



House of Representatives

File No. 640

General Assembly

February Session, 2002

(Reprint of File No. 462)

Substitute House Bill No. 5759
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
May 4, 2002

AN ACT CONCERNING ACTS OF TERRORISM.

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

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) A person is guilty of
2 an act of terrorism when such person, with intent to intimidate or
3 coerce the civilian population or a unit of government, commits a
4 felony involving the unlawful use or threatened use of physical force
5 or violence.

6 (b) When any person has been found guilty of an act of terrorism,
7 and the court is of the opinion that such person's history and character
8 and the nature and circumstances of such person's criminal conduct
9 indicate that an increased penalty will best serve the public interest,
10 the court shall, in lieu of imposing the sentence authorized for the
11 crime under section 53a-35a of the general statutes, impose the
12 sentence of imprisonment authorized by said section for the next more
13 serious degree of felony.

14 Sec. 2. (NEW) (*Effective October 1, 2002*) Any person who fabricates,
15 in any manner, (1) a weapon designed or intended to cause death or

16 serious physical injury by the release, dissemination or impact of toxic
17 or poisonous chemicals or their precursors, (2) a weapon involving a
18 disease organism, or (3) a weapon designed to release radiation or
19 radioactivity at a level dangerous to human life, other than a person
20 engaged in the manufacture of such weapons for lawful purposes,
21 shall be guilty of a class B felony.

22 Sec. 3. (NEW) (*Effective October 1, 2002*) (a) A person is guilty of
23 hindering prosecution in the first degree when such person renders
24 criminal assistance to another person who has committed a class A or
25 B felony or an unclassified felony for which the maximum penalty is
26 imprisonment for more than ten years and such other person
27 committed such felony with intent to intimidate or coerce the civilian
28 population or a unit of government.

29 (b) Hindering prosecution in the first degree is a class C felony and
30 any person found guilty under this section shall be sentenced to a term
31 of imprisonment of which five years of the sentence imposed may not
32 be suspended or reduced by the court.

33 Sec. 4. Section 53a-166 of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective October 1, 2002*):

35 (a) A person is guilty of hindering prosecution in the [first] second
36 degree when [he] such person renders criminal assistance to [a]
37 another person who has committed a class A or class B felony or an
38 unclassified [offense] felony for which the maximum penalty is
39 imprisonment for more than ten years.

40 (b) Hindering prosecution in the [first] second degree is a class D
41 felony.

42 Sec. 5. Section 53a-167 of the general statutes is repealed and the
43 following is substituted in lieu thereof (*Effective October 1, 2002*):

44 (a) A person is guilty of hindering prosecution in the [second] third
45 degree when [he] such person renders criminal assistance to [a]

46 another person who has committed a class C or class D felony or an
47 unclassified [offense] felony for which the maximum penalty is
48 imprisonment for ten years or less but more than one year.

49 (b) Hindering prosecution in the [second] third degree is a class A
50 misdemeanor.

51 Sec. 6. Section 53a-165 of the general statutes is repealed and the
52 following is substituted in lieu thereof (*Effective October 1, 2002*):

53 As used in sections 53a-166 and 53a-167, as amended by this act,
54 and section 3 of this act, a person "renders criminal assistance" when,
55 with intent to prevent, hinder or delay the discovery or apprehension
56 of, or the lodging of a criminal charge against, [a] another person
57 whom [he] such person knows or believes has committed a felony or is
58 being sought by law enforcement officials for the commission of a
59 felony, or with intent to assist [a] another person in profiting or
60 benefiting from the commission of a felony, [he] such person: (1)
61 Harbors or conceals such other person; or (2) warns such other person
62 of impending discovery or apprehension; or (3) provides such other
63 person with money, transportation, weapon, disguise or other means
64 of avoiding discovery or apprehension; or (4) prevents or obstructs, by
65 means of force, intimidation or deception, [anyone] any person from
66 performing an act which might aid in the discovery or apprehension of
67 such other person or in the lodging of a criminal charge against [him]
68 such other person; or (5) suppresses, by an act of concealment,
69 alteration or destruction, any physical evidence which might aid in the
70 discovery or apprehension of such other person or in the lodging of a
71 criminal charge against [him] such other person; or (6) aids such other
72 person to protect or expeditiously profit from an advantage derived
73 from such crime.

