



Substitute Senate Bill No. 983

Public Act No. 13-258

AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING UNCLASSIFIED FELONIES.

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

Section 1. Section 53a-25 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) An offense for which a person may be sentenced to a term of imprisonment in excess of one year is a felony.

(b) Felonies are classified for the purposes of sentence as follows: (1) Class A, (2) class B, (3) class C, (4) class D, (5) class E, (6) unclassified, and [(6)] (7) capital felonies under the provisions of section 53a-54b in effect prior to April 25, 2012.

(c) The particular classification of each felony defined in this chapter is expressly designated in the section defining it.

(d) Any offense defined in any [other] section of the general statutes which, by virtue of an expressly specified sentence, is within the definition set forth in subsection (a) of this section, but for which a particular classification is not expressly designated, shall be deemed: (1) A class E felony if the maximum term of imprisonment specified is

Substitute Senate Bill No. 983

in excess of one year but not more than three years; or (2) an unclassified felony if the maximum term of imprisonment is otherwise within the definition set forth in subsection (a) of this section.

Sec. 2. Section 53a-35a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

For any felony committed on or after July 1, 1981, the sentence of imprisonment shall be a definite sentence and, unless the section of the general statutes that defines or provides the penalty for the crime specifically provides otherwise, the term shall be fixed by the court as follows:

(1) (A) For a capital felony committed prior to April 25, 2012, under the provisions of section 53a-54b in effect prior to April 25, 2012, a term of life imprisonment without the possibility of release unless a sentence of death is imposed in accordance with section 53a-46a, or (B) for the class A felony of murder with special circumstances committed on or after April 25, 2012, under the provisions of section 53a-54b in effect on or after April 25, 2012, a term of life imprisonment without the possibility of release;

(2) [for] For the class A felony of murder, a term not less than twenty-five years nor more than life;

(3) [for] For the class A felony of aggravated sexual assault of a minor under section 53a-70c, a term not less than twenty-five years or more than fifty years;

(4) [for] For a class A felony other than an offense specified in subdivision (2) or (3) of this section, a term not less than ten years nor more than twenty-five years;

(5) [for] For the class B felony of manslaughter in the first degree with a firearm under section 53a-55a, a term not less than five years

Substitute Senate Bill No. 983

nor more than forty years;

(6) [for] For a class B felony other than manslaughter in the first degree with a firearm under section 53a-55a, a term not less than one year nor more than twenty years;

(7) [for] For a class C felony, a term not less than one year nor more than ten years;

(8) [for] For a class D felony, a term not [less than one year nor] more than five years; [and]

(9) For a class E felony, a term not more than three years; and

[(9) for] (10) For an unclassified felony, a term in accordance with the sentence specified in the section of the general statutes that defines or provides the penalty for the crime.

Sec. 3. Section 53a-41 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

A fine for the conviction of a felony shall, unless the section of the general statutes that defines or provides the penalty for the crime specifically provides otherwise, be fixed by the court as follows: (1) For a class A felony, an amount not to exceed twenty thousand dollars; (2) for a class B felony, an amount not to exceed fifteen thousand dollars; (3) for a class C felony, an amount not to exceed ten thousand dollars; (4) for a class D felony, an amount not to exceed five thousand dollars; (5) for a class E felony, an amount not to exceed three thousand five hundred dollars; and (6) for an unclassified felony, an amount in accordance with the fine specified in the section of the general statutes that defines or provides the penalty for the crime.

Sec. 4. Section 18-100f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Substitute Senate Bill No. 983

Unless otherwise ordered by the court, whenever an arrested person charged with the commission of no crime other than a class D or E felony or a misdemeanor, except a violation of section 53a-60a, 53a-60b, 53a-60c, 53a-60d, 53a-72a, 53a-73a or 53a-181c, is committed by the court to the custody of the Commissioner of Correction pursuant to section 54-64a, the commissioner may release such person to a residence approved by the Department of Correction subject to such conditions as the commissioner may impose including, but not limited to, participation in a substance abuse treatment program and being subject to electronic monitoring or any other monitoring technology or services. Any person released pursuant to this section shall remain in the custody of the commissioner and shall be supervised by employees of the department during the period of such release. Upon the violation by such person of any condition of such release, the commissioner may revoke such release and return such person to confinement in a correctional facility.

Sec. 5. Subdivision (1) of subsection (b) of section 46b-127 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) (1) Upon motion of a prosecutorial official, the superior court for juvenile matters shall conduct a hearing to determine whether the case of any child charged with the commission of a class C₂ [or] D or E felony or an unclassified felony shall be transferred from the docket for juvenile matters to the regular criminal docket of the Superior Court. The court shall not order that the case be transferred under this subdivision unless the court finds that (A) such offense was committed after such child attained the age of fourteen years, (B) there is probable cause to believe the child has committed the act for which the child is charged, and (C) the best interests of the child and the public will not be served by maintaining the case in the superior court for juvenile matters. In making such findings, the court shall consider (i) any prior

Substitute Senate Bill No. 983

criminal or juvenile offenses committed by the child, (ii) the seriousness of such offenses, (iii) any evidence that the child has intellectual disability or mental illness, and (iv) the availability of services in the docket for juvenile matters that can serve the child's needs. Any motion under this subdivision shall be made, and any hearing under this subdivision shall be held, not later than thirty days after the child is arraigned in the superior court for juvenile matters.

Sec. 6. Subsections (d) to (g), inclusive, of section 53a-29 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(d) Except as provided in subsection (f) of this section, the period of probation or conditional discharge, unless terminated sooner as provided in section 53a-32 or 53a-33, shall be as follows: (1) For a class B felony, not more than five years; (2) for a class C_z [or] D or E felony or an unclassified felony, not more than three years; (3) for a class A misdemeanor, not more than two years; (4) for a class B, C or D misdemeanor, not more than one year; and (5) for an unclassified misdemeanor, not more than one year if the authorized sentence of imprisonment is six months or less, or not more than two years if the authorized sentence of imprisonment is in excess of six months, or where the defendant is charged with failure to provide subsistence for dependents, a determinate or indeterminate period.

(e) Notwithstanding the provisions of subsection (d) of this section, the court may, in its discretion, on a case by case basis, sentence a person to a period of probation which period, unless terminated sooner as provided in section 53a-32 or 53a-33, shall be as follows: (1) For a class C_z [or] D or E felony or an unclassified felony, not more than five years; (2) for a class A misdemeanor, not more than three years; and (3) for a class B misdemeanor, not more than two years.

(f) The period of probation, unless terminated sooner as provided in

Substitute Senate Bill No. 983

section 53a-32, shall be not less than ten years or more than thirty-five years for conviction of a violation of subdivision (2) of subsection (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-196b, 53a-196c, 53a-196d, 53a-196e or 53a-196f.

(g) Whenever the court sentences a person, on or after October 1, 2008, to a period of probation of more than two years for a class C, [or] D or E felony or an unclassified felony or more than one year for a class A or B misdemeanor, the probation officer supervising such person shall submit a report to the sentencing court, the state's attorney and the attorney of record, if any, for such person, not later than sixty days prior to the date such person completes two years of such person's period of probation for such felony or one year of such person's period of probation for such misdemeanor setting forth such person's progress in addressing such person's assessed needs and complying with the conditions of such person's probation. The probation officer shall recommend, in accordance with guidelines developed by the Judicial Branch, whether such person's sentence of probation should be continued for the duration of the original period of probation or be terminated. If such person is serving a period of probation concurrent with another period of probation, the probation officer shall submit a report only when such person becomes eligible for termination of the period of probation with the latest return date, at which time all of such person's probation cases shall be presented to the court for review. Not later than sixty days after receipt of such report, the sentencing court shall continue the sentence of probation or terminate the sentence of probation. Notwithstanding the provisions of section 53a-32, the parties may agree to waive the requirement of a court hearing. The Court Support Services Division shall establish within its policy and procedures a requirement that any victim be notified whenever a person's sentence of probation may be terminated pursuant to this subsection. The sentencing court shall permit such victim to appear before the sentencing court for the purpose of making

Substitute Senate Bill No. 983

a statement for the record concerning whether such person's sentence of probation should be terminated. In lieu of such appearance, the victim may submit a written statement to the sentencing court and the sentencing court shall make such statement a part of the record. Prior to ordering that such person's sentence of probation be continued or terminated, the sentencing court shall consider the statement made or submitted by such victim.

Sec. 7. Section 53a-167 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) A person is guilty of hindering prosecution in the third degree when such person renders criminal assistance to another person who has committed a class C₁ [or class] D or E felony or an unclassified felony for which the maximum penalty is imprisonment for ten years or less but more than one year.

(b) Hindering prosecution in the third degree is a class D felony.

Sec. 8. Subsection (b) of section 54-53a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Notwithstanding the provisions of subsection (a) of this section, any person who has not made bail and is detained in a community correctional center pursuant to the issuance of a bench warrant of arrest or for arraignment, sentencing or trial for an offense classified as a class D or E felony or as a misdemeanor, except a person charged with a crime in another state and detained pursuant to chapter 964 or a person detained for violation of his parole pending a parole revocation hearing, shall be presented to the court having cognizance of the offense within thirty days of the date of his detention. On such presentment, the court may reduce, modify or discharge the bail or may for cause shown remand the person to the custody of the

Substitute Senate Bill No. 983

Commissioner of Correction. On the expiration of each successive thirty-day period, the person shall again be presented to the court for such purpose.

Sec. 9. Subdivision (2) of subsection (b) of section 30-86 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(2) Any person who sells, ships, delivers or gives alcoholic liquor to a minor, by any means, including, but not limited to, the Internet or any other on-line computer network, except on the order of a practicing physician, shall be fined not more than [one] three thousand five hundred dollars or imprisoned not more than eighteen months, or both.

