



General Assembly

Amendment

June Special Session, 2021

LCO No. 10906



Offered by:
SEN. WINFIELD, 10th Dist.

To: Senate Bill No. **1201**

File No.

Cal. No.

**"AN ACT CONCERNING RESPONSIBLE AND EQUITABLE
REGULATION OF ADULT-USE CANNABIS."**

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

3 "Section 1. (NEW) (*Effective from passage*) As used in RERACA, unless
4 the context otherwise requires:

5 (1) "Responsible and Equitable Regulation of Adult-Use Cannabis
6 Act" or "RERACA" means this section, sections 7, 9, 11 to 14, inclusive,
7 16, 18, 20 to 65, inclusive, 82, 83, 89 to 110, inclusive, 112 to 114, inclusive,
8 121, 124 to 128, inclusive, 134, 135 and 144 to 151, inclusive, 153, 162, 163,
9 165 to 167, inclusive, and 174 of this act, and the amendments to sections
10 7-148, 10-221, 12-30a, 12-35b, 12-412, 12-650, 12-704d, 14-44k, 14-111e, 14-
11 227a to 14-227c, inclusive, 14-227j, 15-140q, 15-140r, 18-100h, 19a-342,
12 19a-342a, 21a-267, 21a-277, 21a-279, 21a-279a, 21a-408 to 21a-408f,
13 inclusive, 21a-408h to 21a-408p, inclusive, 21a-408r to 21a-408v,
14 inclusive, 30-89a, 31-40q, 32-39, 46b-120, 51-164n, 53-394, 53a-39c, 54-1m,

15 54-33g, 54-41b, 54-56e, 54-56g, 54-56i, 54-56k, 54-56n, 54-63d, 54-66a and
16 54-142e of the general statutes;

17 (2) "Backer" means any individual with a direct or indirect financial
18 interest in a cannabis establishment. "Backer" does not include an
19 individual with an investment interest in a cannabis establishment if (A)
20 the interest held by such individual and such individual's spouse,
21 parent or child, in the aggregate, does not exceed five per cent of the
22 total ownership or interest rights in such cannabis establishment, and
23 (B) such individual does not participate directly or indirectly in the
24 control, management or operation of the cannabis establishment;

25 (3) "Cannabis" means marijuana, as defined in section 21a-240 of the
26 general statutes;

27 (4) "Cannabis establishment" means a producer, dispensary facility,
28 cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage
29 manufacturer, product manufacturer, product packager, delivery
30 service or transporter;

31 (5) "Cannabis flower" means the flower, including abnormal and
32 immature flowers, of a plant of the genus cannabis that has been
33 harvested, dried and cured, and prior to any processing whereby the
34 flower material is transformed into a cannabis product. "Cannabis
35 flower" does not include (A) the leaves or stem of such plant, or (B)
36 hemp, as defined in section 22-61l of the general statutes;

37 (6) "Cannabis trim" means all parts, including abnormal or immature
38 parts, of a plant of the genus cannabis, other than cannabis flower, that
39 have been harvested, dried and cured, and prior to any processing
40 whereby the plant material is transformed into a cannabis product.
41 "Cannabis trim" does not include hemp, as defined in section 22-61l of
42 the general statutes;

43 (7) "Cannabis product" means cannabis that is in the form of a
44 cannabis concentrate or a product that contains cannabis, which may be
45 combined with other ingredients, and is intended for use or

46 consumption. "Cannabis product" does not include the raw cannabis
47 plant;

48 (8) "Cannabis concentrate" means any form of concentration,
49 including, but not limited to, extracts, oils, tinctures, shatter and waxes,
50 that is extracted from cannabis;

51 (9) "Cannabis-type substances" have the same meaning as
52 "marijuana", as defined in section 21a-240 of the general statutes;

53 (10) "Commissioner" means the Commissioner of Consumer
54 Protection and includes any designee of the commissioner;

55 (11) "Consumer" means an individual who is twenty-one years of age
56 or older;

57 (12) "Cultivation" has the same meaning as provided in section 21a-
58 408 of the general statutes;

59 (13) "Cultivator" means a person that is licensed to engage in the
60 cultivation, growing and propagation of the cannabis plant at an
61 establishment with not less than fifteen thousand square feet of grow
62 space;

63 (14) "Delivery service" means a person that is licensed to deliver
64 cannabis from (A) micro-cultivators, retailers and hybrid retailers to
65 consumers and research program subjects, and (B) hybrid retailers and
66 dispensary facilities to qualifying patients, caregivers and research
67 program subjects, as defined in section 21a-408 of the general statutes,
68 or to hospices or other inpatient care facilities licensed by the
69 Department of Public Health pursuant to chapter 368v of the general
70 statutes that have a protocol for the handling and distribution of
71 cannabis that has been approved by the department, or a combination
72 thereof;

73 (15) "Department" means the Department of Consumer Protection;

74 (16) "Dispensary facility" means a place of business where cannabis

75 may be dispensed, sold or distributed in accordance with chapter 420f
76 of the general statutes and any regulations adopted thereunder, to
77 qualifying patients and caregivers, and to which the department has
78 issued a dispensary facility license under chapter 420f of the general
79 statutes and any regulations adopted thereunder;

80 (17) "Disproportionately impacted area" means a United States
81 census tract in the state that has, as determined by the Social Equity
82 Council under section 22 of this act, (A) a historical conviction rate for
83 drug-related offenses greater than one-tenth, or (B) an unemployment
84 rate greater than ten per cent;

85 (18) "Disqualifying conviction" means a conviction within the last ten
86 years which has not been the subject of an absolute pardon under the
87 provisions of section 54-130a of the general statutes, or an equivalent
88 pardon process under the laws of another state or the federal
89 government, for an offense under (A) section 53a-276, 53a-277 or 53a-
90 278 of the general statutes; (B) section 53a-291, 53a-292 or 53a-293 of the
91 general statutes; (C) section 53a-215 of the general statutes; (D) section
92 53a-138 or 53a-139 of the general statutes; (E) section 53a-142a of the
93 general statutes; (F) sections 53a-147 to 53a-162, inclusive, of the general
94 statutes; (G) sections 53a-125c to 53a-125f, inclusive, of the general
95 statutes; (H) section 53a-129b, 53a-129c or 53a-129d of the general
96 statutes; (I) subsection (b) of section 12-737 of the general statutes; (J)
97 section 53a-48 or 53a-49 of the general statutes, if the offense which is
98 attempted or is an object of the conspiracy is an offense under the
99 statutes listed in subparagraphs (A) to (I), inclusive, of this subdivision;
100 or (K) the law of any other state or of the federal government, if the
101 offense on which such conviction is based is defined by elements that
102 substantially include the elements of an offense under the statutes listed
103 in subparagraphs (A) to (J), inclusive, of this subdivision;

104 (19) "Dispensary technician" means an individual who has had an
105 active pharmacy technician or dispensary technician registration in this
106 state within the past five years, is affiliated with a dispensary facility or
107 hybrid retailer and is registered with the department in accordance with

108 chapter 420f of the general statutes and any regulations adopted
109 thereunder;

110 (20) "Employee" means any person who is not a backer, but is a
111 member of the board of a company with an ownership interest in a
112 cannabis establishment, and any person employed by a cannabis
113 establishment or who otherwise has access to such establishment or the
114 vehicles used to transport cannabis, including, but not limited to, an
115 independent contractor who has routine access to the premises of such
116 establishment or to the cannabis handled by such establishment;

117 (21) "Equity" and "equitable" means efforts, regulations, policies,
118 programs, standards, processes and any other functions of government
119 or principles of law and governance intended to: (A) Identify and
120 remedy past and present patterns of discrimination and disparities of
121 race, ethnicity, gender and sexual orientation; (B) ensure that such
122 patterns of discrimination and disparities, whether intentional or
123 unintentional, are neither reinforced nor perpetuated; and (C) prevent
124 the emergence and persistence of foreseeable future patterns of
125 discrimination or disparities of race, ethnicity, gender, and sexual
126 orientation;

127 (22) "Equity joint venture" means a business entity that is at least fifty
128 per cent owned and controlled by an individual or individuals, or such
129 applicant is an individual, who meets the criteria of subparagraphs (A)
130 and (B) of subdivision (48) of this section;

131 (23) "Extract" means the preparation, compounding, conversion or
132 processing of cannabis, either directly or indirectly by extraction or
133 independently by means of chemical synthesis, or by a combination of
134 extraction and chemical synthesis to produce a cannabis concentrate;

135 (24) "Financial interest" means any right to, ownership, an investment
136 or a compensation arrangement with another person, directly, through
137 business, investment or family. "Financial interest" does not include
138 ownership of investment securities in a publicly-held corporation that
139 is traded on a national exchange or over-the-counter market, provided

140 the investment securities held by such person and such person's spouse,
141 parent or child, in the aggregate, do not exceed one-half of one per cent
142 of the total number of shares issued by the corporation;

143 (25) "Food and beverage manufacturer" means a person that is
144 licensed to own and operate a place of business that acquires cannabis
145 and creates food and beverages;

146 (26) "Grow space" means the portion of a premises owned and
147 controlled by a producer, cultivator or micro-cultivator that is utilized
148 for the cultivation, growing or propagation of the cannabis plant, and
149 contains cannabis plants in an active stage of growth, measured starting
150 from the outermost wall of the room containing cannabis plants and
151 continuing around the outside of the room. "Grow space" does not
152 include space used to cure, process, store harvested cannabis or
153 manufacture cannabis once the cannabis has been harvested;

154 (27) "Historical conviction count for drug-related offenses" means, for
155 a given area, the number of convictions of residents of such area (A) for
156 violations of sections 21a-267, 21a-277, 21a-278, 21a-279 and 21a-279a of
157 the general statutes, and (B) who were arrested for such violations
158 between January 1, 1982, and December 31, 2020, inclusive, where such
159 arrest was recorded in databases maintained by the Department of
160 Emergency Services and Public Protection;

161 (28) "Historical conviction rate for drug-related offenses" means, for
162 a given area, the historical conviction count for drug-related offenses
163 divided by the population of such area, as determined by the five-year
164 estimates of the most recent American Community Survey conducted
165 by the United States Census Bureau;

166 (29) "Hybrid retailer" means a person that is licensed to purchase
167 cannabis and sell cannabis and medical marijuana products;

168 (30) "Key employee" means an employee with the following
169 management position or an equivalent title within a cannabis
170 establishment: (A) President or chief officer, who is the top ranking

171 individual at the cannabis establishment and is responsible for all staff
172 and overall direction of business operations; (B) financial manager, who
173 is the individual who reports to the president or chief officer and who is
174 generally responsible for oversight of the financial operations of the
175 cannabis establishment, including, but not limited to, revenue
176 generation, distributions, tax compliance and budget implementation;
177 or (C) compliance manager, who is the individual who reports to the
178 president or chief officer and who is generally responsible for ensuring
179 the cannabis establishment complies with all laws, regulations and
180 requirements related to the operation of the cannabis establishment;

181 (31) "Laboratory" means a laboratory located in the state that is
182 licensed by the department to provide analysis of cannabis that meets
183 the licensure requirements set forth in section 21a-246 of the general
184 statutes;

185 (32) "Laboratory employee" means an individual who is registered as
186 a laboratory employee pursuant to section 21a-408r of the general
187 statutes;

188 (33) "Labor peace agreement" means an agreement between a
189 cannabis establishment and a bona fide labor organization under section
190 102 of this act pursuant to which the owners and management of the
191 cannabis establishment agree not to lock out employees and that
192 prohibits the bona fide labor organization from engaging in picketing,
193 work stoppages or boycotts against the cannabis establishment;

194 (34) "Manufacture" means to add or incorporate cannabis into other
195 products or ingredients or create a cannabis product;

196 (35) "Medical marijuana product" means cannabis that may be
197 exclusively sold to qualifying patients and caregivers by dispensary
198 facilities and hybrid retailers and which are designated by the
199 commissioner as reserved for sale to qualifying patients and caregivers
200 and published on the department's Internet web site;

201 (36) "Micro-cultivator" means a person licensed to engage in the

202 cultivation, growing and propagation of the cannabis plant at an
203 establishment containing not less than two thousand square feet and not
204 more than ten thousand square feet of grow space, prior to any
205 expansion authorized by the commissioner;

206 (37) "Municipality" means any town, city or borough, consolidated
207 town and city or consolidated town and borough;

208 (38) "Paraphernalia" means drug paraphernalia, as defined in section
209 21a-240 of the general statutes;

210 (39) "Person" means an individual, partnership, limited liability
211 company, society, association, joint stock company, corporation, estate,
212 receiver, trustee, assignee, referee or any other legal entity and any other
213 person acting in a fiduciary or representative capacity, whether
214 appointed by a court or otherwise, and any combination thereof;

215 (40) "Producer" means a person that is licensed as a producer
216 pursuant to section 21a-408i of the general statutes and any regulations
217 adopted thereunder;

218 (41) "Product manufacturer" means a person that is licensed to obtain
219 cannabis, extract and manufacture products exclusive to such license
220 type;

221 (42) "Product packager" means a person that is licensed to package
222 and label cannabis;

223 (43) "Qualifying patient" has the same meaning as provided in section
224 21a-408 of the general statutes;

225 (44) "Research program" has the same meaning as provided in section
226 21a-408 of the general statutes;

227 (45) "Retailer" means a person, excluding a dispensary facility and
228 hybrid retailer, that is licensed to purchase cannabis from producers,
229 cultivators, micro-cultivators, product manufacturers and food and
230 beverage manufacturers and to sell cannabis to consumers and research

231 programs;

232 (46) "Sale" or "sell" has the same meaning as provided in section 21a-
233 240 of the general statutes;

234 (47) "Social Equity Council" or "council" means the council
235 established under section 22 of this act;

236 (48) "Social equity applicant" means a person that has applied for a
237 license for a cannabis establishment, where such applicant is at least
238 sixty-five per cent owned and controlled by an individual or
239 individuals, or such applicant is an individual, who:

240 (A) Had an average household income of less than three hundred per
241 cent of the state median household income over the three tax years
242 immediately preceding such individual's application; and (i) was a
243 resident of a disproportionately impacted area for not less than five of
244 the ten years immediately preceding the date of such application; or (ii)
245 was a resident of a disproportionately impacted area for not less than
246 nine years prior to attaining the age of eighteen; or

247 (B) (i) Was, as an adult or as a juvenile, arrested for or convicted of,
248 the sale, possession, use, manufacture or cultivation of cannabis; or (ii)
249 has a parent, spouse or child who was, as an adult or as a juvenile,
250 arrested for or convicted of the sale, possession, use, manufacture or
251 cultivation of cannabis;

252 (49) "THC" has the same meaning as provided in section 21a-240 of
253 the general statutes;

254 (50) "Third-party lottery operator" means a person, or a constituent
255 unit of the state system of higher education, that conducts lotteries
256 pursuant to section 35 of this act, identifies the cannabis establishment
257 license applications for consideration without performing any review of
258 the applications that are identified for consideration, and that has no
259 direct or indirect oversight of or investment in a cannabis establishment
260 or a cannabis establishment applicant;

261 (51) "Transfer" means to transfer, change, give or otherwise dispose
262 of control over or interest in;

263 (52) "Transport" means to physically move from one place to another;

264 (53) "Transporter" means a person licensed to transport cannabis
265 between cannabis establishments, laboratories and research programs;
266 and

267 (54) "Unemployment rate" means, in a given area, the number of
268 people sixteen years of age or older who are in the civilian labor force
269 and unemployed divided by the number of people sixteen years of age
270 or older who are in the civilian labor force.

271 Sec. 2. Subsection (a) of section 21a-279 of the general statutes is
272 repealed and the following is substituted in lieu thereof (*Effective July 1,*
273 *2021*):

274 (a) (1) Any person who possesses or has under such person's control
275 any quantity of any controlled substance, except [less than one-half
276 ounce of a cannabis-type substance] any quantity of cannabis, as defined
277 in section 1 of this act, and except as authorized in this chapter or chapter
278 420f, shall be guilty of a class A misdemeanor.

279 (2) For a second offense of subdivision (1) of this subsection, the court
280 shall evaluate such person and, if the court determines such person is a
281 drug-dependent person, the court may suspend prosecution of such
282 person and order such person to undergo a substance abuse treatment
283 program.

284 (3) For any subsequent offense of subdivision (1) of this subsection,
285 the court may find such person to be a persistent offender for possession
286 of a controlled substance in accordance with section 53a-40.

287 Sec. 3. Section 21a-279a of the general statutes is repealed and the
288 following is substituted in lieu thereof (*Effective July 1, 2021*):

289 (a) Any person [who possesses or has under his control less than one-

290 half ounce of a cannabis-type substance, as defined in section 21a-240,
291 except as authorized in this chapter, shall (1) for a first offense, be fined
292 one hundred fifty dollars, and (2) for a subsequent offense, be fined not
293 less than two hundred dollars or more than five hundred dollars.]
294 twenty-one years of age or older may possess, use and otherwise
295 consume cannabis, provided the amount of all such cannabis does not
296 exceed such person's possession limit of (1) one and one-half ounces of
297 cannabis plant material and five ounces of cannabis plant material in a
298 locked container at such person's residence or a locked glove box or
299 trunk of such person's motor vehicle, (2) an equivalent amount of
300 cannabis products, as provided in subsection (i) of this section, or (3) an
301 equivalent amount of a combination of cannabis and cannabis products,
302 as provided in subsection (i) of this section. On and after July 1, 2023, a
303 person's personal possession limit does not include any live plant or
304 cannabis plant material derived from any live plant cultivated by such
305 person in accordance with the provisions of section 162 of this act.

306 (b) (1) Any person under eighteen years of age who possesses or has
307 under such person's control less than (A) five ounces of cannabis plant
308 material, (B) an equivalent amount of cannabis products, as provided in
309 subsection (i) of this section, or (C) an equivalent amount of a
310 combination of cannabis and cannabis products, as provided in
311 subsection (i) of this section, except as authorized in this chapter or
312 chapter 420f, shall for a (i) first offense, be issued a written warning, and
313 such person may be referred to a youth services bureau established
314 under section 10-19m or to any other appropriate services, (ii) second
315 offense, be referred to a youth services bureau established under section
316 10-19m or to any other appropriate services, and (iii) any subsequent
317 offense, be adjudicated delinquent pursuant to the provisions of section
318 46b-120.

319 (2) Any person under eighteen years of age who possesses or has
320 under such person's control (A) five ounces or more of cannabis plant
321 material, (B) an equivalent amount of cannabis products, as provided in
322 subsection (i) of this section, or (C) an equivalent amount of a
323 combination of cannabis and cannabis products, as provided in

324 subsection (i) of this section, except as authorized in this chapter or
325 chapter 420f, shall be adjudicated delinquent pursuant to the provisions
326 of section 46b-120.

327 (3) No person may be arrested for a violation of this subsection.

328 (c) (1) Any person eighteen years of age or older but under twenty-
329 one years of age, who possesses or has under such person's control less
330 than (A) five ounces of cannabis plant material, (B) an equivalent
331 amount of cannabis products, as provided in subsection (h) of this
332 section, or (C) an equivalent amount of a combination of cannabis and
333 cannabis products, as provided in subsection (i) of this section, except
334 as authorized in this chapter or chapter 420f, shall be required to view
335 and sign a statement acknowledging the health effects of cannabis on
336 young people and shall (i) for a first offense, be fined fifty dollars, and
337 (ii) for any subsequent offense, be fined one hundred fifty dollars.

338 (2) Any person eighteen years of age or older but under twenty-one
339 years of age, who possesses or has under such person's control (A) five
340 ounces or more of cannabis plant material, (B) an equivalent amount of
341 cannabis products, as provided in subsection (i) of this section, or (C) an
342 equivalent amount of a combination of cannabis and cannabis products,
343 as provided in subsection (i) of this section, except as authorized in this
344 chapter or chapter 420f, shall be required to view and sign a statement
345 acknowledging the health effects of cannabis on young people and shall
346 (i) for a first offense, be fined five hundred dollars, and (ii) for any
347 subsequent offense, be guilty of a class D misdemeanor.

348 (d) Any person twenty-one years of age or older, except as authorized
349 in this chapter, chapter 420f or RERACA, who possesses or has under
350 such person's control more than the possession limit pursuant to
351 subsection (a) of this section, but less than (1) five ounces of cannabis
352 plant material and eight ounces of cannabis plant material in a locked
353 container at such person's residence or a locked glove box or trunk of
354 such person's motor vehicle, (2) an equivalent amount of cannabis
355 products, as provided in subsection (i) of this section, or (3) an

356 equivalent amount of a combination of cannabis and cannabis products,
357 as provided in subsection (i) of this section, shall for a (A) first offense,
358 be fined one hundred dollars, and (B) subsequent offense, be fined two
359 hundred fifty dollars.

360 (e) (1) Any person twenty-one years of age or older, except as
361 authorized in this chapter, chapter 420f or RERACA, who possesses or
362 has under such person's control (A) five ounces or more of cannabis
363 plant material or eight ounces or more of cannabis plant material in a
364 locked container at such person's residence or a locked glove box or
365 trunk of such person's motor vehicle, (B) an equivalent amount of
366 cannabis products, as provided in subsection (i) of this section, or (C) an
367 equivalent amount of a combination of cannabis and cannabis products,
368 as provided in subsection (i) of this section, shall for a (i) first offense, be
369 finned five hundred dollars, and (ii) subsequent offense, be guilty of a
370 class C misdemeanor.

371 (2) For an offense under subdivision (1) of this subsection, the court
372 shall evaluate such person and, if the court determines such person is a
373 drug-dependent person, the court may suspend prosecution of such
374 person and order such person to undergo a substance abuse treatment
375 program.

376 [(b)] (f) The law enforcement officer issuing a complaint for a
377 violation of subsection [(a)] (b), (c), (d) or (e) of this section shall seize
378 [the cannabis-type substance] all cannabis and cause such substance to
379 be destroyed as contraband in accordance with law.

380 [(c)] (g) Any person who, at separate times, has twice entered a plea
381 of nolo contendere to, or been found guilty after trial of, a violation of
382 subsection [(a)] (e) of this section shall, upon a subsequent plea of nolo
383 contendere to, or finding of guilty of, a violation of said subsection, be
384 referred for participation in a drug education program at such person's
385 own expense.

386 (h) Any person subject to a fine under the provisions of this section

387 may attest to his or her indigency, and, in lieu of paying such fine,
388 complete community service with a private nonprofit charity or other
389 nonprofit organization. The number of hours of community service
390 required shall be equivalent to one hour of such service for each twenty-
391 five dollars of the fine that would otherwise apply. Upon completion of
392 the community service, such person shall attest, and present
393 documentation from such private nonprofit charity or other nonprofit
394 organization confirming that such community service was performed.

395 (i) (1) For purposes of determining any amount or limit specified in
396 this section and RERACA, one ounce of cannabis plant material shall be
397 considered equivalent to (A) five grams of cannabis concentrate, or (B)
398 any other cannabis products with up to five hundred milligrams of
399 THC.

400 (2) For purposes of subsection (a) of this section, one and one-half
401 ounces of cannabis plant material shall be considered equivalent to (A)
402 seven and one-half grams of cannabis concentrate, or (B) any other
403 cannabis products with up to seven hundred fifty milligrams of THC.

404 (3) For purposes of subsections (b) to (e), inclusive, of this section, five
405 ounces of cannabis plant material shall be considered equivalent to (i)
406 twenty-five grams of cannabis concentrate, or (ii) any other cannabis
407 products with up to two thousand five hundred milligrams of THC.

408 (4) For purposes of determining any amount or limit specified in this
409 section and RERACA, the amount possessed shall be calculated by
410 converting any quantity of cannabis products to its equivalent quantity
411 of cannabis plant material, and then taking the sum of any such
412 quantities.

413 (j) (1) As used in this section, "cannabis", "cannabis flower", "cannabis
414 trim", "cannabis concentrate" and "cannabis product" have the same
415 meanings as provided in section 1 of this act.

416 (2) As used in this section, "cannabis plant material" means cannabis

417 flower, cannabis trim and all parts of any plant or species of the genus
418 cannabis, or any infra specific taxon thereof, excluding a growing plant,
419 and the seeds thereof. "Cannabis plant material" does not include hemp,
420 as defined in section 22-61l.

421 (3) As used in this section, "motor vehicle" has the same meaning as
422 provided in section 14-1.

423 (4) As used in this section, "trunk" means (i) the fully enclosed and
424 locked main storage or luggage compartment of a motor vehicle that is
425 not accessible from the passenger compartment, or (ii) a locked toolbox
426 or utility box attached to the bed of a pickup truck, as defined in section
427 14-1. "Trunk" does not include the rear of a pickup truck, except as
428 otherwise provided, or of a hatchback, station-wagon-type automobile
429 or sport utility vehicle or any compartment that has a window.

430 Sec. 4. Section 21a-267 of the general statutes is repealed and the
431 following is substituted in lieu thereof (*Effective July 1, 2021*):

432 (a) No person shall use or possess with intent to use drug
433 paraphernalia, as defined in subdivision (20) of section 21a-240, to plant,
434 propagate, cultivate, grow, harvest, manufacture, compound, convert,
435 produce, process, prepare, test, analyze, pack, repack, store, contain or
436 conceal, or to ingest, inhale or otherwise introduce into the human body,
437 any controlled substance, as defined in subdivision (9) of section 21a-
438 240, other than [a cannabis-type substance in a quantity of less than one-
439 half ounce] cannabis. Any person who violates any provision of this
440 subsection shall be guilty of a class C misdemeanor.

441 (b) No person shall deliver, possess with intent to deliver or
442 manufacture with intent to deliver drug paraphernalia knowing, or
443 under circumstances where one reasonably should know, that it will be
444 used to plant, propagate, cultivate, grow, harvest, manufacture,
445 compound, convert, produce, process, prepare, test, analyze, pack,
446 repack, store, contain or conceal, or to ingest, inhale or otherwise
447 introduce into the human body, any controlled substance, other than [a

448 cannabis-type substance in a quantity of less than one-half ounce]
449 cannabis. Any person who violates any provision of this subsection shall
450 be guilty of a class A misdemeanor.

451 (c) Any person who violates subsection (a) or (b) of this section in or
452 on, or within one thousand five hundred feet of, the real property
453 comprising a public or private elementary or secondary school and who
454 is not enrolled as a student in such school shall be imprisoned for a term
455 of one year which shall not be suspended and shall be in addition and
456 consecutive to any term of imprisonment imposed for violation of
457 subsection (a) or (b) of this section.

458 [(d) No person shall (1) use or possess with intent to use drug
459 paraphernalia to plant, propagate, cultivate, grow, harvest,
460 manufacture, compound, convert, produce, process, prepare, test,
461 analyze, pack, repack, store, contain or conceal, or to ingest, inhale or
462 otherwise introduce into the human body, less than one-half ounce of a
463 cannabis-type substance, or (2) deliver, possess with intent to deliver or
464 manufacture with intent to deliver drug paraphernalia knowing, or
465 under circumstances where one reasonably should know, that it will be
466 used to plant, propagate, cultivate, grow, harvest, manufacture,
467 compound, convert, produce, process, prepare, test, analyze, pack,
468 repack, store, contain or conceal, or to ingest, inhale or otherwise
469 introduce into the human body, less than one-half ounce of a cannabis-
470 type substance. Any person who violates any provision of this
471 subsection shall have committed an infraction.]

472 [(e)] (d) The provisions of subsection (a) of this section shall not apply
473 to any person (1) who in good faith, seeks medical assistance for another
474 person who such person reasonably believes is experiencing an
475 overdose from the ingestion, inhalation or injection of intoxicating
476 liquor or any drug or substance, (2) for whom another person, in good
477 faith, seeks medical assistance, reasonably believing such person is
478 experiencing an overdose from the ingestion, inhalation or injection of
479 intoxicating liquor or any drug or substance, or (3) who reasonably
480 believes he or she is experiencing an overdose from the ingestion,

481 inhalation or injection of intoxicating liquor or any drug or substance
482 and, in good faith, seeks medical assistance for himself or herself, if
483 evidence of the use or possession of drug paraphernalia in violation of
484 said subsection was obtained as a result of the seeking of such medical
485 assistance. For the purposes of this subsection, "good faith" does not
486 include seeking medical assistance during the course of the execution of
487 an arrest warrant or search warrant or a lawful search.

488 (e) For purposes of this section, "cannabis" has the same meaning as
489 provided in section 1 of this act.

490 Sec. 5. Section 46b-120 of the general statutes is repealed and the
491 following is substituted in lieu thereof (*Effective July 1, 2021*):

492 The terms used in this chapter shall, in its interpretation and in the
493 interpretation of other statutes, be defined as follows:

494 (1) "Child" means any person under eighteen years of age who has
495 not been legally emancipated, except that (A) for purposes of
496 delinquency matters and proceedings, "child" means any person who (i)
497 is at least seven years of age at the time of the alleged commission of a
498 delinquent act and who is (I) under eighteen years of age and has not
499 been legally emancipated, or (II) eighteen years of age or older and
500 committed a delinquent act prior to attaining eighteen years of age, or
501 (ii) is subsequent to attaining eighteen years of age, (I) violates any order
502 of the Superior Court or any condition of probation ordered by the
503 Superior Court with respect to a delinquency proceeding, or (II) wilfully
504 fails to appear in response to a summons under section 46b-133 or at any
505 other court hearing in a delinquency proceeding of which the child had
506 notice, and (B) for purposes of family with service needs matters and
507 proceedings, child means a person who is at least seven years of age and
508 is under eighteen years of age;

509 (2) (A) A child may be adjudicated as "delinquent" who has, while
510 under sixteen years of age, (i) violated any federal or state law, except a
511 first or second offense under subdivision (1) of subsection (b) of section
512 21a-279a, or except section 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223

513 or 53a-223a, or violated a municipal or local ordinance, except an
514 ordinance regulating behavior of a child in a family with service needs,
515 (ii) wilfully failed to appear in response to a summons under section
516 46b-133 or at any other court hearing in a delinquency proceeding of
517 which the child had notice, (iii) violated any order of the Superior Court
518 in a delinquency proceeding, except as provided in section 46b-148, or
519 (iv) violated conditions of probation supervision or probation
520 supervision with residential placement in a delinquency proceeding as
521 ordered by the court;

522 (B) A child may be adjudicated as "delinquent" who has (i) while
523 sixteen or seventeen years of age, violated any federal or state law, other
524 than (I) an infraction, [except an infraction under subsection (d) of
525 section 21a-267,] (II) a violation, [except a violation under subsection (a)
526 of section 21a-279a,] (III) a motor vehicle offense or violation under title
527 14, (IV) a violation of a municipal or local ordinance, [or] (V) a violation
528 of section 51-164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-
529 223a, or (VI) a first or second offense under subdivision (1) of subsection
530 (b) of section 21a-279a, (ii) while sixteen years of age or older, wilfully
531 failed to appear in response to a summons under section 46b-133 or at
532 any other court hearing in a delinquency proceeding of which the child
533 had notice, (iii) while sixteen years of age or older, violated any order of
534 the Superior Court in a delinquency proceeding, except as provided in
535 section 46b-148, or (iv) while sixteen years of age or older, violated
536 conditions of probation supervision or probation supervision with
537 residential placement in a delinquency proceeding as ordered by the
538 court;

539 (3) "Family with service needs" means a family that includes a child
540 who is at least seven years of age and is under eighteen years of age
541 who, according to a petition lawfully filed on or before June 30, 2020,
542 (A) has without just cause run away from the parental home or other
543 properly authorized and lawful place of abode, (B) is beyond the control
544 of the child's parent, parents, guardian or other custodian, (C) has
545 engaged in indecent or immoral conduct, or (D) is thirteen years of age
546 or older and has engaged in sexual intercourse with another person and

547 such other person is thirteen years of age or older and not more than
548 two years older or younger than such child;

549 (4) A child may be found "neglected" who, for reasons other than
550 being impoverished, (A) has been abandoned, (B) is being denied
551 proper care and attention, physically, educationally, emotionally or
552 morally, or (C) is being permitted to live under conditions,
553 circumstances or associations injurious to the well-being of the child;

554 (5) A child may be found "abused" who (A) has been inflicted with
555 physical injury or injuries other than by accidental means, (B) has
556 injuries that are at variance with the history given of them, or (C) is in a
557 condition that is the result of maltreatment, including, but not limited
558 to, malnutrition, sexual molestation or exploitation, deprivation of
559 necessities, emotional maltreatment or cruel punishment;

560 (6) A child may be found "uncared for" (A) who is homeless, (B)
561 whose home cannot provide the specialized care that the physical,
562 emotional or mental condition of the child requires, or (C) who has been
563 identified as a victim of trafficking, as defined in section 46a-170. For the
564 purposes of this section, the treatment of any child by an accredited
565 Christian Science practitioner, in lieu of treatment by a licensed
566 practitioner of the healing arts, shall not of itself constitute neglect or
567 maltreatment;

568 (7) "Delinquent act" means (A) the violation by a child under the age
569 of sixteen of any federal or state law, except a first or second offense
570 under subdivision (1) of subsection (b) of section 21a-279a, the violation
571 of section 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or the
572 violation of a municipal or local ordinance, except an ordinance
573 regulating behavior of a child in a family with service needs, (B) the
574 violation by a child sixteen or seventeen years of age of any federal or
575 state law, other than (i) an infraction, [except an infraction under
576 subsection (d) of section 21a-267,] (ii) a violation, [except a violation
577 under subsection (a) of section 21a-279a,] (iii) a motor vehicle offense or
578 violation under title 14, (iv) the violation of a municipal or local

579 ordinance, [or] (v) the violation of section 51-164r, 53a-172, 53a-173, 53a-
580 222, 53a-222a, 53a-223 or 53a-223a, or (vi) a first or second offense under
581 subdivision (1) of subsection (b) of section 21a-279a, (C) the wilful
582 failure of a child, including a child who has attained the age of eighteen,
583 to appear in response to a summons under section 46b-133 or at any
584 other court hearing in a delinquency proceeding of which the child has
585 notice, (D) the violation of any order of the Superior Court in a
586 delinquency proceeding by a child, including a child who has attained
587 the age of eighteen, except as provided in section 46b-148, or (E) the
588 violation of conditions of probation supervision or probation
589 supervision with residential placement in a delinquency proceeding by
590 a child, including a child who has attained the age of eighteen, as
591 ordered by the court;

592 (8) "Serious juvenile offense" means (A) the violation of, including
593 attempt or conspiracy to violate, section 21a-277, 21a-278, 29-33, 29-34,
594 29-35, subdivision (2) or (3) of subsection (a) of section 53-21, 53-80a, 53-
595 202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-57, inclusive,
596 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-64bb, 53a-70 to 53a-71,
597 inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-
598 100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive,
599 subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of
600 subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a or
601 53a-167c, subsection (a) of section 53a-174, or section 53a-196a, 53a-211,
602 53a-212, 53a-216 or 53a-217b, or (B) absconding, escaping or running
603 away, without just cause, from any secure residential facility in which
604 the child has been placed by the court as a delinquent child;

605 (9) "Serious juvenile offender" means any child adjudicated as
606 delinquent for the commission of a serious juvenile offense;

607 (10) "Serious juvenile repeat offender" means any child charged with
608 the commission of any felony if such child has previously been
609 adjudicated as delinquent or otherwise adjudicated at any age for two
610 violations of any provision of title 21a, 29, 53 or 53a that is designated as
611 a felony;

612 (11) "Alcohol-dependent" means a psychoactive substance
613 dependence on alcohol as that condition is defined in the most recent
614 edition of the American Psychiatric Association's "Diagnostic and
615 Statistical Manual of Mental Disorders";

616 (12) "Drug-dependent" means a psychoactive substance dependence
617 on drugs as that condition is defined in the most recent edition of the
618 American Psychiatric Association's "Diagnostic and Statistical Manual
619 of Mental Disorders". No child shall be classified as drug-dependent
620 who is dependent (A) upon a morphine-type substance as an incident
621 to current medical treatment of a demonstrable physical disorder other
622 than drug dependence, or (B) upon amphetamine-type, ataractic,
623 barbiturate-type, hallucinogenic or other stimulant and depressant
624 substances as an incident to current medical treatment of a
625 demonstrable physical or psychological disorder, or both, other than
626 drug dependence;

627 (13) "Pre-dispositional study" means a comprehensive written report
628 prepared by a juvenile probation officer pursuant to section 46b-134
629 regarding the child's social, medical, mental health, educational, risks
630 and needs, and family history, as well as the events surrounding the
631 offense to present a supported recommendation to the court;

632 (14) "Probation supervision" means a legal status whereby a juvenile
633 who has been adjudicated delinquent is placed by the court under the
634 supervision of juvenile probation for a specified period of time and
635 upon such terms as the court determines;

636 (15) "Probation supervision with residential placement" means a legal
637 status whereby a juvenile who has been adjudicated delinquent is
638 placed by the court under the supervision of juvenile probation for a
639 specified period of time, upon such terms as the court determines, that
640 include a period of placement in a secure or staff-secure residential
641 treatment facility, as ordered by the court, and a period of supervision
642 in the community;

643 (16) "Risk and needs assessment" means a standardized tool that (A)

644 assists juvenile probation officers in collecting and synthesizing
645 information about a child to estimate the child's risk of recidivating and
646 identify other factors that, if treated and changed, can reduce the child's
647 likelihood of reoffending, and (B) provides a guide for intervention
648 planning;

649 (17) "Secure-residential facility" means a hardware-secured
650 residential facility that includes direct staff supervision, surveillance
651 enhancements and physical barriers that allow for close supervision and
652 controlled movement in a treatment setting; and

653 (18) "Staff-secure residential facility" means a residential facility that
654 provides residential treatment for children in a structured setting where
655 the children are monitored by staff.

656 Sec. 6. Subsection (b) of section 51-164n of the general statutes is
657 repealed and the following is substituted in lieu thereof (*Effective July 1,*
658 *2021*):

659 (b) Notwithstanding any provision of the general statutes, any person
660 who is alleged to have committed (1) a violation under the provisions of
661 section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-
662 393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-
663 251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g, subdivision (4)
664 of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-
665 435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115,
666 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247 or 13a-
667 253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-292,
668 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection
669 (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section
670 14-12, section 14-20a or 14-27a, subsection (f) of section 14-34a,
671 subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or 14-58,
672 subsection (b) of section 14-66, section 14-66a or 14-67a, subsection (g)
673 of section 14-80, subsection (f) of section 14-80h, section 14-97a, 14-100b,
674 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first
675 violation as specified in subsection (f) of section 14-164i, section 14-219

676 as specified in subsection (e) of said section, subdivision (1) of section
677 14-223a, section 14-240, 14-250 or 14-253a, subsection (a) of section 14-
678 261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278 or
679 14-279, subsection (e) or (h) of section 14-283, section 14-291, 14-293b, 14-
680 296aa, 14-300, 14-300d, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or
681 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-25 or 15-
682 33, subdivision (1) of section 15-97, subsection (a) of section 15-115,
683 section 16-44, 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section
684 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17b-124, 17b-
685 131, 17b-137, 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section
686 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-
687 222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-
688 336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-
689 231, 20-249, 20-257, 20-265, 20-324e, subsection (b) of section 20-334, 20-
690 341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48,
691 21-63 or 21-76a, subsection (c) of section 21a-2, subdivision (1) of section
692 21a-19, section 21a-21, subdivision (1) of subsection (b) of section 21a-
693 25, section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-
694 46, 21a-61, 21a-63 or 21a-77, subsection (b) of section 21a-79, section 21a-
695 85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159,
696 subsection [(a)] (c), (d) or (e) of section 21a-279a, section 22-12b, 22-13,
697 22-14, 22-15, 22-16, 22-26g, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a,
698 22-39b, 22-39c, 22-39d, 22-39e, 22-49 or 22-54, subsection (d) of section
699 22-84, section 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-167, 22-279,
700 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b), (e)
701 or (f) of section 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-
702 415, 22a-66a or 22a-246, subsection (a) of section 22a-250, subsection (e)
703 of section 22a-256h, section 22a-363 or 22a-381d, subsections (c) and (d)
704 of section 22a-381e, section 22a-449, 22a-461, 23-38, 23-46 or 23-61b,
705 subsection (a) or subdivision (1) of subsection (c) of section 23-65, section
706 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-
707 18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-
708 58 or 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-
709 64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-
710 94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-

711 138 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215,
712 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-
713 230, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-
714 288, 26-294, 28-13, 29-6a, 29-25, 29-143o, 29-143z or 29-156a, subsection
715 (b), (d), (e) or (g) of section 29-161q, section 29-161y or 29-161z,
716 subdivision (1) of section 29-198, section 29-210, 29-243 or 29-277,
717 subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a,
718 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,
719 31-24, 31-25, 31-32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52,
720 31-52a or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-
721 74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-273,
722 section 31-288, subdivision (1) of section 35-20, section 36a-787, 42-230,
723 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section
724 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16,
725 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e,
726 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-344, subsection (c) of section
727 53-344b, [or] section 53-450, or section 13, 91, 108 or 110 of this act, or (2)
728 a violation under the provisions of chapter 268, or (3) a violation of any
729 regulation adopted in accordance with the provisions of section 12-484,
730 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or
731 bylaw of any town, city or borough, except violations of building codes
732 and the health code, for which the penalty exceeds ninety dollars but
733 does not exceed two hundred fifty dollars, unless such town, city or
734 borough has established a payment and hearing procedure for such
735 violation pursuant to section 7-152c, shall follow the procedures set
736 forth in this section.

737 Sec. 7. (NEW) (*Effective July 1, 2021*) The provisions of subsections (b)
738 to (e), inclusive, of section 21a-279a of the general statutes, and sections
739 13, 105, 109 and 163 of this act shall not apply to any person (1) who, in
740 good faith, seeks medical assistance for another person who such person
741 reasonably believes is experiencing medical distress from the use of
742 cannabis; (2) for whom another person, in good faith, seeks medical
743 assistance, reasonably believing such person is experiencing medical
744 distress from the use of cannabis; or (3) who reasonably believes he or

745 she is experiencing medical distress from the use of cannabis and, in
746 good faith, seeks medical assistance for himself or herself, if evidence of
747 the possession or control of cannabis in violation of such provisions was
748 obtained as a result of the seeking of such medical assistance. For the
749 purposes of this subsection, "good faith" does not include seeking
750 medical assistance during the course of the execution of an arrest
751 warrant or search warrant or a lawful search.

752 Sec. 8. (NEW) (*Effective July 1, 2022*) (a) (1) Any person who has been
753 convicted in any court in this state (A) (i) on October 1, 2015, or
754 thereafter, and prior to July 1, 2021, or (ii) prior to January 1, 2000, of a
755 violation of section 21a-279 of the general statutes, for possession of a
756 cannabis-type substance and the amount possessed was less than or
757 equal to four ounces of such substance, (B) prior to July 1, 2021, of a
758 violation of subsection (a) of section 21a-267, for use or possession with
759 intent to use of drug paraphernalia to store, contain or conceal, or to
760 ingest, inhale or otherwise introduce into the human body cannabis, or
761 (C) prior to July 1, 2021, of a violation of subsection (b) of section 21a-
762 277 of the general statutes, for manufacturing, distributing, selling,
763 prescribing, compounding, transporting with the intent to sell or
764 dispense, possessing with the intent to sell or dispense, offering, giving
765 or administering to another person a cannabis-type substance and the
766 amount involved was less than or equal to four ounces or six plants
767 grown inside such person's own primary residence for personal use may
768 file a petition with the Superior Court at the location in which such
769 conviction was effected, or with the Superior Court at the location
770 having custody of the records of such conviction or if such conviction
771 was in the Court of Common Pleas, Circuit Court, municipal court or by
772 a trial justice, in the Superior Court where venue would currently exist
773 for criminal prosecution, for an order of erasure.

774 (2) As part of such petition, such person shall include a copy of the
775 arrest record or an affidavit supporting such person's petition that, in
776 the case of a violation of section 21a-279 of the general statutes, such
777 person possessed four ounces or less of a cannabis-type substance for

778 which such person was convicted, in the case of a violation of subsection
779 (a) of section 21a-267 of the general statutes, such person used or
780 possessed with intent to use such drug paraphernalia only to store,
781 contain or conceal, or to ingest, inhale or otherwise introduce into the
782 human body cannabis or in the case of a violation of subsection (b) of
783 section 21a-277 of the general statutes, such person manufactured,
784 distributed, sold, prescribed, compounded, transported with the intent
785 to sell or dispense, possessed with the intent to sell or dispense, offered,
786 gave or administered to another person less than or equal to four ounces
787 of a cannabis-type substance or six cannabis plants grown inside such
788 person's own primary residence for personal use.

789 (3) If such petition is in order, the Superior Court shall direct all police
790 and court records and records of the state's or prosecuting attorney
791 pertaining to such offense to be erased pursuant to the provisions of
792 section 54-142a of the general statutes.

793 (4) No fee may be charged in any court with respect to any petition
794 under this subsection.

795 (b) The provisions of this section shall not apply to any police or court
796 records or records of the state's or prosecuting attorney pertaining to
797 such offense (1) while the criminal case is pending, or (2) in instances
798 where the case contains more than one count, until the records
799 pertaining to all counts are entitled to erasure, except that when the
800 criminal case is disposed of, electronic records or portions of electronic
801 records released to the public that reference a charge that would
802 otherwise be entitled to erasure under this section shall be erased in
803 accordance with the provisions of this section.

804 (c) For the purposes of this section, "court records" shall not include
805 a record or transcript of the proceedings made or prepared by an official
806 court reporter, court recording monitor or any other entity designated
807 by the Chief Court Administrator.

808 Sec. 9. (NEW) (*Effective January 1, 2023*) (a) Whenever on or after

809 January 1, 2000, but prior to October 1, 2015, any person has been
810 convicted in any court of this state of possession under subsection (c) of
811 section 21a-279 of the general statutes, all police and court records and
812 records of the state's or prosecuting attorney pertaining to such a
813 conviction in any court of this state shall be, pursuant to the provisions
814 of section 54-142a of the general statutes, (1) erased, if such records are
815 electronic records; or (2) deemed erased by operation of law, if such
816 records are not electronic records.

817 (b) The provisions of this section shall not apply to any police or court
818 records or the records of any state's attorney or prosecuting attorney
819 with respect to any record referencing more than one count unless and
820 until all counts are entitled to erasure in accordance with the provisions
821 of this section, except that electronic records or portions of electronic
822 records released to the public that reference a charge that would
823 otherwise be entitled to erasure under this section shall be erased in
824 accordance with the provisions of this section.

825 (c) Nothing in this section shall limit any other procedure for erasure
826 of criminal history record information, as defined in section 54-142g of
827 the general statutes, or prohibit a person from participating in any such
828 procedure, even if such person's electronic criminal history record
829 information has been erased pursuant to this section.

830 (d) For the purposes of this section, "electronic record" means any
831 police or court record or record of any state's attorney or prosecuting
832 attorney that is an electronic record, as defined in section 1-267 of the
833 general statutes, other than a scanned copy of a physical document.

834 (e) For the purposes of this section, "court records" shall not include
835 a record or transcript of the proceedings made or prepared by an official
836 court reporter, court recording monitor or any other entity designated
837 by the Chief Court Administrator.

838 (f) Nothing in this section shall be construed to require the partial
839 redaction of physical documents or scanned copies of such documents

840 held internally by any criminal justice agency.

841 (g) Nothing in this section shall be construed to require the
842 Department of Motor Vehicles to erase criminal history record
843 information on an operator's driving record. When applicable, the
844 Department of Motor Vehicles shall make such criminal history record
845 information available through the Commercial Driver's License
846 Information System.

847 (h) A person whose records have been erased pursuant to this section
848 may represent to any entity other than a criminal justice agency that
849 they have not been arrested or convicted for the purposes of any such
850 conviction for which such records have been erased.

851 Sec. 10. Section 54-142e of the general statutes is repealed and the
852 following is substituted in lieu thereof (*Effective January 1, 2023*):

853 (a) Notwithstanding the provisions of subsection (e) of section 54-
854 142a and section 54-142c, with respect to any person, including, but not
855 limited to, a consumer reporting agency as defined in subsection (i) of
856 section 31-51i, or a background screening provider or similar data-based
857 service or company, that purchases criminal matters of public record, as
858 defined in said subsection (i), from the Judicial Department or any
859 criminal justice agency pursuant to subsection (b) of section 54-142g, the
860 department shall make available to such person information concerning
861 such criminal matters of public record that have been erased pursuant
862 to section 54-142a. Such information may include docket numbers or
863 other information that permits the person to identify and permanently
864 delete records that have been erased pursuant to section 54-142a.

865 (b) Each person, including, but not limited to, a consumer reporting
866 agency or background screening provider or similar data-based service
867 or company, that has purchased records of criminal matters of public
868 record from the Judicial Department or any criminal justice agency
869 shall, prior to disclosing such records, (1) purchase from the Judicial
870 Department or such criminal justice agency, on a monthly basis or on

871 such other schedule as the Judicial Department or such criminal justice
872 agency may establish, any updated criminal matters of public record or
873 information available for the purpose of complying with this section,
874 and (2) update its records of criminal matters of public record to
875 permanently delete such erased records not later than thirty calendar
876 days after receipt of information on the erasure of criminal records
877 pursuant to section 54-142a. Such person shall not further disclose such
878 erased records.

879 Sec. 11. (NEW) (*Effective July 1, 2021*) Notwithstanding any provision
880 of the general statutes, no cannabis establishment, employee, or backer
881 of a cannabis establishment may be subject to arrest or prosecution,
882 penalized in any manner, including, but not limited to, being subject to
883 any civil penalty, or denied any right or privilege, including, but not
884 limited to, being subject to any disciplinary action by a professional
885 licensing board, for the acquisition, distribution, possession, use or
886 transportation of cannabis or paraphernalia related to cannabis in his or
887 her capacity as a cannabis establishment, cannabis employee, or backer
888 so long as such person's activity is in accordance with the laws and
889 regulations for such person's license or registration type set forth in
890 RERACA.

891 Sec. 12. (NEW) (*Effective July 1, 2021*) Except when required by federal
892 law, an agreement between the federal government and the state, or
893 because of a substantial risk to public health or safety, no state entity
894 shall deny a professional license because of an individual's: (1)
895 Employment or affiliation with a cannabis establishment; (2) possession
896 or use of cannabis that is legal under section 21a-279a of the general
897 statutes, or chapter 420f of the general statutes; or (3) cannabis use or
898 possession conviction for an amount less than four ounces.

899 Sec. 13. (NEW) (*Effective July 1, 2021*) (a) No person may manufacture,
900 distribute, sell, prescribe, dispense, compound, transport with the intent
901 to sell or dispense, possess with the intent to sell or dispense, offer, give
902 or administer to another person cannabis or cannabis products, except
903 as authorized in chapter 420b or 420f of the general statutes or sections

904 41 to 49, inclusive, of this act.

905 (b) (1) Except as provided in subsection (c) or (d) of this section, any
906 person eighteen years of age or older who violates subsection (a) of this
907 section (A) for a first offense, shall be guilty of a class B misdemeanor,
908 and (B) for any subsequent offense, shall be guilty of a class A
909 misdemeanor.

910 (2) Any person under eighteen years of age who violates subsection
911 (a) of this section shall be adjudicated delinquent pursuant to the
912 provisions of section 46b-120 of the general statutes.

913 (c) Any person eighteen years of age or older who violates subsection
914 (a) of this section by manufacturing, distributing, selling, prescribing,
915 compounding, transporting with the intent to sell or dispense,
916 possessing with the intent to sell or dispense, offering, giving or
917 administering to another person less than eight ounces of cannabis plant
918 material, as defined in section 21a-279a of the general statutes, or an
919 equivalent amount of cannabis products or a combination of cannabis
920 and cannabis products, as provided in subsection (i) of section 21a-279a
921 of the general statutes, (1) for a first offense, shall be fined not more than
922 five hundred dollars, and (2) for any subsequent offense, shall be guilty
923 of a class C misdemeanor.

924 (d) Any person eighteen years of age or older who before July 1, 2023,
925 violates subsection (a) of this section by growing up to three mature
926 cannabis plants and three immature cannabis plants in such person's
927 own residence for personal use (1) for a first offense, shall be issued a
928 written warning, (2) for a second offense, shall be fined not more than
929 five hundred dollars, and (3) for any subsequent offense, shall be guilty
930 of a class D misdemeanor. If evidence of a violation of this subsection is
931 found in the course of any law enforcement activity other than
932 investigation of a violation of this subsection or section 21a-278 or 21a-
933 279a of the general statutes, such evidence shall not be admissible in any
934 criminal proceeding.

935 Sec. 14. (NEW) (*Effective July 1, 2021*) Any consumer may give
936 cannabis to another consumer, without compensation or consideration,
937 provided such consumer reasonably believes such other consumer may
938 possess such cannabis without exceeding the possession limit pursuant
939 to subsection (a) of section 21a-279a of the general statutes.

940 Sec. 15. Subsection (b) of section 21a-277 of the general statutes is
941 repealed and the following is substituted in lieu thereof (*Effective July 1,*
942 *2021*):

943 (b) (1) No person may manufacture, distribute, sell, prescribe,
944 dispense, compound, transport with the intent to sell or dispense,
945 possess with the intent to sell or dispense, offer, give or administer to
946 another person, except as authorized in this chapter or chapter 420f, any
947 controlled substance other than [a] (A) a narcotic substance, or (B) a
948 hallucinogenic substance, or (C) cannabis.

949 (2) Any person who violates subdivision (1) of this subsection (A) for
950 a first offense, may be fined not more than twenty-five thousand dollars
951 or imprisoned not more than seven years, or be both fined and
952 imprisoned, and (B) for any subsequent offense, may be fined not more
953 than one hundred thousand dollars or imprisoned not more than fifteen
954 years, or be both fined and imprisoned.

955 (3) For purposes of this subsection, "cannabis" has the same meaning
956 as provided in section 1 of this act.

957 Sec. 16. (NEW) (*Effective July 1, 2021*) (a) Except as provided in
958 subsection (b) of this section, use or possession of cannabis by a person
959 that does not violate section 21a-279a of the general statutes, or chapter
960 420f of the general statutes shall not be grounds for revocation of such
961 person's parole, special parole or probation.

962 (b) If a person's conditions of parole, special parole or probation
963 include a finding that use of cannabis would pose a danger to such
964 person or to the public and a condition that such person not use
965 cannabis and individualized reasons supporting such finding, use of

966 cannabis may be grounds for revocation of parole, special parole or
967 probation. Such finding shall not consider any prior arrests or
968 convictions for use or possession of cannabis.

969 Sec. 17. Subsection (c) of section 54-63d of the general statutes is
970 repealed and the following is substituted in lieu thereof (*Effective July 1,*
971 *2021*):

972 (c) In addition to or in conjunction with any of the conditions
973 enumerated in subdivisions (1) to (4), inclusive, of subsection (a) of this
974 section, the bail commissioner or intake, assessment and referral
975 specialist may impose nonfinancial conditions of release, which may
976 require that the arrested person do any of the following: (1) Remain
977 under the supervision of a designated person or organization; (2)
978 comply with specified restrictions on the person's travel, association or
979 place of abode; (3) not engage in specified activities, including the use
980 or possession of a dangerous weapon, or the unlawful use or possession
981 of an intoxicant or controlled substance; (4) not use classes of intoxicants
982 or controlled substances, if such bail commissioner makes a finding that
983 use of such classes of intoxicants or controlled substances would pose a
984 danger to the arrested person or to the public and includes
985 individualized reasons supporting such finding. Such finding shall not
986 consider any prior arrests or convictions for use or possession of
987 cannabis; (5) avoid all contact with an alleged victim of the crime and
988 with a potential witness who may testify concerning the offense; or [(5)]
989 (6) satisfy any other condition that is reasonably necessary to ensure the
990 appearance of the person in court. Any of the conditions imposed under
991 subsection (a) of this section and this subsection by the bail
992 commissioner or intake, assessment and referral specialist shall be
993 effective until the appearance of such person in court.

994 Sec. 18. (NEW) (*Effective July 1, 2021*) (a) Except as provided in
995 subsection (c) of this section, the existence of any of the following
996 circumstances shall not constitute in part or in whole probable cause or
997 reasonable suspicion and shall not be used as a basis to support any stop
998 or search of a person or motor vehicle:

999 (1) The odor of cannabis or burnt cannabis;

1000 (2) The possession of or the suspicion of possession of cannabis
1001 without evidence that the quantity of cannabis is or suspected to be in
1002 excess of five ounces of cannabis plant material, as defined in section
1003 21a-279a of the general statutes, or an equivalent amount of cannabis
1004 products or a combination of cannabis and cannabis products, as
1005 provided in subsection (i) of section 21a-279a of the general statutes; or

1006 (3) The presence of cash or currency in proximity to cannabis without
1007 evidence that such cash or currency exceeds five hundred dollars.

1008 (b) Any evidence discovered as a result of any stop or search
1009 conducted in violation of this section shall not be admissible in evidence
1010 in any trial, hearing or other proceeding in a court of this state.

1011 (c) A law enforcement official may conduct a test for impairment
1012 based on the odor of cannabis or burnt cannabis if such official
1013 reasonably suspects the operator or a passenger of a motor vehicle of
1014 violating section 14-227, 14-227a, 14-227m or 14-227n of the general
1015 statutes.

1016 Sec. 19. Subsection (d) of section 10-221 of the general statutes is
1017 repealed and the following is substituted in lieu thereof (*Effective October*
1018 *1, 2021*):

1019 (d) Not later than July 1, 1991, each local and regional board of
1020 education shall develop, adopt and implement policies and procedures
1021 in conformity with section 10-154a for (1) dealing with the use, sale or
1022 possession of alcohol or controlled drugs, as defined in subdivision (8)
1023 of section 21a-240, by public school students on school property,
1024 including a process for coordination with, and referral of such students
1025 to, appropriate agencies, and (2) cooperating with law enforcement
1026 officials. On and after January 1, 2022, no such policies and procedures
1027 shall result in a student facing greater discipline, punishment or
1028 sanction for use, sale or possession of cannabis than a student would

1029 face for the use, sale or possession of alcohol.

1030 Sec. 20. (NEW) (*Effective October 1, 2021*) Any person who provides
1031 cannabis, as defined in section 1 of this act, to a domesticated animal,
1032 shall be guilty of a class C misdemeanor.

1033 Sec. 21. (NEW) (*Effective July 1, 2021*) (a) Except as provided in
1034 RERACA and chapter 420b or 420f of the general statutes, (1) no person,
1035 other than a retailer, hybrid retailer, micro-cultivator or delivery service,
1036 or an employee thereof in the course of his or her employment, may sell
1037 or offer cannabis to a consumer, and (2) no person, other than a hybrid
1038 retailer, dispensary facility or a delivery service, or an employee thereof
1039 in the course of his or her employment, may sell or offer cannabis to
1040 qualifying patients and caregivers.

1041 (b) No person except a delivery service, or an employee thereof,
1042 subject to the restrictions set forth in section 47 of this act, in the course
1043 of his or her employment may deliver cannabis to consumers, patients
1044 or caregivers except that retailers, hybrid retailers, micro-cultivators and
1045 dispensary facilities may utilize their own employees to deliver
1046 cannabis to the same individuals they may sell to pursuant to subsection
1047 (a) of this section until thirty days after the date the first five delivery
1048 service licensees have commenced public operation, which date shall be
1049 published by the commissioner on the department's Internet web site,
1050 and thereafter all delivery to consumers, patients or caregivers shall be
1051 done through a delivery service licensee.

1052 Sec. 22. (NEW) (*Effective from passage*) (a) There is established a Social
1053 Equity Council, which shall be within the Department of Economic and
1054 Community Development for administrative purposes only.

1055 (b) The council shall consist of fifteen members as follows:

1056 (1) One appointed by the speaker of the House of Representatives,
1057 who has a professional background of not less than five years working
1058 in the field of either social justice or civil rights;

1059 (2) One appointed by the president pro tempore of the Senate, who
1060 has a professional background of not less than five years working in the
1061 field of either social justice or civil rights;

1062 (3) One appointed by the majority leader of the House of
1063 Representatives, who has a professional background of not less than five
1064 years working in the field of economic development to help minority-
1065 owned businesses;

1066 (4) One appointed by the majority leader of the Senate, who has a
1067 professional background of not less than five years in providing access
1068 to capital to minorities, as defined in section 32-9n of the general
1069 statutes;

1070 (5) One appointed by the minority leader of the House of
1071 Representatives, who is from a community that has been
1072 disproportionately harmed by cannabis prohibition and enforcement;

1073 (6) One appointed by the minority leader of the Senate, who has a
1074 professional background of not less than five years in providing access
1075 to capital to minorities, as defined in section 32-9n of the general
1076 statutes;

1077 (7) One appointed by the chairperson of the Black and Puerto Rican
1078 Caucus of the General Assembly;

1079 (8) Four appointed by the Governor, one who is from a community
1080 that has been disproportionately harmed by cannabis prohibition and
1081 enforcement, one who has a professional background of not less than
1082 five years working in the field of economic development and one who
1083 is an executive branch official focused on workforce development;

1084 (9) The Commissioner of Consumer Protection, or the commissioner's
1085 designee;

1086 (10) The Commissioner of Economic and Community Development,
1087 or the commissioner's designee;

1088 (11) The State Treasurer, or the State Treasurer's designee; and

1089 (12) The Secretary of the Office of Policy and Management, or the
1090 secretary's designee.

1091 (c) In making the appointments in subsection (b) of this section, the
1092 appointing authority shall use best efforts to make appointments that
1093 reflect the racial, gender and geographic diversity of the population of
1094 the state. All appointments shall be made not later than thirty days after
1095 the effective date of this section and the Governor shall appoint the
1096 chairperson of the council from among the members of the council.
1097 Members appointed by the Governor shall serve a term of four years
1098 from the time of appointment and members appointed by any other
1099 appointing authority shall serve a term of three years from the time of
1100 appointment. The appointing authority shall fill any vacancy for the
1101 unexpired term. The Governor shall appoint an interim executive
1102 director to operationalize and support the council until,
1103 notwithstanding the provisions of section 4-9a of the general statutes,
1104 the council appoints an executive director. Subject to the provisions of
1105 chapter 67 of the general statutes, and within available appropriations,
1106 the council may thereafter appoint an executive director and such other
1107 employees as may be necessary for the discharge of the duties of the
1108 council.

1109 (d) A majority of the members of the council shall constitute a
1110 quorum for the transaction of any business. The members of the council
1111 shall serve without compensation, but shall, within available
1112 appropriations, be reimbursed for expenses necessarily incurred in the
1113 performance of their duties.

1114 (e) The council may (1) request, and shall receive, from any state
1115 agency such information and assistance as the council may require; (2)
1116 use such funds as may be available from federal, state or other sources
1117 and may enter into contracts to carry out the purposes of the council,
1118 including, but not limited to, contracts or agreements with Connecticut
1119 Innovations, Incorporated, constituent units of the state system of

1120 higher education, regional workforce development boards and
1121 community development financial institutions; (3) utilize voluntary and
1122 uncompensated services of private individuals, state or federal agencies
1123 and organizations as may, from time to time, be offered and needed; (4)
1124 accept any gift, donation or bequest for the purpose of performing the
1125 duties of the council; (5) hold public hearings; (6) establish such
1126 standing committees, as necessary, to perform the duties of the council;
1127 and (7) adopt regulations, in accordance with chapter 54 of the general
1128 statutes, as it may deem necessary to carry out the duties of the council.

1129 (f) The council shall promote and encourage full participation in the
1130 cannabis industry by persons from communities that have been
1131 disproportionately harmed by cannabis prohibition and enforcement.

1132 (g) Not later than forty-five days after the effective date of this
1133 section, or at a later date determined by the council, the council shall
1134 establish criteria for proposals to conduct a study under this section and
1135 the Secretary of the Office of Policy and Management shall post on the
1136 State Contracting Portal a request for proposals to conduct a study, and
1137 shall select an independent third party to conduct such study and
1138 provide detailed findings of fact regarding the following matters in the
1139 state or other matters determined by the council:

1140 (1) Historical and present-day social, economic and familial
1141 consequences of cannabis prohibition, the criminalization and
1142 stigmatization of cannabis use and related public policies;

1143 (2) Historical and present-day structures, patterns, causes and
1144 consequences of intentional and unintentional racial discrimination and
1145 racial disparities in the development, application and enforcement of
1146 cannabis prohibition and related public policies;

1147 (3) Foreseeable long-term social, economic and familial consequences
1148 of unremedied past racial discrimination and disparities arising from
1149 past and continued cannabis prohibition, stigmatization and
1150 criminalization;

1151 (4) Existing patterns of racial discrimination and racial disparities in
1152 access to entrepreneurship, employment and other economic benefits
1153 arising in the lawful palliative use cannabis sector as established
1154 pursuant to chapter 420f of the general statutes; and

1155 (5) Any other matters that the council deems relevant and feasible for
1156 study for the purpose of making reasonable and practical
1157 recommendations for the establishment of an equitable and lawful
1158 adult-use cannabis business sector in this state.

