



House of Representatives

General Assembly

File No. 377

February Session, 2022

Substitute House Bill No. 5210

House of Representatives, April 11, 2022

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING FORGERY OF A WRITTEN INSTRUMENT INDICATING VACCINATION AGAINST COVID-19.

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

1 Section 1. Section 53a-140 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) A person is guilty of forgery in the third degree when, with intent
4 to defraud, deceive or injure another, [he] such person falsely makes,
5 completes or alters a written instrument, or issues or possesses any
6 written instrument which [he] such person knows to be forged. As used
7 in this section: (1) "Written instrument" includes a paper or electronic
8 card or record provided to a person by a vaccine provider indicating the
9 date on which a person received a vaccination against COVID-19 and
10 the type of vaccine, and (2) "COVID-19" means the respiratory disease
11 designated by the World Health Organization on February 11, 2020, as
12 coronavirus 2019, and any related mutation thereof recognized by the
13 World Health Organization as a communicable respiratory disease.

14 (b) Forgery in the third degree is a class B misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2022	53a-140
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JUD *Joint Favorable Subst.*

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

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Judicial Dept. (Probation)	GF - Potential Cost	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill modifies the crime of forgery in the third degree, specifying that a written instrument includes a COVID vaccine card, and results in potential cost from probation and potential revenue gain from fines. On average, the average cost for supervision in the community is less than \$800¹ each year.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

¹ Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

OLR Bill Analysis

sHB 5210

AN ACT CONCERNING FORGERY OF A WRITTEN INSTRUMENT INDICATING VACCINATION AGAINST COVID-19.

SUMMARY

This bill specifies that the crime of 3rd degree forgery includes forgery involving a COVID-19 card or record (whether paper or electronic). By law, 3rd degree forgery is a class B misdemeanor, punishable by up to six months in prison, a fine of up to \$1,000, or both.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2022

FORGERY INVOLVING A COVID-19 VACCINATION CARD

By law, a person commits 3rd degree forgery when, with intent to defraud, deceive, or injure someone else, the person (1) falsely makes, completes, or alters a written instrument or (2) issues or possesses a written instrument that the person knows is forged.

For purposes of this crime, the bill specifies that a “written instrument” includes a paper or electronic card or record that a vaccine provider gave to a person, indicating the date that this person received a COVID-19 vaccination and the vaccine type.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute
Yea 21 Nay 18 (03/29/2022)