Sec. 10. Subsection (a) of section 10-51 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) The fiscal year of a regional school district shall be July first to June thirtieth. Except as otherwise provided in this subsection, not less than two weeks before the annual meeting held pursuant to section 10-47, the board shall hold a public district meeting to present a proposed budget for the next fiscal year. Any person may recommend the inclusion or deletion of expenditures at such time. After the public hearing, the board shall prepare an annual budget for the next fiscal year, make available on request copies thereof and deliver a reasonable number to the town clerk of each of the towns in the district at least five days before the annual meeting. At the annual meeting on the first Monday in May, the board shall present a budget which includes a statement of (1) estimated receipts and expenditures for the next fiscal year, (2) estimated receipts and expenditures for the current fiscal year, (3) estimated surplus or deficit in operating funds at the end of the current fiscal year, (4) bonded or other debt, (5) estimated per pupil

Substitute Senate Bill No. 983

expenditure for the current and for the next fiscal year, and (6) such other information as is necessary in the opinion of the board. Persons present and eligible to vote under section 7-6 may accept or reject the proposed budget except as provided below. No person who is eligible to vote in more than one town in the regional school district is eligible to cast more than one vote on any issue considered at a regional school district meeting or referendum held pursuant to this section. Any person who violates this section by fraudulently casting more than one vote or ballot per issue shall be fined not [less than three hundred dollars or] more than three thousand five hundred dollars and shall be imprisoned not [less than one year or] more than two years and shall be disenfranchised. The regional board of education may, in the call to the meeting, designate that the vote on the motion to adopt the budget shall be by paper ballots at the district meeting held on the budget or by a "yes" or "no" vote on the voting tabulators in each of the member towns on the day following the district meeting. If submitted to a vote by voting tabulator, questions may be included on the ballot for persons voting "no" to indicate whether the budget is too high or too low, provided the vote on such questions shall be for advisory purposes only and not binding upon the board. Two hundred or more persons qualified to vote in any regional district meeting called to adopt a budget may petition the regional board, in writing, at least three days prior to such meeting, requesting that any item or items on the call of such meeting be submitted to the persons qualified to vote in the meeting for a vote by paper ballot or on the voting tabulators in each of the member towns on the day following the district meeting and in accordance with the appropriate procedures provided in section 7-7. If a majority of such persons voting reject the budget, the board shall, within four weeks thereafter and upon notice of not less than one week, call a district meeting to consider the same or an amended budget. Such meetings shall be convened at such intervals until a budget is approved. If the budget is not approved before the beginning of a fiscal year, the disbursing officer for each member town, or the

Substitute Senate Bill No. 983

designee of such officer, shall make necessary expenditures to such district in amounts equal to the total of the town's appropriation to the district for the previous year and the town's proportionate share in any increment in debt service over the previous fiscal year, pursuant to section 7-405 until the budget is approved. The town shall receive credit for such expenditures once the budget is approved for the fiscal year. After the budget is approved, the board shall estimate the share of the net expenses to be paid by each member town in accordance with subsection (b) of this section and notify the treasurer thereof. With respect to adoption of a budget for the period from the organization of the board to the beginning of the first full fiscal year, the board may use the above procedure at any time within such period. If the board needs to submit a supplementary budget, the general procedure specified in this section shall be used.

Sec. 11. Section 14-196 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) A person who, with fraudulent intent: (1) Alters, forges or counterfeits a certificate of title; (2) alters or forges an assignment of a certificate of title, or an assignment or release of a security interest, on a certificate of title or a form the commissioner prescribes; (3) has possession of or uses a certificate of title knowing it to have been altered, forged or counterfeited; or (4) uses a false or fictitious name or address, or makes a material false statement, or fails to disclose a security interest, or conceals any other material fact, in an application for a certificate of title, shall be [fined not less than five hundred dollars or more than one thousand dollars or be imprisoned not less than one year or more than five years or be both fined and imprisoned] guilty of a class D felony.

(b) A person who: (1) With fraudulent intent, permits another, not entitled thereto, to use or have possession of a certificate of title; (2) wilfully fails to mail or deliver a certificate of title or application

Substitute Senate Bill No. 983

therefor to the commissioner within ten days after the time required by this chapter; (3) wilfully fails to deliver to his transferee a certificate of title within ten days after the time required by this chapter; or (4) wilfully violates any provision of this chapter, except as provided in subsection (a) of this section, shall be fined not more than [one] three thousand five hundred dollars or imprisoned not more than two years, or both.

Sec. 12. Section 21a-165 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

No person shall sell or give away, for use in this state in wick lamps or wick stoves, oil or liquid product of petroleum of any kind standing less than one hundred and ten degrees Fahrenheit flash test or one hundred and forty degrees Fahrenheit fire test, both of said tests to be determined by the use of C. J. Tagliabue's open test cup method, and either of said tests shall be the legal test. Any person who violates any provision of this section shall be fined not more than three thousand five hundred dollars or imprisoned not more than two years, or both.

Sec. 13. Section 21a-255 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who, either as principal or agent, refuses or fails to make, furnish or keep any record, notification, order form, statement, invoice or information required by sections 21a-243 to 21a-282, inclusive, or regulations adopted pursuant to section 21a-244, for the first offense may be fined not more than five hundred dollars and for each subsequent offense may be fined not more than one thousand dollars or imprisoned not more than thirty days or be both fined and imprisoned.

(b) Any person who fails to keep any record required by said sections 21a-243 to 21a-282, inclusive, or said regulations, with an

Substitute Senate Bill No. 983

intent to defeat the purpose of this chapter or any person who violates any other provision of said sections, except as to such violations for which penalties are specifically provided in sections 21a-277 and 21a-279, as amended by this act, may, for the first offense, be fined not more than [one] three thousand five hundred dollars or be imprisoned for not more than two years or be both fined and imprisoned; and for the second and each subsequent offense [may be fined not more than ten thousand dollars or be imprisoned not more than ten years or be both fined and imprisoned] shall be guilty of a class C felony.

Sec. 14. Section 29-152 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who violates any provision of [sections] section 29-145, 29-148, 29-150 [and] or 29-151 shall be fined not more than [one] three thousand five hundred dollars or imprisoned not more than two years, or both, and such person's right to engage in the business of a professional bondsman in this state shall thereupon be permanently forfeited.

Sec. 15. Section 30-99 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who transports, manufactures, possesses, sells, keeps for sale or distills for beverage purposes any denatured alcohol or any alcoholic liquor, which is adulterated with any deleterious or poisonous substance, shall be fined not more than [one] three thousand five hundred dollars or imprisoned not more than two years, or both.

Sec. 16. Section 36b-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who wilfully violates any provision of subsection (a) of section 36b-4 or subsection (a) or (f) of section 36b-5 shall be fined

Substitute Senate Bill No. 983

not more than ten thousand dollars or imprisoned for not more than ten years, or both.

(b) Any person who wilfully violates any other provision of sections 36b-2 to 36b-34, inclusive, shall be fined not more than [two] three thousand five hundred dollars or imprisoned for not more than two years, or both.

(c) No information may be returned under sections 36b-2 to 36b-34, inclusive, more than five years after the alleged violation.

Sec. 17. Section 36b-73 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who wilfully violates any provision of subdivision (6) of section 36b-67 shall be fined for each violation a maximum of twenty-five thousand dollars or imprisoned for not more than ten years, or both.

(b) Any person who wilfully violates any other provision of sections 36b-60 to 36b-80, inclusive, shall be fined for each violation a maximum of [two] three thousand five hundred dollars or imprisoned for not more than two years, or both.

(c) No information may be returned under sections 36b-60 to 36b-80, inclusive, more than five years after the alleged violation.

Sec. 18. Section 38a-658 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person, firm or corporation violating any provision of sections 38a-645 to 38a-658, inclusive, shall be fined not more than [one] three thousand five hundred dollars or imprisoned not more than two years, or both. The commissioner may revoke or suspend the license or certificate of authority of the person guilty of such violation. Such

Substitute Senate Bill No. 983

order for suspension or revocation shall be after notice and hearing, and shall be subject to judicial review as provided in section 38a-657.

Sec. 19. Section 53-201 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who is present at any prize fight, to aid, abet or assist therein, or give countenance thereto, or who aids or encourages such fight in this state, without being present thereat, shall be imprisoned not more than two years or fined not more than three thousand five hundred dollars, or both. The provisions of this section shall not apply to boxing exhibitions held or conducted under the laws of this state, or to wrestling bouts, or to amateur boxing exhibitions held under the provisions of section 29-143j or the supervision of any school, college or university having an academic course of study or of the recognized athletic association connected with such school, college or university.

Sec. 20. Section 53a-209 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any defendant, or any officer, agent, servant or employee of such defendant, or any person in active concert or participation by contract or arrangement with such defendant, who receives actual notice, by personal service or otherwise, of any injunction or restraining order entered pursuant to section 53a-205 and who disobeys any of the provisions thereof shall be fined not more than [one] three thousand five hundred dollars or imprisoned not more than two years, or both.

Sec. 21. Section 9-355 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who, without reasonable cause, neglects to perform any of the duties required of him by the laws relating to elections or primaries and for which neglect no other punishment is provided, and any person who is guilty of fraud in the performance of any such duty,

Substitute Senate Bill No. 983

and any person who makes any unlawful alteration in any list required by law, shall be fined not more than three hundred dollars or be imprisoned not more than one year or be both fined and imprisoned. Any official who is convicted of fraud in the performance of any duty imposed upon him by any law relating to the registration or admission of electors or to the conduct of any election shall be disfranchised. Any public officer or any election official upon whom any duty is imposed by part I of chapter 147 and sections 9-308 to 9-311, inclusive, who wilfully omits or neglects to perform any such duty or does any act prohibited therein for which punishment is not otherwise provided shall be [fined not more than two thousand dollars or imprisoned not more than three years or both] guilty of a class E felony.

Sec. 22. Subsection (f) of section 14-149 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(f) Any person who violates any provision of this section shall, for the first offense, be [fined not more than two thousand five hundred dollars or imprisoned not more than three years, or both] guilty of a class E felony, and, for the second or subsequent offense, be [fined not more than five thousand dollars or imprisoned not more than five years, or both] guilty of a class D felony.

Sec. 23. Section 22-126 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

No person shall enter or cause to be entered for competition for any purse, prize, premium, stake or sweepstakes, offered or given by any agricultural, trotting or other society, association or person in this state, any horse, mare, gelding, colt or filly under a false or assumed name, or out of its proper class, if such prize, purse, premium, stake or sweepstakes is to depend upon and be decided by a contest of speed. The class to which any such animal is deemed to belong, for the

Substitute Senate Bill No. 983

purpose of entry in any such contest of speed, or the class to which any owner, keeper or driver of any such animal has the right to nominate or enter it, shall be determined by some public performance of such animal in a former contest or trial of speed, as provided by the written or printed rules of the society or association under which the proposed contest is advertised to be conducted. Any person who knowingly misrepresents or fraudulently conceals the public performance of a horse, mare, gelding, colt or filly in any former contest or trial of speed for the purpose of securing an entry in any contest referred to in this section, or who violates any other provision of this section, shall be [fined not more than one thousand dollars or imprisoned not more than three years or both] guilty of a class E felony.

Sec. 24. Section 22-351 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who steals, confines or conceals any companion animal, as defined in section 22-351a, or who, with the intention of stealing such companion animal or concealing its identity or the identity of its owner or with the intention of concealing the fact that the companion animal is licensed, removes the collar or harness or tag from any licensed companion animal, or who unlawfully kills or injures any companion animal, shall be fined not more than one thousand dollars or imprisoned not more than six months, or both. For a second offense, or for an offense involving more than one companion animal, any such person shall be [fined not more than two thousand dollars or imprisoned not less than one year or more than three years or be both fined and imprisoned] guilty of a class E felony.

(b) Any person who violates the provisions of subsection (a) of this section shall be liable to the owner in a civil action, except that, if such person intentionally kills or injures any companion animal, such person shall be liable to the owner in a civil action as provided in section 22-351a.

