

DEPARTMENT OF EMERGENCY SERVICES AND
PUBLIC PROTECTION

2016 PUBLIC ACTS

Preparer's note: This document contains summaries of public acts impacting DESPP or of interest to DESPP. If you have questions or require assistance, please contact Scott DeVico at scott.devico@ct.gov. The full text of these public acts can be accessed at www.cga.ct.gov.

SA 16-2-AN ACT ESTABLISHING A TASK FORCE TO STUDY HOARDING.

Effective Date: Upon Passage

Signed by Governor on 5/27/16

The act creates a task force to study issues concerning hoarding. The task force shall (1) review current methods used by various public agencies to address hoarding, (2) identify barriers faced by public agencies to intervene and assist persons who compulsively hoard, (3) create a framework to coordinate the efforts among state and local public agencies to address the public safety and health issues associated with hoarding, and (4) study whether it is permissible to waive a period of Medicaid ineligibility with regard to an individual who compulsively hoards and whose assets have been discovered after such individual applies for Medicaid.

The task force consist of the following members:

- (1) Two appointed by the speaker of the House of Representatives, one of whom shall be a member of the Connecticut Fire Marshals Association and one of whom shall be an attorney with experience representing municipalities;
- (2) Two appointed by the president pro tempore of the Senate, one of whom shall be a member of the Connecticut Police Chiefs Association and one of whom shall represent the Connecticut Conference of Municipalities;
- (3) One appointed by the majority leader of the House of Representatives, who shall be a representative of the legal aid assistance programs in the state;

- (4) One appointed by the majority leader of the Senate, who shall be a representative of a mental health advocacy center;
- (5) Two appointed by the minority leader of the House of Representatives, one of whom shall be a local building inspector and one of whom shall represent residential landlords;
- (6) Two appointed by the minority leader of the Senate, one of whom shall be a local animal control officer and one of whom shall be a representative of a residential real estate management company;
- (7) Three appointed by the Governor, one of whom shall be a physician with experience in treating persons with compulsive disorders, one of whom shall be a representative of a municipal human services department and one of whom shall be a local health director;
- (8) The Commissioner of Emergency Services and Public Protection, or the commissioner's designee;
- (9) The Commissioner on Aging, or the commissioner's designee;
- (10) The Commissioner of Public Health, or the commissioner's designee;
- (11) The Commissioner of Mental Health and Addiction Services, or the commissioner's designee;
- (12) The Commissioner of Social Services, or the commissioner's designee;
- (13) The Chief's State Attorney, or his or her designee;
- (14) The State Building Inspector, or his or her designee;
- (15) The State Fire Marshal, or his or her designee;
- (16) The Chief Animal Control Officer, or his or her designee; and
- (17) The executive director of the Commission on Aging, or the executive director's designee.

Not later than January 1, 2017, the task force shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to public safety and security, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or January 1, 2017, whichever is later.

SA-16-13-AN ACT ESTABLISHING A TASK FORCE TO STUDY THE TRAINING CURRICULUM AND EDUCATION OF POLICE OFFICERS.

Effective Date: Upon Passage

Signed by Governor on 6/7/2016

The act creates a task force on the training curriculum and education of police officers.

The task force shall examine: (1) The current basic curriculum and practices, (2) the instruction and delivery of the basic curriculum, (3) the feasibility and desirability of offering training at satellite campuses, and (4) such other topics as the task force deems appropriate relating to police training.

The task force shall consist of the following members:

(1) Two appointed by the speaker of the House of Representatives, one of whom shall be a sworn officer of a municipal police department and one of whom shall be a member of the Connecticut Police Chiefs Association;

(2) Two appointed by the president pro tempore of the Senate, one of whom shall be a representative from the Institute for Municipal and Regional Policy at Central Connecticut State University and one of whom shall be a member of the Division of State Police within the Department of Emergency Services and Public Protection;

(3) One appointed by the majority leader of the House of Representatives, who shall be a member of the joint standing committee of the General Assembly having cognizance of matters relating to public safety;

(4) One appointed by the majority leader of the Senate, who shall be a chief elected official from a town with a population of equal to or greater than twenty-five thousand persons;

(5) One appointed by the minority leader of the House of Representatives, who shall be a chief elected official from a town with a population of less than twenty-five thousand persons;

(6) One appointed by the minority leader of the Senate, who shall be a social scientist employed by an institution of higher education in this state;

(7) One appointed by the house chairperson of the joint standing committee of the General Assembly having cognizance of matters relating to public safety, who shall be a municipal police chief;

(8) One appointed by the senate chairperson of the joint standing committee of the General Assembly having cognizance of matters relating to public safety, who shall be a representative from a minority community-based organization;

(9) The chairperson of the Black and Puerto Rican Caucus of the General Assembly, or the chairperson's designee;

(10) One representative of the Police Officer Standards and Training Council, appointed by the chairperson of the council; and

(11) The Commissioner of Emergency Services and Public Protection, or the commissioner's designee.

