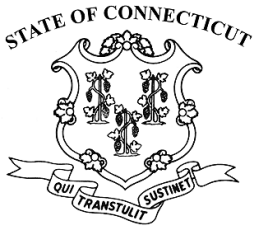

Substitute House Bill No. 7259

Public Act No. 25-29

AN ACT CONCERNING REVISIONS TO VARIOUS STATUTES CONCERNING CRIMINAL JUSTICE.

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

Section 1. Subsection (a) of section 54-102j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) It shall be the duty of the Division of Scientific Services within the Department of Emergency Services and Public Protection to receive blood or other biological samples and to analyze, classify and file the results of DNA identification characteristics profiles of blood or other biological samples submitted pursuant to section 54-102g and to make such information available as provided in this section, except that the division shall analyze samples taken pursuant to subsection (a) of section 54-102g only as available resources allow. The results of an analysis and comparison of the identification characteristics from two or more blood or other biological samples shall be made available directly to federal, state and local law enforcement officers upon request made in furtherance of an official investigation of any criminal offense. Only when a sample or DNA profile supplied by the person making the request satisfactorily matches a profile in the data bank shall the existence of data in the data bank be confirmed or identifying

information from the data bank be disseminated, except that if the results of an analysis and comparison do not reveal a match between the sample or samples supplied and a DNA profile contained in the data bank, the division may, upon request of the law enforcement officer, indicate whether the DNA profile of a named **[**individual**]** person is contained in the data bank provided the law enforcement officer has a reasonable and articulable suspicion that such **[**individual**]** person has committed the criminal offense being investigated. A request pursuant to this subsection may be made by personal contact, mail or electronic means. The name of the person making the request and the purpose for which the information is requested shall be maintained on file with the division. Information derived from a nonqualifying sample entered into the data bank shall, prior to the expungement of the sample from the data bank or the purging of such information and the destruction of the sample in accordance with section 54-102*l*, be disclosed to the conviction integrity unit of the office of the Chief State's Attorney for the purpose of discharging the constitutional obligations of the Division of Criminal Justice relating to exculpatory evidence. In the event that such information is determined to be exculpatory to any person charged with or convicted of a crime, the information shall be disclosed to such person or such person's attorney. Information so disclosed shall not otherwise be used for investigative or prosecutorial purposes. For purposes of this subsection, "nonqualifying sample" includes any sample that is entered into the data bank in good faith, but without authority, or one in which the sample and the information derived from such sample should have previously been purged or expunged from the data bank.

Sec. 2. Subsection (d) of section 19a-112a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(d) Each health care facility in the state that provides for the collection of sexual assault evidence shall follow the protocol adopted under

subsection (b) of this section, contact a sexual assault counselor, as defined in section 52-146k, when a person who identifies himself or herself as a victim of sexual assault arrives at such health care facility and, with the consent of the victim, shall collect sexual assault evidence. After **[**the collection**]** collecting the evidence, the health care facility shall obtain the consent of the victim to establish a designation label for the sexual assault evidence collection kit, for which the victim may choose the designation of (1) "anonymous" by not including the victim's name on the sexual assault evidence collection kit and not reporting to a law enforcement agency at the time of evidence collection; (2) "identified" by including the victim's name on the sexual assault evidence collection kit, but not reporting to a law enforcement agency at the time of evidence collection; or (3) "reported" by including the victim's name on the sexual assault evidence collection kit and reporting to a law enforcement agency at the time of evidence collection. After the collection and designation of any evidence, the health care facility shall contact a law enforcement agency to receive the evidence. Not later than ten days after the collection of the evidence, the law enforcement agency shall transfer the evidence, in a manner that maintains the integrity of the evidence, to the Division of Scientific Services within the Department of Emergency Services and Public Protection. **[**or the Federal Bureau of Investigation laboratory.**]** If the evidence is transferred to the division and the sexual assault evidence collection kit is designated "identified" or "reported", the division shall analyze the evidence not later than sixty days after the collection of the evidence or, if the **[**victim chose to remain anonymous and not report the sexual assault to the law enforcement agency at the time of collection**]** sexual assault evidence collection kit is designated "anonymous", shall hold the evidence for at least five years after the collection of the evidence. If a victim reports the sexual assault to the law enforcement agency after the collection of the evidence, such law enforcement agency shall notify the division that a report has been filed not later than five days after filing such report and the division shall analyze the evidence not later than sixty days after receiving such

notification. **[**The division**]** Following the analysis of any evidence received, the division may, at the division's discretion, return the evidence submitted, or any portion of such evidence, to the submitting law enforcement agency in a manner that maintains the integrity of the evidence. The division or law enforcement agency, as applicable, shall hold any evidence received and analyzed pursuant to this subsection until the conclusion of any criminal proceedings. The failure of a law enforcement agency to transfer the evidence not later than ten days after the collection of the evidence, or the division to analyze the evidence not later than sixty days after the collection of the evidence or after receiving a notification from a law enforcement agency, shall not affect the admissibility of the evidence in any suit, action or proceeding if the evidence is otherwise admissible. The failure of any person to comply with this section or the protocol shall not affect the admissibility of the evidence in any suit, action or proceeding if the evidence is otherwise admissible.