Substitute Senate Bill No. 983

Sec. 25. Section 29-37 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person violating any provision of section 29-28 or 29-31 shall be [fined not more than five hundred dollars or imprisoned not more than three years or both] guilty of a class E felony, and any pistol or revolver found in the possession of any person in violation of any of said provisions shall be forfeited.

(b) Any person violating any provision of subsection (a) of section 29-35 [may be fined not more than one thousand dollars and shall be imprisoned not less than one year or more than five years] shall be guilty of a class D felony, and, in the absence of any mitigating circumstances as determined by the court, one year of the sentence imposed may not be suspended or reduced by the court. The court shall specifically state the mitigating circumstances, or the absence thereof, in writing for the record. Any pistol or revolver found in the possession of any person in violation of any provision of subsection (a) of section 29-35 shall be forfeited.

(c) Any person violating any provision of subsection (b) of section 29-35 shall have committed an infraction and shall be fined thirty-five dollars.

Sec. 26. Subsection (a) of section 31-48a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) As used in this section, "professional strikebreaker" means any person who has been employed anywhere two or more times in the same craft or industry in place of employees involved in strikes or lockouts. No person, partnership, agency, firm or corporation, or officer or agent thereof, shall recruit, procure, supply or refer any professional strikebreaker for employment in place of an employee

Substitute Senate Bill No. 983

involved in a strike or lockout in which such person, partnership, agency, firm or corporation is not directly interested. No professional strikebreaker shall take or offer to take the place in employment of employees involved in a strike or lockout. Any person, partnership, agency, firm or corporation which violates this section shall be [fined not less than one hundred dollars or more than one thousand dollars or imprisoned not more than three years or both] guilty of a class E felony.

Sec. 27. Section 51-87 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who (1) pays, remunerates or rewards any other person with something of value to solicit or obtain a cause of action or client for an attorney-at-law or (2) employs an agent, runner or other person to solicit or obtain a cause of action or a client for an attorney-at-law or (3) pays, remunerates or rewards any other person with something of value for soliciting or bringing a cause of action or a client to an attorney-at-law or (4) pays, remunerates or rewards with something of value a police officer, court officer, correctional institution officer or employee, a physician, any hospital attache or employee, an automobile repairman, towler or wrecker, funeral director or any other person who induces any person to seek the services of an attorney or (5) pays, remunerates or rewards any other person with something of value to induce [him] such other person to bring a cause of action to, or to come to, an attorney or to seek [his] an attorney's professional services shall be [fined not more than one thousand dollars or imprisoned not more than three years or both] guilty of a class E felony. This subsection shall not apply to an attorney's engaging other or additional attorneys for professional assistance or to an attorney's referring a case to another attorney.

(b) Any person who knowingly receives or accepts any payment, remuneration or reward of value for referring or bringing a cause of

Substitute Senate Bill No. 983

action or prospective client to an attorney-at-law, or for inducing or influencing any other person to seek the professional advice or services of an attorney, shall be [fined not more than one thousand dollars or imprisoned not more than three years or both] guilty of a class E felony. This subsection shall not apply to the referral by an attorney-at-law of causes of action or clients or other persons to another attorney-at-law.

Sec. 28. Subsection (b) of section 51-87b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who violates the provisions of subsection (a) of this section shall be subject to the [provisions] penalties set forth in subsection (b) of section 51-87, as amended by this act.

Sec. 29. Subsection (a) of section 53-202f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) While transporting an assault weapon between any of the places mentioned in subdivisions (1) to (6), inclusive, of subsection (d) of section 53-202d, no person shall carry a loaded assault weapon concealed from public view or knowingly have, in any motor vehicle owned, operated or occupied by him (1) a loaded assault weapon, or (2) an unloaded assault weapon unless such weapon is kept in the trunk of such vehicle or in a case or other container which is inaccessible to the operator of or any passenger in such vehicle. Any person who violates the provisions of this subsection shall be [fined not more than five hundred dollars or imprisoned not more than three years or both] guilty of a class E felony.

Sec. 30. Subsection (a) of section 53-206 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective*

Substitute Senate Bill No. 983

October 1, 2013):

(a) Any person who carries upon his or her person any BB. gun, blackjack, metal or brass knuckles, or any dirk knife, or any switch knife, or any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, or stiletto, or any knife the edged portion of the blade of which is four inches or more in length, any police baton or nightstick, or any martial arts weapon or electronic defense weapon, as defined in section 53a-3, or any other dangerous or deadly weapon or instrument, shall be [fined not more than five hundred dollars or imprisoned not more than three years or both] guilty of a class E felony. Whenever any person is found guilty of a violation of this section, any weapon or other instrument within the provisions of this section, found upon the body of such person, shall be forfeited to the municipality wherein such person was apprehended, notwithstanding any failure of the judgment of conviction to expressly impose such forfeiture.

Sec. 31. Section 53-368 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person authorized by the laws of this state to administer oaths and affirmations, who falsely certifies that an oath or affirmation has been administered by him to any person in any matter where an oath or affirmation is by law required or falsely certifies that any affidavit, deposition or written statement of any kind required by law to be made upon oath or affirmation has been sworn or affirmed to before him by the person making such affidavit, deposition or written statement in any case where the same is required by law to be made, shall be [fined not more than one thousand dollars or be imprisoned not more than three years or both] guilty of a class E felony.

Sec. 32. Section 1-103 of the general statutes is repealed and the

Substitute Senate Bill No. 983

following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who approaches the officers or agents of any corporation or any individual interested in the passage or defeat of any bill for a public or private act, pending before the General Assembly, or any committee thereof, and proposes or offers for any reward or compensation to aid or furnish assistance to such officers, agents or person, in the passage or defeat of any such bill, or threatens to oppose or hinder the passage thereof unless rewarded, compensated or employed, shall be [fined not more than one thousand dollars or be imprisoned not more than five years or both] guilty of a class D felony.

Sec. 33. Subsection (d) of section 4d-39 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(d) Any person who knowingly and wilfully violates any provision of section 4d-36, 4d-37 or 4d-38 shall, for each such violation, be [fined not more than five thousand dollars or imprisoned not less than one year or more than five years, or be both fined and imprisoned] guilty of a class D felony.

Sec. 34. Section 7-64 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

The body of each person who dies in this state shall be buried, removed or cremated within a reasonable time after death. The person to whom the custody and control of the remains of any deceased person are granted by law shall see that the certificate of death required by law has been completed and filed in accordance with section 7-62b prior to final disposition of the body. An authorization for final disposition issued under the law of another state which accompanies a dead body or fetus brought into this state shall be authority for final disposition of the body or fetus in this state. The

Substitute Senate Bill No. 983

final disposition of a cremated body shall be recorded as the crematory. The provisions of this section shall not in any way impair the authority of directors of health in cases of death resulting from communicable diseases, nor conflict with any statutes regulating the delivery of bodies to any medical school, nor prevent the placing of any body temporarily in the receiving vault of any cemetery. The placing of any body in a family vault or tomb within any cemetery shall be deemed a burial under the provisions of this section. Any person who violates any provision of this section shall be [fined not more than five hundred dollars or imprisoned not more than five years] guilty of a class D felony.

Sec. 35. Subsection (d) of section 7-66 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(d) Any sexton who violates the provisions of subsections (a) and (b) of this section shall be [fined not more than five hundred dollars or imprisoned not more than five years] guilty of a class D felony. Any sexton who fails to make the appropriate filing of reports as required by subsection (c) of this section, by the end of the third week of a month to the registrar of the town where the cemetery is located, shall be subject to a fine of not more than one hundred dollars per day.

Sec. 36. Section 9-264 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

An elector who requires assistance to vote, by reason of blindness, disability or inability to write or to read the ballot, may be given assistance by a person of the elector's choice, other than (1) the elector's employer, (2) an agent of such employer, (3) an officer or agent of the elector's union, or (4) a candidate for any office on the ballot, unless the elector is a member of the immediate family of such candidate. The person assisting the elector may accompany the elector into the voting

Substitute Senate Bill No. 983

booth. Such person shall register such elector's vote upon the ballot as such elector directs. Any person accompanying an elector into the voting booth who deceives any elector in registering the elector's vote under this section or seeks to influence any elector while in the act of voting, or who registers any vote for any elector or on any question other than as requested by such elector, or who gives information to any person as to what person or persons such elector voted for, or how such elector voted on any question, shall be [fined not more than one thousand dollars or imprisoned not more than five years, or both] guilty of a class D felony. As used in this section, "immediate family" means "immediate family" as defined in section 9-140b.

Sec. 37. Section 9-352 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any election official who, with intent to cause or permit any voting tabulator to fail to correctly register all votes cast thereon, tampers with or disarranges such tabulator in any way or any part or appliance thereof, or causes such tabulator to be used or consents to its being used for voting at any election with knowledge of the fact that the same is not in order, or not perfectly set and adjusted to correctly register all votes cast thereon, or who, for the purpose of defrauding or deceiving any elector or of causing it to be doubtful for what candidate or candidates or proposition any vote is cast, or causing it to appear upon such tabulator that votes cast for one candidate or proposition were cast for another candidate or proposition, removes, changes or mutilates any ballot shall be [fined not more than one thousand dollars or imprisoned not more than five years, or both] guilty of a class D felony.

Sec. 38. Section 9-353 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any election official who, at the close of the polls, purposely causes

Substitute Senate Bill No. 983

the vote registered on the tabulator to be incorrectly taken down as to any candidate or proposition voted on, or who knowingly causes to be made or signed any false statement, certificate or return of any kind, of such vote, or who knowingly consents to any such act, shall be [fined not more than one thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Sec. 39. Section 9-354 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who prints or causes to be printed upon any official ballot the name of any person not a candidate of a party whose name is printed at the head of the column containing such nominees or who prints or causes to be printed any authorized ballot in any manner other than that prescribed by the Secretary of the State shall be [fined not less than one hundred dollars nor more than one thousand dollars or be imprisoned not more than five years or be both fined and imprisoned] guilty of a class D felony.

Sec. 40. Section 9-623 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who knowingly and wilfully violates any provision of this chapter shall be [fined not more than five thousand dollars or imprisoned not more than five years, or both] guilty of a class D felony. The Secretary of the State or the town clerk shall notify the State Elections Enforcement Commission of any such violation of which said secretary or such town clerk may have knowledge. Any such fine for a violation of any provision of this chapter applying to the office of the Treasurer shall be deposited on a pro rata basis in any trust funds, as defined in section 3-13c, affected by such violation.

(b) (1) If any campaign treasurer fails to file any statement required by section 9-608, or if any candidate fails to file either (A) a statement

Substitute Senate Bill No. 983

for the formation of a candidate committee as required by section 9-604, or (B) a certification pursuant to section 9-603 that the candidate is exempt from forming a candidate committee as required by section 9-604, within the time required, the campaign treasurer or candidate, as the case may be, shall pay a late filing fee of one hundred dollars.

