



General Assembly

January Session, 2013

Governor's Bill No. 6373

LCO No. 2994



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:

REP. SHARKEY, 88th Dist.
REP. ARESIMOWICZ, 30th Dist.
SEN. WILLIAMS, 29th Dist.
SEN. LOONEY, 11th Dist.

AN ACT CONCERNING THE POLICING OF INDIAN TRIBAL LAND.

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

1 Section 1. Subdivision (8) of section 7-294a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (8) "Law enforcement unit" means any agency, organ or department
5 of this state or a subdivision or municipality thereof, or, if created and
6 governed by a memorandum of agreement under section 2 of this act,
7 of the Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of
8 Connecticut, whose primary functions include the enforcement of
9 criminal or traffic laws, the preservation of public order, the protection
10 of life and property, or the prevention, detection or investigation of
11 crime.

12 Sec. 2. (NEW) (*Effective from passage*) (a) Notwithstanding the

13 requirements of section 3-6c of the general statutes, the Commissioner
14 of Emergency Services and Public Protection, upon the approval of the
15 Chief State's Attorney, shall have the authority to enter into separate
16 memoranda of agreement with the Mashantucket Pequot Tribe and the
17 Mohegan Tribe of Indians of Connecticut for the purpose of
18 establishing the authority of each tribe's police department and police
19 officers to exercise law enforcement powers pursuant to sections 7-
20 294a to 7-294e, inclusive, of the general statutes, as amended by this
21 act.

22 (b) Notwithstanding the requirements of section 3-6c of the general
23 statutes, the Commissioner of Emergency Services and Public
24 Protection and the Chief State's Attorney shall jointly have the
25 authority to revoke any memorandum of agreement with the
26 Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of
27 Connecticut entered into pursuant to subsection (a) of this section.

28 Sec. 3. Subdivision (9) of section 53a-3 of the general statutes is
29 repealed and the following is substituted in lieu thereof (*Effective from*
30 *passage*):

31 (9) "Peace officer" means a member of the Division of State Police
32 within the Department of Emergency Services and Public Protection or
33 an organized local police department, a chief inspector or inspector in
34 the Division of Criminal Justice, a state marshal while exercising
35 authority granted under any provision of the general statutes, a
36 judicial marshal in the performance of the duties of a judicial marshal,
37 a conservation officer or special conservation officer, as defined in
38 section 26-5, a constable who performs criminal law enforcement
39 duties, a special policeman appointed under section 29-18, 29-18a or
40 29-19, an adult probation officer, an official of the Department of
41 Correction authorized by the Commissioner of Correction to make
42 arrests in a correctional institution or facility, any investigator in the
43 investigations unit of the office of the State Treasurer, [or] any special
44 agent of the federal government authorized to enforce the provisions
45 of Title 21 of the United States Code, or a member of a law

46 enforcement unit of the Mashantucket Pequot Tribe or the Mohegan
47 Tribe of Indians of Connecticut created and governed by a
48 memorandum of agreement under section 2 of this act who is certified
49 as a police officer by the Police Officer Standards and Training Council
50 pursuant to sections 7-294a to 7-294e, inclusive, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	7-294a(8)
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	53a-3(9)

PS *Joint Favorable*