



General Assembly

**Substitute Bill No. 6917**

January Session, 2023



**AN ACT CONCERNING VARIOUS REVISIONS TO THE CRIMINAL LAW AND CRIMINAL JUSTICE STATUTES.**

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

1 Section 1. Section 53a-39 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) Except as provided in subsection (b) of this section, at any time  
4 during an executed period of incarceration, the sentencing court or  
5 judge may, after hearing and for good cause shown, reduce the sentence,  
6 order the defendant discharged, or order the defendant discharged on  
7 probation or conditional discharge for a period not to exceed that to  
8 which the defendant could have been originally sentenced.

9 (b) On and after October 1, 2021, at any time during the period of a  
10 sentence in which a defendant has been sentenced prior to, on or after  
11 October 1, 2021, to an executed period of incarceration of more than  
12 seven years as a result of a plea agreement, including an agreement in  
13 which there is an agreed upon range of sentence, upon agreement of the  
14 defendant and the state's attorney to seek review of the sentence, the  
15 sentencing court or judge may, after hearing and for good cause shown,  
16 reduce the sentence, order the defendant discharged, or order the  
17 defendant discharged on probation or conditional discharge for a period  
18 not to exceed that to which the defendant could have been originally

19 sentenced.

20 (c) If, after a hearing pursuant to this section, the sentencing court or  
21 judge denies or grants in full a motion to reduce a defendant's sentence  
22 or discharge the defendant, the defendant may not file a subsequent  
23 motion for relief under this section until five years have elapsed from  
24 the date of the most recent decision denying such defendant relief  
25 pursuant to this section. If, after a hearing pursuant to this section, the  
26 sentencing court or judge grants in part a motion to reduce a defendant's  
27 sentence, the defendant may not file a subsequent motion for relief  
28 under this section until three years from the date of the most recent  
29 decision granting such defendant relief pursuant to this section.

30 (d) The provisions of this section shall not apply to any portion of a  
31 sentence imposed that is a mandatory minimum sentence for an offense  
32 which may not be suspended or reduced by the court.

33 (e) At the time the defendant files a motion with the court, the  
34 defendant shall provide the state with a copy of the motion and any  
35 materials and documentation filed with the court in support of such  
36 motion.

37 [(e)] (f) At a hearing held by the sentencing court or judge under this  
38 section, such court or judge shall permit any victim of the crime to  
39 appear before the court or judge for the purpose of making a statement  
40 for the record concerning whether or not the sentence of the defendant  
41 should be reduced, the defendant should be discharged or the  
42 defendant should be discharged on probation or conditional discharge  
43 pursuant to subsection (a) or (b) of this section. In lieu of such  
44 appearance, the victim may submit a written statement to the court or  
45 judge and the court or judge shall make such statement a part of the  
46 record at the hearing. For the purposes of this subsection, "victim"  
47 means the victim, the legal representative of the victim or a member of  
48 the deceased victim's immediate family.

49 Sec. 2. Subsection (a) of section 17a-566 of the general statutes is

50 repealed and the following is substituted in lieu thereof (*Effective October*  
51 *1, 2023*):

52 (a) Except as provided in section 17a-574 any court prior to  
53 sentencing a person convicted of an offense for which the penalty may  
54 be imprisonment in [the Connecticut Correctional Institution at Somers]  
55 any correctional institution of this state, or of a sex offense involving (1)  
56 physical force or violence, (2) disparity of age between an adult and a  
57 minor or (3) a sexual act of a compulsive or repetitive nature, may if it  
58 appears to the court that such person has psychiatric disabilities and is  
59 dangerous to himself or others, upon its own motion or upon request of  
60 any of the persons enumerated in subsection (b) of this section and a  
61 subsequent finding that such request is justified, order the  
62 commissioner to conduct an examination of the convicted defendant by  
63 qualified personnel of the hospital. Upon completion of such  
64 examination the examiner shall report in writing to the court. Such  
65 report shall indicate whether the convicted defendant should be  
66 committed to the diagnostic unit of the hospital for additional  
67 examination or should be sentenced in accordance with the conviction.  
68 Such examination shall be conducted and the report made to the court  
69 not later than fifteen days after the order for the examination. Such  
70 examination may be conducted at a correctional facility if the defendant  
71 is confined or it may be conducted on an outpatient basis at the hospital  
72 or other appropriate location. If the report recommends additional  
73 examination at the diagnostic unit, the court may, after a hearing, order  
74 the convicted defendant committed to the diagnostic unit of the hospital  
75 for a period not to exceed sixty days, except as provided in section 17a-  
76 567 provided the hearing may be waived by the defendant. Such  
77 commitment shall not be effective until the director certifies to the court  
78 that space is available at the diagnostic unit. While confined in said  
79 diagnostic unit, the defendant shall be given a complete physical and  
80 psychiatric examination by the staff of the unit and may receive  
81 medication and treatment without his consent. The director shall have  
82 authority to procure all court records, institutional records and  
83 probation or other reports which provide information about the

