



General Assembly

January Session, 2017

Committee Bill No. 5742

LCO No. 4211



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING THREATENING OF A JUDGE.

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 Section 53a-61aa of the general statutes is repealed and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, 2017*):

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; (3) commits threatening in the second
15 degree as provided in section 53a-62, as amended by this act, and in
16 the commission of such offense such person uses or is armed with and

17 threatens the use of or displays or represents by such person's words
18 or conduct that such person possesses a pistol, revolver, shotgun, rifle,
19 machine gun or other firearm; [or] (4) violates subdivision (1) or (2) of
20 this subsection with the intent to cause an evacuation of a building or
21 the grounds of a public or nonpublic preschool, school or institution of
22 higher education during preschool, school or instructional hours or
23 when a building or the grounds of such preschool, school or institution
24 are being used for preschool, school or institution-sponsored activities;
25 or (5) violates subdivision (1) or (3) of this subsection and the person
26 being threatened is a family support magistrate, a family support
27 referee, judge trial referee or a judge of any court, either elected or
28 appointed, and the threat is related to the magistrate's, referee's or
29 judge's official duties. No person shall be found guilty of threatening
30 in the first degree under subdivision (3) of this subsection and
31 threatening in the second degree upon the same transaction but such
32 person may be charged and prosecuted for both such offenses upon
33 the same information.

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

41 (c) Threatening in the first degree is a class D felony, except that a
42 violation of subdivision (4) or subdivision (5) of subsection (a) of this
43 section is a class C felony.

44 Sec. 2. Section 53a-62 of the general statutes is repealed and the
45 following is substituted in lieu thereof (*Effective October 1, 2017*):

46 (a) A person is guilty of threatening in the second degree when: (1)
47 By physical threat, such person intentionally places or attempts to
48 place another person in fear of imminent serious physical injury, (2)

49 (A) such person threatens to commit any crime of violence with the
50 intent to terrorize another person, or (B) such person threatens to
51 commit such crime of violence in reckless disregard of the risk of
52 causing such terror, [or] (3) such person violates subdivision (1) or (2)
53 of this subsection and the person threatened is in a building or on the
54 grounds of a public or nonpublic preschool, school or institution of
55 higher education during preschool, school or instructional hours or
56 when a building or the grounds of such preschool, school or institution
57 are being used for preschool, school or institution-sponsored activities,
58 or (4) such person violates subdivision (1) or (2) of this subsection and
59 the person being threatened is a family support magistrate, a family
60 support referee, a judge trial referee or a judge of any court, either
61 elected or appointed, and the threat is related to the magistrate's,
62 referee's or judge's official duties.

63 (b) Threatening in the second degree is a class A misdemeanor,
64 except that a violation of subdivision (3) or (4) of subsection (a) of this
65 section is a class D felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2017	53a-61aa
Sec. 2	October 1, 2017	53a-62

Statement of Purpose:

To increase the penalties for first and second degree threatening in cases where the person making the threat knows that a person being threatened is a judge.

[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.]

Co-Sponsors: REP. TONG, 147th Dist.; REP. ELLIOTT, 88th Dist.

H.B. 5742