



General Assembly

February Session, 2006

**Raised Bill No. 5492**

LCO No. 2019

\*02019\_\_\_\_\_PRI\*

Referred to Committee on Program Review and Investigations

Introduced by:  
(PRI)

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS  
COMMITTEE RELATIVE TO MANDATORY MINIMUM SENTENCING.**

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

1 Section 1. (*Effective July 1, 2006*) (a) There is established a  
2 Connecticut Sentencing Task Force to review criminal justice and  
3 sentencing policies and laws of this state for the purpose of creating a  
4 more just, effective and efficient system of criminal sentencing.

5 (b) The task force shall be composed of the following members:

6 (1) The chairpersons and ranking members of the joint standing  
7 committee of the General Assembly on the judiciary;

8 (2) Two judges of the superior court, each of whom shall have been  
9 a judge for at least ten years and have at least five years experience  
10 presiding over cases in judicial district criminal courts;

11 (3) Two state's attorneys each of whom shall have at least ten years  
12 experience as a prosecuting attorney and at least five years experience  
13 prosecuting cases in judicial district criminal courts, appointed by the

14 Chief State's Attorney;

15 (4) Two public defenders each of whom shall have at least ten years  
16 experience as a public defender and at least five years experience  
17 representing defendants in judicial district criminal courts, appointed  
18 by the Chief Public Defender;

19 (5) Two criminal defense lawyers each of whom shall have at least  
20 fifteen years experience representing defendants in criminal cases, one  
21 of whom shall be appointed by the criminal justice section of the  
22 Connecticut Bar Association and one of whom shall be appointed by  
23 the Connecticut Criminal Defense Lawyers Association;

24 (6) The executive director of the Court Support Services Division of  
25 the Judicial Branch or the executive director's designee;

26 (7) The Commissioner of Correction or the commissioner's designee;

27 (8) The Chairperson of the Board of Pardons and Paroles or the  
28 chairperson's designee;

29 (9) The Commissioner of Mental Health and Addiction Services or  
30 the commissioner's designee;

31 (10) The undersecretary of the Criminal Justice Policy and Planning  
32 Division within the Office of Policy and Management;

33 (11) An assistant attorney general, appointed by the Attorney  
34 General;

35 (12) Three municipal police chiefs, one of whom shall represent an  
36 urban area, one of whom shall represent a suburban area and one of  
37 whom shall represent a rural area, appointed by the Connecticut Police  
38 Chiefs Association; and

39 (13) Six members of the General Assembly, appointed one each by  
40 the president pro tempore of the Senate, the speaker of the House of  
41 Representatives, the majority leader of the Senate, the majority leader

42 of the House of Representatives, the minority leader of the Senate and  
43 the minority leader of the House of Representatives.

44 (c) The chairpersons of the joint standing committee of the General  
45 Assembly on the judiciary shall serve as chairpersons of the task force.

46 (d) The task force shall:

47 (1) Identify overarching criminal justice and sentencing goals and  
48 policies;

49 (2) Define current sentencing models including sentencing  
50 guidelines, criteria, exemptions and enhancements;

51 (3) Analyze sentencing trends by offense types and offender  
52 characteristics;

53 (4) Review the actual versus intended impact of sentencing policies;

54 (5) Determine the direct and indirect costs associated with  
55 sentencing policies; and

56 (6) Make any recommendations for the revision of criminal justice  
57 and sentencing policies as deemed necessary.

58 (e) The Criminal Justice Policy and Planning Division within the  
59 Office of Policy and Management shall assist the task force by  
60 providing criminal justice data, analyses and technical assistance  
61 necessary for the task force to carry out its duties.

62 (f) The task force may request any office, department, board,  
63 commission or other agency of the state to supply such reports,  
64 information and assistance as may be necessary or appropriate in  
65 order for the task force to carry out its duties. Each officer or employee  
66 of such office, department, board, commission or other agency of the  
67 state is authorized and directed to cooperate with the task force and to  
68 furnish such reports, information and assistance.

