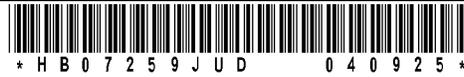




General Assembly

Substitute Bill No. 7259

January Session, 2025



**AN ACT CONCERNING REVISIONS TO VARIOUS STATUTES
CONCERNING CRIMINAL JUSTICE.**

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

1 Section 1. Subsection (a) of section 54-102j of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2025*):

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

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

45 Sec. 2. Subsection (d) of section 19a-112a of the general statutes is
46 repealed and the following is substituted in lieu thereof (*Effective October*
47 *1, 2025*):

48 (d) Each health care facility in the state that provides for the collection
49 of sexual assault evidence shall follow the protocol adopted under
50 subsection (b) of this section, contact a sexual assault counselor, as
51 defined in section 52-146k, when a person who identifies himself or
52 herself as a victim of sexual assault arrives at such health care facility
53 and, with the consent of the victim, shall collect sexual assault evidence.

54 After [the collection] collecting the evidence, the health care facility shall
55 obtain the consent of the victim to establish a designation label for the
56 sexual assault evidence collection kit, for which the victim may choose
57 the designation of (1) "anonymous" by not including the victim's name
58 on the sexual assault evidence collection kit and not reporting to a law
59 enforcement agency at the time of evidence collection; (2) "identified" by
60 including the victim's name on the sexual assault evidence collection kit,
61 but not reporting to a law enforcement agency at the time of evidence
62 collection; or (3) "reported" by including the victim's name on the sexual
63 assault evidence collection kit and reporting to a law enforcement
64 agency at the time of evidence collection. After the collection and
65 designation of any evidence, the health care facility shall contact a law
66 enforcement agency to receive the evidence. Not later than ten days after
67 the collection of the evidence, the law enforcement agency shall transfer
68 the evidence, in a manner that maintains the integrity of the evidence,
69 to the Division of Scientific Services within the Department of
70 Emergency Services and Public Protection, [or the Federal Bureau of
71 Investigation laboratory.] If the evidence is transferred to the division
72 and the sexual assault evidence collection kit is designated "identified"
73 or "reported", the division shall analyze the evidence not later than sixty
74 days after the collection of the evidence or, if the [victim chose to remain
75 anonymous and not report the sexual assault to the law enforcement
76 agency at the time of collection] sexual assault evidence collection kit is
77 designated "anonymous", shall hold the evidence for at least five years
78 after the collection of the evidence. If a victim reports the sexual assault
79 to the law enforcement agency after the collection of the evidence, such
80 law enforcement agency shall notify the division that a report has been
81 filed not later than five days after filing such report and the division
82 shall analyze the evidence not later than sixty days after receiving such
83 notification. [The division] Following the analysis of any evidence
84 received, the division may, at the division's discretion, return the
85 evidence submitted, or any portion of such evidence, to the submitting
86 law enforcement agency in a manner that maintains the integrity of the
87 evidence. The division or law enforcement agency, as applicable, shall
88 hold any evidence received and analyzed pursuant to this subsection

89 until the conclusion of any criminal proceedings. The failure of a law
90 enforcement agency to transfer the evidence not later than ten days after
91 the collection of the evidence, or the division to analyze the evidence not
92 later than sixty days after the collection of the evidence or after receiving
93 a notification from a law enforcement agency, shall not affect the
94 admissibility of the evidence in any suit, action or proceeding if the
95 evidence is otherwise admissible. The failure of any person to comply
96 with this section or the protocol shall not affect the admissibility of the
97 evidence in any suit, action or proceeding if the evidence is otherwise
98 admissible.

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

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

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

113 Sec. 4. Subsection (f) of section 17a-593 of the general statutes is
114 repealed and the following is substituted in lieu thereof (*Effective October*
115 *1, 2025*):

116 (f) After receipt of the board's report and any separate examination
117 reports, the court shall promptly commence a hearing on the
118 recommendation or application for discharge or petition for continued
119 commitment. At [the] a hearing for a recommendation or application for
120 discharge, the acquittee shall have the burden of proving by a

121 preponderance of the evidence that the acquittee is a person who should
122 be discharged. At a hearing on the state's attorney's petition for
123 continued commitment, the state shall have the burden of proving by
124 clear and convincing evidence that the acquittee remains a person with
125 psychiatric disabilities or a person with intellectual disability to the
126 extent that the acquittee's discharge would constitute a danger to the
127 acquittee or others due to the acquittee's psychiatric disabilities or
128 intellectual disability.