The task force shall submit a preliminary report on its findings and recommendations to the Department of Emergency Services and Public Protection, Police Officer Standards and Training Council and the Connecticut Police Chiefs Association and include any comments received from such department, council or association in the task force's final report.

Not later than October 1, 2017, the task force shall submit a final report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to public safety and security, in accordance with the provisions of section 11-4a of the general statutes. The task

force shall terminate on the date that it submits such report or October 1, 2017, whichever is later.

PA 16-10- AN ACT ESTABLISHING A FIREFIGHTERS CANCER RELIEF PROGRAM.

Effective Date: February 1, 2017

Signed by Governor on 5/6/2016

This act creates the firefighters cancer relief account and the firefighter's cancer relief program to provide wage replacement benefits to eligible paid and volunteer firefighters diagnosed with cancer. The act establishes a new cancer relief subcommittee of the Connecticut State Firefighters Association to award benefits under the program.

The account will be funded through a diversion of money from the enhanced emergency 9-1-1-program, which is funded through a monthly subscriber fee that the Public Utilities Regulatory Authority (PURA) imposes on phone service. The bill requires, to the extent permitted under federal law, an amount from the fee equal to one cent per month per access line to be remitted from the fee to be deposited in the account the bill establishes.

Under the act, "firefighter" includes any (1) local fire marshal, deputy fire marshal, fire investigator, fire inspector, and other classes of inspectors and investigators for whom the State Fire Marshal and the Codes and Standards Committee have jointly adopted minimum qualification standards; and (2) uniformed member of a paid municipal, state, or volunteer fire department.

An eligible firefighters' wage replacement benefits under the act must be approved by the association subcommittee, which is authorized to determine the weekly amount benefit and the benefit duration, provided (1) the weekly benefit does not exceed 100% of the average weekly earnings of all workers in the state for the year in which the cancer was diagnosed and (2) the benefits are not provided for more than two years.

The act specifically excludes a firefighter who receives benefits from the account from concurrently receiving unemployment or worker's compensation benefits or any other municipal, state, or federal wage replacement benefits. It also specifies

that receiving benefits under the act cannot be used as evidence for or an acknowledgement of liability under the workers' compensation law.

PA-16-33-AN ACT CONCERNING THE PRIVACY OF A MINOR.

Effective Date: Upon Passage

Signed by Governor on 5/26/16

This act modifies the applicability of the Freedom of Information Act (FOIA) to recordings made by police body cameras. It generally makes body camera recordings of a minor confidential but requires disclosure if:

1. the minor and his or her parent or guardian consent to disclosure;
2. the minor or his or her parent or guardian alleges police misconduct, and the person representing the accused officer in an investigation requests disclosure solely to prepare a defense; or
3. a person is charged with a crime and his or her counsel requests disclosure solely to aid in the person's defense, provided the record's discovery as evidence is otherwise allowed.

The act also modifies provisions on disclosing recordings of the scene of an incident involving a domestic abuse, sexual abuse, homicide, suicide, or deceased accident victim. Current law exempts these recordings from disclosure under FOIA if disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy. The act also (1) limits this provision to protect only the victim's personal privacy from invasion and (2) makes these recordings confidential. Under current law, it is unclear whether a recording could be withheld because of its effect on the personal privacy of another person, such as a victim's family member.

PA-16-34-AN ACT PROTECTING VICTIMS OF DOMESTIC VIOLENCE.

Effective Date: October 1, 2016

Signed by Governor on 5/26/16

This act makes changes in various laws that relate to orders of protection, service of process, and firearms and ammunition possession.

With regard to the service of civil restraining orders, among other things, the act:

1. revises the civil restraining order application form to allow an applicant to indicate whether the respondent (accused) has a firearm eligibility or ammunition certificate;
2. reduces, from five to three, the number of days before a hearing date that process must be served;
3. requires a proper officer (i.e., person authorized to serve process), in certain circumstances, to request that a state or municipal police officer be present when service is executed; and
4. continues an ex parte order (i.e., an order issued without a hearing) beyond the initial hearing date under certain circumstances;
5. reduces, from 14 days to seven days, the time within which a hearing must be held if a court issues an ex parte order;
6. requires that an ex parte order be served in hand whenever possible and allows the law enforcement agency to designate a police officer to be present when service is executed;
7. requires the chief court administrator to develop and make available educational material on risk warrants;
8. establishes requirements for DESPP or the local police to return firearms and ammunition when an order expires or is rescinded.

The act also requires state marshals and other proper officers to enter specific service-related information in the Judicial Branch's Internet-based service tracking system.

The act requires the chief court administrator to (1) revise and simplify the restraining order application process; (2) allocate space in the court, where feasible, for meetings between state marshals and restraining order applicants; (3) annually collect civil restraining and protection order data, and (4) develop and make available to the public education material on risk warrants.