74 Sec. 7. (NEW) (*Effective October 1, 2002*) (a) A person is guilty of
75 damage to public transportation property for terrorist purposes when
76 such person, with intent to cause damage to bus, railroad or other
77 public transportation property or to cause an interruption or

78 impairment of transportation service rendered to the public, and with
79 intent to intimidate or coerce the civilian population or a unit of
80 government, damages such property or tampers with such property
81 and thereby causes such property to be placed in danger of damage.

82 (b) Damage to public transportation property for terrorist purposes
83 is a class C felony.

84 Sec. 8. (NEW) (*Effective October 1, 2002*) (a) A person is guilty of
85 contaminating a public water supply or food supply for terrorist
86 purposes when such person, with intent to intimidate or coerce the
87 civilian population or a unit of government, introduces a hazardous
88 substance into (1) any storage reservoir or distribution reservoir, as
89 those terms are defined in section 25-43 of the general statutes, or any
90 lake or pond, or any stream tributary thereto, that is used for
91 supplying the inhabitants of a town, city or borough with water, or (2)
92 any source or supply of food, as defined in section 21a-92 of the
93 general statutes, that is intended for human consumption.

94 (b) For the purposes of this section, "hazardous substance" means
95 any physical, chemical, biological or radiological substance or matter
96 which, because of its quantity, concentration or physical, chemical or
97 infectious characteristics, may cause or significantly contribute to an
98 increase in mortality or an increase in serious irreversible or
99 incapacitating reversible illness, or pose a substantial present or
100 potential hazard to human health.

101 (c) Contaminating a public water supply or food supply for terrorist
102 purposes is a class C felony and any person found guilty under this
103 section shall be sentenced to a term of imprisonment of which five
104 years of the sentence imposed may not be suspended or reduced by
105 the court.

106 Sec. 9. (NEW) (*Effective October 1, 2002*) (a) A person is guilty of
107 computer crime in furtherance of terrorist purposes when such person,
108 with intent to intimidate or coerce the civilian population or a unit of
109 government, commits computer crime, as defined in section 53a-251 of

110 the general statutes, or commits a violation of any provision of section
111 53-451 of the general statutes.

112 (b) Computer crime in furtherance of terrorist purposes is a class B
113 felony and, if such offense is directed against any public agency, as
114 defined in section 1-200 of the general statutes, as amended, that is
115 charged with the protection of public safety, five years of the sentence
116 imposed may not be suspended or reduced by the court.

117 Sec. 10. (NEW) (*Effective October 1, 2002*) (a) A person is guilty of
118 criminal misrepresentation when such person, with intent to
119 intimidate or coerce the civilian population or a unit of government
120 and with respect to any criminal matter under investigation by an
121 agency or official of the state or any political subdivision of the state,
122 knowingly and wilfully (1) falsifies, conceals or covers up a material
123 fact by any trick, scheme or device, (2) makes any materially false,
124 fictitious or fraudulent statement or representation, or (3) makes or
125 uses any false writing or document knowing the same to contain any
126 materially false, fictitious or fraudulent statement or entry, and such
127 act materially impairs such investigation.

128 (b) Criminal misrepresentation is a class C felony.

129 Sec. 11. Section 54-47b of the general statutes is repealed and the
130 following is substituted in lieu thereof (*Effective October 1, 2002*):

131 For the purposes of sections 54-47a to 54-47h, inclusive, as amended:

132 (1) "Applicant" means any judge of the Superior Court, Appellate
133 Court or Supreme Court, the Chief State's Attorney or a state's attorney
134 who makes an application to a panel of judges for an investigation into
135 the commission of a crime or crimes.

136 (2) "Crime or crimes" means (A) any crime or crimes involving
137 corruption in the executive, legislative or judicial branch of state
138 government or in the government of any political subdivision of the
139 state, (B) fraud by a vendor of goods or services in the medical

140 assistance program under Title XIX of the Social Security Act
141 Amendments of 1965, as amended, (C) any violation of chapter 949c,
142 (D) any violation of the election laws of the state, (E) any felony
143 involving the unlawful use or threatened use of physical force or
144 violence committed with the intent to intimidate or coerce the civilian
145 population or a unit of government, and [(E)] (F) any other class A, B
146 or C felony or any unclassified felony punishable by a term of
147 imprisonment in excess of five years for which the Chief State's
148 Attorney or state's attorney demonstrates that he or she has no other
149 means of obtaining sufficient information as to whether a crime has
150 been committed or the identity of the person or persons who may have
151 committed a crime.

