
OLR Bill Analysis

sHB 6787 (as amended by House "A")*

AN ACT CONCERNING THE PROSECUTION OF CANNABIS-RELATED CASES AND MODIFICATION OF SENTENCES FOR CANNABIS-RELATED OFFENSES.

SUMMARY

This bill requires the sentencing court or judge to discharge or modify a sentence of a defendant who is incarcerated for certain cannabis-related violations. The court or judge must discharge defendants incarcerated solely for these violations or modify the sentence to remove any period of incarceration for these violations if the sentence was for the violation along with one or more additional crimes.

Under the bill, the cannabis-related violations for which a sentencing court or judge must discharge or modify a sentence are:

1. using or possessing with intent to use drug paraphernalia to store, contain, or conceal cannabis, or to ingest, inhale, or otherwise introduce cannabis into the human body (CGS § 21a-267);
2. manufacturing, distributing, selling, prescribing, compounding, transporting with the intent to sell or dispense, possessing with the intent to sell or dispense, offering, giving, or administering to another person a cannabis-type substance of less than or equal to four ounces or six plants grown inside a person's own primary residence for personal use (CGS § 21a-277); or
3. possessing a cannabis-type substance of less than or equal to four ounces (CGS § 21a-279).

*House Amendment "A" (1) eliminates provisions in the underlying bill (a) requiring prosecutors to evaluate cannabis-related charges and

move to dismiss certain offenses and (b) prohibiting prosecutors from charging someone for certain actions that are no longer chargeable offenses, (2) specifies the cannabis-related offenses that the court or judge must modify, and (3) eliminates deadlines by which the court or judge must hold a hearing as required in the underlying bill.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 27 Nay 10 (03/31/2023)