



General Assembly

February Session, 2024

***Raised Bill No. 5297***

LCO No. 520



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE DECRIMINALIZATION OF POSSESSION  
OF SMALL AMOUNTS OF PSILOCYBIN.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (23) of section 21a-240 of the 2024 supplement  
2 to the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2024*):

4 (23) "Hallucinogenic substances" are psychodysleptic substances,  
5 other than cannabis-type substances, which assert a confusional or  
6 disorganizing effect upon mental processes or behavior and mimic  
7 acute psychotic disturbances. Exemplary of such drugs are mescaline,  
8 peyote, psilocybin, psilocyn and d-lysergic acid diethylamide, which are  
9 controlled substances under this chapter unless modified.

10 Sec. 2. (NEW) (*Effective October 1, 2024*) (a) Any person who possesses  
11 or has under such person's control less than one-half ounce of  
12 psilocybin, except as authorized in chapter 420b of the general statutes,  
13 shall (1) for a first offense, be fined one hundred fifty dollars, and (2) for  
14 a subsequent offense, be fined not less than two hundred dollars or more  
15 than five hundred dollars.

16 (b) The law enforcement officer issuing a complaint for a violation of  
17 subsection (a) of this section shall seize the psilocybin and cause such  
18 substance to be destroyed as contraband in accordance with law.

19 (c) Any person who, at separate times, has twice entered a plea of  
20 nolo contendere to, or been found guilty after trial of, a violation of  
21 subsection (a) of this section shall, upon a subsequent plea of nolo  
22 contendere to, or finding of guilty of, a violation of said subsection, be  
23 referred for participation in a drug education program at such person's  
24 own expense.

25 Sec. 3. Subdivision (1) of subsection (a) of section 21a-279 of the  
26 general statutes is repealed and the following is substituted in lieu  
27 thereof (*Effective October 1, 2024*):

28 (a) (1) [Any] Except as authorized in this chapter or chapter 420f, any  
29 person who possesses or has under such person's control (A) any  
30 quantity of any controlled substance, except any quantity of cannabis,  
31 as defined in section 21a-420, [and except as authorized in this chapter  
32 or chapter 420f] or (B) psilocybin in an amount less than one-half ounce,  
33 shall be guilty of a class A misdemeanor.

34 Sec. 4. Section 21a-267 of the 2024 supplement to the general statutes  
35 is repealed and the following is substituted in lieu thereof (*Effective*  
36 *October 1, 2024*):

37 (a) No person shall use or possess with intent to use drug  
38 paraphernalia, as defined in subdivision (20) of section 21a-240, to plant,  
39 propagate, cultivate, grow, harvest, manufacture, compound, convert,  
40 produce, process, prepare, test, analyze, pack, repack, store, contain or  
41 conceal, or to ingest, inhale or otherwise introduce into the human body,  
42 any controlled substance, as defined in section 21a-240, as amended by  
43 this act, other than cannabis in any amount or psilocybin in an amount  
44 less than one-half ounce. Any person who violates any provision of this  
45 subsection shall be guilty of a class C misdemeanor.

46 (b) No person shall deliver, possess with intent to deliver or

47 manufacture with intent to deliver drug paraphernalia knowing, or  
48 under circumstances where one reasonably should know, that it will be  
49 used to plant, propagate, cultivate, grow, harvest, manufacture,  
50 compound, convert, produce, process, prepare, test, analyze, pack,  
51 repack, store, contain or conceal, or to ingest, inhale or otherwise  
52 introduce into the human body, any controlled substance, other than  
53 cannabis in any amount or psilocybin in an amount less than one-half  
54 ounce. Any person who violates any provision of this subsection shall  
55 be guilty of a class A misdemeanor.

56 (c) Any person who violates subsection (a) or (b) of this section (1)  
57 with intent to commit such violation at a specific location that the trier  
58 of fact determines is (A) in or on the real property comprising a public  
59 or private elementary or secondary school, or (B) within two hundred  
60 feet of the perimeter of the real property comprising a public or private  
61 elementary or secondary school, and (2) who is not enrolled as a student  
62 in such school shall be imprisoned for a term of one year which shall not  
63 be suspended and shall be in addition and consecutive to any term of  
64 imprisonment imposed for violation of subsection (a) or (b) of this  
65 section.