152 (3) "Investigatory grand jury" means a judge, constitutional state
153 referee or any three judges of the Superior Court, other than a judge
154 designated by the Chief Justice to serve on the panel, appointed by the
155 Chief Court Administrator to conduct an investigation into the
156 commission of a crime or crimes.

157 (4) "Panel of judges" or "panel" means a panel of three Superior
158 Court judges designated by the Chief Justice of the Supreme Court
159 from time to time to receive applications for investigations into the
160 commission of crimes in accordance with the provisions of sections 54-
161 47a to 54-47h, inclusive, as amended, one of whom may be the Chief
162 Court Administrator.

163 Sec. 12. Section 42-230 of the general statutes is repealed and the
164 following is substituted in lieu thereof (*Effective October 1, 2002*):

165 No person, firm or corporation shall increase the price of any item
166 which such person, firm or corporation sells or offers for sale at retail
167 at any location in an area which is the subject of any disaster
168 emergency declaration issued by the Governor pursuant to chapter
169 517, any transportation emergency declaration issued by the Governor
170 pursuant to section 3-6b or any major disaster or emergency
171 declaration issued by the President of the United States, until the

172 period of emergency or disaster is declared by the Governor or the
173 President to be at an end. Nothing in this section shall prohibit the
174 fluctuation in the price of items sold at retail which occurs during the
175 normal course of business. Any person, firm or corporation which
176 violates any provision of this section shall be fined not more than
177 ninety-nine dollars. Any violation of the provisions of this section shall
178 be deemed an unfair or deceptive trade practice under subsection (a)
179 of section 42-110b.

180 Sec. 13. Section 54-41b of the general statutes is repealed and the
181 following is substituted in lieu thereof (*Effective October 1, 2002*):

182 The Chief State's Attorney or the state's attorney for the judicial
183 district in which the interception is to be conducted may make
184 application to a panel of judges for an order authorizing the
185 interception of any wire communication by investigative officers
186 having responsibility for the investigation of offenses as to which the
187 application is made when such interception may provide evidence of
188 the commission of offenses involving gambling, bribery, violations of
189 section 53-395, violations of section 21a-277, [or] felonious crimes of
190 violence or felonies involving the unlawful use or threatened use of
191 physical force or violence committed with the intent to intimidate or
192 coerce the civilian population or a unit of government.

193 Sec. 14. (NEW) (*Effective October 1, 2002*) Nothing in chapter 959a of
194 the general statutes shall preclude the receipt in evidence in a court of
195 this state of any intercepted wire communication obtained in
196 conformity with 18 USC 2510 et seq.

197 Sec. 15. Section 7 of public act 01-2 of the November 15 special
198 session is repealed and the following is substituted in lieu thereof
199 (*Effective October 1, 2002*):

200 (a) A person is guilty of threatening in the first degree when such
201 person (1) threatens to commit [any crime of violence or] any crime
202 involving the use of a hazardous substance with the intent to terrorize
203 another person, to cause evacuation of a building, place of assembly or

204 facility of public transportation or otherwise to cause serious public
205 inconvenience, or (2) threatens to commit such crime [of violence or
206 crime involving the use of a hazardous substance] in reckless disregard
207 of the risk of causing such terror, evacuation or inconvenience.

208 (b) For the purposes of this section, "hazardous substance" means
209 any physical, chemical, biological or radiological substance or matter
210 which, because of its quantity, concentration or physical, chemical or
211 infectious characteristics, may cause or significantly contribute to an
212 increase in mortality or an increase in serious irreversible or
213 incapacitating reversible illness, or pose a substantial present or
214 potential hazard to human health.

215 (c) Threatening in the first degree is a class D felony.

216 Sec. 16. Section 53a-62 of the general statutes, as amended by section
217 8 of public act 01-2 of the November 15 special session, is repealed and
218 the following is substituted in lieu thereof (*Effective October 1, 2002*):

219 (a) A person is guilty of threatening in the second degree when: [,
220 by] (1) By physical threat, such person intentionally places or attempts
221 to place another person in fear of imminent serious physical injury, (2)
222 such person threatens to commit any crime of violence with the intent
223 to terrorize another person, or (3) such person threatens to commit
224 such crime of violence in reckless disregard of the risk of causing such
225 terror.

