



JOURNAL OF THE SENATE

Tuesday, May 14, 2019

The Senate was called to order at 4:36 p.m., the President in the Chair.

The prayer was offered by Deputy Chaplain, Reverend Bonita Grubbs of New Haven, Connecticut.

The following is the prayer:

God of all creation, You have allowed us to observe, over and over again, that a rainbow can appear after rainfall. It reminds us that darkness does turn into light, the sun still shines and a new day still dawns. They are shining examples of Your power.

Help us, as Maya Angelo said, not simply to see the rainbow in our midst but be the one in someone else's cloud. By your grace, manifest the hope that is within and all around us on this day after the rainfall.

Today, in these Hallowed Halls, shine and reflect the beauty all around us that You have made. AMEN.

PLEDGE

Senator Kushner of the 24th led the Senate in the Pledge of Allegiance.

FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE SENATE BILL

The following favorable report was received from the Joint Standing Committee indicated, read the second time and tabled for the calendar and printing.

FINANCE, REVENUE AND BONDING. S.B. No. **1122** (RAISED) (File No. 876) AN ACT CONCERNING A STUDY OF STATE REVENUE POLICIES.

BUSINESS FROM THE HOUSE FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE HOUSE BILL

The following favorable report of the Joint Standing Committee was received from the House, read the second time and tabled for the calendar.

ENERGY AND TECHNOLOGY. Substitute for H.B. No. **7156** (RAISED) (File No. 192) AN ACT CONCERNING THE PROCUREMENT OF ENERGY DERIVED FROM OFFSHORE WIND as amended by House Amendment Schedule "A" (LCO 8292)).

**MATTERS RETURNED FROM COMMITTEE
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES**

The following favorable reports were received from the Joint Standing Committees indicated, the bills were read the second time and tabled for the calendar.

NO NEW FILE

FINANCE, REVENUE AND BONDING. S.B. No. **72** (COMM) (File No. 256) AN ACT ESTABLISHING A TAX CREDIT FOR EMPLOYERS THAT MAKE PAYMENTS ON LOANS ISSUED TO CERTAIN EMPLOYEES BY THE CONNECTICUT HIGHER EDUCATION SUPPLEMENTAL LOAN AUTHORITY. (As amended by Senate Amendment Schedule "A").

FINANCE, REVENUE AND BONDING. S.B. No. **527** (COMM) (File No. 591) AN ACT PERMITTING MUNICIPALITIES TO COMBINE THE PROPERTY ASSESSMENTS OF MULTIPLE ELECTRIC GENERATING FACILITIES.

JUDICIARY. S.B. No. **765** (COMM) (File No. 519) AN ACT ENSURING FAIR AND EQUAL PAY FOR EQUAL WORK.

FINANCE, REVENUE AND BONDING. Substitute for S.B. No. **846** (RAISED) (File No. 451) AN ACT CONCERNING THE MUNICIPAL GAIN, THE PREPARATION OF UTILITY POLES AND ENTERPRISE FUNDS FOR MUNICIPAL BROADBAND SERVICES.

FINANCE, REVENUE AND BONDING. Substitute for S.B. No. **928** (RAISED) (File No. 725) AN ACT CONCERNING THE TAX EXEMPTION FOR REAL PROPERTY USED FOR CERTAIN PURPOSES.

FINANCE, REVENUE AND BONDING. Substitute for S.B. No. **978** (RAISED) (File No. 328) AN ACT CONCERNING TEACHERS' RETIREMENT SYSTEM CONTRIBUTIONS.

**BUSINESS ON THE CALENDAR
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES
BILLS PASSED**

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

BANKING. S.B. No. **190** (COMM) (File No. 211) AN ACT REQUIRING FINANCIAL INSTITUTIONS TO ACCEPT PROPERLY EXECUTED POWERS OF ATTORNEY.

Senator Bergstein of the 36th explained the bill and moved passage.

Remarking were Senators Berthel of the 32nd, Kelly of the 21st, Looney of the 11th, Kissel of the 7th, Fasano of the 34th and Hwang of the 28th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 5:04 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	31
Those voting Nay	4
Those absent and not voting.....	1

On the roll call vote Senate Bill No. 190 was passed.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
N 3 SAUD ANWAR	Y 21 KEVIN KELLY
N 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 GENNARO BIZZARRO	Y 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	Y 25 BOB DUFF
Y 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW LESSER	Y 27 CARLO LEONE
Y 10 GARY WINFIELD	Y 28 TONY HWANG
Y 11 MARTIN M. LOONEY	N 29 MAE M. FLEXER
Y 12 CHRISTINE COHEN	Y 30 CRAIG MINER
N 13 MARY ABRAMS	Y 31 HENRI MARTIN
Y 14 JAMES MARONEY	Y 32 ERIC BERTHEL
Y 15 JOAN V. HARTLEY	A 33 NORM NEEDLEMAN
Y 16 ROBERT SAMPSON	Y 34 LEONARD FASANO
Y 17 GEORGE LOGAN	Y 35 DAN CHAMPAGNE
Y 18 HEATHER SOMERS	Y 36 ALEX BERGSTEIN

**BUSINESS ON THE CALENDAR
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES
BILLS PLACED ON CONSENT CALENDAR NO. 1**

The following bills were taken from the table, read the third time, the reports of the Committees accepted and the bills placed on the Consent Calendar.

EDUCATION. Substitute for S.B. No. **1017** (RAISED) (File No. 332) AN ACT CONCERNING THE OPEN CHOICE PROGRAM.

Senator McCrory of the 2nd explained the bill, offered Senate Amendment Schedule “A” (LCO 8491) and moved adoption.

Remarking were Senator Berthel of the 32nd, Kissel of the 7th, Martin of the 31st, Champagne of the 35th, Miner of the 30th and Hwang of the 28th.

On a voice vote the amendment was adopted.

The following is the Amendment.

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Section 10-266aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(a) As used in this section:

(1) "Receiving district" means any school district that accepts students under the program established pursuant to this section;

(2) "Sending district" means any school district that sends students it would otherwise be legally responsible for educating to another school district under the program; and

(3) "Minority students" means students who are "pupils of racial minorities", as defined in section 10-226a.

(b) There is established, within available appropriations, an interdistrict public school attendance program. The purpose of the program shall be to: (1) Improve academic achievement; (2) reduce racial, ethnic and economic isolation or preserve racial and ethnic balance; and (3) provide a choice of educational programs. The Department of Education shall provide oversight for the program, including the setting of reasonable limits for the transportation of students participating in the program, and may provide for the incremental expansion of the program for the school year commencing in 2000 for each town required to participate in the program pursuant to subsection (c) of this section.

(c) The program shall be phased in as provided in this subsection. (1) For the school year commencing in 1998, and for each school year thereafter, the program shall be in operation in the Hartford, New Haven and Bridgeport regions. The Hartford program shall operate as a continuation of the program described in section 10-266j. Students who reside in Hartford, New Haven or Bridgeport may attend school in another school district in the region and students who reside in such other school districts may attend school in Hartford, New Haven or Bridgeport, provided, beginning with the 2001-2002 school year, the proportion of students who are not minority students to the total number of students leaving Hartford, Bridgeport or New Haven to participate in the program shall not be greater than the proportion of students who were not minority students in the prior school year to the total number of students enrolled in Hartford, Bridgeport or New Haven in the prior school year. The regional educational service center operating the program shall make program participation decisions in accordance with the requirements of this subdivision. (2) For the school year commencing in 2000, and for each school year thereafter, the program shall be in operation in New London, provided beginning with the 2001-2002 school year, the proportion of students who are not minority students to the total number of students leaving New London to participate in the program shall not be greater than the proportion of students who were not minority students in the prior year to the total number of students enrolled in New London in the prior school year. The regional educational service center operating the program shall make program participation decisions in accordance with this subdivision. (3) The Department of Education may provide, within available appropriations, grants for the fiscal year ending June 30, 2003, to the remaining regional educational service centers to assist school districts in planning for a voluntary program of student enrollment in every priority school district, pursuant to section 10-266p, which is interested in participating in accordance with this subdivision. For the school year commencing in 2003, and for each school year thereafter, the voluntary enrollment program may be in operation in every priority school district in the state. Students from other school districts in the area of a priority school district, as determined by the regional educational service center pursuant to subsection (d) of this section, may attend school in the priority school district, provided such students bring racial, ethnic and economic diversity to the priority school district and do not increase the racial, ethnic and economic isolation in the priority school district.

(d) School districts which received students from New London under the program during the 2000-2001 school year shall allow such students to attend school in the district until they graduate from high school. The attendance of such students in such program shall not be supported by grants pursuant to subsections (f) and (g) of this section but shall be supported, in the same amounts as provided for in said subsections, by interdistrict cooperative grants pursuant to section 10-74d to the regional educational service centers operating such programs.

(e) Once the program is in operation in the region served by a regional educational service center pursuant to subsection (c) of this section, the Department of Education shall provide an annual grant to such regional educational service center [to assist school] for the purpose of assisting receiving districts in its area in administering the program and [to provide staff to assist] providing education advocates to such receiving districts. Such education advocates shall (1) assist

students participating in the program to make the transition to a new school, [and to act] (2) act as a liaison between the parents of such students and the new school district, and (3) provide academic and other social support to such students. Each regional educational service center shall determine which school districts in its area are located close enough to a priority school district to make participation in the program feasible in terms of student transportation pursuant to subsection (f) of this section, [, provided any student participating in the program prior to July 1, 1999, shall be allowed to continue to attend the same school such student attended prior to said date in the receiving district until the student completes the highest grade in such school.] If there are more students who seek to attend school in a receiving district than there are spaces available, the regional educational service center shall assist the school district in determining attendance by the use of a lottery or lotteries designed to preserve or increase racial, ethnic and economic diversity, except that the regional educational service center shall give preference to siblings and to students who would otherwise attend a school that has lost its accreditation by the New England Association of Schools and Colleges or has been identified as in need of improvement pursuant to the No Child Left Behind Act, P.L. 107-110. The admission policies shall be consistent with section 10-15c and this section. No receiving district shall recruit students under the program for athletic or extracurricular purposes. Each receiving district shall allow out-of-district students it accepts to attend school in the district until they graduate from high school.

(f) The Department of Education shall provide grants to regional educational service centers or local or regional boards of education for the reasonable cost of transportation for students participating in the program. For the fiscal years ending June 30, 2015, to June 30, 2017, inclusive, the department shall provide such grants within available appropriations, provided the state-wide average of such grants does not exceed an amount equal to three thousand two hundred fifty dollars for each student transported, except that the Commissioner of Education may grant to regional educational service centers or local or regional boards of education additional sums from funds remaining in the appropriation for such transportation services if needed to offset transportation costs that exceed such maximum amount. The regional educational service centers shall provide reasonable transportation services to high school students who wish to participate in supervised extracurricular activities. For purposes of this section, the number of students transported shall be determined on October first of each fiscal year.

