified as instructors by the  
1695 Commissioner of Emergency Services and Public Protection. The  
1696 equipment used for such test shall be checked for accuracy by a person  
1697 certified by the Department of Emergency Services and Public  
1698 Protection immediately before and after such test is performed. If a  
1699 blood test is performed, it shall be on a blood sample taken by a person  
1700 licensed to practice medicine and surgery in this state, a qualified  
1701 laboratory technician, a registered nurse, a physician assistant or a  
1702 phlebotomist. [The blood samples] A blood sample obtained from an  
1703 operator pursuant to this subsection shall be examined for the presence  
1704 and concentration of alcohol and any drug by the Division of Scientific  
1705 Services within the Department of Emergency Services and Public  
1706 Protection; [.] and

1707 (B) A drug recognition expert shall conduct a drug influence  
1708 evaluation of such surviving operator, provided such operator is not  
1709 seriously injured or otherwise unable to take such evaluation as a result  
1710 of the accident.

1711 (c) Each police officer who obtains from a surviving operator any  
1712 blood, breath or urine sample or a drug influence evaluation conducted  
1713 on such operator pursuant to subsection (b) of this section shall submit  
1714 to the Commissioner of Motor Vehicles a written report providing the  
1715 results of such sample or evaluation on a form approved by the  
1716 commissioner. The commissioner may, after notice and an opportunity  
1717 for a hearing held in accordance with chapter 54 and section 14-227b, as  
1718 amended by this act, suspend the motor vehicle operator's license or  
1719 operating privilege of such person and require such person to install and

1720 maintain an ignition interlock device as provided for in subsection (i) of  
1721 section 14-227b, as amended by this act. Such hearing shall be limited to  
1722 a determination of the following issues: (1) Was the person operating  
1723 the motor vehicle; (2) was the person's sample obtained in accordance  
1724 with, or drug influence evaluation conducted pursuant to, the  
1725 provisions of subsection (b) of this section; and (3) was the examined  
1726 sample found to have an elevated blood alcohol content, as defined in  
1727 section 14-227b, as amended by this act, or was there substantial  
1728 evidence that the person was operating the motor vehicle under the  
1729 influence of intoxicating liquor or any drug, or both.

1730 (d) In any motor vehicle accident resulting in the death of a person,  
1731 the law enforcement unit, as defined in section 7-294a, responding to the  
1732 accident shall assign an officer trained in advanced roadside impaired  
1733 driving enforcement to respond, if such an officer is available.

1734 Sec. 42. Subsection (c) of section 14-44k of the general statutes is  
1735 repealed and the following is substituted in lieu thereof (*Effective April*  
1736 *1, 2022*):

1737 (c) In addition to any other penalties provided by law, and except as  
1738 provided in subsection (d) of this section, a person is disqualified from  
1739 operating a commercial motor vehicle for one year if the commissioner  
1740 finds that such person (1) has refused to submit to a test to determine  
1741 such person's blood alcohol concentration while operating any motor  
1742 vehicle [, or has failed such a test when given,] or to a nontestimonial  
1743 portion of a drug influence evaluation conducted by a drug recognition  
1744 expert, (2) has an elevated blood alcohol content based on such a test  
1745 pursuant to section 14-227b, as amended by this act, or (3) was found to  
1746 have been operating under the influence of intoxicating liquor or any  
1747 drug, or both based on a report filed pursuant to the provisions of  
1748 subsection (d) of section 14-227b, as amended by this act, or pursuant to  
1749 the provisions of a law of any other state that is deemed by the  
1750 commissioner to be substantially similar to section 14-227b, as amended  
1751 by this act. For the purpose of this subsection, [a person shall be deemed  
1752 to have failed such a test if, when driving a commercial motor vehicle,

1753 the ratio of alcohol in the blood of such person was four-hundredths of  
1754 one per cent or more of alcohol, by weight, or if, when driving any other  
1755 motor vehicle, the ratio of alcohol in the blood of such person was eight-  
1756 hundredths of one per cent or more of alcohol, by weight] "drug  
1757 recognition expert" and "nontestimonial portion of a drug influence  
1758 evaluation" have the same meanings as provided in section 14-227a, as  
1759 amended by this act.

1760 Sec. 43. (NEW) (*Effective July 1, 2021*) The state Traffic Safety Resource  
1761 Prosecutor, in consultation with the Department of Transportation, the  
1762 Department of Motor Vehicles, the state-wide drug recognition expert  
1763 coordinator and the Connecticut Police Chiefs Association, shall seek  
1764 any guidance available from the National Highway Traffic Safety  
1765 Administration, and shall (1) develop educational materials and  
1766 programs about the drug recognition expert program and drug  
1767 influence evaluations, and (2) make such materials and programs  
1768 available to the Judicial Branch and the Connecticut Judges Association.

1769 Sec. 44. Section 15-140q of the general statutes is repealed and the  
1770 following is substituted in lieu thereof (*Effective April 1, 2022*):

1771 (a) Any person who operates a vessel in this state shall be deemed to  
1772 have consented to (1) a chemical [analysis] test of such person's blood,  
1773 breath or urine, [and if] and (2) a nontestimonial portion of a drug  
1774 influence evaluation conducted by a drug recognition expert. If such  
1775 person is a minor, such person's parent or parents or guardian shall also  
1776 be deemed to have given their consent for such [an analysis of the  
1777 minor's blood, breath or urine] test or evaluation.

1778 [(b) If any such person, having been placed under arrest for: (1)  
1779 Violating subsection (b) of section 53-206d; (2) operating a vessel upon  
1780 the waters of this state while under the influence of intoxicating liquor  
1781 or any drug, or both; (3) operating a vessel upon the waters of this state  
1782 while such person has an elevated blood alcohol content, and thereafter,  
1783 after being apprised of such person's constitutional rights, having been  
1784 requested to submit to a blood, breath or urine test at the option of the



1785 police officer, having been afforded a reasonable opportunity to  
1786 telephone an attorney prior to the performance of such test and having  
1787 been informed that such person's safe boating certificate, right to  
1788 operate a vessel that requires a safe boating certificate for operation or  
1789 certificate of personal watercraft operation issued by the commissioner  
1790 as a condition of operating a vessel shall be suspended in accordance  
1791 with the provisions of this section if such person refuses to submit to  
1792 such test or if such person submits to such test and the results of such  
1793 test indicate that such person has an elevated blood alcohol content and  
1794 that evidence of any such refusal shall be admissible in accordance with  
1795 subsection (d) of section 15-140r, and may be used against such person  
1796 in any criminal prosecution, refuses to submit to the designated test, the  
1797 test shall not be given; provided, if such person refuses or is unable to  
1798 submit to a blood test, the peace officer shall designate the breath or  
1799 urine test as the test to be taken. The peace officer shall make a notation  
1800 upon the records of the police department that such officer informed  
1801 such person that such person's safe boating certificate, right to operate  
1802 a vessel that requires a safe boating certificate for operation or certificate  
1803 of personal watercraft operation would be suspended if such person  
1804 refused to submit to such test or if such person submitted to such test  
1805 and the results of such test indicated that such person has an elevated  
1806 blood alcohol content.]

