



General Assembly

Bill No. 1201

June Special Session, 2021

LCO No. 10834



Referred to Committee on No Committee

Introduced by:

SEN. LOONEY, 11th Dist.

REP. RITTER M., 1st Dist.

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

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

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

3 (1) "Responsible and Equitable Regulation of Adult-Use Cannabis
4 Act" or "RERACA" means this section, sections 7, 9, 11 to 14, inclusive,
5 16, 18, 20 to 65, inclusive, 82, 83, 89 to 110, inclusive, 112 to 114, inclusive,
6 121, 124 to 128, inclusive, 134, 135 and 144 to 151, inclusive, 153, 162, 163,
7 165 to 167, inclusive, and 174 of this act, and the amendments to sections
8 7-148, 10-221, 12-30a, 12-35b, 12-412, 12-650, 12-704d, 14-44k, 14-111e, 14-
9 227a to 14-227c, inclusive, 14-227j, 15-140q, 15-140r, 18-100h, 19a-342,
10 19a-342a, 21a-267, 21a-277, 21a-279, 21a-279a, 21a-408 to 21a-408f,
11 inclusive, 21a-408h to 21a-408p, inclusive, 21a-408r to 21a-408v,
12 inclusive, 30-89a, 31-40q, 32-39, 46b-120, 51-164n, 53-394, 53a-39c, 54-1m,
13 54-33g, 54-41b, 54-56e, 54-56g, 54-56i, 54-56k, 54-56n, 54-63d, 54-66a and
14 54-142e of the general statutes;

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

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

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

29 (5) "Cannabis flower" means the flower, including abnormal and
30 immature flowers, of a plant of the genus cannabis that has been
31 harvested, dried and cured, and prior to any processing whereby the
32 flower material is transformed into a cannabis product. "Cannabis
33 flower" does not include (A) the leaves or stem of such plant, or (B)
34 hemp, as defined in section 22-611 of the general statutes;

35 (6) "Cannabis trim" means all parts, including abnormal or immature
36 parts, of a plant of the genus cannabis, other than cannabis flower, that
37 have been harvested, dried and cured, and prior to any processing
38 whereby the plant material is transformed into a cannabis product.
39 "Cannabis trim" does not include hemp, as defined in section 22-611 of
40 the general statutes;

41 (7) "Cannabis product" means cannabis that is in the form of a
42 cannabis concentrate or a product that contains cannabis, which may be
43 combined with other ingredients, and is intended for use or
44 consumption. "Cannabis product" does not include the raw cannabis
45 plant;

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

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

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

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

55 (12) "Cultivation" has the same meaning as provided in section 21a-
56 408 of the general statutes;

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

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

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

72 (16) "Dispensary facility" means a place of business where cannabis
73 may be dispensed, sold or distributed in accordance with chapter 420f
74 of the general statutes and any regulations adopted thereunder, to

75 qualifying patients and caregivers, and to which the department has
76 issued a dispensary facility license under chapter 420f of the general
77 statutes and any regulations adopted thereunder;

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

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

102 (19) "Dispensary technician" means an individual who has had an
103 active pharmacy technician or dispensary technician registration in this
104 state within the past five years, is affiliated with a dispensary facility or
105 hybrid retailer and is registered with the department in accordance with
106 chapter 420f of the general statutes and any regulations adopted

107 thereunder;

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

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

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

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

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

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

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

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

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

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

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

166 (30) "Key employee" means an employee with the following
167 management position or an equivalent title within a cannabis

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

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

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

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

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

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

199 (36) "Micro-cultivator" means a person licensed to engage in the
200 cultivation, growing and propagation of the cannabis plant at an
201 establishment containing not less than two thousand square feet and not
202 more than ten thousand square feet of grow space, prior to any
203 expansion authorized by the commissioner;

204 (37) "Municipality" means any town, city or borough, consolidated
205 town and city or consolidated town and borough;

206 (38) "Paraphernalia" means drug paraphernalia, as defined in section
207 21a-240 of the general statutes;

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

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

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

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

221 (43) "Qualifying patient" has the same meaning as provided in section
222 21a-408 of the general statutes;

223 (44) "Research program" has the same meaning as provided in section
224 21a-408 of the general statutes;

225 (45) "Retailer" means a person, excluding a dispensary facility and
226 hybrid retailer, that is licensed to purchase cannabis from producers,

227 cultivators, micro-cultivators, product manufacturers and food and
228 beverage manufacturers and to sell cannabis to consumers and research
229 programs;

230 (46) "Sale" or "sell" has the same meaning as provided in section 21a-
231 240 of the general statutes;

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

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

238 (A) Had an average household income of less than three hundred per
239 cent of the state median household income over the three tax years
240 immediately preceding such individual's application; and

241 (B) (i) Was a resident of a disproportionately impacted area for not
242 less than five of the ten years immediately preceding the date of such
243 application; or

244 (ii) Was a resident of a disproportionately impacted area for not less
245 than nine years prior to attaining the age of eighteen;

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

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

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

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

258 (53) "Transporter" means a person licensed to transport cannabis
259 between cannabis establishments, laboratories and research programs;
260 and

261 (54) "Unemployment rate" means, in a given area, the number of
262 people sixteen years of age or older who are in the civilian labor force
263 and unemployed divided by the number of people sixteen years of age
264 or older who are in the civilian labor force.

265 Sec. 2. Subsection (a) of section 21a-279 of the general statutes is
266 repealed and the following is substituted in lieu thereof (*Effective July 1,*
267 *2021*):

268 (a) (1) Any person who possesses or has under such person's control
269 any quantity of any controlled substance, except [less than one-half
270 ounce of a cannabis-type substance] any quantity of cannabis, as defined
271 in section 1 of this act, and except as authorized in this chapter or chapter
272 420f, shall be guilty of a class A misdemeanor.

273 (2) For a second offense of subdivision (1) of this subsection, the court
274 shall evaluate such person and, if the court determines such person is a
275 drug-dependent person, the court may suspend prosecution of such
276 person and order such person to undergo a substance abuse treatment
277 program.

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

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

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

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

313 (2) Any person under eighteen years of age who possesses or has
314 under such person's control (A) five ounces or more of cannabis plant
315 material, (B) an equivalent amount of cannabis products, as provided in

316 subsection (i) of this section, or (C) an equivalent amount of a
317 combination of cannabis and cannabis products, as provided in
318 subsection (i) of this section, except as authorized in this chapter or
319 chapter 420f, shall be adjudicated delinquent pursuant to the provisions
320 of section 46b-120.

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

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

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

342 (d) Any person twenty-one years of age or older, except as authorized
343 in this chapter, chapter 420f or RERACA, who possesses or has under
344 such person's control more than the possession limit pursuant to
345 subsection (a) of this section, but less than (1) five ounces of cannabis
346 plant material and eight ounces of cannabis plant material in a locked

347 container at such person's residence or a locked glove box or trunk of
348 such person's motor vehicle, (2) an equivalent amount of cannabis
349 products, as provided in subsection (i) of this section, or (3) an
350 equivalent amount of a combination of cannabis and cannabis products,
351 as provided in subsection (i) of this section, shall for a (A) first offense,
352 be fined one hundred dollars, and (B) subsequent offense, be fined two
353 hundred fifty dollars.

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

365 (2) For an offense under subdivision (1) of this subsection, the court
366 shall evaluate such person and, if the court determines such person is a
367 drug-dependent person, the court may suspend prosecution of such
368 person and order such person to undergo a substance abuse treatment
369 program.

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

374 [(c)] (g) Any person who, at separate times, has twice entered a plea
375 of nolo contendere to, or been found guilty after trial of, a violation of
376 subsection [(a)] (e) of this section shall, upon a subsequent plea of nolo
377 contendere to, or finding of guilty of, a violation of said subsection, be

378 referred for participation in a drug education program at such person's
379 own expense.

380 (h) Any person subject to a fine under the provisions of this section
381 may attest to his or her indigency, and, in lieu of paying such fine,
382 complete community service with a private nonprofit charity or other
383 nonprofit organization. The number of hours of community service
384 required shall be equivalent to one hour of such service for each twenty-
385 five dollars of the fine that would otherwise apply. Upon completion of
386 the community service, such person shall attest, and present
387 documentation from such private nonprofit charity or other nonprofit
388 organization confirming that such community service was performed.

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

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

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

402 (4) For purposes of determining any amount or limit specified in this
403 section and RERACA, the amount possessed shall be calculated by
404 converting any quantity of cannabis products to its equivalent quantity
405 of cannabis plant material, and then taking the sum of any such
406 quantities.

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

410 (2) As used in this section, "cannabis plant material" means cannabis
411 flower, cannabis trim and all parts of any plant or species of the genus
412 cannabis, or any infra specific taxon thereof, excluding a growing plant,
413 and the seeds thereof. "Cannabis plant material" does not include hemp,
414 as defined in section 22-61l.

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

417 (4) As used in this section, "trunk" means (i) the fully enclosed and
418 locked main storage or luggage compartment of a motor vehicle that is
419 not accessible from the passenger compartment, or (ii) a locked toolbox
420 or utility box attached to the bed of a pickup truck, as defined in section
421 14-1. "Trunk" does not include the rear of a pickup truck, except as
422 otherwise provided, or of a hatchback, station-wagon-type automobile
423 or sport utility vehicle or any compartment that has a window.

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

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

435 (b) No person shall deliver, possess with intent to deliver or
436 manufacture with intent to deliver drug paraphernalia knowing, or

437 under circumstances where one reasonably should know, that it will be
438 used to plant, propagate, cultivate, grow, harvest, manufacture,
439 compound, convert, produce, process, prepare, test, analyze, pack,
440 repack, store, contain or conceal, or to ingest, inhale or otherwise
441 introduce into the human body, any controlled substance, other than [a
442 cannabis-type substance in a quantity of less than one-half ounce]
443 cannabis. Any person who violates any provision of this subsection shall
444 be guilty of a class A misdemeanor.

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

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

466 [(e)] (d) The provisions of subsection (a) of this section shall not apply
467 to any person (1) who in good faith, seeks medical assistance for another
468 person who such person reasonably believes is experiencing an

469 overdose from the ingestion, inhalation or injection of intoxicating
470 liquor or any drug or substance, (2) for whom another person, in good
471 faith, seeks medical assistance, reasonably believing such person is
472 experiencing an overdose from the ingestion, inhalation or injection of
473 intoxicating liquor or any drug or substance, or (3) who reasonably
474 believes he or she is experiencing an overdose from the ingestion,
475 inhalation or injection of intoxicating liquor or any drug or substance
476 and, in good faith, seeks medical assistance for himself or herself, if
477 evidence of the use or possession of drug paraphernalia in violation of
478 said subsection was obtained as a result of the seeking of such medical
479 assistance. For the purposes of this subsection, "good faith" does not
480 include seeking medical assistance during the course of the execution of
481 an arrest warrant or search warrant or a lawful search.

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

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

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

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

500 notice, and (B) for purposes of family with service needs matters and
501 proceedings, child means a person who is at least seven years of age and
502 is under eighteen years of age;

503 (2) (A) A child may be adjudicated as "delinquent" who has, while
504 under sixteen years of age, (i) violated any federal or state law, except a
505 first or second offense under subdivision (1) of subsection (b) of section
506 21a-279a, or except section 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223
507 or 53a-223a, or violated a municipal or local ordinance, except an
508 ordinance regulating behavior of a child in a family with service needs,
509 (ii) wilfully failed to appear in response to a summons under section
510 46b-133 or at any other court hearing in a delinquency proceeding of
511 which the child had notice, (iii) violated any order of the Superior Court
512 in a delinquency proceeding, except as provided in section 46b-148, or
513 (iv) violated conditions of probation supervision or probation
514 supervision with residential placement in a delinquency proceeding as
515 ordered by the court;

516 (B) A child may be adjudicated as "delinquent" who has (i) while
517 sixteen or seventeen years of age, violated any federal or state law, other
518 than (I) an infraction, [except an infraction under subsection (d) of
519 section 21a-267,] (II) a violation, [except a violation under subsection (a)
520 of section 21a-279a,] (III) a motor vehicle offense or violation under title
521 14, (IV) a violation of a municipal or local ordinance, [or] (V) a violation
522 of section 51-164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-
523 223a, or (VI) a first or second offense under subdivision (1) of subsection
524 (b) of section 21a-279a, (ii) while sixteen years of age or older, wilfully
525 failed to appear in response to a summons under section 46b-133 or at
526 any other court hearing in a delinquency proceeding of which the child
527 had notice, (iii) while sixteen years of age or older, violated any order of
528 the Superior Court in a delinquency proceeding, except as provided in
529 section 46b-148, or (iv) while sixteen years of age or older, violated
530 conditions of probation supervision or probation supervision with
531 residential placement in a delinquency proceeding as ordered by the
532 court;

533 (3) "Family with service needs" means a family that includes a child
534 who is at least seven years of age and is under eighteen years of age
535 who, according to a petition lawfully filed on or before June 30, 2020,
536 (A) has without just cause run away from the parental home or other
537 properly authorized and lawful place of abode, (B) is beyond the control
538 of the child's parent, parents, guardian or other custodian, (C) has
539 engaged in indecent or immoral conduct, or (D) is thirteen years of age
540 or older and has engaged in sexual intercourse with another person and
541 such other person is thirteen years of age or older and not more than
542 two years older or younger than such child;

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

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

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

562 (7) "Delinquent act" means (A) the violation by a child under the age
563 of sixteen of any federal or state law, except a first or second offense

564 under subdivision (1) of subsection (b) of section 21a-279a, the violation
565 of section 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or the
566 violation of a municipal or local ordinance, except an ordinance
567 regulating behavior of a child in a family with service needs, (B) the
568 violation by a child sixteen or seventeen years of age of any federal or
569 state law, other than (i) an infraction, [except an infraction under
570 subsection (d) of section 21a-267,] (ii) a violation, [except a violation
571 under subsection (a) of section 21a-279a,] (iii) a motor vehicle offense or
572 violation under title 14, (iv) the violation of a municipal or local
573 ordinance, [or] (v) the violation of section 51-164r, 53a-172, 53a-173, 53a-
574 222, 53a-222a, 53a-223 or 53a-223a, or (vi) a first or second offense under
575 subdivision (1) of subsection (b) of section 21a-279a, (C) the wilful
576 failure of a child, including a child who has attained the age of eighteen,
577 to appear in response to a summons under section 46b-133 or at any
578 other court hearing in a delinquency proceeding of which the child has
579 notice, (D) the violation of any order of the Superior Court in a
580 delinquency proceeding by a child, including a child who has attained
581 the age of eighteen, except as provided in section 46b-148, or (E) the
582 violation of conditions of probation supervision or probation
583 supervision with residential placement in a delinquency proceeding by
584 a child, including a child who has attained the age of eighteen, as
585 ordered by the court;