The act extends certain firearms and ammunition prohibitions to a person subject to an ex parte civil restraining or protection order issued in a case involving physical force. It expressly prohibits the Department of Emergency Services and Public Protection (DESPP) commissioner from issuing a gun permit or firearms eligibility certificate to anyone subject to such an order. It also requires the commissioner, upon the request of a person who was subject to such an order and verification of the order's expiration, to reinstate any gun or ammunition credential revoked as a result of such an order, if the person is otherwise eligible for the credential.

The act makes a person ineligible to possess firearms or ammunition upon receipt of legal notice that he or she is subject to an ex parte order and makes it a class C felony for such a person to violate the firearms or ammunition transfer, delivery, or surrender requirements, as is already the case for anyone subject to any other order of protection.

The act also shortens, from two business days to 24 hours, the deadline by which a person who becomes subject to any type of order of protection in a case involving physical force must transfer, deliver, or surrender his or her firearms and ammunition. It requires this same transfer by people subject to an ex parte order with the same 24-hour deadline. It (1) gives people required to surrender their firearms or ammunition to law enforcement the option to surrender them to a municipal police department, instead of just the DESPP commissioner; (2) requires the DESPP commissioner to update the existing protocol to allow for such a surrender; (3) requires DESPP and law enforcement agencies, under certain circumstances, to return firearms and ammunition when an ex parte order expires; and (4) provides for the request and return of firearms and ammunition when an order expires or is rescinded.

PA-16-43-AN ACT CONCERNING OPIOIDS AND ACCESS TO OVERDOSE REVERSAL DRUGS.

Effective Date: Section 1- Upon Passage; Section 2-January 1, 2017; Section 3- January 1, 2017; Section 4-October 1, 2016; Section 5- October 1, 2016; Section 6- October 1, 2016; Section 7- July 1, 2016; Section 8- October 1, 2016; Section 9- July 1, 2016; Section 10- October 1, 2016; Section 11- Upon Passage

Signed by Governor on 5/27/16

This act contains various provisions on opioid abuse prevention and treatment and related issues. It:

1. prohibits, with certain exceptions, a prescribing practitioner authorized to prescribe an opioid drug from issuing a prescription for more than a seven-day supply to (a) an adult for the first time for outpatient use or (b) a minor;
2. makes various changes to the electronic prescription drug monitoring program, such as (a) expanding who may serve as a prescriber's authorized agent, (b) modifying reporting deadlines, and (c) decreasing prescriber reviews for prolonged treatment of schedule V nonnarcotic drugs;
3. allows any licensed health care professional to administer an opioid antagonist (e.g., Narcan) to treat or prevent a drug overdose without civil or criminal liability;
4. requires municipalities, by October 1, 2016, to amend their local emergency medical services (EMS) plans to ensure that specified first responders are equipped with an opioid antagonist and trained in administering it (§ 1);
5. prohibits certain health insurance policies that provide prescription drug coverage for opioid antagonists from requiring prior authorization for these drugs; and
6. requires the Public Health Committee chairpersons to establish a working group on the issuance of opioid drug prescriptions by prescribing practitioners.

The act also makes changes affecting the (1) practice of auricular acupuncture, (2) scope of practice of alcohol and drug counseling, (3) disciplining of controlled substance registrants, and (4) Alcohol and Drug Policy Council.

PA-16-54-AN ACT INCREASING PENALTIES FOR FAILURE TO YIELD TO PEDESTRIANS IN CROSSWALKS AND FAILURE TO EXERCISE DUE CARE TO AVOID HITTING A PEDESTRIAN OR CYCLIST.

Effective Date: October 1, 2016

Signed by Governor on 5/26/16

The act increases the penalty for two motor-vehicle infractions to violations punishable by a fine of up to \$500. But the bill subjects the violations to the same procedures as those governing infractions, which allow a person to (1) pay the fine by mail without a court appearance or (2) contest the fine in court.

The act's penalties apply when a motor vehicle operator:

1. fails to give the right of way, slow, or stop as appropriate for pedestrians at crosswalks; passes a vehicle stopped at a crosswalk; fails to yield to pedestrians and others when crossing a sidewalk; or fails to reduce speed and stop as necessary to yield to a blind pedestrian carrying a white cane or guided by a guide dog or
2. fails to exercise due care to avoid colliding with a pedestrian or person propelling a human powered vehicle or fails to give a reasonable warning to avoid collision (such as sounding a horn).

Currently, the conduct described first above is punishable by a fine, fee, and surcharge totaling \$181 and the second by a fine, fee, and surcharge totaling \$92.

The act fine is also subject to a \$15 additional fee, which the state must remit to the municipality where the violation occurred.

PA 16-55-AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF MOTOR VEHICLES REGARDING HAZARDOUS MATERIALS, CAR DEALERS, ELECTRONIC REGISTRATION, STUDENT TRANSPORTATION VEHICLE OPERATORS, DIVERSION PROGRAMS, MOTOR VEHICLE INSPECTORS AND MINOR REVISIONS TO THE MOTOR VEHICLE STATUTES.