84 defendant.

85 Sec. 3. Subsection (a) of section 18-100h of the general statutes is  
86 repealed and the following is substituted in lieu thereof (*Effective October*  
87 *1, 2023*):

88 (a) Notwithstanding any provision of the general statutes, whenever  
89 a person is sentenced to a term of imprisonment pursuant to section 14-  
90 215, as amended by this act, subsection (g) of section 14-227a, section 14-  
91 227k or subdivision (1) of subsection (c) of section 14-227m and  
92 committed by the court to the custody of the Commissioner of  
93 Correction, the commissioner may, after admission and a risk and needs  
94 assessment of such person, release such person to such person's  
95 residence subject to the condition that such person not leave such  
96 residence unless otherwise authorized. Based upon the assessment of  
97 such person, the commissioner may require such person to be subject to  
98 electronic monitoring, which may include the use of a global positioning  
99 system and continuous monitoring for alcohol consumption, and to any  
100 other conditions the commissioner deems appropriate. Any person  
101 released pursuant to this subsection shall remain in the custody of the  
102 commissioner and shall be supervised by employees of the department  
103 during the period of such release. Upon the violation by such person of  
104 any condition of such release, the commissioner may revoke such  
105 release and return such person to confinement in a correctional facility.  
106 The commissioner shall establish an advisory committee for the purpose  
107 of developing a protocol for the training of correctional staff assigned to  
108 the assessment and supervision of offenders eligible for release  
109 pursuant to this subsection, evaluation of outcomes of participation in  
110 such release, the establishment of victim impact panels and the  
111 provision of treatment to such participants. For purposes of this  
112 subsection, "continuous monitoring for alcohol consumption" means  
113 automatically testing breath, blood or transdermal alcohol  
114 concentration levels and tamper attempts at least once every hour  
115 regardless of the location of the person being monitored.

116 Sec. 4. Section 21a-279a of the general statutes is amended by adding

117 subsection (k) as follows (*Effective October 1, 2023*):

118 (NEW) (k) The provisions of subsections (b) to (e) inclusive, of this  
119 section shall not apply to any person (1) who, in good faith, seeks  
120 medical assistance for another person who such person reasonably  
121 believes is experiencing an overdose from the ingestion, inhalation or  
122 injection of intoxicating liquor or any drug or substance, (2) for whom  
123 another person, in good faith, seeks medical assistance, reasonably  
124 believing such person is experiencing an overdose from the ingestion,  
125 inhalation or injection of intoxicating liquor or any drug or substance,  
126 or (3) who reasonably believes he or she is experiencing an overdose  
127 from the ingestion, inhalation or injection of intoxicating liquor or any  
128 drug or substance and, in good faith, seeks medical assistance for  
129 himself or herself, if evidence of the possession of cannabis plant  
130 material or cannabis product in violation of said subsections was  
131 obtained as a result of the seeking of such medical assistance. For the  
132 purposes of this subsection, "good faith" does not include seeking  
133 medical assistance during the course of the execution of an arrest  
134 warrant or search warrant or a lawful search.

135 Sec. 5. Subsection (i) of section 14-36 of the general statutes is repealed  
136 and the following is substituted in lieu thereof (*Effective October 1, 2023*):

137 (i) (1) Any person who violates any provision of this section shall, for  
138 a first offense, be deemed to have committed an infraction and be fined  
139 not less than seventy-five dollars or more than ninety dollars and, for  
140 any subsequent offense, shall be fined not less than two hundred fifty  
141 dollars or more than three hundred fifty dollars or be imprisoned not  
142 more than thirty days, or both.