129 Sec. 5. Subsection (a) of section 18-98d of the general statutes is
130 repealed and the following is substituted in lieu thereof (*Effective October*
131 *1, 2025*):

132 (a) (1) (A) Any person who is confined to a community correctional
133 center or a correctional institution for an offense committed on or after
134 July 1, 1981, and prior to October 1, 2021, under a mittimus or because
135 such person is unable to obtain bail or is denied bail shall, if
136 subsequently imprisoned, earn a reduction of such person's sentence
137 equal to the number of days which such person spent in such facility
138 from the time such person was placed in presentence confinement to the
139 time such person began serving the term of imprisonment imposed;
140 provided (i) each day of presentence confinement shall be counted only
141 once for the purpose of reducing all sentences imposed after such
142 presentence confinement; and (ii) the provisions of this section shall
143 only apply to a person for whom the existence of a mittimus, an inability
144 to obtain bail or the denial of bail is the sole reason for such person's
145 presentence confinement, except that if a person is serving a term of
146 imprisonment at the same time such person is in presentence
147 confinement on another charge and the conviction for such
148 imprisonment is reversed on appeal, such person shall be entitled, in
149 any sentence subsequently imposed, to a reduction based on such
150 presentence confinement in accordance with the provisions of this
151 section. In the case of a fine, each day spent in such confinement prior
152 to sentencing shall be credited against the sentence at a per diem rate
153 equal to the average daily cost of incarceration as determined by the
154 Commissioner of Correction.

155 (B) Any person who is confined to a community correctional center
156 or a correctional institution [for an offense committed] as a result of any
157 charges in an information or indictment, including for an alleged
158 violation of section 53a-32, filed on or after October 1, 2021, under a
159 mittimus or because such person is unable to obtain bail or is denied bail
160 shall, if subsequently imprisoned, earn a reduction of such person's
161 sentence on each offense charged in such information or indictment
162 equal to the number of days which such person spent in such facility
163 from the time such person was placed in presentence confinement to the
164 time such person began serving the term of imprisonment imposed;
165 provided (i) each day of presentence confinement shall be counted
166 equally in reduction of any concurrent sentence imposed for any offense
167 pending at the time such sentence was imposed; (ii) each day of
168 presentence confinement shall be counted only once in reduction of any
169 consecutive sentence so imposed; and (iii) the provisions of this section
170 shall only apply to a person for whom the existence of a mittimus, an
171 inability to obtain bail or the denial of bail is the sole reason for such
172 person's presentence confinement, except that if a person is serving a
173 term of imprisonment at the same time such person is in presentence
174 confinement on another charge and the conviction for which such
175 imprisonment was imposed is reversed on appeal, such person shall be
176 entitled, in any sentence subsequently imposed, to a reduction based on
177 such presentence confinement in accordance with the provisions of this
178 section. In the case of a fine, each day spent in such confinement prior
179 to sentencing shall be credited against the sentence at a per diem rate
180 equal to the average daily cost of incarceration as determined by the
181 Commissioner of Correction.

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

189 days such person was imprisoned in another state solely due to the
190 pendency of the proceedings for such extradition.

191 (2) (A) Any person convicted of any offense and sentenced on or after
192 October 1, 2001, to a term of imprisonment who was confined to a police
193 station or courthouse lockup in connection with such offense because
194 such person was unable to obtain bail or was denied bail shall, if
195 subsequently imprisoned, earn a reduction of such person's sentence in
196 accordance with subdivision (1) of this subsection equal to the number
197 of days which such person spent in such lockup, provided such person
198 at the time of sentencing requests credit for such presentence
199 confinement. Upon such request, the court shall indicate on the
200 judgment mittimus the number of days such person spent in such
201 presentence confinement.

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

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

215 Sec. 6. Subdivision (1) of subsection (a) of section 51-277a of the
216 general statutes is repealed and the following is substituted in lieu
217 thereof (*Effective October 1, 2025*):

218 (a) (1) Whenever a peace officer, in the performance of such officer's
219 duties, uses physical force upon another person and such person dies as
220 a result thereof or uses deadly force, as defined in section 53a-3, as

221 amended by this act, upon another person, the Division of Criminal
222 Justice shall cause an investigation to be made and the Inspector General
223 shall have the responsibility of determining whether the use of physical
224 force by the peace officer was justifiable under section 53a-22, as
225 amended by this act. The use of an electronic defense weapon, as
226 defined in section 53a-3, as amended by this act, by a peace officer shall
227 not be considered deadly force for purposes of this section.