Effective Date: July 1, 2016, except for the provisions (1) on transporting hazardous materials, barring a court from suspending certain prosecutions,

allowing motor vehicle inspectors to carry weapons on school grounds, and requiring certificates of title for vehicles more than 20 years old, which are effective October 1, 2016, and (2) requiring DMV to report on office wait times and authorizing DMV to contract with municipalities to conduct certain licensing and registration transactions and increasing the transaction fees, which are effective upon passage.

Signed by Governor on 5/31/16

The act allows the Department of Motor Vehicles (DMV) commissioner to contract with, among others, municipal departments or offices to conduct registration and certain license and identity (ID) card transactions in the same manner it already does with automobile clubs or associations (e.g., AAA), and increases the maximum fee these contractors may charge for each transaction from \$3 to \$5.

Under current law, automobile clubs and associations may issue duplicate licenses and ID cards, renew licenses and ID cards, and conduct registration transactions.

It requires motor vehicle dealers and repairers to undergo state criminal history records checks, generally requires motor vehicle dealers, car rental firms, and other entities that submit at least seven vehicle registration-related documents monthly to DMV to do so electronically), and makes other changes in motor vehicle laws. Among these are the following:

1. requiring commercial drivers transporting hazardous materials to comply with federal regulations on these materials and making a violation an infraction or misdemeanor, depending on the severity of the violation and the number of offenses;
2. merging two different procedures for local approval of motor vehicle dealership and repair locations and requiring applicants to obtain the approval of a local building official and fire marshal rather than state or local police;
3. allowing DMV to request continuances of an administrative per se hearing on a showing of good cause and making a minor change to the administrative per se law;

4. changing medical requirements for student transportation vehicle (STV) drivers age 70 and older;
5. barring a court from suspending the prosecution of, and ordering treatment for, people found to be drug or alcohol dependent if they operated a commercial motor vehicle or held a commercial driver's license (CDL) when they were charged with certain crimes;
6. allowing motor vehicle inspectors performing their official duties to carry weapons on school grounds;
7. requiring DMV to issue title certificates, at a vehicle owner's request, for vehicles more than 20 model years old; and
8. requiring DMV to report annually and monthly to the Transportation Committee on office wait times.

The act also makes a change regarding police reporting requirements when making certain drunk driving arrests. Existing law allows police to obtain a blood or urine sample from a driver involved in an accident who (1) was injured or allegedly injured in the crash or (2) police believe requires hospital treatment or observation. The act requires police to notify DMV and submit a written report to the department (1) if they charge a driver with DUI in connection with the accident, and (2) the sample taken from the driver shows he or she had an elevated BAC. Currently, they must do so only if the driver was charged in connection with the accident.

PA-16-71-AN ACT CONCERNING HUMAN TRAFFICKING.

Effective Date: October 1, 2016, except the annual reporting requirement for each state's attorney and municipal police chief is effective upon passage.

Signed by Governor on 6/1/2016

This act makes a number of changes related to human trafficking. It:

1. increases the Trafficking in Persons Council's membership and changes the council's charge;

2. requires each state's attorney and municipal police chief to annually report information on trafficking cases and their anti-trafficking efforts to the Children's and Judiciary committees;
3. requires hotel, motel, inn, and similar lodging operators to (a) maintain a system to keep records of all guest transactions and receipts for at least six months and (b) ensure that their employees receive training on human trafficking when they are hired and provide ongoing awareness campaigns;
4. requires the Department of Children and Families (DCF) and Emergency Services and Public Protection (DESPP) commissioners to consult with state and national hotel and lodging associations to recommend a training and refresher training program related to human trafficking;
5. prohibits someone age 16 or 17 from being convicted of prostitution;
6. expands the conduct punishable as a class C felony under the crime of patronizing a prostitute;
7. sets the fine that is part of the penalty for certain prostitution-related crimes at the maximum of the range that is currently applicable for each crime;
8. expands the crime of enticing a minor to include enticing a minor age 16 or 17 or someone reasonably believed to be under age 18;
9. requires more people to post a notice about services for human trafficking victims;
10. changes the types of property subject to forfeiture as tainted funds and property related to sexual exploitation and human trafficking by (a) eliminating funds and property related to prostitution from these procedures and (b) subjecting to forfeiture property used or intended for use to commit or facilitate committing the crimes of patronizing a prostitute or patronizing a prostitute from a motor vehicle;
11. expands the trafficking in persons crime and allows the court to impose a standing criminal protective order against someone convicted of certain types of trafficking;

12. requires the judicial branch's family violence training program for judges, certain branch employees, and guardians ad litem to include an examination of the factors that contribute to a family being at risk of domestic violence; and

13. alters eligibility for vacating prostitution convictions.

PA 16-83-AN ACT CONCERNING FAIR CHANCE EMPLOYMENT.

Effective Date: January 1, 2017, except the provisions creating the task force and making a conforming change are effective upon passage.

Signed by Governor 6/1/2016

This act prohibits employers from asking about a prospective employee's prior arrests, criminal charges, or convictions on an initial employment application unless (1) the employer must do so under state or federal law or (2) the prospective employee is applying for a position for which the employer must obtain a security or fidelity bond or equivalent bond.