143 (2) In addition to the penalty prescribed under subdivision (1) of this  
144 subsection, any person who violates any provision of this section who  
145 (A) has, prior to the commission of the present violation, committed a  
146 violation of this section or subsection (a) of section 14-215, shall be fined  
147 not more than five hundred dollars or sentenced to perform not more  
148 than one hundred hours of community service, or (B) has, prior to the

149 commission of the present violation, committed two or more violations  
150 of this section or subsection (a) of section 14-215, or any combination  
151 thereof, shall be sentenced to a term of imprisonment of one year, and,  
152 in the absence of any mitigating circumstances as determined by the  
153 court, ninety days of [which] the sentence imposed may not be  
154 suspended or reduced in any manner.

155 Sec. 6. Subsection (b) of section 14-215 of the general statutes is  
156 repealed and the following is substituted in lieu thereof (*Effective October*  
157 *1, 2023*):

158 (b) (1) Except as provided in subsection (c) of this section, any person  
159 who violates any provision of subsection (a) of this section shall, for a  
160 first offense, be fined not less than one hundred fifty dollars or more  
161 than two hundred dollars or imprisoned not more than three months,  
162 or be both fined and imprisoned, and, for any subsequent offense, be  
163 fined not less than two hundred dollars or more than six hundred  
164 dollars or imprisoned not more than one year, or be both fined and  
165 imprisoned.

166 (2) Except as provided in subsection (c) of this section, in addition to  
167 the penalty prescribed under subdivision (1) of this subsection, any  
168 person who violates any provision of subsection (a) of this section who  
169 (A) has, prior to the commission of the present violation, committed a  
170 violation of subsection (a) of this section or section 14-36, as amended  
171 by this act, shall be fined not more than five hundred dollars or  
172 sentenced to perform not more than one hundred hours of community  
173 service, or (B) has, prior to the commission of the present violation,  
174 committed two or more violations of subsection (a) of this section or  
175 section 14-36, as amended by this act, or any combination thereof, shall  
176 be sentenced to a term of imprisonment of one year, and, in the absence  
177 of any mitigating circumstances as determined by the court, ninety days  
178 of [which] the sentence imposed may not be suspended or reduced in  
179 any manner.

180 Sec. 7. Subsection (b) of section 51-164n of the general statutes is

181 repealed and the following is substituted in lieu thereof (*Effective October*  
182 *1, 2023*):

183 (b) Notwithstanding any provision of the general statutes, any person  
184 who is alleged to have committed (1) a violation under the provisions of  
185 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)  
186 of section 7-66, section 7-83, 7-147h, 7-148, [7-148f,] 7-148o, 7-283, 7-325,  
187 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198,  
188 10-230, 10-251, 10-254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa,  
189 subdivision (3) of subsection (e) of section 12-286, section 12-286a, 12-  
190 292, 12-314b or 12-326g, subdivision (4) of section 12-408, subdivision  
191 (3), (5) or (6) of section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c,  
192 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123,  
193 13a-124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f,  
194 subsection (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a)  
195 of section 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of  
196 section 13b-324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or  
197 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414 or  
198 14-4, subdivision (2) of subsection (a) of section 14-12, subsection (d) of  
199 section 14-12, subsection (f) of section 14-12a, subsection (a) of section  
200 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a,  
201 subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58  
202 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a,  
203 subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h,  
204 section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a,  
205 section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a or 14-146, subsection  
206 (b) of section 14-147, section 14-152, 14-153, 14-161 or 14-163b, subsection  
207 (f) of section 14-164i, section 14-213b or 14-219, subdivision (1) of section  
208 14-223a, subsection (d) of section 14-224, section 14-240, 14-250, 14-253a,  
209 14-261a, 14-262, 14-264, 14-266, 14-267a, 14-269, 14-270, 14-272b, 14-274,  
210 14-275 or 14-275a, subsection (c) of section 14-275c, section 14-276,  
211 subsection (a) or (b) of section 14-277, section 14-278, 14-279 or 14-280,  
212 subsection (b), (e) or (h) of section 14-283, section 14-283d, 14-283e, 14-  
213 283f, 14-283g, 14-291, 14-293b, 14-296aa, 14-298a, 14-300, 14-300d, 14-  
214 300f, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a,

