



General Assembly

January Session, 2013

Raised Bill No. 6407

LCO No. 3151



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING THE ASSAULT OF A LIQUOR CONTROL AGENT.

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

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 Section 53a-167c of the general statutes is repealed and the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

3 (a) A person is guilty of assault of public safety, emergency medical,
4 public transit or health care personnel when, with intent to prevent a
5 reasonably identifiable peace officer, special policeman appointed
6 under section 29-18b, motor vehicle inspector designated under section
7 14-8 and certified pursuant to section 7-294d, firefighter or employee of
8 an emergency medical service organization, as defined in section 53a-3,
9 emergency room physician or nurse, health care employee as defined
10 in section 19a-490q, employee of the Department of Correction,
11 member or employee of the Board of Pardons and Paroles, probation
12 officer, employee of the Judicial Branch assigned to provide pretrial
13 secure detention and programming services to juveniles accused of the
14 commission of a delinquent act, liquor control agent, employee of the
15 Department of Children and Families assigned to provide direct

16 services to children and youths in the care or custody of the
17 department, employee of a municipal police department assigned to
18 provide security at the police department's lockup and holding facility,
19 active individual member of a volunteer canine search and rescue
20 team, as defined in section 5-249, or public transit employee from
21 performing his or her duties, and while such peace officer, special
22 policeman, motor vehicle inspector, firefighter, employee, physician,
23 nurse, health care employee, member, liquor control agent, probation
24 officer or active individual member is acting in the performance of his
25 or her duties, (1) such person causes physical injury to such peace
26 officer, special policeman, motor vehicle inspector, firefighter,
27 employee, physician, nurse, member, liquor control agent, probation
28 officer or active individual member, or (2) such person throws or hurls,
29 or causes to be thrown or hurled, any rock, bottle, can or other article,
30 object or missile of any kind capable of causing physical harm, damage
31 or injury, at such peace officer, special policeman, motor vehicle
32 inspector, firefighter, employee, physician, nurse, member, liquor
33 control agent, probation officer or active individual member, or (3)
34 such person uses or causes to be used any mace, tear gas or any like or
35 similar deleterious agent against such peace officer, special policeman,
36 motor vehicle inspector, firefighter, employee, physician, nurse,
37 member, liquor control agent, probation officer or active individual
38 member, or (4) such person throws or hurls, or causes to be thrown or
39 hurled, any paint, dye or other like or similar staining, discoloring or
40 coloring agent or any type of offensive or noxious liquid, agent or
41 substance at such peace officer, special policeman, motor vehicle
42 inspector, firefighter, employee, physician, nurse, member, liquor
43 control agent, probation officer or active individual member, or (5)
44 such person throws or hurls, or causes to be thrown or hurled, any
45 bodily fluid including, but not limited to, urine, feces, blood or saliva
46 at such peace officer, special policeman, motor vehicle inspector,
47 firefighter, employee, physician, nurse, member, liquor control agent,
48 probation officer or active individual member. For the purposes of this
49 section, "public transit employee" means a person employed by the

50 state, a political subdivision of the state, a transit district formed under
51 chapter 103a or a person with whom the Commissioner of
52 Transportation has contracted in accordance with section 13b-34 to
53 provide transportation services who operates a vehicle or vessel
54 providing public rail service, ferry service or fixed route bus service or
55 performs duties directly related to the operation of such vehicle or
56 vessel.

57 (b) Assault of public safety, emergency medical, public transit or
58 health care personnel is a class C felony. If any person who is confined
59 in an institution or facility of the Department of Correction is
60 sentenced to a term of imprisonment for assault of an employee of the
61 Department of Correction under this section, such term shall run
62 consecutively to the term for which the person was serving at the time
63 of the assault.

64 (c) In any prosecution under this section involving assault of a
65 health care employee, as defined in section 19a-490q, it shall be a
66 defense that the defendant is a person with a disability as described in
67 subdivision (13), (15) or (20) of section 46a-51 and the defendant's
68 conduct was a clear and direct manifestation of the disability.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	53a-167c

Statement of Purpose:

To make the assault of a liquor control agent a class C felony.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]