1807 (b) (1) A peace officer who has placed a person under arrest for  
1808 violating subsection (b) of section 53-206d; operating a vessel upon the  
1809 waters of this state while under the influence of intoxicating liquor or  
1810 any drug, or both; or operating a vessel upon the waters of this state  
1811 while such person has an elevated blood alcohol content, may request  
1812 that such person submit to a blood, breath or urine test at the option of  
1813 the peace officer, a drug influence evaluation conducted by a drug  
1814 recognition expert, or both, after such person has been (A) apprised of  
1815 such person's constitutional rights, (B) afforded a reasonable  
1816 opportunity to telephone an attorney prior to the performance of such  
1817 test or evaluation, (C) informed that evidence of any refusal to submit  
1818 to such test or evaluation shall be admissible in accordance with

1819 subsection (d) of section 15-140r, as amended by this act, and may be  
1820 used against such person in any criminal prosecution, except that  
1821 refusal to submit to the testimonial portions of a drug influence  
1822 evaluation shall not be considered evidence of refusal of such evaluation  
1823 for purposes of any criminal prosecution, and (D) informed that such  
1824 person's safe boating certificate, right to operate a vessel that requires a  
1825 safe boating certificate for operation or certificate of personal watercraft  
1826 operation issued by the commissioner as a condition of operating a  
1827 vessel may be suspended in accordance with the provisions of this  
1828 section if (i) such person refuses to submit to such test or nontestimonial  
1829 portion of a drug influence evaluation, (ii) such person submits to such  
1830 test and the results of such test indicate that such person has an elevated  
1831 blood alcohol content, or (iii) the officer believes there is substantial  
1832 evidence to conclude that such person was operating a vessel under the  
1833 influence of intoxicating liquor or any drug, or both.

1834 (2) If the person refuses to submit to any test or drug influence  
1835 evaluation, the test or evaluation shall not be given, except that if the  
1836 person refuses or is unable to submit to a blood test, the peace officer  
1837 shall designate another test to be taken. If a person submits to a breath  
1838 test and the results indicate that the person does not have an elevated  
1839 blood alcohol content, the peace officer may request that the person  
1840 submit to a different type of test, except that if the person refuses or is  
1841 unable to submit to a blood test, the peace officer shall designate a urine  
1842 test to be taken. The peace officer shall make a notation upon the records  
1843 of the law enforcement unit, as defined in section 7-294a, that such  
1844 officer informed the person that such person's safe boating certificate,  
1845 right to operate a vessel that requires a safe boating certificate for  
1846 operation or certificate of personal watercraft operation may be  
1847 suspended if such person (A) refused to submit to such test or the  
1848 nontestimonial portion of a drug influence evaluation; (B) submitted to  
1849 such test and the results of such test indicated that such person had an  
1850 elevated blood alcohol content; or (C) the officer believes there is  
1851 substantial evidence to conclude that such person was operating a  
1852 vessel under the influence of intoxicating liquor or any drug, or both.

1853 (c) If the person arrested refuses to submit to such test or [analysis]  
1854 nontestimonial portion of a drug influence evaluation, or submits to  
1855 such test [or analysis] and the results of such test [or analysis] indicate  
1856 that at the time of the alleged offense such person had an elevated blood  
1857 alcohol content, the peace officer shall immediately revoke the safe  
1858 boating certificate, right to operate a vessel that requires a safe boating  
1859 certificate for operation or certificate of personal watercraft operation, if  
1860 any, of such person for a twenty-four-hour period. The peace officer  
1861 shall prepare a written report of the incident and shall mail the report,  
1862 together with any certificate taken into possession and a copy of the  
1863 results of any chemical test, [or analysis,] to the commissioner within  
1864 three business days, except that failure of an officer to mail or transmit  
1865 such report within three business days shall not impact a decision to  
1866 suspend a safe boating certificate, right to operate a vessel that requires  
1867 a safe boating certificate for operation or certificate of personal  
1868 watercraft operation issued by the commissioner as a condition of  
1869 operating a vessel and shall not render such report inadmissible at a  
1870 hearing under this section. The report shall be made on a form approved  
1871 by the commissioner and shall be subscribed and sworn to under  
1872 penalty of false statement as provided in section 53a-157b by the peace  
1873 officer before whom such refusal was made or who administered or  
1874 caused to be administered such test, [or analysis.] If the person arrested  
1875 refused to submit to such test or [analysis] evaluation, the report shall  
1876 be endorsed by a third person who witnessed such refusal. The report  
1877 shall set forth the grounds for the officer's belief that there was probable  
1878 cause to arrest such person for operating such vessel while under the  
1879 influence of intoxicating liquor or any drug, or both, or while such  
1880 person has an elevated blood alcohol content and shall state that such  
1881 person refused to submit to such test or [analysis] evaluation when  
1882 requested by such peace officer or that such person submitted to such  
1883 test [or analysis] and the results of such test [or analysis] indicated that  
1884 such person at the time of the alleged offense had an elevated blood  
1885 alcohol content.

1886 [(d) If the person arrested submits to a blood or urine test at the

1887 request of the peace officer, and the specimen requires laboratory  
1888 analysis in order to obtain the test results, and if the test results indicate  
1889 that such person has an elevated blood alcohol content, the peace officer,  
1890 immediately upon receipt of the test results, shall notify and submit to  
1891 the commissioner the written report required pursuant to subsection (c)  
1892 of this section.]

1893 (d) If a peace officer has placed a person under arrest for violating  
1894 subsection (b) of section 53-206d; operating a vessel upon the waters of  
1895 this state while under the influence of intoxicating liquor or any drug,  
1896 or both; or operating a vessel upon the waters of this state while such  
1897 person has an elevated blood alcohol content and does not request that  
1898 such person submit to a blood, breath or urine test under subsection (b)  
1899 of this section, or obtains test results from a test administered under  
1900 subsection (b) of this section that indicate that the person does not have  
1901 an elevated blood alcohol content, such officer shall:

1902 (1) Advise such person that such person's safe boating certificate,  
1903 right to operate a vessel that requires a safe boating certificate for  
1904 operation or certificate of personal watercraft operation issued by the  
1905 commissioner as a condition of operating a vessel may be suspended in  
1906 accordance with the provisions of this section if such officer believes  
1907 there is substantial evidence to conclude that such person was operating  
1908 a vessel under the influence of intoxicating liquor or any drug, or both;  
1909 and

1910 (2) Submit a report to the commissioner in accordance with the  
1911 procedure set forth in subsection (c) of this section and, if such report  
1912 contains the results of a blood, breath or urine test that does not show  
1913 an elevated blood alcohol content, such report shall conform to the  
1914 requirements in subsection (c) of this section for reports that contain  
1915 results showing an elevated blood alcohol content. In any report  
1916 submitted under this subdivision, the officer shall document (A) the  
1917 basis for the officer's belief that there was probable cause to arrest such  
1918 person for a violation of subsection (b) of section 53-206d; operating a  
1919 vessel upon the waters of this state while under the influence of

1920 intoxicating liquor or any drug, or both; or operating a vessel upon the  
1921 waters of this state while such person has an elevated blood alcohol  
1922 content, and (B) whether the officer believes that there is substantial  
1923 evidence to conclude that the person was operating a vessel under the  
1924 influence of intoxicating liquor or any drug, or both. With such report,  
1925 the officer may submit other supporting documentation indicating the  
1926 person's intoxication by liquor or any drug, or both. If the officer  
1927 believes there is substantial evidence to conclude that the person was  
1928 operating a vessel under the influence of intoxicating liquor or any drug,  
1929 or both, the officer shall immediately revoke and take possession of the  
1930 person's safe boating certificate, right to operate a vessel that requires a  
1931 safe boating certificate for operation or certificate of personal watercraft  
1932 operation issued by the commissioner as a condition of operating a  
1933 vessel, for a twenty-four-hour period.