1159 (h) Not later than January 1, 2022, the council shall, taking into
1160 account the results of the study conducted in accordance with
1161 subsection (g) of this section, make written recommendations, in
1162 accordance with the provisions of section 11-4a of the general statutes,
1163 to the Governor and the joint standing committees of the General
1164 Assembly having cognizance of matters relating to finance, revenue and
1165 bonding, consumer protection and the judiciary regarding legislation to
1166 implement the provisions of this section. The council shall make
1167 recommendations regarding:

1168 (1) Creating programs to ensure that individuals from communities
1169 that have been disproportionately harmed by cannabis prohibition and
1170 enforcement are provided equal access to licenses for cannabis
1171 establishments;

1172 (2) Specifying additional qualifications for social equity applicants;

1173 (3) Providing for expedited or priority license processing for each
1174 license as a retailer, hybrid retailer, cultivator, micro-cultivator, product
1175 manufacturer, food and beverage manufacturer, product packager,
1176 transporter and delivery service license for social equity applicants;

1177 (4) Establishing minimum criteria for any cannabis establishment
1178 licensed on or after January 1, 2022, that is not owned by a social equity
1179 applicant, to comply with an approved workforce development plan to
1180 reinvest or provide employment and training opportunities for
1181 individuals in disproportionately impacted areas;

1182 (5) Establishing criteria for a social equity plan for any cannabis
1183 establishment licensed on or after January 1, 2022, to further the
1184 principles of equity, as defined in section 1 of this act;

1185 (6) Recruiting individuals from communities that have been
1186 disproportionately harmed by cannabis prohibition and enforcement to
1187 enroll in the workforce training program established pursuant to section
1188 39 of this act;

1189 (7) Potential uses for revenue generated under RERACA to further
1190 equity;

1191 (8) Encouraging participation of investors, cannabis establishments,
1192 and entrepreneurs in the cannabis business accelerator program
1193 established pursuant to section 38 of this act;

1194 (9) Establishing a process to best ensure that social equity applicants
1195 have access to the capital and training needed to own and operate a
1196 cannabis establishment; and

1197 (10) Developing a vendor list of women-owned and minority-owned
1198 businesses that cannabis establishments may contract with for necessary
1199 services, including, but not limited to, office supplies, information
1200 technology infrastructure and cleaning services.

1201 (i) Not later than August 1, 2021, and annually thereafter, the council
1202 shall use the most recent five-year United States Census Bureau
1203 American Community Survey estimates or any successor data to
1204 determine one or more United States census tracts in the state that are a
1205 disproportionately impacted area and shall publish a list of such tracts
1206 on the council's Internet web site.

1207 (j) After developing criteria for workforce development plans as
1208 described in subdivision (4) of subsection (h) of this section, the council
1209 shall review and approve or deny in writing any such plan submitted
1210 by a producer under section 26 of this act or a hybrid-retailer under
1211 section 145 of this act.

1212 (k) The council shall develop criteria for evaluating the ownership
1213 and control of any joint venture created under section 27 or 145 of this
1214 act and shall review and approve or deny in writing such joint venture
1215 prior to such joint venture being licensed under section 27 or 145 of this
1216 act. After developing criteria for social equity plans as described in
1217 subdivision (5) of subsection (h) of this section, the council shall review
1218 and approve or deny in writing any such plan submitted by a cannabis
1219 establishment as part of its final license application.

1220 (l) The Social Equity Council shall, upon receipt of funds from
1221 producers in accordance with subdivision (5) of subsection (b) of section
1222 26 of this act, develop a program to assist social equity applicants to
1223 open not more than two micro-cultivator establishment businesses in
1224 total. Producers shall provide mentorship to such social equity
1225 applicants. The Social Equity Council shall, with the department,
1226 determine a system to select social equity applicants to participate in
1227 such program without participating in a lottery or request for proposals.

1228 Sec. 23. (*Effective from passage*) Not later than October 1, 2023, the
1229 Social Equity Council established pursuant to section 22 of this act shall
1230 report to the Governor and the joint standing committee of the General
1231 Assembly having cognizance of matters relating to the judiciary, (1) data
1232 on any arrest or conviction for possession, manufacture or sale of
1233 cannabis pursuant to section 21a-279a of the general statutes and section
1234 13 of this act, and (2) a breakdown of such arrests or convictions by
1235 town, race, gender and age.

1236 Sec. 24. (NEW) (*Effective July 1, 2021*) (a) Any person shall be twenty-
1237 one years of age or older to: (1) Hold any cannabis establishment license
1238 issued pursuant to RERACA; or (2) be a backer or key employee of a
1239 cannabis establishment that is licensed pursuant to RERACA.

1240 (b) Any person shall be eighteen years of age or older to (1) be an
1241 employee of a cannabis establishment that is licensed pursuant to
1242 RERACA; or (2) be employed by a cannabis establishment or a licensee
1243 pursuant to chapter 420f of the general statutes.

1244 (c) All employees of a cannabis establishment shall obtain a
1245 registration and all key employees and backers of a cannabis
1246 establishment shall obtain a license from the department, on a form and
1247 in a manner prescribed by the commissioner, except for (1) delivery
1248 service or transporter employees who do not (A) engage in the
1249 transport, storage or distribution of, or have access to, cannabis, or (B)
1250 engage in security controls or contract management with other cannabis
1251 establishments; (2) product packager employees who do not (A) have
1252 access to cannabis, or (B) engage in physical packaging, security controls
1253 or contract management with other cannabis establishments; and (3)
1254 other employee categories, as determined by the commissioner,
1255 provided under no circumstances shall a key employee be exempt from
1256 the licensure requirements of this section.

1257 Sec. 25. (NEW) (*Effective July 1, 2021*) (a) No agency or political
1258 subdivision of the state may rely on a violation of federal law related to
1259 cannabis as the sole basis for taking an adverse action against a person,
1260 except for any adverse action taken as required by federal law,
1261 including, but not limited to, the state's disqualification of a commercial
1262 driver's license, commercial learner's permit, commercial motor vehicle
1263 operator's privilege or hazardous materials endorsement for violations
1264 of federal law related to cannabis for which the Federal Motor Carrier
1265 Safety Regulations or the Hazardous Materials Regulations require
1266 disqualification, or for which the Federal Motor Carrier Safety
1267 Administration or the Pipeline and Hazardous Materials Safety
1268 Administration has, based upon such violation, issued a disqualification
1269 order.

1270 (b) It is the public policy of this state that contracts related to the
1271 operation of a cannabis establishment business are enforceable.

1272 (c) It is the public policy of this state that no contract entered into by
1273 a licensed cannabis establishment or its agents as authorized in
1274 accordance with a valid license, or by those who allow property to be
1275 used by a cannabis establishment, its employees, backers or its agents as
1276 authorized in accordance with a valid license, shall be unenforceable on

1277 the basis that cultivating, obtaining, manufacturing, distributing,
1278 dispensing, transporting, selling, possessing or using cannabis is
1279 prohibited by federal law.

1280 (d) No law enforcement officer employed by an agency that receives
1281 state or local government funds shall expend state or local resources,
1282 including the officer's time, to effect any arrest or seizure of cannabis, or
1283 conduct any investigation, on the sole basis of activity the officer
1284 believes to constitute a violation of federal law if the officer has reason
1285 to believe that such activity is in compliance with sections 20 to 65,
1286 inclusive, of this act or chapter 420f of the general statutes.

1287 (e) An officer may not expend state or local resources, including the
1288 officer's time, to provide any information or logistical support to any
1289 federal law enforcement authority or prosecuting entity related to
1290 activity the officer believes to constitute a violation of federal law if the
1291 officer has reason to believe that such activity is in compliance with the
1292 provisions of sections 20 to 65, inclusive, of this act or chapter 420f of the
1293 general statutes.

1294 Sec. 26. (NEW) (*Effective July 1, 2021*) (a) In addition to activity
1295 permitted under chapter 420f of the general statutes, a producer may
1296 sell, deliver, transfer, transport, manufacture or package cannabis
1297 utilizing a transporter or the producer's own employees, to cannabis
1298 establishments, upon authorization for such expanded activity in
1299 writing by the commissioner, provided a producer may not transport
1300 any cannabis to consumers, patients or caregivers directly or through a
1301 delivery service.

1302 (b) To obtain approval from the commissioner to engage in expanded
1303 activity as described in subsection (a) of this section, a producer shall
1304 submit (1) a complete license expansion application on a form
1305 prescribed by the commissioner, (2) a medical cannabis preservation
1306 plan, to ensure against supply shortages of medical marijuana products,
1307 which shall be approved or denied at the commissioner's discretion, (3)
1308 payment of a conversion fee of three million dollars, provided, if the

1309 producer participates in at least two approved equity joint ventures as
1310 described in section 27 of this act, such fee shall be one million five
1311 hundred thousand dollars, (4) a workforce development plan in
1312 accordance with requirements developed by the Social Equity Council,
1313 that has been reviewed and approved by the Social Equity Council in
1314 accordance with section 22 of this act, and (5) (A) a contribution of five
1315 hundred thousand dollars to the Social Equity Council for the program
1316 established by the council in accordance with subsection (l) of section 22
1317 of this act, or (B) evidence of an agreement with a social equity partner
1318 pursuant to subsection (c) of this section.

1319 (c) Any producer seeking to obtain approval under subsection (b) of
1320 this section may enter into an agreement with a social equity partner to
1321 provide such partner five per cent of the grow space associated with the
1322 expanded activity of the producer, to establish a social equity business.
1323 The producer shall provide to the social equity partner, for a period of
1324 not less than five years, mentorship and all overhead costs that are
1325 necessary to ensure success, as determined by the Social Equity Council
1326 and codified in an agreement between the social equity partner and
1327 producer. The producer shall ensure that the social equity partner
1328 complies with the cannabis cultivation, testing, labeling, tracking,
1329 reporting and manufacturing provisions of RERACA as they apply to
1330 cultivators. The social equity partner shall own, and be entitled to, one
1331 hundred per cent of the profits of the social equity business established
1332 under this subsection. The Social Equity Council may require evidence
1333 of a social equity partnership that includes, but need not be limited to,
1334 evidence of business formation, ownership allocation, terms of
1335 ownership and financing and proof of social equity applicant
1336 involvement. The producer or social equity partner shall submit to the
1337 Social Equity Council information including, but not limited to, the
1338 organizing documents of the entity that outline the ownership stake of
1339 each backer, initial backer investment and payout information to enable
1340 the council to determine the terms of ownership. Prior to submitting the
1341 agreement to the department, the social equity partner and business
1342 agreement shall be approved by the Social Equity Council.

1343 (d) For purposes of this section, "social equity partner" means a
1344 person that is at least sixty-five per cent owned and controlled by an
1345 individual or individuals, or such applicant is an individual, who:

1346 (1) (A) Had an average household income of less than three hundred
1347 per cent of the state median household income over the three tax years
1348 immediately preceding such individual's application; and (B) (i) was a
1349 resident of a disproportionately impacted area for not less than five of
1350 the ten years immediately preceding the date of such application; or (ii)
1351 was a resident of a disproportionately impacted area for not less than
1352 nine years prior to attaining the age of eighteen; or

1353 (2) (A) Was, as an adult or as a juvenile, arrested for or convicted of,
1354 the sale, possession, use, manufacture or cultivation of cannabis; or (B)
1355 Has a parent, spouse or child who was, as an adult or as a juvenile,
1356 arrested for or convicted of the sale, possession, use, manufacture or
1357 cultivation of cannabis.

1358 Sec. 27. (NEW) (*Effective July 1, 2021*) (a) In order to pay a reduced
1359 license expansion authorization fee as described in subsection (b) of
1360 section 26 of this act, a producer shall commit to create two equity joint
1361 ventures to be approved by the Social Equity Council under section 22
1362 of this act and licensed by the department under this section.

1363 (b) The equity joint venture shall be in any cannabis establishment
1364 licensed business, other than a cultivator license, provided the social
1365 equity applicant shall own at least fifty per cent of such business.

1366 (c) The producer or social equity applicant of an equity joint venture
1367 shall submit an application to the Social Equity Council that may
1368 include, but need not be limited to, evidence of business formation,
1369 ownership allocation, terms of ownership and financing and proof of
1370 social equity applicant involvement. The producer or social equity
1371 applicant of an equity joint venture shall submit to the Social Equity
1372 Council information including, but not limited to, the organizing
1373 documents of the entity that outline the ownership stake of each backer,
1374 initial backer investment and payout information to enable the council

1375 to determine the terms of ownership.

1376 (d) Upon obtaining the written approval of the Social Equity Council
1377 for an equity joint venture, the producer or social equity applicant of the
1378 equity joint venture shall apply for a license from the department in the
1379 same form as required by all other licensees of the same license type,
1380 except that such application shall not be subject to the lottery.

1381 (e) A producer, including the backer of such producer, shall not
1382 increase its ownership in an equity joint venture in excess of fifty per
1383 cent during the seven-year period after a license is issued by the
1384 department under this section.

1385 (f) Equity joint ventures that share a common producer or producer
1386 backer and that are retailers or hybrid retailers shall not be located
1387 within twenty miles of another commonly owned equity joint venture.

1388 (g) If a producer had paid a reduced conversion fee as described in
1389 subsection (b) of section 26 of this act, and subsequently did not create
1390 two equity joint ventures under this section, the producer shall be liable
1391 for the full conversion fee of three million dollars.

1392 Sec. 28. (NEW) (*Effective July 1, 2021*) (a) No cannabis retailer or
1393 hybrid retailer shall accept payment or other form of compensation
1394 directly or indirectly from a cultivator, micro-cultivator, producer, food
1395 and beverage manufacturer, product manufacturer or product packager
1396 to carry a cannabis product or for placement or promotion of such
1397 product in a retailer or hybrid retailer's establishment or through other
1398 promotional initiatives. No retailer or hybrid retailer shall enter into a
1399 contract with a cultivator, micro-cultivator, producer, food and
1400 beverage manufacturer, product manufacturer or product packager that
1401 requires or permits preferential treatment, exclusivity or near
1402 exclusivity or limits a retailer or hybrid retailer from purchasing from
1403 other cultivators, micro-cultivators, producers, food and beverage
1404 manufacturers or product manufacturers in any way.

1405 (b) No cannabis establishment shall produce, manufacture or sell

1406 cannabis that is intended for use or consumption by animals.

1407 (c) A retailer or hybrid retailer shall not knowingly sell to a consumer
1408 more than one ounce of cannabis or the equivalent amount of cannabis
1409 products or combination of cannabis and cannabis products, as set forth
1410 in subsection (i) of section 21a-279a of the general statutes, per day,
1411 except that a hybrid retailer or dispensary facility may sell up to five
1412 ounces of cannabis or the equivalent amount of cannabis products or
1413 combination of cannabis and cannabis products to a qualifying patient
1414 or caregiver per day. Notwithstanding the requirements of sections 4-
1415 168 to 4-172, inclusive, of the general statutes, to avoid cannabis supply
1416 shortages or address a public health and safety concern, the
1417 commissioner may set temporary lower per-transaction limits, which
1418 shall be published on the department's Internet web site. Such limits
1419 shall become ineffective upon the commissioner's determination that a
1420 supply shortage or public health and safety concern no longer exists.

1421 (d) No cannabis establishment, except a producer, cultivator or
1422 micro-cultivator, may acquire or possess a live cannabis plant.

1423 (e) No person issued a license or registration pursuant to RERACA
1424 shall (1) assign or transfer such license or registration without the
1425 commissioner's prior approval, or (2) sell, transfer or transport cannabis
1426 to, or obtain cannabis from, a location outside of this state if such activity
1427 would be in violation of federal law.

1428 Sec. 29. (NEW) (*Effective July 1, 2021*) (a) Each employee of a cannabis
1429 establishment, laboratory or research program, other than a key
1430 employee, shall annually apply for and obtain a registration, on a form
1431 and in a manner prescribed by the commissioner, prior to commencing
1432 employment at the cannabis establishment business.

1433 (b) No person shall act as a backer or key employee, or represent that
1434 such person is a backer or key employee, unless such person has
1435 obtained a license from the department pursuant to this subsection.
1436 Such person shall apply for a license on a form and in a manner
1437 prescribed by the commissioner. Such form may require the applicant

1438 to: (1) Submit to a state and national criminal history records check
1439 conducted in accordance with section 29-17a of the general statutes,
1440 which may include a financial history check if requested by the
1441 commissioner, to determine the character and fitness of the applicant for
1442 the license, (2) provide information sufficient for the department to
1443 assess whether the applicant has an ownership interest in any other
1444 cannabis establishment, cannabis establishment applicant or cannabis-
1445 related business nationally or internationally, (3) provide demographic
1446 information, and (4) obtain such other information as the department
1447 determines is consistent with the requirements of RERACA or chapter
1448 420f of the general statutes. A backer or key employee shall be denied a
1449 license in the event his or her background check reveals a disqualifying
1450 conviction.

1451 (c) Except as provided in subsection (d) of this section, any person
1452 who receives a cannabis establishment license, backer or key employee
1453 license or employee registration issued pursuant to subsection (a) of this
1454 section shall notify the department, in writing, of any changes to the
1455 information supplied on the application for such license or registration
1456 not later than five business days after such change.

1457 (d) Any person who receives a cannabis establishment license or
1458 backer or key employee license shall notify the department, in a manner
1459 prescribed by the department, of any arrest or conviction of such person
1460 for an offense that would constitute a disqualifying conviction, as
1461 defined in section 1 of this act, not later than forty-eight hours after such
1462 arrest or conviction.

1463 (e) The department may adopt regulations in accordance with the
1464 provisions of chapter 54 of the general statutes to implement the
1465 provisions of this section, or may adopt policies and procedures as set
1466 forth in section 32 of this act prior to adopting such final regulations.

1467 Sec. 30. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
1468 commissioner shall require all individuals listed on an application for a
1469 cannabis establishment license, laboratory or research program license,

1470 or key employee license to submit to fingerprint-based state and
1471 national criminal history records checks before such license is issued.
1472 The criminal history records checks required pursuant to this subsection
1473 shall be conducted in accordance with section 29-17a of the general
1474 statutes. Upon renewal, the commissioner may require all individuals
1475 listed on an application for a cannabis establishment license, laboratory
1476 or research program license, or key employee license to be fingerprinted
1477 and submit to a state and national criminal history records check
1478 conducted in accordance with section 29-17a of the general statutes
1479 before such renewal license is issued.

1480 (b) The department shall charge the applicant a fee equal to the
1481 amount charged to the department to conduct a state and national
1482 criminal history records check of the applicant.

1483 Sec. 31. (NEW) (*Effective July 1, 2021*) Notwithstanding the provisions
1484 of sections 29 and 30 of this act, the commissioner may accept a third-
1485 party local and national criminal background check submitted by an
1486 applicant for a backer or key employee license or renewal in lieu of a
1487 fingerprint-based national criminal history records check. Any such
1488 third-party background check shall (1) be conducted by a third-party
1489 consumer reporting agency or background screening company that is in
1490 compliance with the federal Fair Credit Reporting Act and accredited
1491 by the Professional Background Screening Association, and (2) include
1492 a multistate and multi-jurisdiction criminal record locator or other
1493 similar commercial nation-wide database with validation, and other
1494 such background screening as the commissioner may require. The
1495 applicant shall request such background check not more than sixty days
1496 prior to submission of the application.

1497 Sec. 32. (NEW) (*Effective from passage*) The commissioner shall adopt
1498 regulations in accordance with chapter 54 of the general statutes to
1499 implement the provisions of RERACA. Notwithstanding the
1500 requirements of sections 4-168 to 4-172, inclusive, of the general statutes,
1501 in order to effectuate the purposes of RERACA and protect public health
1502 and safety, prior to adopting such regulations the commissioner shall

1503 issue policies and procedures to implement the provisions of RERACA
1504 that shall have the force and effect of law. The commissioner shall post
1505 all policies and procedures on the department's Internet web site and
1506 submit such policies and procedures to the Secretary of the State for
1507 posting on the eRegulations System, at least fifteen days prior to the
1508 effective date of any policy or procedure. Any such policy or procedure
1509 shall no longer be effective upon the earlier of either the adoption of the
1510 policy or procedure as a final regulation under section 4-172 of the
1511 general statutes or forty-eight months from the effective date of this
1512 section, if such regulations have not been submitted to the legislative
1513 regulation review committee for consideration under section 4-170 of
1514 the general statutes. The commissioner shall issue policies and
1515 procedures and thereafter final regulations that include, but are not
1516 limited to, the following:

1517 (1) Setting appropriate dosage, potency, concentration and serving
1518 size limits and delineation requirements for cannabis, provided a
1519 standardized serving of edible cannabis product or beverage, other than
1520 a medical marijuana product, shall contain not more than five
1521 milligrams of THC;

1522 (2) Requiring that each single standardized serving of cannabis
1523 product in a multiple-serving edible product or beverage is physically
1524 demarked in a way that enables a reasonable person to determine how
1525 much of the product constitutes a single serving and a maximum
1526 amount of THC per multiple-serving edible cannabis product or
1527 beverage;

1528 (3) Requiring that, if it is impracticable to clearly demark every
1529 standardized serving of cannabis product or to make each standardized
1530 serving easily separable in an edible cannabis product or beverage, the
1531 product, other than cannabis concentrate or medical marijuana product,
1532 shall contain not more than five milligrams of THC per unit of sale;

1533 (4) Establishing, in consultation with the Department of Mental
1534 Health and Addiction Services, consumer health materials that shall be

1535 posted or distributed, as specified by the commissioner, by cannabis
1536 establishments to maximize dissemination to cannabis consumers.
1537 Consumer health materials may include pamphlets, packaging inserts,
1538 signage, online and printed advertisements and advisories and printed
1539 health materials;

1540 (5) Imposing labeling and packaging requirements for cannabis sold
1541 by a cannabis establishment that include, but are not limited to, the
1542 following:

1543 (A) A universal symbol to indicate that cannabis or a cannabis
1544 product contains cannabis, and prescribe how such product and
1545 product packaging shall utilize and exhibit such symbol;

1546 (B) A disclosure concerning the length of time it typically takes for
1547 the cannabis to affect an individual, including that certain forms of
1548 cannabis take longer to have an effect;

1549 (C) A notation of the amount of cannabis the cannabis product is
1550 considered the equivalent to;

1551 (D) A list of ingredients and all additives for cannabis;

1552 (E) Child-resistant packaging including requiring that an edible
1553 product be individually wrapped;

1554 (F) Product tracking information sufficient to determine where and
1555 when the cannabis was grown and manufactured such that a product
1556 recall could be effectuated;

1557 (G) A net weight statement;

1558 (H) A recommended use by or expiration date; and

1559 (I) Standard and uniform packaging and labeling, including, but not
1560 limited to, requirements (i) regarding branding or logos, (ii) that all
1561 packaging be opaque, and (iii) that amounts and concentrations of THC
1562 and cannabidiol, per serving and per package, be clearly marked on the

- 1563 packaging or label of any cannabis product sold;
- 1564 (6) Establishing laboratory testing standards;
- 1565 (7) Restricting forms of cannabis products and cannabis product
1566 delivery systems to ensure consumer safety and deter public health
1567 concerns;
- 1568 (8) Prohibiting certain manufacturing methods, or inclusion of
1569 additives to cannabis products, including, but not limited to, (A) added
1570 flavoring, terpenes or other additives unless approved by the
1571 department, or (B) any form of nicotine or other additive containing
1572 nicotine;
- 1573 (9) Prohibiting cannabis product types that appeal to children;
- 1574 (10) Establishing physical and cyber security requirements related to
1575 build out, monitoring and protocols for cannabis establishments as a
1576 requirement for licensure;
- 1577 (11) Placing temporary limits on the sale of cannabis in the adult-use
1578 market, if deemed appropriate and necessary by the commissioner, in
1579 response to a shortage of cannabis for qualifying patients;
- 1580 (12) Requiring retailers and hybrid retailers to make best efforts to
1581 provide access to (A) low-dose THC products, including products that
1582 have one milligram and two and a half milligrams of THC per dose, and
1583 (B) high-dose CBD products;
- 1584 (13) Requiring producers, cultivators, micro-cultivators, product
1585 manufacturers and food and beverage manufacturers to register brand
1586 names for cannabis, in accordance with the policies and procedures and
1587 subject to the fee set forth in, regulations adopted under chapter 420f of
1588 the general statutes;
- 1589 (14) Prohibiting a cannabis establishment from selling, other than the
1590 sale of medical marijuana products between cannabis establishments
1591 and the sale of cannabis to qualified patients and caregivers, (A)

1592 cannabis flower or other cannabis plant material with a total THC
1593 concentration greater than thirty per cent on a dry-weight basis, and (B)
1594 any cannabis product other than cannabis flower and cannabis plant
1595 material with a total THC concentration greater than sixty per cent on a
1596 dry-weight basis, except that the provisions of subparagraph (B) of this
1597 subdivision shall not apply to the sale of prefilled cartridges for use in
1598 an electronic cannabis delivery system, as defined in section 19a-342a of
1599 the general statutes and the department may adjust the percentages set
1600 forth in subparagraph (A) or (B) of this subdivision in regulations
1601 adopted pursuant to this section for purposes of public health or to
1602 address market access or shortage. As used in this subdivision, "total
1603 THC" has the same meaning as provided in section 21a-240 of the
1604 general statutes and "cannabis plant material" means material from the
1605 cannabis plant, as defined in section 21a-279a of the general statutes; and

1606 (15) Permitting the outdoor cultivation of cannabis.

1607 Sec. 33. (NEW) (*Effective July 1, 2021*) (a) Cannabis establishments and
1608 any person advertising any cannabis or services related to cannabis shall
1609 not:

1610 (1) Advertise cannabis, cannabis paraphernalia or goods or services
1611 related to cannabis in ways that target or are designed to appeal to
1612 individuals under twenty-one years of age, including, but not limited
1613 to, spokespersons or celebrities who appeal to individuals under the
1614 legal age to purchase cannabis or cannabis products, depictions of a
1615 person under twenty-five years of age consuming cannabis, or, the
1616 inclusion of objects, such as toys, characters or cartoon characters
1617 suggesting the presence of a person under twenty-one years of age, or
1618 any other depiction designed in any manner to be appealing to a person
1619 under twenty-one years of age;

1620 (2) Engage in advertising by means of television, radio, Internet,
1621 mobile applications, social media, or other electronic communication,
1622 billboard or other outdoor signage, or print publication unless the
1623 advertiser has reliable evidence that at least ninety per cent of the

1624 audience for the advertisement is reasonably expected to be twenty-one
1625 years of age or older;

1626 (3) Engage in advertising or marketing directed toward location-
1627 based devices, including, but not limited to, cellular phones, unless the
1628 marketing is a mobile device application installed on the device by the
1629 owner of the device who is twenty-one years of age or older and
1630 includes a permanent and easy opt-out feature and warnings that the
1631 use of cannabis is restricted to persons twenty-one years of age or older;

1632 (4) Advertise cannabis or cannabis products in a manner claiming or
1633 implying, or permit any employee of the cannabis establishment to
1634 claim or imply, that such products have curative or therapeutic effects,
1635 or that any other medical claim is true, or allow any employee to
1636 promote cannabis for a wellness purpose unless such claims are
1637 substantiated as set forth in regulations adopted under chapter 420f of
1638 the general statutes or verbally conveyed by a licensed pharmacist or
1639 other licensed medical practitioner in the course of business in, or while
1640 representing, a hybrid retail or dispensary facility;

1641 (5) Sponsor charitable, sports, musical, artistic, cultural, social or
1642 other similar events or advertising at, or in connection with, such an
1643 event unless the sponsor or advertiser has reliable evidence that (A) not
1644 more than ten per cent of the in-person audience at the event is
1645 reasonably expected to be under the legal age to purchase cannabis or
1646 cannabis products, and (B) not more than ten per cent of the audience
1647 that will watch, listen or participate in the event is expected to be under
1648 the legal age to purchase cannabis products;

1649 (6) Advertise cannabis, cannabis products or cannabis paraphernalia
1650 in any physical form visible to the public within five hundred feet of an
1651 elementary or secondary school ground, recreation center or facility,
1652 child care center, playground, public park or library;

1653 (7) Cultivate cannabis or manufacture cannabis products for
1654 distribution outside of this state in violation of federal law, advertise in
1655 any way that encourages the transportation of cannabis across state lines

1656 or otherwise encourages illegal activity;

1657 (8) Except for dispensary facilities and hybrid retailers, exhibit within
1658 or upon the outside of the facility used in the operation of a cannabis
1659 establishment, or include in any advertisement, the word "dispensary"
1660 or any variation of such term or any other words, displays or symbols
1661 indicating that such store, shop or place of business is a dispensary;

1662 (9) Exhibit within or upon the outside of the premises subject to the
1663 cannabis establishment license, or include in any advertisement the
1664 words "drug store", "pharmacy", "apothecary", "drug", "drugs" or
1665 "medicine shop" or any combination of such terms or any other words,
1666 displays or symbols indicating that such store, shop or place of business
1667 is a pharmacy.

1668 (10) Advertise on or in public or private vehicles or at bus stops, taxi
1669 stands, transportation waiting areas, train stations, airports or other
1670 similar transportation venues including, but not limited to, vinyl-
1671 wrapped vehicles or signs or logos on transportation vehicles not
1672 owned by a cannabis establishment;

1673 (11) Display cannabis or cannabis products so as to be clearly visible
1674 to a person from the exterior of the facility used in the operation of a
1675 cannabis establishment, or display signs or other printed material
1676 advertising any brand or any kind of cannabis or cannabis product on
1677 the exterior of any facility used in the operation of a cannabis
1678 establishment;

1679 (12) Utilize radio or loudspeaker, in a vehicle or in or outside of a
1680 facility used in the operation of a cannabis establishment, for the
1681 purposes of advertising the sale of cannabis or cannabis products; or

1682 (13) Operate any web site advertising or depicting cannabis, cannabis
1683 products or cannabis paraphernalia unless such web site verifies that
1684 the entrants or users are twenty-one years of age or older.

1685 (b) Any advertisements from a cannabis establishment shall contain

1686 the following warning: "Do not use cannabis if you are under twenty-
1687 one years of age. Keep cannabis out of the reach of children." In a print
1688 or visual medium, such warning shall be conspicuous, easily legible and
1689 shall take up not less than ten per cent of the advertisement space. In an
1690 audio medium, such warning shall be at the same speed as the rest of
1691 the advertisement and be easily intelligible.

1692 (c) The department shall not register, and may require revision of,
1693 any submitted or registered cannabis brand name that:

1694 (1) Is identical to, or confusingly similar to, the name of an existing
1695 non-cannabis product;

1696 (2) Is identical to, or confusingly similar to, the name of an unlawful
1697 product or substance;

1698 (3) Is confusingly similar to the name of a previously approved
1699 cannabis brand name;

1700 (4) Is obscene or indecent; and

1701 (5) Is customarily associated with persons under the age of twenty-
1702 one.

1703 (d) A violation of the provisions of subsection (a) or (b) of this section
1704 shall be deemed to be an unfair or deceptive trade practice under
1705 subsection (a) of section 42-110b of the general statutes.

1706 Sec. 34. (NEW) (*Effective July 1, 2021*) (a) Not later than thirty days
1707 after the date that the Social Equity Council identifies the criteria and
1708 the necessary supporting documentation for social equity applicants
1709 and posts such information on its Internet web site, the department may
1710 accept applications for the following cannabis establishment license
1711 types: (1) Retailer, (2) hybrid retailer, (3) cultivator, (4) micro-cultivator,
1712 (5) product manufacturer, (6) food and beverage manufacturer, (7)
1713 product packager, (8) delivery service, and (9) transporter. Each
1714 application for licensure shall require the applicant to indicate whether
1715 the applicant wants to be considered for treatment as a social equity

1716 applicant.

1717 (b) On and after July 1, 2021, the department may accept applications
1718 from any dispensary facility to convert its license to a hybrid-retailer
1719 license and any producer for expanded authorization to engage in the
1720 adult use cannabis market under its license issued pursuant to section
1721 21a-408i of the general statutes.

1722 (c) Except as provided in subsection (e) of this section, the following
1723 fees shall be paid by each applicant:

1724 (1) For a retailer license, the fee to enter the lottery shall be five
1725 hundred dollars, the fee to receive a provisional license shall be five
1726 thousand dollars and the fee to receive a final license or a renewal of a
1727 final license shall be twenty-five thousand dollars.

1728 (2) For a hybrid retailer license, the fee to enter the lottery shall be five
1729 hundred dollars, the fee to receive a provisional license shall be five
1730 thousand dollars and the fee to receive a final license or a renewal of a
1731 final license shall be twenty-five thousand dollars.

1732 (3) For a cultivator license, the fee to enter the lottery shall be one
1733 thousand dollars, the fee to receive a provisional license shall be twenty-
1734 five thousand dollars and the fee to receive a final license or a renewal
1735 of a final license shall be seventy-five thousand dollars.

1736 (4) For a micro-cultivator license, the fee to enter the lottery shall be
1737 two hundred fifty dollars, the fee to receive a provisional license shall
1738 be five hundred dollars and the fee to receive a final license or a renewal
1739 of a final license shall be one thousand dollars.

1740 (5) For a product manufacturer license, the fee to enter the lottery
1741 shall be seven hundred fifty dollars, the fee to receive a provisional
1742 license shall be five thousand dollars and the fee to receive a final license
1743 or a renewal of a final license shall be twenty-five thousand dollars.

1744 (6) For a food and beverage manufacturer license, the fee to enter the
1745 lottery shall be two hundred fifty dollars, the fee to receive a provisional

1746 license shall be one thousand dollars and the fee to receive a final license
1747 or a renewal of a final license shall be five thousand dollars.

1748 (7) For a product packager license, the fee to enter the lottery shall be
1749 five hundred dollars, the fee to receive a provisional license shall be five
1750 thousand dollars and the fee to receive a final license or a renewal of a
1751 final license shall be twenty-five thousand dollars.

1752 (8) For a delivery service or transporter license, the fee to enter the
1753 lottery shall be two hundred fifty dollars, the fee to receive a provisional
1754 license shall be one thousand dollars and the fee to receive a final license
1755 or a renewal of a final license shall be five thousand dollars.

1756 (9) For an initial or renewal of a backer license, the fee shall be one
1757 hundred dollars.

1758 (10) For an initial or renewal of a key employee license, the fee shall
1759 be one hundred dollars.

1760 (11) For an initial or renewal of a registration of an employee who is
1761 not a key employee, the fee shall be fifty dollars.

1762 (12) The license conversion fee for a dispensary facility to become a
1763 hybrid retailer shall be one million dollars, except as provided in section
1764 145 of this act.

1765 (13) The license conversion fee for a producer to engage in the adult
1766 use cannabis market shall be three million dollars, except as provided in
1767 section 26 of this act.

1768 (d) For any dispensary facility that has become a hybrid retailer, the
1769 renewal fee shall be the same as the fee for a hybrid retailer set forth in
1770 subdivision (2) of subsection (c) of this section. For any producer, the
1771 renewal fee shall be the same as set forth in section 21a-408i of the
1772 general statutes. A social equity applicant shall pay fifty per cent of the
1773 amount of any of the fees specified in subsection (c) of this section for
1774 the first three renewal cycles of the applicable cannabis establishment
1775 license applied for, and the full amount thereafter, provided in the case

1776 of the fees set forth in subdivisions (12) and (13) of subsection (c) of this
1777 section, a social equity applicant shall pay the full amount of the fee.

1778 (e) For the fiscal year ending June 30, 2023, and thereafter, fees
1779 collected by the department under this section shall be paid to the State
1780 Treasurer and credited to the General Fund, except that the fees
1781 collected under subdivisions (12) and (13) of subsection (c) of this
1782 section shall be deposited in the Social Equity and Innovation Fund
1783 established under section 128 of this act.

1784 (f) For each license type:

1785 (1) Applicants shall apply on a form and in a manner prescribed by
1786 the commissioner, which form shall include a method for the applicant
1787 to request consideration as a social equity applicant; and

1788 (2) The department shall post on its Internet web site the application
1789 period, which shall specify the first and last date that the department
1790 will accept applications for that license type. The first date that the
1791 department shall accept applications shall be no sooner than thirty days
1792 after the date the Social Equity Council posts the criteria and supporting
1793 documentation necessary to qualify for consideration as a social equity
1794 applicant as set forth in section 35 of this act. Only complete license
1795 applications received by the department during the application period
1796 shall be considered.

1797 Sec. 35. (NEW) (*Effective July 1, 2021*) (a) The Social Equity Council
1798 shall review the ownership information and any other information
1799 necessary to confirm that an applicant qualifies as a social equity
1800 applicant for all license type applications submitted to the department
1801 and designated by the applicant as a social equity applicant. The Social
1802 Equity Council shall prescribe the documentation necessary for
1803 applicants to submit to establish that the ownership, residency and
1804 income requirements for social equity applicants are met. On or before
1805 September 1, 2021, the Social Equity Council shall post such necessary
1806 documentation requirements on its Internet web site to inform
1807 applicants of such requirements prior to the start of the application

1808 period.

1809 (b) Except as provided in section 149 of this act, prior to the first date
1810 that the department begins accepting applications for a license type, the
1811 department shall determine the maximum number of applications that
1812 shall be considered for such license type and post such information on
1813 its Internet web site. Fifty per cent of the maximum number of
1814 applications that shall be considered for each license type (1) shall be
1815 selected through a social equity lottery for such license type, and (2)
1816 shall be reserved by the department for social equity applicants. If, upon
1817 the close of the application period for a license type, the department
1818 receives more applications than the maximum number to be considered
1819 in total or to be reserved for social equity applicants as set forth in
1820 subsection (b) of this section, a third-party lottery operator shall conduct
1821 a lottery to identify applications for review by the department and the
1822 Social Equity Council.

1823 (c) (1) The third-party lottery operator shall:

1824 (A) Not be provided any application received after the close of the
1825 application period;

1826 (B) Give equal weight to every complete application submitted
1827 during the application period; and

1828 (C) Conduct multiple, separate geographic lotteries if required by the
1829 department.

1830 (2) For purposes of the lottery, the third-party lottery operator shall:

1831 (A) Conduct an independent lottery for each license type and a
1832 separate lottery for social equity applicants of each license type that
1833 results in each application being randomly ranked starting with one and
1834 continuing sequentially; and

1835 (B) Rank all applications in each lottery numerically according to the
1836 order in which they were drawn, including those that exceed the
1837 number to be considered, and identify for the department all

1838 applications to be considered, which shall consist of the applications
1839 ranked numerically one to the maximum number set forth in accordance
1840 with subsection (b) of this section.

1841 (d) (1) Upon receipt of an application for social equity consideration
1842 or, in the case where a social equity lottery is conducted, after such
1843 lottery applicants are selected, the department shall provide to the
1844 Social Equity Council the documentation received by the department
1845 during the application process that is required under subsection (a) of
1846 this section. No identifying information beyond what is necessary to
1847 establish social equity status shall be provided to the Social Equity
1848 Council. The Social Equity Council shall review the social equity
1849 applications to be considered as identified by the third-party lottery
1850 operator to determine whether the applicant meets the criteria for a
1851 social equity applicant. If the Social Equity Council determines that an
1852 applicant does not qualify as a social equity applicant, the application
1853 shall not be reviewed further for purposes of receiving a license
1854 designated for social equity applicants. The application shall be entered
1855 into the other lottery for the license type and may be reviewed further if
1856 selected through such lottery, provided the applicant pays the
1857 additional amount necessary to pay the full fee for entry into such
1858 lottery within five business days of being notified by the Social Equity
1859 Council that it does not qualify as a social equity applicant. Not later
1860 than thirty days after an applicant is notified of a denial of a license
1861 application under this subsection, the applicant may appeal such denial
1862 to the Superior Court in accordance with section 4-183 of the general
1863 statutes.

1864 (2) Upon determination by the Social Equity Council that an
1865 application selected through the lottery process does not qualify for
1866 consideration as a social equity applicant, the department shall request
1867 that the third-party lottery operator identify the next-ranked application
1868 in the applicable lottery. This process may continue until the Social
1869 Equity Council has identified for further consideration the number of
1870 applications set forth on the department's web site pursuant to
1871 subsection (b) of this section or the lottery indicates that there are no

1872 further applications to be considered.

1873 (3) For each license type, the Social Equity Council shall identify for
1874 the department the applications that qualify as social equity applicants
1875 and that should be reviewed by the department for purposes of
1876 awarding a provisional license.

1877 (4) Any application subject to, but not selected through, the social
1878 equity lottery process shall not be reviewed as a social equity
1879 application but shall be entered into the lottery for the remaining
1880 applications for the license type.

1881 (5) After receiving the list of social equity applications from the Social
1882 Equity Council, the department shall notify the third-party lottery
1883 operator, which shall then conduct an independent lottery for all
1884 remaining applicants for each license type, rank all applications
1885 numerically including those that exceed the number to be considered,
1886 and identify for the department all applications to be reviewed. The
1887 number of applications to be reviewed shall consist of the applications
1888 ranked numerically one through the maximum number set forth in
1889 accordance with subsection (b) of this section, provided that if fewer
1890 social equity applicants are identified pursuant to subdivision (3) of this
1891 subsection, the maximum number shall be the number necessary to
1892 ensure that fifty per cent of the applications for each license type
1893 identified through the lottery process are social equity applicants.

1894 (6) The numerical rankings created by the third-party lottery operator
1895 shall be confidential and shall not be subject to disclosure under the
1896 Freedom of Information Act, as defined in section 1-200 of the general
1897 statutes.

1898 (e) The department shall review each application to be considered, as
1899 identified by the third-party lottery operator or Social Equity Council,
1900 as applicable, to confirm it is complete and to determine whether any
1901 application: (1) Includes a backer with a disqualifying conviction; (2)
1902 includes a backer that would result in common ownership in violation
1903 of the cap set forth in section 40 of this act; or (3) has a backer who

1904 individually or in connection with a cannabis business in another state
1905 or country has an administrative finding or judicial decision that may
1906 substantively compromise the integrity of the cannabis program, as
1907 determined by the department, or that precludes its participation in this
1908 state's cannabis program.

1909 (f) No additional backers may be added to a cannabis establishment
1910 application between the time of lottery entry, or any initial application
1911 for a license, and when a final license is awarded to the cannabis
1912 establishment, except, if a backer of an applicant or provisional licensee
1913 dies, the applicant or provisional licensee may apply to the
1914 commissioner to replace the deceased backer, provided if such applicant
1915 is a social equity applicant, the Social Equity Council shall review
1916 ownership to ensure such replacement would not cause the applicant to
1917 no longer qualify as a social equity applicant.

1918 (g) If an applicant or a single backer of an applicant is disqualified on
1919 the basis of any of the criteria set forth in subsection (e) of this section,
1920 the entire application shall be denied, and such denial shall be a final
1921 decision of the department, provided backers of the applicant entity
1922 named in the lottery application submission may be removed prior to
1923 submission of a final license application unless such removal would
1924 result in a social equity applicant no longer qualifying as a social equity
1925 applicant. If the applicant removes any backer that would cause the
1926 applicant to be denied based on subsection (e) of this section, then the
1927 applicant entity shall not be denied due to such backer's prior
1928 involvement if such backer is removed within thirty days of notice by
1929 the department of the disqualification of a backer. Not later than thirty
1930 days after service of notice upon the applicant of a denial, the applicant
1931 may appeal such denial to the Superior Court in accordance with section
1932 4-183 of the general statutes.

1933 (h) For each application denied pursuant to subsection (e) of this
1934 section, the department may, within its discretion, request that the third-
1935 party lottery operator identify the next-ranked application in the
1936 applicable lottery. If the applicant that was denied was a social equity

1937 applicant, the next ranked social equity applicant shall first be reviewed
1938 by the Social Equity Council to confirm that the applicant qualifies as a
1939 social equity applicant prior to being further reviewed by the
1940 department. This process may continue until the department has
1941 identified for further consideration the number of applications
1942 equivalent to the maximum number set forth on its Internet web site
1943 pursuant to subsection (b) of this section. If the number of applications
1944 remaining is less than the maximum number posted on the
1945 department's Internet web site, the department shall award fewer
1946 licenses. To the extent the denials result in less than fifty per cent of
1947 applicants being social equity applicants, the department shall continue
1948 to review and issue provisional and final licenses for the remaining
1949 applications, but shall reopen the application period only for social
1950 equity applicants.

1951 (i) All applicants selected in the lottery and not denied shall be
1952 provided a provisional license application, which shall be submitted in
1953 a form and manner prescribed by the commissioner. Applicants shall
1954 have sixty days from the date they receive their provisional application
1955 to complete the application. The right to apply for a provisional license
1956 is nontransferable. Upon receiving a provisional application from an
1957 applicant, the department shall review the application for completeness
1958 and to confirm that all information provided is acceptable and in
1959 compliance with this section and any regulations adopted under this
1960 section. If a provisional application does not meet the standards set forth
1961 in this section, the applicant shall not be provided a provisional license.
1962 A provisional license shall expire after fourteen months and shall not be
1963 renewed. Upon granting a provisional license, the department shall
1964 notify the applicant of the project labor agreement requirements of
1965 section 103 of this act. A provisional licensee may apply for a final
1966 license of the license type for which the licensee applied during the
1967 initial application period. A provisional license shall be nontransferable.
1968 If the provisional application does not meet the standards set forth in
1969 this section or is not completed within sixty days, the applicant shall not
1970 receive a provisional license. The decision of the department not to

1971 award a provisional license shall be final and may be appealed in
1972 accordance with section 4-183 of the general statutes. Nothing in this
1973 section shall prevent a provisional applicant from submitting an
1974 application for a future lottery.

1975 (j) Final license applications shall be submitted on a form and in a
1976 manner approved by the commissioner and shall include, but not be
1977 limited to, the information set forth in this section, as well as evidence
1978 of the following:

1979 (1) A contract with an entity providing an approved electronic
1980 tracking system as set forth in section 56 of this act;

1981 (2) A right to occupy the location at which the cannabis establishment
1982 operation will be located;

1983 (3) Any necessary local zoning approval for the cannabis
1984 establishment operation;

1985 (4) A labor peace agreement complying with section 102 of this act
1986 has been entered into between the cannabis establishment and a bona
1987 fide labor organization, as defined in section 102 of this act;

1988 (5) A certification by the applicant that a project labor agreement
1989 complying with section 103 of this act will be entered into by the
1990 cannabis establishment prior to construction of any facility to be used in
1991 the operation of a cannabis establishment;

1992 (6) A social equity plan approved by the Social Equity Council;

1993 (7) A workforce development plan approved by the Social Equity
1994 Council;

1995 (8) Written policies for preventing diversion and misuse of cannabis
1996 and sales to underage persons; and

1997 (9) All other security requirements set forth by the department based
1998 on the specific license type.

1999 (k) At any point prior to the expiration of the provisional license, the
2000 department may award a provisional licensee a final license for the
2001 license type for which the licensee applied. Prior to receiving final
2002 license approval, a provisional licensee shall not possess, distribute,
2003 manufacture, sell or transfer cannabis. The department may conduct site
2004 inspections prior to issuing a final license.

2005 (l) At any time after receiving a final license, a cannabis establishment
2006 may begin operations, provided all other requirements for opening a
2007 business in compliance with the laws of this state are complete and all
2008 employees have been registered and all key employees and backers
2009 have been licensed, with the department.

2010 Sec. 36. (NEW) (*Effective July 1, 2021*) The Social Equity Council shall
2011 adopt regulations, in accordance with the provisions of chapter 54 of the
2012 general statutes, to prevent the sale or change in ownership or control
2013 of a cannabis establishment license awarded to a social equity applicant
2014 to someone other than another qualifying social equity applicant during
2015 the period of provisional licensure, and for three years following the
2016 issuance of a final license, unless the backer of such licensee has died or
2017 has a condition, including, but not limited to, a physical illness or loss
2018 of skill or deterioration due to the aging process, emotional disorder or
2019 mental illness that would interfere with the backer's ability to operate.
2020 Notwithstanding the requirements of sections 4-168 to 4-172, inclusive,
2021 of the general statutes, in order to effectuate this section, prior to
2022 adopting such regulations and not later than October 1, 2021, the council
2023 shall issue policies and procedures to implement the provisions of this
2024 section that shall have the force and effect of law. The council shall post
2025 all policies and procedures on its Internet web site and submit such
2026 policies and procedures to the Secretary of the State for posting on the
2027 eRegulations System, at least fifteen days prior to the effective date of
2028 any policy or procedure. Any such policy or procedure shall no longer
2029 be effective upon the earlier of either the adoption of the policy or
2030 procedure as a final regulation under section 4-172 of the general
2031 statutes or forty-eight months from the effective date of this section, if
2032 such regulations have not been submitted to the legislative regulation

2033 review committee for consideration under section 4-170 of the general
2034 statutes. Any violation of such policies and procedures or any violation
2035 of such regulations related to the sale or change in ownership may be
2036 referred by the Social Equity Council to the department for
2037 administrative enforcement action, which may result in a fine of not
2038 more than ten million dollars or action against the establishment's
2039 license.

2040 Sec. 37. (NEW) (*Effective July 1, 2021*) The commissioner shall adopt
2041 regulations, in accordance with the provisions of chapter 54 of the
2042 general statutes, to establish the maximum grow space permitted by a
2043 cultivator and micro-cultivator. In adopting such regulations, the
2044 commissioner shall seek to ensure an adequate supply of cannabis for
2045 the market. Notwithstanding the requirements of sections 4-168 to 4-
2046 172, inclusive, of the general statutes, in order to effectuate this section,
2047 prior to adopting such regulations, the commissioner shall issue policies
2048 and procedures to implement the provisions of this section that shall
2049 have the force and effect of law. The commissioner shall post all policies
2050 and procedures on the department's Internet web site and submit such
2051 policies and procedures to the Secretary of the State for posting on the
2052 eRegulations System, at least fifteen days prior to the effective date of
2053 any policy or procedure. Any such policy or procedure shall no longer
2054 be effective upon the earlier of either the adoption of the policy or
2055 procedure as a final regulation under section 4-172 of the general
2056 statutes or forty-eight months from the effective date of this section, if
2057 such regulations have not been submitted to the legislative regulation
2058 review committee for consideration under section 4-170 of the general
2059 statutes.

2060 Sec. 38. (*Effective from passage*) (a) The Social Equity Council, in
2061 coordination with the Departments of Consumer Protection and
2062 Economic and Community Development, shall develop a cannabis
2063 business accelerator program to provide technical assistance to
2064 participants by partnering participants with a cannabis establishment.
2065 The Social Equity Council may partner with a constituent unit of the
2066 state system of higher education in developing the program.

2067 (b) Any individual who would qualify as a social equity applicant
2068 may apply to participate in the accelerator program under this section:

2069 (c) On and after October 1, 2021, the Social Equity Council may accept
2070 applications from an individual described in subsection (b) of this
2071 section for the component of the accelerator program corresponding to
2072 each of the following license types: (1) Retailer, (2) cultivator, (3) product
2073 manufacturer, (4) food and beverage manufacturer, and (5) product
2074 packager.

2075 (d) On and after July 1, 2022, the council may accept applications from
2076 (1) retailers, (2) cultivators, (3) product manufacturers, (4) food and
2077 beverage manufacturers, (5) product packagers, (6) hybrid-retailers, and
2078 (7) micro-cultivators, licensed pursuant to section 34 of this act, to
2079 partner with participants in the accelerator program component
2080 corresponding to the same license type, provided an accelerator retailer
2081 participant may be partnered with either a retailer or hybrid retailer and
2082 an accelerator cultivator participant may be partnered with either a
2083 cultivator or micro-cultivator.

2084 (e) As part of the cannabis business accelerator program, accelerator
2085 participants may be required to participate in training on accounting
2086 methods, business services, how to access capital markets and financing
2087 opportunities and on regulatory compliance. Social equity applicants
2088 who have been awarded either a provisional license or a final license for
2089 a cannabis establishment may participate in the training programs made
2090 available under this section.

2091 (f) The Social Equity Council shall facilitate opportunities for
2092 participants in the cannabis business accelerator program to meet with
2093 potential investors.

2094 (g) A participant who has partnered with a cannabis establishment
2095 pursuant to subsection (d) of this section shall be allowed to participate
2096 in any activity of the cannabis establishment with the same privileges
2097 afforded by the cannabis establishment's license to employees of such
2098 cannabis establishment.

2099 (h) Each participant shall annually apply for and obtain a registration,
2100 on a form and in a manner prescribed by the commissioner, prior to
2101 participating in any activity of a cannabis establishment. The Social
2102 Equity Council may charge a registration fee to participants.

2103 (i) The Social Equity Council may determine the duration of the
2104 program and number of participants under this section.

2105 Sec. 39. (*Effective from passage*) (a) The Social Equity Council, in
2106 coordination with the Department of Economic and Community
2107 Development and Labor Department, shall develop a workforce
2108 training program to further equity goals, ensure cannabis
2109 establishments have access to a well-trained employee applicant pool,
2110 and support individuals who live in a disproportionately impacted area
2111 to find employment in the cannabis industry.

2112 (b) The Social Equity Council, in consultation with the Department of
2113 Economic and Community Development and Labor Department, shall:

2114 (1) Consult with cannabis establishments on an ongoing basis to
2115 assess the hiring needs of their businesses.

2116 (2) Develop a universal application for prospective enrollees in
2117 workforce training programs as part of the workforce training programs
2118 developed pursuant to this section;

2119 (3) Partner with the regional workforce development boards and
2120 institutions of higher education to develop workforce training
2121 programs;

2122 (4) Develop a series of cannabis career pathways so that workers have
2123 the ability to vertically advance their careers within the cannabis
2124 industry;

2125 (5) Partner with associated training providers to track and report
2126 performance outcomes of participants entering a cannabis workforce
2127 training program. Performance outcomes shall include, but not be
2128 limited to, enrollment, completion and placement of each individual

2129 entering into a training program; and

2130 (6) Explore the creation of a series of apprenticeship programs for
2131 cannabis workers across the state.

2132 (c) Upon completion of a workforce training program, enrollees may
2133 opt to have their information provided to cannabis establishments as
2134 prospective employees.

2135 Sec. 40. (NEW) (*Effective July 1, 2021*) From July 1, 2021, until June 30,
2136 2025, the department shall not award a cannabis establishment license
2137 to any lottery applicant who, at the time the lottery is conducted, has
2138 two or more licenses or includes a backer that has managerial control of,
2139 or is a backer of, two or more licensees in the same license type or
2140 category for which the applicant has entered the lottery, provided an
2141 ownership interest in an equity joint venture or a social equity partner
2142 in accordance with subsection (c) of section 26 of this act shall not be
2143 considered for purposes of such cap. For purposes of this section,
2144 dispensary facility, retailer and hybrid retailer licenses shall be
2145 considered to be within the same license category and producer,
2146 cultivator and micro-cultivator licenses shall be considered to be within
2147 the same license category.

2148 Sec. 41. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2149 department may issue or renew a license for a person to be a retailer. No
2150 person may act as a retailer or represent that such person is a retailer
2151 unless such person has obtained a license from the department pursuant
2152 to this section.

2153 (b) A retailer may obtain cannabis from a cultivator, micro-cultivator,
2154 producer, product packager, food and beverage manufacturer, product
2155 manufacturer or transporter or an undeliverable return from a delivery
2156 service. A retailer may sell, transport or transfer cannabis or cannabis
2157 products to a delivery service, laboratory or research program. A retailer
2158 may sell cannabis to a consumer or research program. A retailer may
2159 not conduct sales of medical marijuana products nor offer discounts or
2160 other inducements to qualifying patients or caregivers. A retailer shall

2161 not gift or transfer cannabis at no cost to a consumer as part of a
2162 commercial transaction.

2163 (c) Retailers shall maintain a secure location, in a manner approved
2164 by the commissioner, at the licensee's premises where cannabis that is
2165 unable to be delivered by an employee or delivery service may be
2166 returned to the retailer. Such secure cannabis return location shall meet
2167 specifications set forth by the commissioner and published on the
2168 department's Internet web site or included in regulations adopted by
2169 the department.

2170 (d) A retailer may deliver cannabis through a delivery service or by
2171 utilizing its own employees, subject to the provisions of subsection (b)
2172 of section 21 of this act.

2173 Sec. 42. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2174 department may issue or renew a license for a hybrid retailer. No person
2175 may act as a hybrid retailer or represent that such person is a hybrid
2176 retailer unless such person has obtained a license from the department
2177 pursuant to this section.

2178 (b) A hybrid retailer may obtain cannabis from a cultivator, micro-
2179 cultivator, producer, product packager, food and beverage
2180 manufacturer, product manufacturer or transporter. In addition to the
2181 activities authorized under section 43 of this act, a hybrid retailer may
2182 sell, transport or transfer cannabis to a delivery service, laboratory or
2183 research program. A hybrid retailer may sell cannabis products to a
2184 consumer or research program. A hybrid retailer shall not gift or
2185 transfer cannabis at no cost to a consumer, qualifying patient or
2186 caregiver as part of a commercial transaction.

2187 (c) In addition to conducting general retail sales, a hybrid retailer may
2188 sell cannabis and medical marijuana products, to qualifying patients
2189 and caregivers. Any cannabis or medical marijuana products sold to
2190 qualifying patients and caregivers shall be dispensed by a licensed
2191 pharmacist and shall be recorded in the electronic prescription drug
2192 monitoring program, established pursuant to section 21a-254 of the

2193 general statutes, in real-time or immediately upon completion of the
2194 transaction, unless not reasonably feasible for a specific transaction, but
2195 in no case longer than one hour after completion of the transaction. Only
2196 a licensed pharmacist or dispensary technician may upload or access
2197 data in the prescription drug monitoring program.

2198 (d) A hybrid retailer shall maintain a licensed pharmacist on premises
2199 at all times when the hybrid retail location is open to the public or to
2200 qualifying patients and caregivers.

2201 (e) The hybrid retailer location shall include a private consultation
2202 space for pharmacists to meet with qualifying patients and caregivers.
2203 Additionally, the hybrid retailer premises shall accommodate an
2204 expedited method of entry that allows for priority entrance into the
2205 premises for qualifying patients and caregivers.

2206 (f) Hybrid retailers shall maintain a secure location, in a manner
2207 approved by the commissioner, at the licensee's premises where
2208 cannabis that is unable to be delivered may be returned to the hybrid
2209 retailer. Such secure cannabis return location shall meet specifications
2210 set forth by the commissioner and published on the department's
2211 Internet web site or included in regulations adopted by the department.

2212 (g) Cannabis dispensed to a qualifying patient or caregiver that are
2213 unable to be delivered and are returned by the delivery service to the
2214 hybrid retailer shall be returned to the licensee inventory system and
2215 removed from the prescription drug monitoring program not later than
2216 forty-eight hours after receipt of the cannabis from the delivery service.

2217 (h) A hybrid retailer may not convert its license to a retailer license.
2218 To obtain a retailer license, a hybrid retailer shall apply through the
2219 lottery application process. A hybrid retailer may convert to a
2220 dispensary facility if the hybrid retailer complies with all applicable
2221 provisions of chapter 420f of the general statutes, and upon written
2222 approval by the department.

2223 Sec. 43. (NEW) (*Effective July 1, 2021*) (a) A dispensary facility may

2224 apply to the department, on a form and in a manner prescribed by the
2225 commissioner, to convert its license to a hybrid retailer license on or
2226 after September 1, 2021, without applying through the lottery
2227 application system. The license conversion application shall require a
2228 dispensary facility to submit to, and obtain approval from the
2229 department for, a detailed medical preservation plan for how it will
2230 prioritize sales and access to medical marijuana products for qualifying
2231 patients, including, but not limited to, managing customer traffic flow,
2232 preventing supply shortages, providing delivery services and ensuring
2233 appropriate staffing levels.

2234 (b) After October 1, 2021, qualifying patients shall not be required to
2235 designate a dispensary facility or hybrid retailer as its exclusive location
2236 to purchase cannabis or medical marijuana products, nor shall the
2237 department require any future change of designated dispensary facility
2238 applications. If all dispensary facilities demonstrate to the department's
2239 satisfaction that they are adhering to the real-time upload requirements
2240 set forth in subsection (c) of this section prior to October 1, 2021, the
2241 commissioner may eliminate the requirement for designated dispensary
2242 facilities prior to said date.

2243 (c) On and after September 1, 2021, dispensary facilities and hybrid
2244 retailers shall be required to perform real-time uploads to the
2245 prescription drug monitoring program. Any cannabis or medical
2246 marijuana products sold to qualifying patients or caregivers shall be
2247 dispensed by a licensed pharmacist and shall be recorded into the
2248 prescription drug monitoring program, established pursuant to section
2249 21a-254 of the general statutes, in real-time or immediately upon
2250 completion of the transaction, unless not reasonably feasible for a
2251 specific transaction, but in no case longer than one hour after completion
2252 of the transaction.

2253 (d) On and after September 1, 2021, a dispensary facility or hybrid
2254 retailer may apply to the department, in a form and in a manner
2255 prescribed by the commissioner, to provide delivery services through a
2256 delivery service or utilizing its own employees, subject to the provisions

2257 of subsection (b) of section 21 of this act, to qualifying patients,
2258 caregivers, research program subjects, as defined in section 21a-408 of
2259 the general statutes, and hospice and other inpatient care facilities
2260 licensed by the Department of Public Health pursuant to chapter 368v
2261 of the general statutes that have a protocol for the handling and
2262 distribution of cannabis that has been approved by the Department of
2263 Consumer Protection. A dispensary facility or hybrid retailer may
2264 deliver cannabis or medical marijuana products only from its own
2265 inventory to qualifying patients and caregivers. If such application is
2266 approved by the commissioner, the dispensary facility or hybrid retailer
2267 may commence delivery services on and after January 1, 2022, provided
2268 the commissioner may authorize dispensary facilities or hybrid retailers
2269 to commence delivery services prior to January 1, 2022, upon forty-five
2270 days advance written notice, published on the department's Internet
2271 web site.

2272 (e) Hybrid retailers may commence delivery of cannabis directly to
2273 consumers as of the date the first adult use cannabis sales are permitted
2274 by the commissioner as set forth in subsection (f) of this section, through
2275 a delivery service, or utilizing their own employees, subject to the
2276 provisions of subsection (b) of section 21 of this act.

2277 (f) Dispensary facilities that have been approved by the department
2278 and that have converted to hybrid retailers may open their premises to
2279 the general public and commence adult use cannabis sales on and after
2280 thirty days after the date that cannabis is available for purchase for
2281 purposes of adult use sales from producers or cultivators that have at
2282 least two hundred fifty thousand square feet of grow space and space
2283 used to manufacture cannabis products in the aggregate, which date
2284 shall be published on the department's Internet web site.

2285 Sec. 44. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2286 department may issue or renew a license for a person to be a food and
2287 beverage manufacturer. No person may act as a food and beverage
2288 manufacturer or represent that such person is a licensed food and
2289 beverage manufacturer unless such person has obtained a license from

2290 the department pursuant to this section.

2291 (b) A food and beverage manufacturer may incorporate cannabis into
2292 foods or beverages as an ingredient. A food and beverage manufacturer
2293 shall not perform extraction of cannabis into a cannabis concentrate nor
2294 create any product that is not a food or beverage intended to be
2295 consumed by humans.

2296 (c) A food and beverage manufacturer may package or label any food
2297 or beverage prepared by the food and beverage manufacturer at the
2298 establishment subject to the license.

2299 (d) A food and beverage manufacturer may sell, transfer or transport
2300 its own products to a cannabis establishment, laboratory or research
2301 program, utilizing its employees or a transporter. A food and beverage
2302 manufacturer may not deliver any cannabis, cannabis products or food
2303 or beverage incorporating cannabis to a consumer, directly or through
2304 a delivery service.

2305 (e) All products created by a food and beverage manufacturer shall
2306 be labeled in accordance with the policies and procedures issued by the
2307 commissioner to implement, and any regulations adopted pursuant to,
2308 RERACA as well as federal Food and Drug Administration and United
2309 States Department of Agriculture requirements.

2310 (f) A food and beverage manufacturer shall ensure all equipment
2311 utilized for manufacturing, processing and packaging cannabis is
2312 sanitary and inspected regularly to deter the adulteration of cannabis in
2313 accordance with RERACA as well as federal Food and Drug
2314 Administration and United States Department of Agriculture
2315 requirements.

2316 Sec. 45. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2317 department may issue or renew a license for a person to be a product
2318 manufacturer. No person may act as a product manufacturer or
2319 represent that such person is a licensed product manufacturer unless
2320 such person has obtained a license from the department pursuant to this

2321 section.

2322 (b) A product manufacturer may perform cannabis extractions,
2323 chemical synthesis and all other manufacturing activities authorized by
2324 the commissioner and published on the department's Internet web site.

2325 (c) A product manufacturer may package and label cannabis
2326 manufactured at its establishment subject to the license.

2327 (d) A product manufacturer may sell, transfer or transport its own
2328 products to a cannabis establishment, laboratory or research program,
2329 provided such transportation is performed by utilizing its own
2330 employees or a transporter. A product manufacturer may not deliver
2331 any cannabis to a consumer directly or through a delivery service.

2332 (e) All products created by a product manufacturer shall be labeled
2333 in accordance with the policies and procedures issued by the
2334 commissioner to implement, and any regulations adopted pursuant to,
2335 RERACA as well as federal Food and Drug Administration
2336 requirements.

2337 (f) A product manufacturer shall ensure all equipment utilized for
2338 manufacturing, extracting, processing and packaging cannabis is
2339 sanitary and inspected regularly to deter the adulteration of cannabis in
2340 accordance with RERACA as well as federal Food and Drug
2341 Administration requirements.