(g) (1) Except as provided in subdivision (2) of this subsection, the Department of Education shall provide, within available appropriations, an annual grant to the local or regional board of education for each receiving district in an amount not to exceed two thousand five hundred dollars for each out-of-district student who attends school in the receiving district under the program.

(2) For the fiscal year ending June 30, 2013, and each fiscal year thereafter, the department shall provide, within available appropriations, an annual grant to the local or regional board of education for each receiving district if one of the following conditions are met as follows: (A) Three thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students is less than two per cent of the total student population of such receiving district, (B) four thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students is greater than or equal to two per cent but less than three per cent of the total student population of such receiving district, (C) six thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students is greater than or equal to three per cent but less than four per cent of the total student population of such receiving district, (D) six thousand dollars for each out-of-district student who attends school in the receiving district under the program if the Commissioner of Education determines that the receiving district has an enrollment of greater than four thousand students and has increased the number of students in the program by at least fifty per cent from the previous fiscal year, or (E) eight thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students is greater than or equal to four per cent of the total student population of such receiving district.

(3) Each town which receives funds pursuant to this subsection shall make such funds available to its local or regional board of education in supplement to any other local appropriation, other state or federal grant or other revenue to which the local or regional board of education is entitled.

(h) Notwithstanding any provision of this chapter, each sending district and each receiving district shall divide the number of children participating in the program who reside in such district or attend school in such district by two for purposes of the counts for subdivision (22) of section 10-262f and subdivision (2) of subsection (a) of section 10-261.

(i) In the case of an out-of-district student who requires special education and related services, the sending district shall pay the receiving district an amount equal to the difference between the reasonable cost of providing such special education and related services to such student and the amount received by the receiving district pursuant to subsection (g) of this section and in the case of students participating pursuant to subsection (d) of this section, the per pupil amount received pursuant to section 10-74d. The sending district shall be eligible for reimbursement pursuant to section 10-76g.

(j) Nothing in this section shall prohibit school districts from charging tuition to other school districts that do not have a high school pursuant to section 10-33.

(k) On or before March first of each year, the Commissioner of Education shall determine if the enrollment in the program pursuant to subsection (c) of this section for the fiscal year is below the number of students for which funds were appropriated. If the commissioner determines that the enrollment is below such number, the additional funds shall not lapse at the end of the fiscal year but shall be carried forward for the next fiscal year and used by the commissioner [in accordance with this subsection] for the purpose of providing grants to regional educational service centers for education advocates in accordance with the provisions of subsection (e) of this section.

(1) Any amount up to five hundred thousand dollars of such nonlapsing funds shall be used for supplemental grants to receiving districts on a pro rata basis for each out-of-district student in the program pursuant to subsection (c) of this section who attends the same school in the receiving district as at least nine other such out-of-district students, not to exceed one thousand dollars per student.

(2) Any amount of such nonlapsing funds equal to or greater than five hundred thousand dollars, but less than one million dollars, shall be used for supplemental grants, in an amount determined by the commissioner, on a pro rata basis to receiving districts that report to the commissioner on or before March first of the current school year that the number of out-of-district students enrolled in such receiving district is greater than the number of out-of-district students enrolled in such receiving district from the previous school year.

(3) Any remaining nonlapsing funds shall be used by the commissioner to increase enrollment in the interdistrict public school attendance program described in this section.]

(l) For purposes of the state-wide mastery examinations under section 10-14n, students participating in the program established pursuant to this section shall be considered residents of the school district in which they attend school.

(m) Within available appropriations, the commissioner may make grants to regional education service centers which provide summer school educational programs approved by the commissioner to students participating in the program.

(n) The Commissioner of Education may provide grants for children in the Hartford program described in this section to participate in preschool and all day kindergarten programs. In addition to the subsidy provided to the receiving district for educational services, such grants may be used for the provision of before and after-school care and remedial services for the preschool and kindergarten students participating in the program.

(o) Within available appropriations, the commissioner may make grants for academic student support for programs pursuant to this section that assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as determined by the commissioner."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2019	10-266aa

On motion of Senator McCrory of the 2nd, the bill as amended by Senate Amendment Schedule "A" (LCO 8491) was placed on the Consent Calendar.

**BUSINESS ON THE CALENDAR
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
SENATE BILL PASSED TEMPORARILY**

The following favorable report was taken from the table, read the third time, the report of the Committees accepted and the bill passed temporarily.

JUDICIARY. S.B. No. **792** (COMM) (File No. 795) AN ACT CREATING AN ADVISORY COMMITTEE TO STUDY DISCRIMINATION ON THE BASIS OF GENDER IDENTITY OR EXPRESSION THAT OCCURS IN WORKPLACES AND SCHOOLS IN THE STATE.

Senator Winfield of the 10th explained the bill and moved passage.

Senator Kissel of the 7th offered Senate Amendment Schedule "A" (LCO 8635) and moved adoption.

Remarking were Winfield of the 10th, Witkos of the 8th and Miner of the 30th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 6:13 p.m.:

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	14
Those voting Nay	20
Those absent and not voting	2

On the roll call vote Senate Amendment Schedule "A" (LCO 8635) was rejected.

The following is the roll call vote:

A	1	JOHN W. FONFARA	N	19	CATHERINE A. OSTEN
	N	2 DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
	N	3 SAUD ANWAR	Y	21	KEVIN KELLY
	N	4 STEVE CASSANO	N	22	MARILYN MOORE
	N	5 DEREK SLAP	N	23	DENNIS BRADLEY
Y	6	GENNARO BIZZARRO	N	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	N	25	BOB DUFF
Y	8	KEVIN D. WITKOS	N	26	WILL HASKELL
	N	9 MATTHEW LESSER	N	27	CARLO LEONE
	N	10 GARY WINFIELD	Y	28	TONY HWANG
	N	11 MARTIN M. LOONEY	N	29	MAE M. FLEXER
	N	12 CHRISTINE COHEN	Y	30	CRAIG MINER
	N	13 MARY ABRAMS	Y	31	HENRI MARTIN
	N	14 JAMES MARONEY	Y	32	ERIC BERTHEL
	N	15 JOAN V. HARTLEY	A	33	NORM NEEDLEMAN
Y	16	ROBERT SAMPSON	Y	34	LEONARD FASANO
Y	17	GEORGE LOGAN	Y	35	DAN CHAMPAGNE
Y	18	HEATHER SOMERS	N	36	ALEX BERGSTEIN

The following is the Amendment.

Strike lines 30 to 38, inclusive, in their entirety and insert the following in lieu thereof:

"(3) the impact of transgender athletes on sports programs administered by the Connecticut Interscholastic Athletic Conference, (4) such other matters as may be agreed to by the members of such committee.

(d) Not later than: (1) January 1, 2020, the executive director of the Commission on Human Rights and Opportunities, or the executive director's designee, shall submit a report on the findings and recommendations of the advisory committee with respect to subdivision (3) of subsection (c) of this section to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary, in accordance with the provisions of section 11-4a of the general statutes; and (2) December 1, 2020, the executive director of the Commission on Human Rights and Opportunities, or the executive director's designee, shall submit a report on the findings and recommendations of the advisory committee with respect to subdivisions (1), (2) and (4) of subsection (c) of this section to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary, in accordance with the provisions of section 11-4a of the general statutes."

Remarking were Senators Winfield of the 10th, Kissel of the 7th and Witkos of the 8th.

On a motion from Senator Duff of the 25th, the bill was passed temporarily.

BUSINESS ON THE CALENDAR
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES
BILLS PASSED

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

JUDICIARY. Substitute for S.B. No. **992** (RAISED) (File No. 535) AN ACT CONCERNING THE TRUST ACT.

Senator Winfield of the 10th explained the bill, offered Senate Amendment Schedule "A" (LCO 7531) and moved adoption.

Remarking was Senator Kelly of the 21st.

The following is the Amendment:

On a voice vote the amendment was adopted.

In line 34, after ";" insert "or"

In line 35, strike "or (iii) immigration status,"

In line 75, strike "other than" and insert "and any federal magistrate judge. "Judicial officer" does not mean" in lieu thereof

In line 97, strike "Detain" and insert "Arrest or detain" in lieu thereof

In line 120, strike "a civil immigration"

In line 121, strike "detainer or"

In line 123, after ";", insert "or"

In line 126, strike "; or" and insert ";" in lieu thereof

Strike lines 127 to 132, inclusive, in their entirety

In line 156, strike "potential"

In line 199, strike "potential"

Senator Looney of the 11th in the Chair

Remarking was Senator Anwar of the 3rd.

The President is in the Chair

Remarking were Senators Bizzarro of the 6th, Sampson of the 16th, Bradley of the 23rd, Miner of the 30th, Kelly of the 21st, and Hwang of the 28th.

Senator Looney of the 11th in the Chair

Remarking were Senators Champagne of the 35th, Logan of the 17th, Formica of the 20th.

The President is in the Chair

Remarking were Senators Somers of the 18th, Martin of the 31st and Fasano of the 34th.

Senator Kissel of the 7th offered Senate Amendment Schedule "B" (LCO 8439) and moved adoption.

Remarking was Senator Champagne of the 35th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 11:23 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	16
Those voting Nay	19
Those absent and not voting.....	1

On the roll call vote Senate Amendment Schedule "B" (LCO 8439) was rejected.