586 (8) "Serious juvenile offense" means (A) the violation of, including
587 attempt or conspiracy to violate, section 21a-277, 21a-278, 29-33, 29-34,
588 29-35, subdivision (2) or (3) of subsection (a) of section 53-21, 53-80a, 53-
589 202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-57, inclusive,
590 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-64bb, 53a-70 to 53a-71,
591 inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-
592 100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive,
593 subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of
594 subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a or
595 53a-167c, subsection (a) of section 53a-174, or section 53a-196a, 53a-211,
596 53a-212, 53a-216 or 53a-217b, or (B) absconding, escaping or running

597 away, without just cause, from any secure residential facility in which
598 the child has been placed by the court as a delinquent child;

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

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

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

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

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

626 (14) "Probation supervision" means a legal status whereby a juvenile

627 who has been adjudicated delinquent is placed by the court under the
628 supervision of juvenile probation for a specified period of time and
629 upon such terms as the court determines;

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

637 (16) "Risk and needs assessment" means a standardized tool that (A)
638 assists juvenile probation officers in collecting and synthesizing
639 information about a child to estimate the child's risk of recidivating and
640 identify other factors that, if treated and changed, can reduce the child's
641 likelihood of reoffending, and (B) provides a guide for intervention
642 planning;

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

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

650 Sec. 6. Subsection (b) of section 51-164n of the general statutes is
651 repealed and the following is substituted in lieu thereof (*Effective July 1,*
652 *2021*):

653 (b) Notwithstanding any provision of the general statutes, any person
654 who is alleged to have committed (1) a violation under the provisions of
655 section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-
656 393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-

657 251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g, subdivision (4)
658 of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-
659 435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115,
660 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247 or 13a-
661 253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-292,
662 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection
663 (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section
664 14-12, section 14-20a or 14-27a, subsection (f) of section 14-34a,
665 subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or 14-58,
666 subsection (b) of section 14-66, section 14-66a or 14-67a, subsection (g)
667 of section 14-80, subsection (f) of section 14-80h, section 14-97a, 14-100b,
668 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first
669 violation as specified in subsection (f) of section 14-164i, section 14-219
670 as specified in subsection (e) of said section, subdivision (1) of section
671 14-223a, section 14-240, 14-250 or 14-253a, subsection (a) of section 14-
672 261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278 or
673 14-279, subsection (e) or (h) of section 14-283, section 14-291, 14-293b, 14-
674 296aa, 14-300, 14-300d, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or
675 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-25 or 15-
676 33, subdivision (1) of section 15-97, subsection (a) of section 15-115,
677 section 16-44, 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section
678 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17b-124, 17b-
679 131, 17b-137, 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section
680 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-
681 222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-
682 336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-
683 231, 20-249, 20-257, 20-265, 20-324e, subsection (b) of section 20-334, 20-
684 341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48,
685 21-63 or 21-76a, subsection (c) of section 21a-2, subdivision (1) of section
686 21a-19, section 21a-21, subdivision (1) of subsection (b) of section 21a-
687 25, section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-
688 46, 21a-61, 21a-63 or 21a-77, subsection (b) of section 21a-79, section 21a-
689 85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159,
690 subsection [(a)] (c), (d) or (e) of section 21a-279a, section 22-12b, 22-13,

691 22-14, 22-15, 22-16, 22-26g, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a,
692 22-39b, 22-39c, 22-39d, 22-39e, 22-49 or 22-54, subsection (d) of section
693 22-84, section 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-167, 22-279,
694 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b), (e)
695 or (f) of section 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-
696 415, 22a-66a or 22a-246, subsection (a) of section 22a-250, subsection (e)
697 of section 22a-256h, section 22a-363 or 22a-381d, subsections (c) and (d)
698 of section 22a-381e, section 22a-449, 22a-461, 23-38, 23-46 or 23-61b,
699 subsection (a) or subdivision (1) of subsection (c) of section 23-65, section
700 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-
701 18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-
702 58 or 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-
703 64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-
704 94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-
705 138 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215,
706 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-
707 230, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-
708 288, 26-294, 28-13, 29-6a, 29-25, 29-143o, 29-143z or 29-156a, subsection
709 (b), (d), (e) or (g) of section 29-161q, section 29-161y or 29-161z,
710 subdivision (1) of section 29-198, section 29-210, 29-243 or 29-277,
711 subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a,
712 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,
713 31-24, 31-25, 31-32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52,
714 31-52a or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-
715 74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-273,
716 section 31-288, subdivision (1) of section 35-20, section 36a-787, 42-230,
717 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section
718 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16,
719 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e,
720 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-344, subsection (c) of section
721 53-344b, [or] section 53-450, or section 13, 91, 108 or 110 of this act, or (2)
722 a violation under the provisions of chapter 268, or (3) a violation of any
723 regulation adopted in accordance with the provisions of section 12-484,
724 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or

725 bylaw of any town, city or borough, except violations of building codes
726 and the health code, for which the penalty exceeds ninety dollars but
727 does not exceed two hundred fifty dollars, unless such town, city or
728 borough has established a payment and hearing procedure for such
729 violation pursuant to section 7-152c, shall follow the procedures set
730 forth in this section.

731 Sec. 7. (NEW) (*Effective July 1, 2021*) The provisions of subsections (b)
732 to (e), inclusive, of section 21a-279a of the general statutes, and sections
733 13, 105, 109 and 163 of this act shall not apply to any person (1) who, in
734 good faith, seeks medical assistance for another person who such person
735 reasonably believes is experiencing medical distress from the use of
736 cannabis; (2) for whom another person, in good faith, seeks medical
737 assistance, reasonably believing such person is experiencing medical
738 distress from the use of cannabis; or (3) who reasonably believes he or
739 she is experiencing medical distress from the use of cannabis and, in
740 good faith, seeks medical assistance for himself or herself, if evidence of
741 the possession or control of cannabis in violation of such provisions was
742 obtained as a result of the seeking of such medical assistance. For the
743 purposes of this subsection, "good faith" does not include seeking
744 medical assistance during the course of the execution of an arrest
745 warrant or search warrant or a lawful search.

746 Sec. 8. (NEW) (*Effective July 1, 2022*) (a) (1) Any person who has been
747 convicted in any court in this state (A) (i) on October 1, 2015, or
748 thereafter, and prior to July 1, 2021, or (ii) prior to January 1, 2000, of a
749 violation of section 21a-279 of the general statutes, for possession of a
750 cannabis-type substance and the amount possessed was less than or
751 equal to four ounces of such substance, (B) prior to July 1, 2021, of a
752 violation of subsection (a) of section 21a-267, for use or possession with
753 intent to use of drug paraphernalia to store, contain or conceal, or to
754 ingest, inhale or otherwise introduce into the human body cannabis, or
755 (C) prior to July 1, 2021, of a violation of subsection (b) of section 21a-
756 277 of the general statutes, for manufacturing, distributing, selling,
757 prescribing, compounding, transporting with the intent to sell or

758 dispense, possessing with the intent to sell or dispense, offering, giving
759 or administering to another person a cannabis-type substance and the
760 amount involved was less than or equal to four ounces or six plants
761 grown inside such person's own primary residence for personal use may
762 file a petition with the Superior Court at the location in which such
763 conviction was effected, or with the Superior Court at the location
764 having custody of the records of such conviction or if such conviction
765 was in the Court of Common Pleas, Circuit Court, municipal court or by
766 a trial justice, in the Superior Court where venue would currently exist
767 for criminal prosecution, for an order of erasure.

768 (2) As part of such petition, such person shall include a copy of the
769 arrest record or an affidavit supporting such person's petition that, in
770 the case of a violation of section 21a-279 of the general statutes, such
771 person possessed four ounces or less of a cannabis-type substance for
772 which such person was convicted, in the case of a violation of subsection
773 (a) of section 21a-267 of the general statutes, such person used or
774 possessed with intent to use such drug paraphernalia only to store,
775 contain or conceal, or to ingest, inhale or otherwise introduce into the
776 human body cannabis or in the case of a violation of subsection (b) of
777 section 21a-277 of the general statutes, such person manufactured,
778 distributed, sold, prescribed, compounded, transported with the intent
779 to sell or dispense, possessed with the intent to sell or dispense, offered,
780 gave or administered to another person less than or equal to four ounces
781 of a cannabis-type substance or six cannabis plants grown inside such
782 person's own primary residence for personal use.

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

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

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

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

802 Sec. 9. (NEW) (*Effective January 1, 2023*) (a) Whenever on or after
803 January 1, 2000, but prior to October 1, 2015, any person has been
804 convicted in any court of this state of possession under subsection (c) of
805 section 21a-279 of the general statutes, all police and court records and
806 records of the state's or prosecuting attorney pertaining to such a
807 conviction in any court of this state shall be, pursuant to the provisions
808 of section 54-142a of the general statutes, (1) erased, if such records are
809 electronic records; or (2) deemed erased by operation of law, if such
810 records are not electronic records.

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

819 (c) Nothing in this section shall limit any other procedure for erasure

820 of criminal history record information, as defined in section 54-142g of
821 the general statutes, or prohibit a person from participating in any such
822 procedure, even if such person's electronic criminal history record
823 information has been erased pursuant to this section.

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

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

832 (f) Nothing in this section shall be construed to require the partial
833 redaction of physical documents or scanned copies of such documents
834 held internally by any criminal justice agency.

835 (g) Nothing in this section shall be construed to require the
836 Department of Motor Vehicles to erase criminal history record
837 information on an operator's driving record. When applicable, the
838 Department of Motor Vehicles shall make such criminal history record
839 information available through the Commercial Driver's License
840 Information System.

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

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

847 (a) Notwithstanding the provisions of subsection (e) of section 54-
848 142a and section 54-142c, with respect to any person, including, but not

849 limited to, a consumer reporting agency as defined in subsection (i) of
850 section 31-51i, or a background screening provider or similar data-based
851 service or company, that purchases criminal matters of public record, as
852 defined in said subsection (i), from the Judicial Department or any
853 criminal justice agency pursuant to subsection (b) of section 54-142g, the
854 department shall make available to such person information concerning
855 such criminal matters of public record that have been erased pursuant
856 to section 54-142a. Such information may include docket numbers or
857 other information that permits the person to identify and permanently
858 delete records that have been erased pursuant to section 54-142a.

859 (b) Each person, including, but not limited to, a consumer reporting
860 agency or background screening provider or similar data-based service
861 or company, that has purchased records of criminal matters of public
862 record from the Judicial Department or any criminal justice agency
863 shall, prior to disclosing such records, (1) purchase from the Judicial
864 Department or such criminal justice agency, on a monthly basis or on
865 such other schedule as the Judicial Department or such criminal justice
866 agency may establish, any updated criminal matters of public record or
867 information available for the purpose of complying with this section,
868 and (2) update its records of criminal matters of public record to
869 permanently delete such erased records not later than thirty calendar
870 days after receipt of information on the erasure of criminal records
871 pursuant to section 54-142a. Such person shall not further disclose such
872 erased records.

873 Sec. 11. (NEW) (*Effective July 1, 2021*) Notwithstanding any provision
874 of the general statutes, no cannabis establishment, employee, or backer
875 of a cannabis establishment may be subject to arrest or prosecution,
876 penalized in any manner, including, but not limited to, being subject to
877 any civil penalty, or denied any right or privilege, including, but not
878 limited to, being subject to any disciplinary action by a professional
879 licensing board, for the acquisition, distribution, possession, use or
880 transportation of cannabis or paraphernalia related to cannabis in his or
881 her capacity as a cannabis establishment, cannabis employee, or backer

882 so long as such person's activity is in accordance with the laws and
883 regulations for such person's license or registration type set forth in
884 RERACA.

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

893 Sec. 13. (NEW) (*Effective July 1, 2021*) (a) No person may manufacture,
894 distribute, sell, prescribe, dispense, compound, transport with the intent
895 to sell or dispense, possess with the intent to sell or dispense, offer, give
896 or administer to another person cannabis or cannabis products, except
897 as authorized in chapter 420b or 420f of the general statutes or sections
898 41 to 49, inclusive, of this act.

899 (b) (1) Except as provided in subsection (c) or (d) of this section, any
900 person eighteen years of age or older who violates subsection (a) of this
901 section (A) for a first offense, shall be guilty of a class B misdemeanor,
902 and (B) for any subsequent offense, shall be guilty of a class A
903 misdemeanor.

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

907 (c) Any person eighteen years of age or older who violates subsection
908 (a) of this section by manufacturing, distributing, selling, prescribing,
909 compounding, transporting with the intent to sell or dispense,
910 possessing with the intent to sell or dispense, offering, giving or
911 administering to another person less than eight ounces of cannabis plant
912 material, as defined in section 21a-279a of the general statutes, or an

913 equivalent amount of cannabis products or a combination of cannabis
914 and cannabis products, as provided in subsection (i) of section 21a-279a
915 of the general statutes, (1) for a first offense, shall be fined not more than
916 five hundred dollars, and (2) for any subsequent offense, shall be guilty
917 of a class C misdemeanor.

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

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

934 Sec. 15. Subsection (b) of section 21a-277 of the general statutes is
935 repealed and the following is substituted in lieu thereof (*Effective July 1,*
936 *2021*):

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

943 (2) Any person who violates subdivision (1) of this subsection (A) for
944 a first offense, may be fined not more than twenty-five thousand dollars
945 or imprisoned not more than seven years, or be both fined and
946 imprisoned, and (B) for any subsequent offense, may be fined not more
947 than one hundred thousand dollars or imprisoned not more than fifteen
948 years, or be both fined and imprisoned.

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

951 Sec. 16. (NEW) (*Effective July 1, 2021*) (a) Except as provided in
952 subsection (b) of this section, use or possession of cannabis by a person
953 that does not violate section 21a-279a of the general statutes, or chapter
954 420f of the general statutes shall not be grounds for revocation of such
955 person's parole, special parole or probation.

956 (b) If a person's conditions of parole, special parole or probation
957 include a finding that use of cannabis would pose a danger to such
958 person or to the public and a condition that such person not use
959 cannabis and individualized reasons supporting such finding, use of
960 cannabis may be grounds for revocation of parole, special parole or
961 probation. Such finding shall not consider any prior arrests or
962 convictions for use or possession of cannabis.