66 (d) The provisions of subsection (a) of this section shall not apply to  
67 any person (1) who in good faith, seeks medical assistance for another  
68 person who such person reasonably believes is experiencing an  
69 overdose from the ingestion, inhalation or injection of intoxicating  
70 liquor or any drug or substance, (2) for whom another person, in good  
71 faith, seeks medical assistance, reasonably believing such person is  
72 experiencing an overdose from the ingestion, inhalation or injection of  
73 intoxicating liquor or any drug or substance, or (3) who reasonably  
74 believes he or she is experiencing an overdose from the ingestion,  
75 inhalation or injection of intoxicating liquor or any drug or substance  
76 and, in good faith, seeks medical assistance for himself or herself, if  
77 evidence of the use or possession of drug paraphernalia in violation of  
78 said subsection was obtained as a result of the seeking of such medical  
79 assistance. For the purposes of this subsection, "good faith" does not  
80 include seeking medical assistance during the course of the execution of

81 an arrest warrant or search warrant or a lawful search.

82 (e) For purposes of this section, "cannabis" has the same meaning as  
83 provided in section 21a-240, as amended by this act.

84 Sec. 5. Section 14-111e of the 2024 supplement to the general statutes  
85 is repealed and the following is substituted in lieu thereof (*Effective*  
86 *October 1, 2024*):

87 (a) (1) The Commissioner of Motor Vehicles shall suspend, for a  
88 period of one hundred fifty days, the motor vehicle operator's license or  
89 nonresident operating privilege of any person who has been convicted  
90 of a violation of section 30-88a involving the misuse of an operator's  
91 license and who was under the age of twenty-one at the time of such  
92 violation.

93 (2) The commissioner shall suspend, for a period of sixty days, the  
94 motor vehicle operator's license or nonresident operating privilege of  
95 any person who has been convicted of a violation of subdivision (1) of  
96 subsection (b) of section 30-89, section 2 of this act or subsection (b) or  
97 (c) of section 21a-279a and who was under the age of twenty-one at the  
98 time of such violation.

99 (3) The commissioner shall suspend, for a period of thirty days, the  
100 motor vehicle operator's license or nonresident operating privilege of  
101 any person who has been convicted of a violation of subdivision (2) of  
102 subsection (b) of section 30-89 and who was under the age of twenty-  
103 one at the time of such violation.

104 (b) The commissioner shall not issue a new motor vehicle operator's  
105 license under the provisions of section 14-36 to any person who has been  
106 convicted of a violation of section 30-88a or section 30-89, subsection (e)  
107 of section 1-1h, subsection (a) of section 21a-279a, [or] subsection (d) of  
108 section 21a-267, as amended by this act, or section 2 of this act, and who  
109 was under the age of twenty-one at the time of such violation until a  
110 period of one hundred fifty days has elapsed from the date all applicable  
111 requirements for any such license have been satisfied by such person.

112 Sec. 6. Subsection (b) of section 51-164n of the 2024 supplement to the  
113 general statutes is repealed and the following is substituted in lieu  
114 thereof (*Effective October 1, 2024*):

115 (b) Notwithstanding any provision of the general statutes, any person  
116 who is alleged to have committed (1) a violation under the provisions of  
117 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)  
118 of section 7-66, section 7-83, 7-147h, 7-148, 7-283, 7-325, 7-393, 8-12, 8-25,  
119 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-  
120 254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision (3) of  
121 subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 12-  
122 326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of  
123 section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c, 12-487, 13a-  
124 266, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-  
125 124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection  
126 (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a) of section  
127 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-  
128 324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,  
129 subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4,  
130 subdivision (2) of subsection (a) of section 14-12, subsection (d) of  
131 section 14-12, subsection (f) of section 14-12a, subsection (a) of section  
132 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a,  
133 subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58  
134 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a,  
135 subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h,  
136 section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a,  
137 section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a, 14-146, 14-152, 14-  
138 153, 14-161 or 14-163b, subsection (f) of section 14-164i, section 14-213b  
139 or 14-219, subdivision (1) of section 14-223a, subsection (d) of section 14-  
140 224, section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-  
141 267a, 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of  
142 section 14-275c, section 14-276, subsection (a) or (b) of section 14-277,  
143 section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-  
144 283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa,  
145 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326,