215 subdivision (1), (2) or (3) of section 14-386a, section 15-15e, 15-25 or 15-  
216 33, subdivision (1) of section 15-97, subsection (a) of section 15-115,  
217 section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15, subsection (a) of  
218 section 16a-21, section 16a-22, subsection (a) or (b) of section 16a-22h,  
219 section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152, subsection (b) of  
220 section 17a-227, section 17a-465, subsection (c) of section 17a-488, section  
221 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-87, subsection (b) of  
222 section 19a-87a, section 19a-91, 19a-102a, 19a-102b, 19a-105, 19a-107,  
223 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287,  
224 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340,  
225 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-153a, 20-158, 20-231,  
226 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or 20-329g, subsection (b)  
227 of section 20-334, section 20-341l, 20-366, 20-482, 20-597, 20-608, 20-610,  
228 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or 21-63, subsection (d) of  
229 section 21-71, section 21-76a or 21-100, subsection (c) of section 21a-2,  
230 subdivision (1) of section 21a-19, section 21a-20 or 21a-21, subdivision  
231 (1) of subsection (b) of section 21a-25, section 21a-26 or 21a-30,  
232 subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63, 21a-70b  
233 or 21a-77, subsection (b) or (c) of section 21a-79, section 21a-85 or 21a-  
234 154, subdivision (1) of subsection (a) of section 21a-159, section 21a-278b,  
235 subsection (c), (d) or (e) of section 21a-279a, as amended by this act,  
236 section 21a-421eee, 21a-421fff, 21a-421hhh, subsection (a) of section 21a-  
237 430, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35,  
238 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l, subdivision (1)  
239 of subsection (n) of section 22-61l, subsection (f) of section 22-61m,  
240 subdivision (1) of subsection (f) of section 22-61m, section 22-84, 22-89,  
241 22-90, 22-96, 22-98, 22-99, 22-100 or 22-111o, subsection (d) of section 22-  
242 118l, section 22-167, subsection (c) of section 22-277, section 22-278, 22-  
243 279, 22-280a, 22-318a, 22-320h, 22-324a or 22-326, subsection (b),  
244 subdivision (1) or (2) of subsection (e) or subsection (g) of section 22-344,  
245 subsection (a) or (b) of section 22-344b, section 22-344c, subsection (d) of  
246 section 22-344d, section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391,  
247 22-413, 22-414, 22-415, 22-415c, 22a-66a or 22a-246, subsection (a) of  
248 section 22a-250, section 22a-256g, subsection (e) of section 22a-256h,  
249 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e,

250 section 22a-449, 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b,  
251 subsection (a) or subdivision (1) of subsection (c) of section 23-65, section  
252 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-  
253 18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-  
254 56, 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-61,  
255 section 26-64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89,  
256 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117,  
257 subsection (b) of section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138,  
258 26-139 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215,  
259 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-  
260 230, 26-231, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-  
261 285, 26-286, 26-287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13,  
262 29-6a, 29-16, 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d),  
263 (e), (g) or (h) of section 29-161q, section 29-161y or 29-161z, subdivision  
264 (1) of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of  
265 section 29-291c, section 29-316 or 29-318, subsection (b) of section 29-  
266 335a, section 29-381, 30-19f, 30-48a or 30-86a, subsection (b) of section  
267 30-89, subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11,  
268 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36,  
269 31-38, 31-40, 31-44, 31-47 or 31-48, subsection (b) of section 31-48b,  
270 section 31-51, 31-51g, 31-52, 31-52a, 31-53 or 31-54, subsection (a) or (c)  
271 of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-  
272 134, subsection (i) of section 31-273, section 31-288, 31-348, 33-624, 33-  
273 1017, 34-13d or 34-412, subdivision (1) of section 35-20, subsection (a) of  
274 section 36a-57, subsection (b) of section 36a-665, section 36a-699, 36a-  
275 739, 36a-787, 38a-2 or 38a-140, subsection (a) or (b) of section 38a-278,  
276 section 38a-479qq, 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713,  
277 38a-733, 38a-764, 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230,  
278 42-470 or 42-480, subsection (a) or (c) of section 43-16q, section 45a-283,  
279 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,  
280 section 46a-59, 46a-81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or  
281 47-53, subsection (i) of section 47a-21, subdivision (1) of subsection (k)  
282 of section 47a-21, section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection  
283 (j) of section 52-362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-  
284 264, 53-280, 53-290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-

