



## Acts Affecting First Responders

By: George Miles, Associate Attorney

June 24, 2022 | 2022-R-0089

## Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting first responders enacted during the 2022 legislative session. OLR's other Acts Affecting reports, including Acts Affecting Criminal Justice and Public Safety, are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the public act (PA) number or special act (SA) number. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden.

Complete summaries of public acts are, or will soon be, available on OLR's website:

<https://www.cga.ct.gov/olr/olrsums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <https://www.cga.ct.gov/>.

## Table of Contents

Emergency Medical Service (EMS) Personnel .....	5
Blood Transport Vehicles and High Occupancy Vehicle (HOV) Lanes .....	5
EMS Organizations Adding New Vehicles .....	5
EMS Working Group.....	5
Motor Vehicle Fuels Tax Refund for EMS Organizations .....	5
Protocols for EMS Transport to Urgent Crisis Centers.....	6
Firefighters .....	6
Firefighters Cancer Relief Program.....	6
Firefighters Initiatives Related to Cancer .....	6
Forest Fire Resources.....	7
Payments to Volunteer Fire Companies .....	7
Pilot Program Collecting Fire and Rescue Service Data.....	7
Law Enforcement .....	7
Accreditation Standards for Law Enforcement Units .....	7
Behavioral Health Assessments .....	8
Department of Revenue Services (DRS) Special Police as Peace Officers.....	8
Electronic Access to Juvenile Delinquency Records.....	8
Grant Program for Purchasing Eligible Body and Dashboard Cameras and Related Equipment and Services.....	8
Hate Crimes Unit and Related Reporting .....	9
Impaired Boating and Driving.....	9
Juvenile Arrest, Detention, and Related Procedures.....	9
Law Enforcement Mental Health and Training .....	10
Minority Police Officer Recruitment .....	10
Motor Vehicle Accident Report Form Task Force.....	10
Notice to Town of Failed Firearm Background Check .....	10
Religious Head Coverings.....	10
Resident State Trooper Fringe Funding.....	11
Rural Speed Enforcement Grant Program .....	11
School Resource Officer Impact on Students with Disabilities.....	11
Tax Return Information in Connection with Criminal Investigations .....	11
Timely Reporting by Police of a Death .....	12
Traffic Management.....	12
Violation Reports.....	12
Miscellaneous Acts Affecting Multiple First Responders .....	12
9-8-8 Suicide Prevention and Mental Health Crisis Calls .....	12
Boating Safety .....	13

Insurance Company Property Loss Records .....13  
Mental Health and Law Enforcement Studies .....13  
Information on Children’s Mental Health and Domestic Violence .....14  
Procedures for 9-1-1 Calls.....14  
Psychedelic-Assisted Therapy .....14  
Re-employment of Connecticut Municipal Employees Retirement System (CMERS) Retirees ....14

## **Emergency Medical Service (EMS) Personnel**

### ***Blood Transport Vehicles and High Occupancy Vehicle (HOV) Lanes***

A new law requires the Office of the State Traffic Administration to allow blood transport vehicles owned by nonprofit blood banking operations or blood collection facilities to use HOV lanes when they are transporting blood between a collection point and a hospital or storage center, regardless of the number of passengers in the vehicles. Blood transport vehicles must display (1) a removable decal indicating that it is transporting blood and (2) the entity's logo ([PA 22-40](#), § 21, effective October 1, 2022).

### ***EMS Organizations Adding New Vehicles***

A new law allows any licensed or certified EMS organization that is a primary service area responder (PSAR) to add one vehicle to its fleet every three years through the Department of Public Health's (DPH) short form application process. Under this process, an application is deemed approved unless another nearby PSAR objects within certain deadlines. Prior law limited this process to licensed or certified volunteer, hospital-based, and municipal ambulance services and ambulance and paramedic intercept services operated by state agencies that were PSARs ([PA 22-58](#), § 61, effective October 1, 2022).

### ***EMS Working Group***

New legislation requires the DPH commissioner, in collaboration with the Department of Social Services (DSS) commissioner, to establish a working group on emergency medical services. The group must examine (1) Medicaid and private commercial EMS rates; (2) the EMS workforce; and (3) the provision of these services, including the adoption of mobile-integrated health care, and the provision of EMS in other states. By January 1, 2023, the DPH commissioner, in consultation with the DSS commissioner, must report to the Public Health Committee on the group's findings and recommendations ([PA 22-118](#), § 136, effective July 1, 2022).

