



STATE OF CONNECTICUT  
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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Testimony of the Judicial Branch  
Public Health Committee Public Hearing  
February 11, 2019

**S.B. 47, An Act Prohibiting the Sale of Goods and Use of  
Building Materials Containing Asbestos**

Thank you for the opportunity to provide written testimony on behalf of the Judicial Branch regarding **S.B. 47, *An Act Prohibiting the Sale of Goods and Use of Building Materials Containing Asbestos***. While we do not have a substantive position on this bill, we would request a technical change.

Should the Committee act favorably on this proposal, we would ask that the two penalties contemplated by subsection (b) of Section 1 of the bill be separated into their own subdivisions. Additionally, the penalties the bill prescribes concerning offenses committed with the intent to defraud, and a second or subsequent offense rise to the level of class A misdemeanors pursuant to section 53a-26 of the Connecticut General Statutes. Thus, we suggest the following language:

(b) (1) A person who violates subsection (a) (1) of this section shall be guilty of a class B misdemeanor; (2) a person who violates subsection (a) (2) of this section shall be guilty of a class B misdemeanor; (3) a violation of subsection (a) of this section committed with intent to defraud or mislead, or a second or subsequent offense, shall be a class A misdemeanor for which the penalty shall be imprisonment for not more

than one year, or a fine of not more than five thousand dollars or both such imprisonment and fine.

Drafting the language in this way allows the individual to be charged separately for each potential offense, and helps us to track the number of each offense and maintain more accurate statistical data.

Thank you for your time and attention to this matter.