(2) In the case of any such statement or certification that is required to be filed with the State Elections Enforcement Commission, the commission shall, not later than ten days after the filing deadline is, or should be, known to have passed, notify by certified mail, return receipt requested, the person required to file that, if such statement or certification is not filed not later than twenty-one days after such notice, the person is in violation of section 9-603, 9-604 or 9-608.

(3) In the case of any such statement or certification that is required to be filed with a town clerk, the town clerk shall forthwith after the filing deadline is, or should be, known to have passed, notify by certified mail, return receipt requested, the person required to file that, if such statement or certification is not filed not later than seven days after the town clerk mails such notice, the town clerk shall notify the State Elections Enforcement Commission that the person is in violation of section 9-603, 9-604 or 9-608.

(4) The penalty for any violation of section 9-603, 9-604 or 9-608 shall be a fine of not less than two hundred dollars or more than two thousand dollars or imprisonment for not more than one year, or both.

Sec. 41. Section 10-390 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) No person shall excavate, damage or otherwise alter or deface any archaeological or sacred site on state lands or within a state archaeological preserve unless such activity is in accordance with the terms and conditions of a permit issued under section 10-386 or in the

Substitute Senate Bill No. 983

case of an emergency.

(b) No person shall sell, exchange, transport, receive or offer to sell, any archaeological artifact or human remains collected, excavated or otherwise removed from state lands or a state archaeological preserve in violation of subsection (a) of this section.

(c) No person shall engage in any activity that will desecrate, disturb or alter any Native American burial, sacred site or cemetery, including any associated objects, unless the activity is engaged in pursuant to a permit issued under section 10-386 or under the direction of the State Archaeologist.

(d) Any person who violates any provision of this section shall be guilty of a class D felony, except that such person may be fined not more than five thousand dollars or twice the value of the site or artifact that was the subject of the violation, whichever is greater. [, and imprisoned not more than five years or both.]

(e) Any person who violates any provision of this section shall be liable to the state for the reasonable costs and expenses of the state in restoring the site and any associated sacred objects or archaeological artifacts.

Sec. 42. Subsection (e) of section 12-206 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(e) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, return, account, statement, or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both

Substitute Senate Bill No. 983

subsections (d) and (e) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 43. Subsection (b) of section 12-231 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, return, account, statement or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsections (a) and (b) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 44. Subsection (b) of section 12-268e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, return, account, statement or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsections (a) and (b) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Substitute Senate Bill No. 983

Sec. 45. Subsection (b) of section 12-304 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) (1) Any person, whether or not previously convicted of a violation of any provision of this section, who possesses, transports for sale, sells or offers for sale twenty thousand or more cigarettes, (A) subject to the tax imposed by this chapter in any unstamped or unlawfully packaged stamped packages, or (B) the stamping of which is prohibited by subsection (b) of section 12-302 or subsection (b) of section 12-303, and (2) any person, whether or not previously convicted of violation of any provision of this section, who wilfully attempts to evade the taxes imposed by this chapter or the payment thereof on twenty thousand or more cigarettes, shall be [fined not more than five thousand dollars or imprisoned not less than one year nor more than five years or both] guilty of a class D felony.

Sec. 46. Subsection (b) of section 12-306b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, report, account, statement, or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsections (a) and (b) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 47. Subsection (c) of section 12-330f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective*

Substitute Senate Bill No. 983

October 1, 2013):

(c) (1) Any person, whether or not previously convicted of violation of any provision of this section, who transports for sale, sells or offers for sale tobacco products upon which a tax of two thousand five hundred dollars or more would be due under the provisions of this chapter, but upon which no tax has been paid, and (2) any person, whether or not previously convicted of violation of any provision of this section, who wilfully attempts to evade the taxes imposed by this chapter, or the payment thereof on tobacco products upon which a tax of two thousand five hundred dollars or more would be due but upon which no tax has been paid, shall be [fined not more than five thousand dollars or imprisoned not less than one year nor more than five years or both] guilty of a class D felony.

Sec. 48. Subsection (b) of section 12-330j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, report, account, statement, or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsections (a) and (b) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 49. Subsection (g) of section 12-405d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Substitute Senate Bill No. 983

(g) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, return, affidavit, account, statement, or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsections (f) and (g) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 50. Subdivision (2) of section 12-428 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(2) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, return, account, statement or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsections (1) and (2) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 51. Subsection (b) of section 12-452 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, return, account, statement, or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided

Substitute Senate Bill No. 983

by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsections (a) and (b) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 52. Subsection (b) of section 12-464 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, report, account, statement, or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsections (a) and (b) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 53. Subsection (b) of section 12-482 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, report, account, statement or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsections (a) and (b) of this section in relation to the same tax period

Substitute Senate Bill No. 983

but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 54. Subsection (b) of section 12-519 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, return, account, statement, or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsection (a) or (b) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 55. Subsection (b) of section 12-551 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, return, account, statement, or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsections (a) and (b) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 56. Subsection (b) of section 12-591 of the general statutes is

Substitute Senate Bill No. 983

repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who wilfully delivers or discloses to the commissioner or his authorized agent any list, return, account, statement, or other document, known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsections (a) and (b) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 57. Subsection (b) of section 12-638g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any entity which wilfully delivers or discloses to the commissioner or his authorized agent any list, return, account, statement, or other document, known by it to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No entity shall be charged with an offense under both subsections (a) and (b) of this section in relation to the same tax period but such entity may be charged and prosecuted for both such offenses upon the same information.

Sec. 58. Subsection (b) of section 12-737 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who wilfully delivers or discloses to the

Substitute Senate Bill No. 983

commissioner or his authorized agent any list, return, account, statement or other document known by him to be fraudulent or false in any material matter, shall, in addition to any other penalty provided by law, be [fined not more than five thousand dollars or imprisoned not more than five years nor less than one year or both] guilty of a class D felony. No person shall be charged with an offense under both subsection (a) and (b) of this section in relation to the same tax period but such person may be charged and prosecuted for both such offenses upon the same information.

Sec. 59. Subsection (b) of section 14-149a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who knowingly owns, operates or conducts a chop shop or who knowingly aids and abets another person in owning, operating or conducting a chop shop shall, for a first offense, be [fined not more than five thousand dollars or imprisoned not more than five years or both,] guilty of a class D felony and, for a second or subsequent offense, be guilty of a class D felony, except that such person shall be fined not less than ten thousand dollars. [and imprisoned not more than five years.]

Sec. 60. Subsection (f) of section 14-299a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(f) Any person who violates any provision of subsection (b) of this section which violation results in a traffic accident shall be guilty of a class D felony, except that such person shall be fined not more than fifteen thousand dollars. [or imprisoned not more than five years, or both.]

Sec. 61. Subsection (a) of section 15-69 of the general statutes is

Substitute Senate Bill No. 983

repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who interferes or tampers with any airport, heliport, landing field or airway or the equipment thereof or who interferes or tampers with or circumvents, attempts to circumvent or thwart any security device or equipment installed or who circumvents, attempts to circumvent or fails to comply with security measures or procedures in operation at any airport shall be [fined not less than two hundred dollars nor more than one thousand dollars or imprisoned not more than five years or be both fined and imprisoned] guilty of a class D felony.

Sec. 62. Section 16-33 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who wilfully makes any false return or report to the Public Utilities Regulatory Authority, or to any member thereof, or to any agent or any employee acting therefor, or who testifies falsely to any material fact in any matter wherein an oath or affirmation is required or authorized, or who makes any false entry or memorandum upon any account, book, paper, record, report or statement of any company, or who wilfully destroys, mutilates, alters or by any other means or device falsifies or destroys the record of any such account, book, paper, record, report or statement, with the intent to mislead or deceive the authority, or any member thereof, or any agent or employee acting therefor, or who wilfully obstructs or hinders the authority, or any of its members, agents or employees, in the making of any examination of the accounts, affairs or condition of any company, and any person who, with like intent, aids or abets another in any of the acts hereinbefore set forth, shall be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Substitute Senate Bill No. 983

Sec. 63. Subsection (b) of section 16a-18 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person, firm, corporation, business or combination thereof violating any provision of subsection (a) of this section shall be guilty of a class D felony, except that such person shall be fined not more than two hundred fifty thousand dollars, [or imprisoned not more than five years, or both.]

Sec. 64. Section 17a-83 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who wilfully files or attempts to file or conspires with any person to file a fraudulent or malicious application, order or request for the commitment, hospitalization or treatment of any child pursuant to section 17a-76, 17a-78 or 17a-79, and any person who wilfully certifies falsely to the mental disorder of any child in any certificate provided for in this part, and any person who, under the provisions of sections 17a-75 to 17a-83, inclusive, relating to mentally ill minors, wilfully reports falsely to any court or judge that any child is mentally disordered, shall be [fined not more than one thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Sec. 65. Subsection (m) of section 17a-274 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(m) Any person who wilfully files or attempts to file, or conspires with any person to file a fraudulent or malicious application for the placement of any person pursuant to this section, shall be [fined not more than one thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Substitute Senate Bill No. 983

Sec. 66. Section 17a-504 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who wilfully and maliciously causes, or attempts to cause, or who conspires with any other person to cause, any person who does not have psychiatric disabilities to be committed to any hospital for psychiatric disabilities, and any person who wilfully certifies falsely to the psychiatric disabilities of any person in any certificate provided for in sections 17a-75 to 17a-83, inclusive, as amended by this act, 17a-450 to 17a-484, inclusive, 17a-495 to 17a-528, inclusive, 17a-540 to 17a-550, inclusive, 17a-560 to 17a-576, inclusive, and 17a-615 to 17a-618, inclusive, and any person who, under the provisions of said sections relating to persons with psychiatric disabilities, wilfully reports falsely to any court or judge that any person has psychiatric disabilities, shall be [fined not more than one thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Sec. 67. Subsection (d) of section 17b-30 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(d) Biometric identifier information obtained pursuant to subsection (c) of this section shall be the proprietary information of the Department of Social Services and shall not be released or made available to any agency or organization and shall not be used for any purpose other than identification or fraud prevention in this or any other state, except that such information may be made available to the office of the Chief State's Attorney if necessary for the prosecution of fraud discovered pursuant to the biometric identifier system established in subsection (a) of this section or in accordance with section 17b-90. [The penalty for a violation of this subsection shall be up to a five-thousand-dollar fine or five years' imprisonment or both] Any person who violates any provision of this subsection shall be

Substitute Senate Bill No. 983

guilty of a class D felony and shall be liable for the cost of prosecution.

Sec. 68. Section 19a-32d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) As used in sections 19a-32d to 19a-32g, inclusive, and section 4-28e:

(1) "Embryonic stem cell research oversight committee" means a committee established in accordance with the National Academies' Guidelines for Human Embryonic Stem Cell Research, as amended from time to time.

(2) "Cloning of a human being" means inducing or permitting a replicate of a living human being's complete set of genetic material to develop after gastrulation commences.