The act allows a prospective employee to file a complaint with the labor commissioner alleging a violation of this prohibition and subjects violators to a \$300 per violation civil penalty imposed by the Labor Department. It also allows someone to file a complaint with the commissioner alleging an employer's violation of existing law on employment-related criminal record checks.

Lastly, the act establishes the Fair Chance Employment Task Force to study issues that include the employment opportunities available to people with criminal histories. The task force must provide two reports to the Labor and Judiciary committees on its findings and recommendations for administrative or legislative action. The first is due by January 1, 2017, and the second is due by January 1, 2018.

PA-16-94- AN ACT CONCERNING PENALTIES FOR EVASION OF RESPONSIBILITY BY AN OPERATOR OF A MOTOR VEHICLE IN THE CASE OF INJURY.

Effective Date: October 1, 2016

Signed by Governor 5/31/16

By law, a motor vehicle operator who is knowingly involved in an accident that causes physical injury to a person or injury or damage to property must (1) immediately stop and render any needed assistance and (2) give his or her name, address, and license and registration numbers to the injured person or property owner or any officer or witness to the injury. If the operator is unable to provide this information to any of those individuals, he or she must immediately report the injury or damage to a municipal or state police officer, constable, motor vehicle inspector, or at the nearest police precinct or station. The operator must state in the report the accident's location and circumstances and include the above required information.

This act extends, from one year to five years, the maximum prison sentence a court may impose on an operator who (1) is involved in an accident that causes physical injury and (2) violates the above requirements or commits a subsequent offense. It retains the current fines that the court may impose for such violations (between \$75 and \$600 for a first offense and between \$100 and \$1,000 for a subsequent offense). It also maintains the current penalty and fines for operators who (1) are involved in accidents that result in property damage and (2) violate the above requirements (i.e., up to one year in prison and the same fines as those in place for violators involved in accidents that cause physical injury). By law, the court may impose a fine, prison sentence, or both, for such violations.

PA-16-96-AN ACT INCREASING THE MAXIMUM PENALTY FOR PERSONS CONVICTED OF SUBSEQUENT OFFENSES OF MALICIOUS AND INTENTIONAL ANIMAL CRUELTY.

Effective Date: October 1, 2016

Signed by Governor 6/1/2016

The act increases the penalty, from a class D felony to a class C felony, for a subsequent offense of malicious and intentional animal cruelty (i.e., maliciously or intentionally maiming, mutilating, torturing, wounding, or killing an animal). A class C felony is punishable by imprisonment of one to 10 years, a fine of up to \$10,000, or both. A class D felony is punishable by imprisonment of up to five years, a fine of up to \$5,000, or both.

Under existing law, unchanged by the act, a first offense of malicious and intentional animal cruelty is a class D felony and specified people are exempt

from this crime. Certain other animal cruelty offenses, including failing to provide proper care, food, and water to animals, are punishable by imprisonment of up to one year, a fine of up to \$1,000, or both for a first offense. A subsequent offense is a class D felony.

PA-16-105-AN ACT CONCERNING COURT OPERATIONS.

Effective Date: October 1, 2016

Signed by Governor 6/3/2016

This act makes a number of changes to court procedures, including:

1. prohibiting a parent, guardian, or responsible adult who brings a restraining or civil protection order application as next friend of someone under age 18 from speaking for the applicant at a hearing except for good cause;
2. allowing the court to consider additional information in a report from the Judicial Branch's family services unit at a hearing on a restraining order;
3. providing that an ex parte civil protection order does not continue if a party requests a postponement of the hearing on the order unless the parties agree to it or the court orders it for good cause;
4. changing the information on domestic violence counseling that courts must provide to people who apply for restraining orders;
5. eliminating a \$2 fee for filing with the court an appraiser's assessment of land taken for public use; and
6. making technical changes by updating references to federal law.

PA-16-106- AN ACT CONCERNING AFFIRMATIVE CONSENT.

Effective Date: July 1, 2016

Signed by Governor 6/1/2016

By law, higher education institutions in Connecticut must adopt and disclose one or more policies on sexual assault, stalking, and intimate partner violence. Among

other things, the policies must include provisions about (1) providing, to students and employees who report or disclose being victims of such violence, information about their options for assistance; (2) disciplinary procedures; and (3) possible sanctions.

This act requires institutions to use a standard of affirmative consent when determining, in the context of these policies, whether sexual activity is consensual. The policies must include clear statements advising students and employees of the affirmative consent standard. Additionally, the act specifies that the policies must describe the institutions' investigation procedures for students and employees. (Existing law requires that the policies describe the institutions' disciplinary procedures.) The act also requires that an official trained annually in issues relating to sexual assault, stalking, and intimate partner violence conduct investigations in which the respondents are students. (Existing law applies this requirement to disciplinary proceedings in which the respondents are students.)

