



General Assembly

Amendment

February Session, 2016

LCO No. 5149



Offered by:

SEN. MCLACHLAN, 24th Dist.

SEN. KISSEL, 7th Dist.

SEN. BOUCHER, 26th Dist.

To: Subst. Senate Bill No. **459**

File No. 563

Cal. No. 360

(As Amended)

"AN ACT CONCERNING THE COUNTING OF INCARCERATED PERSONS FOR PURPOSES OF DETERMINING LEGISLATIVE DISTRICTS AND DISTRIBUTING STATE AND FEDERAL FUNDS."

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- 1 In line 49, strike ";"
- 2 In line 50, strike "(2) Ensure"
- 3 In line 53, strike "." and insert ", except as provided in subdivision
- 4 (2) of this subsection; and
- 5 (2) Ensure that each person incarcerated on the date for which the
- 6 census reports population and who is serving a term of life
- 7 imprisonment without the possibility of release shall be represented in
- 8 any applicable count reported in the federal decennial census for the
- 9 geographic units that include the facility in which the person is
- 10 incarcerated."

11 After the last section, add the following and renumber sections and
12 internal references accordingly:

13 "Sec. 501. (NEW) (*Effective July 1, 2016*) (a) Notwithstanding any
14 provision of the general statutes, any person who commits murder
15 with special circumstances on or after July 1, 2016, in violation of
16 section 53a-54b of the general statutes, shall be sentenced to a term of
17 life imprisonment without the possibility of release unless a sentence
18 of death is imposed in the manner prescribed in section 53a-46a of the
19 general statutes.

20 (b) The provisions of the general statutes applicable to a person who
21 commits a capital felony prior to April 25, 2012, including, but not
22 limited to, the provisions of the general statutes set forth in the
23 revision of 1958, revised to 2011, shall apply in like manner to a person
24 who commits murder with special circumstances on or after July 1,
25 2016, in violation of section 53a-54b of the general statutes, if a
26 sentence of death is imposed in the manner prescribed in section 53a-
27 46a of the general statutes, as provided in subsection (a) of this section.

28 (c) Wherever in the general statutes the term "capital felony" is used
29 or referred to, such term shall be deemed to include murder with
30 special circumstances committed on or after July 1, 2016, in violation of
31 section 53a-54b of the general statutes, where a sentence of death is
32 imposed in the manner prescribed in section 53a-46a of the general
33 statutes, as provided in subsection (a) of this section.

34 Sec. 502. (NEW) (*Effective from passage*) It is the intent of the General
35 Assembly, that notwithstanding any other law to the contrary, in the
36 case of any person incarcerated in a correctional facility of this state
37 under a sentence of death, the state shall carry out such penalty of
38 death."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2016	New section

Sec. 502	<i>from passage</i>	New section
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