1934 (e) Upon receipt of [such] a report submitted under subsection (c) or  
1935 (d) of this section, the commissioner shall suspend the safe boating  
1936 certificate, right to operate a vessel that requires a safe boating certificate  
1937 for operation or certificate of personal watercraft operation of such  
1938 person effective as of a date certain, and such date certain shall be no  
1939 later than thirty-five days [after] from the later of the date such person  
1940 received (1) notice of such person's arrest by the peace officer, or (2) the  
1941 results of a blood or urine test or a drug influence evaluation. Any  
1942 person whose safe boating certificate, right to operate a vessel that  
1943 requires a safe boating certificate for operation or certificate of personal  
1944 watercraft operation is suspended in accordance with this subsection  
1945 shall be entitled to a hearing before the commissioner to be held prior to  
1946 the effective date of the suspension. The commissioner shall send a  
1947 suspension notice to such person informing such person that such  
1948 person's safe boating certificate, right to operate a vessel that requires a  
1949 safe boating certificate for operation or certificate of personal watercraft  
1950 operation is suspended and shall specify the date of such suspension  
1951 and that such person is entitled to a hearing prior to the effective date of  
1952 the suspension and may schedule such hearing by contacting the  
1953 commissioner not later than seven days after the date of mailing of such

1954 suspension notice.

1955 (f) If such person does not contact the department to schedule a  
1956 hearing, the commissioner shall affirm the suspension contained in the  
1957 suspension notice for the appropriate period specified in subsection (i)  
1958 of this section.

1959 (g) (1) If such person contacts the department to schedule a hearing,  
1960 the commissioner shall assign a date, time and place for the hearing,  
1961 which date shall be prior to the effective date of the suspension. At the  
1962 request of such person and upon a showing of good cause, the  
1963 commissioner may grant one continuance for a period not to exceed  
1964 thirty days. [The hearing]

1965 (2) A hearing based on a report submitted under subsection (c) of this  
1966 section shall be limited to a determination of the following issues: [(1)]  
1967 (A) Whether the peace officer had probable cause to arrest the person  
1968 for operating the vessel while under the influence of intoxicating liquor  
1969 or drugs, or both, or while such person has an elevated blood alcohol  
1970 content; [(2)] (B) whether such person was placed under arrest; [(3)] (C)  
1971 whether such person [(A)] (i) refused to submit to such test or [analysis]  
1972 nontestimonial portion of a drug influence evaluation, or [(B)] (ii)  
1973 submitted to such test [or analysis] and the results of such test [or  
1974 analysis] indicated that at the time of the alleged offense that such  
1975 person had an elevated blood alcohol content; and [(4)] (D) whether  
1976 such person was operating the vessel.

1977 (3) A hearing based on a report submitted under subsection (d) of this  
1978 section shall be limited to a determination of the following issues: (A)  
1979 Whether the peace officer had probable cause to arrest the person for  
1980 operating a vessel while under the influence of intoxicating liquor or  
1981 drugs, or both, or while such person has an elevated blood alcohol  
1982 content; (B) whether such person was placed under arrest; (C) whether  
1983 there is substantial evidence to conclude that such person was operating  
1984 a vessel under the influence of intoxicating liquor or any drug, or both;  
1985 and (D) whether such person was operating the vessel.

1986       (4) At [the] a hearing held under this subsection, the results of the  
1987 test, [or analysis] if administered, shall be sufficient to indicate the ratio  
1988 of alcohol in the blood of such person at the time of operation, except  
1989 that if the results of an additional test, administered pursuant to section  
1990 15-140r, as amended by this act, indicate that the ratio of alcohol in the  
1991 blood of such person is eight-hundredths of one per cent or less of  
1992 alcohol, by weight, and is higher than the results of the first test,  
1993 evidence shall be presented that demonstrates that the test results and  
1994 analysis thereof accurately indicate the blood alcohol content at the time  
1995 of operation. The fees of any witness summoned to appear at [the] a  
1996 hearing under this subsection shall be the same as provided in section  
1997 52-260.

1998       (5) In a hearing based on a report submitted under subsection (d) of  
1999 this section, evidence of operation under the influence of intoxicating  
2000 liquor or any drug, or both shall be admissible. Such evidence may  
2001 include, but need not be limited to, (A) the peace officer's observations  
2002 of intoxication, as documented in a report submitted to the  
2003 commissioner under subsection (d) of this section; (B) the results of any  
2004 chemical test administered under this section or a toxicology report  
2005 certified by the Division of Scientific Services within the Department of  
2006 Emergency Services and Public Protection; (C) hospital or medical  
2007 records obtained in accordance with subsection (j) of this section or by  
2008 the consent of the operator; or (D) reports of drug recognition experts.

2009       (h) If, after [such] a hearing under subdivision (2) of subsection (g) of  
2010 this section, the commissioner finds in the negative on any one of [said]  
2011 the issues specified in [the negative] subparagraph (A), (B), (C) or (D) of  
2012 said subdivision, the commissioner shall stay the safe boating certificate,  
2013 right to operate a vessel that requires a safe boating certificate for  
2014 operation or certificate of personal watercraft operation suspension. If,  
2015 after a hearing under subdivision (3) of subsection (g) of this section, the  
2016 commissioner finds in the negative on any one of the issues specified in  
2017 subparagraph (A), (B), (C) or (D) of said subdivision, the commissioner  
2018 shall stay the safe boating certificate, right to operate a vessel that

2019 requires a safe boating certificate for operation or certificate of personal  
2020 watercraft operation suspension. If, after such hearing under  
2021 subdivision (2) or (3) of subsection (g) of this section, the commissioner  
2022 does not find on any one of said issues in the negative or if such person  
2023 fails to appear at such hearing, the commissioner shall affirm the  
2024 suspension contained in the suspension notice for the appropriate  
2025 period specified in subsection (i) of this section. The commissioner shall  
2026 render a decision at the conclusion of such hearing or send a notice of  
2027 the decision by certified mail to such person not later than thirty-five  
2028 days from the date of notice of such person's arrest by the peace officer  
2029 or, if a continuance is granted, not later than sixty-five days from the  
2030 date such person received notice of such person's arrest by the peace  
2031 officer. The notice of such decision sent by certified mail to the address  
2032 of such person as shown by the records of the commissioner shall be  
2033 sufficient notice to such person that such person's safe boating  
2034 certificate, right to operate a vessel that requires a safe boating certificate  
2035 for operation or certificate of personal watercraft operation is suspended  
2036 or the suspension is stayed. Unless a continuance of the hearing is  
2037 granted pursuant to subsection (g) of this section, if the commissioner  
2038 fails to render a decision within thirty-five days from the date that such  
2039 person received notice of such person's arrest by the peace officer, the  
2040 commissioner shall not suspend such person's safe boating certificate,  
2041 right to operate a vessel that requires a safe boating certificate for  
2042 operation or certificate of personal watercraft operation.