285 323 or 53-331, subsection (b) of section 53-343a, section 53-344,  
286 subsection (b) or (c) of section 53-344b, subsection (b) of section 53-345a,  
287 section 53-377, 53-422 or 53-450 or subsection (i) of section 54-36a, or (2)  
288 a violation under the provisions of chapter 268, or (3) a violation of any  
289 regulation adopted in accordance with the provisions of section 12-484,  
290 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or  
291 bylaw of any town, city or borough, except violations of building codes  
292 and the health code, for which the penalty exceeds ninety dollars but  
293 does not exceed two hundred fifty dollars, unless such town, city or  
294 borough has established a payment and hearing procedure for such  
295 violation pursuant to section 7-152c, shall follow the procedures set  
296 forth in this section.

297 Sec. 8. Subsection (f) of section 29-6d of the general statutes is  
298 repealed and the following is substituted in lieu thereof (*Effective October*  
299 *1, 2023*):

300 (f) (1) If a police officer is giving a formal statement about the use of  
301 force or if a police officer is the subject of a disciplinary investigation in  
302 which a recording from body-worn recording equipment or a  
303 dashboard camera is being considered as part of a review of an incident,  
304 the officer shall have the right to review (A) such recording in the  
305 presence of the officer's attorney or labor representative, and (B)  
306 recordings from other body-worn recording equipment capturing the  
307 officer's image or voice during the incident. Not later than forty-eight  
308 hours following an officer's review of a recording under subparagraph  
309 (A) of this subdivision, or if the officer does not review the recording,  
310 not later than ninety-six hours following the initiation of such  
311 disciplinary investigation, whichever is earlier, such recording shall be  
312 disclosed, upon request, to the public, subject to the provisions of  
313 subsection (g) of this section. Public disclosure may be delayed if the  
314 officer, due to a medical or physical response or an acute psychological  
315 stress response to the incident, is not reasonably able to review a  
316 recording under this subdivision, but in no event shall disclosure be  
317 delayed more than one hundred forty-four hours following the

318 recorded event.

319 (2) If a request is made for public disclosure of a recording from body-  
320 worn recording equipment or a dashboard camera of an incident about  
321 which (A) a police officer has not been asked to give a formal statement  
322 about the alleged use of force, or (B) a disciplinary investigation has not  
323 been initiated, any police officer whose image or voice is captured on  
324 the recording shall have the right to review such recording in the  
325 presence of the officer's attorney or labor representative. Not later than  
326 forty-eight hours following an officer's review of a recording under this  
327 subdivision, or if the officer does not review the recording, not later than  
328 ninety-six hours following the request for disclosure, whichever is  
329 earlier, such recording shall be disclosed to the public, subject to the  
330 provisions of subsection (g) of this section. Public disclosure may be  
331 delayed if the officer, due to a medical or physical response or an acute  
332 psychological stress response to the incident, is not reasonably able to  
333 review a recording under this subdivision, but in no event shall  
334 disclosure be delayed more than one hundred forty-four hours  
335 following the recorded event.

336 Sec. 9. Subdivision (3) of section 53a-65 of the general statutes is  
337 repealed and the following is substituted in lieu thereof (*Effective October*  
338 *1, 2023*):

339 (3) "Sexual contact" means (A) any contact with the intimate parts of  
340 a person for the purpose of sexual gratification of the actor or for the  
341 purpose of degrading or humiliating such person or any contact of the  
342 intimate parts of the actor with a person for the purpose of sexual  
343 gratification of the actor or for the purpose of degrading or humiliating  
344 such person, or (B) for the purposes of subdivision (4) of subsection (a)  
345 of section 53a-73a, as amended by this act, any contact with the intimate  
346 parts of a dead human body, or any contact of the intimate parts of the  
347 actor with a dead human body, for the purpose of sexual gratification of  
348 the actor.