226 (b) Threatening in the second degree is a class A misdemeanor.

This act shall take effect as follows:	
Section 1	October 1, 2002
Sec. 2	October 1, 2002
Sec. 3	October 1, 2002
Sec. 4	October 1, 2002
Sec. 5	October 1, 2002
Sec. 6	October 1, 2002
Sec. 7	October 1, 2002

Sec. 8	<i>October 1, 2002</i>
Sec. 9	<i>October 1, 2002</i>
Sec. 10	<i>October 1, 2002</i>
Sec. 11	<i>October 1, 2002</i>
Sec. 12	<i>October 1, 2002</i>
Sec. 13	<i>October 1, 2002</i>
Sec. 14	<i>October 1, 2002</i>
Sec. 15	<i>October 1, 2002</i>
Sec. 16	<i>October 1, 2002</i>

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected	Current FY \$	FY 03 \$	FY 04 \$
GF - Cost	Various Criminal Justice Agencies	-	Potential	Potential
GF - See Below	Attorney General; Consumer Protection, Dept.	-	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill establishes new crimes and increases penalties for certain existing crimes when they are committed for terrorist purposes. The number of potential offenses under the bill is anticipated to be few but due to the length of sentences that can occur (particularly under the mandatory minimum imprisonment provisions in the bill), even a small number of convictions could result in a significant cumulative cost of incarceration.

The bill makes the violation of certain provisions an unfair trade practice. Under the Unfair Trade Practices Act, the Department of Consumer Protection (DCP) has two methods for resolving complaints: 1) formal administrative hearings; or 2) forwarding the complaint to the Attorney General's office for litigation. If most of the cases are handled administratively by DCP, the workload increase to the Office of the Attorney General is expected to be minimal and can be handled within the agency's anticipated budgetary resources. Under the Unfair Trade Practices Act, civil penalties can be imposed for violations. The extent of the additional revenue cannot be

determined, since it would depend upon the number of violations which would occurred and the amount of the penalties that are imposed. There would be a minimal workload increase for the DCP associated with increased consumer inquiries and complaints and the possible hearings as a result of this bill. This, along with other minimal cost bills, could cause the Department of Consumer Protection to go beyond the anticipated budgetary resources of the agency.

House Amendment "A" made various changes which had no fiscal impact and became the bill.

OLR Amended Bill Analysis

sHB 5759 (as amended by House "A")*

AN ACT CONCERNING ACTS OF TERRORISM**SUMMARY:**

This bill:

1. creates a crime of terrorism;
2. creates a crime of fabricating weapons involving chemicals, disease organisms, or radiation;
3. increases the penalty when someone hinders prosecution of a person who committed, for terrorist purposes, a class A or B felony or an unclassified felony for which the possible prison term is more than 10 years;
4. creates the crimes of (a) damage to public transportation property for terrorist purposes, (b) contaminating a public water or food supply for terrorist purposes, and (c) criminal misrepresentation;
5. increases the penalty for most computer crimes done in furtherance of terrorist purposes;
6. adds felonies involving the unlawful or threatened use of physical force or violence with intent to intimidate or coerce the civilian population or a government unit to the list of crimes that can be the subject of a grand jury investigation or a wiretap order;
7. makes increasing prices during an emergency an unfair trade practice;
8. provides that wiretap evidence obtained validly under federal law is admissible in state court regardless of the provisions in state law on obtaining wiretap evidence;
9. reduces the penalty for certain types of threats; and
10. makes conforming changes.

*House Amendment "A" (1) removes a provision regarding committing certain crimes with intent to influence the policy of a government unit; (2) adds the provision about contaminating the food supply; (3) applies the crime of contaminating the water or food supply to using hazardous substances rather than chemical, biological,

or radioactive agents; (4) deletes a provision requiring the court to order financial restitution when appropriate if someone committed the crime of misrepresentation and it resulted in personal injury or property damage; (5) deletes a provision allowing the motor vehicles commissioner to require fingerprinting of new license and permit applicants; (6) limits the crimes that can be subject to a grand jury investigation or wiretapping order from any crime of terrorism to those that are felonies involving the use or threatened use of physical force or violence; (7) eliminates a provision increasing the fine to \$1,000 and imposing a prison term of up to one year for raising retail prices during emergencies; (8) provides that wiretap evidence validly obtained under federal law is admissible in state court regardless of any provisions in state law; and (9) reduces the penalty for certain types of threats.