963 Sec. 17. Subsection (c) of section 54-63d of the general statutes is
964 repealed and the following is substituted in lieu thereof (*Effective July 1,*
965 *2021*):

966 (c) In addition to or in conjunction with any of the conditions
967 enumerated in subdivisions (1) to (4), inclusive, of subsection (a) of this
968 section, the bail commissioner or intake, assessment and referral
969 specialist may impose nonfinancial conditions of release, which may
970 require that the arrested person do any of the following: (1) Remain
971 under the supervision of a designated person or organization; (2)
972 comply with specified restrictions on the person's travel, association or
973 place of abode; (3) not engage in specified activities, including the use

974 or possession of a dangerous weapon, or the unlawful use or possession
975 of an intoxicant or controlled substance; (4) not use classes of intoxicants
976 or controlled substances, if such bail commissioner makes a finding that
977 use of such classes of intoxicants or controlled substances would pose a
978 danger to the arrested person or to the public and includes
979 individualized reasons supporting such finding. Such finding shall not
980 consider any prior arrests or convictions for use or possession of
981 cannabis; (5) avoid all contact with an alleged victim of the crime and
982 with a potential witness who may testify concerning the offense; or [(5)]
983 (6) satisfy any other condition that is reasonably necessary to ensure the
984 appearance of the person in court. Any of the conditions imposed under
985 subsection (a) of this section and this subsection by the bail
986 commissioner or intake, assessment and referral specialist shall be
987 effective until the appearance of such person in court.

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

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

994 (2) The possession of or the suspicion of possession of cannabis
995 without evidence that the quantity of cannabis is or suspected to be in
996 excess of five ounces of cannabis plant material, as defined in section
997 21a-279a of the general statutes, or an equivalent amount of cannabis
998 products or a combination of cannabis and cannabis products, as
999 provided in subsection (i) of section 21a-279a of the general statutes; or

1000 (3) The presence of cash or currency in proximity to cannabis without
1001 evidence that such cash or currency exceeds five hundred dollars.

1002 (b) Any evidence discovered as a result of any stop or search
1003 conducted in violation of this section shall not be admissible in evidence

1004 in any trial, hearing or other proceeding in a court of this state.

1005 (c) A law enforcement official may conduct a test for impairment
1006 based on the odor of cannabis or burnt cannabis if such official
1007 reasonably suspects the operator or a passenger of a motor vehicle of
1008 violating section 14-227, 14-227a, 14-227m or 14-227n of the general
1009 statutes.

1010 Sec. 19. Subsection (d) of section 10-221 of the general statutes is
1011 repealed and the following is substituted in lieu thereof (*Effective October*
1012 *1, 2021*):

1013 (d) Not later than July 1, 1991, each local and regional board of
1014 education shall develop, adopt and implement policies and procedures
1015 in conformity with section 10-154a for (1) dealing with the use, sale or
1016 possession of alcohol or controlled drugs, as defined in subdivision (8)
1017 of section 21a-240, by public school students on school property,
1018 including a process for coordination with, and referral of such students
1019 to, appropriate agencies, and (2) cooperating with law enforcement
1020 officials. On and after January 1, 2022, no such policies and procedures
1021 shall result in a student facing greater discipline, punishment or
1022 sanction for use, sale or possession of cannabis than a student would
1023 face for the use, sale or possession of alcohol.

1024 Sec. 20. (NEW) (*Effective October 1, 2021*) Any person who provides
1025 cannabis, as defined in section 1 of this act, to a domesticated animal,
1026 shall be guilty of a class C misdemeanor.

1027 Sec. 21. (NEW) (*Effective July 1, 2021*) (a) Except as provided in
1028 RERACA and chapter 420b or 420f of the general statutes, (1) no person,
1029 other than a retailer, hybrid retailer, micro-cultivator or delivery service,
1030 or an employee thereof in the course of his or her employment, may sell
1031 or offer cannabis to a consumer, and (2) no person, other than a hybrid
1032 retailer, dispensary facility or a delivery service, or an employee thereof
1033 in the course of his or her employment, may sell or offer cannabis to
1034 qualifying patients and caregivers.

1035 (b) No person except a delivery service, or an employee thereof,
1036 subject to the restrictions set forth in section 47 of this act, in the course
1037 of his or her employment may deliver cannabis to consumers, patients
1038 or caregivers except that retailers, hybrid retailers, micro-cultivators and
1039 dispensary facilities may utilize their own employees to deliver
1040 cannabis to the same individuals they may sell to pursuant to subsection
1041 (a) of this section until thirty days after the date the first five delivery
1042 service licensees have commenced public operation, which date shall be
1043 published by the commissioner on the department's Internet web site,
1044 and thereafter all delivery to consumers, patients or caregivers shall be
1045 done through a delivery service licensee.

1046 Sec. 22. (NEW) (*Effective from passage*) (a) There is established a Social
1047 Equity Council, which shall be within the Department of Economic and
1048 Community Development for administrative purposes only.

1049 (b) The council shall consist of fifteen members as follows:

1050 (1) One appointed by the speaker of the House of Representatives,
1051 who has a professional background of not less than five years working
1052 in the field of either social justice or civil rights;

1053 (2) One appointed by the president pro tempore of the Senate, who
1054 has a professional background of not less than five years working in the
1055 field of either social justice or civil rights;

1056 (3) One appointed by the majority leader of the House of
1057 Representatives, who has a professional background of not less than five
1058 years working in the field of economic development to help minority-
1059 owned businesses;

1060 (4) One appointed by the majority leader of the Senate, who has a
1061 professional background of not less than five years in providing access
1062 to capital to minorities, as defined in section 32-9n of the general
1063 statutes;

1064 (5) One appointed by the minority leader of the House of
1065 Representatives, who is from a community that has been
1066 disproportionately harmed by cannabis prohibition and enforcement;

1067 (6) One appointed by the minority leader of the Senate, who has a
1068 professional background of not less than five years in providing access
1069 to capital to minorities, as defined in section 32-9n of the general
1070 statutes;

1071 (7) One appointed by the chairperson of the Black and Puerto Rican
1072 Caucus of the General Assembly;

1073 (8) Four appointed by the Governor, one who is from a community
1074 that has been disproportionately harmed by cannabis prohibition and
1075 enforcement, one who has a professional background of not less than
1076 five years working in the field of economic development and one who
1077 is an executive branch official focused on workforce development;

1078 (9) The Commissioner of Consumer Protection, or the commissioner's
1079 designee;

1080 (10) The Commissioner of Economic and Community Development,
1081 or the commissioner's designee;

1082 (11) The State Treasurer, or the State Treasurer's designee; and

1083 (12) The Secretary of the Office of Policy and Management, or the
1084 secretary's designee.

1085 (c) In making the appointments in subsection (b) of this section, the
1086 appointing authority shall use best efforts to make appointments that
1087 reflect the racial, gender and geographic diversity of the population of
1088 the state. All appointments shall be made not later than thirty days after
1089 the effective date of this section and the Governor shall appoint the
1090 chairperson of the council from among the members of the council.
1091 Members appointed by the Governor shall serve a term of four years
1092 from the time of appointment and members appointed by any other

1093 appointing authority shall serve a term of three years from the time of
1094 appointment. The appointing authority shall fill any vacancy for the
1095 unexpired term. The Governor shall appoint an interim executive
1096 director to operationalize and support the council until,
1097 notwithstanding the provisions of section 4-9a of the general statutes,
1098 the council appoints an executive director. Subject to the provisions of
1099 chapter 67 of the general statutes, and within available appropriations,
1100 the council may thereafter appoint an executive director and such other
1101 employees as may be necessary for the discharge of the duties of the
1102 council.

1103 (d) A majority of the members of the council shall constitute a
1104 quorum for the transaction of any business. The members of the council
1105 shall serve without compensation, but shall, within available
1106 appropriations, be reimbursed for expenses necessarily incurred in the
1107 performance of their duties.

1108 (e) The council may (1) request, and shall receive, from any state
1109 agency such information and assistance as the council may require; (2)
1110 use such funds as may be available from federal, state or other sources
1111 and may enter into contracts to carry out the purposes of the council,
1112 including, but not limited to, contracts or agreements with Connecticut
1113 Innovations, Incorporated, constituent units of the state system of
1114 higher education, regional workforce development boards and
1115 community development financial institutions; (3) utilize voluntary and
1116 uncompensated services of private individuals, state or federal agencies
1117 and organizations as may, from time to time, be offered and needed; (4)
1118 accept any gift, donation or bequest for the purpose of performing the
1119 duties of the council; (5) hold public hearings; (6) establish such
1120 standing committees, as necessary, to perform the duties of the council;
1121 and (7) adopt regulations, in accordance with chapter 54 of the general
1122 statutes, as it may deem necessary to carry out the duties of the council.

1123 (f) The council shall promote and encourage full participation in the
1124 cannabis industry by persons from communities that have been

1125 disproportionately harmed by cannabis prohibition and enforcement.

1126 (g) Not later than forty-five days after the effective date of this
1127 section, or at a later date determined by the council, the council shall
1128 establish criteria for proposals to conduct a study under this section and
1129 the Secretary of the Office of Policy and Management shall post on the
1130 State Contracting Portal a request for proposals to conduct a study, and
1131 shall select an independent third party to conduct such study and
1132 provide detailed findings of fact regarding the following matters in the
1133 state or other matters determined by the council:

1134 (1) Historical and present-day social, economic and familial
1135 consequences of cannabis prohibition, the criminalization and
1136 stigmatization of cannabis use and related public policies;

1137 (2) Historical and present-day structures, patterns, causes and
1138 consequences of intentional and unintentional racial discrimination and
1139 racial disparities in the development, application and enforcement of
1140 cannabis prohibition and related public policies;

1141 (3) Foreseeable long-term social, economic and familial consequences
1142 of unremedied past racial discrimination and disparities arising from
1143 past and continued cannabis prohibition, stigmatization and
1144 criminalization;

1145 (4) Existing patterns of racial discrimination and racial disparities in
1146 access to entrepreneurship, employment and other economic benefits
1147 arising in the lawful palliative use cannabis sector as established
1148 pursuant to chapter 420f of the general statutes; and

1149 (5) Any other matters that the council deems relevant and feasible for
1150 study for the purpose of making reasonable and practical
1151 recommendations for the establishment of an equitable and lawful
1152 adult-use cannabis business sector in this state.

1153 (h) Not later than January 1, 2022, the council shall, taking into

1154 account the results of the study conducted in accordance with
1155 subsection (g) of this section, make written recommendations, in
1156 accordance with the provisions of section 11-4a of the general statutes,
1157 to the Governor and the joint standing committees of the General
1158 Assembly having cognizance of matters relating to finance, revenue and
1159 bonding, consumer protection and the judiciary regarding legislation to
1160 implement the provisions of this section. The council shall make
1161 recommendations regarding:

1162 (1) Creating programs to ensure that individuals from communities
1163 that have been disproportionately harmed by cannabis prohibition and
1164 enforcement are provided equal access to licenses for cannabis
1165 establishments;

1166 (2) Specifying additional qualifications for social equity applicants;

1167 (3) Providing for expedited or priority license processing for each
1168 license as a retailer, hybrid retailer, cultivator, micro-cultivator, product
1169 manufacturer, food and beverage manufacturer, product packager,
1170 transporter and delivery service license for social equity applicants;

1171 (4) Establishing minimum criteria for any cannabis establishment
1172 licensed on or after January 1, 2022, that is not owned by a social equity
1173 applicant, to comply with an approved workforce development plan to
1174 reinvest or provide employment and training opportunities for
1175 individuals in disproportionately impacted areas;

1176 (5) Establishing criteria for a social equity plan for any cannabis
1177 establishment licensed on or after January 1, 2022, to further the
1178 principles of equity, as defined in section 1 of this act;

1179 (6) Recruiting individuals from communities that have been
1180 disproportionately harmed by cannabis prohibition and enforcement to
1181 enroll in the workforce training program established pursuant to section
1182 39 of this act;

1183 (7) Potential uses for revenue generated under RERACA to further
1184 equity;

1185 (8) Encouraging participation of investors, cannabis establishments,
1186 and entrepreneurs in the cannabis business accelerator program
1187 established pursuant to section 38 of this act;

1188 (9) Establishing a process to best ensure that social equity applicants
1189 have access to the capital and training needed to own and operate a
1190 cannabis establishment; and

1191 (10) Developing a vendor list of women-owned and minority-owned
1192 businesses that cannabis establishments may contract with for necessary
1193 services, including, but not limited to, office supplies, information
1194 technology infrastructure and cleaning services.

1195 (i) Not later than August 1, 2021, and annually thereafter, the council
1196 shall use the most recent five-year United States Census Bureau
1197 American Community Survey estimates or any successor data to
1198 determine one or more United States census tracts in the state that are a
1199 disproportionately impacted area and shall publish a list of such tracts
1200 on the council's Internet web site.

1201 (j) After developing criteria for workforce development plans as
1202 described in subdivision (4) of subsection (h) of this section, the council
1203 shall review and approve or deny in writing any such plan submitted
1204 by a producer under section 26 of this act or a hybrid-retailer under
1205 section 145 of this act.

1206 (k) The council shall develop criteria for evaluating the ownership
1207 and control of any joint venture created under section 27 or 145 of this
1208 act and shall review and approve or deny in writing such joint venture
1209 prior to such joint venture being licensed under section 27 or 145 of this
1210 act. After developing criteria for social equity plans as described in
1211 subdivision (5) of subsection (h) of this section, the council shall review
1212 and approve or deny in writing any such plan submitted by a cannabis

1213 establishment as part of its final license application.

1214 (l) The Social Equity Council shall, upon receipt of funds from
1215 producers in accordance with subdivision (5) of subsection (b) of section
1216 26 of this act, develop a program to assist social equity applicants to
1217 open not more than two micro-cultivator establishment businesses in
1218 total. Producers shall provide mentorship to such social equity
1219 applicants. The Social Equity Council shall, with the department,
1220 determine a system to select social equity applicants to participate in
1221 such program without participating in a lottery or request for proposals.

1222 Sec. 23. (*Effective from passage*) Not later than October 1, 2023, the
1223 Social Equity Council established pursuant to section 22 of this act shall
1224 report to the Governor and the joint standing committee of the General
1225 Assembly having cognizance of matters relating to the judiciary, (1) data
1226 on any arrest or conviction for possession, manufacture or sale of
1227 cannabis pursuant to section 21a-279a of the general statutes and section
1228 13 of this act, and (2) a breakdown of such arrests or convictions by
1229 town, race, gender and age.