228 Sec. 7. Subdivision (6) of section 53a-3 of the general statutes is
229 repealed and the following is substituted in lieu thereof (*Effective October*
230 *1, 2025*):

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

237 Sec. 8. Subsection (d) of section 53a-22 of the general statutes is
238 repealed and the following is substituted in lieu thereof (*Effective October*
239 *1, 2025*):

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

248 Sec. 9. Section 54-56l of the general statutes is repealed and the
249 following is substituted in lieu thereof (*Effective October 1, 2025*):

250 (a) There shall be a supervised diversionary program for persons
251 with psychiatric disabilities, persons with intellectual disabilities,

252 persons with autism spectrum disorders or persons who are veterans,
253 who are accused of a crime or crimes or a motor vehicle violation or
254 violations for which a sentence to a term of imprisonment may be
255 imposed, which crimes or violations are not of a serious nature. For the
256 purposes of this section, (1) "psychiatric disability" means a mental or
257 emotional condition, other than solely substance abuse, that (A) has
258 substantial adverse effects on the defendant's ability to function, and (B)
259 requires care and treatment, (2) "autism spectrum disorder" has the
260 same meaning as provided in section 17a-215f, and [(2)] (3) "veteran"
261 means a veteran, as defined in section 27-103, who is found, pursuant to
262 subsection (d) of this section, to have a mental health condition that is
263 amenable to treatment.

264 (b) A person shall be ineligible to participate in such supervised
265 diversionary program if such person (1) is ineligible to participate in the
266 pretrial program for accelerated rehabilitation under subsection (c) of
267 section 54-56e, except if a person's ineligibility is based on the person's
268 being eligible for the pretrial family violence education program
269 established under section 46b-38c, the court may permit such person to
270 participate in the supervised diversionary program if it finds that the
271 supervised diversionary program is the more appropriate program
272 under the circumstances of the case, or (2) has twice previously
273 participated in such supervised diversionary program.

274 (c) Upon application by any such person for participation in such
275 program, the court shall, but only as to the public, order the court file
276 sealed, provided such person states under oath, in open court or before
277 any person designated by the clerk and duly authorized to administer
278 oaths, under penalties of perjury, that such person has not had such
279 program invoked in such person's behalf more than once. Court
280 personnel shall provide notice, on a form prescribed by the Office of the
281 Chief Court Administrator, to any victim of such crime or motor vehicle
282 violation, by registered or certified mail, that such person has applied to
283 participate in the program and that such victim has an opportunity to
284 be heard by the court on the matter.

285 (d) (1) The court shall refer such person to the Court Support Services
286 Division for confirmation of eligibility and assessment of the person's
287 mental health condition, intellectual disability or autism spectrum
288 disorder. The prosecuting attorney shall provide the division with a
289 copy of the police report in the case to assist the division in its
290 assessment. The division shall determine if the person is amenable to
291 treatment and services and if appropriate community supervision,
292 treatment and services are available. If the division determines that the
293 person is amenable to treatment and services and that appropriate
294 community supervision, treatment and services are available, the
295 division shall develop a treatment or service plan tailored to the person
296 and shall present the treatment or service plan to the court.

297 (2) If an assessment pursuant to this subsection is for a psychiatric
298 disability, the Department of Mental Health and Addiction Services
299 shall assist the division in conducting such assessment and
300 identification of appropriate treatment and services if the person
301 appears to have a psychiatric disability that is severe and persistent and
302 limits a person's ability to live independently or such person has a
303 history of receiving services from the department.

304 (3) If an assessment pursuant to this subsection is for an intellectual
305 disability, the Department of Developmental Services shall assist the
306 division in conducting such assessment and identification of
307 appropriate treatment and services.

308 (4) If an assessment pursuant to this subsection is for an autism
309 spectrum disorder, the Department of Social Services shall assist the
310 division in conducting such assessment and identification of
311 appropriate treatment and services.