2342 Sec. 46. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2343 department may issue or renew a license for a person to be a product
2344 packager. No person may act as a product packager or represent that
2345 such person is a product packager unless such person has obtained a
2346 license from the department pursuant to this section.

2347 (b) A product packager may obtain cannabis from a producer,
2348 cultivator, micro-cultivator, food and beverage manufacturer or a
2349 product manufacturer. The product packager may sell, transfer or
2350 transport cannabis to any cannabis establishment, laboratory or research

2351 program, provided the product packager only transports cannabis
2352 packaged at its licensed establishment and utilizing its own employees
2353 or a transporter.

2354 (c) A product packager shall be responsible for ensuring that
2355 cannabis products are labeled and packaged in compliance with the
2356 provisions of RERACA and the policies and procedures issued by the
2357 commissioner to implement, and any regulations adopted pursuant to,
2358 RERACA.

2359 (d) A product packager shall ensure all equipment utilized for
2360 processing and packaging cannabis is sanitary and inspected regularly
2361 to deter the adulteration of cannabis.

2362 Sec. 47. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2363 department may issue or renew a license for a person to be a delivery
2364 service or a transporter. No person may act as a delivery service or
2365 transporter or represent that such person is a licensed delivery service
2366 or transporter unless such person has obtained a license from the
2367 department pursuant to this section.

2368 (b) Upon application for a delivery service or transporter license, the
2369 applicant shall indicate whether the applicant is applying to transport
2370 cannabis (1) between cannabis establishments, in which case the
2371 applicant shall apply for a transporter license, or (2) from certain
2372 cannabis establishments to consumers or qualifying patients and
2373 caregivers, or a combination thereof, in which case the applicant shall
2374 apply for a delivery service license.

2375 (c) A delivery service may (1) deliver cannabis from a micro-
2376 cultivator, retailer, or hybrid retailer directly to a consumer, and (2)
2377 deliver cannabis and medical marijuana products from a hybrid retailer
2378 or dispensary facility directly to a qualifying patient, caregiver, or
2379 hospice or other inpatient care facility licensed by the Department of
2380 Public Health pursuant to chapter 368v of the general statutes that has
2381 protocols for the handling and distribution of cannabis that have been
2382 approved by the Department of Consumer Protection. A delivery

2383 service may not store or maintain control of cannabis or medical
2384 marijuana products for more than twenty-four hours between the point
2385 when a consumer, qualifying patient, caregiver or facility places an
2386 order, until the time that the cannabis or medical marijuana product is
2387 delivered to such consumer, qualifying patient, caregiver or facility.

2388 (d) A transporter may deliver cannabis between cannabis
2389 establishments, research programs and laboratories and shall not store
2390 or maintain control of cannabis for more than twenty-four hours from
2391 the time the transporter obtains the cannabis from a cannabis
2392 establishment, research program or laboratory until the time such
2393 cannabis is delivered to the destination.

2394 (e) The commissioner shall adopt regulations, in accordance with
2395 chapter 54 of the general statutes, to implement the provisions of
2396 RERACA. Notwithstanding the requirements of sections 4-168 to 4-172,
2397 inclusive, of the general statutes, in order to effectuate the purposes of
2398 RERACA and protect public health and safety, prior to adopting such
2399 regulations the commissioner shall issue policies and procedures to
2400 implement the provisions of this section that shall have the force and
2401 effect of law. The commissioner shall post all policies and procedures
2402 on the department's Internet web site, and submit such policies and
2403 procedures to the Secretary of the State for posting on the eRegulations
2404 System, at least fifteen days prior to the effective date of any policy or
2405 procedure. Any such policy or procedure shall no longer be effective
2406 upon the earlier of either adoption of such policy or procedure as a final
2407 regulation under section 4-172 of the general statutes or forty-eight
2408 months from July 1, 2021, if such final regulations have not been
2409 submitted to the legislative regulation review committee for
2410 consideration under section 4-170 of the general statutes. The
2411 commissioner shall issue policies and procedures, and thereafter adopt
2412 final regulations, requiring that: (1) The delivery service and transporter
2413 meet certain security requirements related to the storage, handling and
2414 transport of cannabis, the vehicles employed, the conduct of employees
2415 and agents, and the documentation that shall be maintained by the
2416 delivery service, transporter and its drivers; (2) a delivery service that

2417 delivers cannabis to consumers maintain an online interface that verifies
2418 the age of consumers ordering cannabis for delivery and meets certain
2419 specifications and data security standards; and (3) a delivery service that
2420 delivers cannabis to consumers, qualifying patients or caregivers, and
2421 all employees and agents of such licensee, to verify the identity of the
2422 qualifying patient, caregiver or consumer and the age of the consumer
2423 upon delivery of cannabis to the end consumer, qualifying patient, or
2424 caregiver, in a manner acceptable to the commissioner. The individual
2425 placing the cannabis order shall be the individual accepting delivery of
2426 the cannabis except, in the case of a qualifying patient, the individual
2427 accepting the delivery may be the caregiver of such qualifying patient.

2428 (f) A delivery service shall not gift or transfer cannabis at no cost to a
2429 consumer or qualifying patient or caregiver as part of a commercial
2430 transaction.

2431 (g) A delivery service may only use individuals employed on a full-
2432 time basis, not less than thirty-five hours a week, to deliver cannabis
2433 pursuant to subsection (c) of this section. Any delivery service
2434 employees who deliver cannabis shall be registered with the
2435 department, and a delivery service shall not employ more than twenty-
2436 five such delivery employees at any given time.

2437 Sec. 48. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2438 department may issue or renew a license for a person to be a cultivator.
2439 No person may act as a cultivator or represent that such person is a
2440 licensed cultivator unless such person has obtained a license from the
2441 department pursuant to this section.

2442 (b) A cultivator is authorized to cultivate, grow and propagate
2443 cannabis at an establishment containing not less than fifteen thousand
2444 square feet of grow space, provided such cultivator complies with the
2445 provisions of any regulations adopted under section 37 of this act
2446 concerning grow space. A cultivator establishment shall meet physical
2447 security controls and protocols set forth and required by the
2448 commissioner.

2449 (c) A cultivator may label, manufacture, package and perform
2450 extractions on any cannabis cultivated, grown or propagated at its
2451 licensed establishment, including food and beverage products
2452 incorporating cannabis and cannabis concentrates, provided the
2453 cultivator meets all licensure and application requirements for a food
2454 and beverage manufacturer and a product manufacturer.

2455 (d) A cultivator may sell, transfer or transport its cannabis to a
2456 dispensary facility, hybrid retailer, retailer, food and beverage
2457 manufacturer, product manufacturer, research program, laboratory or
2458 product packager utilizing its own employees or a transporter. A
2459 cultivator shall not sell, transfer or deliver to consumers, qualifying
2460 patients or caregivers, directly or through a delivery service.

2461 Sec. 49. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2462 department may issue or renew a license for a person to be a micro-
2463 cultivator. No person may act as a micro-cultivator or represent that
2464 such person is a licensed micro-cultivator unless such person has
2465 obtained a license from the department pursuant to this section.

2466 (b) A micro-cultivator is authorized to cultivate, grow, propagate,
2467 manufacture and package the cannabis plant at an establishment
2468 containing not less than two thousand square feet and not more than ten
2469 thousand square feet of grow space, prior to any expansion authorized
2470 by the commissioner, provided such micro-cultivator complies with the
2471 provisions of any regulations adopted under section 37 of this act
2472 concerning grow space. A micro-cultivator business shall meet physical
2473 security controls set forth and required by the commissioner.

2474 (c) A micro-cultivator may apply for expansion of its grow space, in
2475 increments of five thousand square feet, on an annual basis, from the
2476 date of initial licensure, if such licensee is not subject to any pending or
2477 final administrative actions or judicial findings. If there are any pending
2478 or final administrative actions or judicial findings against the licensee,
2479 the department shall conduct a suitability review to determine whether
2480 such expansion shall be granted, which determination shall be final and

2481 appealable only to the Superior Court. The micro-cultivator may apply
2482 for an expansion of its business annually upon renewal of its credential
2483 until such licensee reaches a maximum of twenty-five thousand square
2484 feet of grow space. If a micro-cultivator desires to expand beyond
2485 twenty-five thousand square feet of grow space, the micro-cultivator
2486 licensee may apply for a cultivator license one year after its last
2487 expansion request. The micro-cultivator licensee shall not be required to
2488 apply through the lottery application process to convert its license to a
2489 cultivator license. If a micro-cultivator maintains its license and meets
2490 all of the application and licensure requirements for a cultivator license,
2491 including payment of the cultivator license fee established under section
2492 34 of this act, the micro-cultivator licensee shall be granted a cultivator
2493 license.

2494 (d) A micro-cultivator may label, manufacture, package and perform
2495 extractions on any cannabis cultivated, grown and propagated at its
2496 licensed establishment provided it meets all licensure and application
2497 requirements for a food and beverage manufacturer, product
2498 manufacturer or product packager, as applicable.

2499 (e) A micro-cultivator may sell, transfer or transport its cannabis to a
2500 dispensary facility, hybrid retailer, retailer, delivery service, food and
2501 beverage manufacturer, product manufacturer, research program,
2502 laboratory or product packager, provided the cannabis is cultivated,
2503 grown and propagated at the micro-cultivator's licensed establishment
2504 and transported utilizing the micro-cultivator's own employees or a
2505 transporter. A micro-cultivator shall not gift or transfer cannabis or
2506 cannabis products at no cost to a consumer as part of a commercial
2507 transaction.

2508 (f) A micro-cultivator may sell its own cannabis to consumers,
2509 excluding qualifying patients and caregivers, either through a delivery
2510 service or utilizing its own employees, subject to the requirements of
2511 subsection (b) of section 21 of this act. Any micro-cultivator that engages
2512 in the delivery of cannabis shall maintain a secure location, in a manner
2513 approved by the commissioner, at the micro-cultivator's premises where

2514 cannabis that is unable to be delivered may be returned to the micro-
2515 cultivator. Such secure cannabis return location shall meet specifications
2516 set forth by the commissioner and published on the department's
2517 Internet web site or included in regulations adopted by the department.
2518 A micro-cultivator shall cease delivery of cannabis to consumers if it
2519 converts to being a cultivator.

2520 Sec. 50. (NEW) (*Effective July 1, 2021*) (a) Until June 30, 2023, the
2521 commissioner may deny a change of location application from a
2522 dispensary facility or hybrid retailer based on the needs of qualifying
2523 patients.

2524 (b) Prior to June 30, 2022, the commissioner shall not approve the
2525 relocation of a dispensary facility or hybrid retailer to a location that is
2526 further than ten miles from its current dispensary facility or hybrid
2527 retailer location.

2528 Sec. 51. (NEW) (*Effective from passage*) (a) No member of the Social
2529 Equity Council and no employee of the Social Equity Council or
2530 department who carries out the licensing, inspection, investigation,
2531 enforcement or policy decisions authorized by RERACA, and any
2532 regulations enacted pursuant thereto, may, directly or indirectly, have
2533 any management or financial interest in the cultivation, manufacture,
2534 sale, transportation, delivery or testing of cannabis in this state, nor
2535 receive any commission or profit from nor have any interest in
2536 purchases or sales made by persons authorized to make such purchases
2537 or sales pursuant to RERACA. No provision of this section shall prevent
2538 any such member or employee from purchasing and keeping in his or
2539 her possession, for his or her personal use or the use of such member's
2540 or employee's family or guests, any cannabis which may be purchased
2541 or kept by any person by virtue of RERACA.

2542 (b) No former member of the Social Equity Council and no former
2543 employee of the Social Equity Council or department described in
2544 subsection (a) of this section shall, within two years of leaving state
2545 service, be eligible to apply either individually or with a group of

2546 individuals for a cannabis establishment license.

2547 (c) No member of the General Assembly or state-wide elected public
2548 official shall, within two years of leaving state service, be eligible to
2549 apply either individually or with a group of individuals for a cannabis
2550 establishment license.

2551 Sec. 52. (NEW) (*Effective July 1, 2021*) Notwithstanding any provision
2552 of the general statutes, the purchase, possession, display, sale or
2553 transportation of cannabis by a cannabis establishment or employee
2554 thereof shall not be unlawful and shall not be an offense or a basis for
2555 seizure or forfeiture of assets so long as such purchase, possession,
2556 display, sale or transportation is within the scope of such person's
2557 employment or such person's license or registration and is in
2558 compliance with the laws and regulations that apply to such license or
2559 registration type.

2560 Sec. 53. (NEW) (*Effective July 1, 2021*) No cannabis establishment shall
2561 display cannabis, cannabis products or drug paraphernalia in a manner
2562 that is visible to the general public from a public right-of-way not on
2563 state lands or waters managed by the Department of Energy and
2564 Environmental Protection.

2565 Sec. 54. (NEW) (*Effective July 1, 2021*) (a) Each cannabis establishment
2566 shall establish, maintain and comply with written policies and
2567 procedures for the cultivation, processing, manufacture, security,
2568 storage, inventory and distribution of cannabis, as applicable to the
2569 specific license type. Such policies and procedures shall include
2570 methods for identifying, recording and reporting diversion, theft or loss,
2571 and for correcting all errors and inaccuracies in inventories. Cannabis
2572 establishments shall include in their written policies and procedures a
2573 process for each of the following, if the establishment engages in such
2574 activity:

2575 (1) Handling mandatory and voluntary recalls of cannabis. Such
2576 process shall be adequate to deal with recalls due to any order of the
2577 commissioner and any voluntary action by the cannabis establishment

2578 to remove defective or potentially defective cannabis from the market
2579 or any action undertaken to promote public health and safety by
2580 replacing existing cannabis with improved products or packaging;

2581 (2) Preparing for, protecting against and handling any crisis that
2582 affects the security or operation of any facility used in the operation of
2583 a cannabis establishment in the event of a strike, fire, flood or other
2584 natural disaster, or other situations of local, state or national emergency;

2585 (3) Ensuring that any outdated, damaged, deteriorated, misbranded
2586 or adulterated cannabis is segregated from all other inventory and
2587 destroyed. Such procedure shall provide for written documentation of
2588 the cannabis disposition; and

2589 (4) Ensuring the oldest stock of a cannabis is sold, delivered or
2590 dispensed first. Such procedure may permit deviation from this
2591 requirement, if such deviation is temporary and approved by the
2592 commissioner.

2593 (b) A cannabis establishment shall (1) store all cannabis in such a
2594 manner as to prevent diversion, theft or loss, (2) make cannabis
2595 accessible only to the minimum number of specifically authorized
2596 employees essential for efficient operation, and (3) return any cannabis
2597 to a secure location at the end of the scheduled business day.

2598 Sec. 55. (NEW) (*Effective July 1, 2021*) (a) Qualifying patients and
2599 caregivers registered pursuant to chapter 420f of the general statutes
2600 shall be permitted to purchase cannabis of higher potency, varied
2601 dosage form, and in a larger per transaction or per day amount than are
2602 generally available for retail purchase, as determined by the
2603 commissioner. Such determination, if any, shall be published on the
2604 Department of Consumer Protection's Internet web site or included in
2605 regulations adopted by the department.

2606 (b) Notwithstanding any provision of the general statutes, the sale or
2607 delivery of drug paraphernalia to a qualifying patient or caregiver or
2608 person licensed pursuant to the provisions of RERACA or chapter 420f

2609 of the general statutes, shall not be considered a violation of the
2610 provisions of RERACA.

2611 Sec. 56. (NEW) (*Effective January 1, 2022*) (a) Each cannabis
2612 establishment, licensed pursuant to chapter 420f of the general statutes
2613 or the provisions of RERACA shall maintain a record of all cannabis
2614 grown, manufactured, wasted and distributed between cannabis
2615 establishments and to consumers, qualifying patients and caregivers in
2616 a form and manner prescribed by the commissioner. The commissioner
2617 shall require each cannabis establishment to use an electronic tracking
2618 system to monitor the production, harvesting, storage, manufacturing,
2619 packaging and labeling, processing, transport, transfer and sale of
2620 cannabis from the point of cannabis cultivation inception through the
2621 point when the final product is sold to a consumer, qualifying patient,
2622 caregiver, research program or otherwise disposed of in accordance
2623 with chapter 420f of the general statutes or the provisions of RERACA,
2624 and the policies and procedures or regulations issued pursuant to
2625 RERACA. Cannabis establishments shall be required to utilize such
2626 electronic tracking system and enter the data points required by the
2627 commissioner to ensure cannabis is safe, secure and properly labeled for
2628 consumer or qualifying patient use. The commissioner may contract
2629 with one or more vendors for the purpose of electronically collecting
2630 such cannabis information.

2631 (b) The electronic tracking system shall not collect information about
2632 any individual consumer, qualifying patient or caregiver purchasing
2633 cannabis.

2634 (c) The electronic tracking system shall (1) track each cannabis seed,
2635 clone, seedling or other commencement of the growth of a cannabis
2636 plant or introduction of any cannabinoid intended for use by a cannabis
2637 establishment, and (2) collect the unit price and amount sold for each
2638 retail sale of cannabis.

2639 (d) Information within the electronic tracking system shall be
2640 confidential and shall not be subject to disclosure under the Freedom of

2641 Information Act, as defined in section 1-200 of the general statutes,
2642 except that (1) the commissioner may provide reasonable access to
2643 cannabis tracking data obtained under this section to: (A) State agencies
2644 and local law enforcement agencies for the purpose of investigating or
2645 prosecuting a violation of law; (B) public or private entities for research
2646 or educational purposes, provided no individually identifiable
2647 information may be disclosed; (C) as part of disciplinary action taken by
2648 the department, to another state agency or local law enforcement; (D)
2649 the office of the Attorney General for any review or investigation; and
2650 (E) in the aggregate, the Department of Public Health and Department
2651 of Mental Health and Addiction Services for epidemiological
2652 surveillance, research and analysis in conjunction with the Department
2653 of Consumer Protection; and (2) the commissioner shall provide access
2654 to the electronic tracking system to (A) the Department of Revenue
2655 Services for the purposes of enforcement of any tax-related
2656 investigations and audits, and (B) the Connecticut Agricultural
2657 Experiment Station for the purpose of laboratory testing and
2658 surveillance.

2659 Sec. 57. (NEW) (*Effective July 1, 2021*) (a) Each cannabis establishment
2660 shall maintain all records necessary to fully demonstrate business
2661 transactions related to cannabis for a period covering the current taxable
2662 year and the three immediately preceding taxable years, all of which
2663 shall be made available to the department pursuant to subsection (c) of
2664 this section.

2665 (b) The commissioner may require any licensee to furnish such
2666 information as the commissioner considers necessary for the proper
2667 administration of RERACA, and may require an audit of any cannabis
2668 establishment, the expense thereof to be paid by such cannabis
2669 establishment.

2670 (c) Each cannabis establishment, and each person in charge, or having
2671 custody, of such documents, shall maintain such documents in an
2672 auditable format for the current taxable year and the three preceding
2673 taxable years. Upon request, such person shall make such documents

2674 immediately available for inspection and copying by the commissioner
2675 or any other enforcement agency or others authorized by RERACA, and
2676 shall produce copies of such documents to the commissioner or
2677 commissioner's authorized representative within two business days.
2678 Such documents shall be provided to the commissioner in electronic
2679 format, unless not commercially practical. In complying with the
2680 provisions of this subsection, no person shall use a foreign language,
2681 codes or symbols to designate cannabis or cannabis product types or
2682 persons in the keeping of any required document.

2683 (d) For purposes of the supervision and enforcement of the
2684 provisions of RERACA, the commissioner may:

2685 (1) Enter any place, including a vehicle, in which cannabis is held,
2686 sold, produced, delivered, transported, manufactured or otherwise
2687 disposed of;

2688 (2) Inspect a cannabis establishment and all pertinent equipment,
2689 finished and unfinished material, containers and labeling, and all things
2690 in such place, including records, files, financial data, sales data, shipping
2691 data, pricing data, employee data, research, papers, processes, controls
2692 and facilities; and

2693 (3) Inventory any stock of cannabis and obtain samples of any
2694 cannabis, any labels or containers, paraphernalia and of any finished or
2695 unfinished material.

2696 (e) Except as otherwise provided in RERACA, all records maintained
2697 or kept on file related to RERACA by the department or the Social
2698 Equity Council shall be public records for purposes of the Freedom of
2699 Information Act, as defined in section 1-200 of the general statutes. In
2700 addition to the nondisclosure provisions contained in sections 35, 56, 58
2701 and 61 of this act, sections 1-210, 21a-408d, 21a-408l and 21a-408v of the
2702 general statutes, any information related to (1) the physical security
2703 plans of a cannabis establishment or the criminal background of
2704 individual applicants that is obtained by the department through the
2705 licensing process, (2) the supply and distribution of cannabis by

2706 cannabis establishments, and (3) qualified patient and caregiver
2707 information, shall be confidential and shall not be subject to disclosure
2708 under the Freedom of Information Act, as defined in section 1-200 of the
2709 general statutes.

2710 Sec. 58. (NEW) (*Effective July 1, 2021*) (a) For sufficient cause found
2711 pursuant to subsection (b) of this section, the commissioner may
2712 suspend or revoke a license or registration, issue fines of not more than
2713 twenty-five thousand dollars per violation, accept an offer in
2714 compromise or refuse to grant or renew a license or registration issued
2715 pursuant to RERACA, or place such licensee or registrant on probation,
2716 place conditions on such licensee or registrant or take other actions
2717 permitted by law. Information from inspections and investigations
2718 conducted by the department related to administrative complaints or
2719 cases shall not be subject to disclosure under the Freedom of
2720 Information Act, as defined in section 1-200 of the general statutes,
2721 except after the department has entered into a settlement agreement, or
2722 concluded its investigation or inspection as evidenced by case closure,
2723 provided that nothing in this section shall prevent the department from
2724 sharing information with other state and federal agencies and law
2725 enforcement as it relates to investigating violations of law.

2726 (b) Any of the following shall constitute sufficient cause for such
2727 action by the commissioner, including, but not limited to:

2728 (1) Furnishing of false or fraudulent information in any application
2729 or failure to comply with representations made in any application,
2730 including, but not limited to, medical preservation plans and security
2731 requirements;

2732 (2) A civil judgment against or disqualifying conviction of a cannabis
2733 establishment licensee, backer, key employee or license applicant;

2734 (3) Failure to maintain effective controls against diversion, theft or
2735 loss of cannabis, cannabis products or other controlled substances;

2736 (4) Discipline by, or a pending disciplinary action or an unresolved

2737 complaint against a cannabis establishment licensee, registrant or
2738 applicant regarding any professional license or registration of any
2739 federal, state or local government;

2740 (5) Failure to keep accurate records and to account for the cultivation,
2741 manufacture, packaging or sale of cannabis;

2742 (6) Denial, suspension or revocation of a license or registration, or the
2743 denial of a renewal of a license or registration, by any federal, state or
2744 local government or a foreign jurisdiction;

2745 (7) False, misleading or deceptive representations to the public or the
2746 department;

2747 (8) Return to regular stock of any cannabis where:

2748 (A) The package or container containing the cannabis has been
2749 opened, breached, tampered with or otherwise adulterated; or

2750 (B) The cannabis has been previously sold to an end user or research
2751 program subject;

2752 (9) Involvement in a fraudulent or deceitful practice or transaction;

2753 (10) Performance of incompetent or negligent work;

2754 (11) Failure to maintain the entire cannabis establishment premises
2755 or laboratory and contents in a secure, clean, orderly and sanitary
2756 condition;

2757 (12) Permitting another person to use the licensee's license;

2758 (13) Failure to properly register employees or license key employees,
2759 or failure to notify the department of a change in key employees or
2760 backers;

2761 (14) An adverse administrative decision or delinquency assessment
2762 against the cannabis establishment from the Department of Revenue
2763 Services;

2764 (15) Failure to cooperate or give information to the department, local
2765 law enforcement authorities or any other enforcement agency upon any
2766 matter arising out of conduct at the premises of a cannabis
2767 establishment or laboratory or in connection with a research program;

2768 (16) Advertising in a manner prohibited by section 33 of this act; or

2769 (17) Failure to comply with any provision of RERACA, or any policies
2770 and procedures issued by the commissioner to implement, or
2771 regulations adopted pursuant to, RERACA.

2772 (c) Upon refusal to issue or renew a license or registration, the
2773 commissioner shall notify the applicant of the denial and of the
2774 applicant's right to request a hearing within ten days from the date of
2775 receipt of the notice of denial. If the applicant requests a hearing within
2776 such ten-day period, the commissioner shall give notice of the grounds
2777 for the commissioner's refusal and shall conduct a hearing concerning
2778 such refusal in accordance with the provisions of chapter 54 of the
2779 general statutes concerning contested cases. If the commissioner's denial
2780 of a license or registration is sustained after such hearing, an applicant
2781 may not apply for a new cannabis establishment, backer or key
2782 employee license or employee registration for a period of one year after
2783 the date on which such denial was sustained.

2784 (d) No person whose license or registration has been revoked may
2785 apply for a cannabis establishment, backer or key employee license or
2786 an employee registration for a period of one year after the date of such
2787 revocation.

2788 (e) The voluntary surrender or failure to renew a license or
2789 registration shall not prevent the commissioner from suspending or
2790 revoking such license or registration or imposing other penalties
2791 permitted by RERACA.

2792 Sec. 59. (NEW) (*Effective from passage*) (a) The commissioner may
2793 adopt regulations in accordance with chapter 54 of the general statutes,
2794 including emergency regulations pursuant to section 4-168 of the

2795 general statutes, to implement the provisions of RERACA.

2796 (b) Notwithstanding the requirements of sections 4-168 to 4-172,
2797 inclusive, of the general statutes, in order to effectuate the purposes of
2798 RERACA and protect public health and safety, prior to adopting such
2799 regulations the commissioner shall implement policies and procedures
2800 to implement the provisions of RERACA that shall have the force and
2801 effect of law. The commissioner shall post all such policies and
2802 procedures on the department's Internet web site and submit such
2803 policies and procedures to the Secretary of the State for posting on the
2804 eRegulations System, at least fifteen days prior to the effective date of
2805 any policy or procedure. Any such policies and procedures shall no
2806 longer be effective upon the earlier of either adoption of such policies
2807 and procedures as a final regulation under section 4-172 of the general
2808 statutes or forty-eight months from the effective date of this section, if
2809 such regulations have not been submitted to the legislative regulation
2810 review committee for consideration under section 4-170 of the general
2811 statutes.

2812 Sec. 60. (*Effective July 1, 2022*) Not later than January 1, 2023, the
2813 department shall make written recommendations, in accordance with
2814 the provisions of section 11-4a of the general statutes, to the Governor
2815 and the joint standing committees of the General Assembly having
2816 cognizance of matters relating to consumer protection, the judiciary and
2817 finance, revenue and bonding, concerning whether to authorize on-site
2818 consumption or events that allow for cannabis usage, including whether
2819 to establish a cannabis on-site consumption or event license.

2820 Sec. 61. (NEW) (*Effective July 1, 2021*) (a) For purposes of this section:

2821 (1) "Material change" means: (A) The addition of a backer, (B) a
2822 change in the ownership interest of an existing backer, (C) the merger,
2823 consolidation or other affiliation of a cannabis establishment with
2824 another cannabis establishment, (D) the acquisition of all or part of a
2825 cannabis establishment by another cannabis establishment or backer,
2826 and (E) the transfer of assets or security interests from a cannabis

2827 establishment to another cannabis establishment or backer;

2828 (2) "Cannabis establishment" has the same meaning as provided in
2829 section 1 of this act;

2830 (3) "Person" has the same meaning as provided in section 1 of this act;
2831 and

2832 (4) "Transfer" means to sell, transfer, lease, exchange, option, convey,
2833 give or otherwise dispose of or transfer control over, including, but not
2834 limited to, transfer by way of merger or joint venture not in the ordinary
2835 course of business.

2836 (b) No person shall, directly or indirectly, enter into a transaction that
2837 results in a material change to a cannabis establishment, unless all
2838 parties involved in the transaction file a written notification with the
2839 Attorney General pursuant to subsection (c) of this section and the
2840 waiting period described in subsection (d) of this section has expired.

2841 (c) The written notice required under subsection (b) of this section
2842 shall be in such form and contain such documentary material and
2843 information relevant to the proposed transaction as the Attorney
2844 General deems necessary and appropriate to enable the Attorney
2845 General to determine whether such transaction, if consummated, would
2846 violate antitrust laws.

2847 (d) The waiting period required under subsection (b) of this section
2848 shall begin on the date of the receipt by the Attorney General's office of
2849 the completed notification required under subsection (c) of this section
2850 from all parties to the transaction and shall end on the thirtieth day after
2851 the date of such receipt, unless such time is extended pursuant to
2852 subsection (f) of this section.

2853 (e) The Attorney General may, in individual cases, terminate the
2854 waiting period specified in subsection (d) of this section and allow any
2855 person to proceed with any transaction.

2856 (f) The Attorney General may, prior to the expiration of the thirty-day

2857 waiting period, require the submission of additional information or
2858 documentary material relevant to the proposed transaction from a
2859 person required to file notification with respect to such transaction
2860 under subsection (b) of this section. Upon request for additional
2861 information under this subsection, the waiting period shall be extended
2862 until thirty days after the parties have substantially complied, as
2863 determined solely by the Attorney General, with such request for
2864 additional information.

2865 (g) Any information or documentary material filed with the Attorney
2866 General pursuant to this section shall not be subject to disclosure under
2867 the Freedom of Information Act, as defined in section 1-200 of the
2868 general statutes, and no such information or documentary material may
2869 be made public, except as may be relevant to any administrative or
2870 judicial action or proceeding. Such information or documentary
2871 material shall be returned to the person furnishing such information or
2872 documentary material upon the termination of the Attorney General's
2873 review or final determination of any action or proceeding commenced
2874 thereunder.

2875 (h) (1) Any person, or any officer, director or partner thereof, who
2876 fails to comply with any provision of this section shall be liable to the
2877 state for a civil penalty of not more than twenty-five thousand dollars
2878 for each day during which such person is in violation of this section.
2879 Such penalty may be recovered in a civil action brought by the Attorney
2880 General.

2881 (2) If any person, or any officer, director, partner, agent or employee
2882 thereof, fails substantially to comply with the notification requirement
2883 under subsection (b) of this section or any request for the submission of
2884 additional information or documentary material under subsection (f) of
2885 this section within the waiting period specified in subsection (d) of this
2886 section and as may be extended under subsection (f) of this section, the
2887 court:

2888 (A) May order compliance;

2889 (B) Shall extend the waiting period specified in subsection (d) of this
2890 section and as may have been extended under subsection (f) of this
2891 section until there has been substantial compliance, except that, in the
2892 case of a tender offer, the court may not extend such waiting period on
2893 the basis of a failure, by the person whose stock is sought to be acquired,
2894 to comply substantially with such notification requirement or any such
2895 request; and

2896 (C) May grant such other equitable relief as the court in its discretion
2897 determines necessary or appropriate, upon application of the Attorney
2898 General.

2899 Sec. 62. (NEW) (*Effective July 1, 2022*) Each cannabis establishment
2900 shall annually report publicly in a manner prescribed by the
2901 commissioner: (1) Its annual usage of electricity, and (2) what fraction
2902 of its electricity usage is generated from Class I Renewable Portfolio
2903 Standards produced in the state per the Regional Greenhouse Gas
2904 Initiative agreement. Each cannabis establishment shall purchase
2905 electricity generated from Class I Renewable Portfolio Standards
2906 produced in the states that are party to the Regional Greenhouse Gas
2907 Initiative agreement, to the greatest extent possible.

2908 Sec. 63. (*Effective from passage*) Not later than January 1, 2022, the
2909 Banking Commissioner, in consultation with the Commissioner of
2910 Consumer Protection, shall report to the Governor and the joint
2911 standing committees of the General Assembly having cognizance of
2912 matters relating to banking, the judiciary and finance, revenue and
2913 bonding, regarding recommended legislation to implement the
2914 provisions of RERACA, to facilitate the use of electronic payments by
2915 cannabis establishments and consumers and regarding access for
2916 cannabis establishments to (1) depository banking, and (2) commercial
2917 mortgages.

2918 Sec. 64. (*Effective from passage*) Not later than January 1, 2022, the
2919 Insurance Commissioner shall report to the Governor and the joint
2920 standing committee of the General Assembly having cognizance of

2921 matters relating to insurance regarding access to insurance by cannabis
2922 establishments.

2923 Sec. 65. (*Effective from passage*) Not later than January 1, 2023, the
2924 Alcohol and Drug Policy Council, jointly with the Departments of
2925 Public Health, Mental Health and Addiction Services and Children and
2926 Families, shall make recommendations to the Governor and the joint
2927 standing committees of the General Assembly having cognizance of
2928 matters relating to public health, the judiciary and finance, revenue and
2929 bonding regarding (1) efforts to promote public health, science-based
2930 harm reduction, mitigate misuse and the risk of addiction to cannabis
2931 and the effective treatment of addiction to cannabis with a particular
2932 focus on individuals under twenty-one years of age; (2) the collection
2933 and reporting of data to allow for epidemiological surveillance and
2934 review of cannabis consumption and the impacts thereof in the state; (3)
2935 impacts of cannabis legalization on the education, mental health and
2936 social and emotional health of individuals under twenty-one years of
2937 age; and (4) any further measures the state should take to prevent usage
2938 of cannabis by individuals under twenty-one years of age, including,
2939 but not limited to, product restrictions and prevention campaigns.

2940 Sec. 66. Section 21a-408 of the general statutes is repealed and the
2941 following is substituted in lieu thereof (*Effective October 1, 2021*):

2942 As used in this section, sections 21a-408a to 21a-408o, inclusive, and
2943 sections 21a-408r to 21a-408v, inclusive, unless the context otherwise
2944 requires:

2945 (1) "Advanced practice registered nurse" means an advanced practice
2946 registered nurse licensed pursuant to chapter 378;

2947 (2) "Cannabis establishment" has the same meaning as provided in
2948 section 1 of this act;

2949 [[2)] (3) "Cultivation" includes planting, propagating, cultivating,
2950 growing and harvesting;

2951 [(3)] (4) "Debilitating medical condition" means (A) cancer, glaucoma,
2952 positive status for human immunodeficiency virus or acquired immune
2953 deficiency syndrome, Parkinson's disease, multiple sclerosis, damage to
2954 the nervous tissue of the spinal cord with objective neurological
2955 indication of intractable spasticity, epilepsy or uncontrolled intractable
2956 seizure disorder, cachexia, wasting syndrome, Crohn's disease,
2957 posttraumatic stress disorder, irreversible spinal cord injury with
2958 objective neurological indication of intractable spasticity, cerebral palsy,
2959 cystic fibrosis or terminal illness requiring end-of-life care, except, if the
2960 qualifying patient is under eighteen years of age, "debilitating medical
2961 condition" means terminal illness requiring end-of-life care, irreversible
2962 spinal cord injury with objective neurological indication of intractable
2963 spasticity, cerebral palsy, cystic fibrosis, severe epilepsy or uncontrolled
2964 intractable seizure disorder, or (B) any medical condition, medical
2965 treatment or disease approved for qualifying patients by the
2966 Department of Consumer Protection [pursuant to regulations adopted
2967 under section 21a-408m] and posted online pursuant to section 21a-408l;

2968 (5) "Dispensary facility" means a place of business where marijuana
2969 may be dispensed, sold or distributed in accordance with this chapter
2970 and any regulations adopted thereunder to qualifying patients and
2971 caregivers and for which the department has issued a dispensary facility
2972 license pursuant to this chapter;

2973 (6) "Employee" has the same meaning as provided in section 1 of this
2974 act;

2975 [(4)] (7) "Institutional animal care and use committee" means a
2976 committee that oversees an organization's animal program, facilities
2977 and procedures to ensure compliance with federal policies, guidelines
2978 and principles related to the care and use of animals in research;

2979 [(5)] (8) "Institutional review board" means a specifically constituted
2980 review body established or designated by an organization to protect the
2981 rights and welfare of persons recruited to participate in biomedical,
2982 behavioral or social science research;

2983 [(6)] (9) "Laboratory" means a laboratory located in the state that is
2984 licensed by the department to provide analysis of [controlled substances
2985 pursuant to] marijuana and that meets the licensure requirements set
2986 forth in section 21a-246; [and section 21a-408r;]

2987 [(7)] (10) "Laboratory employee" means a person who is [(A) licensed]
2988 registered as a laboratory employee pursuant to section 21a-408r; [, or
2989 (B) holds a temporary certificate of registration issued pursuant to
2990 section 21a-408r;]

2991 [(8)] (11) "Licensed dispensary" or "dispensary" means [a person] an
2992 individual who is a licensed [as] pharmacist employed by a dispensary
2993 [pursuant to section 21a-408h] facility or hybrid retailer;

2994 [(9) "Licensed producer" or "producer"] (12) "Producer" means a
2995 person who is licensed as a producer pursuant to section 21a-408i;

2996 [(10)] (13) "Marijuana" means marijuana, as defined in section 21a-
2997 240;

2998 [(11)] (14) "Nurse" means a person who is licensed as a nurse under
2999 chapter 378;

3000 [(12)] (15) "Palliative use" means the acquisition, distribution,
3001 transfer, possession, use or transportation of marijuana or paraphernalia
3002 relating to marijuana, including the transfer of marijuana and
3003 paraphernalia relating to marijuana from the patient's [primary]
3004 caregiver to the qualifying patient, to alleviate a qualifying patient's
3005 symptoms of a debilitating medical condition or the effects of such
3006 symptoms, but does not include any such use of marijuana by any
3007 person other than the qualifying patient;

3008 [(13)] (16) "Paraphernalia" means drug paraphernalia, as defined in
3009 section 21a-240;

3010 [(14)] (17) "Physician" means a person who is licensed as a physician
3011 under chapter 370, but does not include a physician assistant, as defined
3012 in section 20-12a;

3013 [(15) "Primary caregiver"] (18) "Caregiver" means a person, other than
3014 the qualifying patient and the qualifying patient's physician or
3015 advanced practice registered nurse, who is eighteen years of age or older
3016 and has agreed to undertake responsibility for managing the well-being
3017 of the qualifying patient with respect to the palliative use of marijuana,
3018 provided (A) in the case of a qualifying patient (i) under eighteen years
3019 of age and not an emancipated minor, or (ii) otherwise lacking legal
3020 capacity, such person shall be a parent, guardian or person having legal
3021 custody of such qualifying patient, and (B) in the case of a qualifying
3022 patient eighteen years of age or older or an emancipated minor, the need
3023 for such person shall be evaluated by the qualifying patient's physician
3024 or advanced practice registered nurse and such need shall be
3025 documented in the written certification;

3026 [(16)] (19) "Qualifying patient" means a person who: (A) Is a resident
3027 of Connecticut, (B) has been diagnosed by a physician or an advanced
3028 practice registered nurse as having a debilitating medical condition, and
3029 (C) (i) is eighteen years of age or older, (ii) is an emancipated minor, or
3030 (iii) has written consent from a custodial parent, guardian or other
3031 person having legal custody of such person that indicates that such
3032 person has permission from such parent, guardian or other person for
3033 the palliative use of marijuana for a debilitating medical condition and
3034 that such parent, guardian or other person will (I) serve as a [primary]
3035 caregiver for the qualifying patient, and (II) control the acquisition and
3036 possession of marijuana and any related paraphernalia for palliative use
3037 on behalf of such person. "Qualifying patient" does not include an
3038 inmate confined in a correctional institution or facility under the
3039 supervision of the Department of Correction;

3040 [(17)] (20) "Research program" means a study approved by the
3041 Department of Consumer Protection in accordance with this chapter
3042 and undertaken to increase information or knowledge regarding the
3043 growth [,] or processing of marijuana, or the medical attributes, dosage
3044 forms, administration or use of marijuana to treat or alleviate symptoms
3045 of any medical conditions or the effects of such symptoms;

3046 [(18)] (21) "Research program employee" means a person who (A) is
3047 [licensed] registered as a research program employee under section 21a-
3048 408t, or (B) holds a temporary certificate of registration issued pursuant
3049 to section 21a-408t;

3050 [(19)] (22) "Research program subject" means a person registered as a
3051 research program subject pursuant to section 21a-408v;

3052 [(20)] (23) "Usable marijuana" means the dried leaves and flowers of
3053 the marijuana plant, and any mixtures or preparations of such leaves
3054 and flowers, that are appropriate for the palliative use of marijuana, but
3055 does not include the seeds, stalks and roots of the marijuana plant; and

3056 [(21)] (24) "Written certification" means a written certification issued
3057 by a physician or an advanced practice registered nurse pursuant to
3058 section 21a-408c.

3059 Sec. 67. Section 21a-408a of the general statutes is repealed and the
3060 following is substituted in lieu thereof (*Effective July 1, 2021*):

3061 (a) A qualifying patient shall register with the Department of
3062 Consumer Protection pursuant to section 21a-408d prior to engaging in
3063 the palliative use of marijuana. A qualifying patient who has a valid
3064 registration certificate from the Department of Consumer Protection
3065 pursuant to subsection (a) of section 21a-408d and complies with the
3066 requirements of sections 21a-408 to [21a-408n] 21a-408m, inclusive, shall
3067 not be subject to arrest or prosecution, penalized in any manner,
3068 including, but not limited to, being subject to any civil penalty, or denied
3069 any right or privilege, including, but not limited to, being subject to any
3070 disciplinary action by a professional licensing board, for the palliative
3071 use of marijuana if:

3072 (1) The qualifying patient's physician or advanced practice registered
3073 nurse has issued a written certification to the qualifying patient for the
3074 palliative use of marijuana after the physician or advanced practice
3075 registered nurse has prescribed, or determined it is not in the best
3076 interest of the patient to prescribe, prescription drugs to address the

3077 symptoms or effects for which the certification is being issued;

3078 (2) The combined amount of marijuana possessed by the qualifying
3079 patient and the [primary] caregiver for palliative use does not exceed
3080 [an amount of usable marijuana reasonably necessary to ensure
3081 uninterrupted availability for a period of one month, as determined by
3082 the Department of Consumer Protection pursuant to regulations
3083 adopted under section 21a-408m; and] five ounces;

3084 (3) The qualifying patient has not more than one [primary] caregiver
3085 at any time; [.] and

3086 (4) Any cannabis plants grown by the qualifying patient in his or
3087 home is in compliance with subsection (b) of section 21a-408d and any
3088 applicable regulations.

3089 (b) The provisions of subsection (a) of this section do not apply to:

3090 (1) Any palliative use of marijuana that endangers the health or well-
3091 being of a person other than the qualifying patient or the [primary]
3092 caregiver; or

3093 (2) The ingestion of marijuana (A) in a motor bus or a school bus or
3094 in any other moving vehicle, (B) in the workplace, (C) on any school
3095 grounds or any public or private school, dormitory, college or university
3096 property, unless such college or university is participating in a research
3097 program and such use is pursuant to the terms of the research program,
3098 (D) in any public place, or (E) in the presence of a person under the age
3099 of eighteen, unless such person is a qualifying patient or research
3100 program subject. For the purposes of this subdivision, (i) "presence"
3101 means within the direct line of sight of the palliative use of marijuana or
3102 exposure to second-hand marijuana smoke, or both; (ii) "public place"
3103 means any area that is used or held out for use by the public whether
3104 owned or operated by public or private interests; (iii) "vehicle" means a
3105 vehicle, as defined in section 14-1; (iv) "motor bus" means a motor bus,
3106 as defined in section 14-1; and (v) "school bus" means a school bus, as
3107 defined in section 14-1.

3108 Sec. 68. Section 21a-408b of the general statutes is repealed and the
3109 following is substituted in lieu thereof (*Effective July 1, 2021*):

3110 (a) No person may serve as a [primary] caregiver for a qualifying
3111 patient (1) unless such qualifying patient has a valid registration
3112 certificate from the Department of Consumer Protection pursuant to
3113 subsection (a) of section 21a-408d, and (2) if such person has been
3114 convicted of a violation of any law pertaining to the illegal manufacture,
3115 sale or distribution of a controlled substance. A [primary] caregiver may
3116 not be responsible for the care of more than one qualifying patient at
3117 any time, except that a [primary] caregiver may be responsible for the
3118 care of more than one qualifying patient if the [primary] caregiver and
3119 each qualifying patient have a parental, guardianship, conservatorship
3120 or sibling relationship.

3121 (b) A [primary] caregiver who has a valid registration certificate from
3122 the Department of Consumer Protection pursuant to subsection (a) of
3123 section 21a-408d and complies with the requirements of sections 21a-408
3124 to [21a-408n] ~~21a-408m~~, inclusive, shall not be subject to arrest or
3125 prosecution, penalized in any manner, including, but not limited to,
3126 being subject to any civil penalty, or denied any right or privilege,
3127 including, but not limited to, being subject to any disciplinary action by
3128 a professional licensing board, for the acquisition, distribution,
3129 possession or transportation of marijuana or paraphernalia related to
3130 marijuana on behalf of such [primary] caregiver's qualifying patient,
3131 provided [(1)] the amount of any marijuana so acquired, distributed,
3132 possessed or transported, together with the combined amount of usable
3133 marijuana possessed by the qualifying patient and the [primary]
3134 caregiver, does not exceed [an amount reasonably necessary to ensure
3135 uninterrupted availability for a period of one month, as determined by
3136 the Department of Consumer Protection pursuant to regulations
3137 adopted under section 21a-408m, and (2) such amount is obtained solely
3138 within this state from a licensed dispensary. Any person with a valid
3139 registration certificate who is found to be in possession of marijuana that
3140 did not originate from the selected dispensary may be subject to a
3141 hearing before the commissioner for possible enforcement action

3142 concerning the registration certificate issued by the department] five
3143 ounces. For the purposes of this subsection, "distribution" or
3144 "distributed" means the transfer of marijuana and paraphernalia related
3145 to marijuana from the [primary] caregiver to the qualifying patient.

3146 (c) A dispensary facility shall not dispense any [marijuana] cannabis
3147 product, as defined in section 1 of this act, in a smokable, inhalable or
3148 vaporizable form to a [primary] caregiver for a qualifying patient who
3149 is under eighteen years of age.

3150 Sec. 69. Section 21a-408c of the general statutes is repealed and the
3151 following is substituted in lieu thereof (*Effective July 1, 2021*):

3152 (a) A physician or an advanced practice registered nurse may issue a
3153 written certification to a qualifying patient that authorizes the palliative
3154 use of marijuana by the qualifying patient. Such written certification
3155 shall be in the form prescribed by the Department of Consumer
3156 Protection and shall include a statement signed and dated by the
3157 qualifying patient's physician or advanced practice registered nurse
3158 stating that, in such physician's or advanced practice registered nurse's
3159 professional opinion, the qualifying patient has a debilitating medical
3160 condition and the potential benefits of the palliative use of marijuana
3161 would likely outweigh the health risks of such use to the qualifying
3162 patient.

3163 (b) Any written certification for the palliative use of marijuana issued
3164 by a physician or an advanced practice registered nurse under
3165 subsection (a) of this section shall be valid for a period not to exceed one
3166 year from the date such written certification is signed and dated by the
3167 physician or advanced practice registered nurse. Not later than ten
3168 calendar days after the expiration of such period, or at any time before
3169 the expiration of such period should the qualifying patient no longer
3170 wish to possess marijuana for palliative use, the qualifying patient or
3171 the [primary] caregiver shall destroy all usable marijuana possessed by
3172 the qualifying patient and the [primary] caregiver for palliative use.

3173 (c) A physician or an advanced practice registered nurse shall not be

3174 subject to arrest or prosecution, penalized in any manner, including, but
3175 not limited to, being subject to any civil penalty, or denied any right or
3176 privilege, including, but not limited to, being subject to any disciplinary
3177 action by the Connecticut Medical Examining Board, the Connecticut
3178 State Board of Examiners for Nursing or other professional licensing
3179 board, for providing a written certification for the palliative use of
3180 marijuana under subdivision (1) of subsection (a) of section 21a-408a if:

3181 (1) The physician or advanced practice registered nurse has
3182 diagnosed the qualifying patient as having a debilitating medical
3183 condition;

3184 (2) The physician or advanced practice registered nurse has explained
3185 the potential risks and benefits of the palliative use of marijuana to the
3186 qualifying patient and, if the qualifying patient lacks legal capacity, to a
3187 parent, guardian or person having legal custody of the qualifying
3188 patient;

3189 (3) The written certification issued by the physician or advanced
3190 practice registered nurse is based upon the physician's or advanced
3191 practice registered nurse's professional opinion after having completed
3192 a medically reasonable assessment of the qualifying patient's medical
3193 history and current medical condition made in the course of a bona fide
3194 health care professional-patient relationship; and

3195 (4) The physician or advanced practice registered nurse has no
3196 financial interest in a [dispensary licensed under section 21a-408h or a
3197 producer licensed under section 21a-408i] cannabis establishment,
3198 except for retailers and delivery services, as such terms are defined in
3199 section 1 of this act.

3200 (d) A nurse shall not be subject to arrest or prosecution, penalized in
3201 any manner, including, but not limited to, being subject to any civil
3202 penalty, or denied any right or privilege, including, but not limited to,
3203 being subject to any disciplinary action by the Board of Examiners for
3204 Nursing, or other professional licensing board, for administering
3205 marijuana to a qualifying patient or research program subject in a

3206 hospital or health care facility licensed by the Department of Public
3207 Health.

3208 (e) Notwithstanding the provisions of this section, sections 21a-408 to
3209 21a-408b, inclusive, and sections 21a-408d to 21a-408o, inclusive, an
3210 advanced practice registered nurse shall not issue a written certification
3211 to a qualifying patient when the qualifying patient's debilitating medical
3212 condition is glaucoma.

3213 Sec. 70. Section 21a-408d of the general statutes is repealed and the
3214 following is substituted in lieu thereof (*Effective October 1, 2021*):

3215 (a) Each qualifying patient who is issued a written certification for the
3216 palliative use of marijuana under subdivision (1) of subsection (a) of
3217 section 21a-408a, and the [primary] caregiver of such qualifying patient,
3218 shall register with the Department of Consumer Protection. Such
3219 registration shall be effective from the date the Department of
3220 Consumer Protection issues a certificate of registration until the
3221 expiration of the written certification issued by the physician or
3222 advanced practice registered nurse. The qualifying patient and the
3223 [primary] caregiver shall provide sufficient identifying information, as
3224 determined by the department, to establish the personal identity of the
3225 qualifying patient and the [primary] caregiver. If the qualifying patient
3226 is under eighteen years of age and not an emancipated minor, the
3227 custodial parent, guardian or other person having legal custody of the
3228 qualifying patient shall also provide a letter from both the qualifying
3229 patient's [primary] care provider and a physician who is board certified
3230 in an area of medicine involved in the treatment of the debilitating
3231 condition for which the qualifying patient was certified that confirms
3232 that the palliative use of marijuana is in the best interest of the qualifying
3233 patient. A physician may issue a written certification for the palliative
3234 use of marijuana by a qualifying patient who is under eighteen years of
3235 age, provided such written certification shall not be for marijuana in a
3236 dosage form that requires that the marijuana be smoked, inhaled or
3237 vaporized. The qualifying patient or the [primary] caregiver shall report
3238 any change in the identifying information to the department not later

3239 than five business days after such change. The department shall issue a
3240 registration certificate to the qualifying patient and to the [primary]
3241 caregiver and may charge a reasonable fee, not to exceed twenty-five
3242 dollars, for each registration certificate issued under this subsection.
3243 Any registration fees collected by the department under this subsection
3244 shall be paid to the State Treasurer and credited to the General Fund.

3245 [(b) The qualifying patient, or, if the qualifying patient is under
3246 eighteen years of age and not an emancipated minor, the custodial
3247 parent, guardian or other person having legal custody of the qualifying
3248 patient, shall select a licensed, in-state dispensary to obtain the palliative
3249 marijuana products at the time of registration. Upon the issuance of the
3250 certificate of registration by the department, the qualifying patient, or
3251 the qualifying patient's custodial parent, guardian or other person
3252 having legal custody of the qualifying patient, shall purchase such
3253 palliative marijuana products from such dispensary, except that the
3254 qualifying patient, or the qualifying patient's custodial parent, guardian
3255 or other person having legal custody of the qualifying patient, may
3256 change such dispensary in accordance with regulations adopted by the
3257 department. Any person with a valid registration certificate who is
3258 found to be in possession of marijuana that did not originate from the
3259 selected dispensary may be subject to hearing before the commissioner
3260 for possible enforcement action concerning the registration certificate
3261 issued by the department.]

3262 (b) Any qualifying patient who is eighteen years of age or older may
3263 cultivate up to three mature cannabis plants and three immature
3264 cannabis plants in the patient's primary residence at any given time,
3265 provided such plants are secure from access by any individual other
3266 than the patient or patient's caregiver and no more than twelve cannabis
3267 plants may be grown per household.

3268 (c) A dispensary shall not dispense any marijuana products in a
3269 smokable, inhalable or vaporizable form to a qualifying patient who is
3270 under eighteen years of age or such qualifying patient's caregiver.

3271 (d) Information obtained under this section shall be confidential and
3272 shall not be subject to disclosure under the Freedom of Information Act,
3273 as defined in section 1-200, except that reasonable access to registry
3274 information obtained under this section [and temporary registration
3275 information obtained under section 21a-408n] shall be provided to: (1)
3276 State agencies, federal agencies and local law enforcement agencies for
3277 the purpose of investigating or prosecuting a violation of law; (2)
3278 physicians, advanced practice registered nurses and pharmacists for the
3279 purpose of providing patient care and drug therapy management and
3280 monitoring controlled substances obtained by the qualifying patient; (3)
3281 public or private entities for research or educational purposes, provided
3282 no individually identifiable health information may be disclosed; (4) a
3283 licensed dispensary for the purpose of complying with sections 21a-408
3284 to [21a-408n] 21a-408m, inclusive; (5) a qualifying patient, but only with
3285 respect to information related to such qualifying patient or such
3286 qualifying patient's [primary] caregiver; or (6) a [primary] caregiver, but
3287 only with respect to information related to such [primary] caregiver's
3288 qualifying patient.

3289 Sec. 71. Section 21a-408f of the general statutes is repealed and the
3290 following is substituted in lieu thereof (*Effective July 1, 2021*):

3291 Any marijuana, paraphernalia relating to marijuana, or other
3292 property seized by law enforcement officials from a qualifying patient
3293 or a [primary] caregiver in connection with the claimed palliative use of
3294 marijuana under sections 21a-408 to [21a-408n] 21a-408m, inclusive,
3295 shall be returned to the qualifying patient or the [primary] caregiver
3296 immediately upon the determination by a court that the qualifying
3297 patient or the [primary] caregiver is entitled to the palliative use of
3298 marijuana under sections 21a-408 to [21a-408n] 21a-408m, inclusive, as
3299 evidenced by a decision not to prosecute, a dismissal of charges or an
3300 acquittal. The provisions of this section do not apply to any qualifying
3301 patient or [primary] caregiver who fails to comply with the
3302 requirements for the palliative use of marijuana under sections 21a-408
3303 to [21a-408n] 21a-408m, inclusive.

3304 Sec. 72. Section 21a-408h of the general statutes is repealed and the
3305 following is substituted in lieu thereof (*Effective July 1, 2021*):

3306 (a) No person may act as a dispensary or represent that such person
3307 is a licensed dispensary unless such person has obtained a license from
3308 the Commissioner of Consumer Protection pursuant to this section.

3309 (b) No person may act as a dispensary facility or represent that such
3310 person is a licensed dispensary facility unless such person has obtained
3311 a license from the Commissioner of Consumer Protection pursuant to
3312 this section.

3313 [(b)] (c) The Commissioner of Consumer Protection shall determine
3314 the number of [dispensaries] dispensary facilities appropriate to meet
3315 the needs of qualifying patients in this state and shall adopt regulations,
3316 in accordance with chapter 54, to provide for the licensure and
3317 standards for [dispensaries] dispensary facilities in this state and specify
3318 the maximum number of [dispensaries] dispensary facilities that may
3319 be licensed in this state. On and after the effective date of such
3320 regulations, the commissioner may license any person who applies for
3321 a license in accordance with such regulations, provided [(1)] the
3322 commissioner deems such applicant qualified to acquire, possess,
3323 distribute and dispense marijuana pursuant to sections 21a-408 to [21a-
3324 408n] 21a-408m, inclusive. [, (2) the applicant is a pharmacist licensed
3325 under chapter 400j, and (3) the number of dispensary licenses issued
3326 does not exceed the number appropriate to meet the needs of qualifying
3327 patients in this state, as determined by the commissioner pursuant to
3328 this subsection.] At a minimum, such regulations shall:

3329 [(A)] (1) Indicate the maximum number of [dispensaries] dispensary
3330 facilities that may be licensed in this state;

3331 [(B) Provide that only a pharmacist licensed under chapter 400j may
3332 apply for and receive a dispensary license;]

3333 [(C)] (2) Provide that no marijuana may be dispensed from, obtained
3334 from or transferred to a location outside of this state;

3335 [(D)] (3) Establish a licensing fee and renewal fee for each [licensed]
3336 dispensary facility, provided such fees shall not be less than the amount
3337 necessary to cover the direct and indirect cost of licensing and
3338 regulating [dispensaries] dispensary facilities pursuant to sections 21a-
3339 408 to [21a-408n] 21a-408m, inclusive;

3340 [(E)] (4) Provide for renewal of such dispensary facility licenses at
3341 least every two years;

3342 [(F)] (5) Describe areas in this state where [licensed dispensaries]
3343 dispensary facilities may not be located, after considering the criteria for
3344 the location of retail liquor permit premises set forth in subsection (a) of
3345 section 30-46;

3346 [(G)] (6) Establish health, safety and security requirements for
3347 [licensed dispensaries] dispensary facilities, which may include, but
3348 need not be limited to: [(i)] (A) The ability to maintain adequate control
3349 against the diversion, theft and loss of marijuana acquired or possessed
3350 by the [licensed] dispensary facility, and [(ii)] (B) the ability to maintain
3351 the knowledge, understanding, judgment, procedures, security controls
3352 and ethics to ensure optimal safety and accuracy in the distributing,
3353 dispensing and use of palliative marijuana;

3354 [(H)] (7) Establish standards and procedures for revocation,
3355 suspension, summary suspension and nonrenewal of dispensary facility
3356 licenses, provided such standards and procedures are consistent with
3357 the provisions of subsection (c) of section 4-182; and

3358 [(I)] (8) Establish other licensing, renewal and operational standards
3359 deemed necessary by the commissioner.

3360 [(c)] (d) Any fees collected by the Department of Consumer
3361 Protection under this section shall be paid to the State Treasurer and
3362 credited to the General Fund.

3363 [(d)] (e) On or before January 1, 2017, and annually thereafter, each
3364 [licensed] dispensary facility shall report data to the Department of

3365 Consumer Protection relating to the types, mixtures and dosages of
3366 palliative marijuana dispensed by such dispensary facility. A report
3367 prepared pursuant to this subsection shall be in such form as may be
3368 prescribed by the Commissioner of Consumer Protection.

3369 Sec. 73. Section 21a-408j of the general statutes is repealed and the
3370 following is substituted in lieu thereof (*Effective October 1, 2021*):

3371 (a) No [licensed] dispensary facility or employee of the dispensary
3372 facility may: (1) Acquire marijuana from a person other than a [licensed]
3373 producer [; (2) distribute or dispense] from a cultivator, micro-
3374 cultivator, product manufacturer, food and beverage manufacturer,
3375 product packager, or transporter, as such terms are defined in section 1
3376 of this act; (2) transfer or transport marijuana to a person who is not (A)
3377 a qualifying patient registered under section 21a-408d; [or 21a-408n;] (B)
3378 a [primary] caregiver of such qualifying patient; (C) a hospice or other
3379 inpatient care facility licensed by the Department of Public Health
3380 pursuant to chapter 368v that has a protocol for the handling and
3381 distribution of marijuana that has been approved by the Department of
3382 Consumer Protection; (D) a laboratory; [or] (E) an organization engaged
3383 in a research program; (F) a delivery service, as defined in section 1 of
3384 this act; or (G) a transporter, as defined in section 1 of this act; or (3)
3385 obtain or transport marijuana outside of this state in violation of state or
3386 federal law.

3387 (b) No [licensed] dispensary or employee of the dispensary facility
3388 acting within the scope of his or her employment shall be subject to
3389 arrest or prosecution [,] or penalized in any manner, including, but not
3390 limited to, being subject to any civil penalty, or denied any right or
3391 privilege, including, but not limited to, being subject to any disciplinary
3392 action by a professional licensing board, for acquiring, possessing,
3393 distributing or dispensing marijuana pursuant to sections 21a-408 to
3394 [21a-408n] 21a-408m, inclusive.

3395 Sec. 74. Section 21a-408k of the general statutes is repealed and the
3396 following is substituted in lieu thereof (*Effective July 1, 2021*):

3397 (a) No [licensed] producer or employee of the producer may: (1) Sell,
3398 deliver, transport or distribute marijuana to a person who is not (A) a
3399 [licensed dispensary] cannabis establishment, (B) a laboratory, or (C) an
3400 organization engaged in a research program, or (2) obtain or transport
3401 marijuana outside of this state in violation of state or federal law.

3402 (b) No licensed producer or employee of the producer acting within
3403 the scope of his or her employment shall be subject to arrest or
3404 prosecution [] or penalized in any manner, including, but not limited
3405 to, being subject to any civil penalty, or denied any right or privilege,
3406 including, but not limited to, being subject to any disciplinary action by
3407 a professional licensing board, for cultivating marijuana or selling,
3408 delivering, transferring, transporting or distributing marijuana to
3409 [licensed dispensaries under sections 21a-408 to 21a-408n, inclusive] a
3410 cannabis establishment, laboratory or research program.

3411 Sec. 75. Section 21a-408m of the general statutes is repealed and the
3412 following is substituted in lieu thereof (*Effective October 1, 2021*):

3413 (a) The Commissioner of Consumer Protection may adopt
3414 regulations, in accordance with chapter 54, to establish (1) a standard
3415 form for written certifications for the palliative use of marijuana issued
3416 by physicians and advanced practice registered nurses under
3417 subdivision (1) of subsection (a) of section 21a-408a, and (2) procedures
3418 for registrations under section 21a-408d. Such regulations, if any, shall
3419 be adopted after consultation with the Board of Physicians established
3420 in section 21a-408l.

3421 (b) The Commissioner of Consumer Protection shall adopt
3422 regulations, in accordance with chapter 54, to establish a reasonable fee
3423 to be collected from each qualifying patient to whom a written
3424 certification for the palliative use of marijuana is issued under
3425 subdivision (1) of subsection (a) of section 21a-408a, for the purpose of
3426 offsetting the direct and indirect costs of administering the provisions
3427 of sections 21a-408 to [21a-408n] 21a-408m, inclusive. The commissioner
3428 shall collect such fee at the time the qualifying patient registers with the

3429 Department of Consumer Protection under subsection (a) of section 21a-
3430 408d. Such fee shall be in addition to any registration fee that may be
3431 charged under said subsection. The fees required to be collected by the
3432 commissioner from qualifying patients under this subsection shall be
3433 paid to the State Treasurer and credited to the General Fund.

3434 (c) The Commissioner of Consumer Protection shall adopt
3435 [regulations, in accordance with chapter 54, to implement the provisions
3436 of sections 21a-408 to 21a-408g, inclusive, and section 21a-408l. At a
3437 minimum, such regulations shall] or amend regulations, as applicable,
3438 in accordance with chapter 54, to implement the provisions of sections
3439 21a-408 to 21a-408g, inclusive, and section 21a-408l. Notwithstanding
3440 the requirements of sections 4-168 to 4-172, inclusive, in order to
3441 effectuate the purposes of sections 21a-408 to 21a-408g, inclusive, and
3442 section 21a-408l, and protect public health and safety, prior to adopting
3443 or amending such regulations the commissioner shall adopt policies and
3444 procedures to implement the provisions of sections 21a-408 to 21a-408g,
3445 inclusive, and section 21a-408 that shall have the force and effect of law.
3446 The commissioner shall post all policies and procedures on the
3447 department's Internet web site, and submit such policies and
3448 procedures to the Secretary of the State for posting on the eRegulations
3449 System, at least fifteen days prior to the effective date of any policy or
3450 procedure. Any such policy or procedure shall no longer be effective
3451 upon the earlier of either adoption of such policies or procedures as a
3452 final regulation pursuant to section 4-172 or forty-eight months from
3453 October 1, 2021, if such policies or procedures have not been submitted
3454 to the legislative regulation review committee for consideration under
3455 section 4-170. Such policies and procedures and regulations shall
3456 include, but not be limited to, how the department shall:

3457 (1) [Govern the manner in which the department considers] Accept
3458 applications for the issuance and renewal of registration certificates for
3459 qualifying patients and [primary] caregivers; [, and establish any
3460 additional information to be contained in such registration certificates;]

3461 [(2) Define the protocols for determining the amount of usable

3462 marijuana that is necessary to constitute an adequate supply to ensure
3463 uninterrupted availability for a period of one month, including amounts
3464 for topical treatments;]

3465 [(3)] (2) Establish criteria for adding medical conditions, medical
3466 treatments or diseases to the list of debilitating medical conditions that
3467 qualify for the palliative use of marijuana;

3468 [(4)] (3) Establish a petition process under which members of the
3469 public may submit petitions, [in such manner and in such form as
3470 prescribed in the regulations,] regarding the addition of medical
3471 conditions, medical treatments or diseases to the list of debilitating
3472 medical conditions;

3473 [(5)] Establish a process for public comment and public hearings
3474 before the board regarding the addition of medical conditions, medical
3475 treatments or diseases to the list of debilitating medical conditions,
3476 medical treatments or diseases;

3477 (6) Add additional medical conditions, medical treatments or
3478 diseases to the list of debilitating medical conditions that qualify for the
3479 palliative use of marijuana as recommended by the board; and]

3480 (4) Establish requirements for the growing of cannabis plants by a
3481 qualifying patient in his or her primary residence as authorized under
3482 section 21a-408d, including requirements for securing such plants to
3483 prevent access by any individual other than the patient or the patient's
3484 caregiver, the location of such plants and any other requirements
3485 necessary to protect public health or safety;

3486 [(7)] (5) Develop a distribution system for marijuana for palliative use
3487 that provides for:

3488 (A) Marijuana production facilities within this state that are housed
3489 on secured grounds and operated by [licensed] producers; [and]

3490 (B) The transfer of marijuana between dispensary facilities; and

3491 [(B)] (C) Distribution of marijuana for palliative use to qualifying
3492 patients or their [primary] caregivers by [licensed dispensaries.]
3493 dispensary facilities, hybrid retailers and delivery services, as such
3494 terms are defined in section 1 of this act; and

3495 (6) Ensure an adequate supply and variety of marijuana to dispensary
3496 facilities and hybrid retailers to ensure uninterrupted availability for
3497 qualifying patients, based on historical marijuana purchase patterns by
3498 qualifying patients.

