



**Connecticut  
Sentencing  
Commission**

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**The Honorable  
Joseph M. Shortall, Chair**

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**Andrew J. Clark, Acting  
Executive Director**

## **TESTIMONY IN SUPPORT OF SB 983**

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

**By Attorney Robert Farr  
Chair, Classification Working Group of the Sentencing Commission**

Good morning Senator Coleman, Representative Fox, and members of the Judiciary Committee.

I am attorney Robert Farr, a member of the Classification Working Group of the Sentencing Commission. I am joined here today by Executive Assistant State's Attorney Brian Austin and Legal Counsel/Executive Assistant Public Defender Deborah Del Prete Sullivan, both of whom are also members of the Classification Working Group. We are here to testify on behalf of the Sentencing Commission in support of Senate Bill 983, AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING UNCLASSIFIED FELONIES.

Senate Bill 983 is the product of the Classification Working Group and was unanimously supported by the Sentencing Commission's Committee on Sentencing Structure, Policy and Practices, and endorsed by the full Commission through its consensus process. The bill is a continuation of the Commission's efforts to address unclassified crimes in Connecticut's Penal Code. As you may recall, last year this committee supported House Bill 5145, AN ACT CONCERNING THE RECOMMENDATIONS OF THE SENTENCING COMMISSION REGARDING THE CLASSIFICATION OF UNCLASSIFIED MISDEMEANORS, which successfully passed the General Assembly with bipartisan support and was signed into law by Governor Malloy as PA 12-80 in June 2012. This bill continues in the spirit of that bill.

The Commission believes that several benefits will accrue to the criminal justice system from classifying the unclassified felonies. First, by classifying felonies within the Penal Code, it will be easier for law enforcement, legal practitioners, the legislature, and the public to quickly understand the relative severity of certain felony offenses. Second, it will make it easier to target diversionary programs to less serious offenses and to assign appropriate periods of probation. Finally, through the classification process, the statutory fines were increased to maintain consistency across the different classes of felonies; this again makes Connecticut statutes easier to understand.

The working group identified 258 statutory felonies that are not currently classified under Connecticut's Penal Code using a Judicial Branch database that identifies all statutes with criminal penalties.

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In order to classify as many unclassified felonies as possible, the Working Group made the following recommendations which are encompassed in SB 983. **The working group did not address unclassified felonies related to drugs or firearms and did not change any mandatory sentence provision of the statutes.**

#### **Recommendations:**

- Create a new class E felony, punishable by up to three years in prison, a fine of up to \$3,500, or both. Classify 13 unclassified felonies that currently have a maximum prison term of three years as class E felonies.
- Change Connecticut law so that any unclassified felony with a maximum prison penalty that is more than one year but not more than three years is deemed to be a class E felony. Sixty-four unclassified felonies would be deemed to be class E felonies under this proposal. Some would retain their current fines.
- Change the penalty for a class D felony from one to five years in prison to up to five years in prison.
- Classify 132 unclassified felonies that currently have a maximum prison sentence of five years in prison as class D felonies. Some of these felonies would retain their current fines.
- Classify 14 unclassified felonies currently punishable by up to 10 years in prison as class C felonies.
- Leave 35 felonies as unclassified.

For additional information on the unclassified felonies and the working group's recommendations, please reference the full report which is included as Appendix A of this testimony.

If the Sentencing Commission's recommendations are adopted, the penalties for the different classifications of felonies would be as shown in table 1.

Table 1: Penalties For Classified Felonies		
Felony	Prison Term	Fine
Class A felony (murder with special circumstances)	Life without the possibility of release	Up to \$20,000
Class A felony (murder)	25 to 60 years	Up to \$20,000
Class A felony (aggravated sexual assault of a minor)	25 to 50 years	Up to \$20,000
Class A felony	10 to 25 years	Up to \$20,000
Class B felony (1st degree manslaughter with a firearm)	5 to 40 years	Up to \$15,000
Class B felony	1 to 20 years	Up to \$15,000
Class C felony	1 to 10 years	Up to \$10,000
Class D felony	Up to 5 years	Up to \$5,000
Class E felony	Up to 3 years	Up to \$3,500

Passage of SB 983 will mean that all but 35 of Connecticut's felony crimes will be classified within the Penal Code. Additionally, the Sentencing Commission recommends that the provisions in HB 6508, AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING FALSE STATEMENT, be merged with SB 983. HB 6508 was also the product of the Classification Working Group and was unanimously supported by the full Sentencing Commission. We will be presenting testimony on HB 6508 shortly, but without getting into details, we recommend that because both bills address the classification scheme of the Connecticut's Penal Code, they be merged into one bill.

We want to thank Louise Nadeau, legislative attorney from the Legislative Commissioners' Office; Chris Reinhart, legislative attorney from the Office of Legislative Research, and Jason DePatie, policy specialist at the Institute for Municipal and Regional Policy, for their assistance to the working group.

## **APPENDIX A: UNCLASSIFIED FELONY REPORT**

### **SUMMARY OF PROPOSALS**

In order to classify as many of the unclassified felonies as possible, the working group made the following proposals, which were approved by the Sentencing Structure Subcommittee on November 5, 2012.