The act requires higher education institutions (except for Charter Oak State College) to include, in the awareness programming they offer to students and employees, an explanation of the affirmative consent standard. It also replaces references to "victim" and "accused" in current law. Generally, it replaces references to (1) "victim" with "student or employee who reports or discloses the alleged violation" and (2) "accused" with "student or employee responding to such report or disclosure."

The act also specifies that higher education institutions are not required to adopt the act's definition verbatim and that higher education institutions have sole authority to adopt a definition of "affirmative consent."

PA 16-126-AN ACT CONCERNING CHILD ENDANGERMENT WHILE DRIVING WHILE UNDER THE INFLUENCE.

Effective Date: October 1, 2016

Signed by Governor on 6/9/2016

This act increases the criminal penalties for driving under the influence (DUI) (1) with a child passenger (under age 18) or (2) when driving a school bus, student transportation vehicle (STV), or other motor vehicle specially designated for

carrying children, with or without a child passenger. It does so by creating specific crimes for these offenses, separate from the DUI statute.

Among other changes compared to current DUI law, the penalties for the act's new crimes include longer mandatory minimum and maximum prison terms and required probation for first offenses. For DUI with a child passenger, the act adds to the required components of probation (1) submitting to an interview and risk evaluation by the Department of Children and Families (DCF) and (2) cooperating with DCF-ordered programming. Otherwise, the act applies most provisions of the current DUI law to the new crimes.

The act subjects individuals arrested for the new crimes to the existing "administrative per se" license suspension procedures.

PA-16-144-AN ACT CONCERNING REGIONALISM.

Effective Date: Upon Passage

Signed by Governor on 6/9/2016

This act makes several changes related to increasing municipal efficiencies and regional cooperation. It:

1. authorizes municipalities to purchase equipment, supplies, materials, or services from certain entities;
2. expands the types of entities that are eligible for regional performance incentive program (RPIP) grants;
3. sunsets the option to apply for RPIP grants to cover operating and capital costs associated with connecting to the statewide high-speed network (i.e. Nutmeg Network);
4. allows municipalities to enter into an agreement to share the services of a resident state trooper or other law enforcement personnel;
5. requires the State Department of Education (SDE) to study methods of increasing efficiencies in school transportation;

6. requires the Office of Policy and Management (OPM) to use municipal reimbursement and revenue account funds for specified purposes, including the SDE study; and

7. requires entities updating their plans of conservation and development to consider the need for technology infrastructure.

PA-16-147- AN ACT CONCERNING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE.

Effective Date: Section 1-January 1, 2017; Section 2-January 1, 2017; Section 3-January 1, 2017; Section 4- January 1, 2017; Section 5-Upon Passage; Section 6- October 1, 2016; Section 7- August 15, 2017; Section 8- August 15, 2017; Section 9- Upon Passage; Section 10- January 1, 2017; Section 11- Upon Passage; Section 12- August 15, 2017; Section 13- July 1, 2017; Section 14- Upon Passage; Section 15- Upon Passage; Section 16- Upon Passage; Section 17- January 1, 2017; Section 18- Upon Passage.

Signed by Governor on 6/10/2016

This act makes several changes affecting juvenile detention and other juvenile justice matters, children returning to school after a juvenile justice placement, and other school disciplinary and related matters. With regard to juvenile detention, it:

1. requires the Court Support Services Division (CSSD) to develop and implement a detention risk assessment instrument and adopt release policies and procedures;
2. limits the conditions under which a child may be detained and allows graduated sanctions as an alternative to detention; and
3. requires CSSD and the Department of Children and Families (DCF) to develop and implement a plan to provide community-based services for children leaving juvenile detention.

The bill prohibits state-operated juvenile justice residential facilities from imposing out-of-school suspensions.

It adds the victim advocate, or his designee, to the Juvenile Justice Oversight and Policy Committee (JJPOC). The act eliminates some of the JJPOC's current reporting responsibilities and requires the committee to report on a plan for a community-based diversion system. It also requires the committee to establish a data integration working group.

The act makes various changes affecting schools, such as:

1. requiring schools to offer an alternative educational opportunity to a larger category of expelled students;
2. eliminating a child's truancy as permissible grounds for a family with service needs complaint;
3. requiring schools with a disproportionately high truancy rate to implement an approved intervention model; and
4. requiring the State Department of Education (SDE), in collaboration with other agencies, to develop plans on certain matters, such as school-based diversion initiatives and addressing educational deficiencies among children in the juvenile justice system.

The act also includes provisions on, among other matters, police training, a recidivism reduction framework, and training on and monitoring of de-escalation efforts.

Under existing law, police basic training programs must include training on handling juvenile matters, including at least:

1. 27 hours of such training, if the program is conducted or administered by the State Police, and
2. 14 hours of such training, if the program is conducted or administered by the Police Officer Standards and Training Council or a local police department.

Police review training programs by any such entity must include one hour of this training.

Section 10 of the act extends these requirements to police field training programs. It also adds the following to the required training components:

1. using graduated sanctions,
2. techniques for handling trauma,
3. restorative justice practices,
4. adolescent development,
5. risk-assessment and screening tools, and
6. emergency mobile psychiatric services.