EFFECTIVE DATE: October 1, 2002

ACT OF TERRORISM

Under the bill, an act of terrorism is a felony involving the use or threatened use of physical force or violence with intent to intimidate or coerce the civilian population or a government unit. A person who commits this crime is subject to the penalties for the next most serious degree of felony if the court finds that the person's history and character and the nature and circumstances of his criminal conduct indicate that the increased penalty will best serve the public interest.

FABRICATING WEAPONS INVOLVING CHEMICALS, DISEASE ORGANISMS, OR RADIATION

The bill makes it a class B felony punishable by one to 20 years in prison, a fine of up to \$15,000, or both to fabricate a weapon (1) designed or intended to cause death or serious physical injury by the release, dissemination, or impact of toxic or poisonous chemicals or their precursors; (2) involving a disease organism; or (3) designed to release radiation or radioactivity at a level dangerous to human life. It does not apply to the lawful manufacture of these weapons.

HINDERING PROSECUTION

Current law makes it a class D felony to render criminal assistance to a person who committed a class A or B felony or an unclassified felony

with a possible prison term of more than 10 years. This is punishable by one to five years in prison, a fine of up to \$5,000, or both.

The bill increases the penalty to a class C felony if the person assisted committed the felony with intent to intimidate or coerce the civilian population or a government unit. This is punishable by one to 10 years in prison, a fine of up to \$10,000, or both. The bill also imposes a five-year mandatory minimum sentence.

DAMAGE TO PUBLIC TRANSPORTATION PROPERTY

The bill creates the crime of damage to public transportation property for terrorist purposes. A person commits this crime when he:

1. intends to damage bus, railroad, or other public transportation property or interrupt or impair transportation services to the public;
2. damages such property or tampers with it and causes the property to be in danger of damage; and
3. intends to intimidate or coerce the civilian population or a government unit.

The bill makes this a class C felony, punishable by one to 10 years in prison, a fine of up to \$10,000, or both. By law, someone who damages railroad property is subject to penalties ranging from a class B misdemeanor to a class D felony, depending on the circumstances or the amount of damage caused.

CONTAMINATING A PUBLIC WATER OR FOOD SUPPLY

The bill creates the crime of contaminating a public water or food supply for terrorist purposes. A person commits this crime when he:

1. intends to intimidate or coerce the civilian population or a government unit and
2. introduces a hazardous substance into a (a) storage or distribution reservoir, lake, pond, or stream tributary, that is used for supplying town, city, or borough inhabitants with water or (b) food supply intended for human consumption.

The bill defines a hazardous substance as a physical, chemical, biological, or radiological substance or matter that by its quantity,

concentration, or physical, chemical, or infectious characteristics may (1) cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or (2) pose a substantial present or potential hazard to human health.

This is a class C felony punishable by one to 10 years in prison, a fine of up to \$10,000, or both. It carries a five-year mandatory minimum sentence. By law, someone who causes or allows a pollutant or harmful substance to enter a reservoir, lake, pond, or stream is subject to up to 30 days in prison, a fine of up to \$100, or both.

CRIMINAL MISREPRESENTATION

The bill creates the crime of criminal misrepresentation. A person commits this crime when, with respect to a criminal matter under investigation by a state or local agency or official, he:

1. knowingly and willfully (a) falsifies, conceals, or covers up a material fact by trick, scheme, or device, (b) makes a materially false, fictitious, or fraudulent statement or representation, or (c) makes or uses a false writing or document knowing it has a materially false, fictitious, or fraudulent statement or entry;
2. intends to intimidate or coerce the civilian population or a government unit; and
3. materially impairs the investigation.

This is a class C felony punishable by one to 10 years in prison, a fine of up to \$10,000, or both.