The following is the roll call vote:

N 1 JOHN W. FONFARA	N 19 CATHERINE A. OSTEN
N 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	Y 21 KEVIN KELLY
N 4 STEVE CASSANO	N 22 MARILYN MOORE
N 5 DEREK SLAP	N 23 DENNIS BRADLEY
Y 6 GENNARO BIZZARRO	N 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	N 25 BOB DUFF
Y 8 KEVIN D. WITKOS	N 26 WILL HASKELL
N 9 MATTHEW LESSER	N 27 CARLO LEONE
N 10 GARY WINFIELD	Y 28 TONY HWANG
N 11 MARTIN M. LOONEY	N 29 MAE M. FLEXER
N 12 CHRISTINE COHEN	Y 30 CRAIG MINER
N 13 MARY ABRAMS	Y 31 HENRI MARTIN
N 14 JAMES MARONEY	Y 32 ERIC BERTHEL
Y 15 JOAN V. HARTLEY	A 33 NORM NEEDLEMAN
Y 16 ROBERT SAMPSON	Y 34 LEONARD FASANO

Y 17 GEORGE LOGAN
Y 18 HEATHER SOMERS

Y 35 DAN CHAMPAGNE
N 36 ALEX BERGSTEIN

The following is the Amendment:

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Section 54-192h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) For the purposes of this section:

(1) "Civil immigration detainer" means a [detainer request issued pursuant to 8 CFR 287.7:] request from a federal immigration authority to a local or state law enforcement agency for a purpose including, but not limited to:

(A) Detaining an individual suspected of violating a federal immigration law or who has been issued a final order of removal;

(B) Facilitating the (i) arrest of an individual by a federal immigration authority, or (ii) transfer of an individual to the custody of a federal immigration authority;

(C) Providing notification of the release date and time of an individual in custody; and

(D) Notifying a law enforcement officer, through DHS Form I-247A, or any other form used by the United States Department of Homeland Security or any successor agency thereto, of the federal immigration authority's intent to take custody of an individual;

[(2) "Convicted of a felony" means that a person has been convicted of a felony, as defined in section 53a-25, pursuant to a final judgment of guilt entered by a court in this state or in a court of competent jurisdiction within the United States upon a plea of guilty, a plea of nolo contendere or a finding of guilty by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from such judgment;]

(2) "Confidential information" means any information obtained and maintained by a law enforcement agency relating to (A) an individual's (i) sexual orientation, (ii) status as a victim of domestic violence or sexual assault, or (iii) immigration status, (B) whether such individual is a (i) crime witness, or (ii) recipient of public assistance, or (C) an individual's income tax or other financial records, including, but not limited to, Social Security numbers;

(3) "Federal immigration authority" means any officer, employee or other person otherwise paid by or acting as an agent of [United States Immigration and Customs Enforcement] ICE or any division thereof or any officer, employee or other person otherwise paid by or acting as an agent of the United States Department of Homeland Security or any successor agency thereto who is charged with enforcement of the civil provisions of the Immigration and Nationality Act; [and]

(4) "ICE" means United States Immigration and Customs Enforcement or any successor agency thereto;

(5) "ICE access" means any of the following actions taken by a law enforcement officer with respect to an individual who is stopped by a law enforcement officer with or without the individual's consent, arrested, detained or otherwise under the control of a law enforcement official or agency:

(A) Responding to a civil immigration detainer or request for notification pursuant to subparagraph (B) of this subdivision concerning such individual;

(B) Providing notification to a federal immigration authority that such individual is being or will be released at a certain date and time through data sharing or otherwise;

(C) Providing a federal immigration authority nonpublicly available information concerning such individual regarding release date or time, home address or work address, whether obtained through a computer database or otherwise;

(D) Allowing a federal immigration authority to interview such individual under the control of the law enforcement agency;

(E) Allowing a federal immigration authority to use a facility or resources in the control of a law enforcement agency to conduct interviews, administrative proceedings or other immigration enforcement activities concerning such individual; or

(F) Providing a federal immigration authority information regarding dates and times of probation or parole supervision or any other information related to such individual's compliance with the terms of probation or parole;

(6) "Law enforcement agency" means any agency for which a law enforcement officer is an employee of or otherwise paid by or acting as an agent of; and

[(4)] (7) "Law enforcement officer" means:

(A) Each officer, employee or other person otherwise paid by or acting as an agent of the Department of Correction;

(B) Each officer, employee or other person otherwise paid by or acting as an agent of a municipal police department;

(C) Each officer, employee or other person otherwise paid by or acting as an agent of the Division of State Police within the Department of Emergency Services and Public Protection; and

(D) Each judicial marshal, [and] state marshal, bail commissioner and adult probation officer.

(b) No law enforcement officer who receives a civil immigration detainer with respect to an individual who is in the custody of the law enforcement officer shall detain such individual pursuant to such civil immigration detainer unless the law enforcement official determines that the individual [:]

[(1) Has been convicted of a felony;

(2) Is subject to pending criminal charges in this state where bond has not been posted;

(3) Has an outstanding arrest warrant in this state;

(4) Is identified as a known gang member in the database of the National Crime Information Center or any similar database or is designated as a Security Risk Group member or a Security Risk Group Safety Threat member by the Department of Correction;

(5) Is] is identified as a possible match in the federal Terrorist Screening Database [or similar database;] or the No Fly List, established and maintained by the United States Department of Homeland Security.

[(6) Is subject to a final order of deportation or removal issued by a federal immigration authority; or

(7) Presents an unacceptable risk to public safety, as determined by the law enforcement officer.]

(c) Upon determination by the law enforcement officer that such individual is to be detained or released, the law enforcement officer shall immediately notify United States Immigration and Customs Enforcement. If the individual is to be detained, the law enforcement officer shall inform United States Immigration and Customs Enforcement that the individual will be held for a maximum of forty-eight hours, excluding Saturdays, Sundays and federal holidays. If United States Immigration and Customs Enforcement fails to take custody of the individual within such forty-eight-hour period, the law enforcement officer shall release the individual. In no event shall an individual be detained for longer than such forty-eight-hour period solely on the basis of a civil immigration detainer.

(d) Prior to responding to a request for notification of an individual's release date and time from custody of a law enforcement agency, the law enforcement officer shall forward the request to the head of the law enforcement agency for review.

(e) Any confidential information of an individual who comes into contact with a law enforcement officer may be disclosed to a federal immigration authority only if such disclosure is:

(1) Authorized in writing by the individual to whom the information pertains, or by the parent or guardian of such individual if the individual is a minor or not legally competent to consent to such disclosure;

(2) Necessary in furtherance of a criminal investigation of potential terrorism; or

(3) Otherwise required by law.

(f) (1) Upon receiving a civil immigration detainer, a law enforcement agency shall provide a copy of the detainer to the affected individual who is the subject of the detainer and inform the individual whether the law enforcement agency intends to comply with the detainer. If a law enforcement agency provides ICE with notification that an individual is being, or will be released on a certain date, the law enforcement agency shall promptly provide to the individual and to the individual's attorney or one other individual who the individual may designate, a copy of such

notification as well as the reason, in writing, that such law enforcement agency is complying with the detainer.

(2) All records relating to ICE access maintained by law enforcement agencies shall be deemed public records under the Freedom of Information Act, as defined in section 1-200. Records relating to ICE access include, but are not limited to, data maintained by the law enforcement agency regarding the number and demographic data of individuals to whom the agency has provided ICE access, the date ICE access was provided to an individual, the type of ICE access provided to an individual, the amount of resources expended on providing ICE access and any communication between the law enforcement agency and any federal immigration authority.

(3) Beginning January 1, 2020, the legislative body of any municipality with a law enforcement agency that has provided ICE access to an individual during the prior month shall provide to the Office of Policy and Management, on an ongoing monthly basis, data regarding the number and demographic data of individuals to whom the law enforcement agency has provided ICE access, the date ICE access was provided to an individual and whether the ICE access was provided as part of compliance with a civil immigration detainer or through other means. Data may be provided in the form of statistics or, if statistics are not maintained, as individual records, provided personally identifiable information is redacted.

(g) The Office of Policy and Management shall ensure that the requirements of this section are disseminated to, and appropriate training is provided for, all affected law enforcement agencies and school police or security departments and employees and agents of such law enforcement agencies and school police or security departments. Such training may entail how law enforcement officers and other officials performing similar duties will adhere to the provisions of this section and how they will interact with crime victims, potential criminal suspects and individuals cooperating with law enforcement officers."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	54-192h

Senator Witkos of the 8th offered Senate Amendment Schedule "C" (LCO 8630) and moved adoption.

Remarking was Senator Hwang of the 28th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 11:39 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	14
Those voting Nay	21
Those absent and not voting.....	1

On the roll call vote Senate Amendment Schedule "C" (LCO 8630) was rejected.

The following is the roll call vote:

N 1 JOHN W. FONFARA	N 19 CATHERINE A. OSTEN
N 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
N 3 SAUD ANWAR	Y 21 KEVIN KELLY
N 4 STEVE CASSANO	N 22 MARILYN MOORE
N 5 DEREK SLAP	N 23 DENNIS BRADLEY
Y 6 GENNARO BIZZARRO	N 24 JULIE KUSHNER

- | | |
|-----------------------|---------------------|
| Y 7 JOHN A. KISSEL | N 25 BOB DUFF |
| Y 8 KEVIN D. WITKOS | N 26 WILL HASKELL |
| N 9 MATTHEW LESSER | N 27 CARLO LEONE |
| N 10 GARY WINFIELD | Y 28 TONY HWANG |
| N 11 MARTIN M. LOONEY | N 29 MAE M. FLEXER |
| N 12 CHRISTINE COHEN | Y 30 CRAIG MINER |
| N 13 MARY ABRAMS | Y 31 HENRI MARTIN |
| N 14 JAMES MARONEY | Y 32 ERIC BERTHEL |
| N 15 JOAN V. HARTLEY | A 33 NORM NEEDLEMAN |
| Y 16 ROBERT SAMPSON | Y 34 LEONARD FASANO |
| Y 17 GEORGE LOGAN | Y 35 DAN CHAMPAGNE |
| Y 18 HEATHER SOMERS | N 36 ALEX BERGSTEIN |

The following is the Amendment:

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

"Sec. 501. (NEW) (*Effective October 1, 2019*) The state or any agency, department or political subdivision of the state, shall waive sovereign immunity in any case for which the cause of action for the suit arose from the state, agency, department or political subdivision's compliance with the provisions of section 54-192h of the general statutes, as amended by this act, which compliance resulted in an individual being detained and released from custody without ICE being informed of such detention and release, and such individual, after being released from custody, committed a crime or caused an action that resulted in damages for which such suit is brought. For purposes of this section, "ICE" means ICE, as defined in subsection (a) of section 54-192h of the general statutes, as amended by this act."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>October 1, 2019</i>	New section

Senator Champagne of the 35th offered Senate Amendment Schedule "D" (LCO 8628) and moved adoption.

Remarking was Senator Fasano of the 34th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 11:54 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	14
Those voting Nay	21
Those absent and not voting.....	1

On the roll call vote Senate Amendment Schedule "D" (LCO 8628) was rejected.

The following is the roll call vote:

- | | |
|---------------------|-------------------------|
| N 1 JOHN W. FONFARA | N 19 CATHERINE A. OSTEN |
| N 2 DOUGLAS MCCRORY | Y 20 PAUL M. FORMICA |
| N 3 SAUD ANWAR | Y 21 KEVIN KELLY |
| N 4 STEVE CASSANO | N 22 MARILYN MOORE |
| N 5 DEREK SLAP | N 23 DENNIS BRADLEY |

Y	6	GENNARO BIZZARRO	N	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	N	25	BOB DUFF
Y	8	KEVIN D. WITKOS	N	26	WILL HASKELL
	N	9 MATTHEW LESSER	N	27	CARLO LEONE
	N	10 GARY WINFIELD	Y	28	TONY HWANG
	N	11 MARTIN M. LOONEY	N	29	MAE M. FLEXER
	N	12 CHRISTINE COHEN	Y	30	CRAIG MINER
	N	13 MARY ABRAMS	Y	31	HENRI MARTIN
	N	14 JAMES MARONEY	Y	32	ERIC BERTHEL
	N	15 JOAN V. HARTLEY	A	33	NORM NEEDLEMAN
Y	16	ROBERT SAMPSON	Y	34	LEONARD FASANO
Y	17	GEORGE LOGAN	Y	35	DAN CHAMPAGNE
Y	18	HEATHER SOMERS	N	36	ALEX BERGSTEIN

The following is the Amendment:

After line 203, add the following:

"(h) No disciplinary action may be brought against any officer paid by or acting as an agent of a municipal police department or any officer paid by or acting as an agent of the Division of State Police within the Department of Emergency Services and Public Protection for reporting to ICE concerning the stopping, detention or arrest of any individual."

