



House Bill No. 6508

Public Act No. 13-144

AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING FALSE STATEMENT.

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

Section 1. Section 53a-157a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) A person is guilty of false statement [in the first degree] on a certified payroll when [he] such person intentionally makes a false written statement on a certified payroll submitted pursuant to section 31-53 which [he] such person does not believe to be true and which statement is intended to mislead a contracting authority or the labor commissioner in the exercise of his authority or the fulfillment of his duties under chapter 557.

(b) False statement [in the first degree] on a certified payroll is a class D felony.

Sec. 2. Section 53a-157b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) A person is guilty of false statement [in the second degree] when [he] such person (1) intentionally makes a false written statement that

House Bill No. 6508

such person does not believe to be true with the intent to mislead a public servant in the performance of such public servant's official function, and (2) makes such statement under oath or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable, [which he does not believe to be true and which statement is intended to mislead a public servant in the performance of his official function.]

(b) False statement [in the second degree] is a class A misdemeanor.

Sec. 3. Subdivision (2) of subsection (c) of section 7-294d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(2) The council may cancel or revoke any certificate if: (A) The certificate was issued by administrative error, (B) the certificate was obtained through misrepresentation or fraud, (C) the holder falsified any document in order to obtain or renew any certificate, (D) the holder has been convicted of a felony, (E) the holder has been found not guilty of a felony by reason of mental disease or defect pursuant to section 53a-13, (F) the holder has been convicted of a violation of subsection (c) of section 21a-279, (G) the holder has been refused issuance of a certificate or similar authorization or has had his or her certificate or other authorization cancelled or revoked by another jurisdiction on grounds which would authorize cancellation or revocation under the provisions of this subdivision, (H) the holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have used a firearm in an improper manner which resulted in the death or serious physical injury of another person, or (I) the holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have committed any act that would constitute tampering with or fabricating physical evidence in violation of section 53a-155, perjury in violation of section 53a-156 or false statement [in the second degree] in violation of

House Bill No. 6508

section 53a-157b, as amended by this act. Whenever the council believes there is a reasonable basis for cancellation or revocation of the certification of a police officer, police training school or law enforcement instructor, it shall give notice and an adequate opportunity for a hearing prior to such cancellation or revocation. The council may cancel or revoke any certificate if, after a de novo review, it finds by clear and convincing evidence (i) a basis set forth in subparagraphs (A) to (G), inclusive, of this subdivision, or (ii) that the holder of the certificate committed an act set forth in subparagraph (H) or (I) of this subdivision. Any police officer or law enforcement instructor whose certification is cancelled or revoked pursuant to this section may reapply for certification no sooner than two years after the date on which the cancellation or revocation order becomes final. Any police training school whose certification is cancelled or revoked pursuant to this section may reapply for certification at any time after the date on which such order becomes final.

Sec. 4. 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 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, as amended by this act, and in addition, upon conviction, shall be fined not more than ten thousand dollars.

Approved June 24, 2013