



General Assembly

February Session, 2010

Raised Bill No. 476

LCO No. 2400

02400_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT CONCERNING NONVIOLENT DRUG POSSESSION
OFFENSES.**

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

1 Section 1. Subsection (a) of section 21a-267 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2010*):

4 (a) No person shall use or possess with intent to use drug
5 paraphernalia, as defined in subdivision (20) of section 21a-240, to
6 plant, propagate, cultivate, grow, harvest, manufacture, compound,
7 convert, produce, process, prepare, test, analyze, pack, repack, store,
8 contain or conceal, or to ingest, inhale or otherwise introduce into the
9 human body, any controlled substance as defined in subdivision (9) of
10 section 21a-240. Any person who violates any provision of this
11 subsection shall [be guilty of a class C misdemeanor] have committed
12 an infraction.

13 Sec. 2. (NEW) (*Effective October 1, 2010*) Any person who possesses
14 or has under his control less than one ounce of a cannabis-type
15 substance, except as authorized in chapter 420b of the general statutes,

16 shall have committed an infraction.

17 Sec. 3. Subsection (c) of section 21a-279 of the general statutes is
18 repealed and the following is substituted in lieu thereof (*Effective*
19 *October 1, 2010*):

20 (c) Any person who possesses or has under his control any quantity
21 of any controlled substance other than a narcotic substance, or a
22 hallucinogenic substance other than marijuana or who possesses or has
23 under his control one ounce or more but less than four ounces of a
24 cannabis-type substance, except as authorized in this chapter, for a first
25 offense, may be fined not more than one thousand dollars or be
26 imprisoned not more than one year, or be both fined and imprisoned;
27 and for a subsequent offense, may be fined not more than three
28 thousand dollars or be imprisoned not more than five years, or be both
29 fined and imprisoned.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	21a-267(a)
Sec. 2	<i>October 1, 2010</i>	New section
Sec. 3	<i>October 1, 2010</i>	21a-279(c)

Statement of Purpose:

To reduce costs to the state by reclassifying the use or possession of drug paraphernalia and the possession of a small amount of a cannabis-type substance as infractions rather than misdemeanors.

[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.]