69 (g) The task force shall report its findings and recommendations to  
70 the joint standing committee of the General Assembly on the judiciary  
71 in accordance with section 11-4a of the general statutes not later than  
72 December 1, 2008. The task force shall terminate upon the completion  
73 of its duties.

74 Sec. 2. Section 2-24 of the general statutes is repealed and the  
75 following is substituted in lieu thereof (*Effective July 1, 2006*):

76 The words "State of Connecticut" shall be printed at the head of each  
77 bill and document printed by order of the General Assembly, or either  
78 house thereof, and on its title page or cover, if any. Before printed or  
79 photographic copies of an original bill are made, the bill shall be  
80 endorsed with (1) the date of its introduction; (2) its number; (3) the  
81 name of the member or committee introducing it; and (4) the name of  
82 the committee to which it was referred. Copies of bills or resolutions  
83 printed after favorable report by a committee or reprinted after  
84 amendment on the third reading, i.e., files, shall bear the file number of  
85 such bill or resolution, placed conspicuously at the head of the same,  
86 which file number shall be assigned by the printer in the order printed,  
87 the number and title of the bill, the name of the committee to which it  
88 was referred, the date and nature of the committee's report, and, in any  
89 case where the bill, if passed, would require the expenditure of state or  
90 municipal funds or affect state or municipal revenue, a fiscal note,  
91 including an estimate of the cost or of the revenue impact shall be  
92 appended thereto, and, in any case where the bill, if passed, would  
93 affect correctional facilities, probation sentences, parole sentences,  
94 court resources, court dockets, public safety or crime victim's rights, a  
95 fiscal impact assessment shall be appended thereto assessing the fiscal  
96 impact of the bill on such facilities, sentences, resources, dockets,  
97 public safety or crime victim's rights. When a bill or resolution is  
98 accompanied with a report of a committee, other than a  
99 recommendation that it ought or ought not to pass, it shall then have  
100 an additional endorsement, as follows: "Accompanied by special  
101 report, No.-". Bills shall be designated in the printed calendar of each

102 house by their file numbers, as well as by the titles and numbers of the  
103 bills.

104 Sec. 3. Section 2-24a of the 2006 supplement to the general statutes is  
105 repealed and the following is substituted in lieu thereof (*Effective July*  
106 *1, 2006*):

107 (1) No bill without a fiscal note appended thereto which, if passed,  
108 would require the expenditure of state or municipal funds or affect  
109 state or municipal revenue in the current fiscal year or any of the next  
110 ensuing five fiscal years shall be acted upon by either house of the  
111 General Assembly unless said requirement of a fiscal note is dispensed  
112 with by a vote of at least two-thirds of such house. Such fiscal note  
113 shall clearly identify the cost and revenue impact to the state and  
114 municipalities in the current fiscal year and in each of the next ensuing  
115 five fiscal years.

116 (2) If a fiscal impact assessment is required under section 2-24, as  
117 amended by this act, no bill without such assessment appended  
118 thereto shall be acted upon by either house of the General Assembly  
119 unless said requirement is dispensed with by a vote of at least two-  
120 thirds of such house.

121 Sec. 4. Section 2-26 of the general statutes is repealed and the  
122 following is substituted in lieu thereof (*Effective July 1, 2006*):

123 At each regular or special session of the General Assembly no bill  
124 shall be passed or become a law unless it has been printed in its final  
125 form, as prescribed by section 2-24, with the exception of germane  
126 amendments, and upon the desks of the members at least two  
127 legislative days prior to its final passage, unless the president pro  
128 tempore of the Senate and the speaker of the House of Representatives  
129 have certified, in writing, the facts which in their opinion necessitate  
130 an immediate vote on such bill, in which case it shall nevertheless be  
131 upon the desks of the members in final form, accompanied by the  
132 fiscal note and fiscal impact assessment required by section 2-24, as

133 amended by this act, when applicable, with the exception of germane  
134 amendments, but not necessarily printed, before its final passage.