(3) "Gastrulation" means the process immediately following the blastula state when the hollow ball of cells representing the early embryo undergoes a complex and coordinated series of movements that results in the formation of the three primary germ layers, the ectoderm, mesoderm and endoderm.

(4) "Embryonic stem cells" means cells created through the joining of a human egg and sperm or through nuclear transfer that are sufficiently undifferentiated such that they cannot be identified as components of any specialized cell type.

(5) "Nuclear transfer" means the replacement of the nucleus of a human egg with a nucleus from another human cell.

(6) "Eligible institution" means (A) a nonprofit, tax-exempt academic institution of higher education, (B) a hospital that conducts biomedical research, or (C) any entity that conducts biomedical research or embryonic or human adult stem cell research.

Substitute Senate Bill No. 983

(b) No person shall knowingly (1) engage or assist, directly or indirectly, in the cloning of a human being, (2) implant human embryos created by nuclear transfer into a uterus or a device similar to a uterus, or (3) facilitate human reproduction through clinical or other use of human embryos created by nuclear transfer. Any person who violates the provisions of this subsection shall be fined not more than one hundred thousand dollars or imprisoned not more than ten years, or both. Each violation of this subsection shall be a separate and distinct offense.

(c) (1) A physician or other health care provider who is treating a patient for infertility shall provide the patient with timely, relevant and appropriate information sufficient to allow that person to make an informed and voluntary choice regarding the disposition of any embryos or embryonic stem cells remaining following an infertility treatment.

(2) A patient to whom information is provided pursuant to subdivision (1) of this subsection shall be presented with the option of storing, donating to another person, donating for research purposes, or otherwise disposing of any unused embryos or embryonic stem cells.

(3) A person who elects to donate for stem cell research purposes any human embryos or embryonic stem cells remaining after receiving infertility treatment, or unfertilized human eggs or human sperm shall provide written consent for that donation and shall not receive direct or indirect payment for such human embryos, embryonic stem cells, unfertilized human eggs or human sperm. Consent obtained pursuant to this subsection shall, at a minimum, conform to the National Academies' Guidelines for Human Embryonic Stem Cell Research, as amended from time to time.

(4) Any person who violates the provisions of this subsection shall be guilty of a class D felony, except that such person shall be fined not

Substitute Senate Bill No. 983

more than fifty thousand dollars. [or imprisoned not more than five years, or both.] Each violation of this subsection shall be a separate and distinct offense.

(d) A person may conduct research involving embryonic stem cells, provided (1) the research is conducted with full consideration for the ethical and medical implications of such research, (2) the research is conducted before gastrulation occurs, (3) prior to conducting such research, the person provides documentation to the Commissioner of Public Health in a form and manner prescribed by the commissioner verifying: (A) That any human embryos, embryonic stem cells, unfertilized human eggs or human sperm used in such research have been donated voluntarily in accordance with the provisions of subsection (c) of this section, or (B) if any embryonic stem cells have been derived outside the state of Connecticut, that such stem cells have been acceptably derived as provided in the National Academies' Guidelines for Human Embryonic Stem Cell Research, as amended from time to time, and (4) all activities involving embryonic stem cells are overseen by an embryonic stem cell research oversight committee.

(e) The Commissioner of Public Health shall enforce the provisions of this section and may adopt regulations, in accordance with the provisions of chapter 54, relating to the administration and enforcement of this section. The commissioner may request the Attorney General to petition the Superior Court for such order as may be appropriate to enforce the provisions of this section.

(f) Any person who conducts research involving embryonic stem cells in violation of the requirements of subdivision (2) of subsection (d) of this section shall be guilty of a class D felony, except that such person shall be fined not more than fifty thousand dollars. [, or imprisoned not more than five years, or both.]

Sec. 69. Section 19a-324 of the general statutes is repealed and the

Substitute Senate Bill No. 983

following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who makes any false statement in procuring any permit required by chapter 93 or by this chapter, or who removes any body from this state for the purpose of cremation upon an ordinary removal permit, or who violates any provision of this chapter, shall be [fined not more than five hundred dollars or imprisoned not more than five years] guilty of a class D felony.

Sec. 70. Section 20-14 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

No provision of this section, sections 20-8, 20-9 to 20-13, inclusive, or 20-14a shall be construed to repeal or affect any of the provisions of any private charter, or to apply to licensed pharmacists. All physicians or surgeons and all physician assistants practicing under the provisions of this chapter shall, when requested, write a duplicate of their prescriptions in the English language. Any person who violates any provision of this section regarding prescriptions shall be fined ten dollars for each offense. Any person who violates any provision of section 20-9 shall be [fined not more than five hundred dollars or be imprisoned not more than five years or be both fined and imprisoned] guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of section 20-9 shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section. Any person who swears to any falsehood in any statement required by section 20-10, 20-12, 20-12b or 20-12c to be filed with the Department of Public Health shall be guilty of false statement.

Sec. 71. Section 20-33 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Substitute Senate Bill No. 983

Any person, except a physician or surgeon licensed under the provisions of chapter 370, who practices or attempts to practice chiropractic, or any person, including such physician or surgeon, who buys, sells or fraudulently obtains any diploma or license to practice chiropractic, whether recorded or not, or who uses the title "Chiropractor", "D.C.", or any word or title to induce the belief that he is engaged in the practice of chiropractic, without complying with the provisions of this chapter, or any person who violates any provision of this chapter, shall be [fined not more than five hundred dollars or imprisoned not more than five years or both] guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of this chapter shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 72. Section 20-42 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person, except a licensed natureopath or a physician or surgeon licensed [to practice medicine as provided by] under the provisions of chapter 370, who practices or attempts to practice natureopathy, or any person who buys, sells or fraudulently obtains any diploma or license to practice natureopathy whether recorded or not, or any person who uses the title "natureopath" or any word or title to induce the belief that he is engaged in the practice of natureopathy, without complying with the provisions of this chapter, or any person who violates any of the provisions of this chapter, shall be [fined not more than five hundred dollars or imprisoned not more than five years or both] guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of this chapter shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Substitute Senate Bill No. 983

Sec. 73. Section 20-65 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person, except a licensed podiatrist, a licensed natureopathic physician or a physician or surgeon licensed [to practice medicine or surgery] under the provisions of chapter 370, who practices or attempts to practice podiatry, or any person who buys, sells or fraudulently obtains any diploma or license to practice podiatry, or any person who uses the title "podiatrist" or any word or title to induce the belief that such person is engaged in the practice of podiatry, without complying with the provisions of this chapter, [upon the first conviction] shall be [fined not more than five hundred dollars or imprisoned not more than five years or be both fined and imprisoned, except that nothing herein contained] guilty of a class D felony. Nothing in this section shall be construed to prohibit or restrict the sale or fitting of corrective, orthopedic or arch-supporting shoes or commercial foot appliances by retail merchants and no such retail merchant shall be permitted to practice podiatry without being licensed for such practice. For the purposes of this section, each instance of patient contact or consultation that is in violation of any provision of this chapter shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 74. Subsection (c) of section 20-73 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(c) Any person who violates the provisions of this section or who obtains or attempts to obtain licensure as a physical therapist or physical therapist assistant by any wilful misrepresentation or any fraudulent representation shall be [fined not more than five hundred dollars or imprisoned not more than five years, or both] guilty of a class D felony. A physical therapist, physical therapist assistant or

Substitute Senate Bill No. 983

dentist who violates the provisions of this section shall be subject to licensure revocation in the same manner as is provided under section 19a-17, or in the case of a healing arts practitioner, section 20-45. For purposes of this section each instance of patient contact or consultation in violation of any provision of this section shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 75. Subsection (b) of section 20-74f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) No person, unless registered under this chapter as an occupational therapist or an occupational therapy assistant or whose registration has been suspended or revoked, shall use, in connection with his name or place of business the words "occupational therapist", "licensed occupational therapist", "occupational therapist registered", "occupational therapy assistant", or the letters, "O.T.", "L.O.T.", "O.T.R.", "O.T.A.", "L.O.T.A.", or "C.O.T.A.", or any words, letters, abbreviations or insignia indicating or implying that he is an occupational therapist or an occupational therapy assistant or in any way, orally, in writing, in print or by sign, directly or by implication, represent himself as an occupational therapist or an occupational therapy assistant. Any person who violates the provisions of this section shall be [fined not more than five hundred dollars or imprisoned not more than five years, or both] guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of this chapter shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 76. Section 20-102 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Substitute Senate Bill No. 983

No person shall, for remuneration, (1) practice nursing, as defined in subsection (a) of section 20-87a, in this state unless such person has received a certificate as a registered nurse or a license as an advanced practice registered nurse; [and no person shall] or (2) practice advanced nursing practice, as defined in subsection (b) of said section, unless such person has received a license as an advanced practice registered nurse; [and no person shall, for remuneration,] or (3) practice nursing, as defined in subsection (c) of said section, unless such person has been certified as a licensed practical nurse or a registered nurse or licensed as an advanced practice registered nurse. Any person who violates any provision of this chapter or who wilfully makes false representation to the Board of Examiners for Nursing shall be [fined not more than five hundred dollars or imprisoned for not more than five years or both] guilty of a class D felony. Said board shall cause to be presented to the prosecuting officer having jurisdiction evidence of any violation of any such provision. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of this section shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 77. Section 20-126 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who violates any provision of this chapter shall be [fined not more than five hundred dollars or imprisoned not more than five years or both] guilty of a class D felony. Any person who continues to practice dentistry, dental medicine or dental surgery, after his license, certificate, registration or authority to so do has been suspended or revoked and while such disability continues, shall be [fined not more than five hundred dollars or imprisoned not more than five years or both] guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation which is in

Substitute Senate Bill No. 983

violation of any provision of this section shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 78. Section 20-126t of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who violates any provision of sections 20-126h to 20-126w, inclusive, shall be [fined not more than five hundred dollars or imprisoned not more than five years or both] guilty of a class D felony. Any person who continues to practice dental hygiene or engage as a dental hygienist, after his license or authority to so do has been suspended or revoked and while such disability continues, shall be [fined not more than five hundred dollars or imprisoned not more than five years or both] guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of this section shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 79. Subsection (b) of section 20-138a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person [in violation of this section shall be fined not more than five hundred dollars or imprisoned not more than five years or both, for each offense] who violates any provision of this section shall be guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of this section shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 80. Section 20-161 of the general statutes is repealed and the

Substitute Senate Bill No. 983

following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who violates any provision of this chapter, for the violation of which no other penalty has been provided, shall be [fined not more than five hundred dollars or imprisoned not more than five years or both] guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of this section shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 81. Subsection (b) of section 20-185i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) No person, unless certified by the Behavior Analyst Certification Board as a board certified behavior analyst or a board certified assistant behavior analyst, shall use in connection with his or her name or place of business: (1) The words "board certified behavior analyst", "certified behavior analyst", "board certified assistant behavior analyst" or "certified assistant behavior analyst", (2) the letters, "BCBA" or "BCABA", or (3) any words, letters, abbreviations or insignia indicating or implying that he or she is a board certified behavior analyst or board certified assistant behavior analyst or in any way, orally, in writing, in print or by sign, directly or by implication, represent himself or herself as a board certified behavior analyst or board certified assistant behavior analyst. Any person who violates the provisions of this section shall be [fined not more than five hundred dollars or imprisoned not more than five years, or both] guilty of a class D felony. For the purposes of this section, each instance of contact or consultation with an individual which is in violation of any provision of this section shall constitute a separate offense.