Senator Sampson of the 16th offered Senate Amendment Schedule "E" (LCO 7494) and moved adoption.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 12:01 a.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	15
Those voting Nay	20
Those absent and not voting.....	1

On the roll call vote Senate Amendment Schedule "E" (LCO 7494) was rejected

The following is the roll call vote:

N	1	JOHN W. FONFARA	N	19	CATHERINE A. OSTEN
N	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
N	3	SAUD ANWAR	Y	21	KEVIN KELLY
N	4	STEVE CASSANO	N	22	MARILYN MOORE
N	5	DEREK SLAP	N	23	DENNIS BRADLEY
Y	6	GENNARO BIZZARRO	N	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	N	25	BOB DUFF
Y	8	KEVIN D. WITKOS	N	26	WILL HASKELL
	N	9 MATTHEW LESSER	N	27	CARLO LEONE
	N	10 GARY WINFIELD	Y	28	TONY HWANG
	N	11 MARTIN M. LOONEY	N	29	MAE M. FLEXER
	N	12 CHRISTINE COHEN	Y	30	CRAIG MINER
	N	13 MARY ABRAMS	Y	31	HENRI MARTIN
	N	14 JAMES MARONEY	Y	32	ERIC BERTHEL
Y	15	JOAN V. HARTLEY	A	33	NORM NEEDLEMAN

Y 16 ROBERT SAMPSON
 Y 17 GEORGE LOGAN
 Y 18 HEATHER SOMERS

Y 34 LEONARD FASANO
 Y 35 DAN CHAMPAGNE
 N 36 ALEX BERGSTEIN

The following is the Amendment:

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Section 54-192h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) For the purposes of this section:

(1) "Civil immigration detainer" means a [detainer request issued pursuant to 8 CFR 287.7:] request from a federal immigration authority to a local or state law enforcement agency for a purpose including, but not limited to:

(A) Detaining an individual suspected of violating a federal immigration law or who has been issued a final order of removal;

(B) Facilitating the (i) arrest of an individual by a federal immigration authority, or (ii) transfer of an individual to the custody of a federal immigration authority;

(C) Providing notification of the release date and time of an individual in custody; and

(D) Notifying a law enforcement officer, through DHS Form I-247A, or any other form used by the United States Department of Homeland Security or any successor agency thereto, of the federal immigration authority's intent to take custody of an individual;

(2) "Convicted of a felony" means that a person has been convicted of a felony, as defined in section 53a-25, pursuant to a final judgment of guilt entered by a court in this state or in a court of competent jurisdiction within the United States upon a plea of guilty, a plea of nolo contendere or a finding of guilty by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from such judgment;

(3) "Confidential information" means any information obtained and maintained by a law enforcement agency relating to (A) an individual's (i) sexual orientation, (ii) status as a victim of domestic violence or sexual assault, or (iii) immigration status, (B) whether such individual is a (i) crime witness, or (ii) recipient of public assistance, or (C) an individual's income tax or other financial records, including, but not limited to, Social Security numbers;

[(3)] (4) "Federal immigration authority" means any officer, employee or other person otherwise paid by or acting as an agent of [United States Immigration and Customs Enforcement] ICE or any division thereof or any officer, employee or other person otherwise paid by or acting as an agent of the United States Department of Homeland Security or any successor agency thereto who is charged with enforcement of the civil provisions of the Immigration and Nationality Act; [and]

(5) "ICE" means United States Immigration and Customs Enforcement or any successor agency thereto;

(6) "ICE access" means any of the following actions taken by a law enforcement officer with respect to an individual who is stopped by a law enforcement officer with or without the individual's consent, arrested, detained or otherwise under the control of a law enforcement official or agency:

(A) Responding to a civil immigration detainer or request for notification pursuant to subparagraph (B) of this subdivision concerning such individual;

(B) Providing notification to a federal immigration authority that such individual is being or will be released at a certain date and time through data sharing or otherwise;

(C) Providing a federal immigration authority nonpublicly available information concerning such individual regarding release date or time, home address or work address, whether obtained through a computer database or otherwise;

(D) Allowing a federal immigration authority to interview such individual under the control of the law enforcement agency;

(E) Allowing a federal immigration authority to use a facility or resources in the control of a law enforcement agency to conduct interviews, administrative proceedings or other immigration enforcement activities concerning such individual; or

(F) Providing a federal immigration authority information regarding dates and times of probation or parole supervision or any other information related to such individual's compliance with the terms of probation or parole;

(7) "Law enforcement agency" means any agency for which a law enforcement officer is an employee of or otherwise paid by or acting as an agent of; and

[(4)] (8) "Law enforcement officer" means:

(A) Each officer, employee or other person otherwise paid by or acting as an agent of the Department of Correction;

(B) Each officer, employee or other person otherwise paid by or acting as an agent of a municipal police department;

(C) Each officer, employee or other person otherwise paid by or acting as an agent of the Division of State Police within the Department of Emergency Services and Public Protection; and

(D) Each judicial marshal, [and] state marshal, bail commissioner and adult probation officer.

(b) No law enforcement officer who receives a civil immigration detainer with respect to an individual who is in the custody of the law enforcement officer shall detain such individual pursuant to such civil immigration detainer unless the law enforcement official determines that the individual [:]

[(1) Has] has been convicted of a felony. [;]

[(2) Is subject to pending criminal charges in this state where bond has not been posted;

(3) Has an outstanding arrest warrant in this state;

(4) Is identified as a known gang member in the database of the National Crime Information Center or any similar database or is designated as a Security Risk Group member or a Security Risk Group Safety Threat member by the Department of Correction;

(5) Is identified as a possible match in the federal Terrorist Screening Database or similar database;

(6) Is subject to a final order of deportation or removal issued by a federal immigration authority; or

(7) Presents an unacceptable risk to public safety, as determined by the law enforcement officer.]

(c) Upon determination by the law enforcement officer that such individual is to be detained or released, the law enforcement officer shall immediately notify United States Immigration and Customs Enforcement. If the individual is to be detained, the law enforcement officer shall inform United States Immigration and Customs Enforcement that the individual will be held for a maximum of forty-eight hours, excluding Saturdays, Sundays and federal holidays. If United States Immigration and Customs Enforcement fails to take custody of the individual within such forty-eight-hour period, the law enforcement officer shall release the individual. In no event shall an individual be detained for longer than such forty-eight-hour period solely on the basis of a civil immigration detainer.

(d) Prior to responding to a request for notification of an individual's release date and time from custody of a law enforcement agency, the law enforcement officer shall forward the request to the head of the law enforcement agency for review.

(e) Any confidential information of an individual who comes into contact with a law enforcement officer may be disclosed to a federal immigration authority only if such disclosure is:

(1) Authorized in writing by the individual to whom the information pertains, or by the parent or guardian of such individual if the individual is a minor or not legally competent to consent to such disclosure;

(2) Necessary in furtherance of a criminal investigation of potential terrorism; or

(3) Otherwise required by law.

(f) (1) Upon receiving a civil immigration detainer, a law enforcement agency shall provide a copy of the detainer to the affected individual who is the subject of the detainer and inform the individual whether the law enforcement agency intends to comply with the detainer. If a law enforcement agency provides ICE with notification that an individual is being, or will be released on a certain date, the law enforcement agency shall promptly provide to the individual and to the individual's attorney or one other individual who the individual may designate, a copy of such notification as well as the reason, in writing, that such law enforcement agency is complying with the detainer.

(2) All records relating to ICE access maintained by law enforcement agencies shall be deemed public records under the Freedom of Information Act, as defined in section 1-200. Records relating to ICE access include, but are not limited to, data maintained by the law enforcement agency regarding the number and demographic data of individuals to whom the agency has provided ICE access, the date ICE access was provided to an individual, the type of ICE access provided to an individual, the amount of resources expended on providing ICE access and any communication between the law enforcement agency and any federal immigration authority.

(3) Beginning January 1, 2020, the legislative body of any municipality with a law enforcement agency that has provided ICE access to an individual during the prior month shall provide to the Office of Policy and Management, on an ongoing monthly basis, data regarding the number and demographic data of individuals to whom the law enforcement agency has provided ICE access, the date ICE access was provided to an individual and whether the ICE access was provided as part of compliance with a civil immigration detainer or through other means. Data may be provided in the form of statistics or, if statistics are not maintained, as individual records, provided personally identifiable information is redacted.

(g) The Office of Policy and Management shall ensure that the requirements of this section are disseminated to, and appropriate training is provided for, all affected law enforcement agencies and school police or security departments and employees and agents of such law enforcement agencies and school police or security departments. Such training may entail how law enforcement officers and other officials performing similar duties will adhere to the provisions of this section and how they will interact with crime victims, potential criminal suspects and individuals cooperating with law enforcement officers."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	54-192h

Senator Sampson of the 16th offered Senate Amendment Schedule "F" (LCO 7503) and moved adoption.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 12:07 a.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	14
Those voting Nay	21
Those absent and not voting.....	1

On the roll call vote Senate Amendment Schedule "F" (LCO 7503) was rejected.