3499 [(d) The commissioner shall submit regulations pursuant to
3500 subsections (b) and (c) of this section to the standing legislative
3501 regulation review committee not later than July 1, 2013.]

3502 Sec. 76. Section 21a-408l of the general statutes is repealed and the
3503 following is substituted in lieu thereof (*Effective October 1, 2021*):

3504 (a) The Commissioner of Consumer Protection shall establish a Board
3505 of Physicians consisting of eight physicians or surgeons who are
3506 knowledgeable about the palliative use of marijuana and certified by the
3507 appropriate American board in the medical specialty in which they
3508 practice, at least one of whom shall be a board certified pediatrician
3509 appointed in consultation with the Connecticut Chapter of the
3510 American Academy of Pediatrics. Four of the members of the board first
3511 appointed shall serve for a term of three years and four of the members
3512 of the board first appointed shall serve for a term of four years.
3513 Thereafter, members of the board shall serve for a term of four years and
3514 shall be eligible for reappointment. Any member of the board may serve
3515 until a successor is appointed. The Commissioner of Consumer
3516 Protection shall serve as an ex-officio member of the board, and shall
3517 select a chairperson from among the members of the board.

3518 (b) A quorum of the Board of Physicians shall consist of four
3519 members.

3520 (c) The Board of Physicians shall:

3521 (1) Review and recommend to the Department of Consumer
3522 Protection for approval the debilitating medical conditions, medical
3523 treatments or diseases to be added to the list of debilitating medical
3524 conditions that qualify for the palliative use of marijuana for qualifying
3525 patients eighteen years of age or older;

3526 (2) Review and recommend to the Department of Consumer
3527 Protection for approval any illnesses that are severely debilitating, as
3528 defined in 21 CFR 312.81(b), to be added to the list of debilitating
3529 medical conditions that qualify for the palliative use of marijuana for
3530 qualifying patients under eighteen years of age, taking into account,
3531 among other things, the effect of the palliative use of marijuana on the
3532 brain development of such patients, which recommendations shall be
3533 accepted or rejected by the commissioner in his or her discretion;

3534 (3) Accept and review petitions to add medical conditions, medical
3535 treatments or diseases to the list of debilitating medical conditions that
3536 qualify for the palliative use of marijuana;

3537 (4) Convene [at least twice per year] as necessary to conduct public
3538 hearings and to evaluate petitions, which shall be maintained as
3539 confidential pursuant to subsection (e) of this section, for the purpose of
3540 adding medical conditions, medical treatments or diseases to the list of
3541 debilitating medical conditions that qualify for the palliative use of
3542 marijuana;

3543 (5) Review and recommend to the Department of Consumer
3544 Protection protocols for determining the amounts of marijuana that may
3545 be reasonably necessary to ensure uninterrupted availability for a
3546 period of one month for qualifying patients, including amounts for
3547 topical treatments; and

3548 (6) Perform other duties related to the palliative use of marijuana
3549 upon the request of the Commissioner of Consumer Protection.

3550 (d) The Board of Physicians may review the list of debilitating
3551 medical conditions that qualify for the palliative use of marijuana and

3552 make recommendations to the joint standing committees of the General
3553 Assembly having cognizance of matters relating to general law and
3554 public health for the removal of a debilitating medical condition,
3555 medical treatment or disease from such list.

3556 (e) Any individually identifiable health information contained in a
3557 petition received under this section shall be confidential and shall not
3558 be subject to disclosure under the Freedom of Information Act, as
3559 defined in section 1-200.

3560 (f) On and after October 1, 2021, conditions added pursuant to this
3561 section to the list of debilitating medical conditions that qualify for the
3562 palliative use of marijuana shall be posted by the commissioner on the
3563 Department of Consumer Protection's Internet web site.
3564 Notwithstanding the requirements of sections 4-168 to 4-172, inclusive,
3565 the list of debilitating medical conditions that qualify for the palliative
3566 use of marijuana shall be deemed approved and effective without
3567 further action as of the date such conditions are posted on the
3568 Department of Consumer Protection's Internet web site.

3569 Sec. 77. Section 21a-408p of the general statutes is repealed and the
3570 following is substituted in lieu thereof (*Effective July 1, 2021*):

3571 (a) For the purposes of this section:

3572 (1) "Action" has the meaning provided in section 47a-1;

3573 (2) "Dwelling unit" has the meaning provided in section 47a-1;

3574 (3) "Employer" means a person engaged in business who has one or
3575 more employees, including the state and any political subdivision of the
3576 state;

3577 (4) "Landlord" has the meaning provided in section 47a-1;

3578 (5) "Palliative use" has the meaning provided in section 21a-408;

3579 (6) ["Primary caregiver"] Caregiver has the meaning provided in

3580 section 21a-408;

3581 (7) "Qualifying patient" has the meaning provided in section 21a-408;

3582 (8) "School" means a public or private elementary or secondary school
3583 in this state or a public or private institution of higher education in this
3584 state; and

3585 (9) "Tenant" has the meaning provided in section 47a-1.

3586 (b) Unless required by federal law or required to obtain federal
3587 funding:

3588 (1) No school may refuse to enroll any person or discriminate against
3589 any student solely on the basis of such person's or student's status as a
3590 qualifying patient or [primary] caregiver under sections 21a-408 to [21a-
3591 408n] 21a-408m, inclusive;

3592 (2) No landlord may refuse to rent a dwelling unit to a person or take
3593 action against a tenant solely on the basis of such person's or tenant's
3594 status as a qualifying patient or [primary] caregiver under sections 21a-
3595 408 to [21a-408n] 21a-408m, inclusive; and

3596 (3) No employer may refuse to hire a person or may discharge,
3597 penalize or threaten an employee solely on the basis of such person's or
3598 employee's status as a qualifying patient or [primary] caregiver under
3599 sections 21a-408 to [21a-408n] 21a-408m, inclusive. Nothing in this
3600 subdivision shall restrict an employer's ability to prohibit the use of
3601 intoxicating substances during work hours or restrict an employer's
3602 ability to discipline an employee for being under the influence of
3603 intoxicating substances during work hours.

3604 (c) Nothing in this section shall be construed to permit the palliative
3605 use of marijuana in violation of subsection (b) of section 21a-408a.

3606 Sec. 78. Section 21a-408r of the general statutes is repealed and the
3607 following is substituted in lieu thereof (*Effective October 1, 2021*):

3608 (a) No person may act as a laboratory or represent that such person
3609 is a laboratory unless such person has (1) obtained a license from the
3610 Commissioner of Consumer Protection pursuant to this section, or (2)
3611 (A) been granted approval by the Commissioner of Consumer
3612 Protection as of October 1, 2021, and (B) submitted an application to the
3613 Commissioner of Consumer Protection for licensure pursuant to this
3614 section in a form and manner prescribed by the commissioner. Such
3615 person may continue to act as a laboratory until such application for
3616 licensure under this section is approved or denied by the Commissioner
3617 of Consumer Protection.

3618 [(a)] (b) Except as provided in subsection [(b)] (c) of this section, no
3619 person may act as a laboratory employee or represent that such person
3620 is a [licensed] laboratory employee unless such person has obtained a
3621 [license] registration from the Commissioner of Consumer Protection
3622 pursuant to this section.

3623 [(b)] (c) Prior to the effective date of regulations adopted under this
3624 section, the Commissioner of Consumer Protection may issue a
3625 temporary certificate of registration to a laboratory employee. The
3626 commissioner shall prescribe the standards, procedures and fees for
3627 obtaining a temporary certificate of registration as a laboratory
3628 employee.

3629 [(c)] (d) The Commissioner of Consumer Protection shall adopt
3630 regulations, in accordance with chapter 54, to (1) provide for the
3631 licensure or registration of laboratories and laboratory employees, (2)
3632 establish standards and procedures for the revocation, suspension,
3633 summary suspension and nonrenewal of laboratory licenses and
3634 laboratory employee [licenses] registrations, provided such standards
3635 and procedures are consistent with the provisions of subsection (c) of
3636 section 4-182, (3) establish a license [and] or registration renewal fee for
3637 each licensed laboratory and [licensed] registered laboratory employee,
3638 provided the aggregate amount of such license, registration and renewal
3639 fees shall not be less than the amount necessary to cover the direct and
3640 indirect cost of licensing, registering and regulating laboratories and

3641 laboratory employees in accordance with the provisions of this chapter,
3642 and (4) establish other licensing, registration, renewal and operational
3643 standards deemed necessary by the commissioner.

3644 [(d)] (e) Any fees collected by the Department of Consumer
3645 Protection under this section shall be paid to the State Treasurer and
3646 credited to the General Fund.

3647 Sec. 79. Section 21a-408t of the general statutes is repealed and the
3648 following is substituted in lieu thereof (*Effective July 1, 2021*):

3649 (a) The Commissioner of Consumer Protection may approve a
3650 research program if such research program will (1) be administered or
3651 overseen by (A) a hospital or health care facility licensed by the
3652 Connecticut Department of Public Health pursuant to chapter 368v, (B)
3653 an institution of higher education, as defined in section 10a-55, (C) a
3654 [licensed] producer, micro-cultivator, cultivator, food and beverage
3655 manufacturer product packager or product manufacturer, as such terms
3656 are defined in section 1 of this act, or (D) a [licensed] dispensary facility,
3657 hybrid retailer or retailer, as such terms are defined in section 1 of this
3658 act, and (2) have institutional review board oversight and, if the research
3659 program involves the use of animals, have an institutional animal care
3660 and use committee.

3661 (b) Except as provided in subsection (c) of this section, no person may
3662 act as a research program employee or represent that such person is a
3663 [licensed] registered research program employee unless such person has
3664 obtained a [license] registration from the Commissioner of Consumer
3665 Protection pursuant to this section.

3666 [(c) Prior to the effective date of regulations adopted under this
3667 section, the Commissioner of Consumer Protection may issue a
3668 temporary certificate of registration to a research program employee.
3669 The commissioner shall prescribe the standards, procedures and fees for
3670 obtaining a temporary certificate of registration as a research program
3671 employee.]

3672 [(d)] (c) The Commissioner of Consumer Protection shall adopt
3673 regulations, in accordance with chapter 54, to (1) provide for the
3674 approval of research programs and [licensure] registration of research
3675 program employees, (2) establish standards and procedures for the
3676 termination or suspension of a research program, (3) establish standards
3677 and procedures for the revocation, suspension, summary suspension
3678 and nonrenewal of a research program employee [license] registration,
3679 provided such standards and procedures are consistent with the
3680 provisions of subsection (c) of section 4-182, (4) establish a (A) fee for
3681 research program review and approval, and (B) [license] registration
3682 and renewal fee for each research program employee, provided the
3683 aggregate amount of such fees shall not be less than the amount
3684 necessary to cover the direct and indirect cost of approving research
3685 programs and [licensing] registering and regulating research program
3686 employees pursuant to the provisions of this chapter, and (5) establish
3687 other licensing, registration, renewal and operational standards deemed
3688 necessary by the commissioner.

3689 [(e)] (d) Any fees collected by the Department of Consumer
3690 Protection under this section shall be paid to the State Treasurer and
3691 credited to the General Fund.

3692 Sec. 80. Section 21a-408s of the general statutes is repealed and the
3693 following is substituted in lieu thereof (*Effective July 1, 2021*):

3694 (a) No laboratory or laboratory employee may (1) acquire marijuana
3695 from a person other than a [licensed producer, licensed dispensary]
3696 cannabis establishment or an organization engaged in a research
3697 program, (2) deliver, transport or distribute marijuana to (A) a person
3698 who is not a [licensed dispensary, (B) a person who is not a licensed
3699 producer, or (C)] cannabis establishment from which the marijuana was
3700 originally acquired by the laboratory or laboratory employee, (B) an
3701 organization not engaged in a research program, or (3) obtain or
3702 transport marijuana outside of this state in violation of state or federal
3703 law.

3704 (b) (1) No laboratory employee acting within the scope of his or her
3705 employment shall be subject to arrest or prosecution, penalized in any
3706 manner, including, but not limited to, being subject to any civil penalty,
3707 or denied any right or privilege, including, but not limited to, being
3708 subject to any disciplinary action by a professional licensing board, for
3709 acquiring, possessing, delivering, transporting or distributing
3710 marijuana to a [licensed dispensary, a licensed producer] cannabis
3711 establishment or an organization engaged in an approved research
3712 program under the provisions of this chapter.

3713 (2) No laboratory shall be subject to prosecution, penalized in any
3714 manner, including, but not limited to, being subject to any civil penalty
3715 or denied any right or privilege, for acquiring, possessing, delivering,
3716 transporting or distributing marijuana to a [licensed dispensary, a
3717 licensed producer] cannabis establishment or an organization engaged
3718 in an approved research program under the provisions of this chapter.

3719 (c) A laboratory shall be independent from all other persons involved
3720 in the marijuana industry in Connecticut, which shall mean that no
3721 person with a direct or indirect financial, managerial or controlling
3722 interest in the laboratory shall have a direct or indirect financial,
3723 managerial or controlling interest in a cannabis establishment or any
3724 other entity that may benefit from the laboratory test results for a
3725 cannabis or marijuana sample or product.

3726 (d) A laboratory shall maintain all minimum security and safeguard
3727 requirements for the storage of handling of controlled substances as a
3728 laboratory that is licensed to provide analysis of controlled substances
3729 pursuant to section 21a-246 and any regulations adopted thereunder.

3730 Sec. 81. Section 21a-408u of the general statutes is repealed and the
3731 following is substituted in lieu thereof (*Effective July 1, 2021*):

3732 (a) No research program or research program employee may (1)
3733 acquire marijuana from a person other than a [licensed producer,
3734 licensed dispensary] cannabis establishment or laboratory, (2) deliver,
3735 transport or distribute marijuana to a person who is not (A) a [licensed

3736 dispensary] cannabis establishment, (B) a [licensed producer]
3737 laboratory, or (C) a research program subject, (3) distribute or
3738 administer marijuana to an animal unless such animal is an animal
3739 research subject, or (4) obtain or transport marijuana outside of this state
3740 in violation of state or federal law.

3741 (b) No research program employee acting within the scope of his or
3742 her employment shall be subject to arrest or prosecution, penalized in
3743 any manner, including, but not limited to, being subject to any civil
3744 penalty, or denied any right or privilege, including, but not limited to,
3745 being subject to any disciplinary action by a professional licensing
3746 board, for acquiring, possessing, delivering, transporting or distributing
3747 marijuana to a [licensed dispensary, a licensed producer] cannabis
3748 establishment or laboratory, or a research program subject or
3749 distributing or administering marijuana to an animal research subject
3750 under the provisions of this chapter.

3751 Sec. 82. (NEW) (*Effective October 1, 2021*) A licensed pharmacist
3752 working as an employee at a dispensary facility or hybrid retailer shall
3753 transmit dispensing information, in a manner prescribed by the
3754 commissioner, on any cannabis sold to a qualifying patient or caregiver
3755 in real-time or immediately upon completion of the transaction, unless
3756 not reasonably feasible for a specific transaction, but in no case longer
3757 than one hour after completion of the transaction.

3758 Sec. 83. (NEW) (*Effective July 1, 2021*) (a) Upon the petition of not less
3759 than ten per cent of the electors of any municipality, lodged with the
3760 town clerk at least sixty days before the date of any regular election, as
3761 defined in section 9-1 of the general statutes, the selectmen of the
3762 municipality shall warn the electors of such municipality that, at such
3763 regular election, a vote shall be taken to determine: (1) Whether or not
3764 the recreational sale of marijuana shall be permitted in such
3765 municipality, or (2) whether the sale of marijuana shall be permitted in
3766 such municipality in one or more of the classes of license of cannabis
3767 establishments. The ballot label designations in a vote upon the question
3768 of cannabis establishment license shall be "Shall the sale of recreational

3769 marijuana be allowed in (Name of municipality)?" or "Shall the sale
3770 of cannabis under (Specified license or Licenses) be allowed in (Name
3771 of municipality)?" or "Shall the sale of recreational marijuana be
3772 prohibited (No Licenses) in (Name of municipality)?" and shall be
3773 provided in accordance with the provisions of section 9-250 of the
3774 general statutes. No elector shall vote for more than one designation.
3775 Such vote shall be taken in the manner prescribed in section 9-369 of the
3776 general statutes and shall become effective on the first Monday of the
3777 month next succeeding such election and shall remain in force until a
3778 new vote is taken; provided such vote may be taken at a special election
3779 called for the purpose in conformity with the provisions of section 9-164
3780 of the general statutes and provided at least one year shall have elapsed
3781 since the previous vote was taken. The provisions of chapter 145 of the
3782 general statutes concerning absentee voting at referenda shall apply to
3783 all votes taken upon the question of cannabis establishment license. Any
3784 class of cannabis establishments already allowed in a municipality shall
3785 not be affected by any vote.

3786 (b) No municipality shall prohibit delivery of cannabis to a consumer,
3787 qualifying patient or caregiver when the delivery is made by a retailer,
3788 hybrid retailer, dispensary facility, delivery service, micro-cultivator or
3789 other person authorized to make such delivery pursuant to RERACA.
3790 No municipality shall prohibit the transport of cannabis to, from or
3791 through such municipality by any person licensed or registered
3792 pursuant to RERACA to transport cannabis.

3793 (c) No municipality or local official shall condition any official action,
3794 or accept any donation in moneys or in kind, from any cannabis
3795 establishment or from an individual or corporation that has applied for
3796 a license to open or operate a cannabis establishment in such
3797 municipality. No municipality shall negotiate or enter into a local host
3798 agreement with a cannabis establishment or a person that has applied
3799 for a license to open or operate a cannabis establishment in such
3800 municipality.

3801 (d) For up to thirty days after the opening of a retailer or hybrid

3802 retailer, a municipality may charge such retailer or hybrid retailer for
3803 any necessary and reasonable costs incurred by the municipality for
3804 provision of public safety services in relation to such opening, including,
3805 but not limited to, public safety costs incurred to direct traffic, not to
3806 exceed fifty thousand dollars.

3807 Sec. 84. Subparagraph (H) of subdivision (7) of subsection (c) of
3808 section 7-148 of the general statutes is repealed and the following is
3809 substituted in lieu thereof (*Effective October 1, 2021*):

3810 (H) (i) Secure the safety of persons in or passing through the
3811 municipality by regulation of shows, processions, parades and music;

3812 (ii) Regulate and prohibit the carrying on within the municipality of
3813 any trade, manufacture, business or profession which is, or may be, so
3814 carried on as to become prejudicial to public health, conducive to fraud
3815 and cheating, or dangerous to, or constituting an unreasonable
3816 annoyance to, those living or owning property in the vicinity;

3817 (iii) Regulate auctions and garage and tag sales;

3818 (iv) Prohibit, restrain, license and regulate the business of peddlers,
3819 auctioneers and junk dealers in a manner not inconsistent with the
3820 general statutes;

3821 (v) Regulate and prohibit swimming or bathing in the public or
3822 exposed places within the municipality;

3823 (vi) Regulate and license the operation of amusement parks and
3824 amusement arcades including, but not limited to, the regulation of
3825 mechanical rides and the establishment of the hours of operation;

3826 (vii) Prohibit, restrain, license and regulate all sports, exhibitions,
3827 public amusements and performances and all places where games may
3828 be played;

3829 (viii) Preserve the public peace and good order, prevent and quell
3830 riots and disorderly assemblages and prevent disturbing noises;

3831 (ix) Establish a system to obtain a more accurate registration of births,
3832 marriages and deaths than the system provided by the general statutes
3833 in a manner not inconsistent with the general statutes;

3834 (x) Control insect pests or plant diseases in any manner deemed
3835 appropriate;

3836 (xi) Provide for the health of the inhabitants of the municipality and
3837 do all things necessary or desirable to secure and promote the public
3838 health;

3839 (xii) Regulate the use of streets, sidewalks, highways, public places
3840 and grounds for public and private purposes;

3841 (xiii) Make and enforce police, sanitary or other similar regulations
3842 and protect or promote the peace, safety, good government and welfare
3843 of the municipality and its inhabitants;

3844 (xiv) Regulate, in addition to the requirements under section 7-282b,
3845 the installation, maintenance and operation of any device or equipment
3846 in a residence or place of business which is capable of automatically
3847 calling and relaying recorded emergency messages to any state police
3848 or municipal police or fire department telephone number or which is
3849 capable of automatically calling and relaying recorded emergency
3850 messages or other forms of emergency signals to an intermediate third
3851 party which shall thereafter call and relay such emergency messages to
3852 a state police or municipal police or fire department telephone number.
3853 Such regulations may provide for penalties for the transmittal of false
3854 alarms by such devices or equipment;

3855 (xv) Make and enforce regulations for the prevention and
3856 remediation of housing blight, including regulations reducing
3857 assessments and authorizing designated agents of the municipality to
3858 enter property during reasonable hours for the purpose of remediating
3859 blighted conditions, provided such regulations define housing blight
3860 and require such municipality to give written notice of any violation to
3861 the owner and occupant of the property and provide a reasonable

3862 opportunity for the owner and occupant to remediate the blighted
3863 conditions prior to any enforcement action being taken, and further
3864 provided such regulations shall not authorize such municipality or its
3865 designated agents to enter any dwelling house or structure on such
3866 property, and including regulations establishing a duty to maintain
3867 property and specifying standards to determine if there is neglect;
3868 prescribe civil penalties for the violation of such regulations of not less
3869 than ten or more than one hundred dollars for each day that a violation
3870 continues and, if such civil penalties are prescribed, such municipality
3871 shall adopt a citation hearing procedure in accordance with section 7-
3872 152c;

3873 (xvi) Regulate, on any property owned by or under the control of the
3874 municipality, any activity deemed to be deleterious to public health,
3875 including the [lighting or carrying] burning of a lighted cigarette, cigar,
3876 pipe or similar device, whether containing, wholly or in part, tobacco or
3877 cannabis, as defined in section 1 of this act, and the use or consumption
3878 of cannabis, including, but not limited to, electronic cannabis delivery
3879 systems, as defined in section 19a-342a, or vapor products, as defined in
3880 said section, containing cannabis. If the municipality's population is
3881 greater than fifty thousand, such regulations shall designate a place in
3882 the municipality in which public consumption of cannabis is permitted.
3883 Such regulations may prohibit the smoking of cannabis and the use of
3884 electronic cannabis delivery systems and vapor products containing
3885 cannabis in the outdoor sections of a restaurant. Such regulations may
3886 prescribe penalties for the violation of such regulations, provided such
3887 fine does not exceed fifty dollars for a violation of such regulations
3888 regarding consumption by an individual or a fine in excess of one
3889 thousand dollars to any business for a violation of such regulations;

3890 Sec. 85. Section 54-56n of the general statutes is repealed and the
3891 following is substituted in lieu thereof (*Effective April 1, 2022*):

3892 (a) The Judicial Branch shall collect data on the number of members
3893 of the armed forces, veterans and nonveterans who, on and after
3894 January 1, 2016, apply for and are granted admission or are denied entry

3895 into (1) the pretrial program for accelerated rehabilitation established
3896 pursuant to section 54-56e, (2) the supervised diversionary program
3897 established pursuant to section 54-56l, [or] (3) the pretrial drug
3898 education and community service program established pursuant to
3899 section 54-56i, (4) the pretrial drug intervention and community service
3900 program established under section 166 of this act, and (5) the pretrial
3901 impaired driving intervention program established under section 167 of
3902 this act. Data compiled pursuant to this section shall be based on
3903 information provided by applicants at the time of application to any
3904 such program. For the purposes of this section, "veteran" means any
3905 person who was discharged or released under conditions other than
3906 dishonorable from active service in the armed forces and "armed forces"
3907 has the same meaning as provided in section 27-103.

3908 (b) Not later than January 15, 2017, and annually thereafter, the
3909 Judicial Branch shall submit a report detailing the data compiled for the
3910 previous calendar year pursuant to subsection (a) of this section to the
3911 joint standing committees of the General Assembly having cognizance
3912 of matters relating to veterans' and military affairs and the judiciary, in
3913 accordance with the provisions of section 11-4a.

3914 Sec. 86. Section 19a-342 of the general statutes is repealed and the
3915 following is substituted in lieu thereof (*Effective October 1, 2021*):

3916 (a) As used in this section: [, "smoke"]

3917 (1) "Smoke" or "smoking" means the [lighting or carrying] burning of
3918 a lighted cigarette, cigar, pipe or any other similar device, [.] whether
3919 containing, wholly or in part, tobacco, cannabis, or hemp;

3920 (2) "Any area" means the interior of the facility, building or
3921 establishment and the outside area within twenty-five feet of any
3922 doorway, operable window or air intake vent of the facility, building or
3923 establishment;

3924 (3) "Cannabis" means marijuana, as defined in section 21a-240; and

3925 (4) "Hemp" has the same meaning as provided in section 22-61l.

3926 (b) (1) Notwithstanding the provisions of section 31-40q, no person
3927 shall smoke: (A) In any area of a building or portion of a building,
3928 partially enclosed shelter on a rail platform or bus shelter owned and
3929 operated or leased and operated by the state or any political subdivision
3930 thereof; (B) in any area of a health care institution, including, but not
3931 limited to, a psychiatric facility; (C) in any area of a retail [food store]
3932 establishment accessed by the general public; (D) in any restaurant; (E)
3933 in any area of an establishment with a permit issued for the sale of
3934 alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-22, 30-22c,
3935 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-37e or 30-37f, in any area
3936 of an establishment with a permit for the sale of alcoholic liquor
3937 pursuant to section 30-23 issued after May 1, 2003, and, on and after
3938 April 1, 2004, in any area of an establishment with a permit issued for
3939 the sale of alcoholic liquor pursuant to section 30-22a or 30-26 or the bar
3940 area of a bowling establishment holding a permit pursuant to subsection
3941 (a) of section 30-37c; (F) [within] in any area of a school building or on
3942 the grounds of such school; (G) within a child care facility or on the
3943 grounds of such child care facility, except, if the child care facility is a
3944 family child care home, as defined in section 19a-77, such smoking is
3945 prohibited only when a child enrolled in such home is present during
3946 customary business hours; (H) in any passenger elevator; [provided no
3947 person shall be arrested for violating this subsection unless there is
3948 posted in such elevator a sign which indicates that smoking is
3949 prohibited by state law;] (I) in any area of a dormitory in any public or
3950 private institution of higher education; [or (J) on and after April 1, 2004,]
3951 (J) in any area of a dog race track or a facility equipped with screens for
3952 the simulcasting of off-track betting race programs or jai alai games; (K)
3953 in any room offered as an accommodation to guests by the operator of a
3954 hotel, motel or similar lodging; or (L) in any area of a correctional facility
3955 or halfway house. For purposes of this subsection, "restaurant" means
3956 space, in a suitable and permanent building, kept, used, maintained,
3957 advertised and held out to the public to be a place where meals are
3958 regularly served to the public, "school" has the same meaning as

3959 provided in section 10-154a and "child care facility" has the same
3960 meaning as provided in section 19a-342a.

3961 (2) [This section] Subdivision (1) of this subsection shall not apply to
3962 [(A) correctional facilities; (B) designated smoking areas in psychiatric
3963 facilities; (C) public] the following: (A) Public housing projects, as
3964 defined in subsection (b) of section 21a-278a; [(D)] (B) any classroom
3965 where demonstration smoking is taking place as part of a medical or
3966 scientific experiment or lesson; [(E) smoking rooms provided by
3967 employers for employees, pursuant to section 31-40q; (F)] (C)
3968 notwithstanding the provisions of subparagraph (E) of subdivision (1)
3969 of this subsection, the outdoor portion of the premises of any permittee
3970 listed in subparagraph (E) of subdivision (1) of this subsection,
3971 provided, in the case of any seating area maintained for the service of
3972 food, at least seventy-five per cent of the outdoor seating capacity is an
3973 area in which smoking is prohibited and which is clearly designated
3974 with written signage as a nonsmoking area, except that any temporary
3975 seating area established for special events and not used on a regular
3976 basis shall not be subject to the smoking prohibition or signage
3977 requirements of this subparagraph; [(G)] (D) any medical research site
3978 where smoking is integral to the research being conducted; or [(H)] (E)
3979 any tobacco bar, provided no tobacco bar shall expand in size or change
3980 its location from its size or location as of December 31, 2002. For
3981 purposes of this subdivision, "outdoor" means an area which has no roof
3982 or other ceiling enclosure, "tobacco bar" means an establishment with a
3983 permit for the sale of alcoholic liquor to consumers issued pursuant to
3984 chapter 545 that, in the calendar year ending December 31, 2002,
3985 generated ten per cent or more of its total annual gross income from the
3986 on-site sale of tobacco products and the rental of on-site humidors, [and]
3987 "tobacco product" means any substance that contains tobacco,
3988 including, but not limited to, cigarettes, cigars, pipe tobacco or chewing
3989 tobacco, except "tobacco product" does not include cannabis.

3990 [(c) The operator of a hotel, motel or similar lodging may allow guests
3991 to smoke in not more than twenty-five per cent of the rooms offered as
3992 accommodations to guests.]

3993 [(d)] (c) In each room, elevator, area or building in which smoking is
3994 prohibited by this section, the person in control of the premises shall
3995 post or cause to be posted in a conspicuous place signs stating that
3996 smoking is prohibited by state law. Such signs, except in elevators,
3997 restaurants, establishments with permits to sell alcoholic liquor to
3998 consumers issued pursuant to chapter 545, hotels, motels or similar
3999 lodgings, and health care institutions, shall have letters at least four
4000 inches high with the principal strokes of letters not less than one-half
4001 inch wide.

4002 [(e)] (d) Any person found guilty of smoking in violation of this
4003 section, failure to post signs as required by this section or the
4004 unauthorized removal of such signs shall have committed an infraction.
4005 Nothing in this section shall be construed to require the person in
4006 control of a building to post such signs in every room of [a] the building,
4007 provided such signs are posted in a conspicuous place in [such] the
4008 building.

4009 [(f)] (e) Nothing in this section shall be construed to require any
4010 smoking area [in] inside or outside any building or the entryway to any
4011 building or on any property.

4012 [(g)] (f) The provisions of this section shall supersede and preempt
4013 the provisions of any municipal law or ordinance relative to smoking
4014 effective prior to, on or after October 1, 1993.

4015 Sec. 87. Section 19a-342a of the general statutes is repealed and the
4016 following is substituted in lieu thereof (*Effective October 1, 2021*):

4017 (a) As used in this section: [and section 2 of public act 15-206:]

4018 (1) "Any area" means the interior of the facility, building or
4019 establishment and the outside area within twenty-five feet of any
4020 doorway, operable window or air intake vent of the facility, building or
4021 establishment;

4022 [(1)] (2) "Child care facility" means a provider of child care services as

4023 defined in section 19a-77, or a person or entity required to be licensed
4024 under section 17a-145;

4025 ~~[(2)]~~ (3) "Electronic nicotine delivery system" [has the same meaning
4026 as provided in section 21a-415;] means an electronic device used in the
4027 delivery of nicotine to a person inhaling from the device, and includes,
4028 but is not limited to, an electronic cigarette, electronic cigar, electronic
4029 cigarillo, electronic pipe or electronic hookah and any related device and
4030 any cartridge or other component of such device, including, but not
4031 limited to, electronic cigarette liquid or synthetic nicotine. "Electronic
4032 nicotine delivery system" does not include a medicinal or therapeutic
4033 product that is (A) used by a licensed health care provider to treat a
4034 patient in a health care setting, (B) used by a patient, as prescribed or
4035 directed by a licensed healthcare provider in any setting, or (C) any drug
4036 or device, as defined in the Food, Drug and Cosmetic Act, 21 USC 321,
4037 as amended from time to time, any combination product, as described
4038 in said act, 21 USC 353(g), as amended from time to time, or any
4039 biological product, as described in 42 USC 262, as amended from time
4040 to time, and 21 CFR 600.3, as amended from time to time, authorized for
4041 sale by the federal Food and Drug Administration;

4042 (4) "Electronic cigarette liquid" does not include a medicinal or
4043 therapeutic product that is (A) used by a licensed health care provider
4044 to treat a patient in a health care setting, (B) used by a patient, as
4045 prescribed or directed by a licensed health care provider in any setting,
4046 or (C) any drug or device, as defined in the Food, Drug and Cosmetic
4047 Act, 21 USC 321, as amended from time to time, any combination
4048 product, as described in said act, 21 USC 353(g), as amended from time
4049 to time, or any biological product, as described in 42 USC 262, as
4050 amended from time to time, and 21 CFR 600.3, as amended from time to
4051 time, authorized for sale by the federal Food and Drug Administration;

4052 (5) "Electronic cannabis delivery system" means an electronic device
4053 that may be used to simulate smoking in the delivery of cannabis to a
4054 person inhaling the device and includes, but is not limited to, a
4055 vaporizer, electronic pipe, electronic hookah and any related device and

4056 any cartridge or other component of such device. "Electronic cannabis
4057 delivery system" does not include a medicinal or therapeutic product
4058 that is (A) used by a licensed health care provider to treat a patient in a
4059 health care setting, (B) used by a patient, as prescribed or directed by a
4060 licensed health care provider in any setting, or (C) any drug or device,
4061 as defined in the Food, Drug and Cosmetic Act, 21 USC 321, as amended
4062 from time to time, any combination product, as described in said act, 21
4063 USC 353(g), as amended from time to time, or any biological product, as
4064 described in 42 USC 262, as amended from time to time, and 21 CFR
4065 600.3, as amended from time to time, authorized for sale by the federal
4066 Food and Drug Administration;

4067 (6) "Cannabis" means marijuana, as defined in section 21a-240;

4068 [(3)] (7) "Liquid nicotine container" means a container that holds a
4069 liquid substance containing nicotine that is sold, marketed or intended
4070 for use in an electronic nicotine delivery system or vapor product,
4071 except "liquid nicotine container" does not include such a container that
4072 is prefilled and sealed by the manufacturer and not intended to be
4073 opened by the consumer; and

4074 [(4)] (8) "Vapor product" [has the same meaning as provided in
4075 section 21a-415] means any product that employs a heating element,
4076 power source, electronic circuit or other electronic, chemical or
4077 mechanical means, regardless of shape or size, to produce a vapor that
4078 may include nicotine or cannabis and is inhaled by the user of such
4079 product. "Vapor product" does not include a medicinal or therapeutic
4080 product that is (A) used by a licensed health care provider to treat a
4081 patient in a health care setting, (B) used by a patient, as prescribed or
4082 directed by a licensed health care provider in any setting, or (C) any
4083 drug or device, as defined in the Food, Drug and Cosmetic Act, 21 USC
4084 321, as amended from time to time, any combination product, as
4085 described in said act, 21 USC 353(g), as amended from time to time, or
4086 any biological product, as defined in 42 USC 262, as amended from time
4087 to time, and 21 CFR 600.3, as amended from time to time, authorized for
4088 sale by the federal Food and Drug Administration.

4089 (b) (1) No person shall use an electronic nicotine or cannabis delivery
4090 system or vapor product: (A) In any area of a building or portion of a
4091 building owned and operated or leased and operated by the state or any
4092 political subdivision thereof; (B) in any area of a health care institution,
4093 including, but not limited to, a psychiatric facility; (C) in any area of a
4094 retail [food store] establishment accessed by the public; (D) in any
4095 restaurant; (E) in any area of an establishment with a permit issued for
4096 the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-
4097 22, 30-22a, 30-22c, 30-26, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-
4098 37e or 30-37f, in any area of establishment with a permit issued for the
4099 sale of alcoholic liquor pursuant to section 30-23 issued after May 1,
4100 2003, or the bar area of a bowling establishment holding a permit
4101 pursuant to subsection (a) of section 30-37c; (F) [within] in any area of a
4102 school building or on the grounds of such school; (G) within a child care
4103 facility or on the grounds of such child care facility, except, if the child
4104 care facility is a family child care home as defined in section 19a-77, such
4105 use is prohibited only when a child enrolled in such home is present
4106 during customary business hours; (H) in any passenger elevator; [,
4107 provided no person shall be arrested for violating this subsection unless
4108 there is posted in such elevator a sign which indicates that such use is
4109 prohibited by state law;] (I) in any area of a dormitory in any public or
4110 private institution of higher education; [or] (J) in any area of a dog race
4111 track or a facility equipped with screens for the simulcasting of off-track
4112 betting race programs or jai alai games; (K) in any room offered as an
4113 accommodation to guests by the operator of a hotel, motel or similar
4114 lodging; or (L) in any area of a correctional facility, halfway house or
4115 residential facility funded by the Judicial Branch. For purposes of this
4116 subsection, "restaurant" means space, in a suitable and permanent
4117 building, kept, used, maintained, advertised and held out to the public
4118 to be a place where meals are regularly served to the public, and "school"
4119 has the same meaning as provided in section 10-154a.

4120 (2) [This section] Subdivision (1) of this subsection shall not apply to
4121 [(A) correctional facilities; (B) designated smoking areas in psychiatric
4122 facilities; (C) public] the following: (A) Public housing projects, as

4123 defined in subsection (b) of section 21a-278a; [(D)] (B) any classroom
4124 where a demonstration of the use of an electronic nicotine or cannabis
4125 delivery system or vapor product is taking place as part of a medical or
4126 scientific experiment or lesson; [(E)] (C) any medical research site where
4127 the use of an electronic nicotine or cannabis delivery system or vapor
4128 product is integral to the research being conducted; [(F)] (D)
4129 establishments without a permit for the sale of alcoholic liquor that sell
4130 electronic nicotine delivery systems, vapor products or liquid nicotine
4131 containers on-site and allow their customers to use such systems,
4132 products or containers on-site; [(G)] smoking rooms provided by
4133 employers for employees, pursuant to section 31-40q; (H)] (E)
4134 notwithstanding the provisions of subparagraph (E) of subdivision (1)
4135 of this subsection, the outdoor portion of the premises of any permittee
4136 listed in subparagraph (E) of subdivision (1) of this subsection,
4137 provided, in the case of any seating area maintained for the service of
4138 food, at least seventy-five per cent of the outdoor seating capacity is an
4139 area in which smoking is prohibited and which is clearly designated
4140 with written signage as a nonsmoking area, except that any temporary
4141 seating area established for special events and not used on a regular
4142 basis shall not be subject to the prohibition on the use of an electronic
4143 nicotine or cannabis delivery system or vapor product or the signage
4144 requirements of this subparagraph; or [(I)] (F) any tobacco bar, provided
4145 no tobacco bar shall expand in size or change its location from its size or
4146 location as of October 1, 2015. For purposes of this subdivision,
4147 "outdoor" means an area which has no roof or other ceiling enclosure,
4148 "tobacco bar" means an establishment with a permit for the sale of
4149 alcoholic liquor to consumers issued pursuant to chapter 545 that, in the
4150 calendar year ending December 31, 2015, generated ten per cent or more
4151 of its total annual gross income from the on-site sale of tobacco products
4152 and the rental of on-site humidors, [and] "tobacco product" means any
4153 substance that contains tobacco, including, but not limited to, cigarettes,
4154 cigars, pipe tobacco or chewing tobacco, except that "tobacco product"
4155 does not include cannabis.

4156 [(c) The operator of a hotel, motel or similar lodging may allow guests

4157 to use an electronic nicotine delivery system or vapor product in not
4158 more than twenty-five per cent of the rooms offered as accommodations
4159 to guests.]

4160 [(d)] (c) In each room, elevator, area or building in which the use of
4161 an electronic nicotine or cannabis delivery system or vapor product is
4162 prohibited by this section, the person in control of the premises shall
4163 post or cause to be posted in a conspicuous place signs stating that such
4164 use is prohibited by state law. Such signs, except in elevators,
4165 restaurants, establishments with permits to sell alcoholic liquor to
4166 consumers issued pursuant to chapter 545, hotels, motels or similar
4167 lodgings, and health care institutions, shall have letters at least four
4168 inches high with the principal strokes of letters not less than one-half
4169 inch wide.

4170 [(e)] (d) Any person found guilty of using an electronic nicotine or
4171 cannabis delivery system or vapor product in violation of this section,
4172 failure to post signs as required by this section or the unauthorized
4173 removal of such signs shall have committed an infraction. Nothing in
4174 this section shall be construed to require the person in control of a
4175 building to post such signs in every room of the building, provided such
4176 signs are posted in a conspicuous place in the building.

4177 [(f)] (e) Nothing in this section shall be construed to require the
4178 designation of any area for the use of electronic nicotine or cannabis
4179 delivery system or vapor product [in] inside or outside any building or
4180 the entryway to any building or on any property.

4181 [(g)] (f) The provisions of this section shall supersede and preempt
4182 the provisions of any municipal law or ordinance relative to the use of
4183 an electronic nicotine delivery system or vapor product effective prior
4184 to, on or after October 1, 2015.

4185 Sec. 88. Section 31-40q of the general statutes is repealed and the
4186 following is substituted in lieu thereof (*Effective October 1, 2021*):

4187 (a) As used in this section:

4188 (1) "Person" means one or more individuals, partnerships,
4189 associations, corporations, limited liability companies, business trusts,
4190 legal representatives or any organized group of persons; [.]

4191 (2) "Employer" means a person engaged in business who has
4192 employees, including the state and any political subdivision thereof; [.]

4193 (3) "Employee" means any person engaged in service to an employer
4194 in the business of his employer; [.]

4195 (4) "Business facility" means a structurally enclosed location or
4196 portion thereof at which employees perform services for their employer.
4197 The term "business facility" does not include: (A) Facilities listed in
4198 [subparagraph (A), (C) or (H) of] subdivision (2) of subsection (b) of
4199 section 19a-342 or subdivision (2) of subsection (b) of section 19a-342a;
4200 (B) any establishment with a permit for the sale of alcoholic liquor
4201 pursuant to section 30-23 issued on or before May 1, 2003; (C) for any
4202 business that is engaged in the testing or development of tobacco, [or]
4203 tobacco products or cannabis, the areas of such business designated for
4204 such testing or development; or (D) during the period from October 1,
4205 2003, to April 1, 2004, establishments with a permit issued for the sale of
4206 alcoholic liquor pursuant to section 30-22a or 30-26 or the bar area of a
4207 bowling establishment holding a permit pursuant to subsection (a) of
4208 section 30-37c; [.]

4209 (5) ["Smoking"] "Smoke" or "smoking" means the burning of a lighted
4210 cigar, cigarette, pipe or any other [matter or substance which contains
4211 tobacco.] similar device, whether containing, wholly or in part, tobacco,
4212 cannabis or hemp;

4213 (6) "Cannabis" means marijuana, as defined in section 21a-240;

4214 (7) "Electronic nicotine delivery system" has the same meaning as
4215 provided in section 19a-342a;

4216 (8) "Electronic cannabis delivery system" has the same meaning as
4217 provided in section 19a-342a;

4218 (9) "Vapor product" has the same meaning as provided in section 19a-
4219 342a;

4220 (10) "Any area" has the same meaning as provided in section 19a-
4221 342a; and

4222 (11) "Hemp" has the same meaning as provided in section 22-61l.

4223 [(b) Each employer with fewer than five employees in a business
4224 facility shall establish one or more work areas, sufficient to
4225 accommodate nonsmokers who request to utilize such an area, within
4226 each business facility under his control, where smoking is prohibited.
4227 The employer shall clearly designate the existence and boundaries of
4228 each nonsmoking area by posting signs which can be readily seen by
4229 employees and visitors. In the areas within the business facility where
4230 smoking is permitted, existing physical barriers and ventilation systems
4231 shall be used to the extent practicable to minimize the effect of smoking
4232 in adjacent nonsmoking areas.]

4233 [(c) (1)] (b) Each employer [with five or more employees] shall
4234 prohibit smoking [in] and the use of electronic nicotine and cannabis
4235 delivery systems and vapor products in any area of any business facility
4236 under said employer's control, [, except that an employer may designate
4237 one or more smoking rooms.]

4238 [(2) Each employer that provides a smoking room pursuant to this
4239 subsection shall provide sufficient nonsmoking break rooms for
4240 nonsmoking employees.

4241 (3) Each smoking room designated by an employer pursuant to this
4242 subsection shall meet the following requirements: (A) Air from the
4243 smoking room shall be exhausted directly to the outside by an exhaust
4244 fan, and no air from such room shall be recirculated to other parts of the
4245 building; (B) the employer shall comply with any ventilation standard
4246 adopted by (i) the Commissioner of Labor pursuant to chapter 571, (ii)
4247 the United States Secretary of Labor under the authority of the
4248 Occupational Safety and Health Act of 1970, as from time to time

4249 amended, or (iii) the federal Environmental Protection Agency; (C) such
4250 room shall be located in a nonwork area, where no employee, as part of
4251 his or her work responsibilities, is required to enter, except such work
4252 responsibilities shall not include any custodial or maintenance work
4253 carried out in the smoking room when it is unoccupied; and (D) such
4254 room shall be for the use of employees only.]

4255 [(d)] (c) Nothing in this section may be construed to prohibit an
4256 employer from designating an entire business facility and the real
4257 property on which the business facility is located as a nonsmoking area.

4258 Sec. 89. (NEW) (*Effective July 1, 2022*) (a) As used in this section,
4259 "cannabis" has the same meaning as provided in section 1 of this act and
4260 "electronic cannabis delivery system" and "vapor product" have the
4261 same meanings as provided in section 19a-342a of the general statutes.
4262 No hotel, motel or similar lodging shall prohibit the legal possession or
4263 consumption of cannabis in any nonpublic area of such hotel, motel or
4264 similar lodging.

4265 (b) Notwithstanding the provisions of subsection (a) of this section, a
4266 hotel, motel or similar lodging shall prohibit the smoking of cannabis
4267 and the use of an electronic cannabis delivery system or a vapor product
4268 containing cannabis in any location of such hotel, motel or similar
4269 lodging.

4270 Sec. 90. (NEW) (*Effective July 1, 2022*) (a) As used in this section,
4271 "tenant", "landlord" and dwelling unit" have the same meanings as
4272 provided in section 47a-1 of the general statutes. Except as provided in
4273 this section, a landlord or property manager may not refuse to rent to a
4274 prospective tenant or an existing tenant, or otherwise discriminate
4275 against a prospective tenant or an existing tenant, based on a past
4276 conviction for possession of a cannabis-type substance under section
4277 21a-279a of the general statutes, or for a past conviction for possession
4278 of four or fewer ounces of cannabis plant material, and any
4279 equivalencies and combinations thereof, pursuant to subsection (i) of
4280 section 21a-279a of the general statutes in any other jurisdiction.

4281 (b) Except as provided in this section, in the case of the rental of a
4282 dwelling unit, a landlord or property manager may not prohibit the
4283 possession of cannabis or the consumption of cannabis, except a
4284 landlord or property manager may prohibit smoking of cannabis or use
4285 of an electronic cannabis device or cannabis vapor product, as such
4286 terms are defined in section 19a-342a of the general statutes.

4287 (c) A landlord or property manager may not require a tenant to
4288 submit to a drug test.

4289 (d) The provisions of this section do not apply if:

4290 (1) The tenant is a roomer who is not leasing the entire residence;

4291 (2) the residence is incidental to detention or the provision of medical,
4292 geriatric, educational, counseling, religious, or similar service;

4293 (3) The residence is a transitional housing or sober living facility; or

4294 (4) Failing to prohibit cannabis possession or consumption or failure
4295 to require a drug test would violate federal law or regulations or cause
4296 the landlord to lose a monetary or licensing-related benefit under
4297 federal law or regulations.

4298 Sec. 91. (NEW) (*Effective July 1, 2022*) The use of cannabis shall be
4299 prohibited on any state lands or waters managed by the Department of
4300 Energy and Environmental Protection. Any person who violates such
4301 prohibition shall be fined not more than two hundred fifty dollars. The
4302 provisions of this section may only be enforced by agents of the
4303 Department of Energy and Environmental Protection.

4304 Sec. 92. (NEW) (*Effective July 1, 2021*) The Commissioner of Correction
4305 may prohibit the possession of cannabis in any Department of
4306 Correction facility or halfway house.

4307 Sec. 93. (NEW) (*Effective July 1, 2022*) A drug test of an individual that
4308 yields a positive result solely for 11-nor-9-carboxy-delta-9-
4309 tetrahydrocannabinol shall not be construed, without other evidence, as

4310 proof that such individual is under the influence of or impaired by
4311 cannabis.

4312 Sec. 94. (NEW) (*Effective July 1, 2021*) The presence of cannabinoid
4313 metabolites in the bodily fluids of a person:

4314 (1) With respect to a patient, shall not constitute the use of an illicit
4315 substance resulting in denial of medical care, including organ
4316 transplantation, and a patient's use of cannabis products may only be
4317 considered with respect to evidence-based clinical criteria; and

4318 (2) With respect to a parent or legal guardian of a child or newborn
4319 infant, or a pregnant woman, shall not form the sole or primary basis for
4320 any action or proceeding by the Department of Children and Families,
4321 or any successor agencies provided, nothing in this subdivision shall
4322 preclude any action or proceeding by such department based on harm
4323 or risk of harm to a child or the use of information on the presence of
4324 cannabinoid metabolites in the bodily fluids of any person in any action
4325 or proceeding.

4326 Sec. 95. (NEW) (*Effective July 1, 2021*) A drug test of a student that
4327 yields a positive result solely for 11-nor-9-carboxy-delta-9-
4328 tetrahydrocannabinol shall not form the sole basis for an educational
4329 institution to refuse to enroll or to continue to enroll, or otherwise
4330 penalize such student, unless failing to do so would put the educational
4331 institution in violation of a federal contract or cause it to lose federal
4332 funding, or such student is being drug tested as required by the National
4333 Collegiate Athletic Association and any such action is taken as required
4334 by the policies of the National Collegiate Athletic Association.

4335 Sec. 96. (NEW) (*Effective July 1, 2021*) No institution of higher
4336 education, as defined in section 10a-55 of the general statutes, shall
4337 revoke any financial aid, student loans, or expel a student, solely for use
4338 or possession of less than (1) four ounces of cannabis plant material, (2)
4339 an equivalent amount of cannabis product, as provided in subsection (i)
4340 of section 21a-279a of the general statutes, or (3) an equivalent amount
4341 of a combination of cannabis and cannabis product, as provided in

4342 subsection (i) of section 21a-279a of the general statutes, unless
4343 complying with the provisions of this section would violate federal law
4344 or a federal contract, or failing to take the actions prohibited under this
4345 section would jeopardize an institution of higher education's federal
4346 funding.

4347 Sec. 97. (NEW) (*Effective July 1, 2022*) As used in this section and
4348 sections 98 to 101, inclusive, of this act:

4349 (1) "Employee" means any individual employed or permitted to work
4350 by an employer, or an independent contractor;

4351 (2) "Employer" has the same meaning as provided in section 31-58 of
4352 the general statutes;

4353 (3) "Exempted employer" means an employer whose primary activity
4354 is (A) mining, including, but not limited to, an employer with a two-
4355 digit North American Industry Classification System code of 21, (B)
4356 utilities, including, but not limited to, any employer with a two-digit
4357 North American Industry Classification System code of 22, (C)
4358 construction, including, but not limited to, an employer with a two-digit
4359 North American Industry Classification System code of 23, (D)
4360 manufacturing, including, but not limited to, an employer with a two-
4361 digit North American Industry Classification System code of 31, 32 or
4362 33, (E) transportation or delivery, including, but not limited to, an
4363 employer with a two-digit North American Industry Classification
4364 System code of 48 or 49, (F) educational services, including, but not
4365 limited to, an employer with a two-digit North American Industry
4366 Classification System Code of 61, (G) health care or social services,
4367 including, but not limited to, an employer with a two-digit North
4368 American Industry Classification System Code of 62, (H) justice, public
4369 order, and safety activities, including, but not limited to, an employer
4370 with a four-digit North American Industry Classification System code
4371 of 9221, or (I) national security and international affairs, including, but
4372 not limited to, those with a three-digit North American Industry
4373 Classification System code of 928. As used in this subdivision,

4374 "Employer" includes any subdivision of a business entity that is a
4375 standalone business unit, including, but not limited to, having its own
4376 executive leadership, having some or significant autonomy and having
4377 its own financial statements and results;

4378 (4) "Exempted position" means a position:

4379 (A) As a firefighter;

4380 (B) As an emergency medical technician;

4381 (C) As a police officer or peace officer, in a position with a law
4382 enforcement or investigative function at a state or local agency or in a
4383 position with the Department of Correction involving direct contact
4384 with inmates;

4385 (D) Requiring operation of a motor vehicle, for which federal or state
4386 law requires any employee such position to submit to screening tests,
4387 including, but not limited to, any position requiring a commercial
4388 driver's license or any position subject to 49 CFR 40, 14 CFR 120 or 49
4389 CFR 16;

4390 (E) Requiring certification of completion of a course in construction
4391 safety and health approved by the federal Occupational Safety and
4392 Health Administration;

4393 (F) Requiring a federal Department of Defense or Department of
4394 Energy national security clearance;

4395 (G) For which the provisions of sections 98 to 101, inclusive, of this
4396 act, are inconsistent or otherwise in conflict with the provisions of an
4397 employment contract or collective bargaining agreement;

4398 (H) For which the provisions of sections 98 to 101, inclusive, of this
4399 act, would be inconsistent or otherwise in conflict with any provision of
4400 federal law;

4401 (I) Funded in whole or in part by a federal grant;

4402 (J) Requiring certification of completion of a course in construction
4403 safety and health approved by the federal Occupational Safety and
4404 Health Administration;

4405 (K) Requiring the supervision or care of children, medical patients or
4406 vulnerable persons;

4407 (L) With the potential to adversely impact the health or safety of
4408 employees or members of the public, in the determination of the
4409 employer;

4410 (M) At a nonprofit organization or corporation, the primary purpose
4411 of which is to discourage use of cannabis products or any other drug by
4412 the general public; or

4413 (N) At an exempt employer.

4414 (5) "Exempted employee" means an employee holding an exempted
4415 position or working for an exempted employer;

4416 (6) "On call" means a period of time for which an employee (A) is
4417 scheduled with at least twenty-four hours' notice by his or her employer
4418 to be on standby or otherwise responsible for performing tasks related
4419 to his or her employment, either at the employer's premises or other
4420 previously designated location by his or her employer or supervisor to
4421 perform a work-related task, and (B) is being compensated for such
4422 scheduled time;

4423 (7) "Work hours" means any period of time for which such employee
4424 is compensated by an employer and is performing job duties or is
4425 reasonably expected to be performing job duties; and

4426 (8) "Workplace" means the employer's premises, including any
4427 building, real property, and parking area under the control of the
4428 employer, and area used by an employee while in the performance of
4429 the employee's job duties, and the employer's vehicles, whether leased,
4430 rented, or owned.

4431 Sec. 98. (NEW) (*Effective July 1, 2022*) (a) No employer shall be
4432 required to make accommodations for an employee or be required to
4433 allow an employee to: (1) Perform his or her duties while under the
4434 influence of cannabis, or (2) possess, use or otherwise consume cannabis
4435 while performing such duties or on the premises of the employer, except
4436 possession of palliative cannabis by a qualifying patient under chapter
4437 420f of the general statutes.

4438 (b) (1) An employer may implement a policy prohibiting the
4439 possession, use or other consumption of cannabis by an employee,
4440 except (A) as provided in section 21a-408p of the general statutes, and
4441 (B) for possession of palliative cannabis by a qualifying patient under
4442 chapter 420f of the general statutes, provided such policy is: (i) In
4443 writing in either physical or electronic form, and (ii) made available to
4444 each employee prior to the enactment of such policy. The employer shall
4445 make any such policy available to each prospective employee at the time
4446 the employer makes an offer or conditional offer of employment to the
4447 prospective employee.

4448 (2) (A) No employer shall discharge from employment or take any
4449 adverse action against any employee with respect to compensation,
4450 terms, conditions or other privileges of employment because such
4451 employee does or does not smoke, vape, aerosolize or otherwise use
4452 cannabis products outside of the workplace, unless such employment
4453 action is made pursuant to a policy established under subdivision (1) of
4454 this subsection.

4455 (B) No employer shall discharge from employment or take any
4456 adverse action against any employee or prospective employee with
4457 respect to compensation, terms, conditions, refusal to hire or other
4458 privileges of employment because such employee or prospective
4459 employee had or had not smoked, vaped, aerosolized or otherwise used
4460 cannabis products outside of the workplace before such employee or
4461 prospective employee was employed by such employer, unless failing
4462 to do so would put the employer in violation of a federal contract or
4463 cause it to lose federal funding.

4464 (c) Nothing in sections 97 to 101, inclusive, of this act: (1) Requires an
4465 employer to amend or repeal, or affect, restrict or preempt the rights and
4466 obligations of employers to maintain a drug and alcohol-free workplace,
4467 or (2) shall limit an employer from taking appropriate adverse or other
4468 employment action upon (A) reasonable suspicion of an employee's
4469 usage of cannabis while engaged in the performance of the employee's
4470 work responsibilities at the workplace or on call, or (B) determining that
4471 an employee manifests specific, articulable symptoms of drug
4472 impairment while working at the workplace or on call that decrease or
4473 lessen the employee's performance of the duties or tasks of the
4474 employee's job position, including, but not limited to, (i) symptoms of
4475 the employee's speech, physical dexterity, agility, coordination,
4476 demeanor, irrational or unusual behavior, or negligence or carelessness
4477 in operating equipment of machinery, (ii) disregard for the safety of the
4478 employee or others, or involvement in any accident that results in
4479 serious damage to equipment or property, (iii) disruption of a
4480 production or manufacturing process, or (iv) carelessness that results in
4481 any injury to the employee or others.

4482 (d) (1) The provisions of subsection (b) of this section shall not apply
4483 to an exempted employer, an exempted employee or to any employee
4484 who holds or is applying for an exempted position.

4485 (2) Nothing in sections 97 to 101, inclusive, of this act, shall limit or
4486 prevent an employer from subjecting an employee or applicant to drug
4487 testing or a fitness for duty evaluation, or from taking adverse action,
4488 including, but not limited to, disciplining an employee, terminating the
4489 employment of an employee or rescinding a conditional job offer to a
4490 prospective employee pursuant to a policy established under
4491 subdivision (1) of subsection (b) of this section.

4492 Sec. 99. (NEW) (*Effective July 1, 2022*) A drug test of a prospective or
4493 existing employee, other than a prospective or existing exempted
4494 employee, that yields a positive result solely for 11-nor-9-carboxy-delta-
4495 9-tetrahydrocannabinol, shall not form the sole basis for refusal to
4496 employ or to continue to employ or otherwise penalize such prospective

4497 or existing employee, unless (1) failing to do so would put the employer
4498 in violation of a federal contract or cause it to lose federal funding, (2)
4499 the employer reasonably suspects an employee's usage of cannabis
4500 while engaged in the performance of the employee's work
4501 responsibilities, (3) the employee manifests specific, articulable
4502 symptoms of drug impairment while working that decrease or lessen
4503 the employee's performance of the duties or tasks of the employee's job
4504 position, including, but not limited to, (A) symptoms of the employee's
4505 speech, physical dexterity, agility, coordination, demeanor, irrational or
4506 unusual behavior or negligence or carelessness in operating equipment
4507 of machinery, (B) disregard for the safety of the employee or others, or
4508 involvement in any accident that results in serious damage to
4509 equipment or property, (C) disruption of a production or manufacturing
4510 process, or (D) carelessness that results in any injury to the employee or
4511 others, or (4) except as provided in section 21a-408p of the general
4512 statutes, such drug test was pursuant to a random drug testing policy
4513 pursuant to subdivision (1) of subsection (b) of section 98 of this act or
4514 was of a prospective employee with a conditional job offer, and such
4515 employer has established in such policy that a positive drug test for 11-
4516 nor-9-carboxy-delta-9-tetrahydrocannabinol may result in an adverse
4517 employment action.

4518 Sec. 100. (NEW) (*Effective July 1, 2022*) (a) Except as provided in
4519 subsection (b) of this section, if an employer has violated any provision
4520 of section 98 or 99 of this act, an individual aggrieved by such violation
4521 may bring a civil action for judicial enforcement of such provision in the
4522 superior court for the judicial district where the violation is alleged to
4523 have occurred, or where the employer has its principal office, within
4524 ninety days of such alleged violation, except any action involving a state
4525 agency may be brought in the superior court for the judicial district of
4526 Hartford. Any individual who prevails in such civil action may be
4527 awarded reinstatement of the individual's previous employment or job
4528 offer, back wages and reasonable attorney's fees and costs, to be taxed
4529 by the court.

4530 (b) Nothing in this section shall be construed to create or imply a

4531 cause of action for any person against an employer: (1) For actions taken
4532 based on the employer's good faith belief that an employee used or
4533 possessed cannabis, except possession of palliative cannabis by a
4534 qualifying patient under chapter 420f of the general statutes, in the
4535 employer's workplace, while performing the employee's job duties,
4536 during work hours, or while on call in violation of the employer's
4537 employment policies; (2) for actions taken, including discipline or
4538 termination of employment, based on the employer's good faith belief
4539 that an employee was unfit for duty or impaired as a result of the use of
4540 cannabis, or under the influence of cannabis, while at the employer's
4541 workplace, while performing the employee's job duties, during work
4542 hours or while on call in violation of the employer's workplace drug
4543 policy; (3) for injury, loss or liability to a third party if the employer
4544 neither knew nor had reason to know that the employee was impaired
4545 by cannabis; (4) for subjecting an employee to drug testing or a fitness
4546 for duty evaluation, pursuant to a policy established under subdivision
4547 (1) of subsection (b) of section 98 of this act; (5) for subjecting a
4548 prospective employee to drug testing or taking adverse action against a
4549 prospective employee, including, but not limited to, rescission of a
4550 conditional job offer, based on the results of a drug test, so long as no
4551 employer takes adverse action against a prospective employee in regard
4552 to a drug test that is solely positive for 11-nor-9-carboxy-delta-9-
4553 tetrahydrocannabinol unless such employer is an exempted employer,
4554 such prospective employee is applying for an exempted position, or the
4555 employer has established in an employment policy pursuant to
4556 subdivision (1) of subsection (b) of section 98 of this act that a positive
4557 drug test for 11-nor-9-carboxy-delta-9-tetrahydrocannabinol may result
4558 in adverse employment action; or (6) if such employer is an exempted
4559 employer or the claims are regarding an exempted position.

4560 (c) Notwithstanding the provisions of chapter 557 of the general
4561 statutes, no employer, officer, agent or other person who violates any
4562 provision of sections 98 to 101, inclusive, of this act shall be liable to the
4563 Labor Department for a civil penalty, nor shall the Labor Department
4564 undertake an investigation of an employer, officer, agent or other person

4565 based solely on an allegation that such employer, officer, agent or other
4566 person violated the provisions of this section.

4567 Sec. 101. (NEW) (*Effective July 1, 2021*) (a) Notwithstanding the
4568 provisions of sections 98 to 100, inclusive, of this act, nothing in
4569 RERACA shall be construed to apply to drug testing, conditions of
4570 continued employment or conditions for hiring employees required
4571 pursuant to:

4572 (1) Any regulation of the federal Department of Transportation, if
4573 such regulation requires testing of a prospective employee in
4574 accordance with 49 CFR 40 or any regulations of state agencies that
4575 adopt a federal regulation for purposes of enforcing the requirements of
4576 such regulation with respect to intrastate commerce;

4577 (2) Any contract entered into between the federal government and an
4578 employer or any grant of financial assistance from the federal
4579 government to an employer that requires drug testing of prospective
4580 employees as a condition of receiving the contract or grant;

4581 (3) Any federal law or state statute, regulation or order that requires
4582 drug testing of prospective employees for safety or security purposes;
4583 or

4584 (4) Any applicant whose prospective employer is a party to a valid
4585 collective bargaining agreement that specifically addresses drug testing,
4586 conditions of hiring, or conditions of continued employment of such
4587 applicant.

