



General Assembly

Amendment

February Session, 2016

LCO No. 4977



Offered by:
SEN. HWANG, 28th Dist.

To: Subst. Senate Bill No. 175

File No. 366

Cal. No. 251

**"AN ACT CONCERNING RECOMMENDATIONS OF THE
DEPARTMENT OF EDUCATION."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 53a-61aa of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2016*):

5 (a) A person is guilty of threatening in the first degree when such
6 person (1) (A) threatens to commit any crime involving the use of a
7 hazardous substance with the intent to terrorize another person, to
8 cause evacuation of a building, place of assembly or facility of public
9 transportation or otherwise to cause serious public inconvenience, or
10 (B) threatens to commit such crime in reckless disregard of the risk of
11 causing such terror, evacuation or inconvenience; (2) (A) threatens to
12 commit any crime of violence with the intent to cause evacuation of a
13 building, place of assembly or facility of public transportation or
14 otherwise to cause serious public inconvenience, or (B) threatens to
15 commit such crime in reckless disregard of the risk of causing such

16 evacuation or inconvenience; [or] (3) commits threatening in the
17 second degree as provided in section 53a-62, as amended by this act,
18 and in the commission of such offense [he] such person uses or is
19 armed with and threatens the use of or displays or represents by [his]
20 such person's words or conduct that [he] such person possesses a
21 pistol, revolver, shotgun, rifle, machine gun or other firearm; or (4)
22 violates subdivision (1) or (2) of this subsection with the intent to cause
23 an evacuation of a building or the grounds of a public or nonpublic
24 preschool, school or institution of higher education during preschool,
25 school or instructional hours or when a building or the grounds of
26 such preschool, school or institution are being used for preschool,
27 school or institution-sponsored activities. No person shall be found
28 guilty of threatening in the first degree under subdivision (3) of this
29 subsection and threatening in the second degree upon the same
30 transaction but such person may be charged and prosecuted for both
31 such offenses upon the same information.

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

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

42 Sec. 502. Section 53a-62 of the general statutes is repealed and the
43 following is substituted in lieu thereof (*Effective October 1, 2016*):

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

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

56 (b) Threatening in the second degree is a class A misdemeanor,
57 except that a violation of subdivision (3) of subsection (a) of this
58 section is a class D felony.

59 Sec. 503. (NEW) (*Effective October 1, 2016*) The Board of Pardons and
60 Paroles shall grant an absolute pardon to any person who applies for
61 such pardon with respect to a conviction of a violation of subdivision
62 (4) of subsection (a) of section 53a-61aa of the general statutes, as
63 amended by this act, or subdivision (3) of subsection (a) of section 53a-
64 62 of the general statutes, as amended by this act, if (1) such person
65 committed such offense prior to attaining the age of eighteen years, (2)
66 at least three years have elapsed from the date of such conviction or
67 such person's discharge from the supervision of the court or the care of
68 any institution or agency to which such person has been committed by
69 the court, whichever is later, (3) such person has no subsequent
70 juvenile proceeding or adult criminal proceeding that is pending, (4)
71 such person has attained the age of eighteen years, and (5) such person
72 has not been convicted as an adult of a felony or misdemeanor during
73 the three-year period specified in subdivision (2) of this section.

74 Sec. 504. (NEW) (*Effective October 1, 2016*) Any individual who
75 reports an act of threatening described in subdivision (4) of subsection
76 (a) of section 53a-61aa of the general statutes, as amended by this act,
77 shall have an absolute defense to any civil action brought as a result of
78 having made such report, provided such individual exercised due care
79 when making such report and at all times acted in good faith while
80 making such report."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>October 1, 2016</i>	53a-61aa
Sec. 502	<i>October 1, 2016</i>	53a-62
Sec. 503	<i>October 1, 2016</i>	New section
Sec. 504	<i>October 1, 2016</i>	New section