The following is the roll call vote:

N 1 JOHN W. FONFARA	N 19 CATHERINE A. OSTEN
N 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
N 3 SAUD ANWAR	Y 21 KEVIN KELLY
N 4 STEVE CASSANO	N 22 MARILYN MOORE
N 5 DEREK SLAP	N 23 DENNIS BRADLEY
Y 6 GENNARO BIZZARRO	N 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	N 25 BOB DUFF
Y 8 KEVIN D. WITKOS	N 26 WILL HASKELL
N 9 MATTHEW LESSER	N 27 CARLO LEONE
N 10 GARY WINFIELD	Y 28 TONY HWANG
N 11 MARTIN M. LOONEY	N 29 MAE M. FLEXER

N 12	CHRISTINE COHEN	Y	30	CRAIG MINER
N 13	MARY ABRAMS	Y	31	HENRI MARTIN
N 14	JAMES MARONEY	Y	32	ERIC BERTHEL
N 15	JOAN V. HARTLEY	A	33	NORM NEEDLEMAN
Y 16	ROBERT SAMPSON	Y	34	LEONARD FASANO
Y 17	GEORGE LOGAN	Y	35	DAN CHAMPAGNE
Y 18	HEATHER SOMERS	N	36	ALEX BERGSTEIN

The following is the Amendment:

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Section 54-192h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) For the purposes of this section:

(1) "Civil immigration detainer" means a [detainer request issued pursuant to 8 CFR 287.7:] request from a federal immigration authority to a local or state law enforcement agency for a purpose including, but not limited to:

(A) Detaining an individual suspected of violating a federal immigration law or who has been issued a final order of removal;

(B) Facilitating the (i) arrest of an individual by a federal immigration authority, or (ii) transfer of an individual to the custody of a federal immigration authority;

(C) Providing notification of the release date and time of an individual in custody; and

(D) Notifying a law enforcement officer, through DHS Form I-247A, or any other form used by the United States Department of Homeland Security or any successor agency thereto, of the federal immigration authority's intent to take custody of an individual;

[(2) "Convicted of a felony" means that a person has been convicted of a felony, as defined in section 53a-25, pursuant to a final judgment of guilt entered by a court in this state or in a court of competent jurisdiction within the United States upon a plea of guilty, a plea of nolo contendere or a finding of guilty by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from such judgment;]

(2) "Confidential information" means any information obtained and maintained by a law enforcement agency relating to (A) an individual's (i) sexual orientation, (ii) status as a victim of domestic violence or sexual assault, or (iii) immigration status, (B) whether such individual is a (i) crime witness, or (ii) recipient of public assistance, or (C) an individual's income tax or other financial records, including, but not limited to, Social Security numbers;

(3) "Federal immigration authority" means any officer, employee or other person otherwise paid by or acting as an agent of [United States Immigration and Customs Enforcement] ICE or any division thereof or any officer, employee or other person otherwise paid by or acting as an agent of the United States Department of Homeland Security or any successor agency thereto who is charged with enforcement of the civil provisions of the Immigration and Nationality Act; [and]

(4) "ICE" means United States Immigration and Customs Enforcement or any successor agency thereto;

(5) "ICE access" means any of the following actions taken by a law enforcement officer with respect to an individual who is stopped by a law enforcement officer with or without the individual's consent, arrested, detained or otherwise under the control of a law enforcement official or agency:

(A) Responding to a civil immigration detainer or request for notification pursuant to subparagraph (B) of this subdivision concerning such individual;

(B) Providing notification to a federal immigration authority that such individual is being or will be released at a certain date and time through data sharing or otherwise;

(C) Providing a federal immigration authority nonpublicly available information concerning such individual regarding release date or time, home address or work address, whether obtained through a computer database or otherwise;

(D) Allowing a federal immigration authority to interview such individual under the control of the law enforcement agency;

(E) Allowing a federal immigration authority to use a facility or resources in the control of a law enforcement agency to conduct interviews, administrative proceedings or other immigration enforcement activities concerning such individual; or

(F) Providing a federal immigration authority information regarding dates and times of probation or parole supervision or any other information related to such individual's compliance with the terms of probation or parole;

(6) "Law enforcement agency" means any agency for which a law enforcement officer is an employee of or otherwise paid by or acting as an agent of; and

[(4)] (7) "Law enforcement officer" means:

(A) Each officer, employee or other person otherwise paid by or acting as an agent of the Department of Correction;

(B) Each officer, employee or other person otherwise paid by or acting as an agent of a municipal police department;

(C) Each officer, employee or other person otherwise paid by or acting as an agent of the Division of State Police within the Department of Emergency Services and Public Protection; and

(D) Each judicial marshal, [and] state marshal, bail commissioner and adult probation officer.

(b) No law enforcement officer who receives a civil immigration detainer with respect to an individual who is in the custody of the law enforcement officer shall detain such individual pursuant to such civil immigration detainer unless the law enforcement official determines that the individual [:]

[(1) Has been convicted of a felony;

(2) Is subject to pending criminal charges in this state where bond has not been posted;

(3) Has an outstanding arrest warrant in this state;

(4) Is identified as a known gang member in the database of the National Crime Information Center or any similar database or is designated as a Security Risk Group member or a Security Risk Group Safety Threat member by the Department of Correction;

(5) Is identified as a possible match in the federal Terrorist Screening Database or similar database;

(6) Is subject to a final order of deportation or removal issued by a federal immigration authority; or

(7) Presents] presents an unacceptable risk to public safety, as determined by the law enforcement officer.

(c) Upon determination by the law enforcement officer that such individual is to be detained or released, the law enforcement officer shall immediately notify United States Immigration and Customs Enforcement. If the individual is to be detained, the law enforcement officer shall inform United States Immigration and Customs Enforcement that the individual will be held for a maximum of forty-eight hours, excluding Saturdays, Sundays and federal holidays. If United States Immigration and Customs Enforcement fails to take custody of the individual within such forty-eight-hour period, the law enforcement officer shall release the individual. In no event shall an individual be detained for longer than such forty-eight-hour period solely on the basis of a civil immigration detainer.

(d) Prior to responding to a request for notification of an individual's release date and time from custody of a law enforcement agency, the law enforcement officer shall forward the request to the head of the law enforcement agency for review.

(e) Any confidential information of an individual who comes into contact with a law enforcement officer may be disclosed to a federal immigration authority only if such disclosure is:

(1) Authorized in writing by the individual to whom the information pertains, or by the parent or guardian of such individual if the individual is a minor or not legally competent to consent to such disclosure;

(2) Necessary in furtherance of a criminal investigation of potential terrorism; or

(3) Otherwise required by law.

(f) (1) Upon receiving a civil immigration detainer, a law enforcement agency shall provide a copy of the detainer to the affected individual who is the subject of the detainer and inform the individual whether the law enforcement agency intends to comply with the detainer. If a law enforcement agency provides ICE with notification that an individual is being, or will be released on a certain date, the law enforcement agency shall promptly provide to the individual and to the

individual's attorney or one other individual who the individual may designate, a copy of such notification as well as the reason, in writing, that such law enforcement agency is complying with the detainer.

(2) All records relating to ICE access maintained by law enforcement agencies shall be deemed public records under the Freedom of Information Act, as defined in section 1-200. Records relating to ICE access include, but are not limited to, data maintained by the law enforcement agency regarding the number and demographic data of individuals to whom the agency has provided ICE access, the date ICE access was provided to an individual, the type of ICE access provided to an individual, the amount of resources expended on providing ICE access and any communication between the law enforcement agency and any federal immigration authority.

(3) Beginning January 1, 2020, the legislative body of any municipality with a law enforcement agency that has provided ICE access to an individual during the prior month shall provide to the Office of Policy and Management, on an ongoing monthly basis, data regarding the number and demographic data of individuals to whom the law enforcement agency has provided ICE access, the date ICE access was provided to an individual and whether the ICE access was provided as part of compliance with a civil immigration detainer or through other means. Data may be provided in the form of statistics or, if statistics are not maintained, as individual records, provided personally identifiable information is redacted.

(g) The Office of Policy and Management shall ensure that the requirements of this section are disseminated to, and appropriate training is provided for, all affected law enforcement agencies and school police or security departments and employees and agents of such law enforcement agencies and school police or security departments. Such training may entail how law enforcement officers and other officials performing similar duties will adhere to the provisions of this section and how they will interact with crime victims, potential criminal suspects and individuals cooperating with law enforcement officers."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	54-192h

Senator Champagne of the 35th offered Senate Amendment Schedule "G" (LCO 7518) and moved adoption.

Remarking were Senators Fasano and Hwang of the 28th.

The following is the result of the vote at 12:26 a.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	15
Those voting Nay	20
Those absent and not voting.....	1

[Click [here](#) and pull up vote]

The following is the roll call vote:

N 1	JOHN W. FONFARA	N 19	CATHERINE A. OSTEN
N 2	DOUGLAS MCCRORY	Y 20	PAUL M. FORMICA
N 3	SAUD ANWAR	Y 21	KEVIN KELLY
N 4	STEVE CASSANO	N 22	MARILYN MOORE
N 5	DEREK SLAP	N 23	DENNIS BRADLEY
Y 6	GENNARO BIZZARRO	N 24	JULIE KUSHNER
Y 7	JOHN A. KISSEL	N 25	BOB DUFF
Y 8	KEVIN D. WITKOS	N 26	WILL HASKELL

N 9	MATTHEW LESSER	N 27	CARLO LEONE
N 10	GARY WINFIELD	Y 28	TONY HWANG
N 11	MARTIN M. LOONEY	N 29	MAE M. FLEXER
N 12	CHRISTINE COHEN	Y 30	CRAIG MINER
N 13	MARY ABRAMS	Y 31	HENRI MARTIN
N 14	JAMES MARONEY	Y 32	ERIC BERTHEL
Y 15	JOAN V. HARTLEY	A 33	NORM NEEDLEMAN
Y 16	ROBERT SAMPSON	Y 34	LEONARD FASANO
Y 17	GEORGE LOGAN	Y 35	DAN CHAMPAGNE
Y 18	HEATHER SOMERS	N 36	ALEX BERGSTEIN

On the roll call vote Senate Amendment Schedule “G” (LCO 7518) was rejected.