### ***Motor Vehicle Fuels Tax Refund for EMS Organizations***

A new law allows EMS organizations to apply for a motor vehicle fuels tax refund for fuel used in ambulances they own. Existing law already allows hospitals and nonprofit civic organizations to apply for this refund for fuel used in ambulances they own ([PA 22-118](#), § 432, effective July 1, 2022).

## ***Protocols for EMS Transport to Urgent Crisis Centers***

Under new legislation, DPH's Office of Emergency Medical Services must, by January 1, 2024, develop protocols for EMS organizations and providers to transport pediatric patients with mental or behavioral health needs by ambulance to urgent crisis centers licensed by the Department of Children and Families (DCF) ([PA 22-47](#), § 46, effective October 1, 2022).

## **Firefighters**

### ***Firefighters Cancer Relief Program***

The legislature enacted a new law creating a funding source for the state's firefighters cancer relief account, which is used to provide wage replacement benefits to eligible paid and volunteer firefighters diagnosed with cancer. Beginning January 1, 2024, each town must generally contribute, by December 15th of each year, \$10 per firefighter (career and volunteer) within the town. However, the act only requires towns to contribute funds for firefighters who meet certain criteria and work experience (e.g., served at least five years as an interior structural firefighter, fire marshal, fire investigator, or fire inspector) ([PA 22-139](#), § 5, effective January 1, 2024).

Under existing law, a cancer relief subcommittee of the Connecticut State Firefighters Association awards wage replacement benefits under the firefighters cancer relief program. The act provides that an award does not create a presumption that the firefighter's cancer was work-related for purposes of seeking workers' compensation ([PA 22-139](#), § 3, effective upon passage).

### ***Firefighters Initiatives Related to Cancer***

Beyond the changes to the relief program described above, the General Assembly passed several other initiatives related to firefighters and cancer. Specifically, the new legislation requires:

1. the Joint Counsel of Connecticut Fire Services Organization, in consultation with the Connecticut State Firefighters Association, to create a plan for maintaining and remediating toxic substances on turnout gear and submit it to the Commission of Fire Prevention and Control by July 1, 2023;
2. each fire department to adopt a turnout gear maintenance and remediation plan within 90 days after the commission approves the above plan;
3. the Workers' Compensation Commission to maintain a record of all workers' compensation claims made by firefighters due to a cancer diagnosis and submit a summary report to the Labor Committee by January 1st of each year; and
4. the comptroller to study the feasibility of providing pension benefits in circumstances when a firefighter does not satisfy pension requirements because of an early retirement due to a

qualifying work-related cancer or death and report her findings and recommendations to the Labor Committee ([PA 22-139](#), §§ 1, 2 & 4, effective upon passage).

### ***Forest Fire Resources***

The legislature passed an act this session with a provision expanding the applicability of the Northeastern Interstate Forest Fire Protection Compact's interstate aid provisions by allowing aid to or from any state that belongs to a regional forest fire protection compact if that state's legislature agrees to the provisions. By doing this, it allows Connecticut to exchange forest fire protection and control resources with up to 43 other states.

This same act also expressly authorizes the state forest fire warden to supplement state forest fire control personnel with temporary emergency workers to help fight a forest fire in another state with which Connecticut has agreed to provide reciprocal aid, rather than only for in-state fires ([PA 22-143](#), §§ 5 & 6, effective upon passage).

### ***Payments to Volunteer Fire Companies***

A new law requires the state to pay volunteer fire companies for responding to calls on designated highways. Under this law, within available appropriations, the State Fire Administrator must pay \$500 per call to volunteer fire companies responding to calls on (1) limited access highways, (2) the Berlin Turnpike, and (3) the section of Route 8 in Beacon Falls within the Naugatuck State Forest. The law also prohibits municipalities that provide funding to a volunteer fire company from reducing their funding because of these state payments ([PA 22-146](#), § 14, effective July 1, 2022).

### ***Pilot Program Collecting Fire and Rescue Service Data***

New legislation requires the Department of Emergency Services and Public Protection (DESPP) commissioner, in consultation with certain other state officials, to establish and administer a pilot program, within available appropriations and until July 1, 2025, to collect fire and rescue service data (e.g., call processing time, alarm handling, and turnout time). Among others, any local or regional fire department or district may apply to participate if it is currently challenged or in crisis regarding the delivery of fire and rescue services ([PA 22-118](#), § 210, effective July 1, 2022).

## **Law Enforcement**

### ***Accreditation Standards for Law Enforcement Units***

The legislature made various changes to the minimum standards and practices for administering and managing law enforcement units, including eliminating a requirement that units obtain and maintain accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc.

(CALEA) by 2025. Instead, by 2026, units must either (1) be certified as meeting the requirements for three state-accreditation tiers developed by the Police Officer Standards and Training Council (POST) or (2) meet a higher level of accreditation standards developed by CALEA ([PA 22-119](#), effective upon passage).

