



General Assembly

January Session, 2001

**Bill No. 1161**

LCO No. 3452

Referred to Committee on Judiciary

Introduced by:

SEN. DELUCA, 32<sup>nd</sup> Dist.

REP. WARD, 86<sup>th</sup> Dist.

**AN ACT CONCERNING AGGRAVATING FACTORS IN DEATH  
PENALTY CASES.**

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

1 Section 1. Subsection (i) of section 53a-46a of the general statutes is  
2 repealed and the following is substituted in lieu thereof:

3 (i) The aggravating factors to be considered shall be limited to the  
4 following: (1) The defendant committed the offense during the  
5 commission or attempted commission of, or during the immediate  
6 flight from the commission or attempted commission of, a felony and  
7 [he] the defendant had previously been convicted of the same felony;  
8 or (2) the defendant committed the offense after having been convicted  
9 of two or more state offenses or two or more federal offenses or of one  
10 or more state offenses and one or more federal offenses for each of  
11 which a penalty of more than one year imprisonment may be imposed,  
12 which offenses were committed on different occasions and which  
13 involved the infliction of serious bodily injury upon another person; or  
14 (3) the defendant committed the offense and in such commission

15 knowingly created a grave risk of death to another person in addition  
16 to the victim of the offense; or (4) the defendant committed the offense  
17 in an especially heinous, cruel or depraved manner; or (5) the  
18 defendant procured the commission of the offense by payment, or  
19 promise of payment, of anything of pecuniary value; or (6) the  
20 defendant committed the offense as consideration for the receipt, or in  
21 expectation of the receipt, of anything of pecuniary value; or (7) the  
22 defendant committed the offense with an assault weapon, as defined  
23 in section 53-202a; or (8) the defendant committed the offense set forth  
24 in subdivision (1) of section 53a-54b to avoid arrest for a criminal act or  
25 prevent detection of a criminal act or to hamper or prevent the victim  
26 from carrying out any act within the scope of the victim's official  
27 duties or to retaliate against the victim for the performance of the  
28 victim's official duties.

29 Sec. 2. This act shall take effect July 1, 2001.

**Statement of Purpose:**

To implement the Governor's budget recommendations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*