- Create a new class E felony, punishable by up to three years in prison, a fine of up to \$3,500, or both. Classify 13 unclassified felonies that currently have a maximum prison term of three years as class E felonies.
- Change Connecticut law so that any unclassified felony with a maximum prison penalty that is more than one year but not more than three years is deemed to be a class E felony. Sixty-four unclassified felonies would be deemed to be class E felonies under this proposal. Some would retain their current fines.
- Change the penalty for a class D felony from one to five years in prison to up to five years in prison.
- Classify 132 unclassified felonies that currently have a maximum prison sentence of five years in prison as class D felonies. Some of these felonies would retain their current fines.
- Classify 14 unclassified felonies currently punishable by up to 10 years in prison as class C felonies.
- Leave 35 felonies as unclassified.

If the working group's proposals are adopted, the penalties for the different classifications of felonies would be as shown in table 1.

**Table 1: Penalties For Classified Felonies**

Felony	Prison Term	Fine
Class A felony (murder with special circumstances)	Life without the possibility of release	Up to \$20,000
Class A felony (murder)	25 to 60 years	Up to \$20,000
Class A felony (aggravated sexual assault of a minor)	25 to 50 years	Up to \$20,000
Class A felony	10 to 25 years	Up to \$20,000
Class B felony (1st degree manslaughter with a firearm)	5 to 40 years	Up to \$15,000
Class B felony	1 to 20 years	Up to \$15,000
Class C felony	1 to 10 years	Up to \$10,000
Class D felony	Up to 5 years	Up to \$5,000
Class E felony	Up to 3 years	Up to \$3,500

**TABLE OF UNCLASSIFIED FELONIES**

The working group identified 258 unclassified felonies using a Judicial Branch database that identifies all statutes with criminal penalties. Table 2 shows these unclassified felonies, their current penalties, and the working group's proposal. It is organized based on the felonies' current maximum prison penalties, from lowest to highest. A crime shaded in grey in the table indicates that there were no initial charges for this crime from FY 02 to FY 11, according to the Office of Fiscal Analysis' database of Judicial Branch initial charging information.

In some instances, a crime has different penalties based on prior convictions for the offense. We indicate whether a penalty is for a 1<sup>st</sup> offense, 2<sup>nd</sup> offense, or subsequent offense (SBS). Please note that minimum sentences indicated in the table are not mandatory minimum sentences unless marked with the letter "m." Those marked "m1" or "m2" can be suspended under certain circumstances (see the footnotes).

**Table 2: Unclassified Felonies and Working Group Proposals  
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term			Fine		Working Group Proposals	
			Min.	Max.	Min.	Max.			
1	30-86 (b)(2)	Delivering liquor to a minor	0	M	18	M	\$ -	\$ -	Deem E felony, no change in prison penalty but increase fine to \$3,500
2	10-51	Fraudulent young school budget	1	Y	2	Y	\$300	\$500	Deem E felony, eliminate one year minimum (not currently a mandatory minimum) but keep maximum prison term, increase fine to \$3,500
3	14-196(b)	Willfully misusing a motor vehicle title certificate	0	Y	2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
n/a	14-215(c)(2)	Operating a motor vehicle under suspension for a 2 <sup>nd</sup> alcohol-related offense (fines doubled in C/U zone)	120	D	2	Y	\$500	\$1,000	Deem E felony, no change in prison penalty or fines
n/a	14-227a	Driving under the influence (2 <sup>nd</sup> )(fines doubled in C/U zone)	120	D	2	Y	\$1,000	\$4,000	Deem E felony, no change in prison penalty or fines
n/a	14-227g	Driving under the influence-.02 BAC for person under age 21 (2 <sup>nd</sup> )	120	D	2	Y	\$1,000	\$4,000	Deem E felony, no change in prison penalty or fines
n/a	15-133*	Operating a vessel under the influence (2 <sup>nd</sup> )	120	D	2	Y	\$1,000	\$4,000	Deem E felony, no change in prison penalty or fines
n/a	15-140j	Reckless boating under the influence	0	Y	2	Y	\$2,500	\$5,000	Deem E felony, no change in prison penalty or fines
n/a	15-173(c)	Illegally discharging sewage (2 <sup>nd</sup> /SBS)	0	Y	2	Y	\$ -	\$30,000 penalty	Deem E felony, no change in prison penalty or fines
n/a	16-50ii (PA 11-101(1))**	Violating electric generating facility requirements	0	Y	2	Y	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	21a-165	Selling detector	0	Y	2	Y	\$ -	\$300	Deem E felony, no change in prison penalty but increase fine to \$3,500