The following is the Amendment:

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Section 54-192h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) For the purposes of this section:

(1) "Civil immigration detainer" means a [detainer request issued pursuant to 8 CFR 287.7;] request from a federal immigration authority to a local or state law enforcement agency for a purpose including, but not limited to:

(A) Detaining an individual suspected of violating a federal immigration law or who has been issued a final order of removal;

(B) Facilitating the (i) arrest of an individual by a federal immigration authority, or (ii) transfer of an individual to the custody of a federal immigration authority;

(C) Providing notification of the release date and time of an individual in custody; and

(D) Notifying a law enforcement officer, through DHS Form I-247A, or any other form used by the United States Department of Homeland Security or any successor agency thereto, of the federal immigration authority's intent to take custody of an individual;

[(2) "Convicted of a felony" means that a person has been convicted of a felony, as defined in section 53a-25, pursuant to a final judgment of guilt entered by a court in this state or in a court of competent jurisdiction within the United States upon a plea of guilty, a plea of nolo contendere or a finding of guilty by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from such judgment;]

(2) "Confidential information" means any information obtained and maintained by a law enforcement agency relating to (A) an individual's (i) sexual orientation, (ii) status as a victim of domestic violence or sexual assault, or (iii) immigration status, (B) whether such individual is a (i) crime witness, or (ii) recipient of public assistance, or (C) an individual's income tax or other financial records, including, but not limited to, Social Security numbers;

(3) "Federal immigration authority" means any officer, employee or other person otherwise paid by or acting as an agent of [United States Immigration and Customs Enforcement] ICE or any division thereof or any officer, employee or other person otherwise paid by or acting as an agent of the United States Department of Homeland Security or any successor agency thereto who is charged with enforcement of the civil provisions of the Immigration and Nationality Act; [and]

(4) "ICE" means United States Immigration and Customs Enforcement or any successor agency thereto;

(5) "ICE access" means any of the following actions taken by a law enforcement officer with respect to an individual who is stopped by a law enforcement officer with or without the individual's consent, arrested, detained or otherwise under the control of a law enforcement official or agency:

(A) Responding to a civil immigration detainer or request for notification pursuant to subparagraph (B) of this subdivision concerning such individual;

(B) Providing notification to a federal immigration authority that such individual is being or will be released at a certain date and time through data sharing or otherwise;

(C) Providing a federal immigration authority nonpublicly available information concerning such individual regarding release date or time, home address or work address, whether obtained through a computer database or otherwise;

(D) Allowing a federal immigration authority to interview such individual under the control of the law enforcement agency;

(E) Allowing a federal immigration authority to use a facility or resources in the control of a law enforcement agency to conduct interviews, administrative proceedings or other immigration enforcement activities concerning such individual; or

(F) Providing a federal immigration authority information regarding dates and times of probation or parole supervision or any other information related to such individual's compliance with the terms of probation or parole;

(6) "Law enforcement agency" means any agency for which a law enforcement officer is an employee of or otherwise paid by or acting as an agent of; and

[(4)] (7) "Law enforcement officer" means:

(A) Each officer, employee or other person otherwise paid by or acting as an agent of the Department of Correction;

(B) Each officer, employee or other person otherwise paid by or acting as an agent of a municipal police department;

(C) Each officer, employee or other person otherwise paid by or acting as an agent of the Division of State Police within the Department of Emergency Services and Public Protection; and

(D) Each judicial marshal, [and] state marshal, bail commissioner and adult probation officer.

(b) No law enforcement officer who receives a civil immigration detainer with respect to an individual who is in the custody of the law enforcement officer shall detain such individual pursuant to such civil immigration detainer unless the law enforcement official determines that the individual [:

(1) Has been convicted of a felony;

(2) Is subject to pending criminal charges in this state where bond has not been posted;

(3) Has an outstanding arrest warrant in this state;

(4) Is] is identified as a known gang member in the database of the National Crime Information Center or any similar database or is designated as a Security Risk Group member or a Security Risk Group Safety Threat member by the Department of Correction. [;]

[(5) Is identified as a possible match in the federal Terrorist Screening Database or similar database;

(6) Is subject to a final order of deportation or removal issued by a federal immigration authority; or

(7) Presents an unacceptable risk to public safety, as determined by the law enforcement officer.]

(c) Upon determination by the law enforcement officer that such individual is to be detained or released, the law enforcement officer shall immediately notify United States Immigration and Customs Enforcement. If the individual is to be detained, the law enforcement officer shall inform United States Immigration and Customs Enforcement that the individual will be held for a maximum of forty-eight hours, excluding Saturdays, Sundays and federal holidays. If United States Immigration and Customs Enforcement fails to take custody of the individual within such forty-eight-hour period, the law enforcement officer shall release the individual. In no event shall an individual be detained for longer than such forty-eight-hour period solely on the basis of a civil immigration detainer.

(d) Prior to responding to a request for notification of an individual's release date and time from custody of a law enforcement agency, the law enforcement officer shall forward the request to the head of the law enforcement agency for review.

(e) Any confidential information of an individual who comes into contact with a law enforcement officer may be disclosed to a federal immigration authority only if such disclosure is:

(1) Authorized in writing by the individual to whom the information pertains, or by the parent or guardian of such individual if the individual is a minor or not legally competent to consent to such disclosure;

(2) Necessary in furtherance of a criminal investigation of potential terrorism; or

(3) Otherwise required by law.

(f) (1) Upon receiving a civil immigration detainer, a law enforcement agency shall provide a copy of the detainer to the affected individual who is the subject of the detainer and inform the individual whether the law enforcement agency intends to comply with the detainer. If a law enforcement agency provides ICE with notification that an individual is being, or will be released on a certain date, the law enforcement agency shall promptly provide to the individual and to the individual's attorney or one other individual who the individual may designate, a copy of such notification as well as the reason, in writing, that such law enforcement agency is complying with the detainer.

(2) All records relating to ICE access maintained by law enforcement agencies shall be deemed public records under the Freedom of Information Act, as defined in section 1-200. Records relating to ICE access include, but are not limited to, data maintained by the law enforcement agency regarding the number and demographic data of individuals to whom the agency has provided ICE access, the date ICE access was provided to an individual, the type of ICE access provided to an individual, the amount of resources expended on providing ICE access and any communication between the law enforcement agency and any federal immigration authority.

(3) Beginning January 1, 2020, the legislative body of any municipality with a law enforcement agency that has provided ICE access to an individual during the prior month shall provide to the Office of Policy and Management, on an ongoing monthly basis, data regarding the number and demographic data of individuals to whom the law enforcement agency has provided ICE access, the date ICE access was provided to an individual and whether the ICE access was provided as part of compliance with a civil immigration detainer or through other means. Data may be provided in the form of statistics or, if statistics are not maintained, as individual records, provided personally identifiable information is redacted.

(g) The Office of Policy and Management shall ensure that the requirements of this section are disseminated to, and appropriate training is provided for, all affected law enforcement agencies and school police or security departments and employees and agents of such law enforcement agencies and school police or security departments. Such training may entail how law enforcement officers and other officials performing similar duties will adhere to the provisions of this section and how they will interact with crime victims, potential criminal suspects and individuals cooperating with law enforcement officers."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	54-192h

Senator Champagne of the 35th offered Senate Amendment Schedule "H" (LCO 7502) and moved adoption.

Remarking was Senator Fasano of the 34th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 12:51 a.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	14
Those voting Nay	21
Those absent and not voting.....	1

On the roll call vote Senate Amendment Schedule "H" (LCO 7502) was rejected.

The following is the roll call vote:

N 1 JOHN W. FONFARA	N 19 CATHERINE A. OSTEN
N 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA

N 3 SAUD ANWAR	Y 21 KEVIN KELLY
N 4 STEVE CASSANO	N 22 MARILYN MOORE
N 5 DEREK SLAP	N 23 DENNIS BRADLEY
Y 6 GENNARO BIZZARRO	N 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	N 25 BOB DUFF
Y 8 KEVIN D. WITKOS	N 26 WILL HASKELL
N 9 MATTHEW LESSER	N 27 CARLO LEONE
N 10 GARY WINFIELD	Y 28 TONY HWANG
N 11 MARTIN M. LOONEY	N 29 MAE M. FLEXER
N 12 CHRISTINE COHEN	Y 30 CRAIG MINER
N 13 MARY ABRAMS	Y 31 HENRI MARTIN
N 14 JAMES MARONEY	Y 32 ERIC BERTHEL
N 15 JOAN V. HARTLEY	A 33 NORM NEEDLEMAN
Y 16 ROBERT SAMPSON	Y 34 LEONARD FASANO
Y 17 GEORGE LOGAN	Y 35 DAN CHAMPAGNE
Y 18 HEATHER SOMERS	N 36 ALEX BERGSTEIN

The following is the Amendment:

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Section 54-192h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) For the purposes of this section:

(1) "Civil immigration detainer" means a [detainer request issued pursuant to 8 CFR 287.7:] request from a federal immigration authority to a local or state law enforcement agency for a purpose including, but not limited to:

(A) Detaining an individual suspected of violating a federal immigration law or who has been issued a final order of removal;

(B) Facilitating the (i) arrest of an individual by a federal immigration authority, or (ii) transfer of an individual to the custody of a federal immigration authority;

(C) Providing notification of the release date and time of an individual in custody; and

(D) Notifying a law enforcement officer, through DHS Form I-247A, or any other form used by the United States Department of Homeland Security or any successor agency thereto, of the federal immigration authority's intent to take custody of an individual;

[(2) "Convicted of a felony" means that a person has been convicted of a felony, as defined in section 53a-25, pursuant to a final judgment of guilt entered by a court in this state or in a court of competent jurisdiction within the United States upon a plea of guilty, a plea of nolo contendere or a finding of guilty by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from such judgment;]

(2) "Confidential information" means any information obtained and maintained by a law enforcement agency relating to (A) an individual's (i) sexual orientation, (ii) status as a victim of domestic violence or sexual assault, or (iii) immigration status, (B) whether such individual is a (i) crime witness, or (ii) recipient of public assistance, or (C) an individual's income tax or other financial records, including, but not limited to, Social Security numbers;

(3) "Federal immigration authority" means any officer, employee or other person otherwise paid by or acting as an agent of [United States Immigration and Customs Enforcement] ICE or any division thereof or any officer, employee or other person otherwise paid by or acting as an agent of the United States Department of Homeland Security or any successor agency thereto who is charged with enforcement of the civil provisions of the Immigration and Nationality Act; [and]

(4) "ICE" means United States Immigration and Customs Enforcement or any successor agency thereto;

(5) "ICE access" means any of the following actions taken by a law enforcement officer with respect to an individual who is stopped by a law enforcement officer with or without the

individual's consent, arrested, detained or otherwise under the control of a law enforcement official or agency:

(A) Responding to a civil immigration detainer or request for notification pursuant to subparagraph (B) of this subdivision concerning such individual;

(B) Providing notification to a federal immigration authority that such individual is being or will be released at a certain date and time through data sharing or otherwise;

(C) Providing a federal immigration authority nonpublicly available information concerning such individual regarding release date or time, home address or work address, whether obtained through a computer database or otherwise;

(D) Allowing a federal immigration authority to interview such individual under the control of the law enforcement agency;

(E) Allowing a federal immigration authority to use a facility or resources in the control of a law enforcement agency to conduct interviews, administrative proceedings or other immigration enforcement activities concerning such individual; or

(F) Providing a federal immigration authority information regarding dates and times of probation or parole supervision or any other information related to such individual's compliance with the terms of probation or parole;

(6) "Law enforcement agency" means any agency for which a law enforcement officer is an employee of or otherwise paid by or acting as an agent of; and

[(4)] (7) "Law enforcement officer" means:

(A) Each officer, employee or other person otherwise paid by or acting as an agent of the Department of Correction;

(B) Each officer, employee or other person otherwise paid by or acting as an agent of a municipal police department;

(C) Each officer, employee or other person otherwise paid by or acting as an agent of the Division of State Police within the Department of Emergency Services and Public Protection; and

(D) Each judicial marshal, [and] state marshal, bail commissioner and adult probation officer.