135 Sec. 5. Subsections (b) and (c) of section 2-71c of the 2006  
136 supplement to the general statutes are repealed and the following is  
137 substituted in lieu thereof (*Effective July 1, 2006*):

138 (b) The legislative Office of Legislative Research shall assist the  
139 General Assembly and the Legislative Department, legislative  
140 commissions and legislative committees in a research and advisory  
141 capacity as follows: (1) Assisting the development of legislative  
142 programs; (2) analyzing the long-range implications of the several  
143 alternative programs; (3) preparing abstracts, summaries, explanations  
144 of state executive agency and federal government reports; (4)  
145 informing the legislative leaders of action taken by the federal  
146 government with regard to problems of their particular concern and  
147 federal law; (5) assisting in the research and writing of interim reports;  
148 (6) preparing bill analyses and summaries; (7) assisting in hearings by  
149 preparing agendas, contacting potential witnesses, scheduling their  
150 appearances and analyzing testimonies; (8) preparing fiscal impact  
151 assessments as required by section 2-24, as amended by this act, and  
152 [(8)] (9) performing such other research and analysis services as may  
153 be determined by the Joint Committee on Legislative Management.

154 (c) The legislative Office of Fiscal Analysis shall assist the General  
155 Assembly and the Legislative Department, legislative commissions  
156 and legislative committees in a research and advisory capacity as  
157 follows: (1) Reviewing department and program operating budget  
158 requests; (2) analyzing and helping to establish priorities with regard  
159 to capital programs; (3) checking executive revenue estimates for  
160 accuracy; (4) recommending potential untapped sources of revenue; (5)  
161 assisting in legislative hearings and helping to schedule and prepare  
162 the agenda of such hearings; (6) assisting in the development of means  
163 by which budgeted programs can be periodically reviewed; (7)  
164 preparing short analyses of the costs and long-range projections of

165 executive programs and proposed agency regulations; (8) keeping  
 166 track of federal aid programs to make sure that Connecticut is taking  
 167 full advantage of opportunities for assistance; (9) reviewing, on a  
 168 continuous basis, departmental budgets and programs; (10) analyzing  
 169 and preparing critiques of the Governor's proposed budget; (11)  
 170 studying, in depth, selected executive programs during the interim;  
 171 (12) performing such other services in the field of finance as may be  
 172 requested by the Joint Committee on Legislative Management; (13)  
 173 preparing the fiscal notes, required under section 2-24, as amended by  
 174 this act, upon favorably reported bills which require expenditure of  
 175 state or municipal funds or affect state or municipal revenue; (14)  
 176 preparing at the end of each fiscal year a compilation of all fiscal notes  
 177 on legislation and agency regulations taking effect in the next fiscal  
 178 year, including the total costs, savings and revenue effects estimated in  
 179 such notes; (15) preparing fiscal impact assessments as required by  
 180 section 2-24, as amended by this act, and [(15)] (16) every second and  
 181 fourth year after the effective date of each enacted bill, review the fiscal  
 182 note of such bill to compare it to the fiscal note prepared at the time  
 183 such bill was enacted. The governing body of any municipality, if  
 184 requested, shall provide the Office of Fiscal Analysis, within two  
 185 working days, with any information that may be necessary for analysis  
 186 in preparation of such fiscal notes. Each officer, board, commission or  
 187 department of the state government shall assist the Office of Fiscal  
 188 Analysis in carrying out its duties and, if requested, shall make its  
 189 records and accounts available to the office in a timely manner, except  
 190 that where there are statutory requirements of confidentiality with  
 191 regard to such records and accounts, the identity of any person to  
 192 whom such records or accounts relate shall not be disclosed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	New section
Sec. 2	<i>July 1, 2006</i>	2-24
Sec. 3	<i>July 1, 2006</i>	2-24a

Sec. 4	<i>July 1, 2006</i>	2-26
Sec. 5	<i>July 1, 2006</i>	2-71c(b) and (c)

***Statement of Purpose:***

To implement the recommendations of the Legislative Program Review and Investigations Committee concerning mandatory minimum sentencing.

*[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.]*