2043 (i) The commissioner shall suspend the operator's safe boating  
2044 certificate, right to operate a vessel that requires a safe boating certificate  
2045 for operation or certificate of personal watercraft operation of a person  
2046 who does not contact the department to schedule a hearing under  
2047 subsection (e) of this section, who fails to appear at such hearing, or  
2048 against whom, after a hearing, the commissioner holds pursuant to  
2049 subsection (g) of this section. Such suspension shall be as of the effective  
2050 date contained in the suspension notice or the date the commissioner  
2051 renders a decision, whichever is later, for a period of: (1) (A) Except as  
2052 provided in subparagraph (B) of this subdivision, ninety days if such



2053 person submitted to a test [or analysis] and the results of such test [or  
2054 analysis] indicated that at the time of the alleged offense that such  
2055 person had an elevated blood alcohol content, or such person was found  
2056 to have been operating a vessel under the influence of intoxicating  
2057 liquor or any drug, or both, based on a report filed pursuant to  
2058 subsection (d) of this section, or (B) one hundred twenty days if such  
2059 person submitted to a test [or analysis] and the results of such test [or  
2060 analysis] indicated that the ratio of alcohol in the blood of such person  
2061 was sixteen-hundredths of one per cent or more of alcohol, by weight,  
2062 or (C) six months if such person refused to submit to such test; [or  
2063 analysis;] (2) if such person has previously had such person's safe  
2064 boating certificate, right to operate a vessel that requires a safe boating  
2065 certificate for operation or certificate of personal watercraft operation  
2066 suspended under this section, (A) except as provided in subparagraph  
2067 (B) of this subdivision, nine months if such person submitted to a test  
2068 [or analysis] and the results of such test [or analysis] indicated that at  
2069 the time of the alleged offense that such person had an elevated blood  
2070 alcohol content, or such person was found to have been operating a  
2071 vessel under the influence of intoxicating liquor or any drug, or both,  
2072 based on a report filed pursuant to subsection (d) of this section, (B) ten  
2073 months if such person submitted to a test [or analysis] and the results of  
2074 such test [or analysis] indicated that the ratio of alcohol in the blood of  
2075 such person was sixteen-hundredths of one per cent or more of alcohol,  
2076 by weight, and (C) one year if such person refused to submit to such  
2077 test; [or analysis;] and (3) if such person has two or more times  
2078 previously had such person's safe boating certificate, right to operate a  
2079 vessel that requires a safe boating certificate for operation or certificate  
2080 of personal watercraft operation suspended under this section, (A)  
2081 except as provided in subparagraph (B) of this subdivision, two years if  
2082 such person submitted to a test [or analysis] and the results of such test  
2083 [or analysis] indicated that at the time of the alleged offense that such  
2084 person had an elevated blood alcohol content, or such person was found  
2085 to have been operating a vessel under the influence of intoxicating  
2086 liquor or any drug, or both, based on a report filed pursuant to  
2087 subsection (d) of this section, (B) two and one-half years if such person

2088 submitted to a test [or analysis] and the results of such test [or analysis]  
2089 indicated that the ratio of alcohol in the blood of such person was  
2090 sixteen-hundredths of one per cent or more of alcohol, by weight, and  
2091 (C) three years if such person refused to submit to such test. [or  
2092 analysis.]

2093 (j) Notwithstanding the provisions of subsections (b) to (i), inclusive,  
2094 of this section, any peace officer who obtains the results of a chemical  
2095 analysis of a blood sample taken from an operator of a vessel involved  
2096 in an accident who suffered or allegedly suffered physical injury in such  
2097 accident shall notify the commissioner and submit to the commissioner  
2098 a written report if such results indicate that at the time of the alleged  
2099 offense such person had an elevated blood alcohol content, or any  
2100 quantity of an intoxicating liquor or any drug, or both, in such person's  
2101 blood, and if such person was arrested for a violation of section 15-132a,  
2102 subsection (d) of section 15-133 or section 15-140l or 15-140n in  
2103 connection with such accident. The report shall be made on a form  
2104 approved by the commissioner containing such information as the  
2105 commissioner prescribes and shall be subscribed and sworn under  
2106 penalty of false statement, as provided in section 53a-157b, by the peace  
2107 officer. The commissioner shall, after notice and an opportunity for  
2108 hearing, which shall be conducted in accordance with chapter 54,  
2109 suspend the safe boating certificate, right to operate a vessel that  
2110 requires a safe boating certificate for operation or certificate of personal  
2111 watercraft operation of such person for a period of up to ninety days,  
2112 or, if such person has previously had such person's operating privilege  
2113 suspended under this section, for a period up to one year. Each hearing  
2114 conducted under this section shall be limited to a determination of the  
2115 following issues: (1) Whether the peace officer had probable cause to  
2116 arrest the person for operating a vessel while under the influence of  
2117 intoxicating liquor or drugs, or both, or while such person has an  
2118 elevated blood alcohol content; (2) whether such person was placed  
2119 under arrest; (3) whether such person was operating the vessel; (4)  
2120 whether the results of the analysis of the blood of such person indicate  
2121 that such person had an elevated blood alcohol content, or there is

2122 substantial evidence to conclude that the person was operating a vessel  
2123 under the influence of intoxicating liquor or any drug, or both; and (5)  
2124 whether the blood sample was obtained in accordance with conditions  
2125 for admissibility as set forth in section 15-140s. If, after such hearing, the  
2126 commissioner finds on any issue in the negative, the commissioner shall  
2127 not impose a suspension. The fees of any witness summoned to appear  
2128 at the hearing shall be the same as provided by the general statutes for  
2129 witnesses in criminal cases.

2130 (k) The provisions of this section shall apply with the same effect to  
2131 the refusal by any person to submit to an additional chemical test as  
2132 provided in [subdivision (5)] subparagraph (E) of subdivision (1) of  
2133 subsection (a) of section 15-140r, as amended by this act.

2134 (l) The provisions of this section do not apply to any person whose  
2135 physical condition is such that, according to competent medical advice,  
2136 such test would be inadvisable.

2137 (m) The state shall pay the reasonable charges of any physician who,  
2138 at the request of a [municipal police department] law enforcement unit,  
2139 as defined in section 7-294a, takes a blood sample for purposes of a test  
2140 under the provisions of this section.

2141 (n) For the purposes of this section, "elevated blood alcohol content"  
2142 means: (1) A ratio of alcohol in the blood of such person that is eight-  
2143 hundredths of one per cent or more of alcohol, by weight, or (2) if such  
2144 person is under twenty-one years of age, a ratio of alcohol in the blood  
2145 of such person that is two-hundredths of one per cent or more of alcohol,  
2146 by weight.

2147 (o) The commissioner may adopt regulations, in accordance with  
2148 chapter 54, to implement the provisions of this section.

