



House of Representatives

File No. 667

General Assembly

February Session, 2022

(Reprint of File No. 33)

Substitute House Bill No. 5141
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 27, 2022

AN ACT CONCERNING THE PROTECTION OF CERTAIN FISH SPECIES.

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

1 Section 1. Section 26-127 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) Any person who transports out of this state any bait species taken
4 from any of the waters of this state or who takes, assists in taking or
5 attempts to take any bait species from any such waters for the purpose
6 of transporting the same out of the state shall be guilty of a class D
7 misdemeanor; but no provision of this section shall prevent the
8 exportation of bait species propagated and grown in private waters
9 registered with the commissioner as such or in licensed commercial
10 hatcheries.

11 (b) No person shall take or land, on a daily basis, two hundred
12 pounds or more of any of the following bait species: (1) Tidewater

13 silverside, (2) Atlantic silverside, (3) sand lance or sand eels, or (4) bay
14 anchovy.

15 (c) Any person who violates any provision of subsection (b) of this
16 section shall have committed a separate infraction for each such
17 violation.

18 Sec. 2. Subsection (b) of section 51-164n of the 2022 supplement to the
19 general statutes is repealed and the following is substituted in lieu
20 thereof (*Effective October 1, 2022*):

21 (b) Notwithstanding any provision of the general statutes, any person
22 who is alleged to have committed (1) a violation under the provisions of
23 section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-
24 393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-
25 251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g, subdivision (4)
26 of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-
27 435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115,
28 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247, 13a-253
29 or 13a-263, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-
30 292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,
31 subsection (a), (b) or (c) of section 13b-412, section 13b-414, subsection
32 (d) of section 14-12, section 14-20a or 14-27a, subsection (f) of section 14-
33 34a, subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or 14-58,
34 subsection (b) of section 14-66, section 14-66a or 14-67a, subsection (g)
35 of section 14-80, subsection (f) of section 14-80h, section 14-97a, 14-100b,
36 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first
37 violation as specified in subsection (f) of section 14-164i, section 14-219
38 as specified in subsection (e) of said section, subdivision (1) of section
39 14-223a, section 14-240, 14-250 or 14-253a, subsection (a) of section 14-
40 261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278 or
41 14-279, subsection (e) or (h) of section 14-283, section 14-291, 14-293b, 14-
42 296aa, 14-300, 14-300d, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or
43 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-25 or 15-
44 33, subdivision (1) of section 15-97, subsection (a) of section 15-115,
45 section 16-44, 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section

46 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17b-124, 17b-
47 131, 17b-137, 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section
48 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-
49 222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-
50 336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-
51 231, 20-249, 20-257, 20-265, 20-324e, subsection (b) of section 20-334,
52 section 20-341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-39, 21-43,
53 21-47, 21-48, 21-63, subsection (d) of section 21-71 or section 21-76a,
54 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section
55 21a-21, subdivision (1) of subsection (b) of section 21a-25, section 21a-26
56 or 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63
57 or 21a-77, subsection (b) of section 21a-79, section 21a-85 or 21a-154,
58 subdivision (1) of subsection (a) of section 21a-159, section 21a-278b,
59 subsection (c), (d) or (e) of section 21a-279a, section 21a-421eee, 21a-
60 421fff, 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-29, 22-30, 22-34, 22-
61 35, 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l, subdivision
62 (1) of subsection (n) of section 22-61l, subsection (f) of section 22-61m,
63 subdivision (1) of subsection (f) of section 22-61m, subsection (d) of
64 section 22-84, section 22-89, 22-90, 22-96, 22-98, 22-99, 22-100, 22-111o,
65 22-167, subsection (c) of section 22-277, section 22-278, 22-279, 22-280a,
66 22-318a, 22-320h, 22-324a, 22-326, subsection (b), subdivision (1) or (2) of
67 subsection (e) or subsection (g) of section 22-344, subdivision (2) of
68 subsection (b) of section 22-344b, subsection (d) of section 22-344c,
69 subsection (d) of section 22-344d, section 22-344f, 22-350a, 22-354, 22-
70 359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection
71 (a) of section 22a-250, subsection (e) of section 22a-256h, section 22a-363
72 or 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449,
73 22a-461, 23-4b, 23-38, 23-46 or 23-61b, subsection (a) or subdivision (1)
74 of subsection (c) of section 23-65, section 25-37 or 25-40, subsection (a) of
75 section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-21, 26-31, 26-40, 26-
76 40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59, subdivision (1) of
77 subsection (d) of section 26-61, section 26-64, subdivision (1) of section
78 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-
79 105, 26-107, 26-117, subsection (b) of section 26-127, as amended by this
80 act, section 26-128, 26-131, 26-132, 26-138 or 26-141, subdivision (1) of