COMPUTER CRIME

The bill creates the crime of computer crime in furtherance of terrorist purposes, which raises the penalty for current computer crimes in most instances when they are done with intent to intimidate or coerce the civilian population or a government unit. Current computer crimes cover:

1. unauthorized access to a computer system,
2. theft of computer services,
3. interruption of computer services,
4. misuse of computer system information,
5. destruction of computer equipment,

6. unauthorized use of a computer or computer network, and
7. unlawful sale or distribution of software designed to facilitate falsification of electronic mail transmission or routing information.

The bill makes this a class B felony, punishable by one to 20 years in prison, a fine of up to \$15,000, or both. It also imposes a five-year mandatory minimum sentence if the crime was directed at a public agency charged with protecting public safety.

The current computer crimes carry penalties ranging from a class B misdemeanor to a class B felony, depending on the conduct and the amount of property damage caused.

INVESTIGATORY GRAND JURY

The bill adds felonies involving the unlawful use or threatened use of physical force or violence with intent to intimidate or coerce the civilian population or a government unit to the list of crimes that can be the subject of a grand jury investigation.

Under current law, an investigatory grand jury can be empanelled to investigate (1) government corruption, (2) Medicaid vendor fraud, (3) racketeering, (4) election law violations, and (5) felonies punishable by more than five years imprisonment for which the chief state's attorney can show there is no other means of obtaining information about whether a crime has been committed or the perpetrator's identity.

WIRETAPPING

The bill adds felonies involving the unlawful or threatened use of physical force or violence committed with intent to intimidate or coerce the civilian population or a government unit to the list of crimes for which wiretaps are authorized.

Under current law, wiretaps are authorized for the crimes of gambling, bribery, racketeering, manufacturing and selling narcotics or hallucinogens, and felonies involving violence.

RETAIL PRICES DURING EMERGENCIES

It is illegal for a person, firm, or corporation to increase the price of an item that the person or entity sells or offers at retail in an area under a

(1) disaster emergency declared by the governor under the civil preparedness laws, (2) transportation emergency declared by the governor, or (3) major disaster or emergency declared by the U.S. President. A violator is subject to a \$99 fine.

The bill makes a violation an unfair or deceptive trade practice. As under current law, this does not prohibit price fluctuations that occur during the normal course of business.

THREATENING

The bill reduces, from a class D felony to a class A misdemeanor, the penalty for threatening to commit a violent crime with the intent of, or with reckless disregard of the risk of, terrorizing someone.

Under current law, it is a class D felony to threaten to commit a violent crime with the intent of causing evacuation of a building, place of assembly, or public transportation facility or causing serious public inconvenience. The bill eliminates these provisions, but the conduct appears to be covered by the class A misdemeanor crime.

A class D felony is punishable by one to five years in prison, a fine of up to \$5,000, or both. A class A misdemeanor is punishable by up to one year in prison, a fine of up to \$2,000, or both.

BACKGROUND

Related Law—False Reports

By law, it is a class D felony to knowingly:

1. initiate or circulate a false report or warning of the alleged or impending occurrence of a fire, explosion, catastrophe, or emergency when it is likely to cause public alarm or inconvenience under the circumstances or
2. make a false report to an official or quasi-official agency or organization having the function of dealing with emergencies involving danger to life or property, an alleged or impending occurrence of a fire, explosion, catastrophe, or emergency.

This is punishable by one to five years in prison, a fine of up to \$5,000, or both (Nov. Sp. Sess. PA 01-2).

By law, it is a class A misdemeanor to knowingly and gratuitously (1) make a false report to a law enforcement officer or agency about the alleged or impending occurrence of an offense or incident or (2) report false information about an actual incident or a person implicated in one. This is punishable by up to one year in prison, a fine of up to \$2,000, or both. If the false report or information alleges serious physical injury or death, it is a class D felony, punishable by one to five years in prison, a fine of up to \$5,000, or both (Nov. Sp. Sess. PA 01-2).

It is a class C felony when any of these false reports results in serious physical injury or death. This is punishable by one to 10 years in prison, a fine of up to \$10,000, or both.

Connecticut Unfair Trade Practices Act (CUTPA)

The law prohibits businesses from engaging in unfair and deceptive acts or practices. CUTPA allows the consumer protection commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. The act also allows individuals to bring suit. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorneys fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for violation of a restraining order.

Legislative History

On April 22, the House referred the bill to the General Law Committee, which reported it favorably on April 24.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 41 Nay 0

General Law Committee

Joint Favorable Report
Yea 17 Nay 0