



General Assembly

Amendment

January Session, 2025

LCO No. 8968



Offered by:
REP. HOWARD, 43rd Dist.

To: Subst. House Bill No. 7259

File No. 808

Cal. No. 508

(As Amended)

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

1 Strike section 4 in its entirety and insert the following in lieu thereof:

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3 statutes are repealed and the following is substituted in lieu thereof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

5 (a) For the purposes of this section:

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

12 (2) "Civil immigration detainer" means a request from a federal

13 immigration authority to a local or state law enforcement agency for a
14 purpose including, but not limited to:

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

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

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

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

26 (3) "Confidential information" means any information obtained and
27 maintained by a law enforcement agency relating to (A) an individual's
28 (i) sexual orientation, or (ii) status as a victim of domestic violence or
29 sexual assault, (B) whether such individual is a (i) crime witness, or (ii)
30 recipient of public assistance, or (C) an individual's income tax or other
31 financial records, including, but not limited to, Social Security numbers;

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

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

41 (6) "ICE access" means any of the following actions taken by a law

42 enforcement officer with respect to an individual who is stopped by a
43 law enforcement officer with or without the individual's consent,
44 arrested, detained or otherwise under the control of a law enforcement
45 official or agency:

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

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

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

56 (D) Allowing a federal immigration authority to interview such
57 individual under the control of the law enforcement agency;

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

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

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

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

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

77 (9) "Law enforcement officer" means:

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

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

82 (C) Each officer, employee or other person otherwise paid by or
83 acting as an agent of the Division of State Police within the Department
84 of Emergency Services and Public Protection; [and]

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

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

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

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

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

99 a local or regional school district.

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

103 (A) Arrest or detain an individual pursuant to a civil immigration
104 detainer unless (i) the detainer is accompanied by a warrant issued or
105 signed by a judicial officer, (ii) the individual has been [convicted of a]
106 charged, after a finding of probable cause, with (I) a violation of section
107 53-21, 53a-56a, 53a-64aa, 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-102a,
108 53a-196e, 53a-196f, 53a-196i, 53a-222 or 53a-223, or (II) any class A or B
109 felony offense, or (iii) the individual is identified as a possible match in
110 the federal Terrorist Screening Database or similar database;

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

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

118 (D) Give a federal immigration authority access to interview an
119 individual who is in the custody of a law enforcement agency unless the
120 individual (i) has been [convicted of a] charged, after a finding of
121 probable cause, with (I) a violation of section 53-21, 53a-56a, 53a-64aa,
122 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-102a, 53a-196e, 53a-196f, 53a-196i,
123 53a-222 or 53a-223, or (II) any class A or B felony offense, (ii) is identified
124 as a possible match in the federal Terrorist Screening Database or similar
125 database, or (iii) is the subject of a court order issued under 8 USC
126 1225(d)(4)(B); or

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

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