### ***Behavioral Health Assessments***

Existing law generally requires police officers to submit to a periodic behavioral health assessment at least once every five years as a condition of continued employment and they may also be required to submit to an additional assessment for good cause shown. New legislation allows licensed clinical social workers to conduct the assessments, in addition to board-certified psychiatrists and licensed psychologists as under existing law ([PA 22-114](#), § 1, effective July 1, 2022).

### ***Department of Revenue Services (DRS) Special Police as Peace Officers***

A new law expands a statutory definition of peace officer to include DRS special police. Under prior law, the DRS special police had many, but not all, of the powers and protections afforded to these peace officers. Under the act, the DRS special police are allowed to, among other things, use a hand-held cellphone while driving when performing official duties within the scope of their employment ([PA 22-117](#), §§ 8-14, effective upon passage).

### ***Electronic Access to Juvenile Delinquency Records***

Starting in June 2023, new legislation specifically requires that the police, when conducting a legitimate criminal investigation, have electronic access to the following juvenile delinquency records: (1) pending juvenile delinquency charges and (2) any suspended detention orders or prior juvenile adjudications during the 90 days before the investigation started ([PA 22-115](#), §§ 5 & 19, effective June 1, 2023).

### ***Grant Program for Purchasing Eligible Body and Dashboard Cameras and Related Equipment and Services***

A new law extends, by one year to FY 23, an Office of Policy and Management administered municipal grant program for costs associated with purchasing eligible police body cameras, digital data storage devices or services, and certain dashboard cameras. By law, the grants are for up to 50% of the associated costs for distressed municipalities and up to 30% for all other municipalities ([PA 22-118](#), § 332, effective July 1, 2022).



## ***Hate Crimes Unit and Related Reporting***

New legislation requires the DESPP commissioner to establish, within the State Police, a Hate Crimes Investigative Unit. It makes the unit responsible for (1) working to prevent and detect certain crimes that are generally based on a bigotry or bias against a race, religion, ethnicity, disability, sex, sexual orientation, or gender identity or expression (i.e., hate crimes) and (2) compiling, monitoring, analyzing, and sharing data about them.

The act also broadens reporting of bigotry- or bias-motivated crimes by local law enforcement entities. Under the act, they, along with other state and tribal law enforcement, must report on the broader list of crimes covered by the act and do so using a standardized form or other reporting system created by POST. The act also requires POST to develop related best practices and other administrative materials to help share information ([PA 22-9](#), §§ 1, 2 & 4, various effective dates).

## ***Impaired Boating and Driving***

A new law adds impaired boating to the list of offenses excluded from participation in the accelerated rehabilitation diversionary program. It also specifies that drug influence evaluations in investigations of impaired driving do not need to start within two hours after the suspect last drove ([PA 22-40](#), §§ 13-14, effective July 1, 2022).

## ***Juvenile Arrest, Detention, and Related Procedures***

New legislation makes various changes to procedures when a juvenile is arrested after an alleged delinquent act, such as (1) generally requiring an arrested child to be brought before a judge within five business days after the arrest and (2) in certain circumstances, increasing the maximum period, from six to eight hours, that a child may be held in a community correctional center or lockup without a judge's detention order.

Among other related provisions, the act also requires (1) the chief state's attorney to develop and implement a training program on the juvenile detention application process for prosecutors and most peace officers and (2) the police and prosecutors, in addition to the judicial branch as under existing law, to compile and categorize data on detention order requests ([PA 22-115](#), §§ 1, 6, 7 & 21, most provisions effective October 1, 2022).

## ***Law Enforcement Mental Health and Training***

A new law includes several provisions concerning the mental health and training of police officers, including:

1. extending existing employment protections to certain police officers who seek or receive mental health care services after undergoing a required behavioral health assessment;
2. eliminating police basic and review training on handling incidents involving a person affected with a serious mental illness and replacing it with training on interacting with people who have mental or physical disabilities or are deaf, hard of hearing, or deaf-blind; and
3. requiring a report on the use of online or remote technology by POST for police officer training after initial certification ([PA 22-64](#), §§ 1, 2, 5 & 7, various effective dates).

## ***Minority Police Officer Recruitment***

By law, each law enforcement unit must develop and implement guidelines for recruiting, retaining, and promoting minority police officers, which must promote achieving the goal of racial, gender, and ethnic diversity within the unit. New legislation expands the diversity goals to include ideological diversity and further requires that they be promoted within community involvement ([PA 22-114](#), § 2, effective October 1, 2022).