349 Sec. 10. Section 53a-73a of the general statutes is repealed and the

350 following is substituted in lieu thereof (*Effective October 1, 2023*):

351 (a) A person is guilty of sexual assault in the fourth degree when: (1)  
352 Such person subjects another person to sexual contact who is (A) under  
353 thirteen years of age and the actor is more than two years older than  
354 such other person, or (B) thirteen years of age or older but under fifteen  
355 years of age and the actor is more than three years older than such other  
356 person, or (C) physically helpless, or (D) less than eighteen years old  
357 and the actor is such other person's guardian or otherwise responsible  
358 for the general supervision of such other person's welfare, or (E) in  
359 custody of law or detained in a hospital or other institution and the actor  
360 has supervisory or disciplinary authority over such other person; or (2)  
361 such person subjects another person to sexual contact without such  
362 other person's consent; or (3) such person engages in sexual contact with  
363 an animal; or (4) such person engages in sexual contact with a dead  
364 human body; or [(4)] (5) such person is a psychotherapist and subjects  
365 another person to sexual contact who is (A) a patient of the actor and  
366 the sexual contact occurs during the psychotherapy session, or (B) a  
367 patient or former patient of the actor and such patient or former patient  
368 is emotionally dependent upon the actor, or (C) a patient or former  
369 patient of the actor and the sexual contact occurs by means of  
370 therapeutic deception; or [(5)] (6) such person subjects another person  
371 to sexual contact and accomplishes the sexual contact by means of false  
372 representation that the sexual contact is for a bona fide medical purpose  
373 by a health care professional; or [(6)] (7) such person is a school  
374 employee and subjects another person to sexual contact who is a student  
375 enrolled in a school in which the actor works or a school under the  
376 jurisdiction of the local or regional board of education which employs  
377 the actor; or [(7)] (8) such person is a coach in an athletic activity or a  
378 person who provides intensive, ongoing instruction and subjects  
379 another person to sexual contact who is a recipient of coaching or  
380 instruction from the actor and (A) is a secondary school student and  
381 receives such coaching or instruction in a secondary school setting, or  
382 (B) is under eighteen years of age; or [(8)] (9) such person subjects  
383 another person to sexual contact and (A) the actor is twenty years of age

384 or older and stands in a position of power, authority or supervision over  
385 such other person by virtue of the actor's professional, legal,  
386 occupational or volunteer status and such other person's participation  
387 in a program or activity, and (B) such other person is under eighteen  
388 years of age; or [(9)] (10) such person subjects another person to sexual  
389 contact who is placed or receiving services under the direction of the  
390 Commissioner of Developmental Services in any public or private  
391 facility or program and the actor has supervisory or disciplinary  
392 authority over such other person.

393 (b) Sexual assault in the fourth degree is a class A misdemeanor or, if  
394 the victim of the offense is under sixteen years of age, a class D felony.

395 Sec. 11. Section 54-130a of the general statutes is repealed and the  
396 following is substituted in lieu thereof (*Effective October 1, 2023*):

397 (a) Jurisdiction over the granting of, and the authority to grant,  
398 commutations of punishment or releases, conditioned or absolute, in the  
399 case of any person convicted of any offense against the state and  
400 commutations from the penalty of death shall be vested in the Board of  
401 Pardons and Paroles.

402 (b) The board shall have authority to grant pardons, conditioned,  
403 provisional or absolute, or certificates of rehabilitation for any offense  
404 against the state at any time after the imposition and before or after the  
405 service of any sentence.

406 (c) The board may accept an application for a pardon three years after  
407 an applicant's conviction of a misdemeanor or violation and five years  
408 after an applicant's conviction of a felony, except that the board, upon a  
409 finding of extraordinary circumstances, may accept an application for a  
410 pardon prior to such dates.