Sec. 82. Section 20-193 of the general statutes is repealed and the

Substitute Senate Bill No. 983

following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person not licensed as provided in this chapter who, except as provided in section 20-195, represents himself as a psychologist or, having had his license suspended or revoked continues to represent himself as a psychologist, or carries on the practice of psychology as defined in sections 20-187a and 20-188, shall be [fined not more than five hundred dollars or imprisoned not more than five years or both, and each] guilty of a class D felony. Each instance of patient contact or consultation which is in violation of this section shall be deemed a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section. Any such person shall be enjoined from such practice by the Superior Court upon application by the board. The Department of Public Health may, on its own initiative or at the request of the board, investigate any alleged violation of the provisions of this chapter or any regulations adopted hereunder.

Sec. 83. Section 20-206p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

No person who is not certified by the Department of Public Health as a dietitian-nutritionist shall represent himself as being so certified or use in connection with his name the term "Connecticut Certified Dietitian-Nutritionist", "Connecticut Certified Dietitian", "Connecticut Certified Nutritionist", or the letters "C.D.-N.", "C.D.", "C.N." or any other letters, words or insignia indicating or implying that he is a certified dietitian-nutritionist in this state. Any person who violates the provisions of this section or who obtains or attempts to obtain certification as a dietitian-nutritionist by any wilful misrepresentation or any fraudulent representation shall be [fined not more than five hundred dollars or imprisoned not more than five years, or both] guilty of a class D felony. Failure to renew a certificate in a timely manner shall not constitute a violation for the purposes of this section.

Substitute Senate Bill No. 983

Sec. 84. Section 20-329x of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person shall be [fined not more than five thousand dollars or imprisoned not less than one year and not more than five years, or both fined and imprisoned,] guilty of a class D felony if such person:

(1) In any application to the commission or in any proceeding before the commission, or in any examination, audit or investigation made by the Department of Consumer Protection under this chapter, knowingly makes any false statement or representation, or, with knowledge of its falsity, files or causes to be filed with the commission any false statement or representation in a required report;

(2) Issues, circulates or publishes, or causes to be issued, circulated or published any advertisement, pamphlet, prospectus or circular concerning any real property security which contains any statement that is false or misleading, or is otherwise likely to deceive a reader thereof, with knowledge that it contains such false, misleading or deceptive statement;

(3) In any respect wilfully violates or fails to comply with any provision of sections 20-329o to 20-329bb, inclusive, or wilfully violates or fails, omits or neglects to obey, observe or comply with all or any part of any order, decision, demand, requirement or permit of the commission under said sections; or

(4) With one or more other persons, conspires to violate any permit or order issued by the commission or any provision of said sections.

Sec. 85. Section 20-395h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who violates any of the provisions of sections 20-395a to 20-395g, inclusive, or the regulations adopted under sections 20-395a to

Substitute Senate Bill No. 983

20-395g, inclusive, shall be [fined not more than five hundred dollars or imprisoned not more than five years, or be both fined and imprisoned] guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation, which is in violation of any provision of sections 20-395a to 20-395g, inclusive, shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 86. Section 20-417 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who violates any of the provisions of this chapter or the regulations adopted hereunder shall be [fined not more than five hundred dollars or imprisoned not more than five years, or be both fined and imprisoned] guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of this chapter shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 87. Section 20-581 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who violates any provision of sections 20-570 to 20-631, inclusive, and section 20-635 for the violation of which no other penalty has been provided shall be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation that is in violation of any provision of sections 20-570 to 20-631, inclusive, and section 20-635 shall be a separate offense. Failure to renew in a timely manner any license issued under said sections is not a violation for purposes of this section.

Sec. 88. Subsections (b) and (c) of section 21a-279 of the general

Substitute Senate Bill No. 983

statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who possesses or has under his control any quantity of a hallucinogenic substance other than marijuana or four ounces or more of a cannabis-type substance, except as authorized in this chapter, for a first offense, [may be imprisoned not more than five years or be fined not more than two thousand dollars or be both fined and imprisoned] shall be guilty of a class D felony, and for a subsequent offense [may be imprisoned not more than ten years or be fined not more than five thousand dollars or be both fined and imprisoned] shall be guilty of a class C felony.

(c) Any person who possesses or has under his control any quantity of any controlled substance other than a narcotic substance, or a hallucinogenic substance other than marijuana or who possesses or has under his control one-half ounce or more but less than four ounces of a cannabis-type substance, except as authorized in this chapter, (1) for a first offense, may be fined not more than one thousand dollars or be imprisoned not more than one year, or be both fined and imprisoned; and (2) for a subsequent offense, [may be fined not more than three thousand dollars or be imprisoned not more than five years, or be both fined and imprisoned] shall be guilty of a class D felony.

Sec. 89. Section 22a-131a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who (1) wilfully fails to prepare a manifest required in accordance with the provisions of the State Hazardous Waste Program promulgated under subsection (c) of section 22a-449 or any regulation adopted pursuant to said subsection, (2) knowingly makes any false material statement or representation on any application, label, manifest, record, report, permit or other document required in accordance with the provisions of subsection (c) of section 22a-449 or

Substitute Senate Bill No. 983

said regulations, including any such statement or representation for used oil that is regulated under said subsection, or (3) wilfully fails to maintain or knowingly destroys, alters or conceals any record required to be maintained in accordance with the provisions of subsection (c) of section 22a-449 or said regulations, including any record for used oil that is regulated under said subsection, shall be fined not more than fifty thousand dollars for each day of such violation or imprisoned not more than two years, or both. A subsequent conviction for any such violation shall be a class D felony, except that such conviction shall carry a fine of not more than fifty thousand dollars per day. [or imprisonment for not more than five years or both.]

(b) Any person who knowingly transports or causes to be transported any hazardous waste to a facility which does not have a permit required under subsection (c) of section 22a-449 or any regulation adopted pursuant to said subsection, or who knowingly treats, stores or disposes of any hazardous wastes without a permit required under said subsection or said regulations, or who knowingly violates any material condition or requirement of such permit or an order issued by the commissioner regarding treatment, storage or disposal of hazardous waste, shall be guilty of a class D felony, except that such person shall be fined not more than fifty thousand dollars for each day of violation. [or imprisoned not more than five years or both.] A subsequent conviction for any such violation shall be a class C felony, except that such conviction shall carry a fine of not more than one hundred thousand dollars per day. [or imprisonment for not more than ten years or both.]

(c) Any person who knowingly stores, treats, disposes, recycles, transports or causes to be transported or otherwise handles any used oil that is regulated under subsection (c) of section 22a-449 but not identified or listed as hazardous waste in violation of any condition or requirement of a permit under said subsection or under any regulation

Substitute Senate Bill No. 983

adopted pursuant to said subsection shall be fined not more than fifty thousand dollars for each day of violation or imprisoned not more than two years, or both. A subsequent conviction for any such violation shall be a class D felony, except that such conviction shall carry a fine of not more than one hundred thousand dollars per day. [or imprisonment for not more than five years or both.]

(d) Any person, who in the commission of a violation for which a penalty would be imposed under subsection (a), (b) or (c) of this section, who knowingly places another person, by commission of such violation, in imminent danger of death or serious bodily injury, shall be fined not more than two hundred fifty thousand dollars or imprisoned not more than fifteen years, or both, and when the violator is an organization, the fine shall be not more than one million dollars. This subsection shall not be construed as a limitation on the amount of fines that may be imposed in accordance with subsection (a), (b) or (c) of this section. As used in this section, "organization" means any legal entity, other than the state or any of its political subdivisions, established for any purpose, and includes a corporation, company, association, firm, partnership, joint stock company, foundation, institution, trust, society, union or any other association of persons.

(e) Any fine imposed pursuant to this section shall be deposited in the General Fund.

(f) Notwithstanding the provisions of section 22a-115, for the purposes of this section, the terms "treatment", "storage", "disposal", "facility", "hazardous waste" and "used oil" have the same meaning as provided in the State Hazardous Waste Program promulgated under subsection (c) of section 22a-449 and the regulations adopted pursuant to said subsection.

Sec. 90. Section 22a-226a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Substitute Senate Bill No. 983

Any person who knowingly violates any provision of section 22a-252, [section] 22a-208a [, section] or 22a-208c, [any permit issued under said section 22a-208a,] subsection (c) or (d) of section 22a-250, any permit issued under section 22a-208a, any regulation adopted under section 22a-209 or 22a-231, or any order issued pursuant to section 22a-225, shall be fined not more than twenty-five thousand dollars per day for each day of violation or imprisoned not more than two years, or both. A subsequent conviction for any such violation shall be a class D felony, except that such conviction shall carry a fine of not more than fifty thousand dollars per day for each day of violation. [or imprisonment for not more than five years or both.]

Sec. 91. Section 22a-226b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who, in the commission of a violation for which a penalty would be imposed under section 22a-226a, as amended by this act, knowingly places another person, by commission of such violation, in imminent danger of death or serious bodily injury, shall be fined not more than one hundred thousand dollars or imprisoned not more than two years, or both. A subsequent conviction for any such violation shall be a class D felony, except that such conviction shall carry a fine of not more than two hundred fifty thousand dollars. [or imprisonment for not more than five years or both.]

Sec. 92. Subsection (c) of section 22a-376 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(c) Any person who or municipality which knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained under sections 22a-365 to 22a-378, inclusive, or who falsifies, tampers with or knowingly renders inaccurate any

Substitute Senate Bill No. 983

monitoring or method required to be maintained under said sections shall be subject to the provisions of sections 53a-155, [to 53a-157, inclusive,] 53a-156 and 53a-157b and in addition, upon conviction, shall be fined not more than ten thousand dollars.

