

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 19-27—sSB 58
Judiciary Committee

AN ACT CONCERNING GAY AND TRANSGENDER PANIC DEFENSE

SUMMARY: This act prohibits criminal defendants from claiming a defense based solely on their discovery or knowledge of, or the potential disclosure of, the victim's actual or perceived sex, sexual orientation, or gender identity or expression. This includes situations in which the (1) victim made an unwanted, nonforcible, romantic or sexual advance toward the defendant or (2) defendant and victim dated or had a romantic relationship.

Specifically, the act prohibits a defendant from asserting the following:

1. as an affirmative defense, that he or she lacked substantial capacity at the time of the conduct, due to mental disease or defect based solely on the above circumstances, to appreciate the wrongfulness of his or her conduct or to lawfully control that conduct;
2. as a defense, that he or she was justified in committing the alleged conduct due to provocation based solely on the above circumstances; or
3. justification for using force against another person based solely on the above circumstances.

EFFECTIVE DATE: October 1, 2019