411 (d) Prior to holding a session to consider whether to grant any  
412 commutation of punishment, release or pardon in the case of any person  
413 convicted of any offense against the state, the board shall, upon written  
414 request, provide the state's attorney for the jurisdictional district in

415 which any conviction for such offense was obtained with a copy of the  
416 convicted person's application, any materials and documentation filed  
417 in support thereof, except for any information contained in the  
418 application, materials and documentation that are confidential,  
419 privileged and nondisclosable pursuant to state or federal law, any  
420 information obtained by the board about the convicted person pursuant  
421 to section 54-130c, and shall permit such state's attorney, or such state's  
422 attorney's designee, to appear at such session for the purpose of making  
423 a statement for the record concerning whether the convicted person  
424 should be granted any such commutation of punishment, release or  
425 pardon.

426       [(d)] (e) Whenever the board grants an absolute pardon to any  
427 person, the board shall cause notification of such pardon to be made in  
428 writing to the clerk of the court in which such person was convicted, or  
429 the Office of the Chief Court Administrator if such person was convicted  
430 in the Court of Common Pleas, the Circuit Court, a municipal court, or  
431 a trial justice court.

432       [(e)] (f) Whenever the board grants a provisional pardon or a  
433 certificate of rehabilitation to any person, the board shall cause  
434 notification of such provisional pardon or certificate of rehabilitation to  
435 be made in writing to the clerk of the court in which such person was  
436 convicted. The granting of a provisional pardon or a certificate of  
437 rehabilitation does not entitle such person to erasure of the record of the  
438 conviction of the offense or relieve such person from disclosing the  
439 existence of such conviction as may be required.

440       [(f)] (g) In the case of any person convicted of a violation for which a  
441 sentence to a term of imprisonment may be imposed, the board shall  
442 have authority to grant a pardon, conditioned, provisional or absolute,  
443 or a certificate of rehabilitation in the same manner as in the case of any  
444 person convicted of an offense against the state.

445       [(g)] (h) The board shall not deny any application for a pardon, unless  
446 the board provides a statement in writing to the applicant of the factors

447 considered when determining whether the applicant qualified for the  
448 pardon and an explanation as to which factors were not satisfied.

449 Sec. 12. Section 53a-32 of the general statutes is repealed and the  
450 following is substituted in lieu thereof (*Effective October 1, 2023*):

451 (a) At any time during the period of probation or conditional  
452 discharge, the court or any judge thereof may issue a warrant for the  
453 arrest of a defendant for violation of any of the conditions of probation  
454 or conditional discharge, or may issue a notice to appear to answer to a  
455 charge of such violation, which notice shall be personally served upon  
456 the defendant. Any such warrant shall authorize all officers named  
457 therein to return the defendant to the custody of the court or to any  
458 suitable detention facility designated by the court. Whenever a  
459 probation officer has probable cause to believe that a person has violated  
460 a condition of such person's probation, such probation officer may  
461 notify any police officer that such person has, in such officer's judgment,  
462 violated the conditions of such person's probation and such notice shall  
463 be sufficient warrant for the police officer to arrest such person and  
464 return such person to the custody of the court or to any suitable  
465 detention facility designated by the court. Whenever a probation officer  
466 so notifies a police officer, the probation officer shall notify the victim of  
467 the offense for which such person is on probation, and any victim  
468 advocate assigned to assist the victim, provided the probation officer  
469 has been provided with the name and contact information for such  
470 victim or victim advocate. Any probation officer may arrest any  
471 defendant on probation without a warrant or may deputize any other  
472 officer with power to arrest to do so by giving such other officer a  
473 written statement setting forth that the defendant has, in the judgment  
474 of the probation officer, violated the conditions of the defendant's  
475 probation. Such written statement, delivered with the defendant by the  
476 arresting officer to the official in charge of any correctional center or  
477 other place of detention, shall be sufficient warrant for the detention of  
478 the defendant. After making such an arrest, such probation officer shall  
479 present to the detaining authorities a similar statement of the

480 circumstances of violation. Provisions regarding release on bail of  
481 persons charged with a crime shall be applicable to any defendant  
482 arrested under the provisions of this section. Upon such arrest and  
483 detention, the probation officer shall immediately so notify the court or  
484 any judge thereof.