2149 (p) For purposes of this section and section 15-140r, as amended by  
2150 this act, (1) "drug influence evaluation" means a twelve-part evaluation  
2151 developed by the National Highway Traffic Safety Administration and  
2152 the International Association of Chiefs of Police that is conducted by a

2153 drug recognition expert to determine the level of a person's impairment  
2154 from the use of drugs and the drug category causing such impairment;  
2155 (2) "drug recognition expert" means a person certified by the  
2156 International Association of Chiefs of Police as having met all  
2157 requirements of the International Drug Evaluation and Classification  
2158 Program; and (3) "nontestimonial portion of a drug influence  
2159 evaluation" means a drug influence evaluation conducted by a drug  
2160 recognition expert that does not include a verbal interview with the  
2161 subject.

2162 Sec. 45. Section 15-140r of the general statutes is repealed and the  
2163 following is substituted in lieu thereof (*Effective April 1, 2022*):

2164 (a) (1) Except as provided in section 15-140s or subsection (d) of this  
2165 section, in any criminal prosecution for the violation of section 15-132a,  
2166 subsection (d) of section 15-133, section 15-140l or 15-140n or subsection  
2167 (b) of section 53-206d, evidence respecting the amount of alcohol or drug  
2168 in the defendant's blood or urine at the time of the alleged offense, as  
2169 shown by a chemical [analysis] test of the defendant's breath, blood or  
2170 urine shall be admissible and competent provided: [(1)] (A) The  
2171 defendant was afforded a reasonable opportunity to telephone an  
2172 attorney prior to the performance of the test and consented to the taking  
2173 of the test upon which such analysis is made; [(2)] (B) a true copy of the  
2174 report of the test result was mailed to or personally delivered to the  
2175 defendant within twenty-four hours or by the end of the next regular  
2176 business day, after such result was known, whichever is later; [(3)] (C)  
2177 the test was performed by or at the direction of a certified law  
2178 enforcement officer according to methods and with equipment  
2179 approved by the Department of Emergency Services and Public  
2180 Protection, and if a blood test was performed, it was performed on a  
2181 blood sample taken by a person licensed to practice medicine and  
2182 surgery in this state, a qualified laboratory technician, an emergency  
2183 medical technician II or a registered nurse in accordance with the  
2184 regulations adopted under subsection (b) of this section; [(4)] (D) the  
2185 device used for such test was checked for accuracy in accordance with

2186 the regulations adopted under subsection (b) of this section; [(5)] (E) an  
2187 additional chemical test of the same type was performed at least ten  
2188 minutes after the initial test was performed or, if requested by the peace  
2189 officer for reasonable cause, an additional chemical test of a different  
2190 type was performed, including a test to detect the presence of a drug or  
2191 drugs other than or in addition to alcohol, except that the results of the  
2192 initial test shall not be inadmissible under this subsection if reasonable  
2193 efforts were made to have such additional test performed in accordance  
2194 with the conditions set forth in this subsection and (i) such additional  
2195 test was not performed or was not performed within a reasonable time,  
2196 or (ii) the results of such additional test are not admissible for failure to  
2197 meet a condition set forth in this subsection; and [(6)] (F) evidence is  
2198 presented that the test was commenced within two hours of operation  
2199 of the vessel or expert testimony establishes the reliability of a test  
2200 commenced beyond two hours of operation of the vessel. In any  
2201 prosecution under this section, it shall be a rebuttable presumption that  
2202 the results of such chemical analysis establish the ratio of alcohol in the  
2203 blood of the defendant at the time of the alleged offense, except that if  
2204 the results of the additional test indicate that the ratio of alcohol in the  
2205 blood of such defendant is ten-hundredths of one per cent or less of  
2206 alcohol, by weight, and is higher than the results of the first test,  
2207 evidence shall be presented that demonstrates that the test results and  
2208 the analysis thereof accurately indicate the blood alcohol content at the  
2209 time of the alleged offense.

2210 (2) If a law enforcement officer who is a drug recognition expert  
2211 conducts a drug influence evaluation, the officer's testimony concerning  
2212 such evaluation shall be admissible and competent as evidence of the  
2213 operation of a vessel while under the influence of liquor or any drug, or  
2214 both under subdivision (1) of subsection (a) of this section.

2215 (b) The Commissioner of Emergency Services and Public Protection  
2216 shall ascertain the reliability of each method and type of device offered  
2217 for chemical testing and analysis of blood, of breath and of urine and  
2218 certify those methods and types which the Commissioner of Emergency

2219 Services and Public Protection finds suitable for use in testing and  
2220 analysis of blood, breath and urine, respectively, in this state. The  
2221 Commissioner of Emergency Services and Public Protection, after  
2222 consultation with the Commissioner of Public Health, shall adopt  
2223 regulations, in accordance with chapter 54, governing the conduct of  
2224 chemical tests, the operation and use of chemical test devices and the  
2225 training and certification of operators of such devices and the drawing  
2226 or obtaining of blood, breath or urine samples as the Commissioner of  
2227 Emergency Services and Public Protection finds necessary to protect the  
2228 health and safety of persons who submit to chemical tests and to insure  
2229 reasonable accuracy in testing results. Such regulations shall not require  
2230 recertification of a peace officer solely because such officer terminates  
2231 such officer's employment with the law enforcement agency for which  
2232 certification was originally issued and commences employment with  
2233 another such agency.

2234 (c) If a person is charged with a violation of section 15-132a,  
2235 subsection (d) of section 15-133 or section 15-140/ or 15-140n, the charge  
2236 may not be reduced, nolle or dismissed unless the prosecuting  
2237 authority states in open court such prosecutor's reasons for the  
2238 reduction, nolle or dismissal.

2239 (d) (1) In any criminal prosecution for a violation of section 15-132a,  
2240 subsection (d) of section 15-133 or section 15-140/ or 15-140n, evidence  
2241 that the defendant refused to submit to a blood, breath or urine test or  
2242 the nontestimonial portion of a drug influence evaluation requested in  
2243 accordance with section 15-140q, as amended by this act, shall be  
2244 admissible provided the requirements of subsection (a) of said section  
2245 have been satisfied. If a case involving a violation of section 15-132a,  
2246 subsection (d) of section 15-133 or section 15-140/ or 15-140n is tried to a  
2247 jury, the court shall instruct the jury as to any inference that may or may  
2248 not be drawn from the defendant's refusal to submit to a blood, breath  
2249 or urine test or evaluation.

2250 (2) In any prosecution for a violation of subdivision (1) of subsection  
2251 (a) of this section, a drug recognition expert may testify as to his or her

2252 opinion or otherwise as to the significance of any symptoms of  
2253 impairment or intoxication for which evidence has been admitted or on  
2254 the condition that such evidence be introduced.