146 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section  
147 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of  
148 section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15,  
149 subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of  
150 section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152,  
151 subsection (b) of section 17a-227, section 17a-465, subsection (c) of  
152 section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-  
153 87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b,  
154 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224,  
155 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,  
156 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-  
157 153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or  
158 20-329g, subsection (b) of section 20-334, section 20-341l, 20-366, 20-482,  
159 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or  
160 21-63, subsection (d) of section 21-71, section 21-76a or 21-100,  
161 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section  
162 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25,  
163 section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-46,  
164 21a-61, 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-79,  
165 section 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-  
166 159, section 21a-278b, subsection (c), (d) or (e) of section 21a-279a,  
167 section 21a-421eee, 21a-421fff, 21a-421hhh, subsection (a) of section 21a-  
168 430, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35,  
169 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l, subdivision (1)  
170 of subsection (n) of section 22-61l, subsection (f) of section 22-61m,  
171 subdivision (1) of subsection (f) of section 22-61m, section 22-84, 22-89,  
172 22-90, 22-96, 22-98, 22-99, 22-100 or 22-111o, subsection (d) of section 22-  
173 118l, section 22-167, subsection (c) of section 22-277, section 22-278, 22-  
174 279, 22-280a, 22-318a, 22-320h, 22-324a or 22-326, subsection (b),  
175 subdivision (1) or (2) of subsection (e) or subsection (g) of section 22-344,  
176 subsection (a) or (b) of section 22-344b, subsection (d) of section 22-344d,  
177 section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391, 22-413, 22-414,  
178 22-415, 22-415c, 22a-66a or 22a-246, subsection (a) of section 22a-250,  
179 section 22a-256g, subsection (e) of section 22a-256h, section 22a-363 or  
180 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449,

181 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b, subsection (a) or  
182 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,  
183 subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-  
184 21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-56, 26-58 or  
185 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64,  
186 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,  
187 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117, subsection (b) of  
188 section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138, 26-139 or 26-141,  
189 subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-  
190 224a, subdivision (1) of section 26-226, section 26-227, 26-230, 26-231, 26-  
191 232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-285, 26-286, 26-  
192 287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13, 29-6a, 29-16,  
193 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e), (g) or  
194 (h) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of  
195 section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section  
196 29-291c, section 29-316 or 29-318, subsection (b) of section 29-335a,  
197 section 29-381, 30-19f, 30-48a or 30-86a, subsection (b) of section 30-89,  
198 subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11, 31-12,  
199 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-47 or  
200 31-48, subsection (b) of section 31-48b, section 31-51, 31-51g, 31-52, 31-  
201 52a, 31-53 or 31-54, subsection (a) or (c) of section 31-69, section 31-70,  
202 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-  
203 273, section 31-288, 31-348, 33-624, 33-1017, 34-13d or 34-412,  
204 subdivision (1) of section 35-20, subsection (a) of section 36a-57,  
205 subsection (b) of section 36a-665, section 36a-699, 36a-739, 36a-787, 38a-  
206 2 or 38a-140, subsection (a) or (b) of section 38a-278, section 38a-479qq,  
207 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713, 38a-733, 38a-764,  
208 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230, 42-470 or 42-480,  
209 subsection (a) or (c) of section 43-16q, section 45a-283, 45a-450, 45a-634  
210 or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46a-  
211 81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or 47-53, subsection  
212 (i) of section 47a-21, subdivision (1) of subsection (k) of section 47a-21,  
213 section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection (j) of section 52-  
214 362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-  
215 290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-323 or 53-331,

216 subsection (b) of section 53-343a, section 53-344, subsection (b) or (c) of  
217 section 53-344b, subsection (b) of section 53-345a, section 53-377, 53-422  
218 or 53-450, [or] subsection (i) of section 54-36a or section 2 of this act, or  
219 (2) a violation under the provisions of chapter 268, or (3) a violation of  
220 any regulation adopted in accordance with the provisions of section 12-  
221 484, 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or  
222 bylaw of any town, city or borough, except violations of building codes  
223 and the health code, for which the penalty exceeds ninety dollars but  
224 does not exceed two hundred fifty dollars, unless such town, city or  
225 borough has established a payment and hearing procedure for such  
226 violation pursuant to section 7-152c, shall follow the procedures set  
227 forth in this section.

228 Sec. 7. Subsection (i) of section 51-164n of the 2024 supplement to the  
229 general statutes is repealed and the following is substituted in lieu  
230 thereof (*Effective October 1, 2024*):

231 (i) In any trial for the alleged commission of a violation specified in  
232 subsection (b) of this section, the practice, procedure, rules of evidence  
233 and burden of proof applicable in criminal proceedings shall apply,  
234 except that in any trial for the alleged commission of a violation under  
235 section 2 of this act or subsection (a) of section 21a-279a, the burden of  
236 proof shall be by the preponderance of the evidence. Any person found  
237 guilty at the trial or upon a plea shall be guilty of the commission of a  
238 violation and shall be fined not more than the statutory amount  
239 applicable to such violation.