**Table 2: Unclassified Felonies and Working Group Proposals**  
**(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
			0	2	\$ -	\$1,000	
<u>5</u>	<u>21a-245</u>	Violating restricted substances requirements (1 <sup>st</sup> ) (penalty in 21a-255)	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-246</u>	Making controlled substances without a license (1 <sup>st</sup> ) (penalty in 21a-255)	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-251</u>	Illegally dispensing controlled substances-hospital (1 <sup>st</sup> ) (penalty in 21a-255)	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-252</u>	Illegally prescribing or dispensing controlled substances (1 <sup>st</sup> ) (penalty in 21a-255)	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-255(b)***</u>	Failing to keep drug records with intent to violate the drug laws (1 <sup>st</sup> )	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-256</u>	Violating the controlled substance labeling requirements (1 <sup>st</sup> ) (penalty in 21a-255)	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-257</u>	Failing to keep narcotics in containers (1 <sup>st</sup> ) (penalty in 21a-255)	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-266</u>	Committing certain controlled substance violations (1 <sup>st</sup> ) (penalty in 21a-255)	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-277(c)</u>	Operating a drug factory (1 <sup>st</sup> ) (penalty in 21a-255)	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>n/a</u>	<u>22a-131a(a)</u>	Violating hazardous waste record requirements (1 <sup>st</sup> )	0	2	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>22a-131a(c)</u>	Violating used oil requirements (1 <sup>st</sup> )	0	2	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>22a-175(a)</u>	Violating air pollution requirements (2 <sup>nd</sup> /SBS)	0	2	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>22a-208a</u>	Violating solid waste facility requirements (1 <sup>st</sup> ) (penalty in 22a-276a) See Sec. 61 of Class. Decl.	0	2	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
n/a	22a-208a	Violating waste facility requirements-imminent danger (1st) (penalty in 22a-226b) Sec. Sec. of the Class. B. Felony	0	2	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-208c	Handling solid waste without a permit (1st)(penalty in 22a-226a)	0	2	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-208c	Handling solid waste without permit-imminent danger (1st)(penalty in 22a-226b)	0	2	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-209	Violating solid waste management regulations (1st)(penalty in 22a-226b)	0	2	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-209	Violating solid waste management regulations-imminent danger (1st)(penalty in 22a-226b)	0	2	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-225	Violating a solid waste abatement order (1st)(penalty in 22a-226a)	0	2	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-225	Violating a solid waste abatement order-imminent danger (1st)(penalty in 22a-226b)	0	2	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-226	Violating resources recovery regulations (1st)(penalty in 22a-226a)	0	2	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-226	Violating resources recovery regulations-imminent danger (1st)(penalty in 22a-226b)	0	2	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-250(c)	Illegal dumping (1st)(penalty in 22a-226a)	0	2	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-250(c)	Illegal dumping-imminent danger (1st)(penalty in 22a-226b)	0	2	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-250(d)	Illegal dumping-bulky or hazardous waste (1st)(penalty in 22a-226a)	0	2	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-250(d)	Illegal dumping-bulky or hazardous waste-imminent danger (1st)(penalty in 22a-226b)	0	2	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines



**Table 2: Unclassified Felonies and Working Group Proposals**  
**(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
			0	2	\$ -	\$25,000 per day	
n/a	22a-252	Illegally disposing of asbestos (1st)(penalty in 22a-226a)	0	2	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-252	Illegally disposing of asbestos-imminent danger (1st)(penalty in 22a-226b)	0	2	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-438(b)	Violating water pollution control laws (2nd/3rd)	0	2	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-438(d)	False statement-water pollution control	0	2	\$ -	\$25,000	Deem E felony, no change in prison penalty or fines
n/a	22a-469	Violating PCB sa requirements (2nd/3rd)(penalty in 22-438)	0	2	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-628(a)	Violating mercury respiration with criminal negligence (2nd/3rd)(See Sec. 145(a) Class C Felony)	0	2	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
6	29-152	Violating professional bondsmen requirements	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
7	30-99	Selling adulterated liquor	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
See Sec. 8	36b-6	Violating uniform security act requirements	0	2	\$ -	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
8	36b-16	Offering or selling unregistered securities	0	2	\$ -	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
8	36b-23	False or misleading statement violating the uniform securities act	0	2	\$ -	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
8	36b-28(b)	Violating the uniform securities act	0	2	\$ -	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
			0	2	\$	\$	
n/a	366562	Violating the business opportunity investment act (See Sec. 9)	0	2	\$	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
n/a	366563	Violating disclosure requirements of the business opportunity investment act (See Sec. 9)	0	2	\$	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
9	366573(b)	Violating the business opportunity investment act	0	2	\$	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
n/a	38a-140(c)	Illegally acquiring a controlling interest in a domestic insurance company	0	2	\$	\$15,000 AND \$50,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
10	38a-658	Violating the license, acceptor, or health insurance requirements	0	2	\$	\$1,500	Deem E felony, no change in prison penalty but increase fine to \$3,500
11	53-201	Illegally aiding a prize fight	0	2	\$	\$500	Deem E felony, no change in prison penalty but increase fine to \$3,500
12	53a-209	Violating an injunction-obscene matters	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
13	9-655	Willful neglect or delinquency of a rate	0	3	\$	\$2,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
14	14-129(a)	Altering a motor vehicle identification number or possessing a vehicle with an altered number (1st)	0	3	\$	\$2,500	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
n/a	14-215(c)(3)	Operating a motor vehicle under suspension for third or subsequent alcohol-related offense (fines double in C/U zone)	1 (m)	3	\$500	\$1,000	Deem E felony, no change in prison penalty or fines
n/a	14-227a	Driving under the influence (3rd/SBS)(fines doubled in C/U zone)	1 (m)	3	\$2,000	\$8,000	Deem E felony, no change in prison penalty or fines