81 section 26-186, section 26-207, 26-215, 26-217 or 26-224a, subdivision (1)
 82 of section 26-226, section 26-227, 26-230, 26-232, 26-244, 26-257a, 26-260,
 83 26-276, 26-284, 26-285, 26-286, 26-288, 26-294, 28-13, 29-6a, 29-25, 29-
 84 143o, 29-143z or 29-156a, subsection (b), (d), (e) or (g) of section 29-161q,
 85 section 29-161y or 29-161z, subdivision (1) of section 29-198, section 29-
 86 210, 29-243 or 29-277, subsection (c) of section 29-291c, section 29-316,
 87 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-
 88 15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-38, 31-40, 31-44, 31-
 89 47, 31-48, 31-51, 31-52, 31-52a or 31-54, subsection (a) or (c) of section 31-
 90 69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection
 91 (i) of section 31-273, section 31-288, subdivision (1) of section 35-20,
 92 section 36a-787, 42-230, 45a-283, 45a-450, 45a-634 or 45a-658, subdivision
 93 (13) or (14) of section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-
 94 34a, 47-47, 49-8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264,
 95 53-280, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-
 96 344, subsection (c) of section 53-344b, or section 53-450, or (2) a violation
 97 under the provisions of chapter 268, or (3) a violation of any regulation
 98 adopted in accordance with the provisions of section 12-484, 12-487 or
 99 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any
 100 town, city or borough, except violations of building codes and the health
 101 code, for which the penalty exceeds ninety dollars but does not exceed
 102 two hundred fifty dollars, unless such town, city or borough has
 103 established a payment and hearing procedure for such violation
 104 pursuant to section 7-152c, shall follow the procedures set forth in this
 105 section.

106 Sec. 3. (NEW) (*Effective from passage*) The Commissioner of Energy
 107 and Environmental Protection shall make available to the public, free of
 108 charge, a printed fishing guide for the 2023 season.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	26-127
Sec. 2	<i>October 1, 2022</i>	51-164n(b)
Sec. 3	<i>from passage</i>	New section

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

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill prohibits a person from taking 200 pounds or more of certain fish bait species per day. There is no fiscal impact anticipated under the bill since commercial fisheries are expected to comply with these limits.

It also requires the Department of Energy and Environmental Protection (DEEP) to provide the public with a free printed fishing guide for the 2023 season. It is anticipated DEEP would be able to handle this using existing resources, or through other funds.

House "A" alters the limit on taking certain fish species and adds the fishing guide provision resulting in the fiscal impacts considered above.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5141 (as amended by House "A")*****AN ACT CONCERNING THE PROTECTION OF CERTAIN FISH SPECIES.****SUMMARY**

This bill prohibits a person from taking or landing, per day, 200 pounds or more of the following bait species: tidewater silverside, Atlantic silverside, sand lance or sand eels, and bay anchovy. Under the bill, each violation is a separate infraction.

The bill also requires the energy and environmental protection commissioner to make available to the public, free of charge, a printed fishing guide for the 2023 season.

*House Amendment "A" (1) makes the (a) limit on taking or landing certain fish species a daily, rather than trip, limit and (b) penalty for a violation an infraction and (2) adds the fishing guide provision.

EFFECTIVE DATE: October 1, 2022, except the fishing guide provision is effective upon passage.

BACKGROUND***Infractions***

Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus a \$20 or \$35 surcharge and an additional fee based on the amount of the fine. (There may be other added charges based on the type of infraction. For example, certain motor vehicle infractions trigger a surcharge of 50% of the fine.) An infraction is not a crime, and violators can pay the fine by mail without making a court appearance.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 31 Nay 0 (03/04/2022)

Judiciary Committee

Joint Favorable

Yea 39 Nay 0 (04/11/2022)