PA-16-148-AN ACT CONCERNING COMPELLED DISCLOSURE OF CELLULAR TELEPHONE AND INTERNET RECORDS AND FRAUD COMMITTED THROUGH TELEPHONE SOLICITATION.

Effective Date: October 1, 2016

Signed by Governor on 6/9/2016

Under current law, telecommunications carriers must disclose call-identifying information, and electronic communication or remote computing service providers must disclose basic subscriber information, to law enforcement officials based on ex parte court orders (i.e., orders issued without a hearing or prior notice to the customer), under specified conditions.

This act allows law enforcement officials to also seek ex parte court orders to compel these carriers or service providers to disclose a communication's contents or geo-location data associated with call-identifying information. It sets a higher standard for the issuance of these orders (probable cause) than the existing standard for orders to compel disclosure of call-identifying or basic subscriber information (reasonable and articulable suspicion).

In addition, the act allows a carrier or service provider to disclose up to 48 hours of geo-location data upon the request of law enforcement, without a court order, if there are exigent circumstances (i.e., an emergency involving danger of serious physical injury or death to someone).

Among other things, the act also (1) limits such orders from authorizing disclosure of information covering more than 14 days, (2) requires law enforcement to disclose the information to defense counsel, and (3) adds to existing reporting requirements.

In addition, the act creates a specific crime of telephone fraud. The act classifies this crime into six degrees, generally based on the amount of money or value of the property the violator obtained illegally.

PA-16-150-AN ACT CONCERNING THE DIVISION OF STATE-WIDE EMERGENCY TELECOMMUNICATIONS.

Effective Date: October 1, 2016

Signed by Governor on 6/9/2016

The act requires the Division of State-Wide Emergency Telecommunications (DSET) within the Department of Emergency Services and Public Protection (DESPP) to implement a “next generation 9-1-1 telecommunication system” (“Next Gen. 9-1-1”) as part of the statewide enhanced emergency 9-1-1 program. DSET must also coordinate and assist in statewide planning for the new system, which must (1) have enhanced 9-1-1 service capabilities and (2) allow users to reach public safety answering points (PSAP) by transmitting text messages, images, or videos. PSAPs are 24-hour facilities that receive 9-1-1 calls and dispatch emergency response services (e.g., fire and police) or transfer the calls to other public safety agencies.

The act requires (1) municipalities to submit proposals for new PSAPs, and PSAPs to submit proposals for changes to an existing PSAP, to DSET for approval prior to implementation and (2) each PSAP to begin annually certifying to DSET, by January 1, 2017, that the information in the 9-1-1 service utilization plan is accurate. It requires the DESPP commissioner to adopt regulations concerning the content of a 9-1-1 service utilization plan.

Under the bill, telephone companies and certain voice over Internet protocol (VOIP) service providers must provide certain features to implement the Next Gen. 9-1-1 system.

The act allows DSET to amend the technical and operational standards for private safety answering points that use the E 9-1-1 network. By law, DSET adopts these standards after consulting with private companies, corporations, or institutions. The standards are subject to the E 9-1-1 Commission's review and approval.

The act allows people who are not physically disabled to connect a DSET-approved automatic alarm or other automatic alerting device to a telephone company's network. Under current law, only people who are physically disabled may do so. The alarm or alerting device automatically dials 9-1-1 and provides a prerecorded message to directly access emergency services.

Finally, the act (1) replaces obsolete references to "Office of State-Wide Telecommunications" with DSET and (2) makes other technical and conforming changes.

PA-16-152-AN ACT CONCERNING CARRYING A FIREARM WHILE INTOXICATED OR UNDER THE INFLUENCE OF ALCOHOL.

Effective Date: October 1, 2016

Signed by Governor on 6/6/2016

The act lowers, from .10% to .08%, the blood alcohol content (BAC) level that triggers a presumptive violation of the law's prohibition on carrying a loaded firearm while under the influence of alcohol or drugs. It thereby conforms this provision to the BAC level that triggers a presumptive violation of state and federal driving under the influence (DUI) laws.

The act also makes three changes pertaining to hunting while under the influence of alcohol or drugs or while impaired by alcohol. First, it eliminates the offense of hunting while impaired by alcohol, which under current law is hunting with a BAC of more than .07% but under .10%. Second, it lowers, from .10% to .08%, the BAC level that triggers a presumptive violation of the law's prohibition on hunting while under the influence. In doing so, the bill increases from .07% to .08% the BAC level that triggers a presumptive violation by someone previously convicted of hunting under the influence. Third, the bill sets a new and lower BAC threshold of .02% for anyone under age 21. This conforms this provision to the BAC level that triggers a presumptive violation of the state DUI law for drivers under age 21.

By law, carrying a firearm while under the influence is a class B misdemeanor, punishable by a prison term of up to six months, a fine of up to \$ 1,000, or both. Hunting while under the influence is a class A misdemeanor, punishable by a prison term of up to one year, a fine of up to \$ 2,000, or both. The energy and environmental protection commissioner may indefinitely suspend the hunting license of a person convicted of hunting while intoxicated.