(b) No law enforcement officer who receives a civil immigration detainer with respect to an individual who is in the custody of the law enforcement officer shall detain such individual pursuant to such civil immigration detainer unless the law enforcement official determines that the individual [:]

[(1) Has been convicted of a felony;

(2) Is subject to pending criminal charges in this state where bond has not been posted;

(3) Has an outstanding arrest warrant in this state;

(4) Is identified as a known gang member in the database of the National Crime Information Center or any similar database or is designated as a Security Risk Group member or a Security Risk Group Safety Threat member by the Department of Correction;]

[(5) Is] is identified as a possible match in the federal Terrorist Screening Database or similar database. [;]

[(6) Is subject to a final order of deportation or removal issued by a federal immigration authority; or

(7) Presents an unacceptable risk to public safety, as determined by the law enforcement officer.]

(c) Upon determination by the law enforcement officer that such individual is to be detained or released, the law enforcement officer shall immediately notify United States Immigration and Customs Enforcement. If the individual is to be detained, the law enforcement officer shall inform United States Immigration and Customs Enforcement that the individual will be held for a maximum of forty-eight hours, excluding Saturdays, Sundays and federal holidays. If United States Immigration and Customs Enforcement fails to take custody of the individual within such forty-eight-hour period, the law enforcement officer shall release the individual. In no event shall an individual be detained for longer than such forty-eight-hour period solely on the basis of a civil immigration detainer.

(d) Prior to responding to a request for notification of an individual's release date and time from custody of a law enforcement agency, the law enforcement officer shall forward the request to the head of the law enforcement agency for review.

(e) Any confidential information of an individual who comes into contact with a law enforcement officer may be disclosed to a federal immigration authority only if such disclosure is:

(1) Authorized in writing by the individual to whom the information pertains, or by the parent or guardian of such individual if the individual is a minor or not legally competent to consent to such disclosure;

(2) Necessary in furtherance of a criminal investigation of potential terrorism; or

(3) Otherwise required by law.

(f) (1) Upon receiving a civil immigration detainer, a law enforcement agency shall provide a copy of the detainer to the affected individual who is the subject of the detainer and inform the individual whether the law enforcement agency intends to comply with the detainer. If a law enforcement agency provides ICE with notification that an individual is being, or will be released on a certain date, the law enforcement agency shall promptly provide to the individual and to the individual's attorney or one other individual who the individual may designate, a copy of such notification as well as the reason, in writing, that such law enforcement agency is complying with the detainer.

(2) All records relating to ICE access maintained by law enforcement agencies shall be deemed public records under the Freedom of Information Act, as defined in section 1-200. Records relating to ICE access include, but are not limited to, data maintained by the law enforcement agency regarding the number and demographic data of individuals to whom the agency has provided ICE access, the date ICE access was provided to an individual, the type of ICE access provided to an individual, the amount of resources expended on providing ICE access and any communication between the law enforcement agency and any federal immigration authority.

(3) Beginning January 1, 2020, the legislative body of any municipality with a law enforcement agency that has provided ICE access to an individual during the prior month shall provide to the Office of Policy and Management, on an ongoing monthly basis, data regarding the number and demographic data of individuals to whom the law enforcement agency has provided ICE access, the date ICE access was provided to an individual and whether the ICE access was provided as part of compliance with a civil immigration detainer or through other means. Data may be provided in the form of statistics or, if statistics are not maintained, as individual records, provided personally identifiable information is redacted.

(g) The Office of Policy and Management shall ensure that the requirements of this section are disseminated to, and appropriate training is provided for, all affected law enforcement agencies and school police or security departments and employees and agents of such law enforcement agencies and school police or security departments. Such training may entail how law enforcement officers and other officials performing similar duties will adhere to the provisions of this section and how they will interact with crime victims, potential criminal suspects and individuals cooperating with law enforcement officers."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	54-192h

Senator Fasano of the 34th offered Senate Amendment Schedule "I" (LCO 8668) and moved adoption.

Senator Winfield of the 10th requested that the vote be taken by roll call.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 1:04 a.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	14
Those voting Nay	21
Those absent and not voting.....	1

On the roll call vote Senate Amendment Schedule "I" (LCO 8668) was rejected.

The following is the roll call vote:

N 1	JOHN W. FONFARA	N 19	CATHERINE A. OSTEN
N 2	DOUGLAS MCCRORY	Y 20	PAUL M. FORMICA
N 3	SAUD ANWAR	Y 21	KEVIN KELLY
N 4	STEVE CASSANO	N 22	MARILYN MOORE
N 5	DEREK SLAP	N 23	DENNIS BRADLEY
Y 6	GENNARO BIZZARRO	N 24	JULIE KUSHNER
Y 7	JOHN A. KISSEL	N 25	BOB DUFF
Y 8	KEVIN D. WITKOS	N 26	WILL HASKELL
N 9	MATTHEW LESSER	N 27	CARLO LEONE
N 10	GARY WINFIELD	Y 28	TONY HWANG
N 11	MARTIN M. LOONEY	N 29	MAE M. FLEXER
N 12	CHRISTINE COHEN	Y 30	CRAIG MINER
N 13	MARY ABRAMS	Y 31	HENRI MARTIN
N 14	JAMES MARONEY	Y 32	ERIC BERTHEL
N 15	JOAN V. HARTLEY	A 33	NORM NEEDLEMAN
Y 16	ROBERT SAMPSON	Y 34	LEONARD FASANO
Y 17	GEORGE LOGAN	Y 35	DAN CHAMPAGNE
Y 18	HEATHER SOMERS	N 36	ALEX BERGSTEIN

The following is the Amendment:

In line 179, after "authority.", insert "No provision of this section shall be construed to require disclosure of any record exempt from disclosure under section 1-210 or 1-215."

Marking were Senators Fasano of the 34th and Champagne of the 35th.

Senator Fasano of the 34th offered Senate Amendment Schedule "J" (LCO 8330) and moved adoption.

Marking was Senator Winfield of the 10th.

Senator Winfield of the 10th requested that the vote be taken by roll call.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 1:13 a.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	15
Those voting Nay	20
Those absent and not voting.....	1

On the roll call vote Senate Amendment Schedule "J" (LCO 8330) was rejected.

The following is the roll call vote:

N 1	JOHN W. FONFARA	N 19	CATHERINE A. OSTEN
N 2	DOUGLAS MCCRORY	Y 20	PAUL M. FORMICA

N 3 SAUD ANWAR	Y 21 KEVIN KELLY
N 4 STEVE CASSANO	N 22 MARILYN MOORE
N 5 DEREK SLAP	N 23 DENNIS BRADLEY
Y 6 GENNARO BIZZARRO	N 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	N 25 BOB DUFF
Y 8 KEVIN D. WITKOS	N 26 WILL HASKELL
N 9 MATTHEW LESSER	N 27 CARLO LEONE
N 10 GARY WINFIELD	Y 28 TONY HWANG
N 11 MARTIN M. LOONEY	N 29 MAE M. FLEXER
N 12 CHRISTINE COHEN	Y 30 CRAIG MINER
N 13 MARY ABRAMS	Y 31 HENRI MARTIN
N 14 JAMES MARONEY	Y 32 ERIC BERTHEL
Y 15 JOAN V. HARTLEY	A 33 NORM NEEDLEMAN
Y 16 ROBERT SAMPSON	Y 34 LEONARD FASANO
Y 17 GEORGE LOGAN	Y 35 DAN CHAMPAGNE
Y 18 HEATHER SOMERS	N 36 ALEX BERGSTEIN

The following is the Amendment:

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Subsection (a) of section 18-98e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) Notwithstanding any provision of the general statutes, any person sentenced to a term of imprisonment for a crime committed on or after October 1, 1994, and committed to the custody of the Commissioner of Correction on or after said date, except a person who is sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d, 53a-55, 53a-55a, ~~53a-70~~, 53a-70a, 53a-70c or 53a-100aa, or is a persistent dangerous felony offender or persistent dangerous sexual offender pursuant to section 53a-40, may be eligible to earn risk reduction credit toward a reduction of such person's sentence, in an amount not to exceed five days per month, at the discretion of the Commissioner of Correction for conduct as provided in subsection (b) of this section occurring on or after April 1, 2006."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	18-98e(a)

Senator Winfield of the 10th offered Senate Amendment Schedule "K" (LCO 8756) and moved adoption.

Senator Winfield of the 10th requested that the vote be taken by roll call.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 1:16 a.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

On the roll call vote Senate Amendment Schedule "K" (LCO 8756) was adopted.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	Y	21	KEVIN KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	Y	23	DENNIS BRADLEY
Y	6	GENNARO BIZZARRO	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW LESSER	Y	27	CARLO LEONE
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE M. FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	Y	32	ERIC BERTHEL
Y	15	JOAN V. HARTLEY	A	33	NORM NEEDLEMAN
Y	16	ROBERT SAMPSON	Y	34	LEONARD FASANO
Y	17	GEORGE LOGAN	Y	35	DAN CHAMPAGNE
Y	18	HEATHER SOMERS	Y	36	ALEX BERGSTEIN

The following is the Amendment:

After line 73, insert the following:

""ICE access" does not include submission by a law enforcement officer of fingerprints to the Automated Fingerprints Identification system of an arrested individual or the accessing of information from the National Crime Information Center by a law enforcement officer concerning an arrested individual;"

In line 93, after "(b)", insert "(1)"

In line 97, strike "(1)" and insert "(A)" in lieu thereof

In line 115, strike "(2)" and insert "(B)" in lieu thereof

In line 120, strike "(3)" and insert "(C)" in lieu thereof

In line 122, strike "(4)" and insert "(D)" in lieu thereof

In line 124, strike "(5)" and insert "(E)" in lieu thereof

In line 127, strike "(6)" and insert "(F)" in lieu thereof

After line 132, insert the following:

"(2) The provisions of this subsection shall not prohibit submission by a law enforcement officer of fingerprints to the Automated Fingerprints Identification system of an arrested individual or the accessing of information from the National Crime Information Center by a law enforcement officer concerning an arrested individual."

Remarking were Senators Witkos of the 8th, Duff of the 25th, Fasano of the 34th and Looney of the 11th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 1:51 a.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	20
Those voting Nay	15
Those absent and not voting.....	1

On the roll call vote Senate Bill No. 992 as amended by Senate Amendment Schedule "A" (LCO 7531) and Senate Amendment Schedule "K" (LCO 8756) was passed.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	N	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	N	21	KEVIN KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	Y	23	DENNIS BRADLEY
N	6	GENNARO BIZZARRO	Y	24	JULIE KUSHNER
N	7	JOHN A. KISSEL	Y	25	BOB DUFF
N	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW LESSER	Y	27	CARLO LEONE
Y	10	GARY WINFIELD	N	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE M. FLEXER
Y	12	CHRISTINE COHEN	N	30	CRAIG MINER
Y	13	MARY ABRAMS	N	31	HENRI MARTIN
Y	14	JAMES MARONEY	N	32	ERIC BERTHEL
N	15	JOAN V. HARTLEY	A	33	NORM NEEDLEMAN
N	16	ROBERT SAMPSON	N	34	LEONARD FASANO
N	17	GEORGE LOGAN	N	35	DAN CHAMPAGNE
N	18	HEATHER SOMERS	Y	36	ALEX BERGSTEIN

**FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
SENATE RESOLUTION**

The following favorable report was received from the Joint Standing Committee indicated, read the second time and tabled for the calendar.