Sec. 3. Section 53a-173 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) A person is guilty of failure to appear in the second degree when (1) while charged with the commission of a misdemeanor or a motor vehicle violation for which a sentence to a term of imprisonment may be imposed and while out on bail or released under other procedure of law, such person wilfully fails to appear when legally called according to the terms of such person's bail bond or promise to appear, or (2) while on probation for conviction of a misdemeanor or motor vehicle violation, such person wilfully fails to appear when legally called for any court hearing relating to a violation of such probation.

(b) Failure to appear in the second degree is (1) a class **[**A**]** D misdemeanor for a first offense, and (2) a class A misdemeanor for any subsequent offense.

Sec. 4. Subsections (a) and (b) of section 54-192h of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) For the purposes of this section:

(1) "Administrative warrant" means a warrant, notice to appear, removal order or warrant of deportation issued by an agent of a federal agency charged with the enforcement of immigration laws or the security of the borders, including ICE and the United States Customs and Border Protection, but does not include a warrant issued or signed by a judicial officer.

(2) "Civil immigration detainer" means a request from a federal immigration authority to a local or state law enforcement agency for a purpose including, but not limited to:

(A) Detaining an individual suspected of violating a federal immigration law or who has been issued a final order of removal;

(B) Facilitating the (i) arrest of an individual by a federal immigration authority, or (ii) transfer of an individual to the custody of a federal immigration authority;

(C) Providing notification of the release date and time of an individual in custody; and

(D) Notifying a law enforcement officer, through DHS Form I-247A, or any other form used by the United States Department of Homeland Security or any successor agency thereto, of the federal immigration authority's intent to take custody of an individual;

(3) "Confidential information" means any information obtained and maintained by a law enforcement agency relating to (A) an individual's (i) sexual orientation, or (ii) status as a victim of domestic violence or

sexual assault, (B) whether such individual is a (i) crime witness, or (ii) recipient of public assistance, or (C) an individual's income tax or other financial records, including, but not limited to, Social Security numbers;

(4) "Federal immigration authority" means any officer, employee or other person otherwise paid by or acting as an agent of ICE or any division thereof or any officer, employee or other person otherwise paid by or acting as an agent of the United States Department of Homeland Security or any successor agency thereto who is charged with enforcement of the civil provisions of the Immigration and Nationality Act;

(5) "ICE" means United States Immigration and Customs Enforcement or any successor agency thereto;

(6) "ICE access" means any of the following actions taken by a law enforcement officer with respect to an individual who is stopped by a law enforcement officer with or without the individual's consent, arrested, detained or otherwise under the control of a law enforcement official or agency:

(A) Responding to a civil immigration detainer or request for notification pursuant to subparagraph (B) of this subdivision concerning such individual;

(B) Providing notification to a federal immigration authority that such individual is being or will be released at a certain date and time through data sharing or otherwise;

(C) Providing a federal immigration authority nonpublicly available information concerning such individual regarding release date or time, home address or work address, whether obtained through a computer database or otherwise;

(D) Allowing a federal immigration authority to interview such

individual under the control of the law enforcement agency;

(E) Allowing a federal immigration authority to use a facility or resources in the control of a law enforcement agency to conduct interviews, administrative proceedings or other immigration enforcement activities concerning such individual; or

(F) Providing a federal immigration authority information regarding dates and times of probation or parole supervision or any other information related to such individual's compliance with the terms of probation or parole;

"ICE access" does not include submission by a law enforcement officer of fingerprints to the Automated Fingerprints Identification system of an arrested individual or the accessing of information from the National Crime Information Center by a law enforcement officer concerning an arrested individual;

(7) "Judicial officer" means any judge of the state or federal judicial branches and any federal magistrate judge. "Judicial officer" does not mean an immigration judge;

(8) "Law enforcement agency" means any agency for which a law enforcement officer is an employee of or otherwise paid by or acting as an agent of;

(9) "Law enforcement officer" means:

(A) Each officer, employee or other person otherwise paid by or acting as an agent of the Department of Correction;

(B) Each officer, employee or other person otherwise paid by or acting as an agent of a municipal police department;

(C) Each officer, employee or other person otherwise paid by or acting as an agent of the Division of State Police within the Department

of Emergency Services and Public Protection; **[**and**]**

(D) Each judicial marshal, state marshal and adult or juvenile probation officer;

(E) Each state's attorney, assistant state's attorney, supervising state's attorney, special deputy assistant state's attorney and each officer, employee or other person otherwise paid by or acting as an agent of the Division of Criminal Justice; and

(F) Each officer, employee or other person otherwise paid by or acting as an agent of the Board of Pardons and Paroles;

(10) "Bail commissioner or intake, assessment or referral specialist" means an employee of the Judicial Branch whose duties are described in section 54-63d; and

(11) "School police or security department" means any police or security department of (A) the constituent units of the state system of higher education, as defined in section 10a-1, (B) a public school, or (C) a local or regional school district.