4588 (b) Nothing in sections 98 to 100, inclusive, of this act, shall apply to
4589 the privileges, qualifications, credentialing, review or discipline of
4590 nonemployee, licensed healthcare professionals on the medical staff of
4591 a hospital or other medical organization.

4592 Sec. 102. (NEW) (*Effective July 1, 2021*) (a) As used in this section:

4593 (1) "Bona fide labor organization" means a labor union that (A)
4594 represents employees in this state with regard to wages, hours and

4595 working conditions, (B) whose officers have been elected by a secret
4596 ballot or otherwise in a manner consistent with federal law, (C) is free
4597 of domination or interference by any employer and has received no
4598 improper assistance or support from any employer, and (D) is actively
4599 seeking to represent cannabis workers in the state;

4600 (2) "Labor peace agreement" means an agreement between a cannabis
4601 establishment and a bona fide labor organization under this section
4602 pursuant to which the owners and management of the cannabis
4603 establishment agree not to lock out employees and that prohibits the
4604 bona fide labor organization from engaging in picketing, work
4605 stoppages or boycotts against the cannabis establishment;

4606 (3) "Cannabis establishment", "dispensary facility" and "producer"
4607 have the same meanings as provided in section 1 of this act; and

4608 (4) "Licensee" means a cannabis establishment licensee, dispensary
4609 facility or producer.

4610 (b) Any provisional cannabis establishment licensee, dispensary
4611 facility or producer shall, as a condition of its final license approval,
4612 license conversion or approval for expanded authorization,
4613 respectively, enter into a labor peace agreement with a bona fide labor
4614 organization. Any such labor peace agreement shall contain a clause
4615 that the parties agree that final and binding arbitration by a neutral
4616 arbitrator will be the exclusive remedy for any violation of such
4617 agreement.

4618 (c) Notwithstanding the provisions of chapter 54 of the general
4619 statutes, if an arbitrator finds that a licensee failed to comply with an
4620 order issued by the arbitrator to correct a failure to abide by such
4621 agreement, upon receipt of a written copy of such finding, the
4622 department shall suspend the licensee's license without further
4623 administrative proceedings or formal hearing.

4624 (d) A licensee or bona fide labor organization may commence a civil
4625 action in the Superior Court in the judicial district where the facility

4626 used in the operation of a cannabis establishment is located to enforce
4627 the arbitration award or to lift the license suspension. The license shall
4628 remain suspended until such time that (1) the arbitrator notifies, or both
4629 of the parties to the arbitration notify, the department that the licensee
4630 is in compliance with the arbitration award; (2) both of the parties to the
4631 arbitration notify the department that they have satisfactorily resolved
4632 their dispute; (3) the court, after hearing, lifts the suspension; or (4) the
4633 court, after hearing, orders alternative remedies, which may include, but
4634 need not be limited to, ordering the department to revoke the license or
4635 ordering the appointment of a receiver to properly dispose of any
4636 cannabis inventory. Except as provided in subsection (e) of this section,
4637 during such time that a license is suspended pursuant to this section,
4638 the licensee may engage in conduct necessary to maintain and secure
4639 the cannabis inventory, but may not sell, transport or transfer cannabis
4640 to another cannabis establishment, consumer or laboratory, unless such
4641 sale or transfer is associated with a voluntary surrender of license and a
4642 cannabis disposition plan approved by the commissioner.

4643 (e) A producer, cultivator or micro-cultivator may sell, transport or
4644 transfer cannabis to a product packager, food or beverage manufacturer,
4645 product manufacturer, dispensary facility or hybrid retailer for the sale
4646 of products to qualified patients or caregivers, which products shall be
4647 labeled "For Medical Use Only".

4648 Sec. 103. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
4649 "project labor agreement" means an agreement between a subcontractor
4650 or contractor and a cannabis establishment that: (1) Binds all contractors
4651 and subcontractors on the covered project to the project labor agreement
4652 through the inclusion of specifications in all relevant solicitation
4653 provisions and contract documents; (2) allows all contractors and
4654 subcontractors to compete for contracts and subcontracts on the project
4655 without regard to whether they are otherwise parties to collective
4656 bargaining agreements; (3) establishes uniform terms and conditions of
4657 employment for all construction labor employed on the projects; (4)
4658 guarantees against strikes, lockouts and similar job disruptions; (5) sets
4659 forth mutually binding procedures for resolving labor disputes arising

4660 during the project labor agreement; and (6) includes any other
4661 provisions as negotiated by the parties to promote successful delivery
4662 of the covered project; and "employee organization" means any lawful
4663 association, labor organization, federation or council having as a
4664 primary purpose the improvement of wages, hours and other
4665 conditions of employment for employees of cannabis establishments.

4666 (b) A project for the construction or renovation of any facility for the
4667 operation of a cannabis establishment in an amount of five million
4668 dollars or greater shall be the subject of a project labor agreement
4669 between the contractors and subcontractors of such project and the
4670 cannabis establishment. A contractor, subcontractor or employee
4671 organization may enforce the provisions of this section or seek remedies
4672 for noncompliance with a project labor agreement entered into under
4673 this section by commencing a civil action in the Superior Court in the
4674 judicial district where the cannabis establishment project is located. The
4675 court, after hearing, may order penalties of not more than ten thousand
4676 dollars per day for each violation of the project labor agreement by the
4677 cannabis establishment. A failure of a cannabis establishment to comply
4678 with the provisions of this section shall not be the basis for any
4679 administrative action by the Department of Consumer Protection.

4680 Sec. 104. (NEW) (*Effective July 1, 2021*) As used in this section,
4681 "hospital" has the same meaning as provided in section 19a-490 of the
4682 general statutes and "cannabis" has the same meaning as provided in
4683 section 1 of this act. No hospital shall be required to allow a patient to
4684 use cannabis while at such hospital. A hospital may have a policy that
4685 sets forth restrictions patients shall follow regarding cannabis use.

4686 Sec. 105. (NEW) (*Effective July 1, 2021*) Any cannabis establishment
4687 licensee or any servant or agent of a licensee who sells or delivers
4688 cannabis or cannabis paraphernalia to any person under twenty-one
4689 years of age shall be guilty of a class A misdemeanor. For purposes of
4690 this section, "paraphernalia" has the same meaning as provided in
4691 section 1 of this act.

4692 Sec. 106. (NEW) (*Effective July 1, 2021*) (a) A cannabis establishment
4693 issued a license pursuant to RERACA or an agent or employee of such
4694 licensee may require any person whose age is in question to have such
4695 person's photograph be taken by, and a photocopy of such person's
4696 driver's license or identity card issued in accordance with the provisions
4697 of section 1-1h of the general statutes be made by, such licensee, agent
4698 or employee as a condition of selling or delivering cannabis or cannabis
4699 products to such person.

4700 (b) No licensee or agent or employee of a licensee shall use a
4701 photograph taken or a photocopy made pursuant to subsection (a) of
4702 this section for a purpose other than the purpose specified in said
4703 subsection.

4704 (c) No licensee or agent or employee of a licensee shall sell or
4705 otherwise disseminate a photograph taken or a photocopy made
4706 pursuant to subsection (a) of this section, or any information derived
4707 from such photograph or photocopy, to any third party for any purpose
4708 including, but not limited to, any marketing, advertising or promotional
4709 activities, except that a licensee or an agent or employee of a licensee
4710 may release such photograph, photocopy or information pursuant to a
4711 court order.

4712 (d) In any prosecution of a licensee or an agent or employee of a
4713 licensee for selling or delivering cannabis to a person under twenty-one
4714 years of age in violation of section 105 of this act, or for providing
4715 cannabis to a person under twenty-one years of age in violation of
4716 section 163 of this act, it shall be an affirmative defense that such
4717 licensee, agent or employee sold or delivered cannabis to such person in
4718 good faith and in reasonable reliance upon the identification presented
4719 by such person and, pursuant to subsection (a) of this section,
4720 photographed the person and made a photocopy of such identification.
4721 In support of such defense, such licensee, agent or employee may
4722 introduce evidence of such photograph and photocopy.

4723 (e) The Commissioner of Consumer Protection may require a

4724 cannabis establishment to use an online age verification system.

4725 Sec. 107. (NEW) (*Effective July 1, 2021*) Any person who induces any
4726 person under twenty-one years of age to procure cannabis from any
4727 person licensed to sell such cannabis shall be guilty of a class A
4728 misdemeanor. The provisions of this section shall not apply to (1) the
4729 procurement of cannabis by a person over eighteen years of age who is
4730 an employee registered pursuant to the provisions of section 29 of this
4731 act where such procurement is made in the course of such person's
4732 employment or business, or (2) any such inducement in furtherance of
4733 an official investigation or enforcement activity conducted by a law
4734 enforcement agency. Nothing in this section shall be construed to
4735 prevent any action from being taken against any person permitted to
4736 sell cannabis who has sold cannabis to a person under twenty-one years
4737 of age who is participating in an official investigation or enforcement
4738 activity conducted by a law enforcement agency.

4739 Sec. 108. (NEW) (*Effective July 1, 2021*) (a) Each person who attains the
4740 age of twenty-one years and has a motor vehicle operator's license or
4741 identity card issued in accordance with the provisions of section 1-1h of
4742 the general statutes, containing a full-face photograph of such person,
4743 may use, and each licensee may accept, such license as legal proof of the
4744 age of the person for the purposes of RERACA.

4745 (b) Any person who, for the purpose of procuring cannabis,
4746 misrepresents his or her age or uses or exhibits an operator's license
4747 belonging to any other person shall for (1) a first offense, be fined not
4748 more than two hundred fifty dollars, and (2) any subsequent offense, be
4749 guilty of a class D misdemeanor.

4750 (c) The provisions of this section shall not apply to any person
4751 employed by, or who has contracted directly or indirectly with, a state
4752 agency for the purposes of testing the age verification and product
4753 controls of cannabis retailers while performing such testing duties.

4754 Sec. 109. (NEW) (*Effective July 1, 2021*) (a) No person having
4755 possession of, or exercising dominion and control over, any dwelling

4756 unit or private property shall: (1) Knowingly or recklessly permit any
4757 person under twenty-one years of age to possess cannabis in violation
4758 of section 21-279a of the general statutes, in such dwelling unit or on
4759 such private property, or (2) knowing that any person under twenty-one
4760 years of age possesses cannabis in violation of section 21-279a of the
4761 general statutes, in such dwelling unit or on such private property, fail
4762 to make reasonable efforts to halt such possession.

4763 (b) Any person who violates the provisions of subsection (a) of this
4764 section shall be guilty of a class A misdemeanor.

4765 Sec. 110. (NEW) (*Effective July 1, 2021*) (a) No retailer or hybrid retailer
4766 or employee or agent of a retailer or hybrid retailer shall permit any
4767 person under twenty-one years of age to loiter on his or her premises
4768 where cannabis is kept for sale or be in any room on such premises
4769 where cannabis is consumed, unless such person is (1) an employee of
4770 the retailer or hybrid retailer, (2) in the case of hybrid retailer or
4771 employee or agent of a hybrid retailer, permitted under chapter 420f of
4772 the general statutes to possess or consume cannabis, or (3) accompanied
4773 by his or her parent or guardian.

4774 (b) Any retailer or hybrid retailer or employee or agent of a retailer
4775 or hybrid retailer who violates the provisions of subsection (a) of this
4776 section shall be (1) fined not more than one thousand dollars for a first
4777 offense, and (2) guilty of a class B misdemeanor for any subsequent
4778 offense.

4779 Sec. 111. Section 30-89a of the general statutes is repealed and the
4780 following is substituted in lieu thereof (*Effective July 1, 2021*):

4781 (a) No person having possession of, or exercising dominion and
4782 control over, any dwelling unit or private property shall (1) knowingly
4783 [] or recklessly [or with criminal negligence] permit any minor to
4784 possess alcoholic liquor in violation of subsection (b) of section 30-89 in
4785 such dwelling unit or on such private property, or (2) knowing that any
4786 minor possesses alcoholic liquor in violation of subsection (b) of section
4787 30-89 in such dwelling unit or on such private property, fail to make

4788 reasonable efforts to halt such possession. For the purposes of this
4789 subsection, "minor" means a person under twenty-one years of age.

4790 (b) Any person who violates the provisions of subsection (a) of this
4791 section shall be guilty of a class A misdemeanor.

4792 Sec. 112. (NEW) (*Effective July 1, 2021*) (a) A person is guilty of
4793 smoking, otherwise inhaling or ingesting cannabis, as defined in section
4794 1 of this act, while operating a motor vehicle when he or she smokes,
4795 otherwise inhales or ingests cannabis, as defined in section 1 of this act,
4796 while operating a motor vehicle upon a public highway of this state or
4797 upon any road of any specially chartered municipal association or of
4798 any district organized under the provisions of chapter 105 of the general
4799 statutes, a purpose of which is the construction and maintenance of
4800 roads and sidewalks, or in any parking area for ten cars or more, or upon
4801 any private road on which a speed limit has been established in
4802 accordance with the provisions of section 14-218a of the general statutes
4803 or upon any school property. No person shall be convicted of smoking
4804 or otherwise inhaling or ingesting cannabis while operating a motor
4805 vehicle and possessing or having under such person's control a
4806 controlled substance upon the same transaction. A person may be
4807 charged and prosecuted for either or each such offense, a violation of
4808 operating a motor vehicle while under the influence of any drug and
4809 any other applicable offense upon the same information.

4810 (b) Smoking, otherwise inhaling or ingesting cannabis while
4811 operating a motor vehicle is a class C misdemeanor.

4812 (c) No peace officer shall stop a motor vehicle for a violation of this
4813 section if such violation is the sole reason for such stop.

4814 Sec. 113. (NEW) (*Effective July 1, 2021*) (a) A person is guilty of
4815 smoking or otherwise inhaling or ingesting cannabis, as defined in
4816 section 1 of this act, in a motor vehicle when he or she smokes or
4817 otherwise inhales or ingests cannabis in a motor vehicle that is being
4818 operated by another person upon a public highway of this state or upon

4819 any road of any specially chartered municipal association or of any
4820 district organized under the provisions of chapter 105 of the general
4821 statutes, a purpose of which is the construction and maintenance of
4822 roads and sidewalks, or in any parking area for ten cars or more, or upon
4823 any private road on which a speed limit has been established in
4824 accordance with the provisions of section 14-218a of the general statutes
4825 or upon any school property. No person shall be convicted of smoking
4826 or otherwise inhaling or ingesting cannabis as a passenger in a motor
4827 vehicle and possessing or having under such person's control a
4828 controlled substance upon the same transaction, but such person may
4829 be charged and prosecuted for both offenses upon the same information.

4830 (b) Smoking or otherwise inhaling or ingesting cannabis in a motor
4831 vehicle is a class D misdemeanor.

4832 (c) No peace officer shall stop a motor vehicle for a violation of this
4833 section if such violation is the sole reason for such stop.

4834 Sec. 114. (NEW) (*Effective July 1, 2021*) (a) Not later than January 1,
4835 2022, each law enforcement unit shall report to the Police Officer
4836 Standards and Training Council, in the manner specified by the council,
4837 a recommendation as to the minimum number of officers that such law
4838 enforcement unit should have accredited as drug recognition experts in
4839 order to ensure adequate availability of drug recognition experts to
4840 respond to instances of impaired driving, allowing that law enforcement
4841 units may call upon drug recognition experts from other law
4842 enforcement units as necessary and available. Such recommendation
4843 shall be based on data on impaired driving made available to law
4844 enforcement units by the Department of Transportation and any
4845 guidance issued by the council.

4846 (b) The Police Officer Standards and Training Council, in conjunction
4847 with the Highway Safety Office within the Department of
4848 Transportation, shall determine the minimum number of police officers
4849 to be accredited as drug recognition experts for each law enforcement
4850 unit. In making such determination, the council and office shall consider

4851 the recommendation made by each law enforcement unit pursuant to
4852 subsection (a) of this section. The council and office shall submit the
4853 results of such determination to the Governor and the Secretary of the
4854 Office of Policy and Management not later than July 1, 2022. The council
4855 and office shall update and submit such determination to the Governor
4856 and Secretary of the Office of Policy and Management no less frequently
4857 than once every three years.

4858 (c) Not later than April 1, 2022, the Police Officer Standards and
4859 Training Council shall develop and promulgate a model policy to
4860 ensure that enough police officers become trained drug recognition
4861 experts in each law enforcement unit to meet the minimum number
4862 established in subsection (b) of this section.

4863 (d) Not later than October 1, 2022, each law enforcement unit shall
4864 adopt and maintain a written policy that meets or exceeds the standards
4865 of the model policy developed pursuant to subsection (c) of this section.

4866 (e) Not later than January 1, 2022, the Police Officer Standards and
4867 Training Council and the Highway Safety Office within the Department
4868 of Transportation shall jointly issue a plan to increase access to
4869 advanced roadside impaired driving enforcement training and drug
4870 recognition expert training for police officers and law enforcement units
4871 in the state. The council and office shall update such plan no less
4872 frequently than once every three years.

4873 (f) On and after January 1, 2022, each police officer who has not yet
4874 been recertified pursuant to section 7-294e of the general statutes for the
4875 second time after receiving an initial certification, shall complete
4876 training and receive certification in advanced roadside impaired driving
4877 enforcement prior to being recertified pursuant to section 7-294e of the
4878 general statutes.

4879 (g) For purposes of this section, "advanced roadside impaired driving
4880 enforcement" means a program developed by the National Highway
4881 Traffic Safety Administration with the International Association of

4882 Chiefs of Police and the Technical Advisory Panel, which focuses on
4883 impaired driving enforcement education for police officers, or any
4884 successor to such program; "drug recognition expert" means a person
4885 certified by the International Association of Chiefs of Police as having
4886 met all requirements of the International Drug Evaluation and
4887 Classification Program; "law enforcement unit" has the same meaning
4888 as provided in section 7-294a of the general statutes; and "Police Officer
4889 Standards and Training Council" means the council established under
4890 section 7-294b of the general statutes.

4891 Sec. 115. Subsection (a) of section 14-111e of the general statutes is
4892 repealed and the following is substituted in lieu thereof (*Effective April*
4893 *1, 2022*):

4894 (a) (1) The Commissioner of Motor Vehicles shall suspend, for a
4895 period of one hundred fifty days, the motor vehicle operator's license or
4896 nonresident operating privilege of any person who has been convicted
4897 of a violation of section 30-88a involving the misuse of an operator's
4898 license and who was under the age of twenty-one at the time of such
4899 violation.

4900 (2) The commissioner shall suspend, for a period of sixty days, the
4901 motor vehicle operator's license or nonresident operating privilege of
4902 any person who has been convicted of a violation of subdivision (1) of
4903 subsection (b) of section 30-89 [.] or subsection [(a)] (b), or (c) of section
4904 21a-279a [or subsection (d) of section 21a-267] and who was under the
4905 age of twenty-one at the time of such violation.

4906 (3) The commissioner shall suspend, for a period of thirty days, the
4907 motor vehicle operator's license or nonresident operating privilege of
4908 any person who has been convicted of a violation of subdivision (2) of
4909 subsection (b) of section 30-89 and who was under the age of twenty-
4910 one at the time of such violation.

4911 Sec. 116. Subsections (a) to (e), inclusive, of section 14-227a of the
4912 general statutes are repealed and the following is substituted in lieu

4913 thereof (*Effective April 1, 2022*):

4914 (a) No person shall operate a motor vehicle while under the influence
4915 of intoxicating liquor or any drug or both. A person commits the offense
4916 of operating a motor vehicle while under the influence of intoxicating
4917 liquor or any drug or both if such person operates a motor vehicle (1)
4918 while under the influence of intoxicating liquor or any drug or both, or
4919 (2) while such person has an elevated blood alcohol content. For the
4920 purposes of this section, "elevated blood alcohol content" means a ratio
4921 of alcohol in the blood of such person that is eight-hundredths of one
4922 per cent or more of alcohol, by weight, except that if such person is
4923 operating a commercial motor vehicle, "elevated blood alcohol content"
4924 means a ratio of alcohol in the blood of such person that is four-
4925 hundredths of one per cent or more of alcohol, by weight, and "motor
4926 vehicle" includes a snowmobile and all-terrain vehicle, as those terms
4927 are defined in section 14-379. For purposes of this section, section 14-
4928 227b and section 14-227c, (A) "advanced roadside impaired driving
4929 enforcement" means a program developed by the National Highway
4930 Traffic Safety Administration with the International Association of
4931 Chiefs of Police and the Technical Advisory Panel, which focuses on
4932 impaired driving enforcement education for police officers, or any
4933 successor to such program; (B) "drug influence evaluation" means an
4934 evaluation developed by the National Highway Traffic Safety
4935 Administration and the International Association of Chiefs of Police that
4936 is conducted by a drug recognition expert to determine the level of a
4937 person's impairment from the use of drugs and the drug category
4938 causing such impairment; (C) "drug recognition expert" means a person
4939 certified by the International Association of Chiefs of Police as having
4940 met all requirements of the International Drug Evaluation and
4941 Classification Program; and (D) "nontestimonial portion of a drug
4942 influence evaluation" means a drug influence evaluation conducted by
4943 a drug recognition expert that does not include a verbal interview with
4944 the subject.

4945 (b) Except as provided in subsection (c) of this section, in any criminal
4946 prosecution for violation of subsection (a) of this section, evidence

4947 respecting the amount of alcohol or drug in the defendant's blood or
4948 urine at the time of the alleged offense, as shown by a chemical
4949 [analysis] test of the defendant's breath, blood or urine, shall be
4950 admissible and competent provided: (1) The defendant was afforded a
4951 reasonable opportunity to telephone an attorney prior to the
4952 performance of the test and consented to the taking of the test upon
4953 which such analysis is made; (2) a true copy of the report of the test
4954 result was mailed to or personally delivered to the defendant within
4955 twenty-four hours or by the end of the next regular business day, after
4956 such result was known, whichever is later; (3) the test was performed
4957 by or at the direction of a police officer according to methods and with
4958 equipment approved by the Department of Emergency Services and
4959 Public Protection and was performed in accordance with the regulations
4960 adopted under subsection (d) of this section; (4) the device used for such
4961 test was checked for accuracy in accordance with the regulations
4962 adopted under subsection (d) of this section; (5) an additional chemical
4963 test of the same type was performed at least ten minutes after the initial
4964 test was performed or, if requested by the police officer for reasonable
4965 cause, an additional chemical test of a different type was performed,
4966 including a test to detect the presence of a drug or drugs other than or
4967 in addition to alcohol, provided the results of the initial test shall not be
4968 inadmissible under this subsection if reasonable efforts were made to
4969 have such additional test performed in accordance with the conditions
4970 set forth in this subsection and (A) such additional test was not
4971 performed or was not performed within a reasonable time, or (B) the
4972 results of such additional test are not admissible for failure to meet a
4973 condition set forth in this subsection; and (6) evidence is presented that
4974 the test was commenced within two hours of operation. In any
4975 prosecution under this section it shall be a rebuttable presumption that
4976 the results of such chemical [analysis] test establish the ratio of alcohol
4977 in the blood of the defendant at the time of the alleged offense, except
4978 that if the results of the additional test indicate that the ratio of alcohol
4979 in the blood of such defendant is ten-hundredths of one per cent or less
4980 of alcohol, by weight, and is higher than the results of the first test,
4981 evidence shall be presented that demonstrates that the test results and

4982 the analysis thereof accurately indicate the blood alcohol content at the
4983 time of the alleged offense.

4984 (c) In any prosecution for a violation of subdivision (1) of subsection
4985 (a) of this section, reliable evidence respecting the amount of alcohol in
4986 the defendant's blood or urine at the time of the alleged offense, as
4987 shown by a chemical analysis of the defendant's blood, breath or urine,
4988 otherwise admissible under subdivision (1) of subsection (b) of this
4989 section, shall be admissible only at the request of the defendant.

4990 (d) The Commissioner of Emergency Services and Public Protection
4991 shall ascertain the reliability of each method and type of device offered
4992 for chemical testing [and analysis purposes] of blood, of breath and of
4993 urine and certify those methods and types which [said] the
4994 commissioner finds suitable for use in testing [and analysis] of blood,
4995 breath and urine, respectively, in this state. The Commissioner of
4996 Emergency Services and Public Protection shall adopt regulations, in
4997 accordance with chapter 54, governing the conduct of chemical tests, the
4998 operation and use of chemical test devices, the training and certification
4999 of operators of such devices and the drawing or obtaining of blood,
5000 breath or urine samples as [said] the commissioner finds necessary to
5001 protect the health and safety of persons who submit to chemical tests
5002 and to insure reasonable accuracy in testing results. Such regulations
5003 shall not require recertification of a police officer solely because such
5004 officer terminates such officer's employment with the law enforcement
5005 agency for which certification was originally issued and commences
5006 employment with another such agency.

5007 (e) (1) In any criminal prosecution for a violation of subsection (a) of
5008 this section, evidence that the defendant refused to submit to a blood,
5009 breath or urine test or the nontestimonial portion of a drug influence
5010 evaluation requested in accordance with section 14-227b shall be
5011 admissible provided the requirements of subsection (b) of said section
5012 have been satisfied. If a case involving a violation of subsection (a) of
5013 this section is tried to a jury, the court shall instruct the jury as to any
5014 inference that may or may not be drawn from the defendant's refusal to

5015 submit to [a blood, breath or urine test] such a test or evaluation.

5016 (2) In any prosecution for a violation of subdivision (1) of subsection
5017 (a) of this section in which it is alleged that the defendant's operation of
5018 a motor vehicle was impaired, in whole or in part, by consumption of
5019 cannabis, as defined in section 1 of this act, the court may take judicial
5020 notice that the ingestion of cannabis (A) can impair a person's ability to
5021 operate a motor vehicle; (B) can cause impairment of motor function,
5022 reaction time, tracking ability, cognitive attention, decision-making,
5023 judgment, perception, peripheral vision, impulse control or memory;
5024 and (C) does not enhance a person's ability to safely operate a motor
5025 vehicle.

5026 Sec. 117. Subsection (j) of section 14-227a of the general statutes is
5027 repealed and the following is substituted in lieu thereof (*Effective April*
5028 *1, 2022*):

5029 (j) In addition to any fine or sentence imposed pursuant to the
5030 provisions of subsection (g) of this section, the court may order such
5031 person to participate in an alcohol education and treatment program or
5032 the pretrial impaired driving intervention program established under
5033 section 167 of this act, if such person was operating a motor vehicle
5034 under the influence of intoxicating liquor or under the influence of both
5035 intoxicating liquor and any drug.

5036 Sec. 118. Section 14-227b of the general statutes is repealed and the
5037 following is substituted in lieu thereof (*Effective April 1, 2022*):

5038 (a) Any person who operates a motor vehicle in this state shall be
5039 deemed to have given such person's consent to: [a] (1) A chemical
5040 [analysis] test of such person's blood, breath or urine; [and, if] and (2) a
5041 nontestimonial portion of a drug influence evaluation conducted by a
5042 drug recognition expert. If such person is a minor, such person's parent
5043 or parents or guardian shall also be deemed to have given their consent
5044 for such test or evaluation.

5045 [(b) If any such person, having been placed under arrest for a

5046 violation of section 14-227a or 14-227m or subdivision (1) or (2) of
5047 subsection (a) of section 14-227n, and thereafter, after being apprised of
5048 such person's constitutional rights, having been requested to submit to
5049 a blood, breath or urine test at the option of the police officer, having
5050 been afforded a reasonable opportunity to telephone an attorney prior
5051 to the performance of such test and having been informed that such
5052 person's license or nonresident operating privilege may be suspended
5053 in accordance with the provisions of this section if such person refuses
5054 to submit to such test, or if such person submits to such test and the
5055 results of such test indicate that such person has an elevated blood
5056 alcohol content, and that evidence of any such refusal shall be
5057 admissible in accordance with subsection (e) of section 14-227a and may
5058 be used against such person in any criminal prosecution, refuses to
5059 submit to the designated test, the test shall not be given; provided, if the
5060 person refuses or is unable to submit to a blood test, the police officer
5061 shall designate the breath or urine test as the test to be taken. The police
5062 officer shall make a notation upon the records of the police department
5063 that such officer informed the person that such person's license or
5064 nonresident operating privilege may be suspended if such person
5065 refused to submit to such test or if such person submitted to such test
5066 and the results of such test indicated that such person had an elevated
5067 blood alcohol content.]

5068 (b) (1) A police officer who has placed a person under arrest for a
5069 violation of section 14-227a, 14-227m or subdivision (1) or (2) of
5070 subsection (a) of section 14-227n may request that such person submit
5071 to a blood, breath or urine test at the option of the police officer, a drug
5072 influence evaluation conducted by a drug recognition expert, or both,
5073 after such person has been (A) apprised of such person's constitutional
5074 rights; (B) afforded a reasonable opportunity to telephone an attorney
5075 prior to the performance of such test or evaluation; (C) informed that
5076 evidence of any refusal to submit to such test or evaluation shall be
5077 admissible in accordance with subsection (e) of section 14-227a and may
5078 be used against such person in any criminal prosecution, except that
5079 refusal to submit to the testimonial portions of a drug influence

5080 evaluation shall not be considered evidence of refusal of such evaluation
5081 for purposes of any criminal prosecution; and (D) informed that such
5082 person's license or operating privilege may be suspended in accordance
5083 with the provisions of this section if (i) such person refuses to submit to
5084 such test or the nontestimonial portion of a drug influence evaluation,
5085 (ii) such person submits to such test and the results of such test indicate
5086 that such person has an elevated blood alcohol content, or (iii) the officer
5087 concludes, through investigation, that such person was operating a
5088 motor vehicle under the influence of intoxicating liquor or any drug, or
5089 both.

5090 (2) If the person refuses to submit to any test or drug influence
5091 evaluation, the test or evaluation shall not be given, except if the person
5092 refuses or is unable to submit to a blood test, the police officer shall
5093 designate another test to be taken. If a person submits to a breath test
5094 and the police officer, for reasonable cause, requests an additional
5095 chemical test of a different type to detect the presence of a drug or drugs
5096 other than or in addition to alcohol, the officer may administer such test,
5097 except that if such person refuses or is unable to submit to a blood test,
5098 the officer shall designate a urine test to be taken. The police officer shall
5099 make a notation upon the records of the law enforcement unit, as
5100 defined in section 7-294a, that such officer informed the person that such
5101 person's license or operating privilege may be suspended if (A) such
5102 person refused to submit to such test or nontestimonial portion of a drug
5103 influence evaluation; (B) such person submitted to such test and the
5104 results of such test indicated that such person had an elevated blood
5105 alcohol content; or (C) the officer concludes, through investigation, that
5106 such person was operating a motor vehicle under the influence of
5107 intoxicating liquor or any drug, or both.

5108 (c) If the person arrested refuses to submit to such test or [analysis]
5109 nontestimonial portion of a drug influence evaluation or submits to such
5110 test, [or analysis,] commenced within two hours of the time of operation,
5111 and the results of such test [or analysis] indicate that such person has an
5112 elevated blood alcohol content, the police officer, acting on behalf of the
5113 Commissioner of Motor Vehicles, shall immediately revoke and take

5114 possession of the motor vehicle operator's license or, if such person is
5115 not licensed or is a nonresident, suspend the [nonresident] operating
5116 privilege of such person, for a twenty-four-hour period. The police
5117 officer shall prepare a report of the incident and shall mail or otherwise
5118 transmit in accordance with this subsection the report and a copy of the
5119 results of any chemical test [or analysis] to the Department of Motor
5120 Vehicles within three business days. The report shall contain such
5121 information as prescribed by the Commissioner of Motor Vehicles and
5122 shall be subscribed and sworn to under penalty of false statement as
5123 provided in section 53a-157b by the arresting officer. If the person
5124 arrested refused to submit to such test or [analysis] evaluation, the
5125 report shall be endorsed by a third person who witnessed such refusal.
5126 The report shall set forth the grounds for the officer's belief that there
5127 was probable cause to arrest such person for a violation of section 14-
5128 227a or 14-227m or subdivision (1) or (2) of subsection (a) of section 14-
5129 227n and shall state that such person had refused to submit to such test
5130 or [analysis] evaluation when requested by such police officer to do so
5131 or that such person submitted to such test, [or analysis,] commenced
5132 within two hours of the time of operation, and the results of such test
5133 [or analysis] indicated that such person had an elevated blood alcohol
5134 content. The Commissioner of Motor Vehicles may accept a police
5135 report under this subsection that is prepared and transmitted as an
5136 electronic record, including electronic signature or signatures, subject to
5137 such security procedures as the commissioner may specify and in
5138 accordance with the provisions of sections 1-266 to 1-286, inclusive. In
5139 any hearing conducted pursuant to the provisions of subsection (g) of
5140 this section, it shall not be a ground for objection to the admissibility of
5141 a police report that it is an electronic record prepared by electronic
5142 means.

5143 [(d) If the person arrested submits to a blood or urine test at the
5144 request of the police officer, and the specimen requires laboratory
5145 analysis in order to obtain the test results, the police officer shall not take
5146 possession of the motor vehicle operator's license of such person or,
5147 except as provided in this subsection, follow the procedures subsequent

5148 to taking possession of the operator's license as set forth in subsection
5149 (c) of this section. If the test results indicate that such person has an
5150 elevated blood alcohol content, the police officer, immediately upon
5151 receipt of the test results, shall notify the Commissioner of Motor
5152 Vehicles and submit to the commissioner the written report required
5153 pursuant to subsection (c) of this section.]

5154 (d) If a police officer who has placed a person under arrest for a
5155 violation of section 14-227a or 14-227m or subdivision (1) or (2) of
5156 subsection (a) of section 14-227n does not request that such person
5157 submit to a blood, breath or urine test under subsection (b) of this
5158 section, or obtains results from a test administered under subsection (b)
5159 of this section that indicate that the person does not have an elevated
5160 blood alcohol content, such officer shall:

5161 (1) Advise such person that such person's license or operating
5162 privilege may be suspended in accordance with the provisions of this
5163 section if such police officer concludes, through investigation, that such
5164 person was operating a motor vehicle under the influence of
5165 intoxicating liquor or any drug, or both; and

5166 (2) Submit a report to the commissioner in accordance with the
5167 procedure set forth in subsection (c) of this section and, if such report
5168 contains the results of a blood, breath or urine test that does not show
5169 an elevated blood alcohol content, such report shall conform to the
5170 requirements in subsection (c) of this section for reports that contain
5171 results showing an elevated blood alcohol content. In any report
5172 submitted under this subdivision, the officer shall document (A) the
5173 basis for the officer's belief that there was probable cause to arrest such
5174 person for a violation of section 14-227a or 14-227m or subdivision (1)
5175 or (2) of subsection (a) of section 14-227n, and (B) whether the officer
5176 concluded, through investigation, that the person was operating a
5177 motor vehicle under the influence of intoxicating liquor or any drug, or
5178 both. With such report, the officer may submit other supporting
5179 documentation indicating the person's intoxication by liquor or any
5180 drug, or both. If the officer concludes, through investigation, that the

5181 person was operating a motor vehicle under the influence of
5182 intoxicating liquor or any drug, or both, the officer shall immediately
5183 revoke and take possession of the motor vehicle operator's license or, if
5184 such person is not licensed or is a nonresident, suspend the operating
5185 privilege of such person for a twenty-four-hour period.

5186 (e) (1) Except as provided in subdivision (2) of this subsection, upon
5187 receipt of [such] a report submitted under subsection (c) or (d) of this
5188 section, the [Commissioner of Motor Vehicles] commissioner may
5189 suspend any operator's license or [nonresident] operating privilege of
5190 such person effective as of a date certain, which date certain shall be not
5191 later than thirty days [after] from the later of the date such person
5192 received (A) notice of such person's arrest by the police officer, or (B) the
5193 results of a blood or urine test or a drug influence evaluation. Any
5194 person whose operator's license or [nonresident] operating privilege has
5195 been suspended in accordance with this subdivision shall automatically
5196 be entitled to a hearing before the commissioner to be held in accordance
5197 with the provisions of chapter 54 and prior to the effective date of the
5198 suspension. The commissioner shall send a suspension notice to such
5199 person informing such person that such person's operator's license or
5200 [nonresident] operating privilege is suspended as of a date certain and
5201 that such person is entitled to a hearing prior to the effective date of the
5202 suspension and may schedule such hearing by contacting the
5203 Department of Motor Vehicles not later than seven days after the date
5204 of mailing of such suspension notice.

5205 (2) [If the person arrested (A) is] Upon receipt of a report that (A) the
5206 person's arrest involved [in] an accident resulting in a fatality, or (B) the
5207 person has previously had such person's operator's license or
5208 [nonresident] operating privilege suspended under the provisions of
5209 section 14-227a, 14-227m or 14-227n during the ten-year period
5210 preceding the present arrest, [upon receipt of such report, the
5211 Commissioner of Motor Vehicles] the commissioner may suspend any
5212 operator's license or [nonresident] operating privilege of such person
5213 effective as of the date specified in a notice of such suspension to such
5214 person. [Any] A person whose operator's license or [nonresident]

5215 operating privilege has been suspended in accordance with this
5216 subdivision shall automatically be entitled to a hearing before the
5217 commissioner, to be held in accordance with the provisions of chapter
5218 54. The commissioner shall send a suspension notice to such person
5219 informing such person that such person's operator's license or
5220 [nonresident] operating privilege is suspended as of the date specified
5221 in such suspension notice, and that such person is entitled to a hearing
5222 and may schedule such hearing by contacting the Department of Motor
5223 Vehicles not later than seven days after the date of mailing of such
5224 suspension notice. Any suspension issued under this subdivision shall
5225 remain in effect until such suspension is affirmed under subsection (f)
5226 of this section or such operator's license or [nonresident] operating
5227 privilege is reinstated in accordance with [subsections (f) and]
5228 subsection (h) of this section.

5229 (f) If such person does not contact the department to schedule a
5230 hearing, the commissioner shall affirm the suspension contained in the
5231 suspension notice for the appropriate period specified in subsection (i)
5232 of this section.

5233 (g) (1) If such person contacts the department to schedule a hearing,
5234 the department shall assign a date, time and place for the hearing, which
5235 date shall be prior to the effective date of the suspension, except that,
5236 with respect to a person whose operator's license or [nonresident]
5237 operating privilege is suspended in accordance with subdivision (2) of
5238 subsection (e) of this section, such hearing shall be scheduled not later
5239 than thirty days after such person contacts the department. At the
5240 request of such person, the hearing officer or the department and upon
5241 a showing of good cause, the commissioner may grant one or more
5242 continuances. [The hearing]

5243 (2) A hearing based on a report submitted under subsection (c) of this
5244 section shall be limited to a determination of the following issues: [(1)]
5245 (A) Did the police officer have probable cause to arrest the person for
5246 operating a motor vehicle while under the influence of intoxicating
5247 liquor or any drug, or both; [(2)] (B) was such person placed under

5248 arrest; [(3)] (C) did such person (i) refuse to submit to such test or
5249 [analysis or did such person] nontestimonial portion of a drug influence
5250 evaluation, or (ii) submit to such test, [or analysis,] commenced within
5251 two hours of the time of operation, and the results of such test [or
5252 analysis] indicated that such person had an elevated blood alcohol
5253 content; and [(4)] (D) was such person operating the motor vehicle.

5254 (3) A hearing based on a report submitted under subsection (d) of this
5255 section shall be limited to a determination of the following issues: (A)
5256 Did the police officer have probable cause to arrest the person for
5257 operating a motor vehicle while under the influence of intoxicating
5258 liquor or any drug, or both; (B) was such person placed under arrest; (C)
5259 was such person operating a motor vehicle under the influence of
5260 intoxicating liquor or any drug, or both; and (D) was such person
5261 operating the motor vehicle.

5262 (4) In [the] a hearing under this subsection, the results of the test, [or
5263 analysis] if administered, shall be sufficient to indicate the ratio of
5264 alcohol in the blood of such person at the time of operation, provided
5265 such test was commenced within two hours of the time of operation.
5266 The fees of any witness summoned to appear at [the] a hearing under
5267 this subsection shall be the same as provided by the general statutes for
5268 witnesses in criminal cases. Notwithstanding the provisions of
5269 subsection (a) of section 52-143, any subpoena summoning a police
5270 officer as a witness shall be served not less than seventy-two hours prior
5271 to the designated time of the hearing.

5272 (5) In a hearing based on a report submitted under subsection (d) of
5273 this section, evidence of operation under the influence of intoxicating
5274 liquor or any drug, or both shall be admissible. Such evidence may
5275 include, but need not be limited to, (A) the police officer's observations
5276 of intoxication, as documented in a report submitted to the
5277 commissioner under subsection (d) of this section; (B) the results of any
5278 chemical test administered under this section or a toxicology report
5279 certified by the Division of Scientific Services within the Department of
5280 Emergency Services and Public Protection; (C) hospital or medical

5281 records obtained in accordance with subsection (j) of this section or by
5282 the consent of the operator; (D) the results of any tests conducted by, or
5283 the report of, an officer trained in advanced roadside impaired driving
5284 enforcement; or (E) reports of drug recognition experts.

5285 (h) If, after [such] a hearing under subdivision (2) of subsection (g) of
5286 this section, the commissioner finds in the negative on any one of the
5287 [said] issues [in the negative] specified in subparagraph (A), (B), (C) or
5288 (D) of said subdivision, the commissioner shall reinstate such license or
5289 operating privilege. If, after a hearing under subdivision (3) of
5290 subsection (g) of this section, the commissioner finds in the negative on
5291 any one of the issues specified in subparagraph (A), (B), (C) or (D) of
5292 said subdivision, the commissioner shall reinstate such license or
5293 operating privilege. If, after such hearing under subdivision (2) or (3) of
5294 subsection (g) of this section, the commissioner does not find on any one
5295 of [the] said issues in the negative or if such person fails to appear at
5296 such hearing, the commissioner shall affirm the suspension contained
5297 in the suspension notice for the appropriate period specified in
5298 subsection (i) of this section. The commissioner shall render a decision
5299 at the conclusion of such hearing and send a notice of the decision by
5300 bulk certified mail to such person. The notice of such decision sent by
5301 bulk certified mail to the address of such person as shown by the records
5302 of the commissioner shall be sufficient notice to such person that such
5303 person's operator's license or [nonresident] operating privilege is
5304 reinstated or suspended, as the case may be.

5305 (i) (1) The commissioner shall suspend the operator's license or
5306 [nonresident] operating privilege of a person who did not contact the
5307 department to schedule a hearing, who failed to appear at a hearing, or
5308 against whom a decision was issued, after a hearing, pursuant to
5309 subsection (h) of this section, as of the effective date contained in the
5310 suspension notice, for a period of forty-five days. As a condition for the
5311 restoration of such operator's license or [nonresident] operating
5312 privilege, such person shall be required to install an ignition interlock
5313 device on each motor vehicle owned or operated by such person and,
5314 upon such restoration, be prohibited from operating a motor vehicle

5315 unless such motor vehicle is equipped with a functioning, approved
5316 ignition interlock device, as defined in section 14-227j, for the longer of
5317 either (A) the period prescribed in subdivision (2) of this subsection for
5318 the present arrest and suspension, or (B) the period prescribed in
5319 subdivision (1), (2) or (3) of subsection (g) of section 14-227a or
5320 subdivision (1), (2) or (3) of subsection (c) of section 14-227m or
5321 subdivision (1) or (2) of subsection (c) of section 14-227n for the present
5322 arrest and conviction, if any.

5323 (2) (A) A person twenty-one years of age or older at the time of the
5324 arrest who submitted to a test [or analysis] and the results of such test
5325 [or analysis] indicated that such person had an elevated blood alcohol
5326 content, or was found to have been operating a motor vehicle under the
5327 influence of intoxicating liquor or any drug, or both based on a report
5328 filed pursuant to subsection (d) of this section, shall install and maintain
5329 an ignition interlock device for the following periods: (i) For a first
5330 suspension under this section, six months; (ii) for a second suspension
5331 under this section, one year; and (iii) for a third or subsequent
5332 suspension under this section, two years; (B) a person under twenty-one
5333 years of age at the time of the arrest who submitted to a test [or analysis]
5334 and the results of such test [or analysis] indicated that such person had
5335 an elevated blood alcohol content, or was found to have been operating
5336 a motor vehicle under the influence of intoxicating liquor or any drug,
5337 or both based on a report filed pursuant to subsection (d) of this section,
5338 shall install and maintain an ignition interlock device for the following
5339 periods: (i) For a first suspension under this section, one year; (ii) for a
5340 second suspension under this section, two years; and (iii) for a third or
5341 subsequent suspension under this section, three years; and (C) a person,
5342 regardless of age, who refused to submit to a test or [analysis]
5343 nontestimonial portion of a drug influence evaluation shall install and
5344 maintain an ignition interlock device for the following periods: (i) For a
5345 first suspension under this section, one year; (ii) for a second suspension
5346 under this section, two years; and (iii) for a third or subsequent
5347 suspension, under this section, three years.

5348 (3) Notwithstanding the provisions of subdivisions (1) and (2) of this

5349 subsection, a person whose motor vehicle operator's license or
5350 [nonresident] operating privilege has been permanently revoked upon
5351 a third offense pursuant to subsection (g) of section 14-227a or
5352 subsection (c) of section 14-227m shall be subject to the penalties
5353 prescribed in subdivision (2) of subsection (i) of section 14-111.

5354 (j) Notwithstanding the provisions of subsections (b) to (i), inclusive,
5355 of this section, any police officer who obtains the results of a [chemical
5356 analysis] test of a blood sample taken from or a urine sample provided
5357 by an operator of a motor vehicle who was involved in an accident and
5358 suffered or allegedly suffered physical injury in such accident, or who
5359 was otherwise deemed by a police officer to require treatment or
5360 observation at a hospital, shall notify the [Commissioner of Motor
5361 Vehicles] commissioner and submit to the commissioner a written
5362 report if such results indicate that such person had an elevated blood
5363 alcohol content, or any quantity of an intoxicating liquor or any drug, or
5364 both, in such person's blood, and if such person was arrested for
5365 violation of section 14-227a or 14-227m or subdivision (1) or (2) of
5366 subsection (a) of section 14-227n. The report shall be made on a form
5367 approved by the commissioner containing such information as the
5368 commissioner prescribes, and shall be subscribed and sworn to under
5369 penalty of false statement, as provided in section 53a-157b, by the police
5370 officer. The commissioner may, after notice and an opportunity for
5371 hearing, which shall be conducted by a hearing officer on behalf of the
5372 commissioner in accordance with chapter 54, suspend the motor vehicle
5373 operator's license or [nonresident] operating privilege of such person for
5374 the appropriate period of time specified in subsection (i) of this section
5375 and require such person to install and maintain an ignition interlock
5376 device for the appropriate period of time prescribed in subsection (i) of
5377 this section. Each hearing conducted under this subsection shall be
5378 limited to a determination of the following issues: (1) Whether the police
5379 officer had probable cause to arrest the person for operating a motor
5380 vehicle while under the influence of intoxicating liquor or drug, or both;
5381 (2) whether such person was placed under arrest; (3) whether such
5382 person was operating the motor vehicle; (4) whether (A) the results of

5383 the analysis of the blood or urine of such person indicate that such
5384 person had an elevated blood alcohol content, or (B) the person was
5385 operating a motor vehicle under the influence of intoxicating liquor or
5386 any drug, or both; and (5) in the event that a blood sample was taken,
5387 whether the blood sample was obtained in accordance with conditions
5388 for admissibility and competence as evidence as set forth in subsection
5389 (k) of section 14-227a. If, after such hearing, the commissioner finds on
5390 any one of the said issues in the negative, the commissioner shall not
5391 impose a suspension. The fees of any witness summoned to appear at
5392 the hearing shall be the same as provided by the general statutes for
5393 witnesses in criminal cases, as provided in section 52-260.

5394 (k) The provisions of this section shall apply with the same effect to
5395 the refusal by any person to submit to an additional chemical test as
5396 provided in subparagraph (E) of subdivision [(5)] (1) of subsection (b)
5397 of section 14-227a.

5398 (l) The provisions of this section shall not apply to any person whose
5399 physical condition is such that, according to competent medical advice,
5400 such test would be inadvisable.

5401 (m) The state shall pay the reasonable charges of any physician who,
5402 at the request of a [municipal police department] law enforcement unit,
5403 as defined in section 7-294a, takes a blood sample for purposes of a test
5404 under the provisions of this section.

5405 (n) For the purposes of this section, "elevated blood alcohol content"
5406 means (1) a ratio of alcohol in the blood of such person that is eight-
5407 hundredths of one per cent or more of alcohol, by weight, (2) if such
5408 person is operating a commercial motor vehicle, a ratio of alcohol in the
5409 blood of such person that is four-hundredths of one per cent or more of
5410 alcohol, by weight, or (3) if such person is less than twenty-one years of
5411 age, a ratio of alcohol in the blood of such person that is two-hundredths
5412 of one per cent or more of alcohol, by weight.

5413 (o) The Commissioner of Motor Vehicles shall adopt regulations, in
5414 accordance with chapter 54, to implement the provisions of this section.

5415 Sec. 119. Section 14-227c of the general statutes is repealed and the
5416 following is substituted in lieu thereof (*Effective April 1, 2022*):

5417 (a) As part of the investigation of any motor vehicle accident resulting
5418 in the death of a person, the Chief Medical Examiner, Deputy Chief
5419 Medical Examiner, an associate medical examiner, a pathologist as
5420 specified in section 19a-405, or an authorized assistant medical
5421 examiner, as the case may be, shall order that a blood sample be taken
5422 from the body of any operator or pedestrian who dies as a result of such
5423 accident. Such blood samples shall be examined for the presence and
5424 concentration of alcohol and any drug by the Division of Scientific
5425 Services within the Department of Emergency Services and Public
5426 Protection or by the Office of the Chief Medical Examiner, or by any
5427 forensic toxicology laboratory pursuant to an agreement with the office.
5428 Nothing in this subsection or section 19a-406 shall be construed as
5429 requiring such medical examiner to perform an autopsy in connection
5430 with obtaining such blood samples.

5431 (b) [A blood or breath sample shall be obtained from any surviving
5432 operator whose motor vehicle is involved in an accident resulting in the
5433 serious physical injury, as defined in section 53a-3, or death of another
5434 person, if] If any surviving operator whose motor vehicle is involved in
5435 an accident resulting in the serious physical injury, as defined in section
5436 53a-3, or death of another person, and (1) a police officer has probable
5437 cause to believe that such operator operated such motor vehicle while
5438 under the influence of intoxicating liquor or any drug, or both, or (2)
5439 such operator has been charged with a motor vehicle violation in
5440 connection with such accident and a police officer has a reasonable and
5441 articulable suspicion that such operator operated such motor vehicle
5442 while under the influence of intoxicating liquor or any drug, or both:

5443 (A) A blood, breath or urine sample shall be obtained from such
5444 surviving operator. The test shall be performed by or at the direction of
5445 a police officer according to methods and with equipment approved by
5446 the Department of Emergency Services and Public Protection and shall
5447 be performed by a person certified or recertified for such purpose by

5448 said department or recertified by persons certified as instructors by the
5449 Commissioner of Emergency Services and Public Protection. The
5450 equipment used for such test shall be checked for accuracy by a person
5451 certified by the Department of Emergency Services and Public
5452 Protection immediately before and after such test is performed. If a
5453 blood test is performed, it shall be on a blood sample taken by a person
5454 licensed to practice medicine and surgery in this state, a qualified
5455 laboratory technician, a registered nurse, a physician assistant or a
5456 phlebotomist. [The blood samples] A blood sample obtained from an
5457 operator pursuant to this subsection shall be examined for the presence
5458 and concentration of alcohol and any drug by the Division of Scientific
5459 Services within the Department of Emergency Services and Public
5460 Protection; [.] and

5461 (B) A drug recognition expert shall conduct a drug influence
5462 evaluation of such surviving operator, provided such operator is not
5463 seriously injured or otherwise unable to take such evaluation as a result
5464 of the accident.

5465 (c) Each police officer who obtains from a surviving operator any
5466 blood, breath or urine sample or a drug influence evaluation conducted
5467 on such operator pursuant to subsection (b) of this section shall submit
5468 to the Commissioner of Motor Vehicles a written report providing the
5469 results of such sample or evaluation on a form approved by the
5470 commissioner. The commissioner may, after notice and an opportunity
5471 for a hearing held in accordance with chapter 54 and section 14-227b,
5472 suspend the motor vehicle operator's license or operating privilege of
5473 such person and require such person to install and maintain an ignition
5474 interlock device as provided for in subsection (i) of section 14-227b. Such
5475 hearing shall be limited to a determination of the following issues: (1)
5476 Was the person operating the motor vehicle; (2) was the person's sample
5477 obtained in accordance with, or drug influence evaluation conducted
5478 pursuant to, the provisions of subsection (b) of this section; and (3) was
5479 the examined sample found to have an elevated blood alcohol content,
5480 as defined in section 14-227b or was the person operating the motor
5481 vehicle under the influence of intoxicating liquor or any drug, or both.

5482 (d) In any motor vehicle accident resulting in the death of a person,
5483 the law enforcement unit, as defined in section 7-294a, responding to the
5484 accident shall assign an officer trained in advanced roadside impaired
5485 driving enforcement to respond, if such an officer is available.

5486 Sec. 120. Subsection (c) of section 14-44k of the general statutes is
5487 repealed and the following is substituted in lieu thereof (*Effective April*
5488 *1, 2022*):

5489 (c) In addition to any other penalties provided by law, and except as
5490 provided in subsection (d) of this section, a person is disqualified from
5491 operating a commercial motor vehicle for one year if the commissioner
5492 finds that such person (1) has refused to submit to a test to determine
5493 such person's blood alcohol concentration while operating any motor
5494 vehicle [or has failed such a test when given,] or to a nontestimonial
5495 portion of a drug influence evaluation conducted by a drug recognition
5496 expert, (2) has an elevated blood alcohol content based on such a test
5497 pursuant to section 14-227b, or (3) was found to have been operating
5498 under the influence of intoxicating liquor or any drug, or both based on
5499 a report filed pursuant to the provisions of subsection (d) of section 14-
5500 227b or pursuant to the provisions of a law of any other state that is
5501 deemed by the commissioner to be substantially similar to section 14-
5502 227b. For the purpose of this subsection, [a person shall be deemed to
5503 have failed such a test if, when driving a commercial motor vehicle, the
5504 ratio of alcohol in the blood of such person was four-hundredths of one
5505 per cent or more of alcohol, by weight, or if, when driving any other
5506 motor vehicle, the ratio of alcohol in the blood of such person was eight-
5507 hundredths of one per cent or more of alcohol, by weight] "drug
5508 recognition expert," "elevated blood alcohol content" and
5509 "nontestimonial portion of a drug influence evaluation" have the same
5510 meanings as provided in section 14-227a.

5511 Sec. 121. (NEW) (*Effective July 1, 2021*) The state Traffic Safety
5512 Resource Prosecutor, in consultation with the Department of
5513 Transportation, the Department of Motor Vehicles, the state-wide drug
5514 recognition expert coordinator, and the Connecticut Police Chiefs

5515 Association, shall seek any guidance available from the National
5516 Highway Traffic Safety Administration, and shall (1) develop
5517 educational materials and programs about the drug recognition expert
5518 program and drug influence evaluations, and (2) make such materials
5519 and programs available to the Judicial Branch and the Connecticut
5520 Judges Association.

5521 Sec. 122. Section 15-140q of the general statutes is repealed and the
5522 following is substituted in lieu thereof (*Effective April 1, 2022*):

5523 (a) Any person who operates a vessel in this state shall be deemed to
5524 have consented to (1) a chemical [analysis] test of such person's blood,
5525 breath or urine, [and if] and (2) a nontestimonial portion of a drug
5526 influence evaluation conducted by a drug recognition expert. If such
5527 person is a minor, such person's parent or parents or guardian shall also
5528 be deemed to have given their consent for such [an analysis of the
5529 minor's blood, breath or urine] test or evaluation.

5530 [(b) If any such person, having been placed under arrest for: (1)
5531 Violating subsection (b) of section 53-206d; (2) operating a vessel upon
5532 the waters of this state while under the influence of intoxicating liquor
5533 or any drug, or both; (3) operating a vessel upon the waters of this state
5534 while such person has an elevated blood alcohol content, and thereafter,
5535 after being apprised of such person's constitutional rights, having been
5536 requested to submit to a blood, breath or urine test at the option of the
5537 police officer, having been afforded a reasonable opportunity to
5538 telephone an attorney prior to the performance of such test and having
5539 been informed that such person's safe boating certificate, right to
5540 operate a vessel that requires a safe boating certificate for operation or
5541 certificate of personal watercraft operation issued by the commissioner
5542 as a condition of operating a vessel shall be suspended in accordance
5543 with the provisions of this section if such person refuses to submit to
5544 such test or if such person submits to such test and the results of such
5545 test indicate that such person has an elevated blood alcohol content and
5546 that evidence of any such refusal shall be admissible in accordance with
5547 subsection (d) of section 15-140r, and may be used against such person

5548 in any criminal prosecution, refuses to submit to the designated test, the
5549 test shall not be given; provided, if such person refuses or is unable to
5550 submit to a blood test, the peace officer shall designate the breath or
5551 urine test as the test to be taken. The peace officer shall make a notation
5552 upon the records of the police department that such officer informed
5553 such person that such person's safe boating certificate, right to operate
5554 a vessel that requires a safe boating certificate for operation or certificate
5555 of personal watercraft operation would be suspended if such person
5556 refused to submit to such test or if such person submitted to such test
5557 and the results of such test indicated that such person has an elevated
5558 blood alcohol content.]

5559 (b) (1) A peace officer who has placed a person under arrest for
5560 violating subsection (b) of section 53-206d; operating a vessel upon the
5561 waters of this state while under the influence of intoxicating liquor or
5562 any drug, or both; or operating a vessel upon the waters of this state
5563 while such person has an elevated blood alcohol content, may request
5564 that such person submit to a blood, breath or urine test at the option of
5565 the peace officer, a drug influence evaluation conducted by a drug
5566 recognition expert, or both, after such person has been (A) apprised of
5567 such person's constitutional rights, (B) afforded a reasonable
5568 opportunity to telephone an attorney prior to the performance of such
5569 test or evaluation, (C) informed that evidence of any refusal to submit
5570 to such test or evaluation shall be admissible in accordance with
5571 subsection (d) of section 15-140r and may be used against such person
5572 in any criminal prosecution, except that refusal to submit to the
5573 testimonial portions of a drug influence evaluation shall not be
5574 considered evidence of refusal of such evaluation for purposes of any
5575 criminal prosecution, and (D) informed that such person's safe boating
5576 certificate, right to operate a vessel that requires a safe boating certificate
5577 for operation or certificate of personal watercraft operation issued by
5578 the commissioner as a condition of operating a vessel may be suspended
5579 in accordance with the provisions of this section if (i) such person
5580 refuses to submit to such test or nontestimonial portion of a drug
5581 influence evaluation, (ii) such person submits to such test and the results

5582 of such test indicate that such person has an elevated blood alcohol
5583 content, or (iii) the officer concludes, through investigation, that such
5584 person was operating a vessel under the influence of intoxicating liquor
5585 or any drug, or both.

5586 (2) If the person refuses to submit to any test or drug influence
5587 evaluation, the test or evaluation shall not be given, except that if the
5588 person refuses or is unable to submit to a blood test, the peace officer
5589 shall designate another test to be taken. If the person submits to a breath
5590 test and the peace officer, for reasonable cause, requests an additional
5591 chemical test of a different type to detect the presence of a drug or drugs
5592 other than or in addition to alcohol, the peace officer may administer
5593 such test, except that if the person refuses or is unable to submit to a
5594 blood test, the peace officer shall designate a urine test to be taken. The
5595 peace officer shall make a notation upon the records of the law
5596 enforcement unit, as defined in section 7-294a, that such officer
5597 informed the person that such person's safe boating certificate, right to
5598 operate a vessel that requires a safe boating certificate for operation or
5599 certificate of personal watercraft operation may be suspended if such
5600 person (A) refused to submit to such test or the nontestimonial portion
5601 of a drug influence evaluation; (B) submitted to such test and the results
5602 of such test indicated that such person had an elevated blood alcohol
5603 content; or (C) the officer concludes, through investigation, that such
5604 person was operating a vessel under the influence of intoxicating liquor
5605 or any drug, or both.

5606 (c) If the person arrested refuses to submit to such test or [analysis]
5607 nontestimonial portion of a drug influence evaluation, or submits to
5608 such test [or analysis] and the results of such test [or analysis] indicate
5609 that at the time of the alleged offense such person had an elevated blood
5610 alcohol content, the peace officer shall immediately revoke the safe
5611 boating certificate, right to operate a vessel that requires a safe boating
5612 certificate for operation or certificate of personal watercraft operation, if
5613 any, of such person for a twenty-four-hour period. The peace officer
5614 shall prepare a written report of the incident and shall mail the report,
5615 together with any certificate taken into possession and a copy of the

5616 results of any chemical test, [or analysis,] to the commissioner within
5617 three business days. The report shall be made on a form approved by
5618 the commissioner and shall be subscribed and sworn to under penalty
5619 of false statement as provided in section 53a-157b by the peace officer
5620 before whom such refusal was made or who administered or caused to
5621 be administered such test, [or analysis.] If the person arrested refused to
5622 submit to such test or [analysis] evaluation, the report shall be endorsed
5623 by a third person who witnessed such refusal. The report shall set forth
5624 the grounds for the officer's belief that there was probable cause to arrest
5625 such person for operating such vessel while under the influence of
5626 intoxicating liquor or any drug, or both, or while such person has an
5627 elevated blood alcohol content and shall state that such person refused
5628 to submit to such test or [analysis] evaluation when requested by such
5629 peace officer or that such person submitted to such test [or analysis] and
5630 the results of such test [or analysis] indicated that such person at the
5631 time of the alleged offense had an elevated blood alcohol content.

5632 [(d) If the person arrested submits to a blood or urine test at the
5633 request of the peace officer, and the specimen requires laboratory
5634 analysis in order to obtain the test results, and if the test results indicate
5635 that such person has an elevated blood alcohol content, the peace officer,
5636 immediately upon receipt of the test results, shall notify and submit to
5637 the commissioner the written report required pursuant to subsection (c)
5638 of this section.]

5639 (d) If a peace officer has placed a person under arrest for violating
5640 subsection (b) of section 53-206d; operating a vessel upon the waters of
5641 this state while under the influence of intoxicating liquor or any drug,
5642 or both; or operating a vessel upon the waters of this state while such
5643 person has an elevated blood alcohol content and does not request that
5644 such person submit to a blood, breath or urine test under subsection (b)
5645 of this section, or obtains test results from a test administered under
5646 subsection (b) of this section that indicate that the person does not have
5647 an elevated blood alcohol content, such officer shall:

5648 (1) Advise such person that such person's safe boating certificate,

5649 right to operate a vessel that requires a safe boating certificate for
5650 operation or certificate of personal watercraft operation issued by the
5651 commissioner as a condition of operating a vessel may be suspended in
5652 accordance with the provisions of this section if such officer concludes,
5653 through a police investigation, that such person was operating a vessel
5654 under the influence of intoxicating liquor or any drug, or both; and

5655 (2) Submit a report to the commissioner in accordance with the
5656 procedure set forth in subsection (c) of this section and, if such report
5657 contains the results of a blood, breath or urine test that does not show
5658 an elevated blood alcohol content, such report shall conform to the
5659 requirements in subsection (c) of this section for reports that contain
5660 results showing an elevated blood alcohol content. In any report
5661 submitted under this subdivision, the officer shall document (A) the
5662 basis for the officer's belief that there was probable cause to arrest such
5663 person for a violation of subsection (b) of section 53-206d; operating a
5664 vessel upon the waters of this state while under the influence of
5665 intoxicating liquor or any drug, or both; or operating a vessel upon the
5666 waters of this state while such person has an elevated blood alcohol
5667 content, and (B) whether the officer concludes, through investigation,
5668 that the person was operating a vessel under the influence of
5669 intoxicating liquor or any drug, or both. With such report, the officer
5670 may submit other supporting documentation indicating the person's
5671 intoxication by liquor or any drug, or both. If the officer concludes,
5672 through investigation, that the person was operating a vessel under the
5673 influence of intoxicating liquor or any drug, or both, the officer shall
5674 immediately revoke and take possession of the person's safe boating
5675 certificate, right to operate a vessel that requires a safe boating certificate
5676 for operation or certificate of personal watercraft operation issued by
5677 the commissioner as a condition of operating a vessel, for a twenty-four-
5678 hour period.

5679 (e) Upon receipt of [such] a report submitted under subsection (c) or
5680 (d) of this section, the commissioner shall suspend the safe boating
5681 certificate, right to operate a vessel that requires a safe boating certificate
5682 for operation or certificate of personal watercraft operation of such

5683 person effective as of a date certain, and such date certain shall be no
5684 later than thirty-five days [after] from the later of the date such person
5685 received (1) notice of such person's arrest by the peace officer, or (2) the
5686 results of a blood or urine test or a drug influence evaluation. Any
5687 person whose safe boating certificate, right to operate a vessel that
5688 requires a safe boating certificate for operation or certificate of personal
5689 watercraft operation is suspended in accordance with this subsection
5690 shall be entitled to a hearing before the commissioner to be held prior to
5691 the effective date of the suspension. The commissioner shall send a
5692 suspension notice to such person informing such person that such
5693 person's safe boating certificate, right to operate a vessel that requires a
5694 safe boating certificate for operation or certificate of personal watercraft
5695 operation is suspended and shall specify the date of such suspension
5696 and that such person is entitled to a hearing prior to the effective date of
5697 the suspension and may schedule such hearing by contacting the
5698 commissioner not later than seven days after the date of mailing of such
5699 suspension notice.