**Table 2: Unclassified Felonies and Working Group Proposals**  
**(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO Sec. #	Statute	Description	Prison Term			Fine		Working Group Proposals
			Min.	Max.	Min.	Max.		
							Y	
n/a	14-227g	Driving under the influence-02 BAC for someone under age 21 (3rd/SBS)	1 (m)	3	\$2,000	\$8,000	Deem E felony, no change in prison penalty or fines	
n/a	15-133*	Operating a vessel under the influence (3rd/SBS)	1 (m)	3	\$2,000	\$8,000	Deem E felony, no change in prison penalty or fines	
15	22-126	Illegally entering a horse in a race	0	3	\$	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500	
16	22-351	Stealing, killing, or maiming a companion animal (SBS or multiple animals)	1	3	\$	\$2,000	Amend the statute to call this crime a class E felony, thus keeping the three year prison penalty, eliminating the one year minimum (not currently a mandatory minimum), and increasing the fine to up to \$3,500	
n/a	22a-438(c)	Knowingly violating water pollution control requirements	0	3	\$ -	\$50,000	Deem E felony, no change in prison penalty or fines	
n/a	22a-438(e)	Illegally discharging gasoline	0	3	\$ -	\$50,000	Deem E felony, no change in prison penalty or fines	
n/a	22a-628(b)	Knowingly violating mercury requirements (P)	0	3	\$ -	\$50,000	Deem E felony, no change in prison penalty or fines	
17	29-28	Violating pistol permit requirements (penalty in 29-37) (also changed re Class D felony)	0	3	\$ -	\$500	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500	
17	29-31	Failing to display gun sales permit (penalty in 29-37) (also changed re class D felony)	0	3	\$ -	\$500	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500	
18	31-68a(e)	Unprofessional stakeholders	0	3	\$100	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500	

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
18	36a-229 (c)	Failing to deliver records to bank receiver	0 Y	3 Y	\$ -	\$10,000	Deem E felony, no change in prison penalty or fines
19	51E87(a)	Illegally soliciting fees for attorney	0 Y	3 Y	\$ -	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
19	51E87(b)	Illegally receiving payment from attorney referral	0 Y	3 Y	\$ -	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
20	51E87(d)	Illegally referring to real estate broker (penalty in 51E87)	0 Y	3 Y	\$ -	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
21	53-202f (a)	Illegally transporting an assault weapon	0 Y	3 Y	\$ -	\$500	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
22	53-206 (a)	Carrying a dangerous weapon	0 Y	3 Y	\$ -	\$500	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
23	53-368	False certification re oath	0 Y	3 Y	\$ -	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
Maximum Penalty of Five Years							
24	4E103	Hampering legislation by threat	0 Y	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
25	46-39(d)	Violate nondisclosure requirements-Department of Information Technology contract	1 Y	5 Y	\$ -	\$3,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum), keeping the maximum prison penalty, and keeping the fine of up to \$5,000
26	7-64	Violating requirements for disposal of a dead body	0 Y	5 Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
27	7-66(d)	Violating a sexton's burial duties	0 Y	5 Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
28	9-264	Illegally assisting a disabled voter	0 Y	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
29	9-332	Tampering by an election official	0 Y	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
30	9-335	False return by an election officer	0 Y	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
31	9-354	Improperly printing a ballot label	0 Y	5 Y	\$100	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but eliminating the minimum fine and increasing the maximum fine to \$5,000
32	9-623	Violating campaign financing requirements (Amended (a), but Subsec. (e) has fines).	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
33	10-390	Illegal acts at archeological or sacred sites	0 Y	5 Y	\$	\$5,000 or twice value of resource site	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
34	12-206(c)	Insurance hospital or medical corporation tax fraud	1 Y	5 Y	\$	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
35	12-231(b)	Corporation business tax	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
36	12-268a(b)	Public-service company tax fraud	1 Y	5 Y	\$	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
37	12-304(b)	Avoiding tax on 20,000 or more cigarettes	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
38	12-306b(b)	Cigarette tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
39	12-321	Cigarette use/storage tax fraud (retail/wholesale)	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
39	12-330(c)	Willfully evading tobacco taxes	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
40	12-330(b)	Tobacco products tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
41	12-465d(a)	ES&E income tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000



**Table 2: Unclassified Felonies and Working Group Proposals**  
**(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
42	12-428(2)	Sales/use tax return fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
43	12-452(b)	Alcoholic beverage tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
44	12-464(b)	Motor vehicle fuels tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
45	12-482(b)	Motor carrier road tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
46	12-519(b)	Dividend, interest, and capital gains tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000