1230 Sec. 24. (NEW) (*Effective July 1, 2021*) (a) Any person shall be twenty-
1231 one years of age or older to: (1) Hold any cannabis establishment license
1232 issued pursuant to RERACA; or (2) be a backer or key employee of a
1233 cannabis establishment that is licensed pursuant to RERACA.

1234 (b) Any person shall be eighteen years of age or older to (1) be an
1235 employee of a cannabis establishment that is licensed pursuant to
1236 RERACA; or (2) be employed by a cannabis establishment or a licensee
1237 pursuant to chapter 420f of the general statutes.

1238 (c) All employees of a cannabis establishment shall obtain a
1239 registration and all key employees and backers of a cannabis
1240 establishment shall obtain a license from the department, on a form and
1241 in a manner prescribed by the commissioner, except for (1) delivery
1242 service or transporter employees who do not (A) engage in the
1243 transport, storage or distribution of, or have access to, cannabis, or (B)

1244 engage in security controls or contract management with other cannabis
1245 establishments; (2) product packager employees who do not (A) have
1246 access to cannabis, or (B) engage in physical packaging, security controls
1247 or contract management with other cannabis establishments; and (3)
1248 other employee categories, as determined by the commissioner,
1249 provided under no circumstances shall a key employee be exempt from
1250 the licensure requirements of this section.

1251 Sec. 25. (NEW) (*Effective July 1, 2021*) (a) No agency or political
1252 subdivision of the state may rely on a violation of federal law related to
1253 cannabis as the sole basis for taking an adverse action against a person,
1254 except for any adverse action taken as required by federal law,
1255 including, but not limited to, the state's disqualification of a commercial
1256 driver's license, commercial learner's permit, commercial motor vehicle
1257 operator's privilege or hazardous materials endorsement for violations
1258 of federal law related to cannabis for which the Federal Motor Carrier
1259 Safety Regulations or the Hazardous Materials Regulations require
1260 disqualification, or for which the Federal Motor Carrier Safety
1261 Administration or the Pipeline and Hazardous Materials Safety
1262 Administration has, based upon such violation, issued a disqualification
1263 order.

1264 (b) It is the public policy of this state that contracts related to the
1265 operation of a cannabis establishment business are enforceable.

1266 (c) It is the public policy of this state that no contract entered into by
1267 a licensed cannabis establishment or its agents as authorized in
1268 accordance with a valid license, or by those who allow property to be
1269 used by a cannabis establishment, its employees, backers or its agents as
1270 authorized in accordance with a valid license, shall be unenforceable on
1271 the basis that cultivating, obtaining, manufacturing, distributing,
1272 dispensing, transporting, selling, possessing or using cannabis is
1273 prohibited by federal law.

1274 (d) No law enforcement officer employed by an agency that receives

1275 state or local government funds shall expend state or local resources,
1276 including the officer's time, to effect any arrest or seizure of cannabis, or
1277 conduct any investigation, on the sole basis of activity the officer
1278 believes to constitute a violation of federal law if the officer has reason
1279 to believe that such activity is in compliance with sections 20 to 65,
1280 inclusive, of this act or chapter 420f of the general statutes.

1281 (e) An officer may not expend state or local resources, including the
1282 officer's time, to provide any information or logistical support to any
1283 federal law enforcement authority or prosecuting entity related to
1284 activity the officer believes to constitute a violation of federal law if the
1285 officer has reason to believe that such activity is in compliance with the
1286 provisions of sections 20 to 65, inclusive, of this act or chapter 420f of the
1287 general statutes.

1288 Sec. 26. (NEW) (*Effective July 1, 2021*) (a) In addition to activity
1289 permitted under chapter 420f of the general statutes, a producer may
1290 sell, deliver, transfer, transport, manufacture or package cannabis
1291 utilizing a transporter or the producer's own employees, to cannabis
1292 establishments, upon authorization for such expanded activity in
1293 writing by the commissioner, provided a producer may not transport
1294 any cannabis to consumers, patients or caregivers directly or through a
1295 delivery service.

1296 (b) To obtain approval from the commissioner to engage in expanded
1297 activity as described in subsection (a) of this section, a producer shall
1298 submit (1) a complete license expansion application on a form
1299 prescribed by the commissioner, (2) a medical cannabis preservation
1300 plan, to ensure against supply shortages of medical marijuana products,
1301 which shall be approved or denied at the commissioner's discretion, (3)
1302 payment of a conversion fee of three million dollars, provided, if the
1303 producer participates in at least two approved equity joint ventures as
1304 described in section 27 of this act, such fee shall be one million five
1305 hundred thousand dollars, (4) a workforce development plan in
1306 accordance with requirements developed by the Social Equity Council,

1307 that has been reviewed and approved by the Social Equity Council in
1308 accordance with section 22 of this act, and (5) (A) a contribution of five
1309 hundred thousand dollars to the Social Equity Council for the program
1310 established by the council in accordance with subsection (l) of section 22
1311 of this act, or (B) evidence of an agreement with a social equity partner
1312 pursuant to subsection (c) of this section.

1313 (c) Any producer seeking to obtain approval under subsection (b) of
1314 this section may enter into an agreement with a social equity partner to
1315 provide such partner five per cent of the grow space associated with the
1316 expanded activity of the producer, to establish a social equity business.
1317 The producer shall provide to the social equity partner, for a period of
1318 not less than five years, mentorship and all overhead costs that are
1319 necessary to ensure success, as determined by the Social Equity Council
1320 and codified in an agreement between the social equity partner and
1321 producer. The producer shall ensure that the social equity partner
1322 complies with the cannabis cultivation, testing, labeling, tracking,
1323 reporting and manufacturing provisions of RERACA as they apply to
1324 cultivators. The social equity partner shall own, and be entitled to, one
1325 hundred per cent of the profits of the social equity business established
1326 under this subsection. The Social Equity Council may require evidence
1327 of a social equity partnership that includes, but need not be limited to,
1328 evidence of business formation, ownership allocation, terms of
1329 ownership and financing and proof of social equity applicant
1330 involvement. The producer or social equity partner shall submit to the
1331 Social Equity Council information including, but not limited to, the
1332 organizing documents of the entity that outline the ownership stake of
1333 each backer, initial backer investment and payout information to enable
1334 the council to determine the terms of ownership. Prior to submitting the
1335 agreement to the department, the social equity partner and business
1336 agreement shall be approved by the Social Equity Council.

1337 (d) For purposes of this section, "social equity partner" means a
1338 person that is at least sixty-five per cent owned and controlled by an
1339 individual or individuals, or such applicant is an individual, who:

1340 (1) Had an average household income of less than three hundred per
1341 cent of the state median household income over the three tax years
1342 immediately preceding such individual's application; and

1343 (2) (A) Was a resident of a disproportionately impacted area for not
1344 less than five of the ten years immediately preceding the date of such
1345 application; or

1346 (B) Was a resident of a disproportionately impacted area for not less
1347 than nine years prior to attaining the age of eighteen.

1348 Sec. 27. (NEW) (*Effective July 1, 2021*) (a) In order to pay a reduced
1349 license expansion authorization fee as described in subsection (b) of
1350 section 26 of this act, a producer shall commit to create two equity joint
1351 ventures to be approved by the Social Equity Council under section 22
1352 of this act and licensed by the department under this section.

1353 (b) The equity joint venture shall be in any cannabis establishment
1354 licensed business, other than a cultivator license, provided the social
1355 equity applicant shall own at least fifty per cent of such business.

1356 (c) The producer or social equity applicant of an equity joint venture
1357 shall submit an application to the Social Equity Council that may
1358 include, but need not be limited to, evidence of business formation,
1359 ownership allocation, terms of ownership and financing and proof of
1360 social equity applicant involvement. The producer or social equity
1361 applicant of an equity joint venture shall submit to the Social Equity
1362 Council information including, but not limited to, the organizing
1363 documents of the entity that outline the ownership stake of each backer,
1364 initial backer investment and payout information to enable the council
1365 to determine the terms of ownership.

1366 (d) Upon obtaining the written approval of the Social Equity Council
1367 for an equity joint venture, the producer or social equity applicant of the
1368 equity joint venture shall apply for a license from the department in the
1369 same form as required by all other licensees of the same license type,

1370 except that such application shall not be subject to the lottery.

1371 (e) A producer, including the backer of such producer, shall not
1372 increase its ownership in an equity joint venture in excess of fifty per
1373 cent during the seven-year period after a license is issued by the
1374 department under this section.

1375 (f) Equity joint ventures that share a common producer or producer
1376 backer and that are retailers or hybrid retailers shall not be located
1377 within twenty miles of another commonly owned equity joint venture.

1378 (g) If a producer had paid a reduced conversion fee as described in
1379 subsection (b) of section 26 of this act, and subsequently did not create
1380 two equity joint ventures under this section, the producer shall be liable
1381 for the full conversion fee of three million dollars.

1382 Sec. 28. (NEW) (*Effective July 1, 2021*) (a) No cannabis retailer or
1383 hybrid retailer shall accept payment or other form of compensation
1384 directly or indirectly from a cultivator, micro-cultivator, producer, food
1385 and beverage manufacturer, product manufacturer or product packager
1386 to carry a cannabis product or for placement or promotion of such
1387 product in a retailer or hybrid retailer's establishment or through other
1388 promotional initiatives. No retailer or hybrid retailer shall enter into a
1389 contract with a cultivator, micro-cultivator, producer, food and
1390 beverage manufacturer, product manufacturer or product packager that
1391 requires or permits preferential treatment, exclusivity or near
1392 exclusivity or limits a retailer or hybrid retailer from purchasing from
1393 other cultivators, micro-cultivators, producers, food and beverage
1394 manufacturers or product manufacturers in any way.

1395 (b) No cannabis establishment shall produce, manufacture or sell
1396 cannabis that is intended for use or consumption by animals.

1397 (c) A retailer or hybrid retailer shall not knowingly sell to a consumer
1398 more than one ounce of cannabis or the equivalent amount of cannabis
1399 products or combination of cannabis and cannabis products, as set forth

1400 in subsection (i) of section 21a-279a of the general statutes, per day,
1401 except that a hybrid retailer or dispensary facility may sell up to five
1402 ounces of cannabis or the equivalent amount of cannabis products or
1403 combination of cannabis and cannabis products to a qualifying patient
1404 or caregiver per day. Notwithstanding the requirements of sections 4-
1405 168 to 4-172, inclusive, of the general statutes, to avoid cannabis supply
1406 shortages or address a public health and safety concern, the
1407 commissioner may set temporary lower per-transaction limits, which
1408 shall be published on the department's Internet web site. Such limits
1409 shall become ineffective upon the commissioner's determination that a
1410 supply shortage or public health and safety concern no longer exists.

1411 (d) No cannabis establishment, except a producer, cultivator or
1412 micro-cultivator, may acquire or possess a live cannabis plant.

1413 (e) No person issued a license or registration pursuant to RERACA
1414 shall (1) assign or transfer such license or registration without the
1415 commissioner's prior approval, or (2) sell, transfer or transport cannabis
1416 to, or obtain cannabis from, a location outside of this state if such activity
1417 would be in violation of federal law.

1418 Sec. 29. (NEW) (*Effective July 1, 2021*) (a) Each employee of a cannabis
1419 establishment, laboratory or research program, other than a key
1420 employee, shall annually apply for and obtain a registration, on a form
1421 and in a manner prescribed by the commissioner, prior to commencing
1422 employment at the cannabis establishment business.

1423 (b) No person shall act as a backer or key employee, or represent that
1424 such person is a backer or key employee, unless such person has
1425 obtained a license from the department pursuant to this subsection.
1426 Such person shall apply for a license on a form and in a manner
1427 prescribed by the commissioner. Such form may require the applicant
1428 to: (1) Submit to a state and national criminal history records check
1429 conducted in accordance with section 29-17a of the general statutes,
1430 which may include a financial history check if requested by the

1431 commissioner, to determine the character and fitness of the applicant for
1432 the license, (2) provide information sufficient for the department to
1433 assess whether the applicant has an ownership interest in any other
1434 cannabis establishment, cannabis establishment applicant or cannabis-
1435 related business nationally or internationally, (3) provide demographic
1436 information, and (4) obtain such other information as the department
1437 determines is consistent with the requirements of RERACA or chapter
1438 420f of the general statutes. A backer or key employee shall be denied a
1439 license in the event his or her background check reveals a disqualifying
1440 conviction.

1441 (c) Except as provided in subsection (d) of this section, any person
1442 who receives a cannabis establishment license, backer or key employee
1443 license or employee registration issued pursuant to subsection (a) of this
1444 section shall notify the department, in writing, of any changes to the
1445 information supplied on the application for such license or registration
1446 not later than five business days after such change.

1447 (d) Any person who receives a cannabis establishment license or
1448 backer or key employee license shall notify the department, in a manner
1449 prescribed by the department, of any arrest or conviction of such person
1450 for an offense that would constitute a disqualifying conviction, as
1451 defined in section 1 of this act, not later than forty-eight hours after such
1452 arrest or conviction.

1453 (e) The department may adopt regulations in accordance with the
1454 provisions of chapter 54 of the general statutes to implement the
1455 provisions of this section, or may adopt policies and procedures as set
1456 forth in section 32 of this act prior to adopting such final regulations.

1457 Sec. 30. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
1458 commissioner shall require all individuals listed on an application for a
1459 cannabis establishment license, laboratory or research program license,
1460 or key employee license to submit to fingerprint-based state and
1461 national criminal history records checks before such license is issued.

1462 The criminal history records checks required pursuant to this subsection
1463 shall be conducted in accordance with section 29-17a of the general
1464 statutes. Upon renewal, the commissioner may require all individuals
1465 listed on an application for a cannabis establishment license, laboratory
1466 or research program license, or key employee license to be fingerprinted
1467 and submit to a state and national criminal history records check
1468 conducted in accordance with section 29-17a of the general statutes
1469 before such renewal license is issued.

1470 (b) The department shall charge the applicant a fee equal to the
1471 amount charged to the department to conduct a state and national
1472 criminal history records check of the applicant.

1473 Sec. 31. (NEW) (*Effective July 1, 2021*) Notwithstanding the provisions
1474 of sections 29 and 30 of this act, the commissioner may accept a third-
1475 party local and national criminal background check submitted by an
1476 applicant for a backer or key employee license or renewal in lieu of a
1477 fingerprint-based national criminal history records check. Any such
1478 third-party background check shall (1) be conducted by a third-party
1479 consumer reporting agency or background screening company that is in
1480 compliance with the federal Fair Credit Reporting Act and accredited
1481 by the Professional Background Screening Association, and (2) include
1482 a multistate and multi-jurisdiction criminal record locator or other
1483 similar commercial nation-wide database with validation, and other
1484 such background screening as the commissioner may require. The
1485 applicant shall request such background check not more than sixty days
1486 prior to submission of the application.