Sec. 93. Section 28-22 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who, wilfully and without lawful authority, destroys or injures any device, wires or equipment used or maintained for transmitting or signalling an air raid warning or alarm or makes connection with or in any way tampers or interferes with the same, or any person who reports, transmits or circulates, or causes to be reported, transmitted or circulated, a false alarm or warning of an air raid or of any enemy action, knowing that the same is false, or any person who unlawfully poses as or impersonates a police officer, air raid warden or other person engaged in civilian preparedness emergency service, or who unlawfully and in violation of federal or state regulations manufactures, sells, offers for sale, wears or uses the uniform, insignia or identification, or any simulation thereof, of any such police officer, warden or other person so engaged, or who wilfully impedes, interferes with or otherwise obstructs any lawful civil preparedness activity or other preparedness function of the national or state government or of the government of any political subdivision of the state, or who violates any provision of this chapter, shall be [fined not more than one thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Sec. 94. Subsection (a) of section 29-38 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who knowingly has, in any vehicle owned, operated or occupied by such person, any weapon, any pistol or revolver for

Substitute Senate Bill No. 983

which a proper permit has not been issued as provided in section 29-28 or any machine gun which has not been registered as required by section 53-202, shall be [fined not more than one thousand dollars or imprisoned not more than five years or both] guilty of a class D felony, and the presence of any such weapon, pistol or revolver, or machine gun in any vehicle shall be prima facie evidence of a violation of this section by the owner, operator and each occupant thereof. The word "weapon", as used in this section, means any BB. gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches or more in length, any martial arts weapon or electronic defense weapon, as defined in section 53a-3, or any other dangerous or deadly weapon or instrument.

Sec. 95. Section 29-353 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who knowingly has in his possession any package of nitroglycerine, gunpowder, naphtha or other equally explosive material, not marked with a plain and legible label describing its contents, or who removes any such label or mark, or knowingly delivers to any carrier any such package without such label, shall be guilty of a class D felony, except that such person shall be fined not more than ten thousand dollars. [or imprisoned not more than five years.]

Sec. 96. Section 31-15a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any employer, officer, agent or other person who violates any provision of section 31-12, 31-13 or 31-14, subsection (a) of section 31-15 or section 31-18, 31-23 or 31-24 shall be guilty of a class D felony for

Substitute Senate Bill No. 983

each offense, except that such person shall be fined not less than two thousand dollars or more than five thousand dollars [or imprisoned not more than five years, or both,] for each offense.

Sec. 97. Subsection (b) of section 31-69 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any employer or the officer or agent of any corporation who pays or agrees to pay to any employee less than the rates applicable to such employee under the provisions of this part or a minimum fair wage order shall be: (1) ~~[Fined] Guilty of a class D felony, except that such employer, officer or agent shall be fined not less than four thousand nor more than ten thousand dollars [or imprisoned not more than five years or both]~~ for each offense if the total amount of all unpaid wages owed to an employee is more than two thousand dollars; (2) fined not less than two thousand nor more than four thousand dollars or imprisoned not more than one year₂ or both₂ for each offense if the total amount of all unpaid wages owed to an employee is more than one thousand dollars but not more than two thousand dollars; (3) fined not less than one thousand nor more than two thousand dollars or imprisoned not more than six months₂ or both₂ for each offense if the total amount of all unpaid wages owed to an employee is more than five hundred but not more than one thousand dollars; or (4) fined not less than four hundred nor more than one thousand dollars or imprisoned not more than three months₂ or both₂ for each offense if the total amount of all unpaid wages owed to an employee is five hundred dollars or less.

Sec. 98. Section 31-71g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any employer or any officer or agent of an employer or any other person authorized by an employer to pay wages who violates any

Substitute Senate Bill No. 983

provision of this part: [may be:] (1) [Fined] Shall be guilty of a class D felony, except that such employer, officer or agent shall be fined not less than two thousand nor more than five thousand dollars [or imprisoned not more than five years or both] for each offense if the total amount of all unpaid wages owed to an employee is more than two thousand dollars; (2) may be fined not less than one thousand nor more than two thousand dollars or imprisoned not more than one year, or both, for each offense if the total amount of all unpaid wages owed to an employee is more than one thousand dollars but not more than two thousand dollars; (3) may be fined not less than five hundred nor more than one thousand dollars or imprisoned not more than six months, or both, for each offense if the total amount of all unpaid wages owed to an employee is more than five hundred but not more than one thousand dollars; or (4) may be fined not less than two hundred nor more than five hundred dollars or imprisoned not more than three months, or both, for each offense if the total amount of all unpaid wages owed to an employee is five hundred dollars or less.

Sec. 99. Subsection (a) of section 36b-51 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person, including a controlling person of an offeror or target company, who violates any provision of sections 36b-40 to 36b-52, inclusive, or any regulation adopted under said sections or any order of which he has notice, [may be fined not more than five thousand dollars or imprisoned not more than five years or both] shall be guilty of a class D felony. Each of the acts specified shall constitute a separate offense and a prosecution or conviction for any one of such offenses shall not bar prosecution or conviction for any other offense.

Sec. 100. Subsection (c) of section 38a-140 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Substitute Senate Bill No. 983

(c) (1) Whenever it appears to the commissioner that any insurance company or any director, officer, employee or agent thereof has committed a wilful violation of sections 38a-129 to 38a-140, inclusive, the commissioner may cause criminal proceedings to be instituted by the state's attorney for the judicial district in which the principal office of the insurance company is located or, if such insurance company has no such office in the state, by the state's attorney for the judicial district of Hartford against such insurance company or the responsible director, officer, employee or agent thereof. Any insurance company that wilfully violates said sections shall be fined not more than fifty thousand dollars. Any individual who wilfully violates said sections shall be fined not more than fifteen thousand dollars or, if such wilful violation involves the deliberate perpetration of a fraud upon the commissioner, shall be imprisoned not more than two years or so fined, or both.

(2) Any officer, director or employee of an insurance holding company system who wilfully and knowingly subscribes to or makes or causes to be made any false statement or false report or false filing with the intent to deceive the commissioner in the performance of [his or her] the commissioner's duties under sections 38a-129 to 38a-140, inclusive, upon conviction thereof, shall be [imprisoned not more than five years or] guilty of a class D felony, except that such officer, director or employee shall be fined not more than fifty thousand dollars. [or both.] Any fines imposed shall be paid by the officer, director or employee in his or her individual capacity.

Sec. 101. Section 40-51 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

A warehouseman, or any officer, agent or servant of a warehouseman, who issues or aids in issuing a receipt knowing that the goods for which such receipt is issued have not been actually received by such warehouseman, or are not under his actual control at

Substitute Senate Bill No. 983

the time of issuing such receipt, shall, for each offense, be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Sec. 102. Section 40-53 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

A warehouseman, or any officer, agent or servant of a warehouseman, who issues or aids in issuing a duplicate or additional negotiable receipt for goods knowing that a former negotiable receipt for the same goods or any part of them is outstanding and uncanceled, without plainly placing upon the face thereof the word "Duplicate", except in the case of a lost, stolen or destroyed receipt after proceedings as provided for in subsection (a) of section 42a-7-601, shall, for each offense, be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Sec. 103. Section 41-47 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any officer, agent or servant of a carrier, who, with intent to defraud, issues or aids in issuing a bill, knowing that all or any part of the goods for which such bill is issued have not been received by such carrier, or by an agent of such carrier, or by a connecting carrier, or are not under the carrier's control at the time of issuing such bill, shall, for each offense, be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Sec. 104. Section 41-49 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any officer, agent or servant of a carrier, who, with intent to defraud, issues or aids in issuing a duplicate or additional negotiable bill for goods which constitutes an overissue and upon which the carrier may be liable under section 42a-7-402, knowing that a former

Substitute Senate Bill No. 983

negotiable bill for the same goods or any part thereof is outstanding and uncanceled, shall, for each offense, be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Sec. 105. Section 41-51 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who, with intent to deceive, negotiates or transfers for value a bill, knowing that any or all of the goods which, by the terms of such bill, appear to have been received for transportation by the carrier which issued the bill are not in the possession or control of such carrier, or of a connecting carrier, without disclosing such fact, shall, for each offense, be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Sec. 106. Section 41-52 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who, with intent to defraud, secures the issue, by a carrier, of a bill, knowing that any or all of the goods described in such bill as received for transportation have not, at the time of such issue, been received by such carrier, or an agent of such carrier, or a connecting carrier, or are not under the carrier's control, by inducing an officer, agent or servant of such carrier falsely to believe that such goods have been received by such carrier or are under its control, shall, for each offense, be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Sec. 107. Section 41-53 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who, with intent to defraud, issues or aids in issuing a nonnegotiable bill without the word "nonnegotiable" or the words "not negotiable" appearing plainly upon the face thereof shall, for each

Substitute Senate Bill No. 983

offense, be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Sec. 108. Subsection (d) of section 42-232 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(d) Any person who violates the provisions of this section or any order issued pursuant to section 42-231 shall be fined not more than one thousand dollars or imprisoned not more than one year, or both, for each offense, except that any person who intentionally violates the provisions of this section or any order issued pursuant to section 42-231 or engages in a pattern of activity constituting repeated violations of this section or any such order shall be [fined not more than five thousand dollars or imprisoned not more than five years, or both,] guilty of a class D felony for each offense. Each violation and each day on which the violation occurs or continues shall be a separate offense.

Sec. 109. Section 45a-729 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who places a child for adoption in violation of section 45a-727 or 45a-764 or assists in such a placement shall be [fined not more than five thousand dollars or imprisoned not less than one year or more than five years, or both] guilty of a class D felony.

Sec. 110. Subsection (h) of section 49-8a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(h) Any person who causes an affidavit to be recorded in the land records of any town in accordance with this section having actual knowledge that the information and statements therein contained are false shall be [fined not more than five thousand dollars or imprisoned not less than one year or more than five years, or both fined and

Substitute Senate Bill No. 983

imprisoned] guilty of a class D felony.

Sec. 111. Section 53-20 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) (1) Any person who intentionally tortures, torments or cruelly or unlawfully punishes another person or intentionally deprives another person of necessary food, clothing, shelter or proper physical care shall be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

(2) Any person who, with criminal negligence, deprives another person of necessary food, clothing, shelter or proper physical care shall be fined not more than five hundred dollars or imprisoned not more than one year, or both.

(b) (1) Any person who, having the control and custody of any child under the age of nineteen years, in any capacity whatsoever, intentionally maltreats, tortures, overworks or cruelly or unlawfully punishes such child or intentionally deprives such child of necessary food, clothing or shelter shall be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

(2) Any person who, having the control and custody of any child under the age of nineteen years, in any capacity whatsoever, with criminal negligence, deprives such child of necessary food, clothing or shelter shall be fined not more than five hundred dollars or imprisoned not more than one year, or both.

Sec. 112. Section 53-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person having the charge of any child under the age of six years who exposes such child in any place, with intent wholly to

Substitute Senate Bill No. 983

abandon such child, shall be [fined not more than five hundred dollars and imprisoned not more than five years] guilty of a class D felony.

(b) The act of a parent or agent leaving an infant thirty days or younger with a designated employee pursuant to section 17a-58 shall not constitute a violation of this section.