**Table 2: Unclassified Felonies and Working Group Proposals**  
**(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
47	12-551(b)	Admission of cabinet tax fraud	1	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
48	2-591(b)	Petroleum products tax fraud	1	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
49	12-638a(b)	Controlling interest transfer tax fraud	1	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
50	12-737(b)	State income tax fraud	1	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
51	14-149a(b)	Altering motor vehicle identification number or possessing a vehicle with an altered number (2nd/3rd) (also amended the Class E felony) Operating a chop shop	0	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
51	14-149a (b)	Operating a chop shop (SBS)	0 Y	5 Y	\$ -	\$10,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
3	14-196(a)	Motor vehicle title certificate fraud (Subsec. (b) amended re class E felony fine)	1 Y	5 Y	\$500	\$1,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum), keeping the maximum prison penalty, eliminating and the minimum fine, and increasing the maximum fine to \$5,000
52	14-299a (b)	Manufacturing or selling a defective motor vehicle component (Subsec. (b) amended re class E felony fine)	0 Y	5 Y	\$ -	\$15,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
53	15-69 (a)	Tampering with an airport or equipment (Subsec. (b) stays as \$1,000 fine and max 1 year imprisonment)	0 Y	5 Y	\$200	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but eliminating the minimum fine and increasing the maximum fine to \$5,000
54	16-83	False statement-report to public utility regulators	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
55	16a-18 (b)	Creating a telephone charge	0 Y	5 Y	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
56	17a-83	False statement-commit child to hospital	0 Y	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
57	17a-274(m)	False statement involuntarily commitment	0 Y	5 Y	\$	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
58	17a-504	False statement mentally ill commitment	0 Y	5 Y	\$	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
59	17b-30(d)	Illegally releasing biometric identification	0 Y	5 Y	\$	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
60	19a-321(d)	Violating embryo/egg/sperm disposal requirements (Subsec. (b) remains unchanged - See class C felonies)	0 Y	5 Y	\$	\$50,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
60	19a-321(d)	Violating embryo/egg/sperm disposal requirements	0 Y	5 Y	\$	\$50,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
61	19a-324	False statement or emation	0 Y	5 Y	\$	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
61	19a-324	Illegally removing a body for cremation	0 Y	5 Y	\$	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
61	19a-324	Violating cremation requirements	0 Y	5 Y	\$	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
62 to 71	20-9 (penalty in 20-14), 20-33, 20-42, 20-65, 20-73(c), 20-74(b), 20-102, 20-126, 20-126t, 20-138a(b)	Practicing the following without a license: medicine, chiropractic, naturopathy, podiatry, physical therapy, occupational therapy, nursing, dentistry, dental hygiene, or optometry (rewrote Sec. 68 for consistency - to make "for remuneration" apply to advanced practice registered nurses - same as other types of nurses)	0	5	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
72	20-161	Violating optician requirements	0	5	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
73	20-185i (b) (PA 11-228)**	Misrepresenting self as board certified behavior analyst	0	5	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
74	20-193	Practicing psychology without a license	0	5	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
75	20-206b	Illegally using dietitian or nutritionist title	0	5	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
76	20-325	Prohibited acts - real estate	0	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
77	20-395n	Violating audiologist requirements	0	5	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
78	20-417	Violating speech, pathology or audiology requirements	0	5	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
79	20-581	Violating the Pharmacy Practice Act	0	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
	20-605	Practicing pharmacy without a license (penalty in 20-581)	0	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
80	21a-279(b)	Possessing hallucinogens or more than 4 oz marijuana (1st)****	0	5	\$ -	\$2,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
80	21a-279(c)	Possessing controlled substances or between .5 and 4 oz marijuana (2nd)(SBS)****	0	5	\$ -	\$3,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
81	22a-131a(a)	Violating the hazardous waste records requirements (2nd)(SBS)	0	5	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
81	22a-131a(b)	Violating hazardous waste permit or order requirements (1st)	0	5	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
81	22a-131a(c)	Violating used oil requirements (2nd)(SBS)	0	5	\$ -	\$100,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-208a	Violating waste facility requirements (2nd)(SBS) (penalty in 22a-226a)	0	5	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO #	Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
				Min.	Max.	Min.	Max.	
				0	5	\$	\$250,000	
83		22a-208a	Violating waste facility requirements-imminent danger (2nd/SBS) (penalty in 22a-226b)	0	5	\$	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82		22a-208c	Handling waste without a permit (2nd/SBS) (penalty in 22a-226a)	0	5	\$	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83		22a-208c	Handling waste without permit-imminent danger (2nd/SBS) (penalty in 22a-226b)	0	5	\$	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82		22a-209	Violating solid waste management regulations 2nd (SBS) (penalty in 22a-226a)	0	5	\$	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83		22a-209	Violating solid waste management regulations-imminent danger (2nd/SBS) (penalty in 22a-226b)	0	5	\$	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82		22a-225	Violating waste abatement over (2nd/SBS) (penalty in 22a-226a)	0	5	\$	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83		22a-225	Violating a waste abatement over-imminent danger (2nd/SBS) (penalty in 22a-226b)	0	5	\$	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82		22a-231	Violating resources recovery regulations (2nd/SBS) (penalty in 22a-226a)	0	5	\$	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83		22a-231	Violating resources recovery regulations-imminent danger (2nd/SBS) (penalty in 22a-226b)	0	5	\$	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine

**Table 2: Unclassified Felonies and Working Group Proposals**  
**(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
			0	5	\$ -	\$250,000	
83	22a-250(c)	Illegal dumping-imminent danger (2 <sup>nd</sup> /SBS) (penalty in 22a-226b)	0	5	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-250(c)	Illegal dumping (2 <sup>nd</sup> /SBS) (penalty in 22a-226a)	0	5	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83	22a-250(d)	Illegal dumping bulky or hazardous waste-imminent danger (2 <sup>nd</sup> /SBS) (penalty in 22a-226b)	0	5	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-250(d)	Illegal dumping bulky of hazardous waste (2 <sup>nd</sup> /SBS) (penalty in 22a-226a)	0	5	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-252	Illegally disposing of asbestos (2 <sup>nd</sup> /SBS) (penalty in 22a-226a)	0	5	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83	22a-252	Illegally disposing of asbestos-imminent danger (2 <sup>nd</sup> /SBS) (penalty in 22a-226b)	0	5	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
84 10 10	22a-276(c)	Perjury-water diversion hearing (Violation can already be a class D felony or Class A misdemeanor - but refers to Secs. 53a-155 to 37a-157, each change made to correct reference to false statement - 53a-157(b))	0	5	\$ -	\$15,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
84	22a-276(c)	tampering with or falsifying water diversion evidence	0	5	\$ -	\$15,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
85	22a-272	Detaching civil preparedness equipment	0	5	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000



**Table 2: Unclassified Felonies and Working Group Proposals**  
**(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
				Min.	Max.	Min.	Max.	
17		29-35(a)	Carrying a pistol without a permit (penalty in 29-37(b)) (also a class E felony)	1 (m1)	5	\$ -	\$1,000	Amend the statute to call this crime a class D felony, retaining the one-year mandatory minimum sentence and increasing the fine to up to \$5,000
86		29-36	Illegally altering firearm identification	0	5	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
87 **		29-37(a)	Purchasing a firearm for an illegal transfer (D felony if committed after prior felony conviction in past five years) ** Compare change in Subsec. (a) to Subsec. (c) which has enhanced penalty (Class D felony) if already a felon; Change in Subsec. (a) would make lesser penalty the same as the enhanced penalty.	0	5	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
88		29-38 (a)	Illegally possessing a weapon in a motor vehicle (Compare to Sec. 53-206 which remains unchanged)	0	5	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
89		29-353	Illegally possessing unlabelled explosives	0	5	\$ -	\$10,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
90		31-12	Illegal hours of labor manufacturing or mechanical work (penalty in 31-15 and 31-15a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90		31-13	Illegal hours of labor mercantile work (penalty in 31-15 and 31-15a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine



**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
			Y	M	\$	\$	
90	31-14	Illegally employing a minor at night (penalty in 31-15 and 31-15a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-15	Parent permitting illegal employment of minor (penalty in 31-15a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-18	Illegal hours of labor at establishments (penalty in 31-18a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-18(b)	Certain employers failing to post hours of employment of minors, elderly, and people with handicaps (penalty in 31-18a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-24	Illegally employing a minor in certain work (penalty in 31-15a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-24	Illegally employing a minor in hazardous work (penalty in 31-15a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-15a	This is the actual penalty section for prior sections listed as Section 90					Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO 799	Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
				Min.	Max.	Min.	Max.	
91		31-69(b)	Minimum wage violation-unpaid wages under \$2,000	0	5	\$4,000	\$10,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
92		31-71g	Violating wage payment requirements over \$2,000	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
93		36-51(a)	Violating the tender offer act	0	5	\$	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
94		36-140(a)(2)	False statement holding company officer (Other provision of section deemed class E felony above)	0	5	\$	\$50,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
95		40-51	Illegally issuing a warehouse receipt	0	5	\$	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
96		40-53	Illegally duplicating a warehouse receipt	0	5	\$	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
97		41-27	Fraudulently issuing a bill of lading	0	5	\$	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
98		41-49	Illegally issuing a duplicate bill of lading	0	5	\$	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine

**Table 2: Unclassified Felonies and Working Group Proposals  
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
100	41-51	Illegally transferring a bill of lading	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
101	41-52	Soliciting an illegal bill of lading	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
101	41-53	Issuing improper nonnegotiable bill of lading	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
102	42-232(d)	Violating a supply emergency order	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
102	42-232(d)	Repeatedly violating a supply emergency order	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
103	43a-729	Illegally placing a child for adoption	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
104	49-6a(b)	Recording a false affidavit on land records	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
105	53-20(a)(1)	Intentional cruelty to persons	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine

**Table 2: Unclassified Felonies and Working Group Proposals**  
 (Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO 799	Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
				Min.	Max.	Min.	Max.	
105		53-20(b)(1)	Intentional cruelty to child under age 19	0	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
106		53-23	Abandoning a child	0	5	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
107		53-200	Illegal prize fighting	0	5	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
108		53-247(a), amended by PA 12-86**	Animal cruelty (2nd and SBS)	0	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
108		53-247(b)	Maliciously wounding or killing an animal	0	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
108		53-247(c)	Using an animal for fighting	0	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
108		53-247(d)	Injuring a peace officer animal (Subsec. (e) unchanged \$10k; 10 Years)	0	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
109		53-320	Distributing noxious seed or poisons	0	5	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
110		53-334	Unlawful disinterment	0	5	\$ -	\$2,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals**  
**(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
				Min.	Max.	Min.	Max.	
		<del>53-341</del>	<del>Illegally using the title of physician, surgeon, doctor, or osteopath</del>	0	5	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
112		53-347a(a)	Forging a stamp or label	0	5	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
112		53-347a(b)	Affixing a fraudulent marking	0	5	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
112		53-347a(c)	Using a counterfeit marking	0	5	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
113		<del>21a-279(b)</del>	<del>False statement obtaining criminal history</del>	0	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
113		PA 12-135** 12-428a(b)	Sale or possession of zappers or phantom-ware (which falsify cash register receipts)	1	5	\$ -	\$100,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
Maximum Penalty of Over Five Years								
n/a		12-662	Possessing an unstamped drug (penalty in 12-660)	0	6	\$ -	\$10,000	No action recommended at this time.
n/a		12-660	Failing to pay marijuana opening tax	0	6	\$ -	\$10,000	No action recommended at this time.
n/a		21a-277(b)	Selling controlled substances (1st)***	0	7	\$ -	\$25,000	No action recommended at this time.
n/a		21a-279(a)	Possessing narcotics (1st)***	0	7	\$ -	\$50,000	No action recommended at this time.
n/a		12-308	Fraudulent cigarette tax stamps	1	10	\$ -	\$5,000	No action recommended at this time.

**Table 2: Unclassified Felonies and Working Group Proposals**  
**(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO #	Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
				Min.	Max.	Min.	Max.	
n/a		14-224(a) and (f)	Evading responsibility-death/serious injury (fine doubled in C/U zone)	1	10	\$ -	\$10,000	No action recommended at this time.
n/a		19a-220(b)	Controlling human embryo	0	10	\$ -	\$100,000	No action recommended at this time.
5		21a-245	Violating restricted substances requirements (2nd/SBS)(penalty in 21a-255)	0	10	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
5		21a-246	Making controlled substances without a license (2nd/SBS)(penalty in 21a-255)	0	10	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
5		21a-251	Illegally dispensing controlled substances-hospital (2nd/SBS)(penalty in 21a-255)	0	10	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
5		21a-252	Illegally prescribing or dispensing controlled substances (2nd/SBS)(penalty in 21a-255)	0	10	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
5		21a-255(b)***	Intentionally failing to keep drug records (2nd/SBS)	0	10	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)

**Table 2: Unclassified Felonies and Working Group Proposals  
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO #	Statute	Description	Prison Term		Fine		Working Group Proposals		
			Min.	Max.	Min.	Max.			
			0	Y	10	Y		\$ -	\$10,000
5	<u>21a-256</u>	Violating controlled substance label requirements (2 <sup>nd</sup> /SBS)(penalty in 21a-255)	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
5	<u>21a-257</u>	Failing to keep narcotics in containers (2 <sup>nd</sup> /SBS)(penalty in 21a-255)	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
5	<u>21a-266</u>	Controlled substance-certain prohibited acts (2 <sup>nd</sup> /SBS)(penalty in 21a-255)	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
5	<u>21a-277(c)</u>	Operating a drug factory (2 <sup>nd</sup> /SBS) (penalty in 21a-255(b))	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
80	<u>21a-279(b)</u>	Possessing a hallucinogen or more than 4 oz. marijuana (2 <sup>nd</sup> /SBS) <sup>****</sup>	0	Y	10	Y	\$ -	\$5,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term, adding a minimum one year prison term (which the court can suspend), and increasing the fine to \$10,000

**Table 2: Unclassified Felonies and Working Group Proposals**  
**(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
81	22a-131a(b)	Violating hazardous waste permit/regulations (2nd/SBS)	0	10	\$ -	\$100,000 per day	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and adding a minimum one year prison term (which the court can suspend), but retain the higher fine
114	22a-438(c)	Knowingly violating water pollution control requirements (2nd/SBS)	0	10	\$ -	\$100,000 per day	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and adding a minimum one year prison term (which the court can suspend), but retain the higher fine
114	22a-438(c)	Illegally discharging gasoline (2nd/SBS)	0	10	\$ -	\$100,000 per day	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and adding a minimum one year prison term (which the court can suspend), but retain the higher fine
115	22a-623(b)	Violating mercury requirements (2nd/SBS)	0	10	\$ -	\$50,000 per day	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and adding a minimum one year prison term (which the court can suspend), but retain the higher fine
n/a	29-324	Violating flammable liquid regulations causing death/injury	0	10	\$ -	\$10,000	No action recommended at this time.
n/a	29-348	Illegal possession of explosives	0	10	\$ -	\$10,000	No action recommended at this time.
n/a	29-349(b)	Using explosives without a permit	0	10	\$ -	\$10,000	No action recommended at this time.
n/a	29-349(c)	Storing explosives without a permit	0	10	\$ -	\$10,000	No action recommended at this time.