240 Sec. 8. Subdivision (2) of section 46b-120 of the 2024 supplement to  
241 the general statutes is repealed and the following is substituted in lieu  
242 thereof (*Effective October 1, 2024*):

243 (2) (A) A child may be adjudicated as "delinquent" who has, while  
244 under sixteen years of age, (i) violated any federal or state law, except a  
245 first or second offense under subdivision (1) of subsection (b) of section  
246 21a-279a or section 2 of this act, or except section 53a-172, 53a-173, 53a-  
247 222, 53a-222a, 53a-223 or 53a-223a, or violated a municipal or local



248 ordinance, (ii) wilfully failed to appear in response to a summons under  
249 section 46b-133 or at any other court hearing in a delinquency  
250 proceeding of which the child had notice, (iii) violated any order of the  
251 Superior Court in a delinquency proceeding, or (iv) violated conditions  
252 of probation supervision or probation supervision with residential  
253 placement in a delinquency proceeding as ordered by the court;

254 (B) A child may be adjudicated as "delinquent" who has (i) while  
255 sixteen or seventeen years of age, violated any federal or state law, other  
256 than (I) an infraction, (II) a violation, (III) a motor vehicle offense or  
257 violation under title 14, (IV) a violation of a municipal or local  
258 ordinance, (V) a violation of section 51-164r, 53a-172, 53a-173, 53a-222,  
259 53a-222a, 53a-223 or 53a-223a, or (VI) a first or second offense under  
260 subdivision (1) of subsection (b) of section 21a-279a or section 2 of this  
261 act, (ii) while sixteen years of age or older, wilfully failed to appear in  
262 response to a summons under section 46b-133 or at any other court  
263 hearing in a delinquency proceeding of which the child had notice, (iii)  
264 while sixteen years of age or older, violated any order of the Superior  
265 Court in a delinquency proceeding, or (iv) while sixteen years of age or  
266 older, violated conditions of probation supervision or probation  
267 supervision with residential placement in a delinquency proceeding as  
268 ordered by the court;

269 Sec. 9. Subdivision (7) of section 46b-120 of the 2024 supplement to  
270 the general statutes is repealed and the following is substituted in lieu  
271 thereof (*Effective October 1, 2024*):

272 (7) "Delinquent act" means (A) the violation by a child under the age  
273 of sixteen of any federal or state law, except a first or second offense  
274 under subdivision (1) of subsection (b) of section 21a-279a or section 2  
275 of this act, the violation of section 53a-172, 53a-173, 53a-222, 53a-222a,  
276 53a-223 or 53a-223a, or the violation of a municipal or local ordinance,  
277 (B) the violation by a child sixteen or seventeen years of age of any  
278 federal or state law, other than (i) an infraction, (ii) a violation, (iii) a  
279 motor vehicle offense or violation under title 14, (iv) the violation of a  
280 municipal or local ordinance, (v) the violation of section 51-164r, 53a-

281 172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or (vi) a first or  
 282 second offense under subdivision (1) of subsection (b) of section 21a-  
 283 279a or section 2 of this act, (C) the wilful failure of a child, including a  
 284 child who has attained the age of eighteen, to appear in response to a  
 285 summons under section 46b-133 or at any other court hearing in a  
 286 delinquency proceeding of which the child has notice, (D) the violation  
 287 of any order of the Superior Court in a delinquency proceeding by a  
 288 child, including a child who has attained the age of eighteen, or (E) the  
 289 violation of conditions of probation supervision or probation  
 290 supervision with residential placement in a delinquency proceeding by  
 291 a child, including a child who has attained the age of eighteen, as  
 292 ordered by the court;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	21a-240(23)
Sec. 2	<i>October 1, 2024</i>	New section
Sec. 3	<i>October 1, 2024</i>	21a-279(a)(1)
Sec. 4	<i>October 1, 2024</i>	21a-267
Sec. 5	<i>October 1, 2024</i>	14-111e
Sec. 6	<i>October 1, 2024</i>	51-164n(b)
Sec. 7	<i>October 1, 2024</i>	51-164n(i)
Sec. 8	<i>October 1, 2024</i>	46b-120(2)
Sec. 9	<i>October 1, 2024</i>	46b-120(7)

**Statement of Purpose:**

To decriminalize the possession of small amounts of psilocybin.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*