PA-16-154-AN ACT CONCERNING SPECIAL POLICE FORCES ON COLLEGE CAMPUSES.

Effective Date: July 1, 2016

Signed by Governor on 6/6/2016

The act establishes special police forces on all Connecticut regional community technical college (CTC) campuses, subject to the Board of Regents for Higher Education's approval. State law requires armed special police force members to be certified by the Police Officer Standards and Training Council (POST)

The following campuses compose the Connecticut State University System's CTCs:

1. Asnuntuck Community College in Enfield,
2. Capital Community College in Hartford,
3. Gateway Community College in New Haven,
4. Housatonic Community College in Bridgeport,
5. Manchester Community College in Manchester,
6. Middlesex Community College in Middletown,
7. Naugatuck Valley Community College in Waterbury,
8. Northwestern Connecticut Community College in Winsted,
9. Norwalk Community College in Norwalk,
10. Quinebaug Valley Community College in Danielson,

11. Three Rivers Community College in Norwich, and

12. Tunxis Community College in Farmington.

PA 16-157- AN ACT CONCERNING THE AUTHORITY OF DEPUTY FIRE MARSHALS AND FIRE INSPECTORS.

Effective Date: July 1, 2016

Signed by Governor on 6/6/2016

This act gives local fire marshals the authority to delegate to deputy fire marshals or fire inspectors their authority to write citations for fire code violations, just as they may currently delegate their authority to issue orders or permits. The act also makes technical and conforming changes, mostly clarifying that the inspectors and investigators referred to in the laws concerning the appointment and qualifications of local fire officials are fire code inspectors and fire investigators.

PA-16-171-AN ACT EXTENDING THE SCHOOL SECURITY INFRASTRUCTURE COMPETITIVE GRANT PROGRAM.

Effective Date: Upon Passage

Signed by Governor on 6/6/2016

The act extends the sunset date for the school security infrastructure grant program by one year, from June 30, 2016 to June 30, 2017.

PA-16-178- AN ACT CONCERNING WEAPONS IN VEHICLES.

Effective Date: October 1, 2016

Signed by Governor on 6/6/2016

This act codifies case law by exempting, from the existing ban on carrying certain weapons in a vehicle, someone having a dirk knife or police baton in a vehicle while lawfully moving his or her household goods or effects from one place to another or from one residence to another.

Under existing law, subject to various exceptions, it is a class D felony for someone to knowingly have certain weapons in a vehicle the person owns, operates, or occupies.

PA-16-182-AN ACT CONCERNING A DIVERSIONARY PROGRAM FOR PERSONS UNDER AGE TWENTY-ONE FOR MOTOR VEHICLE VIOLATIONS AND CRIMES RELATED TO UNDERAGE DRINKING.

Effective Date: October 1, 2016

Signed by Governor on 6/7/2016

The act establishes new diversionary program for those under 21 for certain motor vehicle violations. The act allows the court to recommend a program as an alternative to incarceration for specified offenses where the defendant is under 21. It specifies the type of program that must be utilized and allows the nonprofit to assess of fee for participation.

PA 16-208-AN ACT CONCERNING THE PENALTY FOR VIOLATIONS OF A MUNICIPAL ORDINANCE CONCERNING THE OPERATION OF A DIRT BIKE, ALL-TERRAIN VEHICLE OR MINI-MOTORCYCLE.

Effective Date: October 1, 2016

Signed by Governor on 6/9/2016

This act adds mini-motorcycles to the list of motorized vehicles municipalities may regulate by ordinance. Under the bill, municipalities may regulate the operation and use of mini-motorcycles on public property and impose penalties for their improper use up to the same limits applicable to dirt bike, all-terrain vehicle (ATV), and snowmobile ordinance violations.

Under the act, municipal officers and employees may issue citations without first providing a written warning to individuals who violate a mini-motorcycle ordinance. By law, the same is true for citations concerning a dirt bike or ATV ordinance.

The act also authorizes municipalities with a population of 20,000 or more to enforce ordinances concerning mini-motorcycle, dirt bike, or ATV operation by

confiscating a vehicle used to violate them. The act (1) establishes protections for lienholders and innocent owners and (2) requires municipalities to sell confiscated vehicles at a public auction.

PA-16-217-AN ACT CONCERNING OATHS TAKEN BY PERSONS EMPLOYED OR ASSOCIATED WITH CIVIL PREPAREDNESS ORGANIZATIONS.

Effective Date: October 1, 2016

Signed by Governor on 6/10/2016

The act reduces, from annually to every two years, the frequency with which anyone appointed to serve in a town's civil preparedness organization must take the following loyalty oath:

I . . .do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the state of Connecticut, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

By law, each town must establish or join with other towns to establish a local civil preparedness organization in accordance with the state civil preparedness plan and program. The organization performs civil preparedness functions within its territorial limits.