**Table 2: Unclassified Felonies and Working Group Proposals**  
**(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
n/a	29-349(d)	Illegally procuring or transporting explosives	0	Y 10	\$ -	\$10,000	No action recommended at this time.
n/a	33-1333(d)(1)	Certifying a false financial statement	0	Y 10	\$ -	\$1,000,000	No action recommended at this time.
n/a	36b-4	Fraudulently selling securities (penalty in 36b-28)	0	Y 10	\$ -	\$10,000	No action recommended at this time.
n/a	36b-5	Illegal acts by investment advisers (penalty in 36b-28)	0	Y 10	\$ -	\$10,000	No action recommended at this time.
n/a	36b-28(a)	Violating the Uniform Securities Act	0	Y 10	\$ -	\$10,000	No action recommended at this time.
n/a	36b-27(c)	Business opportunity investment fraud (penalty in 36b-28)	0	Y 10	\$ -	\$25,000	No action recommended at this time.
n/a	53-202(c)(1)	Using a machine gun for an aggressive purpose	5	Y 10	\$ -	\$1,000	No action recommended at this time.
n/a	53-202(c)(2)	Transferring, selling, or giving a machine gun to someone under age 16	5	Y 10	\$ -	\$1,000	No action recommended at this time.
n/a	53-277(c)	Killing a peace officer	0	Y 10	\$ -	\$10,000	No action recommended at this time.
n/a	53-388a(b)	Illegally using a scanning device	1	Y 10	\$ -	\$10,000	No action recommended at this time.
n/a	53-388a(c)	Illegally using a reencoder	1	Y 10	\$ -	\$10,000	No action recommended at this time.
n/a	54-33d	Interfering with a search-deadly weapon	0	Y 10	\$ -	\$10,000	No action recommended at this time.
n/a	21a-277(a)	Selling hallucinogens or narcotics (1st)****	0	Y 15	\$ -	\$50,000	No action recommended at this time.
n/a	21a-277(b)	Selling controlled substances (2nd/SBS)****	0	Y 15	\$ -	\$100,000	No action recommended at this time.
n/a	21a-279(a)	Possessing narcotics (2nd)****	0	Y 15	\$ -	\$100,000	No action recommended at this time.
n/a	22a-112(d)	Certain hazardous waste violations/imminent danger (See Sec. 81 re class. and Def. 01)	0	Y 16	\$ -	\$250,000	No action recommended at this time.
n/a	21a-278(b)	Selling narcotics or certain other drugs—nondependent person (1st)	5	Y 20	\$ -	\$ -	No action recommended at this time.
n/a	33a-1333(b)(2)	Willfully certifying a false financial statement	0	Y 20	\$ -	\$5,000,000	No action recommended at this time.

**Table 2: Unclassified Felonies and Working Group Proposals  
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term			Fine		Working Group Proposals	
			Min.	Max.	Min.	Max.			
							10		20
<u>n/a</u>	<u>53-202(b)</u>	Possessing or using machine gun in a violent crime	10	Y	20	Y	\$ -	\$ -	No action recommended at this time.
<u>n/a</u>	<u>53-395</u>	Violating the corrupt organizations & racketeering act (penalty in 53-397)	1	Y	20	Y	\$ -	\$25,000	No action recommended at this time.
<u>n/a</u>	<u>21a-278(b)</u>	Selling narcotics or certain other drugs—nondependent person (2 <sup>nd</sup> /SBS)****	10 (m2)	Y	25	Y	\$ -	\$ -	No action recommended at this time.
<u>n/a</u>	<u>21a-279(a)</u>	Possessing narcotics (3 <sup>rd</sup> /SBS)****	0	Y	25	Y	\$ -	\$250,000	No action recommended at this time.
<u>n/a</u>	<u>21a-277(a)</u>	Selling hallucinogens or narcotics (2 <sup>nd</sup> )****	0	Y	30	Y	\$ -	\$100,000	No action recommended at this time.
<u>n/a</u>	<u>21a-277(a)</u>	Selling hallucinogens or narcotics (3 <sup>rd</sup> /SBS)****	0	Y	30	Y	\$ -	\$250,000	No action recommended at this time.

SBS=subsequent offense

C/U=The law doubles the fine for this crime if committed in a construction or utility zone.

\* Based on a search of the database, it is unclear whether there are any charges for this offense.

\*\* This offense was created too recently to appear in the charging database.

\*\*\* There are charges under (b) for this offense but the database does not distinguish between the two entries for (b).

\*\*\*\* The law authorizes an alternative, indeterminate sentence for this offense.

m=mandatory minimum sentence

m1=This mandatory minimum sentence applies absent mitigating circumstances.

m2=The court may suspend this mandatory minimum sentence under certain circumstances (see CGS §§ 21a-278(b) and -283a).