1487 Sec. 32. (NEW) (*Effective from passage*) The commissioner shall adopt
1488 regulations in accordance with chapter 54 of the general statutes to
1489 implement the provisions of RERACA. Notwithstanding the
1490 requirements of sections 4-168 to 4-172, inclusive, of the general statutes,
1491 in order to effectuate the purposes of RERACA and protect public health
1492 and safety, prior to adopting such regulations the commissioner shall
1493 issue policies and procedures to implement the provisions of RERACA

1494 that shall have the force and effect of law. The commissioner shall post
1495 all policies and procedures on the department's Internet web site and
1496 submit such policies and procedures to the Secretary of the State for
1497 posting on the eRegulations System, at least fifteen days prior to the
1498 effective date of any policy or procedure. Any such policy or procedure
1499 shall no longer be effective upon the earlier of either the adoption of the
1500 policy or procedure as a final regulation under section 4-172 of the
1501 general statutes or forty-eight months from the effective date of this
1502 section, if such regulations have not been submitted to the legislative
1503 regulation review committee for consideration under section 4-170 of
1504 the general statutes. The commissioner shall issue policies and
1505 procedures and thereafter final regulations that include, but are not
1506 limited to, the following:

1507 (1) Setting appropriate dosage, potency, concentration and serving
1508 size limits and delineation requirements for cannabis, provided a
1509 standardized serving of edible cannabis product or beverage, other than
1510 a medical marijuana product, shall contain not more than five
1511 milligrams of THC;

1512 (2) Requiring that each single standardized serving of cannabis
1513 product in a multiple-serving edible product or beverage is physically
1514 demarked in a way that enables a reasonable person to determine how
1515 much of the product constitutes a single serving and a maximum
1516 amount of THC per multiple-serving edible cannabis product or
1517 beverage;

1518 (3) Requiring that, if it is impracticable to clearly demark every
1519 standardized serving of cannabis product or to make each standardized
1520 serving easily separable in an edible cannabis product or beverage, the
1521 product, other than cannabis concentrate or medical marijuana product,
1522 shall contain not more than five milligrams of THC per unit of sale;

1523 (4) Establishing, in consultation with the Department of Mental
1524 Health and Addiction Services, consumer health materials that shall be

1525 posted or distributed, as specified by the commissioner, by cannabis
1526 establishments to maximize dissemination to cannabis consumers.
1527 Consumer health materials may include pamphlets, packaging inserts,
1528 signage, online and printed advertisements and advisories and printed
1529 health materials;

1530 (5) Imposing labeling and packaging requirements for cannabis sold
1531 by a cannabis establishment that include, but are not limited to, the
1532 following:

1533 (A) A universal symbol to indicate that cannabis or a cannabis
1534 product contains cannabis, and prescribe how such product and
1535 product packaging shall utilize and exhibit such symbol;

1536 (B) A disclosure concerning the length of time it typically takes for
1537 the cannabis to affect an individual, including that certain forms of
1538 cannabis take longer to have an effect;

1539 (C) A notation of the amount of cannabis the cannabis product is
1540 considered the equivalent to;

1541 (D) A list of ingredients and all additives for cannabis;

1542 (E) Child-resistant packaging including requiring that an edible
1543 product be individually wrapped;

1544 (F) Product tracking information sufficient to determine where and
1545 when the cannabis was grown and manufactured such that a product
1546 recall could be effectuated;

1547 (G) A net weight statement;

1548 (H) A recommended use by or expiration date; and

1549 (I) Standard and uniform packaging and labeling, including, but not
1550 limited to, requirements (i) regarding branding or logos, (ii) that all
1551 packaging be opaque, and (iii) that amounts and concentrations of THC

1552 and cannabidiol, per serving and per package, be clearly marked on the
1553 packaging or label of any cannabis product sold;

1554 (6) Establishing laboratory testing standards;

1555 (7) Restricting forms of cannabis products and cannabis product
1556 delivery systems to ensure consumer safety and deter public health
1557 concerns;

1558 (8) Prohibiting certain manufacturing methods, or inclusion of
1559 additives to cannabis products, including, but not limited to, (A) added
1560 flavoring, terpenes or other additives unless approved by the
1561 department, or (B) any form of nicotine or other additive containing
1562 nicotine;

1563 (9) Prohibiting cannabis product types that appeal to children;

1564 (10) Establishing physical and cyber security requirements related to
1565 build out, monitoring and protocols for cannabis establishments as a
1566 requirement for licensure;

1567 (11) Placing temporary limits on the sale of cannabis in the adult-use
1568 market, if deemed appropriate and necessary by the commissioner, in
1569 response to a shortage of cannabis for qualifying patients;

1570 (12) Requiring retailers and hybrid retailers to make best efforts to
1571 provide access to (A) low-dose THC products, including products that
1572 have one milligram and two and a half milligrams of THC per dose, and
1573 (B) high-dose CBD products;

1574 (13) Requiring producers, cultivators, micro-cultivators, product
1575 manufacturers and food and beverage manufacturers to register brand
1576 names for cannabis, in accordance with the policies and procedures and
1577 subject to the fee set forth in, regulations adopted under chapter 420f of
1578 the general statutes;

1579 (14) Prohibiting a cannabis establishment from selling, other than the

1580 sale of medical marijuana products between cannabis establishments
1581 and the sale of cannabis to qualified patients and caregivers, (A)
1582 cannabis flower or other cannabis plant material with a total THC
1583 concentration greater than thirty per cent on a dry-weight basis, and (B)
1584 any cannabis product other than cannabis flower and cannabis plant
1585 material with a total THC concentration greater than sixty per cent on a
1586 dry-weight basis, except that the provisions of subparagraph (B) of this
1587 subdivision shall not apply to the sale of prefilled cartridges for use in
1588 an electronic cannabis delivery system, as defined in section 19a-342a of
1589 the general statutes and the department may adjust the percentages set
1590 forth in subparagraph (A) or (B) of this subdivision in regulations
1591 adopted pursuant to this section for purposes of public health or to
1592 address market access or shortage. As used in this subdivision, "total
1593 THC" has the same meaning as provided in section 21a-240 of the
1594 general statutes and "cannabis plant material" means material from the
1595 cannabis plant, as defined in section 21a-279a of the general statutes; and

1596 (15) Permitting the outdoor cultivation of cannabis.

1597 Sec. 33. (NEW) (*Effective July 1, 2021*) (a) Cannabis establishments and
1598 any person advertising any cannabis or services related to cannabis shall
1599 not:

1600 (1) Advertise cannabis, cannabis paraphernalia or goods or services
1601 related to cannabis in ways that target or are designed to appeal to
1602 individuals under twenty-one years of age, including, but not limited
1603 to, spokespersons or celebrities who appeal to individuals under the
1604 legal age to purchase cannabis or cannabis products, depictions of a
1605 person under twenty-five years of age consuming cannabis, or, the
1606 inclusion of objects, such as toys, characters or cartoon characters
1607 suggesting the presence of a person under twenty-one years of age, or
1608 any other depiction designed in any manner to be appealing to a person
1609 under twenty-one years of age;

1610 (2) Engage in advertising by means of television, radio, Internet,

1611 mobile applications, social media, or other electronic communication,
1612 billboard or other outdoor signage, or print publication unless the
1613 advertiser has reliable evidence that at least ninety per cent of the
1614 audience for the advertisement is reasonably expected to be twenty-one
1615 years of age or older;

1616 (3) Engage in advertising or marketing directed toward location-
1617 based devices, including, but not limited to, cellular phones, unless the
1618 marketing is a mobile device application installed on the device by the
1619 owner of the device who is twenty-one years of age or older and
1620 includes a permanent and easy opt-out feature and warnings that the
1621 use of cannabis is restricted to persons twenty-one years of age or older;

1622 (4) Advertise cannabis or cannabis products in a manner claiming or
1623 implying, or permit any employee of the cannabis establishment to
1624 claim or imply, that such products have curative or therapeutic effects,
1625 or that any other medical claim is true, or allow any employee to
1626 promote cannabis for a wellness purpose unless such claims are
1627 substantiated as set forth in regulations adopted under chapter 420f of
1628 the general statutes or verbally conveyed by a licensed pharmacist or
1629 other licensed medical practitioner in the course of business in, or while
1630 representing, a hybrid retail or dispensary facility;

1631 (5) Sponsor charitable, sports, musical, artistic, cultural, social or
1632 other similar events or advertising at, or in connection with, such an
1633 event unless the sponsor or advertiser has reliable evidence that (A) not
1634 more than ten per cent of the in-person audience at the event is
1635 reasonably expected to be under the legal age to purchase cannabis or
1636 cannabis products, and (B) not more than ten per cent of the audience
1637 that will watch, listen or participate in the event is expected to be under
1638 the legal age to purchase cannabis products;

1639 (6) Advertise cannabis, cannabis products or cannabis paraphernalia
1640 in any physical form visible to the public within five hundred feet of an
1641 elementary or secondary school ground, recreation center or facility,

1642 child care center, playground, public park or library;

1643 (7) Cultivate cannabis or manufacture cannabis products for
1644 distribution outside of this state in violation of federal law, advertise in
1645 any way that encourages the transportation of cannabis across state lines
1646 or otherwise encourages illegal activity;

1647 (8) Except for dispensary facilities and hybrid retailers, exhibit within
1648 or upon the outside of the facility used in the operation of a cannabis
1649 establishment, or include in any advertisement, the word "dispensary"
1650 or any variation of such term or any other words, displays or symbols
1651 indicating that such store, shop or place of business is a dispensary;

1652 (9) Exhibit within or upon the outside of the premises subject to the
1653 cannabis establishment license, or include in any advertisement the
1654 words "drug store", "pharmacy", "apothecary", "drug", "drugs" or
1655 "medicine shop" or any combination of such terms or any other words,
1656 displays or symbols indicating that such store, shop or place of business
1657 is a pharmacy.

1658 (10) Advertise on or in public or private vehicles or at bus stops, taxi
1659 stands, transportation waiting areas, train stations, airports or other
1660 similar transportation venues including, but not limited to, vinyl-
1661 wrapped vehicles or signs or logos on transportation vehicles not
1662 owned by a cannabis establishment;

1663 (11) Display cannabis or cannabis products so as to be clearly visible
1664 to a person from the exterior of the facility used in the operation of a
1665 cannabis establishment, or display signs or other printed material
1666 advertising any brand or any kind of cannabis or cannabis product on
1667 the exterior of any facility used in the operation of a cannabis
1668 establishment;

1669 (12) Utilize radio or loudspeaker, in a vehicle or in or outside of a
1670 facility used in the operation of a cannabis establishment, for the
1671 purposes of advertising the sale of cannabis or cannabis products; or

1672 (13) Operate any web site advertising or depicting cannabis, cannabis
1673 products or cannabis paraphernalia unless such web site verifies that
1674 the entrants or users are twenty-one years of age or older.

1675 (b) Any advertisements from a cannabis establishment shall contain
1676 the following warning: "Do not use cannabis if you are under twenty-
1677 one years of age. Keep cannabis out of the reach of children." In a print
1678 or visual medium, such warning shall be conspicuous, easily legible and
1679 shall take up not less than ten per cent of the advertisement space. In an
1680 audio medium, such warning shall be at the same speed as the rest of
1681 the advertisement and be easily intelligible.

1682 (c) The department shall not register, and may require revision of,
1683 any submitted or registered cannabis brand name that:

1684 (1) Is identical to, or confusingly similar to, the name of an existing
1685 non-cannabis product;

1686 (2) Is identical to, or confusingly similar to, the name of an unlawful
1687 product or substance;

1688 (3) Is confusingly similar to the name of a previously approved
1689 cannabis brand name;

1690 (4) Is obscene or indecent; and

1691 (5) Is customarily associated with persons under the age of twenty-
1692 one.

1693 (d) A violation of the provisions of subsection (a) or (b) of this section
1694 shall be deemed to be an unfair or deceptive trade practice under
1695 subsection (a) of section 42-110b of the general statutes.

1696 Sec. 34. (NEW) (*Effective July 1, 2021*) (a) Not later than thirty days
1697 after the date that the Social Equity Council identifies the criteria and
1698 the necessary supporting documentation for social equity applicants
1699 and posts such information on its Internet web site, the department may

1700 accept applications for the following cannabis establishment license
1701 types: (1) Retailer, (2) hybrid retailer, (3) cultivator, (4) micro-cultivator,
1702 (5) product manufacturer, (6) food and beverage manufacturer, (7)
1703 product packager, (8) delivery service, and (9) transporter. Each
1704 application for licensure shall require the applicant to indicate whether
1705 the applicant wants to be considered for treatment as a social equity
1706 applicant.

1707 (b) On and after July 1, 2021, the department may accept applications
1708 from any dispensary facility to convert its license to a hybrid-retailer
1709 license and any producer for expanded authorization to engage in the
1710 adult use cannabis market under its license issued pursuant to section
1711 21a-408i of the general statutes.

1712 (c) Except as provided in subsection (e) of this section, the following
1713 fees shall be paid by each applicant:

1714 (1) For a retailer license, the fee to enter the lottery shall be five
1715 hundred dollars, the fee to receive a provisional license shall be five
1716 thousand dollars and the fee to receive a final license or a renewal of a
1717 final license shall be twenty-five thousand dollars.

1718 (2) For a hybrid retailer license, the fee to enter the lottery shall be five
1719 hundred dollars, the fee to receive a provisional license shall be five
1720 thousand dollars and the fee to receive a final license or a renewal of a
1721 final license shall be twenty-five thousand dollars.

1722 (3) For a cultivator license, the fee to enter the lottery shall be one
1723 thousand dollars, the fee to receive a provisional license shall be twenty-
1724 five thousand dollars and the fee to receive a final license or a renewal
1725 of a final license shall be seventy-five thousand dollars.

1726 (4) For a micro-cultivator license, the fee to enter the lottery shall be
1727 two hundred fifty dollars, the fee to receive a provisional license shall
1728 be five hundred dollars and the fee to receive a final license or a renewal
1729 of a final license shall be one thousand dollars.

1730 (5) For a product manufacturer license, the fee to enter the lottery
1731 shall be seven hundred fifty dollars, the fee to receive a provisional
1732 license shall be five thousand dollars and the fee to receive a final license
1733 or a renewal of a final license shall be twenty-five thousand dollars.