Sec. 113. Section 53-200 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who is principal or second in any prize fight in this state shall be [imprisoned not more than five years or fined not more than one thousand dollars or both] guilty of a class D felony. A contest in which blows are struck which are intended or calculated to stun, disable or knock out either of the contestants, or in which either contestant is counted out or otherwise declared defeated because of failure to resume the contest within a certain time, shall be deemed a prize fight within the meaning of this section. The provisions of this section shall not apply to boxing exhibitions held or conducted under the laws of this state, or to wrestling bouts or amateur boxing exhibitions held under the provisions of section 29-143j, or under the supervision of any school, college or university having an academic course of study or of the recognized athletic association connected with such school, college or university.

Sec. 114. Section 53-247 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who overdrives, drives when overloaded, overworks, tortures, deprives of necessary sustenance, mutilates or cruelly beats or kills or unjustifiably injures any animal, or who, having impounded or confined any animal, fails to give such animal proper care or neglects to cage or restrain any such animal from doing injury to itself or to another animal or fails to supply any such animal

Substitute Senate Bill No. 983

with wholesome air, food and water, or unjustifiably administers any poisonous or noxious drug or substance to any domestic animal or unjustifiably exposes any such drug or substance, with intent that the same shall be taken by an animal, or causes it to be done, or, having charge or custody of any animal, inflicts cruelty upon it or fails to provide it with proper food, drink or protection from the weather or abandons it or carries it or causes it to be carried in a cruel manner, or fights with or baits, harasses or worries any animal for the purpose of making it perform for amusement, diversion or exhibition, shall, for a first offense, be fined not more than one thousand dollars or imprisoned not more than one year or both, and for each subsequent offense, shall be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

(b) Any person who maliciously and intentionally maims, mutilates, tortures, wounds or kills an animal shall be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony. The provisions of this subsection shall not apply to any licensed veterinarian while following accepted standards of practice of the profession or to any person while following approved methods of slaughter under section 22-272a, while performing medical research as an employee of, student in or person associated with any hospital, educational institution or laboratory, while following generally accepted agricultural practices or while lawfully engaged in the taking of wildlife.

(c) Any person who knowingly (1) owns, possesses, keeps or trains an animal engaged in an exhibition of fighting for amusement or gain, (2) possesses, keeps or trains an animal with the intent that it be engaged in an exhibition of fighting for amusement or gain, (3) permits an act described in subdivision (1) or (2) of this subsection to take place on premises under his control, (4) acts as judge or spectator at an exhibition of animal fighting for amusement or gain, or (5) bets or

Substitute Senate Bill No. 983

wagers on the outcome of an exhibition of animal fighting for amusement or gain, shall be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

(d) Any person who intentionally injures any animal while such animal is in the performance of its duties under the supervision of a peace officer, as defined in section 53a-3, or intentionally injures a dog that is a member of a volunteer canine search and rescue team, as defined in section 5-249, while such dog is in the performance of its duties under the supervision of the active individual member of such team, shall be [fined not more than five thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

(e) Any person who intentionally kills any animal while such animal is in the performance of its duties under the supervision of a peace officer, as defined in section 53a-3, or intentionally kills a dog that is a member of a volunteer canine search and rescue team, as defined in section 5-249, while such dog is in the performance of its duties under the supervision of the active individual member of such team, shall be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

Sec. 115. Section 53-320 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

No person shall spread, distribute, sow, have in his possession or deliver to another, with malicious intent, any seeds of foul or noxious plants, or spread or distribute poisons upon the land or trees of another except for the purpose of spraying such trees. Any person who violates any of the provisions of this section shall be [fined not more than one thousand dollars or imprisoned not more than five years or both] guilty of a class D felony.

Substitute Senate Bill No. 983

Sec. 116. Section 53-334 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who opens the grave or tomb where any corpse has been deposited, or removes any corpse from its place of sepulture, without the consent of the husband or wife or the near relatives of the deceased, or receives, conceals or secretes any corpse so removed, or assists in any surgical or anatomical experiments or demonstrations therewith or dissection thereof, knowing it to have been so removed, except as provided in section 19a-413, shall be [fined not more than two thousand dollars and imprisoned not more than five years] guilty of a class D felony.

Sec. 117. Subsection (c) of section 53-341 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(c) Any person who violates the provisions of this section or section 20-9, 20-12d or 20-12n shall be [fined not more than five hundred dollars or imprisoned not more than five years, or both] guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation that is in violation of chapter 370 shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation of this section.

Sec. 118. Section 53-347a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who uses, forges or counterfeits the individual stamp or label of any mechanic or manufacturer, with intent to defraud another, or vends or offers to vend any goods having any such forged or counterfeited stamp or label thereon, knowing it to be forged or counterfeited, without disclosing the fact to the purchaser, shall be [imprisoned not more than five years or] guilty of a class D felony.

Substitute Senate Bill No. 983

except that such person shall be fined not more than two hundred fifty thousand dollars. [or both.]

(b) Any person who, fraudulently and with intent to deceive, affixes any mark recorded under chapter 621a or any imitation thereof calculated to deceive, to any goods, receptacle or package similar in descriptive properties to those to which such mark is appropriated; or who, fraudulently and with intent to deceive, places, in any receptacle or package to which is lawfully affixed a recorded mark, goods other than those which such mark is designed and appropriated to protect; or who, fraudulently and with intent to deceive, deals in or keeps for sale any goods with a mark fraudulently affixed as above described in this section, or any goods contained in any package or receptacle having a lawful mark, which are not such goods as such mark was designed and appropriated to protect, shall be guilty of a class D felony, except that such person shall be fined not more than two hundred fifty thousand dollars. [or imprisoned not more than five years or both.]

(c) Any person, firm, partnership, corporation, association, union or other organization (1) who wilfully and knowingly counterfeits or imitates, or offers for sale or otherwise utters or circulates any counterfeit or imitation of a mark recorded under chapter 622a; or (2) who uses or displays a genuine mark recorded under said chapter in a manner not authorized by the registrant and knowing that such use or display is not so authorized; or (3) who in any way uses the name or mark, whether recorded under said chapter or not, of any individual, firm, partnership, corporation, association, union or other organization, in and about the sale of goods or otherwise not being authorized to use the same and knowing that such use is unauthorized, shall be guilty of a class D felony, except that such person, firm, partnership, corporation, association, union or organization shall be fined not more than two hundred fifty thousand

Substitute Senate Bill No. 983

dollars, [or imprisoned not more than five years or be both fined and imprisoned.] In all cases where such association, union or other organization is not incorporated, complaint may be made by any officer or member of such association, union or organization on behalf of such union, association or organization.

Sec. 119. Subsection (b) of section 54-142c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Notwithstanding any other provisions of this chapter, within two years from the date of disposition of any case, the clerk of the court or any person charged with retention and control of erased records by the Chief Court Administrator or any criminal justice agency having information contained in such erased records may disclose to the victim of a crime or the victim's legal representative the fact that the case was dismissed. If such disclosure contains information from erased records, the identity of the defendant or defendants shall not be released, except that any information contained in such records, including the identity of the person charged may be released to the victim of the crime or the victim's representative upon written application by such victim or representative to the court stating (1) that a civil action has been commenced for loss or damage resulting from such act, or (2) the intent to bring a civil action for such loss or damage. Any person who obtains criminal history record information by falsely representing to be the victim of a crime or the victim's representative shall be [fined not more than five thousand dollars or imprisoned not less than one year or more than five years or both] guilty of a class D felony.

Sec. 120. Subsection (b) of section 12-428a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Substitute Senate Bill No. 983

(b) Any person who wilfully and knowingly sells, purchases, installs, transfers or possesses any automated sales suppression device or phantom-ware shall (1) be guilty of a class D felony, except that such person shall be fined not more than one hundred thousand dollars, [or imprisoned for not less than one or more than five years, or both,] (2) be liable for all taxes, penalties and interest due to the state as a result of such sale, purchase, installation, transfer or possession, and (3) forfeit all profits resulting from the sale or use of such automated sales suppression device or phantom-ware.

Sec. 121. Section 22a-438 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who or municipality which violates any provision of this chapter, or section 22a-6 or 22a-7 shall be assessed a civil penalty not to exceed twenty-five thousand dollars, to be fixed by the court, for each offense. Each violation shall be a separate and distinct offense and, in case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense. The Attorney General, upon complaint of the commissioner, shall institute a civil action in the superior court for the judicial district of Hartford to recover such penalty. In determining the amount of any penalty assessed under this subsection, the court may consider the nature, circumstances, extent and gravity of the violation, the person or municipality's prior history of violations, the economic benefit resulting to the person or municipality from the violation, and such other factors deemed appropriate by the court. The court shall consider the status of a person or municipality as a persistent violator. The provisions of this section concerning a continuing violation shall not apply to a person or municipality during the time when a hearing on the order pursuant to section 22a-436 or an appeal pursuant to section 22a-437 is pending.

(b) Any person who with criminal negligence violates any provision

Substitute Senate Bill No. 983

of this chapter, or section 22a-6 or 22a-7 shall be fined not more than twenty-five thousand dollars per day for each day of violation or be imprisoned not more than one year or both. A subsequent conviction for any such violation shall carry a fine of not more than fifty thousand dollars per day for each day of violation or imprisonment for not more than two years, or both. For the purposes of this subsection, person includes any responsible corporate officer or municipal official.

(c) Any person who knowingly violates any provision of this chapter, or section 22a-6 or 22a-7 shall be fined not more than fifty thousand dollars per day for each day of violation or be imprisoned not more than three years, or both. A subsequent conviction for any such violation shall be a class C felony, except that such conviction shall carry a fine of not more than one hundred thousand dollars per day for each day of violation. [or imprisonment for not more than ten years or both.] For the purposes of this subsection, person includes any responsible corporate officer or municipal official.

(d) Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this chapter, or section 22a-6 or 22a-7 or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this chapter, or section 22a-6 or 22a-7 shall upon conviction be fined not more than twenty-five thousand dollars for each violation or imprisoned not more than two years for each violation, or both. For the purposes of this subsection, person includes any responsible corporate officer or municipal official.

(e) Any person who wilfully or with criminal negligence discharges gasoline in violation of any provision of this chapter, shall be fined not more than fifty thousand dollars per day for each day of violation or be imprisoned not more than three years, or both. A subsequent conviction for any such violation shall be a class C felony, except that

Substitute Senate Bill No. 983

such conviction shall carry a fine of not more than one hundred thousand dollars per day for each day of violation. [or imprisonment for not more than ten years or both.] For the purposes of this subsection, person includes any responsible corporate officer or municipal officer.

Sec. 122. Subsection (b) of section 22a-628 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who knowingly violates any provision of this chapter, including, but not limited to, any regulation adopted or order issued pursuant to this chapter, or who makes any false statement, representation, or certification in any application, notification, request for exemption, record, plan, report or other document filed or required to be maintained under this chapter, shall be fined not more than fifty thousand dollars per day for each day of violation or be imprisoned not more than three years, or both. A subsequent conviction for any such violation shall be a class C felony, except that such conviction shall carry a fine of not more than fifty thousand dollars per day for each day of violation. [or imprisonment for not more than ten years, or both.]

Approved July 11, 2013