(b) (1) No law enforcement officer, bail commissioner or intake, assessment or referral specialist, or employee of a school police or security department shall:

(A) Arrest or detain an individual pursuant to a civil immigration detainer unless (i) the detainer is accompanied by a warrant issued or signed by a judicial officer, (ii) the individual has been convicted of **[**a**]** (I) a violation of section 53-21, 53a-56a, 53a-64aa, 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-102a, 53a-196e, 53a-196f, 53a-196i, 53a-222 or 53a-223, or (II) any class A or B felony offense, or (iii) the individual is identified as a possible match in the federal Terrorist Screening Database or similar database;

(B) Expend or use time, money, facilities, property, equipment, personnel or other resources to communicate with a federal immigration authority regarding the custody status or release of an individual targeted by a civil immigration detainer, except as provided in subsection (e) of this section;

(C) Arrest or detain an individual based on an administrative warrant;

(D) Give a federal immigration authority access to interview an individual who is in the custody of a law enforcement agency unless the individual (i) has been convicted of **[**a**]** (I) a violation of section 53-21, 53a-56a, 53a-64aa, 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-102a, 53a-196e, 53a-196f, 53a-196i, 53a-222 or 53a-223, or (II) any class A or B felony offense, (ii) is identified as a possible match in the federal Terrorist Screening Database or similar database, or (iii) is the subject of a court order issued under 8 USC 1225(d)(4)(B); or

(E) Perform any function of a federal immigration authority, whether pursuant to 8 USC 1357(g) or any other law, regulation, agreement, contract or policy, whether formal or informal.

(2) The provisions of this subsection shall not prohibit submission by a law enforcement officer of fingerprints to the Automated Fingerprints Identification system of an arrested individual or the accessing of information from the National Crime Information Center by a law enforcement officer concerning an arrested individual.

Sec. 5. Subsection (a) of section 18-98d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) (1) (A) Any person who is confined to a community correctional center or a correctional institution for an offense committed on or after July 1, 1981, and prior to October 1, 2021, under a mittimus or because

such person is unable to obtain bail or is denied bail shall, if subsequently imprisoned, earn a reduction of such person's sentence equal to the number of days which such person spent in such facility from the time such person was placed in presentence confinement to the time such person began serving the term of imprisonment imposed; provided (i) each day of presentence confinement shall be counted only once for the purpose of reducing all sentences imposed after such presentence confinement; and (ii) the provisions of this section shall only apply to a person for whom the existence of a mittimus, an inability to obtain bail or the denial of bail is the sole reason for such person's presentence confinement, except that if a person is serving a term of imprisonment at the same time such person is in presentence confinement on another charge and the conviction for such imprisonment is reversed on appeal, such person shall be entitled, in any sentence subsequently imposed, to a reduction based on such presentence confinement in accordance with the provisions of this section. In the case of a fine, each day spent in such confinement prior to sentencing shall be credited against the sentence at a per diem rate equal to the average daily cost of incarceration as determined by the Commissioner of Correction.

(B) Any person who is confined to a community correctional center or a correctional institution **[**for an offense committed**]** as a result of any charges in an information or indictment, including for an alleged violation of section 53a-32, filed on or after October 1, 2021, under a mittimus or because such person is unable to obtain bail or is denied bail shall, if subsequently imprisoned, earn a reduction of such person's sentence on each offense charged in such information or indictment equal to the number of days which such person spent in such facility from the time such person was placed in presentence confinement to the time such person began serving the term of imprisonment imposed; provided (i) each day of presentence confinement shall be counted equally in reduction of any concurrent sentence imposed for any offense

pending at the time such sentence was imposed; (ii) each day of presentence confinement shall be counted only once in reduction of any consecutive sentence so imposed; and (iii) the provisions of this section shall only apply to a person for whom the existence of a mittimus, an inability to obtain bail or the denial of bail is the sole reason for such person's presentence confinement, except that if a person is serving a term of imprisonment at the same time such person is in presentence confinement on another charge and the conviction for which such imprisonment was imposed is reversed on appeal, such person shall be entitled, in any sentence subsequently imposed, to a reduction based on such presentence confinement in accordance with the provisions of this section. In the case of a fine, each day spent in such confinement prior to sentencing shall be credited against the sentence at a per diem rate equal to the average daily cost of incarceration as determined by the Commissioner of Correction.

