



General Assembly

Amendment

January Session, 2009

LCO No. 7538

HB0657807538SRO

Offered by:

SEN. CALIGIURI, 16th Dist.
SEN. MCKINNEY, 28th Dist.
SEN. FASANO, 34th Dist.
SEN. RORABACK, 30th Dist.
SEN. GUGLIELMO, 35th Dist.
SEN. KISSEL, 7th Dist.

SEN. DEBICELLA, 21st Dist.
SEN. KANE, 32nd Dist.
SEN. BOUCHER, 26th Dist.
SEN. WITKOS, 8th Dist.
SEN. FRANTZ, 36th Dist.
SEN. MCLACHLAN, 24th Dist.

To: House Bill No. 6578

File No. 726

Cal. No. 661

"AN ACT CONCERNING THE PENALTY FOR A CAPITAL FELONY."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (h) of section 53a-40 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2009*):

6 (h) When any person has been found to be a persistent dangerous
7 felony offender, the court, in lieu of imposing the sentence of
8 imprisonment authorized by the general statutes for the crime of
9 which such person presently stands convicted, shall (1) sentence such
10 person to a term of imprisonment that is not (A) less than twice the
11 minimum term of imprisonment authorized for such crime, or (B)

12 more than twice the maximum term of imprisonment authorized for
 13 such crime or forty years, whichever is greater, provided, if a
 14 mandatory minimum term of imprisonment is authorized for such
 15 crime, such sentence shall include a mandatory minimum term of
 16 imprisonment that is twice such authorized mandatory minimum term
 17 of imprisonment, and (2) if such person has, at separate times prior to
 18 the commission of the present crime, been twice convicted of and
 19 imprisoned for any of the crimes enumerated in subsection (a) of this
 20 section, sentence such person to [a term of imprisonment that is not
 21 less than three times the minimum term of imprisonment authorized
 22 for such crime or more than life, provided, if a mandatory minimum
 23 term of imprisonment is authorized for such crime, such sentence shall
 24 include a mandatory minimum term of imprisonment that is three
 25 times such authorized mandatory minimum term of imprisonment]
 26 life imprisonment without parole."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	53a-40(h)