## ***Motor Vehicle Accident Report Form Task Force***

A new law creates a 13-member task force to examine the uniform motor vehicle accident report form and consider changes to it to address issues such as its length and the time investigators need to complete it. The task force must submit a report with its findings and recommendations to the Public Safety and Security Committee by January 1, 2023 ([SA 22-7](#), effective upon passage).

## ***Notice to Town of Failed Firearm Background Check***

New legislation requires DESPP to notify a town's police chief (or if none, the town's first selectman or borough's warden) if a resident failed a background check when trying to purchase a firearm ([PA 22-115](#), §§ 3 & 4, effective October 1, 2022).

## ***Religious Head Coverings***

A new law requires each law enforcement unit, by October 1, 2022, to adopt or amend a policy to allow its police officers to wear religious head coverings that correspond to their religious beliefs while on duty and wearing a uniform or other authorized attire, except where the unit requires its officers to use tight-fitting protective headgear ([PA 22-66](#), effective upon passage).

### ***Resident State Trooper Fringe Funding***

By law, a town participating in the resident state trooper program pays, among other things, 100% of the overtime costs and the portion of fringe benefits directly associated with these costs. Beginning FY 23, new legislation increases, from 50% to 100%, the portion of the state employees' retirement system fringe recovery rate attributable to the unfunded liability of the system that the comptroller must annually pay ([PA 22-118](#), § 77, effective July 1, 2022).

### ***Rural Speed Enforcement Grant Program***

Beginning July 1, 2022, a new law requires DESPP, within available resources, to administer a grant program for speed enforcement activities on rural roads. Municipalities eligible to apply for grants under the act are those with a population of less than 25,000 and that have a law enforcement unit or resident state trooper. The act caps program grants at \$5,000 but allows eligible municipalities to receive up to 10 grants ([PA 22-118](#), § 78, effective upon passage).

### ***School Resource Officer Impact on Students with Disabilities***

New legislation requires the Board of Regents for Higher Education to select an institute of higher learning to (1) study school resource officers' role and impact on students with disabilities and (2) report its findings to the Judiciary Committee by December 1, 2022. Among other things, the study must develop metrics for assessing the officers' efficacy, particularly in the context of interacting with students with disabilities, and detail the funding mechanisms for employing these officers ([PA 22-114](#), § 3, effective upon passage).

### ***Tax Return Information in Connection with Criminal Investigations***

A new law allows DRS special police, in connection with their official criminal tax investigation duties and enforcement of any state criminal law, to disclose return information if doing so is necessary to obtain information that is not otherwise reasonably available.

The act also establishes conditions under which the DRS commissioner may disclose tax returns and return information to authorized members of organized local police departments upon a written request by the department's police chief. Among other things, the request must establish the return or return information's relevance to an authorized investigation being conducted by the department ([PA 22-117](#), §§ 6 & 7, effective upon passage).

## ***Timely Reporting by Police of a Death***

New legislation generally requires law enforcement agencies to ensure that a deceased person's next of kin be notified about the deceased's death as soon as practicable, but within 24 hours after the deceased person is identified. It also requires the Office of the Inspector General (OIG) to investigate any failure to report a death as required by the act and allows OIG to make disciplinary recommendations to POST and to individual agencies ([PA 22-61](#), effective October 1, 2022).

## ***Traffic Management***

A new law requires basic and review training programs for state and municipal police to include traffic incident management training. Under the act, POST must develop the curriculum for this training, which must provide for a safe and efficient coordinated approach to detecting, responding, and clearing traffic incidents. The new law also requires the DESPP commissioner to develop plans, including recommended funding, to expand the use of drones for investigating vehicle accidents and other traffic incidents and submit them to certain legislative committees ([PA 22-132](#), effective upon passage).

## ***Violation Reports***

New legislation requires (1) law enforcement units to report to POST instances where police officers commit certain prohibited actions, including using excessive force or failing to intervene or stop another officer's use of excessive force, and (2) OIG to investigate law enforcement units who fail to report and submit its findings to the governor and Judiciary Committee ([PA 22-114](#), §§ 4 & 5, effective October 1, 2022).

## **Miscellaneous Acts Affecting Multiple First Responders**

### ***9-8-8 Suicide Prevention and Mental Health Crisis Calls***

A 2020 federal law designated 9-8-8 as the national suicide prevention and mental health crisis hotline, scheduled to be operational on July 16, 2022. This year, the General Assembly established the 9-8-8 Suicide Prevention and Mental Health Crisis Lifeline Fund, which the Department of Mental Health and Addiction Services (DMHAS) must use for (1) ensuring the efficient and effective routing of in-state calls made to 9-8-8 to an appropriate crisis center and (2) personnel and the provision of acute mental health, crisis outreach, and stabilization services by directly responding to 9-8-8 ([PA 22-47](#), § 25, effective October 1, 2022).