5700 (f) If such person does not contact the department to schedule a
5701 hearing, the commissioner shall affirm the suspension contained in the
5702 suspension notice for the appropriate period specified in subsection (i)
5703 of this section.

5704 (g) (1) If such person contacts the department to schedule a hearing,
5705 the commissioner shall assign a date, time and place for the hearing,
5706 which date shall be prior to the effective date of the suspension. At the
5707 request of such person and upon a showing of good cause, the
5708 commissioner may grant one continuance for a period not to exceed
5709 thirty days. [The hearing]

5710 (2) A hearing based on a report submitted under subsection (c) of this
5711 section shall be limited to a determination of the following issues: [(1)]
5712 (A) Whether the peace officer had probable cause to arrest the person
5713 for operating the vessel while under the influence of intoxicating liquor
5714 or drugs, or both, or while such person has an elevated blood alcohol
5715 content; [(2)] (B) whether such person was placed under arrest; [(3)] (C)

5716 whether such person [(A)] (i) refused to submit to such test or [analysis]
5717 nontestimonial portion of a drug influence evaluation, or [(B)] (ii)
5718 submitted to such test [or analysis] and the results of such test [or
5719 analysis] indicated that at the time of the alleged offense that such
5720 person had an elevated blood alcohol content; and [(4)] (D) whether
5721 such person was operating the vessel.

5722 (3) A hearing based on a report submitted under subsection (d) of this
5723 section shall be limited to a determination of the following issues: (A)
5724 Whether the peace officer had probable cause to arrest the person for
5725 operating a vessel while under the influence of intoxicating liquor or
5726 drugs, or both, or while such person has an elevated blood alcohol
5727 content; (B) whether such person was placed under arrest; (C) whether
5728 such person was operating a vessel under the influence of intoxicating
5729 liquor or any drug, or both; and (D) whether such person was operating
5730 the vessel.

5731 (4) At [the] a hearing held under this subsection, the results of the
5732 test, [or analysis] if administered, shall be sufficient to indicate the ratio
5733 of alcohol in the blood of such person at the time of operation, except
5734 that if the results of an additional test, administered pursuant to section
5735 15-140r, indicate that the ratio of alcohol in the blood of such person is
5736 eight-hundredths of one per cent or less of alcohol, by weight, and is
5737 higher than the results of the first test, evidence shall be presented that
5738 demonstrates that the test results and analysis thereof accurately
5739 indicate the blood alcohol content at the time of operation. The fees of
5740 any witness summoned to appear at [the] a hearing under this
5741 subsection shall be the same as provided in section 52-260.

5742 (5) In a hearing based on a report submitted under subsection (d) of
5743 this section, evidence of operation under the influence of intoxicating
5744 liquor or any drug, or both shall be admissible. Such evidence may
5745 include, but need not be limited to, (A) the peace officer's observations
5746 of intoxication, as documented in a report submitted to the
5747 commissioner under subsection (d) of this section; (B) the results of any
5748 chemical test administered under this section or a toxicology report

5749 certified by the Division of Scientific Services within the Department of
5750 Emergency Services and Public Protection; (C) hospital or medical
5751 records obtained in accordance with subsection (j) of this section or by
5752 the consent of the operator; or (D) reports of drug recognition experts.

5753 (h) If, after [such] a hearing under subdivision (2) of subsection (g) of
5754 this section, the commissioner finds in the negative on any one of [said]
5755 the issues specified in [the negative] subparagraph (A), (B), (C) or (D) of
5756 said subdivision, the commissioner shall stay the safe boating certificate,
5757 right to operate a vessel that requires a safe boating certificate for
5758 operation or certificate of personal watercraft operation suspension. If,
5759 after a hearing under subdivision (3) of subsection (g) of this section, the
5760 commissioner finds in the negative on any one of the issues specified in
5761 subparagraph (A), (B), (C) or (D) of said subdivision, the commissioner
5762 shall stay the safe boating certificate, right to operate a vessel that
5763 requires a safe boating certificate for operation or certificate of personal
5764 watercraft operation suspension. If, after such hearing under
5765 subdivision (2) or (3) of subsection (g) of this section, the commissioner
5766 does not find on any one of said issues in the negative or if such person
5767 fails to appear at such hearing, the commissioner shall affirm the
5768 suspension contained in the suspension notice for the appropriate
5769 period specified in subsection (i) of this section. The commissioner shall
5770 render a decision at the conclusion of such hearing or send a notice of
5771 the decision by certified mail to such person not later than thirty-five
5772 days from the date of notice of such person's arrest by the peace officer
5773 or, if a continuance is granted, not later than sixty-five days from the
5774 date such person received notice of such person's arrest by the peace
5775 officer. The notice of such decision sent by certified mail to the address
5776 of such person as shown by the records of the commissioner shall be
5777 sufficient notice to such person that such person's safe boating
5778 certificate, right to operate a vessel that requires a safe boating certificate
5779 for operation or certificate of personal watercraft operation is suspended
5780 or the suspension is stayed. Unless a continuance of the hearing is
5781 granted pursuant to subsection (g) of this section, if the commissioner
5782 fails to render a decision within thirty-five days from the date that such

5783 person received notice of such person's arrest by the peace officer, the
5784 commissioner shall not suspend such person's safe boating certificate,
5785 right to operate a vessel that requires a safe boating certificate for
5786 operation or certificate of personal watercraft operation.

5787 (i) The commissioner shall suspend the operator's safe boating
5788 certificate, right to operate a vessel that requires a safe boating certificate
5789 for operation or certificate of personal watercraft operation of a person
5790 who does not contact the department to schedule a hearing under
5791 subsection (e) of this section, who fails to appear at such hearing, or
5792 against whom, after a hearing, the commissioner holds pursuant to
5793 subsection (g) of this section. Such suspension shall be as of the effective
5794 date contained in the suspension notice or the date the commissioner
5795 renders a decision, whichever is later, for a period of: (1) (A) Except as
5796 provided in subparagraph (B) of this subdivision, ninety days if such
5797 person submitted to a test [or analysis] and the results of such test [or
5798 analysis] indicated that at the time of the alleged offense that such
5799 person had an elevated blood alcohol content, or such person was found
5800 to have been operating a vessel under the influence of intoxicating
5801 liquor or any drug, or both, based on a report filed pursuant to
5802 subsection (d) of this section, or (B) one hundred twenty days if such
5803 person submitted to a test [or analysis] and the results of such test [or
5804 analysis] indicated that the ratio of alcohol in the blood of such person
5805 was sixteen-hundredths of one per cent or more of alcohol, by weight,
5806 or (C) six months if such person refused to submit to such test; [or
5807 analysis;] (2) if such person has previously had such person's safe
5808 boating certificate, right to operate a vessel that requires a safe boating
5809 certificate for operation or certificate of personal watercraft operation
5810 suspended under this section, (A) except as provided in subparagraph
5811 (B) of this subdivision, nine months if such person submitted to a test
5812 [or analysis] and the results of such test [or analysis] indicated that at
5813 the time of the alleged offense that such person had an elevated blood
5814 alcohol content, or such person was found to have been operating a
5815 vessel under the influence of intoxicating liquor or any drug, or both,
5816 based on a report filed pursuant to subsection (d) of this section, (B) ten

5817 months if such person submitted to a test [or analysis] and the results of
5818 such test [or analysis] indicated that the ratio of alcohol in the blood of
5819 such person was sixteen-hundredths of one per cent or more of alcohol,
5820 by weight, and (C) one year if such person refused to submit to such
5821 test; [or analysis;] and (3) if such person has two or more times
5822 previously had such person's safe boating certificate, right to operate a
5823 vessel that requires a safe boating certificate for operation or certificate
5824 of personal watercraft operation suspended under this section, (A)
5825 except as provided in subparagraph (B) of this subdivision, two years if
5826 such person submitted to a test [or analysis] and the results of such test
5827 [or analysis] indicated that at the time of the alleged offense that such
5828 person had an elevated blood alcohol content, or such person was found
5829 to have been operating a vessel under the influence of intoxicating
5830 liquor or any drug, or both, based on a report filed pursuant to
5831 subsection (d) of this section, (B) two and one-half years if such person
5832 submitted to a test [or analysis] and the results of such test [or analysis]
5833 indicated that the ratio of alcohol in the blood of such person was
5834 sixteen-hundredths of one per cent or more of alcohol, by weight, and
5835 (C) three years if such person refused to submit to such test. [or
5836 analysis.]

5837 (j) Notwithstanding the provisions of subsections (b) to (i), inclusive,
5838 of this section, any peace officer who obtains the results of a chemical
5839 analysis of a blood sample taken from an operator of a vessel involved
5840 in an accident who suffered or allegedly suffered physical injury in such
5841 accident shall notify the commissioner and submit to the commissioner
5842 a written report if such results indicate that at the time of the alleged
5843 offense such person had an elevated blood alcohol content, or any
5844 quantity of an intoxicating liquor or any drug, or both, in such person's
5845 blood, and if such person was arrested for a violation of section 15-132a,
5846 subsection (d) of section 15-133 or section 15-140/ or 15-140n in
5847 connection with such accident. The report shall be made on a form
5848 approved by the commissioner containing such information as the
5849 commissioner prescribes and shall be subscribed and sworn under
5850 penalty of false statement, as provided in section 53a-157b, by the peace

5851 officer. The commissioner shall, after notice and an opportunity for
5852 hearing, which shall be conducted in accordance with chapter 54,
5853 suspend the safe boating certificate, right to operate a vessel that
5854 requires a safe boating certificate for operation or certificate of personal
5855 watercraft operation of such person for a period of up to ninety days,
5856 or, if such person has previously had such person's operating privilege
5857 suspended under this section, for a period up to one year. Each hearing
5858 conducted under this section shall be limited to a determination of the
5859 following issues: (1) Whether the peace officer had probable cause to
5860 arrest the person for operating a vessel while under the influence of
5861 intoxicating liquor or drugs, or both, or while such person has an
5862 elevated blood alcohol content; (2) whether such person was placed
5863 under arrest; (3) whether such person was operating the vessel; (4)
5864 whether (A) the results of the analysis of the blood of such person
5865 indicate that such person had an elevated blood alcohol content, or (B)
5866 the person was operating a vessel under the influence of intoxicating
5867 liquor or any drug, or both; and (5) whether the blood sample was
5868 obtained in accordance with conditions for admissibility as set forth in
5869 section 15-140s. If, after such hearing, the commissioner finds on any
5870 issue in the negative, the commissioner shall not impose a suspension.
5871 The fees of any witness summoned to appear at the hearing shall be the
5872 same as provided by the general statutes for witnesses in criminal cases.

5873 (k) The provisions of this section shall apply with the same effect to
5874 the refusal by any person to submit to an additional chemical test as
5875 provided in [subdivision (5)] subparagraph (E) of subdivision (1) of
5876 subsection (a) of section 15-140r.

5877 (l) The provisions of this section do not apply to any person whose
5878 physical condition is such that, according to competent medical advice,
5879 such test would be inadvisable.

5880 (m) The state shall pay the reasonable charges of any physician who,
5881 at the request of a [municipal police department] law enforcement unit,
5882 as defined in section 7-294a, takes a blood sample for purposes of a test
5883 under the provisions of this section.

5884 (n) For the purposes of this section, "elevated blood alcohol content"
5885 means: (1) A ratio of alcohol in the blood of such person that is eight-
5886 hundredths of one per cent or more of alcohol, by weight, or (2) if such
5887 person is under twenty-one years of age, a ratio of alcohol in the blood
5888 of such person that is two-hundredths of one per cent or more of alcohol,
5889 by weight.

5890 (o) The commissioner may adopt regulations, in accordance with
5891 chapter 54, to implement the provisions of this section.

5892 (p) For purposes of this section and section 15-140r, (1) "drug
5893 influence evaluation" means an evaluation developed by the National
5894 Highway Traffic Safety Administration and the International
5895 Association of Chiefs of Police that is conducted by a drug recognition
5896 expert to determine the level of a person's impairment from the use of
5897 drugs and the drug category causing such impairment; (2) "drug
5898 recognition expert" means a person certified by the International
5899 Association of Chiefs of Police as having met all requirements of the
5900 International Drug Evaluation and Classification Program; and (3)
5901 "nontestimonial portion of a drug influence evaluation" means a drug
5902 influence evaluation conducted by a drug recognition expert that does
5903 not include a verbal interview with the subject.

5904 Sec. 123. Section 15-140r of the general statutes is repealed and the
5905 following is substituted in lieu thereof (*Effective April 1, 2022*):

5906 (a) Except as provided in section 15-140s or subsection (d) of this
5907 section, in any criminal prosecution for the violation of section 15-132a,
5908 subsection (d) of section 15-133, section 15-140l or 15-140n or subsection
5909 (b) of section 53-206d, evidence respecting the amount of alcohol or drug
5910 in the defendant's blood or urine at the time of the alleged offense, as
5911 shown by a chemical [analysis] test of the defendant's breath, blood or
5912 urine shall be admissible and competent provided: (1) The defendant
5913 was afforded a reasonable opportunity to telephone an attorney prior to
5914 the performance of the test and consented to the taking of the test upon
5915 which such analysis is made; (2) a true copy of the report of the test

5916 result was mailed to or personally delivered to the defendant within
5917 twenty-four hours or by the end of the next regular business day, after
5918 such result was known, whichever is later; (3) the test was performed
5919 by or at the direction of a certified law enforcement officer according to
5920 methods and with equipment approved by the Department of
5921 Emergency Services and Public Protection, and if a blood test was
5922 performed, it was performed on a blood sample taken by a person
5923 licensed to practice medicine and surgery in this state, a qualified
5924 laboratory technician, an emergency medical technician II or a
5925 registered nurse in accordance with the regulations adopted under
5926 subsection (b) of this section; (4) the device used for such test was
5927 checked for accuracy in accordance with the regulations adopted under
5928 subsection (b) of this section; (5) an additional chemical test of the same
5929 type was performed at least ten minutes after the initial test was
5930 performed or, if requested by the peace officer for reasonable cause, an
5931 additional chemical test of a different type was performed, including a
5932 test to detect the presence of a drug or drugs other than or in addition
5933 to alcohol, except that the results of the initial test shall not be
5934 inadmissible under this subsection if reasonable efforts were made to
5935 have such additional test performed in accordance with the conditions
5936 set forth in this subsection and (A) such additional test was not
5937 performed or was not performed within a reasonable time, or (B) the
5938 results of such additional test are not admissible for failure to meet a
5939 condition set forth in this subsection; and (6) evidence is presented that
5940 the test was commenced within two hours of operation of the vessel or
5941 expert testimony establishes the reliability of a test commenced beyond
5942 two hours of operation of the vessel. In any prosecution under this
5943 section, it shall be a rebuttable presumption that the results of such
5944 chemical analysis establish the ratio of alcohol in the blood of the
5945 defendant at the time of the alleged offense, except that if the results of
5946 the additional test indicate that the ratio of alcohol in the blood of such
5947 defendant is ten-hundredths of one per cent or less of alcohol, by weight,
5948 and is higher than the results of the first test, evidence shall be presented
5949 that demonstrates that the test results and the analysis thereof
5950 accurately indicate the blood alcohol content at the time of the alleged

5951 offense.

5952 (b) The Commissioner of Emergency Services and Public Protection
5953 shall ascertain the reliability of each method and type of device offered
5954 for chemical testing and analysis of blood, of breath and of urine and
5955 certify those methods and types which the Commissioner of Emergency
5956 Services and Public Protection finds suitable for use in testing and
5957 analysis of blood, breath and urine, respectively, in this state. The
5958 Commissioner of Emergency Services and Public Protection, after
5959 consultation with the Commissioner of Public Health, shall adopt
5960 regulations, in accordance with chapter 54, governing the conduct of
5961 chemical tests, the operation and use of chemical test devices and the
5962 training and certification of operators of such devices and the drawing
5963 or obtaining of blood, breath or urine samples as the Commissioner of
5964 Emergency Services and Public Protection finds necessary to protect the
5965 health and safety of persons who submit to chemical tests and to insure
5966 reasonable accuracy in testing results. Such regulations shall not require
5967 recertification of a peace officer solely because such officer terminates
5968 such officer's employment with the law enforcement agency for which
5969 certification was originally issued and commences employment with
5970 another such agency.

5971 (c) If a person is charged with a violation of section 15-132a,
5972 subsection (d) of section 15-133 or section 15-140/ or 15-140n, the charge
5973 may not be reduced, nolle or dismissed unless the prosecuting
5974 authority states in open court such prosecutor's reasons for the
5975 reduction, nolle or dismissal.

5976 (d) (1) In any criminal prosecution for a violation of section 15-132a,
5977 subsection (d) of section 15-133 or section 15-140/ or 15-140n, evidence
5978 that the defendant refused to submit to a blood, breath or urine test or
5979 the nontestimonial portion of a drug influence evaluation requested in
5980 accordance with section 15-140q shall be admissible provided the
5981 requirements of subsection (a) of said section have been satisfied. If a
5982 case involving a violation of section 15-132a, subsection (d) of section
5983 15-133 or section 15-140/ or 15-140n is tried to a jury, the court shall

5984 instruct the jury as to any inference that may or may not be drawn from
5985 the defendant's refusal to submit to a blood, breath or urine test or
5986 evaluation.

5987 (2) In any prosecution for a violation of subsection (a) of this section
5988 in which it is alleged that the defendant's operation of a vessel was
5989 impaired, in whole or in part, by consumption of cannabis, as defined
5990 in section 1 of this act, the court may take judicial notice that the
5991 ingestion of cannabis (A) can impair a person's ability to operate a
5992 vessel; (B) can cause impairment of motor function, reaction time,
5993 tracking ability, cognitive attention, decision-making, judgment,
5994 perception, peripheral vision, impulse control or memory; and (C) does
5995 not enhance a person's ability to safely operate a vessel.

5996 Sec. 124. (*Effective July 1, 2021*) Not later than July 1, 2022, the
5997 Commissioner of Transportation, in consultation with the
5998 Commissioner of Motor Vehicles and a task force established within the
5999 Executive Branch known as the Statewide Impaired Driving Task Force,
6000 shall make recommendations to the Governor and, in accordance with
6001 the provisions of section 11-4a of the general statutes, the joint standing
6002 committees of the General Assembly having cognizance of matters
6003 relating to the judiciary and transportation regarding (1) the
6004 enhancement of data collection regarding impaired driving, including,
6005 but not limited to, the possibility of reorganizing the state's impaired
6006 driving statutes into separate offenses for operation under the influence
6007 of alcohol, operation under the influence of any drug and operation
6008 under the influence of both alcohol and any drug, (2) the
6009 implementation of an electronic warrant pilot program in impaired
6010 driving investigations, and (3) the merits and feasibility of a pilot
6011 program for oral fluid testing in impaired driving investigations.

6012 Sec. 125. (NEW) (*Effective July 1, 2021*) (a) As used in this section and
6013 sections 126 and 127 of this act:

6014 (1) "Cannabis" has the same meaning as provided in section 1 of this
6015 act;

6016 (2) "Cannabis concentrate" has the same meaning as provided in
6017 section 1 of this act;

6018 (3) "Cannabis edible product" means a product containing cannabis
6019 or cannabis concentrate, combined with other ingredients, that is
6020 intended for use or consumption through ingestion, including
6021 sublingual or oral absorption;

6022 (4) "Cannabis plant material" has the same meaning as provided in
6023 section 21a-279a of the general statutes;

6024 (5) "Cannabis retailer" means "retailer", as defined in section 1 of this
6025 act;

6026 (6) "Consumer" has the same meaning as provided in section 1 of this
6027 act;

6028 (7) "Cultivator" has the same meaning as provided in section 1 of this
6029 act;

6030 (8) "Delivery service" has the same meaning as provided in section 1
6031 of this act;

6032 (9) "Dispensary facility" has the same meaning as provided in section
6033 1 of this act;

6034 (10) "Food and beverage manufacturer" has the same meaning as
6035 provided in section 1 of this act;

6036 (11) "Hybrid retailer" has the same meaning as provided in section 1
6037 of this act;

6038 (12) "Micro-cultivator" has the same meaning as provided in section
6039 1 of this act;

6040 (13) "Municipality" has the same meaning as provided in section 1 of
6041 this act;

6042 (14) "Palliative use" has the same meaning as provided in section 21a-

6043 408 of the general statutes;

6044 (15) "Producer" has the same meaning as provided in section 1 of this
6045 act;

6046 (16) "Product manufacturer" has the same meaning as provided in
6047 section 1 of this act;

6048 (17) "Product packager" has the same meaning as provided in section
6049 1 of this act;

6050 (18) "Social Equity Council" has the same meaning as provided in
6051 section 1 of this act;

6052 (19) "Total THC" has the same meaning as provided in section 21a-
6053 240 of the general statutes; and

6054 (20) "Transporter" has the same meaning as provided in section 1 of
6055 this act.

6056 (b) (1) For the privilege of making any sales of cannabis in this state,
6057 a tax is hereby imposed on each cannabis retailer, hybrid retailer or
6058 micro-cultivator at the following rates:

6059 (A) Cannabis plant material, at the rate of six hundred twenty-five-
6060 thousandths of one cent per milligram of total THC, as reflected on the
6061 product label;

6062 (B) Cannabis edible products, at the rate of two and seventy-five-
6063 hundredths cents per milligram of total THC, as reflected on the product
6064 label; and

6065 (C) Cannabis, other than cannabis plant material or cannabis edible
6066 products, at the rate of nine-tenths of one cent per milligram of total
6067 THC, as reflected on the product label.

6068 (2) The tax under this section:

6069 (A) Shall be collected from the consumer, except as provided under

6070 subparagraphs (B) and (D) of this subdivision, by the cannabis retailer,
6071 hybrid retailer or micro-cultivator at the time of sale and such tax
6072 reimbursement, termed "tax" in this section, shall be paid by the
6073 consumer to the cannabis retailer, hybrid retailer or micro-cultivator.
6074 Each cannabis retailer, hybrid retailer or micro-cultivator shall collect
6075 from the consumer the full amount of the tax imposed by this section or
6076 an amount equal to the average equivalent thereof to the nearest amount
6077 practicable. Such tax shall be a debt from the consumer to the cannabis
6078 retailer, hybrid retailer or micro-cultivator, when so added to the
6079 original sales price, and shall be recoverable at law in the same manner
6080 as other debts except as provided in section 12-432a of the general
6081 statutes.

6082 (B) Shall not apply to the sale of cannabis for palliative use;

6083 (C) Shall not apply to the transfer of cannabis to a transporter for
6084 transport to any other cultivator, micro-cultivator, food and beverage
6085 manufacturer, product manufacturer, product packager, dispensary
6086 facility, cannabis retailer, hybrid retailer or producer;

6087 (D) Shall not apply to the sale of cannabis by a delivery service to a
6088 consumer;

6089 (E) Shall be in addition to the taxes imposed under section 126 of this
6090 act and chapter 219 of the general statutes; and

6091 (F) When so collected, shall be deemed to be a special fund in trust
6092 for the state until remitted to the state.

6093 (c) On or before the last day of each month in which a cannabis
6094 retailer, hybrid retailer or micro-cultivator may legally sell cannabis
6095 other than cannabis for palliative use, each such cannabis retailer,
6096 hybrid retailer or micro-cultivator shall file a return with the
6097 Department of Revenue Services. Such return shall be in such form and
6098 contain such information as the Commissioner of Revenue Services
6099 prescribes as necessary for administration of the tax under this section
6100 and shall be accompanied by a payment of the amount of the tax shown

6101 to be due thereon. Each cannabis retailer, hybrid retailer and micro-
6102 cultivator shall file such return electronically with the department and
6103 make such payment by electronic funds transfer in the manner provided
6104 by chapter 228g of the general statutes, to the extent possible.

6105 (d) If any cannabis retailer, hybrid retailer or micro-cultivator fails to
6106 pay the amount of tax reported due on its return within the time
6107 specified under this section, there shall be imposed a penalty equal to
6108 twenty-five per cent of such amount due and unpaid, or two hundred
6109 fifty dollars, whichever is greater. Such amount shall bear interest at the
6110 rate of one per cent per month or fraction thereof, from the due date of
6111 such tax until the date of payment. Subject to the provisions of section
6112 12-3a of the general statutes, the commissioner may waive all or part of
6113 the penalties provided under this section when it is proven to the
6114 commissioner's satisfaction that the failure to pay any tax was due to
6115 reasonable cause and was not intentional or due to neglect. Any penalty
6116 that is waived shall be applied as a credit against tax liabilities owed by
6117 the cannabis retailer, hybrid retailer or micro-cultivator.

6118 (e) Each person, other than a cannabis retailer, hybrid retailer or
6119 micro-cultivator, who is required, on behalf of such cannabis retailer,
6120 hybrid retailer or micro-cultivator, to collect, truthfully account for and
6121 pay over a tax imposed on such cannabis retailer, hybrid retailer or
6122 micro-cultivator under this section and who wilfully fails to collect,
6123 truthfully account for and pay over such tax or who wilfully attempts in
6124 any manner to evade or defeat the tax or the payment thereof, shall, in
6125 addition to other penalties provided by law, be liable for a penalty equal
6126 to the total amount of the tax evaded, or not collected, or not accounted
6127 for and paid over, including any penalty or interest attributable to such
6128 wilful failure to collect or truthfully account for and pay over such tax
6129 or such wilful attempt to evade or defeat such tax, provided such
6130 penalty shall only be imposed against such person in the event that such
6131 tax, penalty or interest cannot otherwise be collected from such cannabis
6132 retailer, hybrid retailer or micro-cultivator. The amount of such penalty
6133 with respect to which a person may be personally liable under this
6134 section shall be collected in accordance with the provisions of section

6135 12-555a of the general statutes and any amount so collected shall be
6136 allowed as a credit against the amount of such tax, penalty or interest
6137 due and owing from the cannabis retailer, hybrid retailer or micro-
6138 cultivator. The dissolution of the cannabis retailer, hybrid retailer or
6139 micro-cultivator shall not discharge any person in relation to any
6140 personal liability under this section for wilful failure to collect or
6141 truthfully account for and pay over such tax or for a wilful attempt to
6142 evade or defeat such tax prior to dissolution, except as otherwise
6143 provided in this section. For purposes of this section, "person" includes
6144 any individual, corporation, limited liability company or partnership
6145 and any officer or employee of any corporation, including a dissolved
6146 corporation, and a member of or employee of any partnership or limited
6147 liability company who, as such officer, employee or member, is under a
6148 duty to file a tax return under this section on behalf of a cannabis
6149 retailer, hybrid retailer or micro-cultivator or to collect or truthfully
6150 account for and pay over a tax imposed under this section on behalf of
6151 such cannabis retailer, hybrid retailer or micro-cultivator.

6152 (f) The provisions of sections 12-548, 12-551 to 12-554, inclusive, and
6153 12-555a of the general statutes shall apply to the provisions of this
6154 section in the same manner and with the same force and effect as if the
6155 language of said sections had been incorporated in full into this section
6156 and had expressly referred to the tax under this section, except to the
6157 extent that any provision is inconsistent with a provision in this section.

6158 (g) The commissioner shall not issue a refund of any tax paid by a
6159 cannabis retailer, hybrid retailer or micro-cultivator under this section.

6160 (h) The commissioner may adopt regulations, in accordance with the
6161 provisions of chapter 54 of the general statutes, to implement the
6162 provisions of this section and sections 126 and 127 of this act.
6163 Notwithstanding the provisions of sections 4-168 to 4-172, inclusive, of
6164 the general statutes, prior to adopting any such regulations, the
6165 commissioner shall issue policies and procedures, which shall have the
6166 force and effect of law, to implement the taxes imposed under this
6167 section and sections 126 and 127 of this act. At least fifteen days prior to

6168 the effective date of any policy or procedure issued pursuant to this
6169 subsection, the commissioner shall post such policy or procedure on the
6170 department's Internet web site and submit such policy or procedure to
6171 the Secretary of the State for posting on the eRegulations System. Any
6172 such policy or procedure shall no longer be effective upon the adoption
6173 of such policy or procedure as a final regulation in accordance with the
6174 provisions of chapter 54 of the general statutes or forty-eight months of
6175 the effective date of this section, whichever is earlier.

6176 (i) The tax received by the state under this section shall be deposited
6177 as follows:

6178 (1) For the fiscal year ending June 30, 2022, in the cannabis regulatory
6179 and investment account established under section 128 of this act and for
6180 the fiscal year ending June 30, 2023, in the General Fund;

6181 (2) For the fiscal years ending June 30, 2024, June 30, 2025, and June
6182 30, 2026, sixty per cent of such tax received in the Social Equity and
6183 Innovation Fund established under section 128 of this act, twenty-five
6184 per cent of such tax received in the Prevention and Recovery Services
6185 Fund established under section 128 of this act and fifteen per cent in the
6186 General Fund;

6187 (3) For the fiscal years ending June 30, 2027, and June 30, 2028, sixty-
6188 five per cent of such tax received in the Social Equity and Innovation
6189 Fund established under section 128 of this act, twenty-five per cent of
6190 such tax received in the Prevention and Recovery Services Fund and ten
6191 per cent in the General Fund; and

6192 (4) For the fiscal year ending June 30, 2029, and each fiscal year
6193 thereafter, seventy-five per cent of such tax received in the Social Equity
6194 and Innovation Fund established under section 128 of this act and
6195 twenty-five per cent of such tax received in the Prevention and Recovery
6196 Services Fund established under section 128 of this act.

6197 (j) At the close of each fiscal year in which the tax imposed under the
6198 provisions of this section are received by the commissioner, the

6199 Comptroller is authorized to record as revenue for such fiscal year the
6200 amounts of such tax that are received by the commissioner not later than
6201 five business days from the July thirty-first immediately following the
6202 end of such fiscal year.

6203 Sec. 126. (NEW) (*Effective July 1, 2021*) (a) (1) There is imposed a tax,
6204 which shall be administered in accordance with the provisions of
6205 chapter 219 of the general statutes, on each cannabis retailer, hybrid
6206 retailer and micro-cultivator at the rate of three per cent on the gross
6207 receipts from the sale of cannabis by a cannabis retailer, hybrid retailer
6208 or micro-cultivator. For the purposes of this section, "gross receipts"
6209 means the total amount received from sales of cannabis by a cannabis
6210 retailer, hybrid retailer or micro-cultivator.

6211 (2) The tax under this section:

6212 (A) Shall not apply to the sale of cannabis for palliative use;

6213 (B) Shall not apply to the transfer of cannabis to a transporter for
6214 transport to any cultivator, micro-cultivator, food and beverage
6215 manufacturer, product manufacturer, product packager, dispensary
6216 facility, cannabis retailer, hybrid retailer or producer;

6217 (C) Shall not apply to the sale of cannabis by a delivery service to a
6218 consumer;

6219 (D) Shall be collected from the consumer at the time of sale, except as
6220 provided under subparagraphs (A) and (C) of this subdivision, and
6221 shall be in addition to the taxes imposed under section 125 of this act
6222 and chapter 219 of the general statutes; and

6223 (E) When so collected, shall be held in trust until remitted to the
6224 municipality.

6225 (b) (1) On or before the last day of each month in which a cannabis
6226 retailer, hybrid retailer or micro-cultivator may legally sell cannabis
6227 other than cannabis sold for palliative use, each such cannabis retailer,
6228 hybrid retailer and micro-cultivator shall file a return with the

6229 Department of Revenue Services. Such return shall be in such form and
6230 contain such information as the Commissioner of Revenue Services
6231 prescribes as necessary for administration of the tax under this section.
6232 Each cannabis retailer, hybrid retailer and micro-cultivator shall file
6233 such return electronically with the department, to the extent possible.

6234 (2) Each municipality in which a cannabis retailer, hybrid retailer or
6235 micro-cultivator is located shall submit to the commissioner at least
6236 annually the name and contact information of the individual designated
6237 by the municipality to receive notifications from the commissioner
6238 under subdivision (3) of this subsection.

6239 (3) Notwithstanding the provisions of section 12-15 of the general
6240 statutes, the commissioner shall notify each individual designated
6241 pursuant to subdivision (2) of this subsection of the amount of tax
6242 reported to be due under this section from each cannabis retailer, hybrid
6243 retailer and micro-cultivator located in the applicable municipality. The
6244 commissioner shall establish policies and procedures for the provision
6245 to municipalities of the information required under this subdivision.

6246 (4) Not later than sixty days after the receipt of the information under
6247 subdivision (3) of this subsection, each such municipality shall invoice
6248 each applicable cannabis retailer, hybrid retailer and micro-cultivator,
6249 in accordance with the provisions of section 12-2f of the general statutes,
6250 and such cannabis retailer, hybrid retailer and micro-cultivator shall
6251 remit payment to the municipality not later than thirty days after the
6252 date such invoice was sent. The amounts remitted pursuant to this
6253 subsection shall become part of the general revenue of such
6254 municipality and used for any of the purposes set forth in subdivision
6255 (5) of this subsection.

6256 (5) The tax collected pursuant to this section shall be used by such
6257 municipality to (A) make improvements to the streetscapes and other
6258 neighborhood developments in and around each community in which
6259 a cannabis retailer, hybrid retailer or micro-cultivator is located, (B) fund
6260 education programs or youth employment and training programs in

6261 such municipality, (C) fund services for individuals released from the
6262 custody of the Commissioner of Correction, probation or parole and
6263 residing in such municipality, (D) fund mental health or addiction
6264 services, (E) fund youth service bureaus established pursuant to section
6265 10-19m of the general statutes and to municipal juvenile review boards,
6266 or (F) fund efforts to promote civic engagement in communities in such
6267 municipality.

6268 (c) If any cannabis retailer, hybrid retailer or micro-cultivator fails to
6269 pay the amount of tax invoiced by the municipality within the time
6270 period set forth under this section, there shall be imposed a penalty
6271 equal to twenty-five per cent of such amount due and unpaid, or two
6272 hundred fifty dollars, whichever is greater. Such amount shall bear
6273 interest at the rate of one per cent per month or fraction thereof, from
6274 the due date of such tax until the date of payment. A municipality may
6275 waive, by vote of its legislative body, all or part of the penalties provided
6276 under this subsection upon a finding by such body that the failure to
6277 pay any tax was due to reasonable cause and was not intentional or due
6278 to neglect. Any penalty waiver shall be applied as a credit against future
6279 tax liabilities owed by the cannabis retailer, hybrid retailer or micro-
6280 cultivator.

6281 (d) A municipality may impose a lien on the real property of a
6282 cannabis retailer, hybrid retailer or micro-cultivator for nonpayment of
6283 tax due under this section. The amount of such lien shall not exceed the
6284 amount of tax due under this section plus penalties and interest. Such
6285 lien shall have the same priority as a municipal lien for real property
6286 taxes.

6287 (e) The commissioner may review and adjust any return filed by a
6288 cannabis retailer, hybrid retailer or micro-cultivator pursuant to
6289 subsection (b) of this section and may issue any assessments that may
6290 result therefrom, in accordance with the provisions of sections 12-548,
6291 12-551 to 12-554, inclusive, and 12-555a of the general statutes. The
6292 provisions of said sections shall apply to the provisions of this section
6293 in the same manner and with the same force and effect as if the language

6294 of said sections had been incorporated in full into this section and had
6295 expressly referred to the tax under this section, except to the extent that
6296 any provision is inconsistent with a provision in this section.

6297 (f) (1) No cannabis retailer, hybrid retailer, micro-cultivator or
6298 municipality shall issue a refund to a purchaser for any tax paid under
6299 this section by such purchaser.

6300 (2) No municipality shall issue a refund to a cannabis retailer, hybrid
6301 retailer or micro-cultivator for any tax paid under this section by such
6302 cannabis retailer, hybrid retailer or micro-cultivator.

6303 (3) No overpayment of the tax under this section by a purchaser,
6304 cannabis retailer, hybrid retailer or micro-cultivator shall be applied to
6305 any other liability due to such municipality from such purchaser,
6306 cannabis retailer, hybrid retailer or micro-cultivator.

6307 Sec. 127. (NEW) (*Effective July 1, 2021*) (a) The tax under chapter 219
6308 of the general statutes shall not be imposed on the transfer of cannabis
6309 to a transporter by a cultivator, micro-cultivator, food and beverage
6310 manufacturer, product manufacturer, product packager, dispensary
6311 facility, cannabis retailer, hybrid retailer or producer, for transport to
6312 any other cultivator, micro-cultivator, food and beverage manufacturer,
6313 product manufacturer, product packager, dispensary facility, cannabis
6314 retailer, hybrid retailer or producer.

6315 (b) No person may purchase cannabis on a resale basis and no
6316 exemption under chapter 219 of the general statutes shall apply to the
6317 sale of cannabis, except as provided under section 12-412 of the general
6318 statutes, for the sale of cannabis for palliative use.

6319 (c) (1) No cannabis retailer, hybrid retailer, micro-cultivator or
6320 delivery service, nor the Department of Revenue Services, shall issue a
6321 refund to a purchaser for any tax paid under chapter 219 of the general
6322 statutes for the sale of cannabis.

6323 (2) The Commissioner of Revenue Services shall not issue a refund to

6324 a cannabis retailer, hybrid retailer, micro-cultivator or delivery service
6325 of any tax paid under chapter 219 of the general statutes by such
6326 cannabis retailer, hybrid retailer or micro-cultivator.

6327 (d) The provisions of subsection (g) of section 125 of this act,
6328 subsection (f) of section 126 of this act and subsection (c) of this section
6329 shall not be construed as authorizing suit against the state or any
6330 political subdivision thereof by a person against whom any tax, penalty
6331 or interest has been erroneously or illegally assessed or from whom any
6332 tax, penalty or interest has been erroneously or illegally collected and
6333 shall not be construed as a waiver of sovereign immunity.

6334 Sec. 128. (NEW) (*Effective July 1, 2021*) (a) (1) There is established an
6335 account to be known as the "cannabis regulatory and investment
6336 account" which shall be a separate, nonlapsing account within the
6337 General Fund. The account shall contain any moneys required by law to
6338 be deposited in the account. Moneys in the account shall be allocated by
6339 the Secretary of the Office of Policy and Management to state agencies
6340 for the purpose of paying costs incurred to implement the activities
6341 authorized under RERACA, as defined in section 1 of this act.

6342 (2) Notwithstanding the provisions of section 34 of this act, for the
6343 fiscal year ending June 30, 2022, the following shall be deposited in the
6344 cannabis regulatory and investment account: (A) All fees received by
6345 the state pursuant to section 30 of this act and subdivisions (1) to (11),
6346 inclusive, of subsection (c) of section 34 of this act; (B) the tax received
6347 by the state under section 125 of this act; and (C) the tax received by the
6348 state under chapter 219 of the general statutes from a cannabis retailer,
6349 hybrid retailer or micro-cultivator, as those terms are defined in section
6350 125 of this act.

6351 (b) (1) There is established an account to be known as the "social
6352 equity and innovation account" which shall be a separate, nonlapsing
6353 account within the General Fund. The account shall contain any moneys
6354 required by law to be deposited in the account. Moneys in the account
6355 shall be allocated by the Secretary of the Office of Policy and

6356 Management to state agencies for the purpose of (A) paying costs
6357 incurred by the Social Equity Council, as defined in section 1 of this act,
6358 and (B) administering programs under RERACA to provide (i) access to
6359 capital for businesses, (ii) technical assistance for the start-up and
6360 operation of a business, (iii) funding for workforce education, and (iv)
6361 funding for community investments.

6362 (2) Notwithstanding the provisions of sections 34 and 149 of this act,
6363 for the fiscal year ending June 30, 2022, the following shall be deposited
6364 in the social equity and innovation account: All fees received by the state
6365 pursuant to sections 26, 145 and 149 of this act and subdivisions (12) and
6366 (13) of subsection (c) of section 34 of this act.

6367 (c) (1) On and after July 1, 2022, there is established a fund to be
6368 known as the "Social Equity and Innovation Fund" which shall be a
6369 separate, nonlapsing fund. The fund shall contain any moneys required
6370 by law to be deposited in the fund and shall be held by the Treasurer
6371 separate and apart from all other moneys, funds and accounts. Moneys
6372 in the fund shall be appropriated for the purposes of providing the
6373 following: Access to capital for businesses; technical assistance for the
6374 start-up and operation of a business; funding for workforce education;
6375 and funding for community investments. All such appropriations shall
6376 be dedicated to expenditures that further the principles of equity, as
6377 defined in section 1 of this act.

6378 (2) (A) For the purposes of subdivision (1) of this subsection, for the
6379 fiscal year ending June 30, 2023, and for each fiscal year thereafter, the
6380 Social Equity Council shall transmit, for even-numbered years,
6381 estimates of expenditure requirements and for odd-numbered years,
6382 recommended adjustments and revisions, if any, of such estimates, to
6383 the Secretary of the Office of Policy and Management, in the manner
6384 prescribed for a budgeted agency under subsection (a) of section 4-77 of
6385 the general statutes. The council shall recommend for each fiscal year
6386 commencing with the fiscal year ending June 30, 2023, appropriate
6387 funding for all credits payable to angel investors that invest in cannabis
6388 businesses pursuant to section 12-704d of the general statutes.

6389 (B) The Office of Policy and Management may not make adjustments
6390 to any such estimates or adjustments and revisions of such estimates
6391 transmitted by the council. Notwithstanding any provision of the
6392 general statutes or any special act, the Governor shall not reduce the
6393 allotment requisitions or allotments in force pursuant to section 4-85 of
6394 the general statutes or make reductions in allotments in order to achieve
6395 budget savings in the General Fund, concerning any appropriations
6396 made by the General Assembly for the purposes of subdivision (1) of
6397 this subsection.

6398 (d) On and after July 1, 2022, there is established a fund to be known
6399 as the "Prevention and Recovery Services Fund" which shall be a
6400 separate, nonlapsing fund. The fund shall contain any moneys required
6401 by law to be deposited in the fund and shall be held by the Treasurer
6402 separate and apart from all other moneys, funds and accounts. Moneys
6403 in the fund shall be appropriated for the purposes of (1) substance abuse
6404 prevention, treatment and recovery services, and (2) collection and
6405 analysis of data regarding substance use.

6406 Sec. 129. Subdivision (120) of section 12-412 of the general statutes is
6407 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6408 *2021*):

6409 (120) [On and after April 1, 2015, sales] (A) Sales of the following
6410 nonprescription drugs or medicines available for purchase for use in or
6411 on the body: Vitamin or mineral concentrates; dietary supplements;
6412 natural or herbal drugs or medicines; products intended to be taken for
6413 coughs, cold, asthma or allergies, or antihistamines; laxatives;
6414 antidiarrheal medicines; analgesics; antibiotic, antibacterial, antiviral
6415 and antifungal medicines; antiseptics; astringents; anesthetics; steroidal
6416 medicines; anthelmintics; emetics and antiemetics; antacids; [and] any
6417 medication prepared to be used in the eyes, ears or nose; and cannabis
6418 sold for palliative use under the provisions of chapter 420f.

6419 (B) Nonprescription drugs or medicines [shall] do not include
6420 cosmetics, [dentrifrices] dentifrices, mouthwash, shaving and hair care

6421 products, soaps, [or] deodorants or products containing cannabis or
6422 cannabinoids. As used in this subparagraph, "cannabis" has the same
6423 meaning as provided in section 1 of this act and "cannabinoids" means
6424 manufactured cannabinoids or synthetic cannabinoids, as such terms
6425 are defined in section 21a-240.

6426 Sec. 130. Section 12-650 of the general statutes is repealed and the
6427 following is substituted in lieu thereof (*Effective July 1, 2021*):

6428 [As used in this chapter:

6429 (1) "Marijuana" means any marijuana, whether real or counterfeit, as
6430 defined in subdivision (29) of section 21a-240, that is held, possessed,
6431 transported, sold or offered to be sold in violation of any provision of
6432 the general statutes;

6433 (2) "Controlled substance" means any controlled substance as defined
6434 in subdivision (9) of section 21a-240, that is held, possessed, transported,
6435 sold or offered to be sold in violation of any provision of the general
6436 statutes;

6437 (3) "Dealer" means any person who, in violation of any provision of
6438 the general statutes, manufactures, produces, ships, transports, or
6439 imports into the state or in any manner acquires or possesses more than
6440 forty-two and one-half grams of marijuana or seven or more grams of
6441 any controlled substance or ten or more dosage units of any controlled
6442 substance which is not sold by weight; and

6443 (4) "Commissioner" means the Commissioner of Revenue Services.]

6444 Notwithstanding the provisions of this chapter, revision of 1958,
6445 revised to January 1, 2021, any outstanding liabilities or assessments, or
6446 any portion thereof, made under said chapter related to the sale,
6447 purchase, acquisition or possession within the state or the transport or
6448 importation into the state, of marijuana, as defined in section 21a-240,
6449 shall be cancelled. The Commissioner of Revenue Services may take any
6450 action necessary to effectuate the cancellation of such liabilities and

6451 assessments. No cancellation of a liability or an assessment pursuant to
6452 this section shall entitle any person affected by such cancellation to a
6453 refund or credit of any amount previously paid or collected in
6454 connection with such liability or assessment.

6455 Sec. 131. Subdivision (1) of subsection (a) of section 12-30a of the
6456 general statutes is repealed and the following is substituted in lieu
6457 thereof (*Effective July 1, 2021*):

6458 (a) (1) Whenever the provisions of section 12-35, 12-204, 12-205, 12-
6459 206, 12-225, 12-226, 12-229, 12-235, 12-242d, 12-263c, 12-263d, 12-263m,
6460 12-268d, 12-268h, 12-293a, 12-309, 12-330d, 12-330i, 12-376, 12-376a, 12-
6461 376b, 12-392, 12-414, 12-415, 12-416, 12-419, 12-419a, 12-439, 12-440, 12-
6462 458, 12-458d, 12-486a, 12-488, 12-547, 12-548, 12-590, 12-594, 12-638c, 12-
6463 638d, 12-646a, 12-647, [12-655,] 12-667, 12-722, 12-723, 12-728, 12-731, 12-
6464 735, 22a-132, 22a-232, 22a-237c, 38a-277 or 51-81b require interest to be
6465 paid to the Commissioner of Revenue Services at the rate of one per cent
6466 per month or fraction thereof or one per cent for each month or fraction
6467 thereof, the Commissioner of Revenue Services may adopt regulations
6468 in accordance with the provisions of chapter 54 that require interest to
6469 be paid to said commissioner at the equivalent daily rate in lieu of such
6470 monthly rate.

6471 Sec. 132. Subsection (a) of section 12-35b of the general statutes is
6472 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6473 *2021*):

6474 (a) For the purposes of sections 12-204, 12-212, 12-235, 12-268h, 12-
6475 309, 12-330i, 12-366, 12-398, 12-420, 12-441, 12-475, 12-488, 12-555a, 12-
6476 594, 12-638j [, 12-655] and 12-734:

6477 (1) "Bona fide purchaser" means a person who takes a conveyance of
6478 real estate in good faith from the holder of legal title, and pays valuable
6479 consideration, without actual, implied, or constructive notice of any tax
6480 delinquency.

6481 (2) "Qualified encumbrancer" means a person who places a burden,

6482 charge or lien on real estate, in good faith, without actual, implied, or
6483 constructive notice of any tax delinquency.

6484 (3) "Commissioner" means the Commissioner of Revenue Services or
6485 his or her authorized agent.

6486 Sec. 133. Section 12-704d of the general statutes is repealed and the
6487 following is substituted in lieu thereof (*Effective July 1, 2021*):

6488 (a) As used in this section:

6489 (1) "Angel investor" means an accredited investor, as defined by the
6490 Securities and Exchange Commission, or network of accredited
6491 investors who review new or proposed businesses for potential
6492 investment and who may seek active involvement, such as consulting
6493 and mentoring, in a qualified Connecticut business or a qualified
6494 cannabis business, but "angel investor" does not include (A) a person
6495 controlling fifty per cent or more of the Connecticut business or cannabis
6496 business invested in by the angel investor, (B) a venture capital
6497 company, or (C) any bank, bank and trust company, insurance
6498 company, trust company, national bank, savings association or building
6499 and loan association for activities that are a part of its normal course of
6500 business;

6501 (2) "Cash investment" means the contribution of cash, at a risk of loss,
6502 to a qualified Connecticut business or a qualified cannabis business in
6503 exchange for qualified securities;

6504 (3) "Connecticut business" means any business, other than a cannabis
6505 business, with its principal place of business in Connecticut;

6506 (4) "Bioscience" means manufacturing pharmaceuticals, medicines,
6507 medical equipment or medical devices and analytical laboratory
6508 instruments, operating medical or diagnostic testing laboratories, or
6509 conducting pure research and development in life sciences;

6510 (5) "Advanced materials" means developing, formulating or
6511 manufacturing advanced alloys, coatings, lubricants, refrigerants,

6512 surfactants, emulsifiers or substrates;

6513 (6) "Photonics" means generation, emission, transmission,
6514 modulation, signal processing, switching, amplification, detection and
6515 sensing of light from ultraviolet to infrared and the manufacture,
6516 research or development of opto-electronic devices, including, but not
6517 limited to, lasers, masers, fiber optic devices, quantum devices,
6518 holographic devices and related technologies;

6519 (7) "Information technology" means software publishing, motion
6520 picture and video production, teleproduction and postproduction
6521 services, telecommunications, data processing, hosting and related
6522 services, custom computer programming services, computer system
6523 design, computer facilities management services, other computer
6524 related services and computer training;

6525 (8) "Clean technology" means the production, manufacture, design,
6526 research or development of clean energy, green buildings, smart grid,
6527 high-efficiency transportation vehicles and alternative fuels,
6528 environmental products, environmental remediation and pollution
6529 prevention;

6530 (9) "Qualified securities" means any form of equity, including a
6531 general or limited partnership interest, common stock, preferred stock,
6532 with or without voting rights, without regard to seniority position that
6533 must be convertible into common stock; [and]

6534 (10) "Emerging technology business" means any business that is
6535 engaged in bioscience, advanced materials, photonics, information
6536 technology, clean technology or any other emerging technology as
6537 determined by the Commissioner of Economic and Community
6538 Development; [.]

6539 (11) "Cannabis business" means a cannabis establishment (A) for
6540 which a social equity applicant has been granted a provisional license
6541 or a license, (B) in which a social equity applicant or social equity
6542 applicants have an ownership interest of at least sixty-five per cent, and

6543 (C) such social equity applicant or social equity applicants have control
6544 of such establishment;

6545 (12) "Social equity applicant" has the same meaning as provided in
6546 section 1 of this act;

6547 (13) "Cannabis" has the same meaning as provided in section 1 of this
6548 act; and

6549 (14) "Cannabis establishment" has the same meaning as provided in
6550 section 1 of this act.

6551 (b) There shall be allowed a credit against the tax imposed under this
6552 chapter, other than the liability imposed by section 12-707, for a cash
6553 investment by an angel investor of not less than twenty-five thousand
6554 dollars in the qualified securities of a Connecticut business [by an angel
6555 investor] or a cannabis business. The credit shall be in an amount equal
6556 to (1) twenty-five per cent of such investor's cash investment in a
6557 Connecticut business, or (2) forty per cent of such investor's cash
6558 investment in a cannabis business, provided the total tax credits allowed
6559 to any angel investor shall not exceed five hundred thousand dollars.
6560 The credit shall be claimed in the taxable year in which such cash
6561 investment is made by the angel investor. The credit may be sold,
6562 assigned or otherwise transferred, in whole or in part.

6563 (c) To qualify for a tax credit pursuant to this section, a cash
6564 investment shall be in: [a]

6565 (1) A Connecticut business that [(1)] (A) has been approved as a
6566 qualified Connecticut business pursuant to subsection (d) of this section;
6567 [(2)] (B) had annual gross revenues of less than one million dollars in the
6568 most recent income year of such business; [(3)] (C) has fewer than
6569 twenty-five employees, not less than seventy-five per cent of whom
6570 reside in this state; [(4)] (D) has been operating in this state for less than
6571 seven consecutive years; [(5)] (E) is primarily owned by the
6572 management of the business and their families; and [(6)] (F) received
6573 less than two million dollars in cash investments eligible for the tax

6574 credits provided by this section; [.] or

6575 (2) A cannabis business that (A) has been approved as a qualified
6576 cannabis business pursuant to subsection (d) of this section; (B) had
6577 annual gross revenues of less than one million dollars in the most recent
6578 income year of such business; (C) has fewer than twenty-five employees,
6579 not less than seventy-five per cent of whom reside in this state; (D) is
6580 primarily owned by the management of the business and their families;
6581 and (E) received less than two million dollars in cash investments
6582 eligible for the tax credits provided by this section.

6583 (d) (1) A Connecticut business or a cannabis business may apply to
6584 Connecticut Innovations, Incorporated, for approval as a Connecticut
6585 business or cannabis business, as applicable, qualified to receive cash
6586 investments eligible for a tax credit pursuant to this section. The
6587 application shall include (A) the name of the business and a copy of the
6588 organizational documents of such business, (B) a business plan,
6589 including a description of the business and the management, product,
6590 market and financial plan of the business, (C) a description of the
6591 business's innovative technology, product or service, (D) a statement of
6592 the potential economic impact of the business, including the number,
6593 location and types of jobs expected to be created, (E) a description of the
6594 qualified securities to be issued and the amount of cash investment
6595 sought by the [qualified Connecticut] business, (F) a statement of the
6596 amount, timing and projected use of the proceeds to be raised from the
6597 proposed sale of qualified securities, and (G) such other information as
6598 the chief executive officer of Connecticut Innovations, Incorporated,
6599 may require.

6600 (2) Said chief executive officer shall, on a monthly basis, compile a list
6601 of approved applications, categorized by the cash investments being
6602 sought by the qualified Connecticut business or the qualified cannabis
6603 business and type of qualified securities offered.

6604 (e) (1) Any angel investor that intends to make a cash investment in
6605 a business on such list may apply to Connecticut Innovations,

6606 Incorporated, to reserve a tax credit in the amount indicated by such
6607 investor. Connecticut Innovations, Incorporated, shall not reserve tax
6608 credits under this section for any investments made on or after July 1,
6609 2028.

6610 (2) The aggregate amount of all tax credits under this section that may
6611 be reserved by Connecticut Innovations, Incorporated, shall not exceed
6612 (A) for cash investments made in Connecticut businesses, six million
6613 dollars annually for the fiscal years commencing July 1, 2010, to July 1,
6614 2012, inclusive, and [shall not exceed] five million dollars [in] for each
6615 fiscal year thereafter, [. Each fiscal year,] and (B) for cash investments
6616 made in qualified cannabis businesses, fifteen million dollars annually
6617 for each fiscal year commencing on or after July 1, 2021.

6618 (3) With respect to the tax credits available under this section for
6619 investments in Connecticut businesses, Connecticut Innovations,
6620 Incorporated, shall not reserve more than seventy-five per cent of [the]
6621 such tax credits [available under this section] for investments in
6622 emerging technology businesses, except if any such credits remain
6623 available for reservation after April first in any fiscal year, such
6624 remaining credits may be reserved for investments in such businesses
6625 [.] and may be prioritized for veteran-owned, women-owned or
6626 minority-owned businesses and businesses owned by individuals with
6627 disabilities. [Connecticut Innovations, Incorporated, shall not reserve
6628 tax credits under this section for any investment made on or after July
6629 1, 2024.]

6630 [(2)] (4) The amount of the credit allowed to any investor pursuant to
6631 this section shall not exceed the amount of tax due from such investor
6632 under this chapter, other than section 12-707, with respect to such
6633 taxable year. Any tax credit that is claimed by the angel investor but not
6634 applied against the tax due under this chapter, other than the liability
6635 imposed under section 12-707, may be carried forward for the five
6636 immediately succeeding taxable years until the full credit has been
6637 applied.

6638 (f) If the angel investor is an S corporation or an entity treated as a
6639 partnership for federal income tax purposes, the tax credit may be
6640 claimed by the shareholders or partners of the angel investor. If the
6641 angel investor is a single member limited liability company that is
6642 disregarded as an entity separate from its owner, the tax credit may be
6643 claimed by such limited liability company's owner, provided such
6644 owner is a person subject to the tax imposed under this chapter.

6645 (g) A review of the cumulative effectiveness of the credit under this
6646 section shall be conducted by Connecticut Innovations, Incorporated, by
6647 [July 1, 2014, and by] July first annually. [thereafter.] Such review shall
6648 include, but need not be limited to, the number and type of Connecticut
6649 businesses and cannabis businesses that received angel investments, the
6650 number of angel investors and the aggregate amount of cash
6651 investments, the current status of each Connecticut business and
6652 cannabis business that received angel investments, the number of
6653 employees employed in each year following the year in which such
6654 Connecticut business or cannabis business received the angel
6655 investment [,] and the economic impact in the state [,] of the Connecticut
6656 business or cannabis business that received the angel investment. Such
6657 review shall be submitted to the Office of Policy and Management and
6658 to the joint standing committee of the General Assembly having
6659 cognizance of matters relating to commerce, in accordance with the
6660 provisions of section 11-4a.

6661 Sec. 134. (NEW) (*Effective July 1, 2021*) (a) For the purposes described
6662 in subsection (b) of this section, the State Bond Commission shall have
6663 the power from time to time to authorize the issuance of bonds of the
6664 state in one or more series and in principal amounts not exceeding in
6665 the aggregate fifty million dollars.

6666 (b) The proceeds of the sale of such bonds, to the extent of the amount
6667 stated in subsection (a) of this section, shall be used by the Department
6668 of Economic and Community Development jointly with the Social
6669 Equity Council for the purposes of providing (1) low-interest loans to
6670 social equity applicants, municipalities or organizations exempt from

6671 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,
6672 or any subsequent corresponding internal revenue code of the United
6673 States, as amended from time to time, to facilitate the rehabilitation,
6674 renovation or development of unused, underused real property to be
6675 used as a cannabis establishment or as part of such establishment; (2)
6676 capital to social equity applicants seeking to start or maintain a cannabis
6677 establishment; (3) funding to assist in the development or ongoing
6678 expenses of the cannabis business accelerator program established
6679 under section 38 of this act; and (4) funding to assist in the development
6680 or ongoing expenses of workforce training programs developed by the
6681 Social Equity Council pursuant to section 39 of this act. As used in this
6682 subsection, "Social Equity Council", "cannabis establishment" and
6683 "social equity applicant" have the same meanings as provided in section
6684 1 of this act.

6685 (c) All provisions of section 3-20 of the general statutes, or the exercise
6686 of any right or power granted thereby, that are not inconsistent with the
6687 provisions of this section are hereby adopted and shall apply to all
6688 bonds authorized by the State Bond Commission pursuant to this
6689 section. Temporary notes in anticipation of the money to be derived
6690 from the sale of any such bonds so authorized may be issued in
6691 accordance with section 3-20 of the general statutes and from time to
6692 time renewed. Such bonds shall mature at such time or times not
6693 exceeding twenty years from their respective dates as may be provided
6694 in or pursuant to the resolution or resolutions of the State Bond
6695 Commission authorizing such bonds. None of such bonds shall be
6696 authorized except upon a finding by the State Bond Commission that
6697 there has been filed with it a request for such authorization that is signed
6698 by or on behalf of the Secretary of the Office of Policy and Management
6699 and states such terms and conditions as said commission, in its
6700 discretion, may require. Such bonds issued pursuant to this section shall
6701 be general obligations of the state and the full faith and credit of the state
6702 of Connecticut are pledged for the payment of the principal of and
6703 interest on such bonds as the same become due, and accordingly and as
6704 part of the contract of the state with the holders of such bonds,

6705 appropriation of all amounts necessary for punctual payment of such
6706 principal and interest is hereby made, and the State Treasurer shall pay
6707 such principal and interest as the same become due.

6708 Sec. 135. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
6709 "Social Equity Council", "cannabis establishment" and "social equity
6710 applicant" have the same meanings as provided in section 1 of this act.

6711 (b) (1) The Department of Economic and Community Development
6712 and the Social Equity Council shall jointly develop and establish:

6713 (A) A revolving loan program for the purposes of subdivision (1) of
6714 subsection (b) of section 134 of this act, including (i) requirements for
6715 loan eligibility under the program, (ii) an application form and the
6716 information and documentation required to be submitted with such
6717 application, (iii) the terms of the loans to be offered, including the rates
6718 of interest to be charged and the length of the loans, (iv) a plan for
6719 publicizing and marketing the program, and (v) any other requirements
6720 necessary to implement the program; and

6721 (B) Application forms, applicant requirements and any other
6722 provisions the department and the council deem necessary for the
6723 purposes of subdivisions (2) to (4), inclusive, of subsection (b) of section
6724 134 of this act.

6725 (2) The department and the council shall post on the Internet web
6726 sites of the Department of Economic and Community Development and
6727 the Department of Consumer Protection information concerning the
6728 loan program and other available funding under this section.

6729 Sec. 136. Section 21a-408e of the general statutes is repealed and the
6730 following is substituted in lieu thereof (*Effective July 1, 2021*):

6731 No person shall be subject to arrest or prosecution solely for being in
6732 the presence or vicinity of the palliative use of marijuana as permitted
6733 under sections 21a-408 to [21a-408n] 21a-408m, inclusive.

6734 Sec. 137. Subsection (b) of section 21a-408i of the general statutes is

6735 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6736 *2021*):

6737 (b) The Commissioner of Consumer Protection shall determine the
6738 number of producers appropriate to meet the needs of qualifying
6739 patients in this state and shall adopt regulations, in accordance with
6740 chapter 54, to provide for the licensure, standards and locations for
6741 producers in this state and specify the maximum number of producers
6742 that may be licensed in this state at any time. On and after the effective
6743 date of such regulations, the commissioner may license any person who
6744 applies for a license in accordance with such regulations, provided (1)
6745 such person is organized for the purpose of cultivating marijuana for
6746 palliative use in this state, (2) the commissioner finds that such applicant
6747 has appropriate expertise in agriculture and that such applicant is
6748 qualified to cultivate marijuana and sell, deliver, transport or distribute
6749 marijuana solely within this state pursuant to sections 21a-408 to [21a-
6750 408n] 21a-408m, inclusive, and (3) the number of producer licenses
6751 issued does not exceed the number appropriate to meet the needs of
6752 qualifying patients in this state, as determined by the commissioner
6753 pursuant to this subsection. At a minimum, such regulations shall:

6754 (A) Indicate the maximum number of producers that may be licensed
6755 in this state at any time, which number shall not be less than three nor
6756 more than ten producers;

6757 (B) Provide that no marijuana may be sold, delivered, transported or
6758 distributed by a producer from or to a location outside of this state;

6759 (C) Establish a nonrefundable application fee of not less than twenty-
6760 five thousand dollars for each application submitted for a producer
6761 license;

6762 (D) Establish a license fee and renewal fee for each licensed producer,
6763 provided the aggregate amount of such license and renewal fees shall
6764 not be less than the amount necessary to cover the direct and indirect
6765 cost of licensing and regulating producers pursuant to sections 21a-408
6766 to [21a-408n] 21a-408m, inclusive;

6767 (E) Provide for renewal of such producer licenses at least every five
6768 years;

6769 (F) Provide that no producer may cultivate marijuana for palliative
6770 use outside of this state and designate permissible locations for licensed
6771 producers in this state;

6772 (G) Establish financial requirements for producers, under which (i)
6773 each applicant demonstrates the financial capacity to build and operate
6774 a marijuana production facility, and (ii) each licensed producer may be
6775 required to maintain an escrow account in a financial institution in this
6776 state in an amount of two million dollars;

6777 (H) Establish health, safety and security requirements for licensed
6778 producers, which shall include, but need not be limited to, a
6779 requirement that the applicant or licensed producer demonstrate: (i) The
6780 ability to maintain adequate control against the diversion, theft and loss
6781 of marijuana cultivated by the producer, and (ii) the ability to cultivate
6782 pharmaceutical grade marijuana for palliative use in a secure indoor
6783 facility;

6784 (I) Define "pharmaceutical grade marijuana for palliative use" for the
6785 purposes of this section;

6786 (J) Establish standards and procedures for revocation, suspension,
6787 summary suspension and nonrenewal of producer licenses, provided
6788 such standards and procedures are consistent with the provisions of
6789 subsection (c) of section 4-182; and

6790 (K) Establish other licensing, renewal and operational standards
6791 deemed necessary by the commissioner.

6792 Sec. 138. Section 21a-408o of the general statutes is repealed and the
6793 following is substituted in lieu thereof (*Effective July 1, 2021*):

6794 Nothing in sections 21a-408 to [21a-408n] 21a-408m, inclusive, or
6795 section 21a-243 shall be construed to require health insurance coverage
6796 for the palliative use of marijuana.