2255 (3) In any prosecution for a violation of subdivision (1) of subsection  
2256 (a) of this section in which it is alleged that the defendant's operation of  
2257 a vessel was impaired, in whole or in part, by consumption of cannabis,  
2258 cannabis products or THC, the court may take judicial notice that the  
2259 ingestion of THC (A) can impair a person's ability to operate a vessel;  
2260 (B) can impair a person's motor function, reaction time, tracking ability,  
2261 cognitive attention, decision-making, judgment, perception, peripheral  
2262 vision, impulse control and memory; and (C) does not enhance a  
2263 person's ability to safely operate a vessel. For the purposes of this  
2264 subdivision, "cannabis" and "cannabis products" have the same meaning  
2265 as provided in section 1 of this act and "THC" means  
2266 tetrahydrocannabinol and any material, compound, mixture or  
2267 preparation which contain their salts, isomers and salts of isomers,  
2268 whenever the existence of such salts, isomers and salts of isomers is  
2269 possible within the specific chemical designation, regardless of the  
2270 source, except: (i) Dronabinol in sesame oil and encapsulated in a soft  
2271 gelatin capsule in a federal Food and Drug Administration approved  
2272 product, and (ii) any tetrahydrocannabinol product that has been  
2273 approved by the federal Food and Drug Administration or successor  
2274 agency to have a medical use and reclassified in any schedule of  
2275 controlled substances or unscheduled by the federal Drug Enforcement  
2276 Administration or successor agency.

2277 Sec. 46. Subsection (a) of section 21a-279 of the general statutes is  
2278 repealed and the following is substituted in lieu thereof (*Effective January*  
2279 *1, 2022*):

2280 (a) (1) Any person who possesses or has under such person's control  
2281 any quantity of any controlled substance, except [less than one-half  
2282 ounce of a cannabis-type substance] any quantity of cannabis or  
2283 cannabis product, each as defined in section 1 of this act, and except as

2284 authorized in this chapter, shall be guilty of a class A misdemeanor.

2285 (2) For a second offense of subdivision (1) of this subsection, the court  
2286 shall evaluate such person and, if the court determines such person is a  
2287 drug-dependent person, the court may suspend prosecution of such  
2288 person and order such person to undergo a substance abuse treatment  
2289 program.

2290 (3) For any subsequent offense of subdivision (1) of this subsection,  
2291 the court may find such person to be a persistent offender for possession  
2292 of a controlled substance in accordance with section 53a-40.

2293 Sec. 47. Section 21a-279a of the general statutes is repealed and the  
2294 following is substituted in lieu thereof (*Effective January 1, 2022*):

2295 (a) Any person twenty-one years of age or older may possess, use,  
2296 gift without compensation or remuneration and otherwise consume  
2297 cannabis and cannabis products, provided the amount of all such  
2298 cannabis, including the amount contained in any cannabis product, does  
2299 not exceed such consumer's possession limit of (1) six ounces of cannabis  
2300 plant material, (2) an equivalent amount of cannabis product, or (3) an  
2301 equivalent amount of a combination of cannabis and cannabis product.

2302 ~~[(a)]~~ (b) Any person under twenty-one years of age who possesses or  
2303 has under [his] such person's control less than [one-half ounce of a  
2304 cannabis-type substance, as defined in section 21a-240] (1) two and one-  
2305 half ounces of cannabis plant material, (2) an equivalent amount of  
2306 cannabis product, or (3) an equivalent amount of a combination of  
2307 cannabis and cannabis product, except as authorized in this chapter or  
2308 chapter 420f, shall [(1)] (A) for a first offense, be fined one hundred fifty  
2309 dollars, and [(2)] (B) for a subsequent offense, be fined not less than two  
2310 hundred dollars or more than five hundred dollars.

2311 (c) The court shall evaluate any person who commits a second or  
2312 subsequent offense of any provision of subsection (b) of this section and,  
2313 if the court determines such person is a drug-dependent person, the



2314 court may suspend prosecution of such person and order such person  
2315 to undergo a substance abuse treatment program.

2316 [(b)] (d) The law enforcement officer issuing a complaint for a  
2317 violation of subsection [(a)] (b) of this section shall seize the [cannabis-  
2318 type substance] cannabis or cannabis product and cause such substance  
2319 to be destroyed as contraband in accordance with law.

2320 [(c)] (e) Any person who, at separate times, has twice entered a plea  
2321 of nolo contendere to, or been found guilty after trial of, a violation of  
2322 subsection [(a)] (b) of this section shall, upon a subsequent plea of nolo  
2323 contendere to, or finding of guilty of, a violation of said subsection, be  
2324 referred for participation in a drug education program at such person's  
2325 own expense.

2326 (f) Subsections (a) to (e), inclusive, of this section shall not apply to  
2327 any person acting in the course of business under a cannabis-related  
2328 license issued by the Department of Consumer Protection, by the  
2329 Cannabis Control Commission or by any other municipal or state  
2330 agency or to any person acting in the course of business providing bona  
2331 fide services to a business operating under a cannabis-related license of  
2332 any type and for whom the possession of cannabis or cannabis products  
2333 in an amount greater than six ounces is a bona fide business activity or  
2334 occupation.

2335 Sec. 48. (NEW) (Effective January 1, 2022) (a) Except as provided in  
2336 subsection (c) of this section, the existence of any of the following  
2337 circumstances shall not constitute, in whole or in part, probable cause  
2338 or reasonable suspicion and shall not be used as a basis to support any  
2339 stop or search of a person or motor vehicle:

2340 (1) The odor of cannabis or burnt cannabis; or

2341 (2) The possession of or the suspicion of possession of cannabis or  
2342 cannabis product, unless such cannabis or cannabis product exceeds six  
2343 ounces.

2344 (b) Any evidence discovered as a result of any stop or search  
2345 conducted in violation of this section shall not be admissible in evidence  
2346 in any trial, hearing or other proceeding in a court of this state.

2347 (c) A law enforcement official may not conduct a test for impairment  
2348 based on the odor of cannabis or burnt cannabis unless such official has  
2349 probable cause to believe the motor vehicle is being operated in an  
2350 unsafe manner.

2351 Sec. 49. (NEW) (*Effective October 1, 2021*) Any person, except for a  
2352 licensed veterinarian or person acting under the supervision, instruction  
2353 or recommendation of a licensed veterinarian, who knowingly feeds or  
2354 recklessly provides cannabis or a cannabis product to a domesticated  
2355 animal shall be guilty of a class C misdemeanor.

2356 Sec. 50. (NEW) (*Effective July 1, 2021*) (a) No agency or political  
2357 subdivision of the state may rely on a violation of federal law related to  
2358 cannabis as a significant or substantial basis for taking an adverse action  
2359 against a person.

2360 (b) It is the public policy of this state that contracts related to the  
2361 operation of a cannabis establishment licensed in accordance with  
2362 section 13 of this act are enforceable. The effect of the provisions of this  
2363 subsection may not be limited by any contractual waiver, provision  
2364 regarding choice of law, provision regarding conflicts of law or other  
2365 manner of contractual provision or other agreement.

2366 (c) It is the public policy of this state that no contract entered into by  
2367 a licensed cannabis establishment or its agents as authorized in  
2368 accordance with a valid license, or by those who allow property to be  
2369 used by a cannabis establishment, its employees, as defined in section  
2370 56 of this act, or its agents as authorized in accordance with a valid  
2371 license, shall be unenforceable on the basis that cultivating, obtaining,  
2372 manufacturing, distributing, dispensing, transporting, selling,  
2373 possessing or using cannabis is prohibited by federal law. The effect of  
2374 the provisions of this subsection may not be limited by any contractual

2375 waiver, provision regarding choice of law, provision regarding conflicts  
2376 of law or other manner of contractual provision or other agreement.