1734 (6) For a food and beverage manufacturer license, the fee to enter the
1735 lottery shall be two hundred fifty dollars, the fee to receive a provisional
1736 license shall be one thousand dollars and the fee to receive a final license
1737 or a renewal of a final license shall be five thousand dollars.

1738 (7) For a product packager license, the fee to enter the lottery shall be
1739 five hundred dollars, the fee to receive a provisional license shall be five
1740 thousand dollars and the fee to receive a final license or a renewal of a
1741 final license shall be twenty-five thousand dollars.

1742 (8) For a delivery service or transporter license, the fee to enter the
1743 lottery shall be two hundred fifty dollars, the fee to receive a provisional
1744 license shall be one thousand dollars and the fee to receive a final license
1745 or a renewal of a final license shall be five thousand dollars.

1746 (9) For an initial or renewal of a backer license, the fee shall be one
1747 hundred dollars.

1748 (10) For an initial or renewal of a key employee license, the fee shall
1749 be one hundred dollars.

1750 (11) For an initial or renewal of a registration of an employee who is
1751 not a key employee, the fee shall be fifty dollars.

1752 (12) The license conversion fee for a dispensary facility to become a
1753 hybrid retailer shall be one million dollars, except as provided in section
1754 145 of this act.

1755 (13) The license conversion fee for a producer to engage in the adult
1756 use cannabis market shall be three million dollars, except as provided in
1757 section 26 of this act.

1758 (d) For any dispensary facility that has become a hybrid retailer, the
1759 renewal fee shall be the same as the fee for a hybrid retailer set forth in
1760 subdivision (2) of subsection (c) of this section. For any producer, the
1761 renewal fee shall be the same as set forth in section 21a-408i of the
1762 general statutes. A social equity applicant shall pay fifty per cent of the
1763 amount of any of the fees specified in subsection (c) of this section for
1764 the first three renewal cycles of the applicable cannabis establishment
1765 license applied for, and the full amount thereafter, provided in the case
1766 of the fees set forth in subdivisions (12) and (13) of subsection (c) of this
1767 section, a social equity applicant shall pay the full amount of the fee.

1768 (e) For the fiscal year ending June 30, 2023, and thereafter, fees
1769 collected by the department under this section shall be paid to the State
1770 Treasurer and credited to the General Fund, except that the fees
1771 collected under subdivisions (12) and (13) of subsection (c) of this
1772 section shall be deposited in the Social Equity and Innovation Fund
1773 established under section 128 of this act.

1774 (f) For each license type:

1775 (1) Applicants shall apply on a form and in a manner prescribed by
1776 the commissioner, which form shall include a method for the applicant
1777 to request consideration as a social equity applicant; and

1778 (2) The department shall post on its Internet web site the application
1779 period, which shall specify the first and last date that the department
1780 will accept applications for that license type. The first date that the
1781 department shall accept applications shall be no sooner than thirty days
1782 after the date the Social Equity Council posts the criteria and supporting
1783 documentation necessary to qualify for consideration as a social equity
1784 applicant as set forth in section 35 of this act. Only complete license
1785 applications received by the department during the application period
1786 shall be considered.

1787 Sec. 35. (NEW) (*Effective July 1, 2021*) (a) The Social Equity Council
1788 shall review the ownership information and any other information

1789 necessary to confirm that an applicant qualifies as a social equity
1790 applicant for all license type applications submitted to the department
1791 and designated by the applicant as a social equity applicant. The Social
1792 Equity Council shall prescribe the documentation necessary for
1793 applicants to submit to establish that the ownership, residency and
1794 income requirements for social equity applicants are met. On or before
1795 September 1, 2021, the Social Equity Council shall post such necessary
1796 documentation requirements on its Internet web site to inform
1797 applicants of such requirements prior to the start of the application
1798 period.

1799 (b) Except as provided in section 149 of this act, prior to the first date
1800 that the department begins accepting applications for a license type, the
1801 department shall determine the maximum number of applications that
1802 shall be considered for such license type and post such information on
1803 its Internet web site. Fifty per cent of the maximum number of
1804 applications that shall be considered for each license type (1) shall be
1805 selected through a social equity lottery for such license type, and (2)
1806 shall be reserved by the department for social equity applicants. If, upon
1807 the close of the application period for a license type, the department
1808 receives more applications than the maximum number to be considered
1809 in total or to be reserved for social equity applicants as set forth in
1810 subsection (b) of this section, a third-party lottery operator shall conduct
1811 a lottery to identify applications for review by the department and the
1812 Social Equity Council.

1813 (c) (1) The third-party lottery operator shall:

1814 (A) Not be provided any application received after the close of the
1815 application period;

1816 (B) Give equal weight to every complete application submitted
1817 during the application period; and

1818 (C) Conduct multiple, separate geographic lotteries if required by the
1819 department.

1820 (2) For purposes of the lottery, the third-party lottery operator shall:

1821 (A) Conduct an independent lottery for each license type and a
1822 separate lottery for social equity applicants of each license type that
1823 results in each application being randomly ranked starting with one and
1824 continuing sequentially; and

1825 (B) Rank all applications in each lottery numerically according to the
1826 order in which they were drawn, including those that exceed the
1827 number to be considered, and identify for the department all
1828 applications to be considered, which shall consist of the applications
1829 ranked numerically one to the maximum number set forth in accordance
1830 with subsection (b) of this section.

1831 (d) (1) Upon receipt of an application for social equity consideration
1832 or, in the case where a social equity lottery is conducted, after such
1833 lottery applicants are selected, the department shall provide to the
1834 Social Equity Council the documentation received by the department
1835 during the application process that is required under subsection (a) of
1836 this section. No identifying information beyond what is necessary to
1837 establish social equity status shall be provided to the Social Equity
1838 Council. The Social Equity Council shall review the social equity
1839 applications to be considered as identified by the third-party lottery
1840 operator to determine whether the applicant meets the criteria for a
1841 social equity applicant. If the Social Equity Council determines that an
1842 applicant does not qualify as a social equity applicant, the application
1843 shall not be reviewed further for purposes of receiving a license
1844 designated for social equity applicants. The application shall be entered
1845 into the other lottery for the license type and may be reviewed further if
1846 selected through such lottery, provided the applicant pays the
1847 additional amount necessary to pay the full fee for entry into such
1848 lottery within five business days of being notified by the Social Equity
1849 Council that it does not qualify as a social equity applicant. Not later
1850 than thirty days after an applicant is notified of a denial of a license
1851 application under this subsection, the applicant may appeal such denial

1852 to the Superior Court in accordance with section 4-183 of the general
1853 statutes.

1854 (2) Upon determination by the Social Equity Council that an
1855 application selected through the lottery process does not qualify for
1856 consideration as a social equity applicant, the department shall request
1857 that the third-party lottery operator identify the next-ranked application
1858 in the applicable lottery. This process may continue until the Social
1859 Equity Council has identified for further consideration the number of
1860 applications set forth on the department's web site pursuant to
1861 subsection (b) of this section or the lottery indicates that there are no
1862 further applications to be considered.

1863 (3) For each license type, the Social Equity Council shall identify for
1864 the department the applications that qualify as social equity applicants
1865 and that should be reviewed by the department for purposes of
1866 awarding a provisional license.

1867 (4) Any application subject to, but not selected through, the social
1868 equity lottery process shall not be reviewed as a social equity
1869 application but shall be entered into the lottery for the remaining
1870 applications for the license type.

1871 (5) After receiving the list of social equity applications from the Social
1872 Equity Council, the department shall notify the third-party lottery
1873 operator, which shall then conduct an independent lottery for all
1874 remaining applicants for each license type, rank all applications
1875 numerically including those that exceed the number to be considered,
1876 and identify for the department all applications to be reviewed. The
1877 number of applications to be reviewed shall consist of the applications
1878 ranked numerically one through the maximum number set forth in
1879 accordance with subsection (b) of this section, provided that if fewer
1880 social equity applicants are identified pursuant to subdivision (3) of this
1881 subsection, the maximum number shall be the number necessary to
1882 ensure that fifty per cent of the applications for each license type

1883 identified through the lottery process are social equity applicants.

1884 (6) The numerical rankings created by the third-party lottery operator
1885 shall be confidential and shall not be subject to disclosure under the
1886 Freedom of Information Act, as defined in section 1-200 of the general
1887 statutes.

1888 (e) The department shall review each application to be considered, as
1889 identified by the third-party lottery operator or Social Equity Council,
1890 as applicable, to confirm it is complete and to determine whether any
1891 application: (1) Includes a backer with a disqualifying conviction; (2)
1892 includes a backer that would result in common ownership in violation
1893 of the cap set forth in section 40 of this act; or (3) has a backer who
1894 individually or in connection with a cannabis business in another state
1895 or country has an administrative finding or judicial decision that may
1896 substantively compromise the integrity of the cannabis program, as
1897 determined by the department, or that precludes its participation in this
1898 state's cannabis program.

1899 (f) No additional backers may be added to a cannabis establishment
1900 application between the time of lottery entry, or any initial application
1901 for a license, and when a final license is awarded to the cannabis
1902 establishment, except, if a backer of an applicant or provisional licensee
1903 dies, the applicant or provisional licensee may apply to the
1904 commissioner to replace the deceased backer, provided if such applicant
1905 is a social equity applicant, the Social Equity Council shall review
1906 ownership to ensure such replacement would not cause the applicant to
1907 no longer qualify as a social equity applicant.

1908 (g) If an applicant or a single backer of an applicant is disqualified on
1909 the basis of any of the criteria set forth in subsection (e) of this section,
1910 the entire application shall be denied, and such denial shall be a final
1911 decision of the department, provided backers of the applicant entity
1912 named in the lottery application submission may be removed prior to
1913 submission of a final license application unless such removal would

1914 result in a social equity applicant no longer qualifying as a social equity
1915 applicant. If the applicant removes any backer that would cause the
1916 applicant to be denied based on subsection (e) of this section, then the
1917 applicant entity shall not be denied due to such backer's prior
1918 involvement if such backer is removed within thirty days of notice by
1919 the department of the disqualification of a backer. Not later than thirty
1920 days after service of notice upon the applicant of a denial, the applicant
1921 may appeal such denial to the Superior Court in accordance with section
1922 4-183 of the general statutes.

1923 (h) For each application denied pursuant to subsection (e) of this
1924 section, the department may, within its discretion, request that the third-
1925 party lottery operator identify the next-ranked application in the
1926 applicable lottery. If the applicant that was denied was a social equity
1927 applicant, the next ranked social equity applicant shall first be reviewed
1928 by the Social Equity Council to confirm that the applicant qualifies as a
1929 social equity applicant prior to being further reviewed by the
1930 department. This process may continue until the department has
1931 identified for further consideration the number of applications
1932 equivalent to the maximum number set forth on its Internet web site
1933 pursuant to subsection (b) of this section. If the number of applications
1934 remaining is less than the maximum number posted on the
1935 department's Internet web site, the department shall award fewer
1936 licenses. To the extent the denials result in less than fifty per cent of
1937 applicants being social equity applicants, the department shall continue
1938 to review and issue provisional and final licenses for the remaining
1939 applications, but shall reopen the application period only for social
1940 equity applicants.

1941 (i) All applicants selected in the lottery and not denied shall be
1942 provided a provisional license application, which shall be submitted in
1943 a form and manner prescribed by the commissioner. Applicants shall
1944 have sixty days from the date they receive their provisional application
1945 to complete the application. The right to apply for a provisional license
1946 is nontransferable. Upon receiving a provisional application from an

1947 applicant, the department shall review the application for completeness
1948 and to confirm that all information provided is acceptable and in
1949 compliance with this section and any regulations adopted under this
1950 section. If a provisional application does not meet the standards set forth
1951 in this section, the applicant shall not be provided a provisional license.
1952 A provisional license shall expire after fourteen months and shall not be
1953 renewed. Upon granting a provisional license, the department shall
1954 notify the applicant of the project labor agreement requirements of
1955 section 103 of this act. A provisional licensee may apply for a final
1956 license of the license type for which the licensee applied during the
1957 initial application period. A provisional license shall be nontransferable.
1958 If the provisional application does not meet the standards set forth in
1959 this section or is not completed within sixty days, the applicant shall not
1960 receive a provisional license. The decision of the department not to
1961 award a provisional license shall be final and may be appealed in
1962 accordance with section 4-183 of the general statutes. Nothing in this
1963 section shall prevent a provisional applicant from submitting an
1964 application for a future lottery.

1965 (j) Final license applications shall be submitted on a form and in a
1966 manner approved by the commissioner and shall include, but not be
1967 limited to, the information set forth in this section, as well as evidence
1968 of the following:

1969 (1) A contract with an entity providing an approved electronic
1970 tracking system as set forth in section 56 of this act;

1971 (2) A right to occupy the location at which the cannabis establishment
1972 operation will be located;

1973 (3) Any necessary local zoning approval for the cannabis
1974 establishment operation;

1975 (4) A labor peace agreement complying with section 102 of this act
1976 has been entered into between the cannabis establishment and a bona
1977 fide labor organization, as defined in section 102 of this act;

1978 (5) A certification by the applicant that a project labor agreement
1979 complying with section 103 of this act will be entered into by the
1980 cannabis establishment prior to construction of any facility to be used in
1981 the operation of a cannabis establishment;

1982 (6) A social equity plan approved by the Social Equity Council;

1983 (7) A workforce development plan approved by the Social Equity
1984 Council;

1985 (8) Written policies for preventing diversion and misuse of cannabis
1986 and sales to underage persons; and

1987 (9) All other security requirements set forth by the department based
1988 on the specific license type.

1989 (k) At any point prior to the expiration of the provisional license, the
1990 department may award a provisional licensee a final license for the
1991 license type for which the licensee applied. Prior to receiving final
1992 license approval, a provisional licensee shall not possess, distribute,
1993 manufacture, sell or transfer cannabis. The department may conduct site
1994 inspections prior to issuing a final license.

1995 (l) At any time after receiving a final license, a cannabis establishment
1996 may begin operations, provided all other requirements for opening a
1997 business in compliance with the laws of this state are complete and all
1998 employees have been registered and all key employees and backers
1999 have been licensed, with the department.