By January 1, 2024, DMHAS must also develop a mechanism to track services provided in response to 9-8-8 calls. The department must report on that mechanism to the Public Health Committee by February 1, 2024 ([PA 22-47](#), § 27, effective upon passage).

## ***Boating Safety***

A new law allows law enforcement and fire rescue vessels to use either an audible signal device or flashing lights, rather than having to use both as required under prior law, to cause nearby vessels to slow and alter course ([PA 22-144](#), § 2, effective October 1, 2022).

## ***Insurance Company Property Loss Records***

New legislation modifies various provisions about accessing and producing insurance company records relating to the company's investigation of certain property losses. Prior law generally allowed an "authorized agency," specifically, the Insurance Department commissioner and certain state and local fire marshals, to request the release of, and be given, information from an insurance company's investigation into losses caused by fires of "suspicious" or incendiary origin.

The act amends the loss circumstances by (1) adding explosions and (2) replacing the term "suspicious" with "undetermined." It also expands the definition of "authorized agency" to include federal, state, and local law enforcement officers, allowing them to request the insurance company's information. Under the act, to be considered an authorized agency these officers must be authorized or charged with investigating fires or explosions where the fire or explosion actually took place ([PA 22-75](#), § 1, effective October 1, 2022).

## ***Mental Health and Law Enforcement Studies***

A new law includes several initiatives to address the mental health of both police officers and those with whom they interact, including:

1. setting up an 11-member task force to study law enforcement officers' mental health needs;
2. requiring UConn's Institute for Municipal and Regional Policy, in consultation with the United Way of Connecticut, to study a representative sample of 9-1-1 calls and analyze the percentage of the calls that would be more appropriately directed to the 2-1-1 Infoline program; and
3. having DMHAS examine its Community and Law Enforcement for Addiction Recovery project.

For each initiative, a report must be submitted to the Public Safety and Security Committee by January 1, 2023 ([PA 22-64](#), §§ 3, 4 & 6, effective upon passage).

## ***Information on Children’s Mental Health and Domestic Violence***

Starting January 1, 2023, new legislation requires certain first responders to distribute the (1) DCF children’s behavioral and mental health resources document and (2) Office of Victim Services’ (OVS) domestic violence victim resources document. The new law requires state and municipal police officers and emergency medical technicians, including medical responders, to keep copies of these documents in any vehicle they use to carry out their duties and allows them to provide copies to anyone they think may benefit from the resources. It also requires peace officers at the scene of a family violence incident to provide victims with the OVS victim resource document and, if there is a child at the scene, a copy of the DCF children’s resources document ([PA 22-47](#), §§ 62-64, effective July 1, 2022).

## ***Procedures for 9-1-1 Calls***

Under a new law, DESPP must collaborate with specified state agencies to develop a plan for incorporating mental and behavioral health and substance abuse disorder diversion into the procedures public safety answering points use to dispatch emergency response services in response to 9-1-1 calls. By January 1, 2023, the DESPP commissioner must report to certain legislative committees on the plan’s development and implementation recommendations and timeline ([PA 22-47](#), § 26, effective upon passage).

## ***Psychedelic-Assisted Therapy***

New legislation requires DMHAS to establish, within available appropriations, a psychedelic-assisted therapy pilot program to be administered by a Connecticut medical school. The pilot program must provide Connecticut veterans, retired first responders, or direct health care workers with MDMA- (i.e., “Molly” or “ecstasy”) or psilocybin-assisted therapy as part of a research program approved by the federal Food and Drug Administration (FDA). Under the act, the pilot program ends when the FDA approves MDMA and psilocybin for medical use ([PA 22-146](#), § 20, effective July 1, 2022).

## ***Re-employment of Connecticut Municipal Employees Retirement System (CMERS) Retirees***

This session, the legislature passed a law that removes limitations on the amount of time a retiree of a CMERS-participating municipality may be re-employed by the same or any other participating municipality and continue to receive his or her pension payments. Under it, these retirees may work in a CMERS-participating municipality for any number of hours per week or months per year so long as he or she does not participate (i.e., receive credit) in the retirement system during this period of re-employment.

The new law also explicitly authorizes retired members of a CMERS-participating police or fire department to accept employment with any participating school district, including a regional district, in a public safety position and continue to receive pension payments as long as they do not further participate in CMERS and earn additional retirement credit ([PA 22-39](#), § 1, effective October 1, 2022).

GM:kc