(C) Any person who is confined in a correctional institution, police station, county jail, courthouse lockup or any other form of imprisonment while in another state for a period of time solely due to a demand by this state on or after October 1, 2025, for the extradition of such person to face criminal charges in this state, shall, if subsequently imprisoned in the matter extradited for, earn a reduction of such person's sentence to a term of imprisonment, equal to the number of days such person was imprisoned in another state solely due to the pendency of the proceedings for such extradition.

(2) (A) Any person convicted of any offense and sentenced on or after October 1, 2001, to a term of imprisonment who was confined to a police station or courthouse lockup in connection with such offense because such person was unable to obtain bail or was denied bail shall, if subsequently imprisoned, earn a reduction of such person's sentence in accordance with subdivision (1) of this subsection equal to the number of days which such person spent in such lockup, provided such person

at the time of sentencing requests credit for such presentence confinement. Upon such request, the court shall indicate on the judgment mittimus the number of days such person spent in such presentence confinement.

(B) Any person convicted of any offense and sentenced prior to October 1, 2001, to a term of imprisonment, who was confined in a correctional facility for such offense on October 1, 2001, shall be presumed to have been confined to a police station or courthouse lockup in connection with such offense because such person was unable to obtain bail or was denied bail and shall, unless otherwise ordered by a court, earn a reduction of such person's sentence in accordance with the provisions of subdivision (1) of this subsection of one day.

(C) The provisions of this subdivision shall not be applied so as to negate the requirement that a person convicted of a first violation of subsection (a) of section 14-227a and sentenced pursuant to subparagraph (B)(i) of subdivision (1) of subsection (g) of said section serve a term of imprisonment of at least forty-eight consecutive hours.

Sec. 6. Section 54-192h of the general statutes is amended by adding subsection (h) as follows (*Effective October 1, 2025*):

(NEW) (h) A municipality may be subject to an action by any aggrieved person for injunctive or declaratory relief, including a determination of past violations, if an officer, employee or other person otherwise paid by or acting as an agent of such municipality's police department or of any school police or security department described in subparagraph (B) or (C) of subdivision (11) of subsection (a) of this section for the school district of such municipality violates any provision of this section. Such action may be brought in the superior court for the judicial district in which the municipality is located. If an aggrieved person prevails in an action under this subsection and an order of injunctive relief is issued, such aggrieved person may be entitled to

recover court costs and reasonable attorney's fees associated only with an action or that portion of an action concerning a request and order for injunctive relief. An action under this subsection shall be privileged with respect to assignment for trial.

Sec. 7. Subdivision (1) of subsection (a) of section 51-277a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) (1) Whenever a peace officer, in the performance of such officer's duties, uses physical force upon another person and such person dies as a result thereof or uses deadly force, as defined in section 53a-3, as amended by this act, upon another person, the Division of Criminal Justice shall cause an investigation to be made and the Inspector General shall have the responsibility of determining whether the use of physical force by the peace officer was justifiable under section 53a-22, as amended by this act. The use of an electronic defense weapon, as defined in section 53a-3, as amended by this act, by a peace officer shall not be considered deadly force for purposes of this section.

Sec. 8. Subdivision (6) of section 53a-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(6) "Deadly weapon" means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles. The definition of "deadly weapon" in this subdivision shall be deemed not to apply to section 29-38 or 53-206 and does not include an electronic defense weapon when used by a peace officer;

Sec. 9. Subsection (d) of section 53a-22 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(d) A peace officer or an authorized official of the Department of Correction or the Board of Pardons and Paroles is justified in using a chokehold or other method of restraint applied to the neck area or that otherwise impedes the ability to breathe or restricts blood circulation to the brain of another person for the purposes specified in subsection (b) of this section only when he or she reasonably believes such use to be necessary to defend himself or herself or a third person from the use or imminent use of deadly physical force.

Sec. 10. Section 30-113 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

Any person convicted of a violation of any provision of this chapter for which a specified penalty is not imposed **[**,**]** shall, for **[**each offense, be subject to any penalty set forth in section 30-55**]** a first violation, be guilty of a class C misdemeanor, and for any subsequent violation, be guilty of a class B misdemeanor.

Sec. 11. (NEW) (*Effective October 1, 2025*) (a) No person shall knowingly allow a person who is not of the legal age for participation in online gaming and retail sports wagering to (1) open, maintain or use an account with an online gaming operator, or (2) make or attempt to make a wager on Internet games or with a sports wagering retailer.

(b) For purposes of this section, "online gaming operator", "Internet games" and "sports wagering retailer" have the same meanings as provided in section 12-850 of the general statutes.

(c) Any person who violates any provision of subsection (a) of this section shall be guilty of a class C misdemeanor.