



General Assembly

Amendment

January Session, 2021

LCO No. 8745



Offered by:
REP. O'DEA, 125th Dist.

To: Subst. House Bill No. 6594

File No. 580

Cal. No. 407

"AN ACT CONCERNING THE CRIMINAL JUSTICE PROCESS."

1 Strike lines 1176 to 1186, inclusive, in their entirety and insert the
2 following in lieu thereof:

3 "(c) Any person who violates subsection (a) or (b) of this section [in
4 or on, or within one thousand five hundred feet of,] (1) with intent to
5 commit such violation at a specific location that the trier of fact
6 determines is (A) in or on the real property comprising a public or
7 private elementary or secondary school, or (B) within one thousand feet
8 of the perimeter of the real property comprising a public or private
9 elementary or secondary school, and (2) who is not enrolled as a student
10 in such school shall be imprisoned for a term of one year which shall not
11 be suspended and shall be in addition and consecutive to any term of
12 imprisonment imposed for violation of subsection (a) or (b) of this
13 section."

14 Strike lines 1228 to 1255, inclusive, in their entirety and insert the
15 following in lieu thereof:

16 "(b) Any person who violates section 21a-277 or 21a-278 by
17 manufacturing, distributing, selling, prescribing, dispensing,
18 compounding, transporting with the intent to sell or dispense,
19 possessing with the intent to sell or dispense, offering, giving or
20 administering to another person any controlled substance [in or on, or
21 within one thousand five hundred feet of,] with intent to commit such
22 violation at a specific location that the trier of fact determines is (1) in or
23 on the real property comprising a (A) public or private elementary or
24 secondary school, [a] (B) public housing project, or [a] (C) licensed child
25 care center, as defined in section 19a-77, that is identified as a child care
26 center by a sign posted in a conspicuous place, or (2) within one
27 thousand feet of the perimeter of the real property comprising such (A)
28 public or private elementary or secondary school, or (B) licensed child
29 care center, or (3) within two hundred feet of the perimeter of the real
30 property comprising such public housing project, shall be imprisoned
31 for a term of three years, which shall not be suspended and shall be in
32 addition and consecutive to any term of imprisonment imposed for
33 violation of section 21a-277 or 21a-278. To constitute a violation of this
34 subsection, an act of transporting or possessing a controlled substance
35 shall be with intent to sell or dispense in or on, or within one thousand
36 [five hundred] feet of the perimeter of, the real property comprising a
37 public or private elementary or secondary school [, a public housing
38 project] or a licensed child care center, as defined in section 19a-77, that
39 is identified as a child care center by a sign posted in a conspicuous place
40 or within two hundred feet of the perimeter of, the real property
41 comprising a public housing project. For the purposes of this subsection,
42 "public housing project" means dwelling accommodations operated as
43 a state or federally subsidized multifamily housing project by a housing
44 authority, nonprofit corporation or municipal developer, as defined in
45 section 8-39, pursuant to chapter 128 or by the Connecticut Housing
46 Authority pursuant to chapter 129."

47 Strike lines 1273 to 1282, inclusive, in their entirety and insert the
48 following in lieu thereof:

49 "(b) Any person who violates subsection (a) of this section with intent

50 to commit such violation at a specific location that the trier of fact
51 determines is in or on, or within one thousand [five hundred] feet of [,]
52 the perimeter of the real property comprising a (1) public or private
53 elementary or secondary school and who is not enrolled as a student in
54 such school, or [a] (2) licensed child care center, as defined in section
55 19a-77, that is identified as a child care center by a sign posted in a
56 conspicuous place, shall be guilty of a class A misdemeanor and shall be
57 sentenced to a term of imprisonment and a period of probation during
58 which such person shall perform community service as a condition of
59 such probation, in a manner ordered by the court."