



General Assembly

February Session, 2004

**Amendment**

LCO No. 5179

**\*HB0566805179HRO\***

Offered by:  
REP. FARR, 19<sup>th</sup> Dist.

To: Subst. House Bill No. 5668

File No. 501

Cal. No. 347

(As Amended)

**"AN ACT CONCERNING THE MERGER OF THE DEPARTMENT OF CORRECTION AND THE BOARD OF PAROLE AND THE CARRYING OF HANDGUNS BY EMPLOYEES OF THE DEPARTMENT OF CORRECTION."**

1 Strike section 502 in its entirety and insert the following in lieu  
2 thereof:

3 "Sec. 502. (NEW) (*Effective from passage*) Notwithstanding any  
4 provision of the general statutes, when sentencing a person convicted  
5 of a violation of any provision of chapter 420b of the general statutes,  
6 except a violation of subsection (a) or (c) of section 21a-278a of the  
7 general statutes, for which there is a mandatory minimum sentence,  
8 which did not involve the use, attempted use or threatened use of  
9 physical force against another person or result in the physical injury or  
10 serious physical injury of another person, and in the commission of  
11 which such person neither was armed with nor threatened the use of  
12 or displayed or represented by word or conduct that such person

13 possessed any firearm, deadly weapon or dangerous instrument, as  
14 those terms are defined in section 53a-3 of the general statutes, the  
15 court may, upon a showing of good cause by the defendant, depart  
16 from the prescribed mandatory minimum sentence, provided the  
17 provisions of this section have not previously been invoked on the  
18 defendant's behalf and the court, at the time of sentencing, states in  
19 open court the reasons for imposing the particular sentence and the  
20 specific reason for imposing a sentence that departs from the  
21 prescribed mandatory minimum sentence."