2000 Sec. 36. (NEW) (*Effective July 1, 2021*) The Social Equity Council shall
2001 adopt regulations, in accordance with the provisions of chapter 54 of the
2002 general statutes, to prevent the sale or change in ownership or control
2003 of a cannabis establishment license awarded to a social equity applicant
2004 to someone other than another qualifying social equity applicant during
2005 the period of provisional licensure, and for three years following the
2006 issuance of a final license, unless the backer of such licensee has died or

2007 has a condition, including, but not limited to, a physical illness or loss
2008 of skill or deterioration due to the aging process, emotional disorder or
2009 mental illness that would interfere with the backer's ability to operate.
2010 Notwithstanding the requirements of sections 4-168 to 4-172, inclusive,
2011 of the general statutes, in order to effectuate this section, prior to
2012 adopting such regulations and not later than October 1, 2021, the council
2013 shall issue policies and procedures to implement the provisions of this
2014 section that shall have the force and effect of law. The council shall post
2015 all policies and procedures on its Internet web site and submit such
2016 policies and procedures to the Secretary of the State for posting on the
2017 eRegulations System, at least fifteen days prior to the effective date of
2018 any policy or procedure. Any such policy or procedure shall no longer
2019 be effective upon the earlier of either the adoption of the policy or
2020 procedure as a final regulation under section 4-172 of the general
2021 statutes or forty-eight months from the effective date of this section, if
2022 such regulations have not been submitted to the legislative regulation
2023 review committee for consideration under section 4-170 of the general
2024 statutes. Any violation of such policies and procedures or any violation
2025 of such regulations related to the sale or change in ownership may be
2026 referred by the Social Equity Council to the department for
2027 administrative enforcement action, which may result in a fine of not
2028 more than ten million dollars or action against the establishment's
2029 license.

2030 Sec. 37. (NEW) (*Effective July 1, 2021*) The commissioner shall adopt
2031 regulations, in accordance with the provisions of chapter 54 of the
2032 general statutes, to establish the maximum grow space permitted by a
2033 cultivator and micro-cultivator. In adopting such regulations, the
2034 commissioner shall seek to ensure an adequate supply of cannabis for
2035 the market. Notwithstanding the requirements of sections 4-168 to 4-
2036 172, inclusive, of the general statutes, in order to effectuate this section,
2037 prior to adopting such regulations, the commissioner shall issue policies
2038 and procedures to implement the provisions of this section that shall
2039 have the force and effect of law. The commissioner shall post all policies

2040 and procedures on the department's Internet web site and submit such
2041 policies and procedures to the Secretary of the State for posting on the
2042 eRegulations System, at least fifteen days prior to the effective date of
2043 any policy or procedure. Any such policy or procedure shall no longer
2044 be effective upon the earlier of either the adoption of the policy or
2045 procedure as a final regulation under section 4-172 of the general
2046 statutes or forty-eight months from the effective date of this section, if
2047 such regulations have not been submitted to the legislative regulation
2048 review committee for consideration under section 4-170 of the general
2049 statutes.

2050 Sec. 38. (*Effective from passage*) (a) The Social Equity Council, in
2051 coordination with the Departments of Consumer Protection and
2052 Economic and Community Development, shall develop a cannabis
2053 business accelerator program to provide technical assistance to
2054 participants by partnering participants with a cannabis establishment.
2055 The Social Equity Council may partner with a constituent unit of the
2056 state system of higher education in developing the program.

2057 (b) Any individual who would qualify as a social equity applicant
2058 may apply to participate in the accelerator program under this section:

2059 (c) On and after October 1, 2021, the Social Equity Council may accept
2060 applications from an individual described in subsection (b) of this
2061 section for the component of the accelerator program corresponding to
2062 each of the following license types: (1) Retailer, (2) cultivator, (3) product
2063 manufacturer, (4) food and beverage manufacturer, and (5) product
2064 packager.

2065 (d) On and after July 1, 2022, the council may accept applications from
2066 (1) retailers, (2) cultivators, (3) product manufacturers, (4) food and
2067 beverage manufacturers, (5) product packagers, (6) hybrid-retailers, and
2068 (7) micro-cultivators, licensed pursuant to section 34 of this act, to
2069 partner with participants in the accelerator program component
2070 corresponding to the same license type, provided an accelerator retailer

2071 participant may be partnered with either a retailer or hybrid retailer and
2072 an accelerator cultivator participant may be partnered with either a
2073 cultivator or micro-cultivator.

2074 (e) As part of the cannabis business accelerator program, accelerator
2075 participants may be required to participate in training on accounting
2076 methods, business services, how to access capital markets and financing
2077 opportunities and on regulatory compliance. Social equity applicants
2078 who have been awarded either a provisional license or a final license for
2079 a cannabis establishment may participate in the training programs made
2080 available under this section.

2081 (f) The Social Equity Council shall facilitate opportunities for
2082 participants in the cannabis business accelerator program to meet with
2083 potential investors.

2084 (g) A participant who has partnered with a cannabis establishment
2085 pursuant to subsection (d) of this section shall be allowed to participate
2086 in any activity of the cannabis establishment with the same privileges
2087 afforded by the cannabis establishment's license to employees of such
2088 cannabis establishment.

2089 (h) Each participant shall annually apply for and obtain a registration,
2090 on a form and in a manner prescribed by the commissioner, prior to
2091 participating in any activity of a cannabis establishment. The Social
2092 Equity Council may charge a registration fee to participants.

2093 (i) The Social Equity Council may determine the duration of the
2094 program and number of participants under this section.

2095 Sec. 39. (*Effective from passage*) (a) The Social Equity Council, in
2096 coordination with the Department of Economic and Community
2097 Development and Labor Department, shall develop a workforce
2098 training program to further equity goals, ensure cannabis
2099 establishments have access to a well-trained employee applicant pool,
2100 and support individuals who live in a disproportionately impacted area

2101 to find employment in the cannabis industry.

2102 (b) The Social Equity Council, in consultation with the Department of
2103 Economic and Community Development and Labor Department, shall:

2104 (1) Consult with cannabis establishments on an ongoing basis to
2105 assess the hiring needs of their businesses.

2106 (2) Develop a universal application for prospective enrollees in
2107 workforce training programs as part of the workforce training programs
2108 developed pursuant to this section;

2109 (3) Partner with the regional workforce development boards and
2110 institutions of higher education to develop workforce training
2111 programs;

2112 (4) Develop a series of cannabis career pathways so that workers have
2113 the ability to vertically advance their careers within the cannabis
2114 industry;

2115 (5) Partner with associated training providers to track and report
2116 performance outcomes of participants entering a cannabis workforce
2117 training program. Performance outcomes shall include, but not be
2118 limited to, enrollment, completion and placement of each individual
2119 entering into a training program; and

2120 (6) Explore the creation of a series of apprenticeship programs for
2121 cannabis workers across the state.

2122 (c) Upon completion of a workforce training program, enrollees may
2123 opt to have their information provided to cannabis establishments as
2124 prospective employees.

2125 Sec. 40. (NEW) (*Effective July 1, 2021*) From July 1, 2021, until June 30,
2126 2025, the department shall not award a cannabis establishment license
2127 to any lottery applicant who, at the time the lottery is conducted, has
2128 two or more licenses or includes a backer that has managerial control of,

2129 or is a backer of, two or more licensees in the same license type or
2130 category for which the applicant has entered the lottery, provided an
2131 ownership interest in an equity joint venture or a social equity partner
2132 in accordance with subsection (c) of section 26 of this act shall not be
2133 considered for purposes of such cap. For purposes of this section,
2134 dispensary facility, retailer and hybrid retailer licenses shall be
2135 considered to be within the same license category and producer,
2136 cultivator and micro-cultivator licenses shall be considered to be within
2137 the same license category.

2138 Sec. 41. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2139 department may issue or renew a license for a person to be a retailer. No
2140 person may act as a retailer or represent that such person is a retailer
2141 unless such person has obtained a license from the department pursuant
2142 to this section.

2143 (b) A retailer may obtain cannabis from a cultivator, micro-cultivator,
2144 producer, product packager, food and beverage manufacturer, product
2145 manufacturer or transporter or an undeliverable return from a delivery
2146 service. A retailer may sell, transport or transfer cannabis or cannabis
2147 products to a delivery service, laboratory or research program. A retailer
2148 may sell cannabis to a consumer or research program. A retailer may
2149 not conduct sales of medical marijuana products nor offer discounts or
2150 other inducements to qualifying patients or caregivers. A retailer shall
2151 not gift or transfer cannabis at no cost to a consumer as part of a
2152 commercial transaction.

2153 (c) Retailers shall maintain a secure location, in a manner approved
2154 by the commissioner, at the licensee's premises where cannabis that is
2155 unable to be delivered by an employee or delivery service may be
2156 returned to the retailer. Such secure cannabis return location shall meet
2157 specifications set forth by the commissioner and published on the
2158 department's Internet web site or included in regulations adopted by
2159 the department.

2160 (d) A retailer may deliver cannabis through a delivery service or by
2161 utilizing its own employees, subject to the provisions of subsection (b)
2162 of section 21 of this act.

2163 Sec. 42. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2164 department may issue or renew a license for a hybrid retailer. No person
2165 may act as a hybrid retailer or represent that such person is a hybrid
2166 retailer unless such person has obtained a license from the department
2167 pursuant to this section.

2168 (b) A hybrid retailer may obtain cannabis from a cultivator, micro-
2169 cultivator, producer, product packager, food and beverage
2170 manufacturer, product manufacturer or transporter. In addition to the
2171 activities authorized under section 43 of this act, a hybrid retailer may
2172 sell, transport or transfer cannabis to a delivery service, laboratory or
2173 research program. A hybrid retailer may sell cannabis products to a
2174 consumer or research program. A hybrid retailer shall not gift or
2175 transfer cannabis at no cost to a consumer, qualifying patient or
2176 caregiver as part of a commercial transaction.

2177 (c) In addition to conducting general retail sales, a hybrid retailer may
2178 sell cannabis and medical marijuana products, to qualifying patients
2179 and caregivers. Any cannabis or medical marijuana products sold to
2180 qualifying patients and caregivers shall be dispensed by a licensed
2181 pharmacist and shall be recorded in the electronic prescription drug
2182 monitoring program, established pursuant to section 21a-254 of the
2183 general statutes, in real-time or immediately upon completion of the
2184 transaction, unless not reasonably feasible for a specific transaction, but
2185 in no case longer than one hour after completion of the transaction. Only
2186 a licensed pharmacist or dispensary technician may upload or access
2187 data in the prescription drug monitoring program.

2188 (d) A hybrid retailer shall maintain a licensed pharmacist on premises
2189 at all times when the hybrid retail location is open to the public or to
2190 qualifying patients and caregivers.

2191 (e) The hybrid retailer location shall include a private consultation
2192 space for pharmacists to meet with qualifying patients and caregivers.
2193 Additionally, the hybrid retailer premises shall accommodate an
2194 expedited method of entry that allows for priority entrance into the
2195 premises for qualifying patients and caregivers.

2196 (f) Hybrid retailers shall maintain a secure location, in a manner
2197 approved by the commissioner, at the licensee's premises where
2198 cannabis that is unable to be delivered may be returned to the hybrid
2199 retailer. Such secure cannabis return location shall meet specifications
2200 set forth by the commissioner and published on the department's
2201 Internet web site or included in regulations adopted by the department.

2202 (g) Cannabis dispensed to a qualifying patient or caregiver that are
2203 unable to be delivered and are returned by the delivery service to the
2204 hybrid retailer shall be returned to the licensee inventory system and
2205 removed from the prescription drug monitoring program not later than
2206 forty-eight hours after receipt of the cannabis from the delivery service.

2207 (h) A hybrid retailer may not convert its license to a retailer license.
2208 To obtain a retailer license, a hybrid retailer shall apply through the
2209 lottery application process. A hybrid retailer may convert to a
2210 dispensary facility if the hybrid retailer complies with all applicable
2211 provisions of chapter 420f of the general statutes, and upon written
2212 approval by the department.

2213 Sec. 43. (NEW) (*Effective July 1, 2021*) (a) A dispensary facility may
2214 apply to the department, on a form and in a manner prescribed by the
2215 commissioner, to convert its license to a hybrid retailer license on or
2216 after September 1, 2021, without applying through the lottery
2217 application system. The license conversion application shall require a
2218 dispensary facility to submit to, and obtain approval from the
2219 department for, a detailed medical preservation plan for how it will
2220 prioritize sales and access to medical marijuana products for qualifying
2221 patients, including, but not limited to, managing customer traffic flow,

2222 preventing supply shortages, providing delivery services and ensuring
2223 appropriate staffing levels.

2224 (b) After October 1, 2021, qualifying patients shall not be required to
2225 designate a dispensary facility or hybrid retailer as its exclusive location
2226 to purchase cannabis or medical marijuana products, nor shall the
2227 department require any future change of designated dispensary facility
2228 applications. If all dispensary facilities demonstrate to the department's
2229 satisfaction that they are adhering to the real-time upload requirements
2230 set forth in subsection (c) of this section prior to October 1, 2021, the
2231 commissioner may eliminate the requirement for designated dispensary
2232 facilities prior to said date.

2233 (c) On and after September 1, 2021, dispensary facilities and hybrid
2234 retailers shall be required to perform real-time uploads to the
2235 prescription drug monitoring program. Any cannabis or medical
2236 marijuana products sold to qualifying patients or caregivers shall be
2237 dispensed by a licensed pharmacist and shall be recorded into the
2238 prescription drug monitoring program, established pursuant to section
2239 21a-254 of the general statutes, in real-time or immediately upon
2240 completion of the transaction, unless not reasonably feasible for a
2241 specific transaction, but in no case longer than one hour after completion
2242 of the transaction.

2243 (d) On and after September 1, 2021, a dispensary facility or hybrid
2244 retailer may apply to the department, in a form and in a manner
2245 prescribed by the commissioner, to provide delivery services through a
2246 delivery service or utilizing its own employees, subject to the provisions
2247 of subsection (b) of section 21 of this act, to qualifying patients,
2248 caregivers, research program subjects, as defined in section 21a-408 of
2249 the general statutes, and hospice and other inpatient care facilities
2250 licensed by the Department of Public Health pursuant to chapter 368v
2251 of the general statutes that have a protocol for the handling and
2252 distribution of cannabis that has been approved by the Department of
2253 Consumer Protection. A dispensary facility or hybrid retailer may

2254 deliver cannabis or medical marijuana products only from its own
2255 inventory to qualifying patients and caregivers. If such application is
2256 approved by the commissioner, the dispensary facility or hybrid retailer
2257 may commence delivery services on and after January 1, 2022, provided
2258 the commissioner may authorize dispensary facilities or hybrid retailers
2259 to commence delivery services prior to January 1, 2022, upon forty-five
2260 days advance written notice, published on the department's Internet
2261 web site.