485 (b) When the defendant is presented for arraignment on the charge  
486 of violation of any of the conditions of probation or conditional  
487 discharge, the court shall review any conditions previously imposed on  
488 the defendant and may order, as a condition of the pretrial release of the  
489 defendant, that the defendant comply with any or all of such conditions  
490 in addition to any conditions imposed pursuant to section 54-64a.  
491 Unless the court, pursuant to subsection (c) of section 54-64a, orders that  
492 the defendant remain under the supervision of a probation officer or  
493 other designated person or organization, the defendant shall be  
494 supervised by the Court Support Services Division of the Judicial  
495 Branch in accordance with subsection (a) of section 54-63b.

496 (c) Upon notification by the probation officer of the arrest of the  
497 defendant or upon an arrest by warrant as [herein] provided in this  
498 section, the court shall cause the defendant to be brought before it  
499 without unnecessary delay for a hearing on the violation charges. The  
500 Court Support Services Division shall establish within its policies and  
501 procedures a requirement that any victim of the offense for which the  
502 defendant is on probation or conditional discharge be notified of such  
503 arrest for a violation of any of the conditions of probation or discharge.  
504 The Court Support Services Division shall also provide the victim with  
505 notice of the first hearing date after arraignment on the violation of  
506 probation or conditional discharge charges, as well as information on  
507 registering for the state-wide automated victim information and  
508 notification system.

509 (d) At such hearing the defendant shall be informed of the manner in  
510 which such defendant is alleged to have violated the conditions of such  
511 defendant's probation or conditional discharge, shall be advised by the  
512 court that such defendant has the right to retain counsel and, if indigent,

513 shall be entitled to the services of the public defender, and shall have  
514 the right to cross-examine witnesses and to present evidence in such  
515 defendant's own behalf. Unless good cause is shown, a charge of  
516 violation of any of the conditions of probation or conditional discharge  
517 shall be disposed of or scheduled for a hearing not later than one  
518 hundred twenty days after the defendant is arraigned on such charge.

519 [(d) If such violation is established,] (e) If a violation of the conditions  
520 of the defendant's probation or conditional discharge is established, the  
521 court shall permit the victim of the offense for which the defendant is  
522 on probation or received a conditional discharge to appear before the  
523 court for the purpose of making a statement for the record concerning  
524 the defendant's violation of probation or conditional discharge. In lieu  
525 of such appearance, the victim may submit a written statement to the  
526 court and the court shall make such statement a part of the record. The  
527 court shall consider any statement made or submitted by such victim  
528 and, after doing so, the court may: (1) Continue the sentence of  
529 probation or conditional discharge; (2) modify or enlarge the conditions  
530 of probation or conditional discharge; (3) extend the period of probation  
531 or conditional discharge, provided the original period with any  
532 extensions shall not exceed the periods authorized by section 53a-29; or  
533 (4) revoke the sentence of probation or conditional discharge. If such  
534 sentence is revoked, the court shall require the defendant to serve the  
535 sentence imposed or impose any lesser sentence. Any such lesser  
536 sentence may include a term of imprisonment, all or a portion of which  
537 may be suspended entirely or after a period set by the court, followed  
538 by a period of probation with such conditions as the court may establish.  
539 No such revocation shall be ordered, except upon consideration of the  
540 whole record and unless such violation is established by the  
541 introduction of reliable and probative evidence and by a preponderance  
542 of the evidence.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	53a-39

---

Sec. 2	<i>October 1, 2023</i>	17a-566(a)
Sec. 3	<i>October 1, 2023</i>	18-100h(a)
Sec. 4	<i>October 1, 2023</i>	21a-279a(k)
Sec. 5	<i>October 1, 2023</i>	14-36(i)
Sec. 6	<i>October 1, 2023</i>	14-215(b)
Sec. 7	<i>October 1, 2023</i>	51-164n(b)
Sec. 8	<i>October 1, 2023</i>	29-6d(f)
Sec. 9	<i>October 1, 2023</i>	53a-65(3)
Sec. 10	<i>October 1, 2023</i>	53a-73a
Sec. 11	<i>October 1, 2023</i>	54-130a
Sec. 12	<i>October 1, 2023</i>	53a-32

**JUD**      *Joint Favorable Subst.*