2377 (d) No law enforcement officer employed by an agency that receives  
2378 state or local government funds shall expend state or local resources,  
2379 including the officer's time, to effect any arrest or seizure of cannabis, or  
2380 conduct any investigation, on the basis of activity the officer believes  
2381 complies with the provisions of sections 1 to 60, inclusive, of this act, but  
2382 constitutes a violation of federal law.

2383 (e) An officer may not expend state or local resources, including the  
2384 officer's time, to provide any information or logistical support related to  
2385 such activity to any federal law enforcement authority, prosecuting  
2386 entity or immigration authority.

2387 Sec. 51. (NEW) (*Effective January 1, 2022*) Any drug paraphernalia, as  
2388 defined in section 21a-240 of the general statutes, or other property  
2389 relating to cannabis or cannabis product held by the Commissioner of  
2390 Consumer Protection pursuant to section 21a-263 of the general statutes,  
2391 a law enforcement agency, or court official that was seized from a  
2392 consumer before the effective date of this section in connection with  
2393 suspected possession or control of cannabis or cannabis product in  
2394 violation of the provisions of subsection (a) of section 21a-279a of the  
2395 general statutes, as amended by this act, shall be returned to the  
2396 consumer not later than one hundred eighty days of the effective date  
2397 of this section, provided no return of cannabis or cannabis products  
2398 exceeds six ounces, as permitted under section 21a-279a of the general  
2399 statutes, as amended by this act.

2400 Sec. 52. (NEW) (*Effective January 1, 2022*) Notwithstanding any  
2401 provision of chapter 420b of the general statutes, a consumer may  
2402 manufacture, possess, or purchase paraphernalia, as defined in section  
2403 21a-240 of the general statutes, related to cannabis or gift, distribute or  
2404 sell such paraphernalia to another consumer.

2405 Sec. 53. (NEW) (*Effective January 1, 2022*) Any consumer may gift

2406 cannabis or cannabis products to another consumer, without  
2407 compensation of any kind, provided such other consumer may possess  
2408 such cannabis or cannabis products and such gift is not part of a  
2409 commercial transaction.

2410       Sec. 54. (NEW) (*Effective January 1, 2022*) (a) Use or possession of  
2411 cannabis or cannabis products by a person that does not violate section  
2412 21a-279 or section 21a-279a of the general statutes, as amended by this  
2413 act, or chapter 420f of the general statutes shall not be grounds for  
2414 revocation of such person's parole, special parole or probation.

2415       (b) Notwithstanding the provisions of subsection (a) of this section, if  
2416 a person's conditions of parole, special parole or probation include a  
2417 finding that such person is a drug-dependent person and a condition  
2418 that such person not use or possess cannabis or cannabis products, use  
2419 or possession of cannabis or cannabis products may be grounds for  
2420 revocation of parole, special parole or probation.

2421       (c) No condition of parole, special parole or probation shall prohibit  
2422 a person from employment in any cannabis establishment or cannabis-  
2423 related business without a finding, based on clear and convincing  
2424 evidence, that such employment poses a substantial risk of the person's  
2425 recidivism or reoffense or a substantial obstacle to the person's recovery  
2426 from drug dependency.

2427       Sec. 55. (NEW) (*Effective July 1, 2022*) Any cannabis establishment  
2428 licensee or any servant or agent of a licensee who sells or delivers  
2429 cannabis or cannabis products to any person under twenty one years of  
2430 age shall be fined not more than one thousand dollars or imprisoned not  
2431 more than one year, or both.

2432       Sec. 56. (NEW) (*Effective January 1, 2022*) (a) As used in this section:

2433       (1) "Backer" means any person with a direct or indirect financial  
2434 interest in a cannabis establishment. "Backer" does not include a person  
2435 with an investment interest in a cannabis establishment, provided the

2436 interest held by such person and such person's coworkers, employees,  
2437 spouse, parent or child, in the aggregate, does not exceed five per cent  
2438 of the total ownership or interest rights in such cannabis establishment  
2439 and such person does not participate directly or indirectly in the control,  
2440 management or operation of the cannabis establishment;

2441 (2) "Employee" means any person who is not a backer or key  
2442 employee but is a member of the board of a company with an ownership  
2443 interest in a cannabis establishment, or any person employed by a  
2444 cannabis establishment or who otherwise has access to such  
2445 establishment or the vehicles used to transport cannabis or cannabis  
2446 products, including, but not limited to, an independent contractor who  
2447 has routine access to the premises of such establishment or to the  
2448 cannabis or cannabis products handled by such establishment; and

2449 (3) "Key employee" means an individual with the following  
2450 management position or an equivalent title within a cannabis  
2451 establishment: (A) President or chief officer, who is the top ranking  
2452 individual at the cannabis establishment and is responsible for all staff  
2453 and overall direction of business operations; (B) financial manager, who  
2454 is the individual that reports to the president or chief officer who is  
2455 generally responsible for oversight of the financial operations of the  
2456 cannabis licensee, including, but not limited to, revenue generation,  
2457 distributions, tax compliance and budget implementation; or (C)  
2458 compliance manager, who is the individual that reports to the president  
2459 or chief officer and who is generally responsible for ensuring the  
2460 cannabis establishment complies with all laws, regulations and  
2461 requirements related to the operation of the business establishment.

2462 (b) A cannabis establishment issued a license pursuant to section 13  
2463 of this act or an agent or employee of such licensee may require any  
2464 person whose age is in question to have such person's photograph be  
2465 taken by, and a photocopy of such person's driver's license or identity  
2466 card issued in accordance with the provisions of section 1-1h of the  
2467 general statutes be made by, such licensee, agent or employee as a  
2468 condition of selling or delivering cannabis or cannabis products to such

2469 person.

2470 (c) No licensee or agent or employee of a licensee shall use a  
2471 photograph taken or a photocopy made pursuant to subsection (b) of  
2472 this section for a purpose other than the purpose specified in said  
2473 subsection.

2474 (d) No licensee or agent or employee of a licensee shall sell or  
2475 otherwise disseminate a photograph taken or a photocopy made  
2476 pursuant to subsection (b) of this section, or any information derived  
2477 from such photocopy, to any third party for any purpose including, but  
2478 not limited to, any marketing, advertising or promotional activities,  
2479 except that a licensee or an agent or employee of a licensee may release  
2480 such photograph, photocopy or information pursuant to a court order.

2481 (e) In any prosecution of a licensee or an agent or employee of a  
2482 licensee for selling or delivering cannabis or cannabis products to a  
2483 person under twenty one years of age in violation of this section or  
2484 section 57 or 59 of this act, it shall be an affirmative defense that such  
2485 licensee, agent or employee sold or delivered cannabis or cannabis  
2486 products to such minor in good faith and in reasonable reliance upon  
2487 the identification presented by such person and, pursuant to subsection  
2488 (b) of this section, photographed the person and made a photocopy of  
2489 such identification. In support of such defense, such licensee, agent or  
2490 employee may introduce evidence of such photograph and photocopy.

2491 (f) The Commissioner of Consumer Protection may require a  
2492 cannabis establishment to use an online age verification system.