EXECUTIVE AND LEGISLATIVE NOMINATIONS. S.J. No. **36** RESOLUTION CONFIRMING THE NOMINATION OF MARISSA PASLICK GILLETT OF WEST HARTFORD TO BE A UTILITY COMMISSIONER OF THE PUBLIC UTILITIES REGULATORY AUTHORITY.

**MATTERS RETURNED FROM COMMITTEE
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEE**

The following favorable reports were received from the Joint Standing Committee indicated, the bills were read the second time and tabled for the calendar.

NO NEW FILE

APPROPRIATIONS. Substitute for S.B. No. **860** (RAISED) (File No. 226) AN ACT ESTABLISHING A LAW ENFORCEMENT SUPPORT OFFICE PROGRAM ACCOUNT.

APPROPRIATIONS. Substitute for S.B. No. **898** (RAISED) (File No. 107) AN ACT ESTABLISHING THE HISPANIC AND FELLOW COMMUNITIES OF COLOR NONPROFIT STABILIZATION AND GROWTH FUND.

APPROPRIATIONS. Substitute for S.B. No. **961** (RAISED) (File No. 454) AN ACT CONCERNING THE AUDIT OF MUNICIPAL ELECTRIC ENERGY COOPERATIVES BY THE AUDITORS OF PUBLIC ACCOUNTS, THE MUNICIPAL ELECTRIC CONSUMER

ADVOCATE AND RECOMMENDATIONS FROM A MUNICIPAL ELECTRIC ENERGY COOPERATIVE FORENSIC EXAMINATION.

APPROPRIATIONS. Substitute for S.B. No. **968** (RAISED) (File No. 234) AN ACT ESTABLISHING A MILITARY TO MACHINISTS PROGRAM FOR VETERANS.

APPROPRIATIONS. Substitute for S.B. No. **995** (RAISED) (File No. 598) AN ACT REQUIRING A STUDY OF STANDARDS AND METHODS FOR PYRRHOTITE TESTING AT QUARRIES.

APPROPRIATIONS. Substitute for S.B. No. **1095** (RAISED) (File No. 738) AN ACT CONCERNING MUNICIPAL ETHICS.

APPROPRIATIONS. S.B. No. **1051** (RAISED) (File No. 548) AN ACT STRENGTHENING HOME CARE SERVICES.

APPROPRIATIONS. Substitute for S.B. No. **1113** (RAISED) (File No. 822) AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO THE SEXUAL OFFENDER REGISTRY, PETITIONS TO TERMINATE PARENTAL RIGHTS OF INCARCERATED PARENTS AND SENTENCE REVIEW AND SENTENCE MODIFICATION.

**FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
HOUSE RESOLUTION**

The following favorable report was received from the Joint Standing Committee indicated, read the second time and tabled for the calendar.

JUDICIARY. H.J. No. **165** RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE ROBERT J. DEVLIN, JR., OF SHELTON TO BE A JUDGE OF THE APPELLATE COURT AND A JUDGE OF THE SUPERIOR COURT.

**BUSINESS ON THE CALENDAR
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
BILL PASSED TEMPORARILY EARLIER TODAY PLACED ON CONSENT
CALENDAR NO. 1**

The following bill was taken from the table, read the third time, the report of the Committee accepted and the bill placed on the Consent Calendar.

JUDICIARY. S.B. No. **792** (COMM) (File No. 795) AN ACT CREATING AN ADVISORY COMMITTEE TO STUDY DISCRIMINATION ON THE BASIS OF GENDER IDENTITY OR EXPRESSION THAT OCCURS IN WORKPLACES AND SCHOOLS IN THE STATE.

Senator Kissel of the 7th explained the bill and moved passage.

On motion of Senator Winfield of the 10th, the bill was placed on the Consent Calendar.

**BUSINESS ON THE CALENDAR
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES
BILLS PLACED ON CONSENT CALENDAR NO. 1**

The following bills were taken from the table, read the third time, the reports of the Committees accepted and the bills placed on the Consent Calendar.

HUMAN SERVICES. S.B. No. **1065** (RAISED) (File No. 551) AN ACT CONCERNING LONG-TERM CARE SERVICES.

Senator Moore of the 22nd explained the bill and moved passage.

Remarking were Senators Witkos of the 8th, Logan of the 17th, Somers of the 18th and Kelly of the 21st.

Senator Kelly of the 21st offered Senate Amendment Schedule "A" (LCO 8538) and moved adoption.

Remarking were Senators Logan of the 17th and Moore of the 22nd.

On a voice vote the amendment was adopted.

The following is the Amendment:

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

"Sec. 501. (NEW) (*Effective from passage*) (a) On or before December 31, 2019, the Commissioner of Social Services shall amend the Medicaid state plan provisions governing the calculation of applied income, as defined in section 17b-261r of the general statutes, to permit a qualified deduction pursuant to 42 USC 1396a(r)(1)(A)(ii) for the following expenses related to representation of a Medicaid applicant or recipient: (1) Compensation of a conservator in the amount approved by the Probate Court; (2) Probate Court filing fees and expenses under subdivision (6) of subsection (b) of section 45a-106a and sections 45a-108a and 45a-109 of the general statutes; (3) premiums for any probate bond required by the Probate Court; and (4) any other fiduciary expenses approved by the Probate Court, provided such deductions are permissible under federal law.

(b) The Commissioner of Social Services shall seek federal approval for a Medicaid state plan amendment as set forth in subsection (a) of this section. The provisions of this section shall be effective upon the commissioner receiving approval to amend the Medicaid state plan from the Centers for Medicare and Medicaid Services, and, subject to such federal approval, shall be applied to conservator expenses incurred on or after October 1, 2019, or the approval date of the Medicaid state plan amendment, whichever is later.

(c) On or before December 31, 2020, and annually thereafter, the Commissioner of Social Services shall calculate the total amount deducted from applied income as conservatorship expenses under subsection (a) of this section during the preceding fiscal year and shall inform the Probate Court Administrator, in writing, of the amount of the conservatorship expenses. Not later than thirty days after receipt of the commissioner's calculation, the Probate Court Administrator shall transfer funds from the Probate Court Administration fund to the Department of Social Services equal to one-half of the conservatorship expenses for that year.

Sec. 502. (NEW) (*Effective from passage*) The baseline conservator compensation to be deducted from applied income pursuant to subsection (a) of section 501 of this act shall be one hundred twenty-five dollars per month, provided the Commissioner of Social Services shall approve fees above said amount if approved by the Probate Court at the time Medicaid is granted to a conserved person and upon redetermination of such conserved person's Medicaid eligibility.

Sec. 503. Subsection (d) of section 17b-261 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The transfer of an asset in exchange for other valuable consideration shall be allowable to the extent the value of the other valuable consideration is equal to or greater than the value of the asset transferred. The Commissioner of Social Services shall not treat any Probate Court-approved conservator or fiduciary fee paid for services rendered as an improper transfer of assets for the purpose of obtaining Medicaid eligibility."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	New section
Sec. 502	<i>from passage</i>	New section
Sec. 503	<i>from passage</i>	17b-261(d)

On motion of Senator Moore of the 22nd, the bill as amended was placed on the Consent Calendar.

JUDICIARY. S.B. No. **359** (COMM) (File No. 511) AN ACT EXTENDING WHISTLEBLOWER PROTECTIONS TO EMPLOYEES OF BUSINESSES RECEIVING FINANCIAL ASSISTANCE FROM THE STATE.

Senator Kushner of the 24th explained the bill and moved passage.

Remarking were Senators Duff of the 25th and Miner of the 30th.

On motion of Senator Kushner of the 24th, the bill was placed on the Consent Calendar.

**CONSENT CALENDAR NO. 1
ADOPTED**

The chair ordered the vote on business placed on the Consent Calendar be taken by roll call.

The following is the result of the vote at 2:12 a.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

On the roll call vote the Consent Calendar No. 1 was adopted.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	Y 21 KEVIN KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 GENNARO BIZZARRO	Y 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	Y 25 BOB DUFF
Y 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW LESSER	Y 27 CARLO LEONE
Y 10 GARY WINFIELD	Y 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE M. FLEXER
Y 12 CHRISTINE COHEN	Y 30 CRAIG MINER
Y 13 MARY ABRAMS	Y 31 HENRI MARTIN

Y	14	JAMES MARONEY	Y	32	ERIC BERTHEL
Y	15	JOAN V. HARTLEY	A	33	NORM NEEDLEMAN
Y	16	ROBERT SAMPSON	Y	34	LEONARD FASANO
Y	17	GEORGE LOGAN	Y	35	DAN CHAMPAGNE
Y	18	HEATHER SOMERS	Y	36	ALEX BERGSTEIN

**BUSINESS ON THE CALENDAR
MATTERS REFERRED TO COMMITTEE ON
APPROPRIATIONS**

On motion of Senator Duff of the 25th, the following matters were referred to the Committee on Appropriations.

GOVERNMENT ADMINISTRATION AND ELECTIONS. Substitute for S.B. No. **1046** (RAISED) (File No. 730) AN ACT CONCERNING ELECTION DAY REGISTRATION IN POLLING PLACES AND EXTENDING THE HOURS OF ELECTION DAY REGISTRATION.

JUDICIARY. S.B. No. **1083** (RAISED) (File No. 800) AN ACT IMPROVING THE INTEGRITY OF THE CONNECTICUT BUSINESS REGISTRY.

**BUSINESS ON THE CALENDAR
MATTER REMOVED FROM FOOT OF THE CALENDAR**

On the motion of Senator Duff of the 25th, the following matter was removed from the foot of the calendar and restored to its place on the calendar:

HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT. S.B. No. **817** (RAISED) (File No. 163) AN ACT CONCERNING HIGHER EDUCATION.

**BUSINESS ON THE CALENDAR
MATTER PLACED ON FOOT OF THE CALENDAR**

On motion of Senator Duff of the 25th, the following matter was placed on the foot of the calendar:

PUBLIC SAFETY AND SECURITY. S.B. No. **994** (RAISED) (File No. 536) AN ACT ALLOWING MUNICIPALITIES TO COVER THE PAY GAP FOR DISABLED POLICE OFFICERS.

SENATOR(S) ABSENT

The following Senator(s) may have missed some votes due to the following:

Senator Needleman of the 33rd - family business

ADJOURNMENT

On motion of Senator Duff of the 25th, the Senate at 2:16 a.m. adjourned subject to the call of the chair.