6797 Sec. 139. Subsection (d) of section 21a-408v of the general statutes is
6798 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6799 *2021*):

6800 (d) Information obtained under this section shall be confidential and
6801 shall not be subject to disclosure under the Freedom of Information Act,
6802 as defined in section 1-200, except that reasonable access to registry
6803 information obtained under this section shall be provided to (1) state
6804 agencies, federal agencies and local law enforcement agencies for the
6805 purpose of investigating or prosecuting a violation of law, (2) physicians
6806 and pharmacists for the purpose of providing patient care and drug
6807 therapy management and monitoring controlled substances obtained by
6808 the research program subject, (3) public or private entities for research
6809 or educational purposes, provided no individually identifiable health
6810 information may be disclosed, (4) a licensed dispensary for the purpose
6811 of complying with sections 21a-408 to [21a-408n] ~~21a-408m~~, inclusive, or
6812 (5) a research program subject, but only with respect to information
6813 related to such research program subject.

6814 Sec. 140. Subsection (a) of section 21a-10 of the general statutes is
6815 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6816 *2021*):

6817 (a) The Commissioner of Consumer Protection may establish,
6818 combine or abolish divisions, sections or other units within the
6819 Department of Consumer Protection and allocate powers, duties and
6820 functions among such units, but no function vested by statute in any
6821 officer, division, board, agency or other unit within the department shall
6822 be removed from the jurisdiction of such officer, division, board, agency
6823 or other unit under the provisions of this section. The Governor shall
6824 appoint a deputy commissioner of the department, with the advice and
6825 consent of one house of the General Assembly in accordance with the
6826 provisions of section 4-7, who shall have responsibilities related to the
6827 regulation of cannabis under RERACA.

6828 Sec. 141. Subdivision (29) of section 21a-240 of the general statutes is

6829 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6830 *2021*):

6831 (29) "Marijuana" means all parts of any plant, or species of the genus
6832 cannabis or any infra specific taxon thereof, whether growing or not; the
6833 seeds thereof; the resin extracted from any part of the plant; [and] every
6834 compound, manufacture, salt, derivative, mixture, or preparation of
6835 such plant, its seeds or resin, [Marijuana does not include the mature
6836 stalks of such plant, fiber produced from such stalks, oil or cake made
6837 from the seeds of such plant, any other compound, manufacture, salt,
6838 derivative, mixture or preparation of such mature stalks, except the
6839 resin extracted therefrom, fiber, oil, or cake, the sterilized seed of such
6840 plant which is incapable of germination, or hemp, as defined in 7 USC
6841 1639o, as amended from time to time. Included are] any product made
6842 using hemp, as defined in section 22-61l, which exceeds three-tenths per
6843 cent total THC concentration on a dry-weight basis; manufactured
6844 cannabinoids, synthetic cannabinoids, except as provided in
6845 subparagraph (E) of this subdivision; or cannabimon, cannabimol or
6846 cannabidiol and chemical compounds which are similar to cannabimon,
6847 cannabimol or cannabidiol in chemical structure or which are similar
6848 thereto in physiological effect, [and which show a like potential for
6849 abuse,] which are controlled substances under this chapter, [unless]
6850 except cannabidiol derived from hemp, as defined in section 22-61l, with
6851 a total THC concentration of not more than three-tenths per cent on a
6852 dry-weight basis. "Marijuana" does not include: (A) The mature stalks
6853 of such plant, fiber produced from such stalks, oil or cake made from
6854 the seeds of such plant, any other compound, manufacture, salt,
6855 derivative, mixture or preparation of such mature stalks, except the
6856 resin extracted from such mature stalks or fiber, oil or cake; (B) the
6857 sterilized seed of such plant which is incapable of germination; (C)
6858 hemp, as defined in section 22-61l, with a total THC concentration of not
6859 more than three-tenths per cent on a dry-weight basis; (D) any substance
6860 approved by the federal Food and Drug Administration or successor
6861 agency as a drug and reclassified in any schedule of controlled
6862 substances or unscheduled by the federal Drug Enforcement

6863 Administration or successor agency which is included in the same
6864 schedule designated by the federal Drug Enforcement Administration
6865 or successor agency; or (E) synthetic cannabinoids which are controlled
6866 substances that are designated by the Commissioner of Consumer
6867 Protection, by whatever official, common, usual, chemical or trade name
6868 designation, as controlled substances and are classified in the
6869 appropriate schedule in accordance with subsections (i) and (j) of section
6870 21a-243;

6871 Sec. 142. Section 21a-240 of the general statutes is amended by adding
6872 subdivisions (59) to (62), inclusive, as follows (*Effective July 1, 2021*):

6873 (NEW) (59) "THC" means tetrahydrocannabinol, including, but not
6874 limited to, delta-7, delta-8-tetrahydrocannabinol, delta-9-
6875 tetrahydrocannabinol and delta-10-tetrahydrocannabinol, and any
6876 material, compound, mixture or preparation which contain their salts,
6877 isomers and salts of isomers, whenever the existence of such salts,
6878 isomers and salts of isomers is possible within the specific chemical
6879 designation, regardless of the source, except: (A) Dronabinol substituted
6880 in sesame oil and encapsulated in a soft gelatin capsule in a federal Food
6881 and Drug Administration or successor agency approved product, or (B)
6882 any tetrahydrocannabinol product that has been approved by the
6883 federal Food and Drug Administration or successor agency to have a
6884 medical use and reclassified in any schedule of controlled substances or
6885 unscheduled by the federal Drug Enforcement Administration or
6886 successor agency.

6887 (NEW) (60) "Total THC" means the sum of the percentage by weight
6888 of tetrahydrocannabinolic acid, multiplied by eight hundred seventy-
6889 seven-thousandths, plus the percentage of weight of
6890 tetrahydrocannabinol.

6891 (NEW) (61) "Manufactured cannabinoid" means cannabinoids
6892 naturally occurring from a source other than marijuana that are similar
6893 in chemical structure or physiological effect to cannabinoids derived
6894 from marijuana, as defined in section 21a-243, but are derived by a

6895 chemical or biological process.

6896 (NEW) (62) "Synthetic cannabinoid" means any material, compound,
6897 mixture or preparation which contains any quantity of a substance
6898 having a psychotropic response primarily by agonist activity at
6899 cannabinoid-specific receptors affecting the central nervous system that
6900 is produced artificially and not derived from an organic source naturally
6901 containing cannabinoids, unless listed in another schedule pursuant to
6902 section 21a-243.

6903 Sec. 143. Subsection (q) of section 1-1 of the general statutes is
6904 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6905 *2021*):

6906 (q) Except as otherwise specifically defined, the words "agriculture"
6907 and "farming" [shall] include cultivation of the soil, dairying, forestry,
6908 raising or harvesting any agricultural or horticultural commodity,
6909 including the raising, shearing, feeding, caring for, training and
6910 management of livestock, including horses, bees, the production of
6911 honey, poultry, fur-bearing animals and wildlife, and the raising or
6912 harvesting of oysters, clams, mussels, other molluscan shellfish or fish;
6913 the operation, management, conservation, improvement or
6914 maintenance of a farm and its buildings, tools and equipment, or
6915 salvaging timber or cleared land of brush or other debris left by a storm,
6916 as an incident to such farming operations; the production or harvesting
6917 of maple syrup or maple sugar, or any agricultural commodity,
6918 including lumber, as an incident to ordinary farming operations or the
6919 harvesting of mushrooms, the hatching of poultry, or the construction,
6920 operation or maintenance of ditches, canals, reservoirs or waterways
6921 used exclusively for farming purposes; handling, planting, drying,
6922 packing, packaging, processing, freezing, grading, storing or delivering
6923 to storage or to market, or to a carrier for transportation to market, or
6924 for direct sale any agricultural or horticultural commodity as an incident
6925 to ordinary farming operations, or, in the case of fruits and vegetables,
6926 as an incident to the preparation of such fruits or vegetables for market
6927 or for direct sale. The term "farm" includes farm buildings, and

6928 accessory buildings thereto, nurseries, orchards, ranges, greenhouses,
6929 hoophouses and other temporary structures or other structures used
6930 primarily for the raising and, as an incident to ordinary farming
6931 operations, the sale of agricultural or horticultural commodities. The
6932 terms "agriculture" and "farming" do not include the cultivation of
6933 cannabis, as defined in section 1 of this act. The term "aquaculture"
6934 means the farming of the waters of the state and tidal wetlands and the
6935 production of protein food, including fish, oysters, clams, mussels and
6936 other molluscan shellfish, on leased, franchised and public underwater
6937 farm lands. Nothing herein shall restrict the power of a local zoning
6938 authority under chapter 124.

6939 Sec. 144. (*Effective from passage*) Not later than January 1, 2025, the
6940 Social Equity Council established pursuant to section 22 of this act shall
6941 report to the Governor and, in accordance with the provisions of section
6942 11-4a of the general statutes, to the joint standing committees of the
6943 General Assembly having cognizance of matters relating to the judiciary
6944 and general law, data regarding the location of cannabis establishments
6945 and whether such establishments are predominantly located in
6946 communities of color.

6947 Sec. 145. (NEW) (*Effective July 1, 2021*) (a) In order for a dispensary
6948 facility to convert its license to a hybrid-retailer license, a dispensary
6949 facility shall have a workforce development plan that has been
6950 approved by the Social Equity Council under section 22 of this act and
6951 shall either pay the fee of one million dollars established in section 34 of
6952 this act or, if such dispensary facility has committed to create one equity
6953 joint venture to be approved by the Social Equity Council for ownership
6954 purposes under section 22 of this act and subsequent to obtaining such
6955 approval, approved by the department for licensure under this section,
6956 pay a reduced fee of five hundred thousand dollars.

6957 (b) Any equity joint venture created under this section shall be
6958 created for the development of a cannabis establishment business with
6959 a social equity applicant that owns at least fifty per cent of such business
6960 and where the dispensary facility owns at most fifty per cent of such

6961 business.

6962 (c) An equity joint venture applicant shall submit an application to
6963 the Social Equity Council that may include, but need not be limited to,
6964 evidence of business formation, ownership allocation, terms of
6965 ownership and financing and proof of social equity applicant
6966 involvement. The dispensary facility or social equity applicant of an
6967 equity joint venture shall submit an application to the Social Equity
6968 Council that may include, but need not be limited to, evidence of
6969 business formation, ownership allocation, terms of ownership and
6970 financing and proof of social equity applicant involvement. The
6971 dispensary facility or social equity applicant of an equity joint venture
6972 shall submit to the Social Equity Council information including, but not
6973 limited to, the organizing documents of the entity that outline the
6974 ownership stake of each backer, initial backer investment and payout
6975 information to enable the council to determine the terms of ownership.

6976 (d) Upon receipt of written approval of the equity joint venture by
6977 the Social Equity Council, the dispensary facility or social equity
6978 applicant of the equity joint venture shall apply for a license from the
6979 department in the same form as required by all other licensees of the
6980 same license type and subject to the same fees as required by all other
6981 licensees of the same license type.

6982 (e) A dispensary facility, including the backers of such dispensary
6983 facility, shall not increase its ownership in an equity joint venture in
6984 excess of fifty per cent during the seven-year period after a license is
6985 issued by the department under this section.

6986 (f) Equity joint ventures that are retailers or hybrid retailers that share
6987 a common dispensary facility or dispensary facility backer owner shall
6988 not be located within twenty miles of another commonly owned equity
6989 joint venture.

6990 (g) If a dispensary facility has paid the reduced conversion fee in
6991 accordance with subsection (a) of this section, and did not subsequently
6992 create one equity joint venture under this section, the dispensary facility

6993 shall be liable for the full conversion fee of one million dollars,
6994 established under section 34 of this act.

6995 Sec. 146. (NEW) (*Effective January 1, 2022*) (a) There is established,
6996 within the Department of Public Health, a program to collect and
6997 abstract timely public health information on cannabis associated illness
6998 and adverse events, nonfatal and fatal injuries and cannabis use
6999 poisoning data, from state and national data sources. Such program
7000 shall include, but need not be limited to, the following: (1) Serving as a
7001 data coordinator, analysis and reporting source of cannabis data and
7002 statistics that include, but are not limited to, illness, adverse events,
7003 injury, pregnancy outcomes, childhood poisoning, adult and youth use,
7004 cannabis-related emergency room visits and urgent care episodic
7005 mental health visits; (2) performing epidemiologic analysis on
7006 demographic, health and mortality data to identify risk factors and
7007 changes in trends; (3) working with the Departments of Consumer
7008 Protection and Mental Health and Addiction Services and any other
7009 entity that the Commissioner of Public Health deems necessary to
7010 disseminate public health alerts; and (4) sharing state-wide data to
7011 inform policy makers and citizens on the impact of cannabis legalization
7012 by posting public health prevention information and cannabis use
7013 associated morbidity and mortality statistics to the Department of
7014 Public Health's Internet web site.

7015 (b) The Department of Public Health shall, not later than April 1, 2023,
7016 and annually thereafter, report in accordance with the provisions of
7017 section 11-4a of the general statutes, to the joint standing committees of
7018 the General Assembly with cognizance relating to public health, human
7019 services, and appropriations and the budgets of state agencies about the
7020 public health information on cannabis collected by the department
7021 under subsection (a) of this section.

7022 Sec. 147. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
7023 "producer", "cultivator", "micro-cultivator", "product manufacturer",
7024 "hybrid retailer" and "retailer" have the same meanings as provided in
7025 section 1 of this act; and "hemp" and "hemp products" have the same

7026 meanings as provided in section 22-61l of the general statutes.

7027 (b) Any producer, cultivator, micro-cultivator and product
7028 manufacturer may manufacture, market, cultivate or store hemp and
7029 hemp products in accordance with the provisions of chapter 424 of the
7030 general statutes and any regulations adopted under said chapter, except
7031 that a producer, cultivator, micro-cultivator and product manufacturer
7032 may obtain hemp and hemp products from a person authorized under
7033 the laws of this state or another state, territory or possession of the
7034 United States or another sovereign entity to possess and sell such hemp
7035 and hemp products.

7036 (c) Hemp or hemp products purchased by a producer, cultivator,
7037 micro-cultivator or product manufacturer from a third party shall be
7038 tracked as a separate batch throughout the manufacturing process in
7039 order to document the disposition of such hemp or hemp products.
7040 Once hemp or hemp products are received by a producer, cultivator,
7041 micro-cultivator or product manufacturer, such hemp or hemp products
7042 shall be deemed cannabis and shall comply with the requirements for
7043 cannabis contained in the applicable provisions of the general statutes
7044 and any regulations adopted under such provisions. A producer,
7045 cultivator, micro-cultivator and product manufacturer shall retain a
7046 copy of the certificate of analysis for purchased hemp or hemp products
7047 and invoice and transport documents that evidence the quantity
7048 purchased and date received.

7049 (d) No hemp or hemp products shall be sold or distributed within a
7050 dispensary facility that is licensed under chapter 420f of the general
7051 statutes or the business premises of a hybrid retailer or a retailer.

7052 Sec. 148. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
7053 "municipality" means any town, city or borough, consolidated town and
7054 city or consolidated town and borough, and a district establishing a
7055 zoning commission under section 7-326 of the general statutes.

7056 (b) Any municipality may, by amendment to such municipality's
7057 zoning regulations or by local ordinance, (1) prohibit the establishment

7058 of a cannabis establishment, (2) establish reasonable restrictions
7059 regarding the hours and signage within the limits of such municipality,
7060 or (3) establish restrictions on the proximity of cannabis establishments
7061 to any of the establishments listed in subsection (a) of subdivision (1) of
7062 section 30-46 of the general statutes. The chief zoning official of a
7063 municipality shall report, in writing, any zoning changes adopted by the
7064 municipality regarding cannabis establishments pursuant to this
7065 subsection to the Secretary of the Office of Policy and Management and
7066 to the department not later than fourteen days after the adoption of such
7067 changes.

7068 (c) Unless otherwise provided for by a municipality through its
7069 zoning regulations or ordinances, a cannabis establishment shall be
7070 zoned as if for any other similar use, other than a cannabis
7071 establishment, would be zoned.

7072 (d) Any restriction regarding hours, zoning and signage of a cannabis
7073 establishment adopted by a municipality shall not apply to an existing
7074 cannabis establishment located in such municipality if such cannabis
7075 establishment does not convert to a different license type, for a period
7076 of five years after the adoption of such prohibition or restriction.

7077 (e) Until June 30, 2024, no municipality shall grant zoning approval
7078 for more retailers or micro-cultivators than a number that would allow
7079 for one retailer and one micro-cultivator for every twenty-five thousand
7080 residents of such municipality, as determined by the most recent
7081 decennial census.

7082 (f) On and after July 1, 2024, the Commissioner of Consumer
7083 Protection may, in the discretion of the commissioner, post on the
7084 Department of Consumer Protection's Internet web site a specific
7085 number of residents such that no municipality shall grant zoning
7086 approval for more retailers or micro-cultivators than would result in one
7087 retailer and one micro-cultivator for every such specific number of
7088 residents, as determined by the commissioner. Any such determination
7089 shall be made to ensure reasonable access to cannabis by consumers.

7090 (g) For purposes of ensuring compliance with this section, a special
7091 permit or other affirmative approval shall be required for any retailer or
7092 micro-cultivator seeking to be located within a municipality. A
7093 municipality shall not grant such special permit or approval for any
7094 retailer or micro-cultivator applying for such special permit or approval
7095 if that would result in an amount that (1) until June 30, 2024, exceeds the
7096 density cap of one retailer and one micro-cultivator for every twenty-
7097 five thousand residents, and (2) on and after July 1, 2024, exceeds any
7098 density cap determined by the commissioner under subsection (f) of this
7099 section. When awarding final licenses for a retailer or micro-cultivator,
7100 the Department of Consumer Protection may assume that, if an
7101 applicant for such final license has obtained zoning approval, the
7102 approval of a final license for such applicant shall not result in a
7103 violation of this section or any other municipal restrictions on the
7104 number or density of cannabis establishments.

7105 Sec. 149. (NEW) (*Effective July 1, 2021*) (a) Thirty days after the Social
7106 Equity Council posts the criteria for social equity applicants on its
7107 Internet web site, the department shall open up a three-month
7108 application period for cultivators during which a social equity applicant
7109 may apply to the department for a provisional cultivator license and
7110 final license for a cultivation facility located in a disproportionately
7111 impacted area without participating in a lottery or request for proposals.
7112 Such application for a provisional license shall be granted upon (1)
7113 verification by the Social Equity Council that the applicant meets the
7114 criteria for a social equity applicant; (2) the applicant submitting to and
7115 passing a criminal background check; and (3) payment of a three-
7116 million-dollar fee to be deposited in the Social Equity and Innovation
7117 Fund established in section 128 of this act. Upon granting such
7118 provisional license, the department shall notify the applicant of the
7119 project labor agreement requirements of section 103 of this act.

7120 (b) To obtain a final cultivator license under this section, the social
7121 equity applicant shall provide evidence of (1) a contract with an entity
7122 providing an approved electronic tracking system as described in
7123 section 56 of this act; (2) a right to exclusively occupy a location in a

7124 disproportionately impacted area at which the cultivation facility will
7125 be located; (3) any necessary local zoning approval and permits for the
7126 cultivation facility; (4) a business plan; (5) a social equity plan approved
7127 by the Social Equity Council; (6) written policies for preventing
7128 diversion and misuse of cannabis and sales of cannabis to underage
7129 persons; and (7) blueprints of the facility and all other security
7130 requirements of the department.

7131 Sec. 150. (NEW) (*Effective July 1, 2021*) (a) The Governor may enter
7132 into one or more compacts, amendments to existing compacts,
7133 memoranda of understanding or agreements with the Mashantucket
7134 Pequot Tribe or with the Mohegan Tribe of Indians of Connecticut, or
7135 both, to coordinate the administration and execution of laws and
7136 regulations of this state, as set forth in RERACA, and of laws and
7137 regulations of said tribes relating to the possession, delivery,
7138 production, processing or use of cannabis. Any such compact,
7139 amendment to existing compact, memorandum of understanding or
7140 agreement may contain provisions including, but not limited to, those
7141 relating to:

7142 (1) Criminal and civil law enforcement;

7143 (2) Laws and regulations relating to the possession, delivery,
7144 production, processing or use of cannabis; and

7145 (3) Laws and regulations relating to taxation.

7146 (b) Any compact, amendment to existing compact, memorandum of
7147 understanding or agreement entered into pursuant to subsection (a) of
7148 this section shall:

7149 (1) Provide for the preservation of public health and safety;

7150 (2) Ensure the security of any cannabis production, processing,
7151 testing or retail facilities on tribal land; and

7152 (3) Regulate any business involving cannabis that passes between the
7153 reservation of the tribal nation that is a party to such compact,

7154 amendment to existing compact, memorandum of understanding or
7155 agreement, and other areas in the state.

7156 (c) Notwithstanding the provisions of section 3-6c of the general
7157 statutes, any compact, amendment to existing compact, memorandum
7158 of understanding or agreement, or renewal thereof, entered into by the
7159 Governor with the Mashantucket Pequot Tribe or with the Mohegan
7160 Tribe of Indians of Connecticut pursuant to subsection (a) of this section,
7161 shall be considered approved by the General Assembly under section 3-
7162 6c of the general statutes upon the Governor entering into such compact,
7163 amendment to existing compact, memorandum of understanding or
7164 agreement, or renewal thereof, without any further action required by
7165 the General Assembly.

7166 Sec. 151. (*Effective from passage*) The Legislative Commissioners' Office
7167 shall, in codifying the provisions of this act, make such technical,
7168 grammatical and punctuation changes as are necessary to carry out the
7169 purposes of this act, including, but not limited to, correcting inaccurate
7170 internal references.

7171 Sec. 152. Section 32-39 of the general statutes is repealed and the
7172 following is substituted in lieu thereof (*Effective July 1, 2021*):

7173 The purposes of the corporation shall be to stimulate and encourage
7174 the research and development of new technologies, businesses and
7175 products, to encourage the creation and transfer of new technologies, to
7176 assist existing businesses in adopting current and innovative
7177 technological processes, to stimulate and provide services to industry
7178 that will advance the adoption and utilization of technology, to achieve
7179 improvements in the quality of products and services, to stimulate and
7180 encourage the development and operation of new and existing science
7181 parks and incubator facilities, and to promote science, engineering,
7182 mathematics and other disciplines that are essential to the development
7183 and application of technology within Connecticut by the infusion of
7184 financial aid for research, invention and innovation in situations in
7185 which such financial aid would not otherwise be reasonably available

7186 from commercial or other sources, and for these purposes the
7187 corporation shall have the following powers:

7188 (1) To have perpetual succession as a body corporate and to adopt
7189 bylaws, policies and procedures for the regulation of its affairs and
7190 conduct of its businesses as provided in section 32-36;

7191 (2) To enter into venture agreements with persons, upon such terms
7192 and on such conditions as are consistent with the purposes of this
7193 chapter, for the advancement of financial aid to such persons for the
7194 research, development and application of specific technologies,
7195 products, procedures, services and techniques, to be developed and
7196 produced in this state, and to condition such agreements upon
7197 contractual assurances that the benefits of increasing or maintaining
7198 employment and tax revenues shall remain in this state and shall accrue
7199 to it;

7200 (3) To solicit, receive and accept aid, grants or contributions from any
7201 source of money, property or labor or other things of value, to be held,
7202 used and applied to carry out the purposes of this chapter, subject to the
7203 conditions upon which such grants and contributions may be made,
7204 including but not limited to, gifts or grants from any department or
7205 agency of the United States or the state;

7206 (4) To invest in, acquire, lease, purchase, own, manage, hold and
7207 dispose of real property and lease, convey or deal in or enter into
7208 agreements with respect to such property on any terms necessary or
7209 incidental to the carrying out of these purposes; provided, however, (A)
7210 all such acquisitions of real property for the corporation's own use with
7211 amounts appropriated by the state to the corporation or with the
7212 proceeds of bonds supported by the full faith and credit of the state shall
7213 be subject to the approval of the Secretary of the Office of Policy and
7214 Management and the provisions of section 4b-23, and (B) upon
7215 termination of a lease executed on or before, May 1, 2016, for its main
7216 office, the corporation shall consider relocating such main office to a
7217 designated innovation place, as defined in section 32-39j, and

7218 establishing a satellite office in one or more designated innovation
7219 places;

7220 (5) To borrow money or to guarantee a return to the investors in or
7221 lenders to any capital initiative, to the extent permitted under this
7222 chapter;

7223 (6) To hold patents, copyrights, trademarks, marketing rights,
7224 licenses, or any other evidences of protection or exclusivity as to any
7225 products as defined herein, issued under the laws of the United States
7226 or any state or any nation;

7227 (7) To employ such assistants, agents and other employees as may be
7228 necessary or desirable, which employees shall be exempt from the
7229 classified service and shall not be employees, as defined in subsection
7230 (b) of section 5-270; establish all necessary or appropriate personnel
7231 practices and policies, including those relating to hiring, promotion,
7232 compensation, retirement and collective bargaining, which need not be
7233 in accordance with chapter 68, and the corporation shall not be an
7234 employer, as defined in subsection (a) of section 5-270; and engage
7235 consultants, attorneys and appraisers as may be necessary or desirable
7236 to carry out its purposes in accordance with this chapter;

7237 (8) To make and enter into all contracts and agreements necessary or
7238 incidental to the performance of its duties and the execution of its
7239 powers under this chapter;

7240 (9) To sue and be sued, plead and be impleaded, adopt a seal and
7241 alter the same at pleasure;

7242 (10) With the approval of the State Treasurer, to invest any funds not
7243 needed for immediate use or disbursement, including any funds held in
7244 reserve, in obligations issued or guaranteed by the United States of
7245 America or the state of Connecticut and in other obligations which are
7246 legal investments for retirement funds in this state;

7247 (11) To procure insurance against any loss in connection with its

7248 property and other assets in such amounts and from such insurers as it
7249 deems desirable;

7250 (12) To the extent permitted under its contract with other persons, to
7251 consent to any termination, modification, forgiveness or other change of
7252 any term of any contractual right, payment, royalty, contract or
7253 agreement of any kind to which the corporation is a party;

7254 (13) To do anything necessary and convenient to render the bonds to
7255 be issued under section 32-41 more marketable;

7256 (14) To acquire, lease, purchase, own, manage, hold and dispose of
7257 personal property, and lease, convey or deal in or enter into agreements
7258 with respect to such property on any terms necessary or incidental to
7259 the carrying out of these purposes;

7260 (15) In connection with any application for assistance under this
7261 chapter, or commitments therefor, to make and collect such fees as the
7262 corporation shall determine to be reasonable;

7263 (16) To enter into venture agreements with persons, upon such terms
7264 and conditions as are consistent with the purposes of this chapter to
7265 provide financial aid to such persons for the marketing of new and
7266 innovative services based on the use of a specific technology, product,
7267 device, technique, service or process;

7268 (17) To enter into limited partnerships or other contractual
7269 arrangements with private and public sector entities as the corporation
7270 deems necessary to provide financial aid which shall be used to make
7271 investments of seed venture capital in companies based in or relocating
7272 to the state in a manner which shall foster additional capital investment,
7273 the establishment of new businesses, the creation of new jobs and
7274 additional commercially-oriented research and development activity.
7275 The repayment of such financial aid shall be structured in such manner
7276 as the corporation deems will best encourage private sector
7277 participation in such limited partnerships or other arrangements. The
7278 board of directors, chief executive officer, officers and staff of the

7279 corporation may serve as members of any advisory or other board
7280 which may be established to carry out the purposes of this subdivision;

7281 (18) To account for and audit funds of the corporation and funds of
7282 any recipients of financial aid from the corporation;

7283 (19) To advise the Governor, the General Assembly, the
7284 Commissioner of Economic and Community Development and the
7285 president of the Connecticut State Colleges and Universities on matters
7286 relating to science, engineering and technology which may have an
7287 impact on state policies, programs, employers and residents, and on job
7288 creation and retention;

7289 (20) To promote technology-based development in the state;

7290 (21) To encourage and promote the establishment of and, within
7291 available resources, to provide financial aid to advanced technology
7292 centers;

7293 (22) To maintain an inventory of data and information concerning
7294 state and federal programs which are related to the purposes of this
7295 chapter and to serve as a clearinghouse and referral service for such data
7296 and information, provided such power shall be transferred to CTNext
7297 on September 1, 2016;

7298 (23) To conduct and encourage research and studies relating to
7299 technological development;

7300 (24) To provide technical or other assistance and, within available
7301 resources, to provide financial aid to the Connecticut Academy of
7302 Science and Engineering, Incorporated, in order to further the purposes
7303 of this chapter;

7304 (25) To recommend a science and technology agenda for the state that
7305 will promote the formation of public and private partnerships for the
7306 purpose of stimulating research, new business formation and growth
7307 and job creation;

7308 (26) To encourage and provide technical assistance and, within
7309 available resources, to provide financial aid to existing manufacturers
7310 and other businesses in the process of adopting innovative technology
7311 and new state-of-the-art processes and techniques;

7312 (27) To recommend state goals for technological development and to
7313 establish policies and strategies for developing and assisting
7314 technology-based companies and for attracting such companies to the
7315 state;

7316 (28) To promote and encourage and, within available resources, to
7317 provide financial aid for the establishment, maintenance and operation
7318 of incubator facilities, provided such power shall be transferred to
7319 CTNext on September 1, 2016;

7320 (29) To promote and encourage the coordination of public and
7321 private resources and activities within the state in order to assist
7322 technology-based entrepreneurs and business enterprises;

7323 (30) To provide services to industry that will stimulate and advance
7324 the adoption and utilization of technology and achieve improvements
7325 in the quality of products and services;

7326 (31) To promote science, engineering, mathematics and other
7327 disciplines that are essential to the development and application of
7328 technology;

7329 (32) To coordinate its efforts with existing business outreach centers,
7330 as described in section 32-9qq;

7331 (33) To do all acts and things necessary and convenient to carry out
7332 the purposes of this chapter;

7333 (34) To accept from the department: (A) Financial assistance, (B)
7334 revenues or the right to receive revenues with respect to any program
7335 under the supervision of the department, and (C) loan assets or equity
7336 interests in connection with any program under the supervision of the
7337 department; to make advances to and reimburse the department for any

7338 expenses incurred or to be incurred by it in the delivery of such
7339 assistance, revenues, rights, assets, or interests; to enter into agreements
7340 for the delivery of services by the corporation, in consultation with the
7341 department and the Connecticut Housing Finance Authority, to third
7342 parties, which agreements may include provisions for payment by the
7343 department to the corporation for the delivery of such services; and to
7344 enter into agreements with the department or with the Connecticut
7345 Housing Finance Authority for the sharing of assistants, agents and
7346 other consultants, professionals and employees, and facilities and other
7347 real and personal property used in the conduct of the corporation's
7348 affairs;

7349 (35) To transfer to the department: (A) Financial assistance, (B)
7350 revenues or the right to receive revenues with respect to any program
7351 under the supervision of the corporation, and (C) loan assets or equity
7352 interests in connection with any program under the supervision of the
7353 corporation, provided the transfer of such financial assistance, revenues,
7354 rights, assets or interests is determined by the corporation to be
7355 practicable, within the constraints and not inconsistent with the
7356 fiduciary obligations of the corporation imposed upon or established
7357 upon the corporation by any provision of the general statutes, the
7358 corporation's bond resolutions or any other agreement or contract of the
7359 corporation and to have no adverse effect on the tax-exempt status of
7360 any bonds of the state;

7361 (36) With respect to any capital initiative, to create, with one or more
7362 persons, one or more affiliates and to provide, directly or indirectly, for
7363 the contribution of capital to any such affiliate, each such affiliate being
7364 expressly authorized to exercise on such affiliate's own behalf all powers
7365 which the corporation may exercise under this section, in addition to
7366 such other powers provided to it by law;

7367 (37) To provide financial aid to enable biotechnology, bioscience and
7368 other technology companies to lease, acquire, construct, maintain,
7369 repair, replace or otherwise obtain and maintain production, testing,
7370 research, development, manufacturing, laboratory and related and

7371 other facilities, improvements and equipment;

7372 (38) To provide financial aid to persons developing smart buildings,
7373 as defined in section 32-23d, incubator facilities or other information
7374 technology intensive office and laboratory space;

7375 (39) To provide financial aid to persons developing or constructing
7376 the basic buildings, facilities or installations needed for the functioning
7377 of the media and motion picture industry in this state;

7378 (40) To coordinate the development and implementation of strategies
7379 regarding technology-based talent and innovation among state and
7380 quasi-public agencies, including the creation and administration of the
7381 Connecticut Small Business Innovation Research Office to act as a
7382 centralized clearinghouse and provide technical assistance to applicants
7383 in developing small business innovation research programs in
7384 conformity with the federal program established pursuant to the Small
7385 Business Research and Development Enhancement Act of 1992, P.L. 102-
7386 564, as amended, and other proposals, provided such power shall be
7387 transferred to CTNext on September 1, 2016;

7388 (41) To invest in private equity investment funds, or funds of funds,
7389 and enter into related agreements of limited partnership or other
7390 contractual arrangements related to such funds. Any such fund may be
7391 organized and managed, and may invest in businesses, located within
7392 or outside the state, provided the characteristics, investment objectives
7393 and criteria for such fund shall be consistent with policies adopted by
7394 the corporation's board of directors, which shall include requirements
7395 that the fund manager have or establish an office in the state and that
7396 the fund manager agrees to make diligent and good faith efforts to
7397 source deals and make fund investments such that an amount at least
7398 equal to the amount invested in such fund by the corporation and not
7399 otherwise returned, net of customary fees, expenses and closing costs
7400 borne ratably by fund investors, is invested by or through such fund in
7401 a manner that supports (A) the growth of business operations of
7402 companies in the technology, bioscience or precision manufacturing

7403 sectors in the state, or (B) the relocation of companies in such sectors to
7404 the state;

7405 (42) To invest up to five million dollars in a venture capital funding
7406 round of an out-of-state business that has raised private capital, has
7407 been incorporated for ten years or less and whose annual gross revenue
7408 has increased by twenty per cent for each of the three previous income
7409 years of such business, provided (A) any such investment is contingent
7410 upon the business relocating its operations to the state, (B) no
7411 investment shall exceed fifty per cent of the total amount raised by the
7412 business in such venture capital funding round, and (C) the total
7413 amount of investments pursuant to this section shall not exceed ten
7414 million dollars;

7415 (43) To establish a program to solicit private investment from state
7416 residents that Connecticut Innovations, Incorporated will invest in a
7417 private investment fund or funds of funds pursuant to subdivision (41)
7418 of this section or subsections (e) and (g) of section 32-41cc on behalf of
7419 such residents, provided any such private investment shall be invested
7420 by Connecticut Innovations, Incorporated in venture capital firms
7421 having offices located in the state; [and]

7422 (44) To create financial incentives to induce (A) out-of-state
7423 businesses that have raised private capital, have been incorporated for
7424 ten years or less and whose annual gross revenue has increased by
7425 twenty per cent for each of the three previous income years of such
7426 business, to relocate to Connecticut, provided the corporation has made
7427 an equity investment in such business and (B) out-of-state venture
7428 capital firms to relocate to Connecticut, provided the corporation is
7429 investing funds in such firm as a limited partner; [.] and

7430 (45) To provide financial aid, including in the form of equity
7431 investments, to cannabis establishments, as defined in section 1 of this
7432 act.

7433 Sec. 153. (NEW) (*Effective January 1, 2022*) Not later than January 1,
7434 2022, the Police Officer Standards and Training Council shall issue

7435 guidance concerning how police officers shall determine whether the
7436 cannabis possessed by a person is in excess of such person's possession
7437 limit pursuant to subsection (a) of section 21a-279a of the general
7438 statutes.

7439 Sec. 154. Subsection (h) of section 51-164n of the general statutes is
7440 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7441 *2021*):

7442 (h) In any trial for the alleged commission of an infraction, the
7443 practice, procedure, rules of evidence and burden of proof applicable in
7444 criminal proceedings shall apply. [, except that in any trial for the
7445 alleged commission of an infraction under subsection (d) of section 21a-
7446 267, the burden of proof shall be by the preponderance of the evidence.]
7447 Any person found guilty at the trial or upon a plea shall be guilty of the
7448 commission of an infraction and shall be fined not less than thirty-five
7449 dollars or more than ninety dollars or, if the infraction is for a violation
7450 of any provision of title 14, not less than fifty dollars or more than ninety
7451 dollars.

7452 Sec. 155. Subdivision (4) of subsection (c) of section 19a-343 of the
7453 general statutes is repealed and the following is substituted in lieu
7454 thereof (*Effective July 1, 2021*):

7455 (4) Offenses for the sale of controlled substances, possession of
7456 controlled substances with intent to sell, or maintaining a drug factory
7457 under section 21a-277, 21a-278 or 21a-278a or section 13 of this act use of
7458 the property by persons possessing controlled substances under section
7459 21a-279. Nothing in this section shall prevent the state from also
7460 proceeding against property under section 21a-259 or 54-36h.

7461 Sec. 156. Subsection (a) of section 53-394 of the general statutes is
7462 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7463 *2021*):

7464 (a) "Racketeering activity" means to commit, to attempt to commit, to
7465 conspire to commit, or to intentionally aid, solicit, coerce or intimidate

7466 another person to commit any crime which, at the time of its
7467 commission, was a felony chargeable by indictment or information
7468 under the following provisions of the general statutes then applicable:
7469 (1) Sections 53-278a to 53-278f, inclusive, relating to gambling activity;
7470 (2) chapter 949a, relating to extortionate credit transactions; (3) chapter
7471 952, part IV, relating to homicide; (4) chapter 952, part V, relating to
7472 assault, except assault with a motor vehicle as defined in section 53a-
7473 60d; (5) sections 53a-85 to 53a-88, inclusive, relating to prostitution; (6)
7474 chapter 952, part VII, relating to kidnapping; (7) chapter 952, part VIII,
7475 relating to burglary, arson and related offenses; (8) chapter 952, part IX,
7476 relating to larceny, robbery and related offenses; (9) chapter 952, part X,
7477 relating to forgery and related offenses; (10) chapter 952, part XI, relating
7478 to bribery and related offenses; (11) chapter 952, part XX, relating to
7479 obscenity and related offenses; (12) chapter 952, part XIX, relating to
7480 coercion; (13) sections 53-202, 53-206, 53a-211 and 53a-212, relating to
7481 weapons and firearms; (14) section 53-80a, relating to the manufacture
7482 of bombs; (15) sections 36b-2 to 36b-34, inclusive, relating to securities
7483 fraud and related offenses; (16) sections 21a-277, 21a-278 and 21a-279,
7484 and section 13 of this act, relating to drugs; (17) section 22a-131a, relating
7485 to hazardous waste; (18) chapter 952, part XXIII, relating to money
7486 laundering; (19) section 53a-192a, relating to trafficking in persons; or
7487 (20) subsection (b) of section 12-304 or section 12-308, relating to
7488 cigarettes, or subsection (c) of section 12-330f or subsection (b) of section
7489 12-330j, relating to tobacco products.

7490 Sec. 157. Subsections (a) to (c), inclusive, of section 54-33g of the
7491 general statutes are repealed and the following is substituted in lieu
7492 thereof (*Effective July 1, 2021*):

7493 (a) When any property believed to be possessed, controlled, designed
7494 or intended for use or which is or has been used or which may be used
7495 as a means of committing any criminal offense, or which constitutes the
7496 proceeds of the commission of any criminal offense, except a violation
7497 of section 21a-267, 21a-277, 21a-278 or 21a-279, or section 13 of this act,
7498 has been seized as a result of a lawful arrest or a lawful search that
7499 results in an arrest, which the state claims to be a nuisance and desires

7500 to have destroyed or disposed of in accordance with the provisions of
7501 this section, the Chief State's Attorney or a deputy chief state's attorney,
7502 state's attorney or assistant or deputy assistant state's attorney may
7503 petition the court not later than ninety days after the seizure, in the
7504 nature of a proceeding in rem, to order forfeiture of such property. Such
7505 proceeding shall be deemed a civil suit in equity, in which the state shall
7506 have the burden of proving all material facts by clear and convincing
7507 evidence. The court shall identify the owner of such property and any
7508 other person as appears to have an interest in such property, and order
7509 the state to give notice to such owner and any interested person by
7510 certified or registered mail.

7511 (b) The court shall hold a hearing on the petition filed pursuant to
7512 subsection (a) of this section not more than two weeks after the criminal
7513 proceeding that occurred as a result of the arrest has been nolle,
7514 dismissed or otherwise disposed of. The court shall deny the petition
7515 and return the property to the owner if the criminal proceeding does not
7516 result in (1) a plea of guilty or nolo contendere to any offense charged in
7517 the same criminal information, (2) a guilty verdict after trial to a
7518 forfeiture-eligible offense for which the property was possessed,
7519 controlled, designed or intended for use, or which was or had been used
7520 as a means of committing such offense, or which constitutes the
7521 proceeds of the commission of such offense, or (3) a dismissal resulting
7522 from the completion of a pretrial diversionary program.

7523 (c) If the court finds the allegations made in such petition to be true
7524 and that the property has been possessed, controlled or designed for
7525 use, or is or has been or is intended to be used, with intent to violate or
7526 in violation of any of the criminal laws of this state, or constitutes the
7527 proceeds of a violation of any of the criminal laws of this state, except a
7528 violation of section 21a-267, 21a-277, 21a-278 or 21a-279, or section 13 of
7529 this act, and that a plea of guilty or nolo contendere to such offense or
7530 another charge in the same criminal information, or a guilty verdict after
7531 trial for such forfeiture-eligible offense, or a dismissal resulting from the
7532 completion of a pretrial diversionary program has been entered, the
7533 court shall render judgment that such property is a nuisance and order

7534 the property to be destroyed or disposed of to a charitable or
7535 educational institution or to a governmental agency or institution,
7536 except that if any such property is subject to a bona fide mortgage,
7537 assignment of lease or rent, lien or security interest, such property shall
7538 not be so destroyed or disposed of in violation of the rights of the holder
7539 of such mortgage, assignment of lease or rent, lien or security interest.

7540 Sec. 158. Section 54-41b of the general statutes is repealed and the
7541 following is substituted in lieu thereof (*Effective July 1, 2021*):

7542 The Chief State's Attorney or the state's attorney for the judicial
7543 district in which the interception is to be conducted may make
7544 application to a panel of judges for an order authorizing the interception
7545 of any wire communication by investigative officers having
7546 responsibility for the investigation of offenses as to which the
7547 application is made when such interception may provide evidence of
7548 the commission of offenses involving gambling, bribery, violations of
7549 section 53-395, violations of section 53a-70c, violations of subsection (a)
7550 of section 53a-90a, violations of section 53a-192a, violations of section
7551 53a-196, violations of section 21a-277, violations of section 13 of this act,
7552 felonious crimes of violence or felonies involving the unlawful use or
7553 threatened use of physical force or violence committed with the intent
7554 to intimidate or coerce the civilian population or a unit of government.

7555 Sec. 159. Subsection (b) of section 18-100h of the general statutes is
7556 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7557 *2021*):

7558 (b) Notwithstanding any provision of the general statutes, whenever
7559 a person is sentenced to a term of imprisonment for a violation of section
7560 21a-267, [or] 21a-279 or 21a-279a, and committed by the court to the
7561 custody of the Commissioner of Correction, the commissioner may,
7562 after admission and a risk and needs assessment, release such person to
7563 such person's residence subject to the condition that such person not
7564 leave such residence unless otherwise authorized. Based upon the
7565 assessment of such person, the commissioner may require such person

7566 to be subject to electronic monitoring, which may include the use of a
7567 global positioning system and continuous monitoring for alcohol
7568 consumption, to drug testing on a random basis, and to any other
7569 conditions that the commissioner may impose. Any person released
7570 pursuant to this subsection shall remain in the custody of the
7571 commissioner and shall be supervised by employees of the department
7572 during the period of such release. Upon the violation by such person of
7573 any condition of such release, the commissioner may revoke such
7574 release and return such person to confinement in a correctional facility.
7575 For purposes of this subsection, "continuous monitoring for alcohol
7576 consumption" means automatically testing breath, blood or transdermal
7577 alcohol concentration levels and tamper attempts at least once every
7578 hour regardless of the location of the person being monitored.

7579 Sec. 160. Subsection (a) of section 53a-39c of the general statutes is
7580 repealed and the following is substituted in lieu thereof (*Effective July*
7581 *1, 2021*):

7582 (a) There is established, within available appropriations, a
7583 community service labor program for persons convicted of a first
7584 violation of section 21a-267, [or] 21a-279 or 21a-279a, who have not
7585 previously been convicted of a violation of section 21a-277 or 21a-278.
7586 Upon application by any such person for participation in such program
7587 the court may grant such application and, upon a plea of guilty without
7588 trial where a term of imprisonment is part of a stated plea agreement,
7589 suspend any sentence of imprisonment and make participation in such
7590 program a condition of probation or conditional discharge in
7591 accordance with section 53a-30. No person may be placed in such
7592 program who has previously been placed in such program.

7593 Sec. 161. Subsection (c) of section 54-56e of the general statutes is
7594 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7595 *2021*):

7596 (c) This section shall not be applicable: (1) To any person charged
7597 with (A) a class A felony, (B) a class B felony, except a violation of

7598 subdivision (1), (2) or (3) of subsection (a) of section 53a-122 that does
7599 not involve the use, attempted use or threatened use of physical force
7600 against another person, or a violation of subdivision (4) of subsection (a)
7601 of section 53a-122 that does not involve the use, attempted use or
7602 threatened use of physical force against another person and does not
7603 involve a violation by a person who is a public official, as defined in
7604 section 1-110, or a state or municipal employee, as defined in section 1-
7605 110, or (C) a violation of section 53a-70b of the general statutes, revision
7606 of 1958, revised to January 1, 2019, or section 14-227a or 14-227m,
7607 subdivision (1) or (2) of subsection (a) of section 14-227n, subdivision (2)
7608 of subsection (a) of section 53-21 or section 53a-56b, 53a-60d, 53a-70, 53a-
7609 70a, 53a-71, except as provided in subdivision (5) of this subsection, 53a-
7610 72a, 53a-72b, 53a-90a, 53a-196e or 53a-196f, (2) to any person charged
7611 with a crime or motor vehicle violation who, as a result of the
7612 commission of such crime or motor vehicle violation, causes the death
7613 of another person, (3) to any person accused of a family violence crime
7614 as defined in section 46b-38a who (A) is eligible for the pretrial family
7615 violence education program established under section 46b-38c, or (B)
7616 has previously had the pretrial family violence education program
7617 invoked in such person's behalf, (4) to any person charged with a
7618 violation of section 21a-267, [or] 21a-279 or 21a-279a, who (A) is eligible
7619 for the pretrial drug education and community service program
7620 established under section 54-56i or the pretrial drug intervention and
7621 community service program established under section 166 of this act, or
7622 (B) has previously had (i) the pretrial drug education program [or] (ii)
7623 the pretrial drug education and community service program established
7624 under the provisions of section 54-56i, or (iii) the pretrial drug
7625 intervention and community service program established under section
7626 166 of this act, invoked on such person's behalf, (5) unless good cause is
7627 shown, to (A) any person charged with a class C felony, or (B) any
7628 person charged with committing a violation of subdivision (1) of
7629 subsection (a) of section 53a-71 while such person was less than four
7630 years older than the other person, (6) to any person charged with a
7631 violation of section 9-359 or 9-359a, (7) to any person charged with a
7632 motor vehicle violation (A) while operating a commercial motor vehicle,

7633 as defined in section 14-1, or (B) who holds a commercial driver's license
7634 or commercial driver's instruction permit at the time of the violation, (8)
7635 to any person charged with a violation of subdivision (6) of subsection
7636 (a) of section 53a-60, or (9) to a health care provider or vendor
7637 participating in the state's Medicaid program charged with a violation
7638 of section 53a-122 or subdivision (4) of subsection (a) of section 53a-123.

7639 Sec. 162. (NEW) (*Effective July 1, 2023*) Notwithstanding the
7640 provisions of section 13 of this act, any consumer may cultivate up to
7641 three mature cannabis plants and three immature cannabis plants in the
7642 consumer's primary residence, provided such plants are secure from
7643 access by any individual other than the consumer and no more than
7644 twelve cannabis plants may be grown at any given time per household.

7645 Sec. 163. (NEW) (*Effective October 1, 2021*) Any person twenty-three
7646 years of age or older who sells, delivers or gives cannabis, as defined in
7647 section 1 of this act, to any person under twenty-one years of age, and
7648 who knew or should have known that such person was under twenty-
7649 one years of age, shall be guilty of a class A misdemeanor.

7650 Sec. 164. Subsection (i) of section 54-1m of the general statutes is
7651 repealed and the following is substituted in lieu thereof (*Effective from*
7652 *passage*):

7653 (i) The Office of Policy and Management shall, within available
7654 resources, review the prevalence and disposition of traffic stops and
7655 complaints reported pursuant to this section, including any traffic stops
7656 conducted on suspicion of a violation of section 14-227a, 14-227g, 14-
7657 227m or 14-227n. Not later than July 1, 2014, and annually thereafter, the
7658 office shall report the results of any such review, including any
7659 recommendations, to the Governor, the General Assembly and any
7660 other entity deemed appropriate.

7661 Sec. 165. (NEW) (*Effective from passage*) Not later than January 1, 2022,
7662 the Commissioner of Emergency Services and Public Protection shall
7663 report to the Governor and, in accordance with the provisions of section

7664 11-4a, to the joint standing committees of the General Assembly having
7665 cognizance of matters relating to public safety and security and
7666 transportation, regarding the merits and feasibility of establishing (1) a
7667 phlebotomy program for police departments in the state, and (2) a
7668 facility to train police officers on the symptoms of cannabis impairment.

7669 Sec. 166. (NEW) (*Effective April 1, 2022*) (a) (1) There is established a
7670 pretrial drug intervention and community service program for persons
7671 charged with a violation of section 21a-257 of the general statutes, 21a-
7672 267 of the general statutes, 21a-279 of the general statutes or 21a-279a of
7673 the general statutes. The program shall consist of a twelve-session drug
7674 education component or a substance use treatment program of not less
7675 than fifteen sessions, and the performance of community service as
7676 ordered by the court pursuant to subsection (c) of this section.

7677 (2) The provisions of this section shall not apply to any person who
7678 has twice previously participated in: (A) The pretrial drug education
7679 program established under the provisions of section 54-56i of the
7680 general statutes; (B) the community service labor program established
7681 under section 53a-39c of the general statutes; (C) the pretrial drug
7682 intervention and community service program established under this
7683 section; or (D) any of such programs, except that the court may allow a
7684 person who has twice previously participated in such programs to
7685 participate in the program established under this section one additional
7686 time, for good cause shown.

7687 (b) Upon application for participation in the program:

7688 (1) The court shall, but only as to the public, order the court file
7689 sealed;

7690 (2) The applicant shall pay to the court a nonrefundable application
7691 fee of one hundred dollars and a nonrefundable evaluation fee of one
7692 hundred fifty dollars, both of which shall be credited to the pretrial
7693 account established under section 54-56k of the general statutes;

7694 (3) The applicant shall agree that, if the court grants the application

7695 and places the applicant in the program:

7696 (A) The statute of limitations for any alleged violations for which the
7697 court grants the application for the program shall be tolled;

7698 (B) The applicant waives the right to a speedy trial;

7699 (C) The applicant will begin participation in the components of the
7700 program ordered by the court not later than ninety days after the date
7701 that the Court Support Services Division directs the applicant to attend
7702 such components pursuant to subsection (d) of this section, unless the
7703 applicant requests a later start date, and the division determines that a
7704 later start date is appropriate;

7705 (D) The applicant will successfully complete any components of the
7706 program ordered by the court;

7707 (E) The applicant will not engage in any conduct that would
7708 constitute a violation of section 21a-257 of the general statutes, 21a-267
7709 of the general statutes, 21a-279 of the general statutes or 21a-279a of the
7710 general statutes; and

7711 (F) To satisfactorily complete the program, the applicant may be
7712 required to participate in additional substance use treatment after
7713 completing the drug education or substance use treatment component
7714 of the program that the Court Support Services Division directs the
7715 applicant to attend pursuant to subsection (d) of this section, if a
7716 program component provider recommends such additional treatment
7717 and the division deems it appropriate, pursuant to subdivision (3) of
7718 subsection (h) of this section, or the court orders the additional
7719 treatment.

7720 (c) (1) The court, after consideration of the recommendation of the
7721 state's attorney, assistant state's attorney or deputy assistant state's
7722 attorney in charge of the case, may, in its discretion, grant the
7723 application for, and place the applicant in, the pretrial drug intervention
7724 and community service program for a period of one year, subject to

7725 confirmation of the applicant's eligibility to participate in the program.

7726 (2) If the court grants the application and places the applicant in the
7727 program, the court shall refer the person placed in the program to the
7728 Court Support Services Division for confirmation of eligibility to
7729 participate in the program, and:

7730 (A) If the division confirms that such person is eligible for the
7731 program:

7732 (i) Direct the division to refer the applicant to the Department of
7733 Mental Health and Addiction Services for evaluation and determination
7734 of the appropriate drug education or substance use treatment
7735 component of the program, if the court has granted the applicant's
7736 participation in the program established under the provisions of this
7737 section or the community service labor program established under
7738 section 53a-39c of the general statutes for the first or second time;

7739 (ii) Direct the division to refer the applicant to a state-licensed
7740 substance use treatment provider for evaluation and determination of
7741 the appropriate substance use treatment component of the program, if
7742 the court has granted the applicant's participation in the program
7743 established under the provisions of this section or the community
7744 service labor program established under section 53a-39c of the general
7745 statutes for the third time; or

7746 (iii) If the applicant is a veteran, may direct the division to refer the
7747 applicant to the Department of Veterans Affairs or the United States
7748 Department of Veterans Affairs for evaluation and determination of the
7749 appropriate drug education or substance use treatment component of
7750 the program; or

7751 (B) If the division determines that such person is not eligible for the
7752 program, to inform the court of such determination and return such
7753 person's case to court for further proceedings.

7754 (3) When granting an application and placing an applicant in the

7755 program:

7756 (A) For the first time, the court shall order the applicant to participate
7757 in (i) either the drug education or substance use treatment component
7758 of the program recommended by the evaluation conducted pursuant to
7759 subparagraph (A)(i) of subdivision (2) of this subsection; and (ii) the
7760 community service component of the program for a period of five days;

7761 (B) For the second time, the court shall order the applicant to
7762 participate in (i) either the drug education or substance use treatment
7763 component of the program recommended by the evaluation conducted
7764 pursuant to subparagraph (A) of subdivision (2) of this subsection; and
7765 (ii) the community service component of the program for a period of
7766 fifteen days; or

7767 (C) For the third time, the court shall order the applicant to
7768 participate in (i) the substance use treatment component recommended
7769 by the evaluation conducted pursuant to subparagraph (A) of
7770 subdivision (2) of this subsection; and (ii) the community service
7771 component of the program for a period of thirty days.

7772 (d) (1) Except as provided in subdivisions (2) and (4) of this
7773 subsection, upon receipt of the evaluation of any person placed in the
7774 program conducted pursuant to subparagraph (A) of subdivision (2) of
7775 subsection (c) of this section, the Court Support Services Division shall
7776 (A) refer such person to the Department of Mental Health and Addiction
7777 Services or to a state-licensed substance use treatment provider with
7778 facilities that are in compliance with all state standards governing the
7779 operation of such facilities, as appropriate, for the purpose of receiving
7780 the drug education or substance use treatment component services
7781 recommended by such evaluation; and (B) direct such person to attend
7782 the recommended drug education or substance use treatment
7783 component within ninety days after referral unless the division
7784 determines that a later start date is appropriate.

7785 (2) If any person placed in the program is a veteran, the division (A)
7786 may refer such person to the Department of Veterans Affairs or the

7787 United States Department of Veterans Affairs for the applicable drug
7788 education or substance use treatment component recommended by the
7789 evaluation conducted pursuant to subparagraph (A) of subdivision (2)
7790 of subsection (c) of this section if: (i) the division determines that
7791 services for such component will be provided in a timely manner under
7792 standards substantially similar to, or higher than, the standards for
7793 services provided by the Department of Mental Health and Addiction
7794 Services or a state-licensed substance use treatment provider, and (ii)
7795 the applicable department agrees to submit timely component
7796 participation and completion reports to the division in the manner
7797 required by the division; and (B) shall direct such person to attend the
7798 recommended drug education or substance use treatment component
7799 within ninety days unless the division determines that a later start date
7800 is appropriate.

7801 (3) The division shall direct such person to attend the applicable
7802 community service component ordered by the court, and shall supervise
7803 such person's participation in such community service component.

7804 (4) The division may allow any person placed in the program whose
7805 employment, residence or education makes it unreasonable to
7806 participate in any component of the program ordered by the court in
7807 this state to participate in the applicable program components in
7808 another state if:

7809 (A) The out-of-state component provider has standards substantially
7810 similar to, or higher than, those of this state;

7811 (B) For any substance use treatment component, the out-of-state
7812 substance use treatment provider is licensed by the state in which
7813 treatment will be provided; and

7814 (C) The person allowed to participate in any of the components of the
7815 program in another state pays the applicable program fee and
7816 participation costs provided in this section.

7817 (5) If the division determines that any person placed in the program

7818 has either failed to comply with the requirements of any component of
7819 the program in which the court has ordered such person to participate,
7820 or engaged in any conduct that constitutes a violation of section 21a-257
7821 of the general statutes, 21a-267 of the general statutes, 21a-279 of the
7822 general statutes or 21a-279a of the general statutes, the division shall
7823 inform the court and return such person's case to court for further
7824 proceedings.

7825 (e) (1) At the time that the Court Support Services Division directs
7826 any person to attend any component of the program, such person shall
7827 (A) if directed to attend the drug education component, pay to the court
7828 a nonrefundable program fee of four hundred dollars, or (B) if directed
7829 to attend the substance use treatment component, pay to the court a
7830 nonrefundable program fee of one hundred dollars and pay to the
7831 treatment provider any costs associated with such treatment. All
7832 program fees shall be credited to the pretrial account established under
7833 section 54-56k of the general statutes.

7834 (2) (A) No person may be excluded from any component of the
7835 program because such person is indigent and unable to pay the
7836 associated fee or costs, provided (i) such person files with the court an
7837 affidavit of indigency and the court enters a finding of such indigency,
7838 or (ii) such person has been determined indigent and eligible for
7839 representation by a public defender who has been appointed on behalf
7840 of such person pursuant to section 51-296 of the general statutes. The
7841 court shall not require a person to perform community service in lieu of
7842 payment of any fee or cost, if such fee or cost is waived.

7843 (B) If the court finds that a person is indigent and unable to pay for
7844 the program application or the evaluation fee for the program, the court
7845 may waive all or any portion of these fees.

7846 (C) If the court finds that a person is indigent and unable to pay for
7847 the drug education component of the program, the court may waive all
7848 or any portion of the program fee for that component, provided that
7849 such person participates in such drug education services offered by a

7850 provider located in this state.

7851 (D) If the court finds that a person is indigent and unable to pay for
7852 the substance use treatment component of the program, the court may
7853 waive all or any portion of the program fee for that component and the
7854 costs of such treatment, provided that such person participates in such
7855 treatment at a substance use treatment provider licensed by and located
7856 in this state. Any costs waived under this subparagraph shall be paid by
7857 the Department of Mental Health and Addiction Services.

7858 (E) Notwithstanding any provision of this section, in no event shall
7859 the Department of Mental Health and Addiction Services pay any costs
7860 associated with education or substance use treatment provided outside
7861 of this state.

7862 (f) (1) If the Court Support Services Division returns to court the case
7863 of any person placed in the program whom the division has determined
7864 is not eligible for the program, and the court finds that such person is
7865 not eligible to participate in the program, the court shall revoke such
7866 person's placement in the program.

7867 (2) If the Court Support Services Division returns to court the case of
7868 any person placed in the program whom the division has learned has
7869 failed to comply with requirements of any component of the program in
7870 which the court has ordered such person to participate, or engaged in
7871 any conduct that constitutes a violation of section 21a-257 of the general
7872 statutes, 21a-267 of the general statutes, 21a-279 of the general statutes
7873 or 21a-279a of the general statutes, and the court finds that such person
7874 is no longer eligible to continue participating in the program, the court
7875 shall terminate such person's participation in the program.

7876 (3) If the court revokes any person's placement in the program or
7877 terminates any person's participation in the program, the court shall
7878 order the court file to be unsealed, enter a plea of not guilty for such
7879 person, and immediately place the case on the trial list, unless such
7880 person is eligible for, such person requests and the court grants such
7881 person reinstatement into the program pursuant to subsection (k) of this

7882 section.

7883 (4) (A) If the court revokes any person's placement in the program,
7884 such person shall not be required to pay any program fee or
7885 participation costs specified in subsection (e) of this section.

7886 (B) If the court terminates any person's participation in the program,
7887 no program fees or substance use treatment costs imposed pursuant to
7888 subsection (e) of this section shall be refunded.

7889 (g) The Department of Mental Health and Addiction Services shall
7890 administer the drug education component of the program and shall
7891 adopt regulations, in accordance with the provisions of chapter 54 of the
7892 general statutes, to establish standards for such drug education
7893 component. The department may contract with service providers to
7894 provide the appropriate drug education component in accordance with
7895 the provisions of this section. The department may combine the services
7896 for the drug education component of the program under the provisions
7897 of this section with the services for the alcohol education component of
7898 the impaired driving intervention program under the provisions of
7899 section 167 of this act, if necessary to ensure the appropriate and timely
7900 access to court ordered education components. Participation by a person
7901 in any combined drug and alcohol education services provided by the
7902 department for the drug education component of the program under the
7903 provisions of this section shall not be deemed participation in, nor shall
7904 affect such person's eligibility for, the impaired driving intervention
7905 program under the provisions of section 167 of this act.

7906 (h) (1) All program component providers shall provide the Court
7907 Support Services Division with a certification regarding the
7908 participation of each person referred to such provider pursuant to this
7909 section in the manner required by the division. (A) If such person has
7910 successfully completed the applicable program component, the
7911 certification shall indicate such successful completion and state whether
7912 additional substance use treatment is recommended. (B) If such person
7913 has failed to successfully complete the applicable program component,

7914 the certification shall indicate the reasons for such failure, whether the
7915 person is no longer amenable to education or treatment, and whether
7916 the current referral was an initial referral under subsection (d) of this
7917 section or a reinstatement under subsection (k) of this section for the
7918 program component. The certification of failure shall also, to the extent
7919 practicable, include a recommendation as to whether an alternative
7920 drug education or substance use treatment component would best serve
7921 such person's needs.

7922 (2) Except as provided in subdivision (3) of this subsection, upon
7923 receipt of a participation certification from any program component
7924 provider pursuant to this subsection, the Court Support Services
7925 Division shall provide the court with a final progress report indicating
7926 whether such person has successfully completed any components of the
7927 program ordered by the court, whether the division required such
7928 person to participate in any additional substance use treatment in
7929 accordance with subdivision (3) of this subsection and whether such
7930 person successfully completed any such additional substance use
7931 treatment. The final progress report shall also include any other
7932 information the division obtained during the supervision of such person
7933 relevant to such person's participation in the program, including
7934 whether the results of a criminal history record check, which the
7935 division shall complete prior to the submission of the final progress
7936 report, reveals that such person has engaged in any conduct that
7937 constitutes a violation of section 21a-257 of the general statutes, 21a-267
7938 of the general statutes, 21a-279 of the general statutes or 21a-279a of the
7939 general statutes, during such person's period of participation in the
7940 program.

7941 (3) If a participation certification indicates that a person who was
7942 placed in the program successfully completed the drug education or
7943 substance use treatment component ordered by the court, but the
7944 program component provider recommends additional substance use
7945 treatment for such person, the Court Support Services Division may, if
7946 it deems such additional treatment appropriate, require such person to
7947 participate in the recommended additional substance use treatment in

7948 order to satisfactorily complete the pretrial drug intervention and
7949 community service program. If the division requires such additional
7950 substance use treatment, the division shall provide the court with a final
7951 progress report in accordance with subdivision (2) of this subsection
7952 upon receipt of the participation certification from the substance use
7953 treatment provider for such additional treatment.

7954 (i) (1) If any person successfully completes all components of the
7955 program ordered by the court and any additional substance use
7956 treatment required by the Court Support Services Division, such person
7957 may apply for dismissal of the charges against such person at the
7958 conclusion of such person's period of participation in the program.
7959 Upon application, the court shall review the final progress report
7960 submitted by the division regarding such person and any other relevant
7961 information. If the court finds that such person has satisfactorily
7962 completed the pretrial drug intervention and community service
7963 program, the court shall dismiss the charges.

7964 (2) If any person who has successfully completed all components of
7965 the program ordered by the court and any additional substance use
7966 treatment required by the Court Support Services Division does not
7967 apply for dismissal of the charges against such person at the conclusion
7968 of such person's period of participation in the program, the court may,
7969 upon its own motion, review of the final progress report regarding such
7970 person submitted by the division and any other relevant information. If
7971 the court finds that such person has satisfactorily completed the pretrial
7972 drug intervention and community service program, the court shall
7973 dismiss the charges.

7974 (3) Upon the motion of any person placed in the program and a
7975 showing of good cause, the court may extend the program placement
7976 period for a reasonable period of time to allow such person to complete
7977 the applicable program components.