2493 Sec. 57. (NEW) (*Effective January 1, 2022*) Any person who induces any  
2494 person under twenty one years of age to procure cannabis or cannabis  
2495 products from any person licensed to sell such cannabis products shall  
2496 be fined not more than one thousand dollars or imprisoned not more  
2497 than one year or both. The provisions of this section shall not apply to  
2498 any such inducement in furtherance of an official investigation or  
2499 enforcement activity conducted by a law enforcement agency.

2500 Sec. 58. (NEW) (Effective January 1, 2022) (a) Each person who attains  
2501 the age of twenty-one years and has a motor vehicle operator's license  
2502 or identity card issued in accordance with the provisions of section 1-1h  
2503 of the general statutes, containing a full-face photograph of such person,  
2504 may use, and each licensee may accept, such license as legal proof of the  
2505 age of the person for the purposes of section 56 of this act.

2506 (b) Any person who, for the purpose of procuring cannabis or  
2507 cannabis products, misrepresents his or her age or uses or exhibits an  
2508 operator's license belonging to any other person shall, on a first offense,  
2509 be fined not more than two hundred fifty dollars and on a subsequent  
2510 offense, be guilty of a class D misdemeanor.

2511 (c) Notwithstanding subsection (b) of this section, an individual who  
2512 is employed or contracted directly or indirectly by a state agency to  
2513 purchase cannabis or cannabis products for the purposes of testing the  
2514 age verification and product controls of cannabis retailers shall not have  
2515 violated the law or be fined or imprisoned.

2516 Sec. 59. (NEW) (Effective January 1, 2022) No cannabis retailer or such  
2517 retailer's employee, as defined in section 56 of this act, or agents shall  
2518 permit any person under twenty one years of age to loiter with the intent  
2519 to purchase or consume unlawfully on the retailer's premises where  
2520 cannabis or cannabis products are kept for sale. A first violation of this  
2521 section shall be an infraction with a penalty not to exceed one thousand  
2522 dollars and a subsequent violation of this section shall be a class B  
2523 misdemeanor. This section shall not apply to any employee at a  
2524 cannabis establishment who is eighteen to twenty years of age.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section

Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>from passage</i>	New section
Sec. 15	<i>from passage</i>	New section
Sec. 16	<i>from passage</i>	New section
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>from passage</i>	New section
Sec. 19	<i>from passage</i>	New section
Sec. 20	<i>from passage</i>	New section
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>from passage</i>	New section
Sec. 23	<i>from passage</i>	New section
Sec. 24	<i>from passage</i>	New section
Sec. 25	<i>from passage</i>	New section
Sec. 26	<i>from passage</i>	New section
Sec. 27	<i>from passage</i>	New section
Sec. 28	<i>from passage</i>	New section
Sec. 29	<i>from passage</i>	New section
Sec. 30	<i>from passage</i>	New section
Sec. 31	<i>from passage</i>	New section
Sec. 32	<i>from passage</i>	New section
Sec. 33	July 1, 2022	54-142d
Sec. 34	July 1, 2022	New section
Sec. 35	<i>from passage</i>	21a-408s
Sec. 36	October 1, 2021	New section
Sec. 37	October 1, 2021	New section
Sec. 38	July 1, 2021	New section
Sec. 39	April 1, 2022	14-227a(a) to (e)
Sec. 40	April 1, 2022	14-227b
Sec. 41	April 1, 2022	14-227c
Sec. 42	April 1, 2022	14-44k(c)
Sec. 43	July 1, 2021	New section
Sec. 44	April 1, 2022	15-140q
Sec. 45	April 1, 2022	15-140r



Sec. 46	<i>January 1, 2022</i>	21a-279(a)
Sec. 47	<i>January 1, 2022</i>	21a-279a
Sec. 48	<i>January 1, 2022</i>	New section
Sec. 49	<i>October 1, 2021</i>	New section
Sec. 50	<i>July 1, 2021</i>	New section
Sec. 51	<i>January 1, 2022</i>	New section
Sec. 52	<i>January 1, 2022</i>	New section
Sec. 53	<i>January 1, 2022</i>	New section
Sec. 54	<i>January 1, 2022</i>	New section
Sec. 55	<i>July 1, 2022</i>	New section
Sec. 56	<i>January 1, 2022</i>	New section
Sec. 57	<i>January 1, 2022</i>	New section
Sec. 58	<i>January 1, 2022</i>	New section
Sec. 59	<i>January 1, 2022</i>	New section

**Statement of Legislative Commissioners:**

In Section 1, a definition of "Cannabis Control Commission" was added for consistency with standard drafting conventions; Section 1(5) was rewritten for statutory consistency; Section 1(13) was rewritten for clarity; Section 1(16) was rewritten for accuracy; Section 1(18) was rewritten for clarity; in Section 2(a), the first sentence was rewritten for clarity; in Section 2(a)(3), "this section, sections 3 to 33, inclusive, or this act" was changed to "13 of this act" for accuracy; in Section 2(a)(4), "and sections 3 to 32, inclusive, of this act" was deleted for accuracy; in Section 3(b), "clearly" was deleted for consistency with standard drafting conventions; Section 4 was rewritten for clarity and accuracy; in Section 6, "statutory enactments, amendments and repeals" was changed to "legislation" for consistency with standard drafting conventions; in Section 7, "such study" was changed to "a study pursuant to section 4 of this act" for accuracy and clarity; Section 8(a) was rewritten for clarity; in Section 9(a), "sections 12, 13, 15 and 16" was changed to "sections 13, 15, 16 and 23" for accuracy; Section 9(c) was rewritten for accuracy; Section 10 was rewritten for accuracy; in Section 13, the first sentence was rewritten for clarity; in Section 13(e)(1), "pursuant to section 18 of this act" and "pursuant to section 5 of this act" were added for clarity; Section 13(e)(3) and (e)(4) were rewritten for clarity; in Section 13(f)(2)(A), the last two sentences were rewritten for clarity and consistency with standard drafting conventions; Section 13(f)(2)(B) was rewritten for clarity; in Section 13(h), "and solicit its recommendations" was deleted for clarity and consistency with standard drafting conventions; Section 15 was rewritten for clarity; in Section 16, "said

sections" was changed to "section 13" for accuracy; in Section 18(3) was rewritten for clarity; in Section 20(a), "imposed under section 21 of this act" was added after "surcharges" for clarity and the last sentence was rewritten for clarity; in Section 20(b), "16" was deleted for accuracy; Section 21 was rewritten for clarity; Section 24 was rewritten for clarity and accuracy; in Section 29(i), "1 to 33" was changed to "13 to 15" for accuracy; in Section 37, "as defined in section 36 of this act" was deleted for accuracy and consistency with standard drafting conventions; in Section 47(a), "gift without compensation, remuneration, or any manner of relationship to a commercial transaction" was changed to "gift without compensation or remuneration" for clarity and consistency with standard drafting conventions; Section 47(b), "as provided in subsection (g) of this section" was deleted for accuracy; Section 47(c) was rewritten for clarity and accuracy; in Sections 47(d) and 47(e), "(c) or (d)" were deleted for accuracy; in Section 50(b), "this section" was changed to "section 13 of this act" for accuracy; Section 50(d) was rewritten for clarity; in Section 56(b), "this chapter" was changed to "section 13 of this act" for accuracy; and Section 58(c) was rewritten for clarity and consistency with standard drafting conventions.

**LAB**      *Joint Favorable Subst.*