



# House of Representatives

General Assembly

**File No. 641**

January Session, 2007

Substitute House Bill No. 6948

*House of Representatives, April 30, 2007*

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING STOLEN MILITARY VALOR AND DISCRIMINATION AGAINST MEMBERS OF THE ARMED FORCES.***

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

1 Section 1. Section 53-378 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) Any person, other than an officer or enlisted man or woman of  
4 the armed forces, [of the United States,] as defined [by] in section 27-  
5 103, or any reserve component thereof, or of [this] the state, as defined  
6 [by] in section 27-2, or a member of a school or college military or  
7 naval organization, organized, uniformed and drilling as such, or [an  
8 inmate] a resident of any veterans' or soldiers' home, or a police officer,  
9 who, at any time, wears the uniform, or any part of the uniform, of any  
10 of said armed forces, reserve components or organizations, [units or  
11 services,] within the state, shall be fined not less than [one] five  
12 hundred dollars [nor] or more than [five hundred] one thousand  
13 dollars or imprisoned not more than six months, or both, provided  
14 nothing in this section shall be construed as prohibiting any person

15 having been honorably discharged from any of said armed forces,  
16 reserve components or organizations [, units or services] from wearing  
17 [his] the person's uniform in accordance with the laws of the United  
18 States or the state and the regulations governing any of said armed  
19 forces, reserve components or organizations, [units or services,] or any  
20 person taking part in any play, opera, theater or other entertainment  
21 from wearing such uniform while actually engaged in such  
22 entertainment.

23 (b) Any person who falsely represents himself or herself, orally or in  
24 writing, to have been awarded any decoration or medal authorized by  
25 the United States Congress for the armed forces, as defined in section  
26 27-103, or any of the service medals or badges awarded to the  
27 members of such armed forces, or the ribbon, button or rosette of any  
28 such decoration, medal or badge, or any colorable imitation thereof,  
29 shall be fined not less than five hundred dollars or more than one  
30 thousand dollars or imprisoned not more than six months, or both.

31 Sec. 2. (NEW) (*Effective October 1, 2007*) Any person who subjects or  
32 causes to be subjected any other person to the deprivation of any  
33 rights, privileges or immunities usually enjoyed by the public, on  
34 account of membership in the armed forces of the state, as defined in  
35 section 27-2 of the general statutes, or the armed forces, as defined in  
36 section 27-103 of the general statutes, or on account of the wearing of  
37 the uniform of any such armed forces, or who, on account of such  
38 membership or the wearing of such uniform, deprives any other  
39 person of the full and equal enjoyment of any advantages, facilities,  
40 accommodations, amusement or transportation, subject only to the  
41 limitations established by law and applicable to all persons, or who, on  
42 account of such membership or the wearing of such uniform, increases  
43 the price for the enjoyment of any such privileges, shall be fined not  
44 less than five hundred dollars or more than one thousand dollars or  
45 imprisoned not more than six months, or both.

46 Sec. 3. Section 52-571 of the general statutes is repealed and the  
47 following is substituted in lieu thereof (*Effective October 1, 2007*):



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 chamber thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:**

| Agency Affected                                       | Fund-Effect       | FY 08 \$          | FY 09 \$          |
|---|-------------------|-------------------|-------------------|
| Judicial Dept.  | GF - Revenue Gain | Potential Minimal | Potential Minimal |
| Judicial Department (Probation);<br>Correction, Dept. | GF - Cost         | Potential Minimal | Potential Minimal |

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill establishes and increases penalties for individuals who: 1) falsely represent themselves as a member of the armed forces; 2) falsely represent themselves as being awarded decorations or medals authorized by the United States Congress for members of the armed forces; or 3) deprive an individual of any rights, privileges, or immunities usually enjoyed by the public, on account of membership in the armed forces.

Any revenue from criminal fines imposed under the bill or marginal cost for incarceration and/or probation supervision in the community as a result of the bill would be minimal.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the rate of the violations.

**OLR Bill Analysis**

**sHB 6948**

***AN ACT CONCERNING STOLEN MILITARY VALOR AND  
DISCRIMINATION AGAINST MEMBERS OF THE ARMED FORCES.***

**SUMMARY:**

This bill (1) establishes criminal penalties and increases civil penalties for people who discriminate against armed forces members based on that membership, (2) increases the penalty for the unauthorized wearing of military clothing, and (3) makes it a crime to falsely represent oneself as a recipient of a Congressional or service medal awarded to armed forces members.

EFFECTIVE DATE: October 1, 2007

**DISCRIMINATION AGAINST ARMED FORCES MEMBERS**

Under current law, anyone deprived of rights or discriminated against based on membership in the armed forces is entitled to double damages in any court proceedings. The bill establishes a criminal penalty of \$500 to \$1,000, imprisonment for at least six months, or both for a violation, and it increases the civil award to up to \$1,000 or triple damages, whichever is more, plus costs and reasonable attorney's fees.

**UNAUTHORIZED WEARING OF MILITARY CLOTHING**

This bill increases the fine for wearing, without authorization, the uniform of any member of the armed forces, reserves, or school or college military or naval organization. The current penalty is a fine of \$100 to \$500, imprisonment for up to six months, or both. The bill increases the minimum fine to \$500 and the maximum to \$1,000.

**CONGRESSIONAL AWARDS**

The bill makes it illegal to falsely represent oneself as a recipient of any Congressional award or decoration or medal; service medal or

badge awarded to the armed forces; or any ribbon, button, or rosette, or other decoration, medal, badge, or colorable imitation of such medals or awards. A violation is punishable by a fine of \$500 to \$1,000, imprisonment for up to six months, or both.

**COMMITTEE ACTION**

Select Committee on Veterans' Affairs

Joint Favorable Substitute Change of Reference

Yea 10 Nay 0 (03/06/2007)

Judiciary Committee

Joint Favorable

Yea 39 Nay 0 (04/13/2007)