7978 (j) If, upon review of the final progress report submitted by the Court
7979 Support Services Division or any other relevant information, the court

7980 finds that any person placed in the program has failed to successfully
7981 complete any component of the program ordered by the court, is no
7982 longer amenable to treatment or is otherwise ineligible to continue
7983 participating in the program, the court shall terminate such person's
7984 participation in the program. No program fees or substance use
7985 treatment costs imposed pursuant to subsection (e) of this section shall
7986 be refunded to any person whose participation in the program is
7987 terminated. Unless such person requests, and the court grants,
7988 reinstatement into the program pursuant to subsection (k) of this
7989 section, the court shall order the court file of any person whose
7990 participation in the program is terminated to be unsealed, enter a plea
7991 of not guilty for such person and immediately place the case on the trial
7992 list.

7993 (k) (1) Any person whose participation in the program is terminated
7994 may ask the court to reinstate such person into the program up to two
7995 times. If a person requests reinstatement into the program, the Court
7996 Support Services Division shall verify that such person is eligible for
7997 such reinstatement. If a person requesting reinstatement into the
7998 program is eligible for reinstatement, the court may, in its discretion,
7999 grant such person reinstatement into the program. When granting such
8000 reinstatement, the court shall order the person to participate in an
8001 appropriate drug education, substance use treatment or community
8002 service component of the program.

8003 (2) Any person reinstated into the program shall (A) if ordered to
8004 participate in the drug education component of the program, pay to the
8005 court a nonrefundable program fee of two hundred fifty dollars, which
8006 shall be credited to the pretrial account established under section 54-56k
8007 of the general statutes, or (B) if ordered to participate in the substance
8008 use treatment component of the program, pay the costs of any substance
8009 use treatment. The court shall not waive the program fee or the costs of
8010 substance use treatment associated with reinstatement into the program
8011 unless such person is found eligible to have such fee or costs waived
8012 under subdivision (2) of subsection (e) of this section and such person
8013 participates in the applicable drug education at a service provider

8014 located in this state or substance use treatment at a substance use
8015 treatment provider licensed by and located in this state.

8016 (l) (1) If any person applies for both the pretrial drug intervention and
8017 community service program under the provisions of this section and the
8018 pretrial impaired driving intervention program pursuant to section 167
8019 of this act, for charges arising from the same arrest, and the Department
8020 of Mental Health and Addiction Services has already completed the
8021 required evaluation and determination of the appropriate alcohol
8022 education or substance use treatment component pursuant to section
8023 167 of this act, the court and the Court Support Services Division may
8024 rely on such evaluation and determination for the purposes of ordering
8025 participation and directing attendance in the drug education or
8026 substance use treatment component of the program under the
8027 provisions of this section. If the court and the division rely on such
8028 evaluation and determination, such person shall not be required to pay
8029 the evaluation fee under the provisions of subdivision (2) of subsection
8030 (b) of this section, provided that such person has paid, or the court has
8031 waived, the evaluation fee pursuant to section 167 of this act.

8032 (2) If any person is placed in both the pretrial drug intervention and
8033 community service program under the provisions of this section and the
8034 pretrial impaired driving intervention program under section 167 of this
8035 act, for charges arising from the same arrest, the court may find that:

8036 (A) Such person's successful completion of the alcohol education
8037 component of the pretrial impaired driving intervention program
8038 pursuant to section 167 of this act, satisfies such person's required
8039 participation in the drug education component of the pretrial drug
8040 intervention and community service program under the provisions of
8041 this section; or

8042 (B) Such person's successful completion of the substance use
8043 treatment component of the pretrial impaired driving intervention
8044 program under section 167 of this act, satisfies such person's required
8045 participation in the substance use treatment component of the pretrial

8046 drug intervention and community service program under the
8047 provisions of this section.

8048 (3) Nothing in this subsection shall relieve any person placed in both
8049 the pretrial drug intervention and community service program
8050 pursuant to this section and the pretrial impaired driving intervention
8051 program pursuant to section 167 of this act, for charges arising from the
8052 same arrest, from the requirement to participate in the:

8053 (A) Community service component of the pretrial drug intervention
8054 and community service program under the provisions of this section, in
8055 order to satisfactorily complete the pretrial drug intervention and
8056 community service program, or

8057 (B) Victim impact component of the pretrial impaired driving
8058 intervention program, if ordered by the court pursuant to section 167 of
8059 this act, in order to satisfactorily complete the pretrial impaired driving
8060 intervention program.

8061 (m) The Court Support Services Division shall retain a record of
8062 participation in the pretrial drug intervention and community service
8063 program for a period of ten years from the date the court grants the
8064 application for, and places the applicant in, the program pursuant to the
8065 provisions of this section.

8066 (n) For purposes of this section, "veteran" has the same meaning as
8067 provided in subdivision (2) of subsection (a) of section 27-103 of the
8068 general statutes.

8069 Sec. 167. (NEW) (*Effective April 1, 2022*) (a) (1) There is established a
8070 pretrial impaired driving intervention program for persons charged
8071 with a violation of section 14-227a of the general statutes, section 14-
8072 227g of the general statutes, section 14-227m of the general statutes,
8073 section 14-227n of the general statutes, subsection (d) of section 15-133
8074 of the general statutes or section 15-140n of the general statutes. The
8075 program shall consist of a twelve-session alcohol education component
8076 or a substance use treatment component of not less than fifteen sessions,

8077 and may also include a victim impact component, as ordered by the
8078 court pursuant to subsection (d) of this section.

8079 (2) The provisions of this section shall not apply to any person:

8080 (A) Who has been placed in the pretrial impaired driving intervention
8081 program under this section or the pretrial alcohol education program
8082 established under section 54-56g of the general statutes, within ten years
8083 immediately preceding the application;

8084 (B) Who has been convicted of a violation of section 14-227a of the
8085 general statutes, section 14-227g of the general statutes, section 14-227m
8086 of the general statutes, section 14-227n of the general statutes, section
8087 15-132a of the general statutes, subsection (d) of section 15-133 of the
8088 general statutes, section 15-140l of the general statutes, section 15-140n
8089 of the general statutes, section 53a-56b of the general statutes or section
8090 53a-60d of the general statutes;

8091 (C) Who has been convicted in any other state at any time of an
8092 offense the essential elements of which are substantially the same as any
8093 statutory provision set forth in subparagraph (B) of this subdivision;

8094 (D) Who is charged with a violation of section 14-227a of the general
8095 statutes, 14-227g of the general statutes, 14-227m of the general statutes
8096 or 14-227n of the general statutes (i) and held a commercial driver's
8097 license or commercial driver's instruction permit at the time of the
8098 violation; or (ii) while operating a commercial motor vehicle, as defined
8099 in section 14-1 of the general statutes; or

8100 (3) Whose alleged violation caused the serious physical injury, as
8101 defined in section 53a-3 of the general statutes, of another person, unless
8102 good cause is shown.

8103 (b) Upon application for participation in the program:

8104 (1) The court shall, but only as to the public, order the court file
8105 sealed;

8106 (2) The applicant shall pay to the court a nonrefundable application
8107 fee of one hundred dollars, which shall be credited to the Criminal
8108 Injuries Compensation Fund established under section 54-215 of the
8109 general statutes, and a nonrefundable evaluation fee of one hundred
8110 fifty dollars, which shall be credited to the pretrial account established
8111 under section 54-56k of the general statutes;

8112 (3) The applicant shall agree that, if the court grants the application
8113 and places the applicant in the program:

8114 (A) The statute of limitations for any alleged violations for which the
8115 court grants the application for the program shall be tolled;

8116 (B) The applicant waives the right to a speedy trial;

8117 (C) The applicant will begin participation in the components of the
8118 program ordered by the court not later than ninety days after the date
8119 that the Court Support Services Division directs the applicant to attend
8120 such components pursuant to subsection (e) of this section, unless the
8121 applicant requests a later start date and the division determines that a
8122 later start date is appropriate;

8123 (D) The applicant will successfully complete any components of the
8124 program ordered by the court;

8125 (E) The applicant will not engage in any conduct that would
8126 constitute a violation of (i) any statutory provision set forth in
8127 subparagraph (B) of subdivision (2) of subsection (a) of this section; or
8128 (ii) any statutory provision in any other state the essential elements of
8129 which are substantially the same as any statutory provision set forth in
8130 subparagraph (B) of subdivision (2) of subsection (a) of this section;

8131 (F) To satisfactorily complete the program, the applicant may be
8132 required to participate in additional substance use treatment after
8133 completing the alcohol education or substance use treatment
8134 component of the program that the Court Support Services Division
8135 directs the applicant to attend pursuant to subsection (e) of this section,

8136 if a program component provider recommends such additional
8137 treatment and the division deems it appropriate pursuant to subdivision
8138 (3) of subsection (j) of this section, or the court orders the additional
8139 treatment.

8140 (c) (1) Immediately following application, the applicant shall send
8141 notice, by registered or certified mail on a form prescribed by the Office
8142 of the Chief Court Administrator, to any victim who sustained a serious
8143 physical injury, as defined in section 53a-3 of the general statutes, as a
8144 result of the applicant's alleged violation. The notice shall inform each
8145 such victim that the applicant has applied to participate in the pretrial
8146 impaired driving intervention program and that the victim has an
8147 opportunity to be heard by the court on the application. The court shall
8148 provide each such victim an opportunity to be heard prior to granting
8149 an application under this section.

8150 (2) If the court determines that any person not entitled to notice
8151 pursuant to subdivision (1) of this subsection should be provided an
8152 opportunity to be heard on the application, the court may also require
8153 the defendant or the state's attorney, assistant state's attorney or deputy
8154 assistant state's attorney in charge of the case to send notice of the
8155 application to any such person.

8156 (d) (1) The court, after consideration of the recommendation of the
8157 state's attorney, assistant state's attorney or deputy assistant state's
8158 attorney in charge of the case, and the statement of any victim and any
8159 other person required to be notified pursuant to subsection (c) of this
8160 section, may, in its discretion, grant the application for, and place the
8161 applicant in, the pretrial impaired driving intervention program for a
8162 period of one year, subject to confirmation of the applicant's eligibility
8163 to participate in the program.

8164 (2) If the court grants the application and places the applicant in the
8165 program, the court shall: (A) Refer the person placed in the program to
8166 the Court Support Services Division for confirmation of eligibility to
8167 participate in the program; and (B) direct the division, (i) if it confirms

8168 that such person is eligible for the program, to refer such person to the
8169 Department of Mental Health and Addiction Services for evaluation and
8170 determination of the appropriate alcohol education or substance use
8171 treatment component of the program; or (ii) if it determines that such
8172 person is not eligible for the program, to inform the court of such
8173 determination and return such person's case to the court for further
8174 proceedings.

8175 (3) When granting an application and placing an applicant in the
8176 program, the court (A) shall order the applicant to participate in the
8177 alcohol education or substance use treatment component of the program
8178 recommended by the evaluation conducted pursuant to subparagraph
8179 (B)(i) of subdivision (2) of this subsection, and (B) may also order the
8180 applicant to participate in a victim impact component for which the
8181 applicant must attend a victim impact panel provided by an
8182 organization approved by the Court Support Services Division pursuant
8183 to subsection (h) of this section.

8184 (e) (1) Except as provided in subdivision (3) of this subsection, upon
8185 receipt of the evaluation of any person placed in the program conducted
8186 pursuant to subparagraph (B)(i) of subdivision (2) of subsection (d) of
8187 this section, the Court Support Services Division shall (A) refer such
8188 person to the Department of Mental Health and Addiction Services or
8189 to a state-licensed substance use treatment provider with facilities that
8190 are in compliance with all state standards governing the operation of
8191 such facilities, as appropriate, for the purpose of receiving the alcohol
8192 education or substance use treatment component services
8193 recommended by such evaluation; and (B) direct such person to attend
8194 the recommended alcohol education or substance use treatment
8195 component within ninety days unless the division determines that a
8196 later start date is appropriate. In making the determination of whether
8197 a later start date is appropriate, the division may consider any relevant
8198 factors, including, but not limited to, the date upon which the
8199 suspension of such person's motor vehicle operator's license pursuant
8200 to section 14-227b of the general statutes will expire.

8201 (2) If the court has ordered any person placed in the program to
8202 participate in a victim impact component, the division shall (A) refer
8203 such person to an organization approved to conduct victim impact
8204 panels in accordance with subsection (h) of this section; and (B) direct
8205 such person to attend an appropriate victim impact panel.

8206 (3) The division may allow any person placed in the program whose
8207 employment, residence, or education makes it unreasonable to
8208 participate in any component of the program ordered by the court in
8209 this state to participate in the applicable program components in
8210 another state if:

8211 (A) The out-of-state component provider has standards substantially
8212 similar to, or higher than, those of this state;

8213 (B) For any substance use treatment component, the out-of-state
8214 substance use treatment provider is licensed by the state in which
8215 treatment will be provided; and

8216 (C) The person allowed to participate in any components of the
8217 program in another state pays the applicable program fee and
8218 participation costs provided in this section.

8219 (4) If the division determines that any person placed in the program
8220 has either failed to comply with requirements of any component of the
8221 program in which the court has ordered such person to participate, or
8222 engaged in any conduct that constitutes a violation of (A) any statutory
8223 provision set forth in subparagraph (B) of subdivision (2) of subsection
8224 (a) of this section; or (B) any statutory provision in any other state the
8225 essential elements of which are substantially the same as any statutory
8226 provision set forth in subparagraph (B) of subdivision (2) of subsection
8227 (a) of this section, the division shall inform the court and return such
8228 person's case to court for further proceedings.

8229 (f) (1) At the time that the Court Support Services Division directs any
8230 person to attend any component of the program, such person shall (A)
8231 if directed to attend the alcohol education component, pay to the court

8232 a nonrefundable program fee of four hundred dollars, or (B) if directed
8233 to attend the substance use treatment component, pay to the court a
8234 nonrefundable program fee of one hundred dollars and pay to the
8235 treatment provider any costs associated with such treatment. All
8236 program fees shall be credited to the pretrial account established under
8237 section 54-56k of the general statutes.

8238 (2) Any person directed to attend the victim impact component shall,
8239 at the time such person attends the victim impact panel, pay the
8240 organization conducting the victim impact panel the participation fee
8241 required by such organization.

8242 (3) (A) No person may be excluded from any component of the
8243 program because such person is indigent and unable to pay the
8244 associated fee or costs, provided (i) such person files with the court an
8245 affidavit of indigency and the court enters a finding of such indigency,
8246 or (ii) such person has been determined indigent and eligible for
8247 representation by a public defender who has been appointed on behalf
8248 of such person pursuant to section 51-296 of the general statutes. The
8249 court shall not require a person to perform community service in lieu of
8250 payment of any fee or cost, if such fee or cost is waived.

8251 (B) If the court finds that a person is indigent and unable to pay for
8252 the program application or evaluation fee for the program, the court
8253 may waive all or any portion of these fees.

8254 (C) If the court finds that a person is indigent and unable to pay for
8255 the alcohol education component of the program, the court may waive
8256 all or any portion of the program fee for that component, provided that
8257 such person participates in alcohol education services offered by a
8258 provider located in this state.

8259 (D) If the court finds that a person is indigent and unable to pay for
8260 the substance use treatment component of the program, the court may
8261 waive all or any portion of the program fee for that component and the
8262 costs of such treatment, provided that such person participates in such
8263 treatment at a substance use treatment provider licensed by and located

8264 in this state. Any costs waived under this subparagraph shall be paid by
8265 the Department of Mental Health and Addiction Services.

8266 (E) Notwithstanding any provision of this section, in no event shall
8267 the Department of Mental Health and Addiction Services pay any fees
8268 or costs associated with education or substance use treatment provided
8269 outside of this state.

8270 (g) (1) If the Court Support Services Division returns to court the case
8271 of any person placed in the program whom the division has determined
8272 is not eligible for the program, and the court finds that such person is
8273 not eligible to participate in the program, the court shall revoke such
8274 person's placement in the program.

8275 (2) If the Court Support Services Division returns to court the case of
8276 any person placed in the program whom the division has learned has
8277 failed to comply with requirements of any component of the program in
8278 which the court has ordered such person to participate, or engaged in
8279 any conduct that constitutes a violation of (A) any statutory provision
8280 set forth in subparagraph (B) of subdivision (2) of subsection (a) of this
8281 section; or (B) any statutory provision in any other state the essential
8282 elements of which are substantially the same as any statutory provision
8283 set forth in subparagraph (B) of subdivision (2) of subsection (a) of this
8284 section, and the court finds that such person is no longer eligible to
8285 continue participating in the program, the court shall terminate such
8286 person's participation in the program.

8287 (3) If the court revokes any person's placement in the program or
8288 terminates any person's participation in the program, the court shall
8289 order the court file to be unsealed, enter a plea of not guilty for such
8290 person, and immediately place the case on the trial list unless such
8291 person is eligible for, such person requests and the court grants such
8292 person reinstatement into the program pursuant to subsection (m) of
8293 this section.

8294 (4) (A) If the court revokes any person's placement in the program,
8295 such person shall not be required to pay any program fee or

8296 participation costs specified in subsection (f) of this section.

8297 (B) If the court terminates any person's participation in the program,
8298 no program fees or substance use treatment costs imposed pursuant to
8299 subsection (f) of this section shall be refunded.

8300 (h) The Court Support Services Division shall approve a nonprofit
8301 organization that advocates on behalf of victims of accidents caused by
8302 persons who operated a motor vehicle while under the influence of
8303 intoxicating liquor or drugs, or both, to provide victim impact panels for
8304 the victim impact component of the program. Victim impact panels shall
8305 provide a non-confrontational forum for the victims of alcohol-related
8306 or drug-related offenses and offenders to share experiences of the
8307 impact of alcohol-related or drug-related incidents in their lives. Such
8308 organization may assess a participation fee of not more than seventy-
8309 five dollars per panel on any person ordered to participate in the victim
8310 impact component of the program, provided that such organization
8311 offers a hardship waiver of the participation fee when it determines that
8312 the imposition of the fee would pose an economic hardship for such
8313 person.

8314 (i) The Department of Mental Health and Addiction Services shall
8315 administer the alcohol education component of the program and shall
8316 adopt regulations, in accordance with chapter 54 of the general statutes,
8317 to establish standards for such alcohol education component. The
8318 department may contract with service providers to provide the
8319 appropriate alcohol education component in accordance with the
8320 provisions of this section. The department may combine the services for
8321 the alcohol education component of the program under the provisions
8322 of this section with the services for the drug education component of the
8323 drug intervention and community service program under section 166 of
8324 this act, if necessary to ensure the appropriate and timely access to court
8325 ordered education components. Participation by a person in any
8326 combined alcohol and drug education services provided by the
8327 department for the alcohol education component of the program under
8328 the provisions of this section shall not be deemed participation in, nor

8329 shall affect such person's eligibility for, the drug intervention and
8330 community service program under the provisions of section 166 of this
8331 act.

8332 (j) (1) All program component providers shall provide the Court
8333 Support Services Division with a certification regarding the
8334 participation of each person referred to such provider pursuant to this
8335 section in the manner required by the division. (A) If such person has
8336 successfully completed the applicable program component, the
8337 certification shall indicate such successful completion and state whether
8338 additional substance use treatment is recommended. (B) If such person
8339 has failed to successfully complete the applicable program component,
8340 the certification shall indicate the reasons for such failure, whether the
8341 person is no longer amenable to education or treatment and whether the
8342 current referral was an initial referral under subsection (e) of this section
8343 or a reinstatement under subsection (m) of this section for the program
8344 component. The certification of failure shall also, to the extent
8345 practicable, include a recommendation as to whether an alternative
8346 alcohol education or substance use treatment component would best
8347 serve such person's needs.

8348 (2) Except as provided in subdivision (3) of this subsection, upon
8349 receipt of a participation certification from any program component
8350 provider pursuant to this subsection, the Court Support Services
8351 Division shall provide the court with a final progress report indicating
8352 whether such person has successfully completed any components of the
8353 program ordered by the court, whether the division required such
8354 person to participate in any additional substance use treatment in
8355 accordance with subdivision (3) of this subsection and whether such
8356 person successfully completed any such additional substance use
8357 treatment. The final progress report shall also include any other
8358 information the division obtained during the supervision of such person
8359 relevant to such person's participation in the program, including
8360 whether the results of a criminal history record check, which the
8361 division shall complete prior to the submission of the final progress
8362 report, reveals that such person has engaged in any conduct that

8363 constitutes a violation of (A) any statutory provision set forth in
8364 subparagraph (B) of subdivision (2) of subsection (a) of this section; or
8365 (B) any statutory provision in any other state the essential elements of
8366 which are substantially the same as any statutory provision set forth in
8367 subparagraph (B) of subdivision (2) of subsection (a) of this section,
8368 during such person's period of participation in the program.

8369 (3) If a participation certification indicates that a person who was
8370 placed in the program successfully completed the alcohol education or
8371 substance use treatment component ordered by the court, but the
8372 program component provider recommends additional substance use
8373 treatment for such person, the Court Support Services Division may, if
8374 it deems such additional treatment appropriate, require such person to
8375 participate in the recommended additional substance use treatment in
8376 order to satisfactorily complete the pretrial impaired driving
8377 intervention program. If the division requires such additional substance
8378 use treatment, the division shall provide the court with a final progress
8379 report in accordance with subdivision (2) of this subsection upon receipt
8380 of the participation certification from the substance use treatment
8381 provider for such additional treatment.

8382 (k) (1) If any person successfully completes all components of the
8383 program ordered by the court and any additional substance use
8384 treatment required by the Court Support Services Division, such person
8385 may apply for dismissal of the charges against such person at the
8386 conclusion of such person's period of participation in the program.
8387 Upon application, the court shall review the final progress report
8388 submitted by the division regarding such person and any other relevant
8389 information. If the court finds that such person has satisfactorily
8390 completed the pretrial impaired driving intervention program, the court
8391 shall dismiss the charges.

8392 (2) If any person who has successfully completed all components of
8393 the program ordered by the court and any additional substance use
8394 treatment required by the Court Support Services Division does not
8395 apply for dismissal of the charges against such person at the conclusion

8396 of such person's period of participation in the program, the court may,
8397 upon its own motion, review the final progress report regarding such
8398 person submitted by the division and any other relevant information. If
8399 the court finds that such person has satisfactorily completed the pretrial
8400 impaired driving intervention program, the court shall dismiss the
8401 charges.

8402 (3) Upon the motion of any person placed in the program and a
8403 showing of good cause, the court may extend the program placement
8404 period for a reasonable period of time to allow such person to complete
8405 the applicable program components.

8406 (l) If, upon review of the final progress report submitted by the Court
8407 Support Services Division or any other relevant information, the court
8408 finds that any person placed in the program has failed to successfully
8409 complete any component of the program ordered by the court, is no
8410 longer amenable to treatment or is otherwise ineligible to continue
8411 participating in the program, the court shall terminate such person's
8412 participation in the program. No program fees or substance use
8413 treatment costs imposed pursuant to subsection (f) of this section shall
8414 be refunded to any person whose participation in the program is
8415 terminated. Unless such person requests, and the court grants,
8416 reinstatement into the program pursuant to subsection (m) of this
8417 section, the court shall order the court file of any person whose
8418 participation in the program is terminated to be unsealed, enter a plea
8419 of not guilty for such person and immediately place the case on the trial
8420 list.

8421 (m) (1) Any person whose participation in the program is terminated
8422 may ask the court to reinstate such person into the program up to two
8423 times. If a person requests reinstatement into the program, the Court
8424 Support Services Division shall verify that such person is eligible for
8425 such reinstatement. If a person requesting reinstatement into the
8426 program is eligible for reinstatement, the court may, in its discretion,
8427 grant such person reinstatement into the program. When granting such
8428 reinstatement, the court shall order the defendant to participate in an

8429 appropriate alcohol education, substance use treatment or victim impact
8430 component of the program.

8431 (2) Any person reinstated into the program shall: (A) If ordered to
8432 participate in the alcohol education component of the program, pay to
8433 the court a nonrefundable program fee of two hundred fifty dollars,
8434 which shall be credited to the pretrial account established under section
8435 54-56k of the general statutes, or (B) if ordered to participate in the
8436 substance use treatment component of the program, pay the costs of any
8437 substance use treatment. The court shall not waive the program fee or
8438 the costs of substance use treatment associated with reinstatement into
8439 the program unless such person is found eligible to have such fee or cost
8440 waived under subdivision (3) of subsection (f) of this section and such
8441 person participates in the applicable alcohol education at a service
8442 provider located in this state or substance use treatment at a substance
8443 use treatment provider licensed by and located in this state.

8444 (n) (1) If any person applies for both the pretrial impaired driving
8445 intervention program under the provisions of this section and the
8446 pretrial drug intervention and community service program pursuant to
8447 section 166 of this act, for charges arising from the same arrest, and the
8448 Department of Mental Health and Addiction Services, a licensed
8449 substance use treatment provider, the Department of Veterans Affairs
8450 or the United States Department of Veterans Affairs has already
8451 completed the required evaluation and determination of the
8452 appropriate drug education or substance use treatment component
8453 pursuant to section 166 of this act, the court and the Court Support
8454 Services Division may rely on such evaluation and determination for the
8455 purposes of ordering participation and directing attendance in the
8456 alcohol education or substance use treatment component of the program
8457 under the provisions of this section. If the court and the division rely on
8458 such evaluation and determination, such person shall not be required to
8459 pay the evaluation fee under the provisions of subdivision (2) of
8460 subsection (b) of this section, provided that such person has paid, or the
8461 court has waived, the evaluation fee pursuant to section 166 of this act.

8462 (2) If any person is placed in both the pretrial impaired driving
8463 intervention program under the provisions of this section and the
8464 pretrial drug intervention and community service program pursuant to
8465 section 166 of this act, for charges arising from the same arrest, the court
8466 may find that (A) such person's successful completion of the drug
8467 education component of the pretrial drug intervention and community
8468 service program pursuant to section 166 of this act, satisfies such
8469 person's required participation in the alcohol education component of
8470 the pretrial impaired driving intervention program under the
8471 provisions of this section; or (B) such person's successful completion of
8472 the substance use treatment component of the pretrial drug intervention
8473 and community service program pursuant to section 166 of this act,
8474 satisfies such person's required participation in the substance use
8475 treatment component of the pretrial impaired driving intervention
8476 program under the provisions of this section.

8477 (3) Nothing in this subsection shall relieve any person placed in both
8478 the pretrial impaired driving intervention program pursuant to this
8479 section and the pretrial drug intervention and community service
8480 program pursuant to section 166 of this act, for charges arising from the
8481 same arrest, from the requirement to participate in the:

8482 (A) Victim impact component of the pretrial impaired driving
8483 intervention program, if ordered by the court under the provisions of
8484 this section, in order to satisfactorily complete the pretrial impaired
8485 driving intervention program, or

8486 (B) Community service component of the pretrial drug intervention
8487 and community service program pursuant to section 166 of this act, in
8488 order to satisfactorily complete the pretrial drug intervention and
8489 community service program.

8490 (o) (1) The Court Support Services Division shall retain a record of
8491 participation in the pretrial impaired driving intervention program for
8492 a period of ten years from the date the court grants the application for,
8493 and places the applicant in, the program pursuant to the provisions of

8494 this section.

8495 (2) For any person charged with a violation of section 14-227a of the
8496 general statutes, section 14-227g of the general statutes, section 14-227m
8497 of the general statutes or section 14-227n of the general statutes whose
8498 charges were dismissed pursuant to the provisions of this section, the
8499 division shall transmit to the Department of Motor Vehicles the record
8500 of such person's participation in the program. The Department of Motor
8501 Vehicles shall maintain the record of any person's participation in such
8502 program as part of such person's driving record for a period of ten years.

8503 (3) For any person charged with a violation of subsection (d) of
8504 section 15-133 of the general statutes or section 15-140n of the general
8505 statutes whose charges were dismissed pursuant to the provisions of
8506 this section, the division shall transmit to the Department of Energy and
8507 Environmental Protection the record of such person's participation in
8508 the program. The Department of Energy and Environmental Protection
8509 shall maintain the record of any person's participation in such program
8510 as a part of such person's boater certification record for a period of ten
8511 years.

8512 Sec. 168. Section 54-56g of the general statutes is repealed and the
8513 following is substituted in lieu thereof (*Effective from passage*):

8514 (a) (1) There shall be a pretrial alcohol education program for persons
8515 charged with a violation of section 14-227a, 14-227g or 14-227m,
8516 subdivision (1) or (2) of subsection (a) of section 14-227n or section 15-
8517 133 or 15-140n. Upon application by any such person for participation
8518 in such program, the court shall, but only as to the public, order the
8519 court file sealed, and such person shall pay to the court an application
8520 fee of one hundred dollars and a nonrefundable evaluation fee of one
8521 hundred dollars, and such person shall state under oath, in open court
8522 or before any person designated by the clerk and duly authorized to
8523 administer oaths, under penalties of perjury that: (A) If such person is
8524 charged with a violation of section 14-227a, 14-227g or 14-227m,
8525 subdivision (1) or (2) of subsection (a) of section 14-227n, subsection (d)

8526 of section 15-133 or section 15-140n, such person has not had such
8527 program invoked in such person's behalf within the preceding ten years
8528 for a violation of section 14-227a, 14-227g or 14-227m, subdivision (1) or
8529 (2) of subsection (a) of section 14-227n, subsection (d) of section 15-133
8530 or section 15-140n, (B) such person has not been convicted of a violation
8531 of section 53a-56b or 53a-60d, a violation of subsection (a) of section 14-
8532 227a before, on or after October 1, 1981, a violation of subdivision (1) or
8533 (2) of subsection (a) of section 14-227a on or after October 1, 1985, a
8534 violation of section 14-227g, a violation of section 14-227m or a violation
8535 of subdivision (1) or (2) of subsection (a) of section 14-227n, (C) such
8536 person has not been convicted of a violation of section 15-132a,
8537 subsection (d) of section 15-133, section 15-140l or section 15-140n, (D)
8538 such person has not been convicted in any other state at any time of an
8539 offense the essential elements of which are substantially the same as
8540 section 53a-56b, 53a-60d, 15-132a, 15-140l or 15-140n, subdivision (1) or
8541 (2) of subsection (a) of section 14-227a, section 14-227m, subdivision (1)
8542 or (2) of subsection (a) of section 14-227n or subsection (d) of section 15-
8543 133, and (E) notice has been given by such person, by registered or
8544 certified mail on a form prescribed by the Office of the Chief Court
8545 Administrator, to each victim who sustained a serious physical injury,
8546 as defined in section 53a-3, which was caused by such person's alleged
8547 violation, that such person has applied to participate in the pretrial
8548 alcohol education program and that such victim has an opportunity to
8549 be heard by the court on the application.

8550 (2) The court shall provide each such victim who sustained a serious
8551 physical injury an opportunity to be heard prior to granting an
8552 application under this section. Unless good cause is shown, a person
8553 shall be ineligible for participation in such pretrial alcohol education
8554 program if such person's alleged violation of section 14-227a, 14-227g or
8555 14-227m, subdivision (1) or (2) of subsection (a) of section 14-227n or
8556 subsection (d) of section 15-133 caused the serious physical injury, as
8557 defined in section 53a-3, of another person.

8558 (3) The application fee imposed under this subsection shall be
8559 credited to the Criminal Injuries Compensation Fund established under

8560 section 54-215. The evaluation fee imposed under this subsection shall
8561 be credited to the pretrial account established under section 54-56k.

8562 (b) The court, after consideration of the recommendation of the state's
8563 attorney, assistant state's attorney or deputy assistant state's attorney in
8564 charge of the case, may, in its discretion, grant such application. If the
8565 court grants such application, the court shall refer such person to the
8566 Court Support Services Division for assessment and confirmation of the
8567 eligibility of the applicant and to the Department of Mental Health and
8568 Addiction Services for evaluation. The Court Support Services Division,
8569 in making its assessment and confirmation, may rely on the
8570 representations made by the applicant under oath in open court with
8571 respect to convictions in other states of offenses specified in subsection
8572 (a) of this section. Upon confirmation of eligibility and receipt of the
8573 evaluation report, the defendant shall be referred to the Department of
8574 Mental Health and Addiction Services by the Court Support Services
8575 Division for placement in an appropriate alcohol intervention program
8576 for one year, or be placed in a state-licensed substance abuse treatment
8577 program. The alcohol intervention program shall include a ten-session
8578 intervention program and a fifteen-session intervention program. Any
8579 person who enters the pretrial alcohol education program shall agree:
8580 (1) To the tolling of the statute of limitations with respect to such crime,
8581 (2) to a waiver of such person's right to a speedy trial, (3) to complete
8582 ten or fifteen counseling sessions in an alcohol intervention program or
8583 successfully complete a substance abuse treatment program of not less
8584 than twelve sessions pursuant to this section dependent upon the
8585 evaluation report and the court order, (4) to commence participation in
8586 an alcohol intervention program or substance abuse treatment program
8587 not later than ninety days after the date of entry of the court order unless
8588 granted a delayed entry into a program by the court, (5) upon
8589 completion of participation in the alcohol intervention program, to
8590 accept placement in a substance abuse treatment program upon the
8591 recommendation of a provider under contract with the Department of
8592 Mental Health and Addiction Services pursuant to subsection (f) of this
8593 section or placement in a state-licensed substance abuse treatment

8594 program which meets standards established by the Department of
8595 Mental Health and Addiction Services, if the Court Support Services
8596 Division deems it appropriate, and (6) if ordered by the court, to
8597 participate in at least one victim impact panel. The suspension of the
8598 motor vehicle operator's license of any such person pursuant to section
8599 14-227b shall be effective during the period such person is participating
8600 in the pretrial alcohol education program, provided such person shall
8601 have the option of not commencing the participation in such program
8602 until the period of such suspension is completed. If the Court Support
8603 Services Division informs the court that the defendant is ineligible for
8604 such program and the court makes a determination of ineligibility or if
8605 the program provider certifies to the court that the defendant did not
8606 successfully complete the assigned program or is no longer amenable to
8607 treatment and such person does not request, or the court denies,
8608 program reinstatement under subsection (e) of this section, the court
8609 shall order the court file to be unsealed, enter a plea of not guilty for
8610 such defendant and immediately place the case on the trial list. If such
8611 defendant satisfactorily completes the assigned program, such
8612 defendant may apply for dismissal of the charges against such
8613 defendant and the court, on reviewing the record of the defendant's
8614 participation in such program submitted by the Court Support Services
8615 Division and on finding such satisfactory completion, shall dismiss the
8616 charges. If the defendant does not apply for dismissal of the charges
8617 against such defendant after satisfactorily completing the assigned
8618 program the court, upon receipt of the record of the defendant's
8619 participation in such program submitted by the Court Support Services
8620 Division, may on its own motion make a finding of such satisfactory
8621 completion and dismiss the charges. Upon motion of the defendant and
8622 a showing of good cause, the court may extend the one-year placement
8623 period for a reasonable period for the defendant to complete the
8624 assigned program. A record of participation in such program shall be
8625 retained by the Court Support Services Division for a period of ten years
8626 from the date the court grants the application for participation in such
8627 program. The Court Support Services Division shall transmit to the
8628 Department of Motor Vehicles a record of participation in such program

8629 for each person who satisfactorily completes such program. The
8630 Department of Motor Vehicles shall maintain for a period of ten years
8631 the record of a person's participation in such program as part of such
8632 person's driving record. The Court Support Services Division shall
8633 transmit to the Department of Energy and Environmental Protection the
8634 record of participation of any person who satisfactorily completes such
8635 program who has been charged with a violation of the provisions of
8636 subsection (d) of section 15-133 or section 15-140n. The Department of
8637 Energy and Environmental Protection shall maintain for a period of ten
8638 years the record of a person's participation in such program as a part of
8639 such person's boater certification record.

8640 (c) At the time the court grants the application for participation in the
8641 pretrial alcohol education program, such person shall also pay to the
8642 court a nonrefundable program fee of three hundred fifty dollars if such
8643 person is ordered to participate in the ten-session intervention program
8644 and a nonrefundable program fee of five hundred dollars if such person
8645 is ordered to participate in the fifteen-session intervention program. If
8646 the court grants the application for participation in the pretrial alcohol
8647 education program and such person is ordered to participate in a
8648 substance abuse treatment program, such person shall be responsible
8649 for the costs associated with participation in such program. No person
8650 may be excluded from either program for inability to pay such fee or
8651 cost, provided (1) such person files with the court an affidavit of
8652 indigency or inability to pay, (2) such indigency or inability to pay is
8653 confirmed by the Court Support Services Division, and (3) the court
8654 enters a finding thereof. If the court finds that a person is indigent or
8655 unable to pay for a treatment program, the costs of such program shall
8656 be paid from the pretrial account established under section 54-56k. If the
8657 court finds that a person is indigent or unable to pay for an intervention
8658 program, the court may waive all or any portion of the fee for such
8659 intervention program. If the court denies the application, such person
8660 shall not be required to pay the program fee. If the court grants the
8661 application and such person is later determined to be ineligible for
8662 participation in such pretrial alcohol education program or fails to

8663 complete the assigned program, the program fee shall not be refunded.
8664 All program fees shall be credited to the pretrial account established
8665 under section 54-56k.

8666 (d) If a person returns to court with certification from a program
8667 provider that such person did not successfully complete the assigned
8668 program or is no longer amenable to treatment, the provider, to the
8669 extent practicable, shall include a recommendation to the court as to
8670 whether a ten-session intervention program, a fifteen-session
8671 intervention program or placement in a state-licensed substance abuse
8672 treatment program would best serve such person's needs. The provider
8673 shall also indicate whether the current program referral was an initial
8674 referral or a reinstatement to the program.

8675 (e) When a person subsequently requests reinstatement into an
8676 alcohol intervention program or a substance abuse treatment program
8677 and the Court Support Services Division verifies that such person is
8678 eligible for reinstatement into such program and thereafter the court
8679 favorably acts on such request, such person shall pay a nonrefundable
8680 program fee of one hundred seventy-five dollars if ordered to complete
8681 a ten-session intervention program or two hundred fifty dollars if
8682 ordered to complete a fifteen-session intervention program, as the case
8683 may be. Unless good cause is shown, such fees shall not be waived. If
8684 the court grants a person's request to be reinstated into a treatment
8685 program, such person shall be responsible for the costs, if any,
8686 associated with being reinstated into the treatment program. All
8687 program fees collected in connection with a reinstatement to an
8688 intervention program shall be credited to the pretrial account
8689 established under section 54-56k. No person shall be permitted more
8690 than two program reinstatements pursuant to this subsection.

8691 (f) The Department of Mental Health and Addiction Services shall
8692 contract with service providers, develop standards and oversee
8693 appropriate alcohol programs to meet the requirements of this section.
8694 Said department shall adopt regulations, in accordance with chapter 54,
8695 to establish standards for such alcohol programs. Any person ordered

8696 to participate in a treatment program shall do so at a state-licensed
8697 treatment program which meets the standards established by said
8698 department. Any defendant whose employment or residence makes it
8699 unreasonable to attend an alcohol intervention program or a substance
8700 abuse treatment program in this state may attend a program in another
8701 state which has standards substantially similar to, or higher than, those
8702 of this state, subject to the approval of the court and payment of the
8703 application, evaluation and program fees and treatment costs, as
8704 appropriate, as provided in this section.

8705 (g) The court may, as a condition of granting such application, require
8706 that such person participate in a victim impact panel program approved
8707 by the Court Support Services Division of the Judicial Department. Such
8708 victim impact panel program shall provide a nonconfrontational forum
8709 for the victims of alcohol-related or drug-related offenses and offenders
8710 to share experiences on the impact of alcohol-related or drug-related
8711 incidents in their lives. Such victim impact panel program shall be
8712 conducted by a nonprofit organization that advocates on behalf of
8713 victims of accidents caused by persons who operated a motor vehicle
8714 while under the influence of intoxicating liquor or any drug, or both.
8715 Such organization may assess a participation fee of not more than
8716 seventy-five dollars on any person required by the court to participate
8717 in such program, provided such organization shall offer a hardship
8718 waiver when it has determined that the imposition of a fee would pose
8719 an economic hardship for such person.

8720 (h) The provisions of this section shall not be applicable in the case of
8721 any person charged with a violation of section 14-227a or 14-227m or
8722 subdivision (1) or (2) of subsection (a) of section 14-227n (1) while
8723 operating a commercial motor vehicle, as defined in section 14-1, or (2)
8724 who holds a commercial driver's license or commercial driver's
8725 instruction permit at the time of the violation.

8726 (i) A court may not grant an application to participate in the pretrial
8727 alcohol education program under this section on or after April 1, 2022.
8728 Anyone participating in the program on April 1, 2022, may continue

8729 such participation until successful completion of the program or
8730 termination of participation in the program after any possible
8731 reinstatements in the program.

8732 Sec. 169. Section 54-56i of the general statutes is repealed and the
8733 following is substituted in lieu thereof (*Effective from passage*):

8734 (a) There is established a pretrial drug education and community
8735 service program for persons charged with a violation of section 21a-267,
8736 21a-279 or 21a-279a. The pretrial drug education and community service
8737 program shall include a fifteen-session drug education program and a
8738 substance abuse treatment program of not less than fifteen sessions, and
8739 the performance of community service.

8740 (b) Upon application by any such person for participation in such
8741 program, the court shall, but only as to the public, order the court file
8742 sealed, and such person shall pay to the court of an application fee of
8743 one hundred dollars and a nonrefundable evaluation fee of one hundred
8744 fifty dollars. A person shall be ineligible for participation in such pretrial
8745 drug education and community service program if such person has
8746 twice previously participated in (1) the pretrial drug education program
8747 established under the provisions of this section in effect prior to October
8748 1, 2013, (2) the community service labor program established under
8749 section 53a-39c, (3) the pretrial drug education and community service
8750 program established under this section, or (4) any of such programs,
8751 except that the court may allow a person who has twice previously
8752 participated in such programs to participate in the pretrial drug
8753 education and community service program one additional time, for
8754 good cause shown. The evaluation and application fee imposed under
8755 this subsection shall be credited to the pretrial account established
8756 under section 54-56k.

8757 (c) The court, after consideration of the recommendation of the state's
8758 attorney, assistant state's attorney or deputy assistant state's attorney in
8759 charge of the case, may, in its discretion, grant such application. If the
8760 court grants such application, the court shall refer such person (1) to the

8761 Court Support Services Division for confirmation of the eligibility of the
8762 applicant, (2) to the Department of Mental Health and Addiction
8763 Services for evaluation and determination of an appropriate drug
8764 education or substance abuse treatment program for the first or second
8765 time such application is granted, and (3) to a state-licensed substance
8766 abuse treatment program for evaluation and determination of an
8767 appropriate substance abuse treatment program for the third time such
8768 application is granted, except that, if such person is a veteran, the court
8769 may refer such person to the Department of Veterans Affairs or the
8770 United States Department of Veterans Affairs, as applicable, for any
8771 such evaluation and determination. For the purposes of this subsection
8772 and subsection (d) of this section, "veteran" means any person who was
8773 discharged or released under conditions other than dishonorable from
8774 active service in the armed forces as defined in section 27-103.

8775 (d) (1) (A) Upon confirmation of eligibility and receipt of the
8776 evaluation and determination required under subsection (c) of this
8777 section, such person shall be placed in the pretrial drug education and
8778 community service program and referred by the Court Support Services
8779 Division for the purpose of receiving appropriate drug education
8780 services or substance abuse treatment program services, as
8781 recommended by the evaluation conducted pursuant to subsection (c)
8782 of this section and ordered by the court, to the Department of Mental
8783 Health and Addiction Services or to a state-licensed substance abuse
8784 treatment program for placement in the appropriate drug education or
8785 substance abuse treatment program, except that, if such person is a
8786 veteran, the division may refer such person to the Department of
8787 Veterans Affairs or the United States Department of Veterans Affairs,
8788 subject to the provisions of subdivision (2) of this subsection.

8789 (B) Persons who have been granted entry into the pretrial drug
8790 education and community service program for the first time shall
8791 participate in either a fifteen-session drug education program or a
8792 substance abuse treatment program of not less than fifteen sessions, as
8793 ordered by the court on the basis of the evaluation and determination
8794 required under subsection (c) of this section. Persons who have been

8795 granted entry into the pretrial drug education and community service
8796 program for the second time shall participate in either a fifteen-session
8797 drug education program or a substance abuse treatment program of not
8798 less than fifteen sessions, as ordered by the court based on the
8799 evaluation and determination required under subsection (c) of this
8800 section. Persons who have been granted entry into the pretrial drug
8801 education and community service program for a third time shall be
8802 referred to a state-licensed substance abuse program for evaluation and
8803 participation in a course of treatment as ordered by the court based on
8804 the evaluation and determination required under subsection (c) of this
8805 section.

8806 (C) Persons who have been granted entry into the pretrial drug
8807 education and community service program shall also participate in a
8808 community service program administered by the Court Support
8809 Services Division pursuant to section 53a-39c. Persons who have been
8810 granted entry into the pretrial drug education and community service
8811 program for the first time shall participate in the community service
8812 program for a period of five days. Persons who have been granted entry
8813 into the pretrial drug education and community service program for the
8814 second time shall participate in the community service program for a
8815 period of fifteen days. Persons who have been granted entry into the
8816 pretrial drug education and community service program for a third or
8817 additional time shall participate in the community service program for
8818 a period of thirty days.

8819 (D) Placement in the pretrial drug education and community service
8820 program pursuant to this section shall not exceed one year. Persons
8821 receiving substance abuse treatment program services in accordance
8822 with the provisions of this section shall only receive such services at
8823 state-licensed substance abuse treatment program facilities that are in
8824 compliance with all state standards governing the operation of such
8825 facilities, except that, if such person is a veteran, such person may
8826 receive services from facilities under the supervision of the Department
8827 of Veterans Affairs or the United States Department of Veterans Affairs,
8828 subject to the provisions of subdivision (2) of this subsection.

8829 (E) Any person who enters the pretrial drug education and
8830 community service program shall agree: (i) To the tolling of the statute
8831 of limitations with respect to such crime; (ii) to a waiver of such person's
8832 right to a speedy trial; (iii) to complete participation in the pretrial drug
8833 education and community service program, as ordered by the court; (iv)
8834 to commence participation in the pretrial drug education and
8835 community service program not later than ninety days after the date of
8836 entry of the court order unless granted a delayed entry into the program
8837 by the court; and (v) upon completion of participation in the pretrial
8838 drug education and community service program, to accept (I) placement
8839 in a treatment program upon the recommendation of a provider under
8840 contract with the Department of Mental Health and Addiction Services
8841 or a provider under the supervision of the Department of Veterans
8842 Affairs or the United States Department of Veterans Affairs, or (II)
8843 placement in a treatment program that has standards substantially
8844 similar to, or higher than, a program of a provider under contract with
8845 the Department of Mental Health and Addiction Services, if the Court
8846 Support Services Division deems it appropriate.

8847 (2) The Court Support Services Division may only refer a veteran to
8848 the Department of Veterans Affairs or the United States Department of
8849 Veterans Affairs for the receipt of services under the program if (A) the
8850 division determines that such services will be provided in a timely
8851 manner under standards substantially similar to, or higher than,
8852 standards for services provided by the Department of Mental Health
8853 and Addiction Services under the program, and (B) the applicable
8854 department agrees to submit timely program participation and
8855 completion reports to the division in the manner required by the
8856 division.

8857 (e) If the Court Support Services Division informs the court that such
8858 person is ineligible for the program and the court makes a determination
8859 of ineligibility or if the program provider certifies to the court that such
8860 person did not successfully complete the assigned program and such
8861 person did not request, or the court denied, reinstatement in the
8862 program under subsection (i) of this section, the court shall order the

8863 court file to be unsealed, enter a plea of not guilty for such person and
8864 immediately place the case on the trial list.

8865 (f) If such person satisfactorily completes the assigned program, such
8866 person may apply for dismissal of the charges against such person and
8867 the court, on reviewing the record of such person's participation in such
8868 program submitted by the Court Support Services Division and on
8869 finding such satisfactory completion, shall dismiss the charges. If such
8870 person does not apply for dismissal of the charges against such person
8871 after satisfactorily completing the assigned program, the court, upon
8872 receipt of the record of such person's participation in such program
8873 submitted by the Court Support Services Division, may on its own
8874 motion make a finding of such satisfactory completion and dismiss the
8875 charges. Upon motion of such person and a showing of good cause, the
8876 court may extend the placement period for a reasonable period of time
8877 to allow such person to complete the assigned program. A record of
8878 participation in such program shall be retained by the Court Support
8879 Services Division for a period of ten years from the date the court grants
8880 the application for participation in the program.

8881 (g) At the time the court grants the application for participation in the
8882 pretrial drug education and community service program, any person
8883 ordered to participate in such drug education program shall pay to the
8884 court a nonrefundable program fee of six hundred dollars. If the court
8885 orders participation in a substance abuse treatment program, such
8886 person shall pay to the court a nonrefundable program fee of one
8887 hundred dollars and shall be responsible for the costs associated with
8888 such program. No person may be excluded from any such program for
8889 inability to pay such fee or cost, provided (1) such person files with the
8890 court an affidavit of indigency or inability to pay, (2) such indigency or
8891 inability to pay is confirmed by the Court Support Services Division,
8892 and (3) the court enters a finding thereof. The court may waive all or any
8893 portion of such fee depending on such person's ability to pay. If the
8894 court finds that a person is indigent or unable to pay for a substance
8895 abuse treatment program, the costs of such program shall be paid from
8896 the pretrial account established under section 54-56k. If the court denies

8897 the application, such person shall not be required to pay the program
8898 fee. If the court grants the application, and such person is later
8899 determined to be ineligible for participation in such pretrial drug
8900 education and community service program or fails to complete the
8901 assigned program, the program fee shall not be refunded. All program
8902 fees shall be credited to the pretrial account established under section
8903 54-56k.

8904 (h) If a person returns to court with certification from a program
8905 provider that such person did not successfully complete the assigned
8906 program or is no longer amenable to treatment, the provider, to the
8907 extent practicable, shall include a recommendation to the court as to
8908 whether placement in a drug education program or placement in a
8909 substance abuse treatment program would best serve such person's
8910 needs. The provider shall also indicate whether the current program
8911 referral was an initial referral or a reinstatement to the program.

8912 (i) When a person subsequently requests reinstatement into a drug
8913 education program or a substance abuse treatment program and the
8914 Court Support Services Division verifies that such person is eligible for
8915 reinstatement into such program and thereafter the court favorably acts
8916 on such request, any person reinstated into such drug education
8917 program shall pay a nonrefundable program fee of two hundred fifty
8918 dollars, and any person reinstated into a substance abuse treatment
8919 program shall be responsible for the costs, if any, associated with being
8920 reinstated into the treatment program. Unless good cause is shown,
8921 such program fee shall not be waived. All program fees collected in
8922 connection with a reinstatement to a drug education program shall be
8923 credited to the pretrial account established under section 54-56k. No
8924 person shall be permitted more than two program reinstatements
8925 pursuant to this subsection.

8926 (j) The Department of Mental Health and Addiction Services shall
8927 develop standards and oversee appropriate drug education programs
8928 that it administers to meet the requirements of this section and may
8929 contract with service providers to provide such programs. The

8930 department shall adopt regulations, in accordance with chapter 54, to
8931 establish standards for such drug education programs.

8932 (k) Any person whose employment or residence or schooling makes
8933 it unreasonable to attend a drug education program or substance abuse
8934 treatment program in this state may attend a program in another state
8935 that has standards similar to, or higher than, those of this state, subject
8936 to the approval of the court and payment of the program fee or costs as
8937 provided in this section.

8938 (l) A court may not grant an application to participate in the pretrial
8939 drug education and community service program under this section on
8940 or after April 1, 2022. Anyone participating in the program on April 1,
8941 2022, may continue such participation until successful completion of the
8942 program or termination of participation in the program after any
8943 possible reinstatements in the program.

8944 Sec. 170. Subsection (b) of section 14-227j of the general statutes is
8945 repealed and the following is substituted in lieu thereof (*Effective April*
8946 *1, 2022*):

8947 (b) Any person who has been arrested for a violation of section 14-
8948 227a or 14-227m, subdivision (1) or (2) of subsection (a) of section 14-
8949 227n or section 53a-56b or 53a-60d, may be ordered by the court not to
8950 operate any motor vehicle unless such motor vehicle is equipped with
8951 an ignition interlock device. Any such order may be made as a condition
8952 of such person's release on bail, as a condition of probation or as a
8953 condition of granting such person's application for participation in the
8954 pretrial alcohol education program under section 54-56g or the pretrial
8955 impaired driving intervention program under section 167 of this act and
8956 may include any other terms and conditions as to duration, use, proof
8957 of installation or any other matter that the court determines to be
8958 appropriate or necessary.

8959 Sec. 171. Section 54-66a of the general statutes is repealed and the
8960 following is substituted in lieu thereof (*Effective April 1, 2022*):

8961 Any bail bond posted in any criminal proceeding in this state shall be
8962 automatically terminated and released whenever the defendant: (1) Is
8963 granted accelerated rehabilitation pursuant to section 54-56e; (2) is
8964 granted admission to the pretrial alcohol education program pursuant
8965 to section 54-56g; (3) is granted admission to the pretrial family violence
8966 education program pursuant to section 46b-38c; (4) is granted admission
8967 to the pretrial drug education and community service program
8968 pursuant to section 54-56i; (5) has the complaint or information filed
8969 against such defendant dismissed; (6) has the prosecution of the
8970 complaint or information filed against such defendant terminated by
8971 entry of a nolle prosequi; (7) is acquitted; (8) is sentenced by the court
8972 and a stay of such sentence, if any, is lifted; (9) is granted admission to
8973 the pretrial school violence prevention program pursuant to section 54-
8974 56j; (10) is charged with a violation of section 29-33, 53-202l or 53-202w,
8975 and prosecution has been suspended pursuant to subsection (h) of
8976 section 29-33; (11) is charged with a violation of section 29-37a and
8977 prosecution has been suspended pursuant to subsection (i) of section 29-
8978 37a; (12) is granted admission to the supervised diversionary program
8979 for persons with psychiatric disabilities, or persons who are veterans,
8980 pursuant to section 54-56l; [or] (13) is granted admission to a
8981 diversionary program for young persons charged with a motor vehicle
8982 violation or an alcohol-related offense pursuant to section 54-56p; (14) is
8983 granted admission to the pretrial drug intervention and community
8984 service program pursuant to section 166 of this act; or (15) is granted
8985 admission to the pretrial impaired driving intervention program
8986 pursuant to section 167 of this act.

8987 Sec. 172. Section 54-56k of the general statutes is repealed and the
8988 following is substituted in lieu thereof (*Effective April 1, 2022*):

8989 (a) There is established an account to be known as the pretrial
8990 account. The account shall contain any moneys required by law to be
8991 deposited in the account and shall be a separate, nonlapsing account of
8992 the General Fund. Investment earnings credited to the account shall
8993 become part of the assets of the account. Any balance remaining in said
8994 account at the end of any fiscal year shall be carried forward in the

8995 account for the next fiscal year.

8996 (b) There shall be deposited in the pretrial account (1) all evaluation
 8997 fees collected pursuant to subsection (a) of section 54-56g and subsection
 8998 (b) of section 54-56i [and] (2) all program fees collected pursuant to
 8999 subsections (c) and (e) of section 54-56g and subsections (g) and (i) of
 9000 section 54-56i [and] funds appropriated in subsection (a) of section 47 of
 9001 special act 01-1 of the June special session, (3) fees collected pursuant to
 9002 subdivision (2) of subsection (b), subdivision (1) of subsection (e) and
 9003 subparagraph (A) of subdivision (2) of subsection (k) of section 166 of
 9004 this act, and (4) the evaluation fee collected pursuant to subdivision (2)
 9005 of subsection (b), and fees collected pursuant to subdivision (1) of
 9006 subsection (f) and subparagraph (A) of subdivision (2) of subsection (m)
 9007 of section 167 of this act.

9008 (c) Amounts in the pretrial account shall be available to fund the cost
 9009 of operating the pretrial alcohol and drug education programs
 9010 established under sections 54-56g and 54-56i, the pretrial drug
 9011 intervention and community service program established under section
 9012 166 of this act and the pretrial impaired driving intervention program
 9013 established under section 167 of this act.

9014 Sec. 173. Sections 12-651 to 12-660, inclusive, and 21a-408n of the
 9015 general statutes are repealed. (Effective July 1, 2021)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2021</i>	21a-279(a)
Sec. 3	<i>July 1, 2021</i>	21a-279a
Sec. 4	<i>July 1, 2021</i>	21a-267
Sec. 5	<i>July 1, 2021</i>	46b-120
Sec. 6	<i>July 1, 2021</i>	51-164n(b)
Sec. 7	<i>July 1, 2021</i>	New section
Sec. 8	<i>July 1, 2022</i>	New section
Sec. 9	<i>January 1, 2023</i>	New section
Sec. 10	<i>January 1, 2023</i>	54-142e

Sec. 11	July 1, 2021	New section
Sec. 12	July 1, 2021	New section
Sec. 13	July 1, 2021	New section
Sec. 14	July 1, 2021	New section
Sec. 15	July 1, 2021	21a-277(b)
Sec. 16	July 1, 2021	New section
Sec. 17	July 1, 2021	54-63d(c)
Sec. 18	July 1, 2021	New section
Sec. 19	October 1, 2021	10-221(d)
Sec. 20	October 1, 2021	New section
Sec. 21	July 1, 2021	New section
Sec. 22	from passage	New section
Sec. 23	from passage	New section
Sec. 24	July 1, 2021	New section
Sec. 25	July 1, 2021	New section
Sec. 26	July 1, 2021	New section
Sec. 27	July 1, 2021	New section
Sec. 28	July 1, 2021	New section
Sec. 29	July 1, 2021	New section
Sec. 30	July 1, 2021	New section
Sec. 31	July 1, 2021	New section
Sec. 32	from passage	New section
Sec. 33	July 1, 2021	New section
Sec. 34	July 1, 2021	New section
Sec. 35	July 1, 2021	New section
Sec. 36	July 1, 2021	New section
Sec. 37	July 1, 2021	New section
Sec. 38	from passage	New section
Sec. 39	from passage	New section
Sec. 40	July 1, 2021	New section
Sec. 41	July 1, 2021	New section
Sec. 42	July 1, 2021	New section
Sec. 43	July 1, 2021	New section
Sec. 44	July 1, 2021	New section
Sec. 45	July 1, 2021	New section
Sec. 46	July 1, 2021	New section
Sec. 47	July 1, 2021	New section
Sec. 48	July 1, 2021	New section
Sec. 49	July 1, 2021	New section
Sec. 50	July 1, 2021	New section

Sec. 51	<i>from passage</i>	New section
Sec. 52	<i>July 1, 2021</i>	New section
Sec. 53	<i>July 1, 2021</i>	New section
Sec. 54	<i>July 1, 2021</i>	New section
Sec. 55	<i>July 1, 2021</i>	New section
Sec. 56	<i>January 1, 2022</i>	New section
Sec. 57	<i>July 1, 2021</i>	New section
Sec. 58	<i>July 1, 2021</i>	New section
Sec. 59	<i>from passage</i>	New section
Sec. 60	<i>July 1, 2022</i>	New section
Sec. 61	<i>July 1, 2021</i>	New section
Sec. 62	<i>July 1, 2022</i>	New section
Sec. 63	<i>from passage</i>	New section
Sec. 64	<i>from passage</i>	New section
Sec. 65	<i>from passage</i>	New section
Sec. 66	<i>October 1, 2021</i>	21a-408
Sec. 67	<i>July 1, 2021</i>	21a-408a
Sec. 68	<i>July 1, 2021</i>	21a-408b
Sec. 69	<i>July 1, 2021</i>	21a-408c
Sec. 70	<i>October 1, 2021</i>	21a-408d
Sec. 71	<i>July 1, 2021</i>	21a-408f
Sec. 72	<i>July 1, 2021</i>	21a-408h
Sec. 73	<i>October 1, 2021</i>	21a-408j
Sec. 74	<i>July 1, 2021</i>	21a-408k
Sec. 75	<i>October 1, 2021</i>	21a-408m
Sec. 76	<i>October 1, 2021</i>	21a-408l
Sec. 77	<i>July 1, 2021</i>	21a-408p
Sec. 78	<i>October 1, 2021</i>	21a-408r
Sec. 79	<i>July 1, 2021</i>	21a-408t
Sec. 80	<i>July 1, 2021</i>	21a-408s
Sec. 81	<i>July 1, 2021</i>	21a-408u
Sec. 82	<i>October 1, 2021</i>	New section
Sec. 83	<i>July 1, 2021</i>	New section
Sec. 84	<i>October 1, 2021</i>	7-148(c)(7)(H)
Sec. 85	<i>April 1, 2022</i>	54-56n
Sec. 86	<i>October 1, 2021</i>	19a-342
Sec. 87	<i>October 1, 2021</i>	19a-342a
Sec. 88	<i>October 1, 2021</i>	31-40q
Sec. 89	<i>July 1, 2022</i>	New section
Sec. 90	<i>July 1, 2022</i>	New section

Sec. 91	<i>July 1, 2022</i>	New section
Sec. 92	<i>July 1, 2021</i>	New section
Sec. 93	<i>July 1, 2022</i>	New section
Sec. 94	<i>July 1, 2021</i>	New section
Sec. 95	<i>July 1, 2021</i>	New section
Sec. 96	<i>July 1, 2021</i>	New section
Sec. 97	<i>July 1, 2022</i>	New section
Sec. 98	<i>July 1, 2022</i>	New section
Sec. 99	<i>July 1, 2022</i>	New section
Sec. 100	<i>July 1, 2022</i>	New section
Sec. 101	<i>July 1, 2021</i>	New section
Sec. 102	<i>July 1, 2021</i>	New section
Sec. 103	<i>July 1, 2021</i>	New section
Sec. 104	<i>July 1, 2021</i>	New section
Sec. 105	<i>July 1, 2021</i>	New section
Sec. 106	<i>July 1, 2021</i>	New section
Sec. 107	<i>July 1, 2021</i>	New section
Sec. 108	<i>July 1, 2021</i>	New section
Sec. 109	<i>July 1, 2021</i>	New section
Sec. 110	<i>July 1, 2021</i>	New section
Sec. 111	<i>July 1, 2021</i>	30-89a
Sec. 112	<i>July 1, 2021</i>	New section
Sec. 113	<i>July 1, 2021</i>	New section
Sec. 114	<i>July 1, 2021</i>	New section
Sec. 115	<i>April 1, 2022</i>	14-111e(a)
Sec. 116	<i>April 1, 2022</i>	14-227a(a) to (e)
Sec. 117	<i>April 1, 2022</i>	14-227a(j)
Sec. 118	<i>April 1, 2022</i>	14-227b
Sec. 119	<i>April 1, 2022</i>	14-227c
Sec. 120	<i>April 1, 2022</i>	14-44k(c)
Sec. 121	<i>July 1, 2021</i>	New section
Sec. 122	<i>April 1, 2022</i>	15-140q
Sec. 123	<i>April 1, 2022</i>	15-140r
Sec. 124	<i>July 1, 2021</i>	New section
Sec. 125	<i>July 1, 2021</i>	New section
Sec. 126	<i>July 1, 2021</i>	New section
Sec. 127	<i>July 1, 2021</i>	New section
Sec. 128	<i>July 1, 2021</i>	New section
Sec. 129	<i>July 1, 2021</i>	12-412(120)
Sec. 130	<i>July 1, 2021</i>	12-650

Sec. 131	July 1, 2021	12-30a(a)(1)
Sec. 132	July 1, 2021	12-35b(a)
Sec. 133	July 1, 2021	12-704d
Sec. 134	July 1, 2021	New section
Sec. 135	July 1, 2021	New section
Sec. 136	July 1, 2021	21a-408e
Sec. 137	July 1, 2021	21a-408i(b)
Sec. 138	July 1, 2021	21a-408o
Sec. 139	July 1, 2021	21a-408v(d)
Sec. 140	July 1, 2021	21a-10(a)
Sec. 141	July 1, 2021	21a-240(29)
Sec. 142	July 1, 2021	21a-240
Sec. 143	July 1, 2021	1-1(q)
Sec. 144	from passage	New section
Sec. 145	July 1, 2021	New section
Sec. 146	January 1, 2022	New section
Sec. 147	July 1, 2021	New section
Sec. 148	July 1, 2021	New section
Sec. 149	July 1, 2021	New section
Sec. 150	July 1, 2021	New section
Sec. 151	from passage	New section
Sec. 152	July 1, 2021	32-39
Sec. 153	January 1, 2022	New section
Sec. 154	July 1, 2021	51-164n(h)
Sec. 155	July 1, 2021	19a-343(c)(4)
Sec. 156	July 1, 2021	53-394(a)
Sec. 157	July 1, 2021	54-33g(a) to (c)
Sec. 158	July 1, 2021	54-41b
Sec. 159	July 1, 2021	18-100h(b)
Sec. 160	July 1, 2021	53a-39c(a)
Sec. 161	July 1, 2021	54-56e(c)
Sec. 162	July 1, 2023	New section
Sec. 163	October 1, 2021	New section
Sec. 164	from passage	54-1m(i)
Sec. 165	from passage	New section
Sec. 166	April 1, 2022	New section
Sec. 167	April 1, 2022	New section
Sec. 168	from passage	54-56g
Sec. 169	from passage	54-56i
Sec. 170	April 1, 2022	14-227j(b)

Sec. 171	<i>April 1, 2022</i>	54-66a
Sec. 172	<i>April 1, 2022</i>	54-56k
Sec. 173	<i>July 1, 2021</i>	Repealer section