



General Assembly

January Session, 2015

***Raised Bill No. 1108***

LCO No. 5255



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE ZERO-TOLERANCE SAFE SCHOOL ENVIRONMENT ACT.***

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

1 Section 1. Section 53a-61aa of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) A person is guilty of threatening in the first degree when such  
4 person (1) (A) threatens to commit any crime involving the use of a  
5 hazardous substance with the intent to terrorize another person, to  
6 cause evacuation of a building, place of assembly or facility of public  
7 transportation or otherwise to cause serious public inconvenience, or  
8 (B) threatens to commit such crime in reckless disregard of the risk of  
9 causing such terror, evacuation or inconvenience; (2) (A) threatens to  
10 commit any crime of violence with the intent to cause evacuation of a  
11 building, place of assembly or facility of public transportation or  
12 otherwise to cause serious public inconvenience, or (B) threatens to  
13 commit such crime in reckless disregard of the risk of causing such  
14 evacuation or inconvenience; [or] (3) commits threatening in the  
15 second degree as provided in section 53a-62, as amended by this act,

16 and in the commission of such offense [he] such person uses or is  
17 armed with and threatens the use of or displays or represents by [his]  
18 such person's words or conduct that [he] such person possesses a  
19 pistol, revolver, shotgun, rifle, machine gun or other firearm, or (4)  
20 violates subdivision (1) or (2) of this subsection with the intent to cause  
21 an evacuation of a building or the grounds of a public or nonpublic  
22 preschool, school or institution of higher education during preschool,  
23 school or instructional hours or when a building or the grounds of  
24 such preschool, school or institution are being used for school or  
25 institution-sponsored activities. No person shall be found guilty of  
26 threatening in the first degree under subdivision (3) of this subsection  
27 and threatening in the second degree upon the same transaction but  
28 such person may be charged and prosecuted for both such offenses  
29 upon the same information.

30 (b) For the purposes of this section, "hazardous substance" means  
31 any physical, chemical, biological or radiological substance or matter  
32 which, because of its quantity, concentration or physical, chemical or  
33 infectious characteristics, may cause or significantly contribute to an  
34 increase in mortality or an increase in serious irreversible or  
35 incapacitating reversible illness, or pose a substantial present or  
36 potential hazard to human health.

37 (c) Threatening in the first degree is a class D felony, except that a  
38 violation of subdivision (4) of subsection (a) of this section shall be a  
39 class C felony.

40 Sec. 2. Section 53a-62 of the general statutes is repealed and the  
41 following is substituted in lieu thereof (*Effective October 1, 2015*):

42 (a) A person is guilty of threatening in the second degree when: (1)  
43 By physical threat, such person intentionally places or attempts to  
44 place another person in fear of imminent serious physical injury, (2)  
45 such person threatens to commit any crime of violence with the intent  
46 to terrorize another person, [or] (3) such person threatens to commit

47 such crime of violence in reckless disregard of the risk of causing such  
48 terror, or (4) violates subdivision (1), (2) or (3) of this subsection and  
49 the person threatened is in a building or on the grounds of a public or  
50 nonpublic preschool, school or institution of higher education during  
51 preschool, school or instructional hours or when a building or the  
52 grounds of such preschool, school or institution are being used for  
53 preschool, school or institution-sponsored activities.

54 (b) Threatening in the second degree is a class A misdemeanor,  
55 except that a violation of subdivision (4) of subsection (a) of this  
56 section shall be a class D felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	53a-61aa
Sec. 2	<i>October 1, 2015</i>	53a-62

**Statement of Purpose:**

To increase the penalties for threatening when the threat involves a preschool, school or an institution of higher education.

*[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.]*