



# House of Representatives

General Assembly

**File No. 374**

January Session, 2009

House Bill No. 6276

*House of Representatives, March 31, 2009*

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT INCREASING FINES AND PENALTIES FOR CERTAIN OFFENSES COMMITTED AGAINST A TRANSIT WORKER IN CONNECTICUT.***

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

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) Any person who  
2 commits murder, manslaughter, assault in the first degree, assault with  
3 a deadly weapon or dangerous instrument, sexual assault, robbery,  
4 threatening in the second degree or kidnapping of a transit worker  
5 while such worker is acting in the performance of his or her duties  
6 shall be fined or imprisoned not more than one hundred fifty per cent  
7 of the maximum fine or term of imprisonment, respectively, otherwise  
8 authorized for such offense or be both fined and imprisoned.

9 (b) As used in subsection (a) of this section "transit worker" means  
10 an employee of any transit authority, municipal transit district,  
11 regional planning organization or other entity that provides public  
12 transit services by bus, rail or ferry in the state and is recognized by the  
13 American Public Transportation Association (APTA).

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	New section

**TRA**      *Joint Favorable*

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:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 10 \$</b>	<b>FY 11 \$</b>
Judicial Dept.	GF - Revenue Gain	Potential	Potential
Judicial Dpt (Probation); Correction, Dept.	GF - Cost	Potential	Potential

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill enhances the potential criminal penalty for any person who commits certain offenses against a transit worker in Connecticut. To the extent that these changes increase the likelihood that offenders would be prosecuted or receive harsher penalties, a potential revenue gain from criminal fines and potential cost for incarceration and/or probation supervision in the community exist. On average, it costs the state \$3,736 to supervise an offender on probation in the community as compared to \$44,165 to incarcerate the offender.

**The Out Years**

The annualized potential revenue identified above would remain constant into the future since fines are set by statute; the annualized potential cost would continue into the future subject to inflation.

**OLR Bill Analysis****HB 6276*****AN ACT INCREASING FINES AND PENALTIES FOR CERTAIN OFFENSES COMMITTED AGAINST A TRANSIT WORKER IN CONNECTICUT.*****SUMMARY:**

This bill requires imposition of an enhanced penalty for specified criminal acts committed on a transit worker performing his or her duties. It requires the offender to be fined or imprisoned up to 150% of whatever the maximum fine or prison term would be for the subject criminal act. Criminal acts subject to the enhanced penalty if committed against a transit worker include:

1. murder,
2. manslaughter,
3. assault in the first degree,
4. assault with a deadly weapon or dangerous instrument,
5. sexual assault,
6. robbery,
7. threatening in the second degree, or
8. kidnapping.

The bill defines a "transit worker" as an employee of any transit authority, municipal transit district, regional planning organization, or other entity that provides public transit services by rail, bus, or ferry in Connecticut and that is recognized by the American Public Transportation Association.

---

EFFECTIVE DATE: October 1, 2009

## **BACKGROUND**

### ***The American Public Transportation Association (APTA)***

APTA is an international trade association with members from many areas associated with delivery of public transportation services, including service and system providers; government agencies and transportation departments; metropolitan planning organizations; academic institutions; private organizations involved in planning, designing, constructing, financing, supplying and operating transit systems; and trade publications. APTA's process for "recognizing" a transit service provider is unclear, but it would most likely involve membership in the association through one or more of its several membership categories.

## **COMMITTEE ACTION**

Transportation Committee

Joint Favorable

Yea 35    Nay 0    (03/13/2009)