312 (e) Upon confirmation of eligibility and consideration of the
313 treatment or service plan presented by the Court Support Services
314 Division, the court may grant the application for participation in the
315 program. If the court grants the application, such person shall be
316 referred to the division. The division may collaborate with the

317 Department of Mental Health and Addiction Services, [the Department
318 of] Developmental Services, Social Services or Veterans Affairs or the
319 United States Department of Veterans Affairs, as applicable, to place
320 such person in a program that provides appropriate community
321 supervision, treatment and services. The person shall be subject to the
322 supervision of a probation officer who has a reduced caseload and
323 specialized training in working with persons with psychiatric
324 disabilities, intellectual disabilities or autism spectrum disorders, as
325 applicable.

326 (f) The Court Support Services Division shall establish policies and
327 procedures to require division employees to notify any victim of the
328 person admitted to the program of any conditions ordered by the court
329 that directly affect the victim and of such person's scheduled court
330 appearances with respect to the case.

331 (g) Any person who enters the program shall agree: (1) To the tolling
332 of the statute of limitations with respect to such crime or violation; (2)
333 to a waiver of such person's right to a speedy trial; and (3) to any
334 conditions that may be established by the division concerning
335 participation in the supervised diversionary program including
336 conditions concerning participation in meetings or sessions of the
337 program.

338 (h) If the Court Support Services Division informs the court that such
339 person is ineligible for the program and the court makes a determination
340 of ineligibility or if the division certifies to the court that such person
341 did not successfully complete the assigned program, the court shall
342 order the court file to be unsealed, enter a plea of not guilty for such
343 person and immediately place the case on the trial list.

344 (i) If such person satisfactorily completes the assigned program, such
345 person may apply for dismissal of the charges against such person and
346 the court, on reviewing the record of such person's participation in such
347 program submitted by the Court Support Services Division and on
348 finding such satisfactory completion, shall dismiss the charges. If such

349 person does not apply for dismissal of the charges against such person
350 after satisfactorily completing the assigned program, the court, upon
351 receipt of the record of such person's participation in such program
352 submitted by the Court Support Services Division, may on its own
353 motion make a finding of such satisfactory completion and dismiss the
354 charges. Except as provided in subsection (j) of this section, upon
355 dismissal, all records of such charges shall be erased pursuant to section
356 54-142a. An order of the court denying a motion to dismiss the charges
357 against a person who has completed such person's period of probation
358 or supervision or terminating the participation of a person in such
359 program shall be a final judgment for purposes of appeal.

360 (j) The Court Support Services Division shall develop and maintain a
361 database of information concerning persons admitted to the supervised
362 diversionary program that shall be available to the state police and
363 organized local police departments for use by sworn police officers
364 when responding to incidents involving such persons. Such information
365 shall include the person's name, date of birth, Social Security number,
366 the violation or violations with which the person was charged, the dates
367 of program participation and whether a deadly weapon or dangerous
368 instrument was involved in the violation or violations for which the
369 program was granted. The division shall enter such information in the
370 database upon such person's entry into the program, update such
371 information as necessary and retain such information for a period of five
372 years after the date of such person's entry into the program.

373 (k) The Court Support Services Division [~~in consultation~~] may
374 consult with the Department of Mental Health and Addiction Services,
375 [~~shall~~] Developmental Services, Social Services or Veterans Affairs or
376 the United States Department of Veterans Affairs to develop standards
377 and oversee appropriate treatment or service programs to meet the
378 requirements of this section and may contract with service providers to
379 provide such programs.

380 (l) The Court Support Services Division shall retain the police report
381 provided to it by the prosecuting attorney and the record of supervision

382 including the dates of supervision and shall provide such information
383 to the court, prosecuting attorney and defense counsel whenever a court
384 is considering whether to grant an application by such person for
385 participation in the supervised diversionary program for a second time.

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

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

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

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2025	54-102j(a)
Sec. 2	October 1, 2025	19a-112a(d)
Sec. 3	October 1, 2025	53a-173
Sec. 4	October 1, 2025	17a-593(f)
Sec. 5	October 1, 2025	18-98d(a)
Sec. 6	October 1, 2025	51-277a(a)(1)
Sec. 7	October 1, 2025	53a-3(6)
Sec. 8	October 1, 2025	53a-22(d)

Sec. 9	<i>October 1, 2025</i>	54-56 l
Sec. 10	<i>October 1, 2025</i>	30-113
Sec. 11	<i>October 1, 2025</i>	New section

Statement of Legislative Commissioners:

In Section 5(a)(1)(C), the date was changed for conformity with the effective date of the section, and in Section 9(a)(2), a citation was changed for accuracy.

JUD *Joint Favorable Subst.*