2262 (e) Hybrid retailers may commence delivery of cannabis directly to
2263 consumers as of the date the first adult use cannabis sales are permitted
2264 by the commissioner as set forth in subsection (f) of this section, through
2265 a delivery service, or utilizing their own employees, subject to the
2266 provisions of subsection (b) of section 21 of this act.

2267 (f) Dispensary facilities that have been approved by the department
2268 and that have converted to hybrid retailers may open their premises to
2269 the general public and commence adult use cannabis sales on and after
2270 thirty days after the date that cannabis is available for purchase for
2271 purposes of adult use sales from producers or cultivators that have at
2272 least two hundred fifty thousand square feet of grow space and space
2273 used to manufacture cannabis products in the aggregate, which date
2274 shall be published on the department's Internet web site.

2275 Sec. 44. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2276 department may issue or renew a license for a person to be a food and
2277 beverage manufacturer. No person may act as a food and beverage
2278 manufacturer or represent that such person is a licensed food and
2279 beverage manufacturer unless such person has obtained a license from
2280 the department pursuant to this section.

2281 (b) A food and beverage manufacturer may incorporate cannabis into
2282 foods or beverages as an ingredient. A food and beverage manufacturer
2283 shall not perform extraction of cannabis into a cannabis concentrate nor
2284 create any product that is not a food or beverage intended to be

2285 consumed by humans.

2286 (c) A food and beverage manufacturer may package or label any food
2287 or beverage prepared by the food and beverage manufacturer at the
2288 establishment subject to the license.

2289 (d) A food and beverage manufacturer may sell, transfer or transport
2290 its own products to a cannabis establishment, laboratory or research
2291 program, utilizing its employees or a transporter. A food and beverage
2292 manufacturer may not deliver any cannabis, cannabis products or food
2293 or beverage incorporating cannabis to a consumer, directly or through
2294 a delivery service.

2295 (e) All products created by a food and beverage manufacturer shall
2296 be labeled in accordance with the policies and procedures issued by the
2297 commissioner to implement, and any regulations adopted pursuant to,
2298 RERACA as well as federal Food and Drug Administration and United
2299 States Department of Agriculture requirements.

2300 (f) A food and beverage manufacturer shall ensure all equipment
2301 utilized for manufacturing, processing and packaging cannabis is
2302 sanitary and inspected regularly to deter the adulteration of cannabis in
2303 accordance with RERACA as well as federal Food and Drug
2304 Administration and United States Department of Agriculture
2305 requirements.

2306 Sec. 45. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2307 department may issue or renew a license for a person to be a product
2308 manufacturer. No person may act as a product manufacturer or
2309 represent that such person is a licensed product manufacturer unless
2310 such person has obtained a license from the department pursuant to this
2311 section.

2312 (b) A product manufacturer may perform cannabis extractions,
2313 chemical synthesis and all other manufacturing activities authorized by
2314 the commissioner and published on the department's Internet web site.

2315 (c) A product manufacturer may package and label cannabis
2316 manufactured at its establishment subject to the license.

2317 (d) A product manufacturer may sell, transfer or transport its own
2318 products to a cannabis establishment, laboratory or research program,
2319 provided such transportation is performed by utilizing its own
2320 employees or a transporter. A product manufacturer may not deliver
2321 any cannabis to a consumer directly or through a delivery service.

2322 (e) All products created by a product manufacturer shall be labeled
2323 in accordance with the policies and procedures issued by the
2324 commissioner to implement, and any regulations adopted pursuant to,
2325 RERACA as well as federal Food and Drug Administration
2326 requirements.

2327 (f) A product manufacturer shall ensure all equipment utilized for
2328 manufacturing, extracting, processing and packaging cannabis is
2329 sanitary and inspected regularly to deter the adulteration of cannabis in
2330 accordance with RERACA as well as federal Food and Drug
2331 Administration requirements.

2332 Sec. 46. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2333 department may issue or renew a license for a person to be a product
2334 packager. No person may act as a product packager or represent that
2335 such person is a product packager unless such person has obtained a
2336 license from the department pursuant to this section.

2337 (b) A product packager may obtain cannabis from a producer,
2338 cultivator, micro-cultivator, food and beverage manufacturer or a
2339 product manufacturer. The product packager may sell, transfer or
2340 transport cannabis to any cannabis establishment, laboratory or research
2341 program, provided the product packager only transports cannabis
2342 packaged at its licensed establishment and utilizing its own employees
2343 or a transporter.

2344 (c) A product packager shall be responsible for ensuring that

2345 cannabis products are labeled and packaged in compliance with the
2346 provisions of RERACA and the policies and procedures issued by the
2347 commissioner to implement, and any regulations adopted pursuant to,
2348 RERACA.

2349 (d) A product packager shall ensure all equipment utilized for
2350 processing and packaging cannabis is sanitary and inspected regularly
2351 to deter the adulteration of cannabis.

2352 Sec. 47. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2353 department may issue or renew a license for a person to be a delivery
2354 service or a transporter. No person may act as a delivery service or
2355 transporter or represent that such person is a licensed delivery service
2356 or transporter unless such person has obtained a license from the
2357 department pursuant to this section.

2358 (b) Upon application for a delivery service or transporter license, the
2359 applicant shall indicate whether the applicant is applying to transport
2360 cannabis (1) between cannabis establishments, in which case the
2361 applicant shall apply for a transporter license, or (2) from certain
2362 cannabis establishments to consumers or qualifying patients and
2363 caregivers, or a combination thereof, in which case the applicant shall
2364 apply for a delivery service license.

2365 (c) A delivery service may (1) deliver cannabis from a micro-
2366 cultivator, retailer, or hybrid retailer directly to a consumer, and (2)
2367 deliver cannabis and medical marijuana products from a hybrid retailer
2368 or dispensary facility directly to a qualifying patient, caregiver, or
2369 hospice or other inpatient care facility licensed by the Department of
2370 Public Health pursuant to chapter 368v of the general statutes that has
2371 protocols for the handling and distribution of cannabis that have been
2372 approved by the Department of Consumer Protection. A delivery
2373 service may not store or maintain control of cannabis or medical
2374 marijuana products for more than twenty-four hours between the point
2375 when a consumer, qualifying patient, caregiver or facility places an

2376 order, until the time that the cannabis or medical marijuana product is
2377 delivered to such consumer, qualifying patient, caregiver or facility.

2378 (d) A transporter may deliver cannabis between cannabis
2379 establishments, research programs and laboratories and shall not store
2380 or maintain control of cannabis for more than twenty-four hours from
2381 the time the transporter obtains the cannabis from a cannabis
2382 establishment, research program or laboratory until the time such
2383 cannabis is delivered to the destination.

2384 (e) The commissioner shall adopt regulations, in accordance with
2385 chapter 54 of the general statutes, to implement the provisions of
2386 RERACA. Notwithstanding the requirements of sections 4-168 to 4-172,
2387 inclusive, of the general statutes, in order to effectuate the purposes of
2388 RERACA and protect public health and safety, prior to adopting such
2389 regulations the commissioner shall issue policies and procedures to
2390 implement the provisions of this section that shall have the force and
2391 effect of law. The commissioner shall post all policies and procedures
2392 on the department's Internet web site, and submit such policies and
2393 procedures to the Secretary of the State for posting on the eRegulations
2394 System, at least fifteen days prior to the effective date of any policy or
2395 procedure. Any such policy or procedure shall no longer be effective
2396 upon the earlier of either adoption of such policy or procedure as a final
2397 regulation under section 4-172 of the general statutes or forty-eight
2398 months from July 1, 2021, if such final regulations have not been
2399 submitted to the legislative regulation review committee for
2400 consideration under section 4-170 of the general statutes. The
2401 commissioner shall issue policies and procedures, and thereafter adopt
2402 final regulations, requiring that: (1) The delivery service and transporter
2403 meet certain security requirements related to the storage, handling and
2404 transport of cannabis, the vehicles employed, the conduct of employees
2405 and agents, and the documentation that shall be maintained by the
2406 delivery service, transporter and its drivers; (2) a delivery service that
2407 delivers cannabis to consumers maintain an online interface that verifies
2408 the age of consumers ordering cannabis for delivery and meets certain

2409 specifications and data security standards; and (3) a delivery service that
2410 delivers cannabis to consumers, qualifying patients or caregivers, and
2411 all employees and agents of such licensee, to verify the identity of the
2412 qualifying patient, caregiver or consumer and the age of the consumer
2413 upon delivery of cannabis to the end consumer, qualifying patient, or
2414 caregiver, in a manner acceptable to the commissioner. The individual
2415 placing the cannabis order shall be the individual accepting delivery of
2416 the cannabis except, in the case of a qualifying patient, the individual
2417 accepting the delivery may be the caregiver of such qualifying patient.

2418 (f) A delivery service shall not gift or transfer cannabis at no cost to a
2419 consumer or qualifying patient or caregiver as part of a commercial
2420 transaction.

2421 (g) A delivery service may only use individuals employed on a full-
2422 time basis, not less than thirty-five hours a week, to deliver cannabis
2423 pursuant to subsection (c) of this section. Any delivery service
2424 employees who deliver cannabis shall be registered with the
2425 department, and a delivery service shall not employ more than twenty-
2426 five such delivery employees at any given time.

2427 Sec. 48. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2428 department may issue or renew a license for a person to be a cultivator.
2429 No person may act as a cultivator or represent that such person is a
2430 licensed cultivator unless such person has obtained a license from the
2431 department pursuant to this section.

2432 (b) A cultivator is authorized to cultivate, grow and propagate
2433 cannabis at an establishment containing not less than fifteen thousand
2434 square feet of grow space, provided such cultivator complies with the
2435 provisions of any regulations adopted under section 37 of this act
2436 concerning grow space. A cultivator establishment shall meet physical
2437 security controls and protocols set forth and required by the
2438 commissioner.

2439 (c) A cultivator may label, manufacture, package and perform

2440 extractions on any cannabis cultivated, grown or propagated at its
2441 licensed establishment, including food and beverage products
2442 incorporating cannabis and cannabis concentrates, provided the
2443 cultivator meets all licensure and application requirements for a food
2444 and beverage manufacturer and a product manufacturer.

2445 (d) A cultivator may sell, transfer or transport its cannabis to a
2446 dispensary facility, hybrid retailer, retailer, food and beverage
2447 manufacturer, product manufacturer, research program, laboratory or
2448 product packager utilizing its own employees or a transporter. A
2449 cultivator shall not sell, transfer or deliver to consumers, qualifying
2450 patients or caregivers, directly or through a delivery service.

2451 Sec. 49. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2452 department may issue or renew a license for a person to be a micro-
2453 cultivator. No person may act as a micro-cultivator or represent that
2454 such person is a licensed micro-cultivator unless such person has
2455 obtained a license from the department pursuant to this section.

2456 (b) A micro-cultivator is authorized to cultivate, grow, propagate,
2457 manufacture and package the cannabis plant at an establishment
2458 containing not less than two thousand square feet and not more than ten
2459 thousand square feet of grow space, prior to any expansion authorized
2460 by the commissioner, provided such micro-cultivator complies with the
2461 provisions of any regulations adopted under section 37 of this act
2462 concerning grow space. A micro-cultivator business shall meet physical
2463 security controls set forth and required by the commissioner.

2464 (c) A micro-cultivator may apply for expansion of its grow space, in
2465 increments of five thousand square feet, on an annual basis, from the
2466 date of initial licensure, if such licensee is not subject to any pending or
2467 final administrative actions or judicial findings. If there are any pending
2468 or final administrative actions or judicial findings against the licensee,
2469 the department shall conduct a suitability review to determine whether
2470 such expansion shall be granted, which determination shall be final and

2471 appealable only to the Superior Court. The micro-cultivator may apply
2472 for an expansion of its business annually upon renewal of its credential
2473 until such licensee reaches a maximum of twenty-five thousand square
2474 feet of grow space. If a micro-cultivator desires to expand beyond
2475 twenty-five thousand square feet of grow space, the micro-cultivator
2476 licensee may apply for a cultivator license one year after its last
2477 expansion request. The micro-cultivator licensee shall not be required to
2478 apply through the lottery application process to convert its license to a
2479 cultivator license. If a micro-cultivator maintains its license and meets
2480 all of the application and licensure requirements for a cultivator license,
2481 including payment of the cultivator license fee established under section
2482 34 of this act, the micro-cultivator licensee shall be granted a cultivator
2483 license.

2484 (d) A micro-cultivator may label, manufacture, package and perform
2485 extractions on any cannabis cultivated, grown and propagated at its
2486 licensed establishment provided it meets all licensure and application
2487 requirements for a food and beverage manufacturer, product
2488 manufacturer or product packager, as applicable.

2489 (e) A micro-cultivator may sell, transfer or transport its cannabis to a
2490 dispensary facility, hybrid retailer, retailer, delivery service, food and
2491 beverage manufacturer, product manufacturer, research program,
2492 laboratory or product packager, provided the cannabis is cultivated,
2493 grown and propagated at the micro-cultivator's licensed establishment
2494 and transported utilizing the micro-cultivator's own employees or a
2495 transporter. A micro-cultivator shall not gift or transfer cannabis or
2496 cannabis products at no cost to a consumer as part of a commercial
2497 transaction.

2498 (f) A micro-cultivator may sell its own cannabis to consumers,
2499 excluding qualifying patients and caregivers, either through a delivery
2500 service or utilizing its own employees, subject to the requirements of
2501 subsection (b) of section 21 of this act. Any micro-cultivator that engages
2502 in the delivery of cannabis shall maintain a secure location, in a manner

2503 approved by the commissioner, at the micro-cultivator's premises where
2504 cannabis that is unable to be delivered may be returned to the micro-
2505 cultivator. Such secure cannabis return location shall meet specifications
2506 set forth by the commissioner and published on the department's
2507 Internet web site or included in regulations adopted by the department.
2508 A micro-cultivator shall cease delivery of cannabis to consumers if it
2509 converts to being a cultivator.

2510 Sec. 50. (NEW) (*Effective July 1, 2021*) (a) Until June 30, 2023, the
2511 commissioner may deny a change of location application from a
2512 dispensary facility or hybrid retailer based on the needs of qualifying
2513 patients.

2514 (b) Prior to June 30, 2022, the commissioner shall not approve the
2515 relocation of a dispensary facility or hybrid retailer to a location that is
2516 further than ten miles from its current dispensary facility or hybrid
2517 retailer location.

2518 Sec. 51. (NEW) (*Effective from passage*) (a) No member of the Social
2519 Equity Council and no employee of the Social Equity Council or
2520 department who carries out the licensing, inspection, investigation,
2521 enforcement or policy decisions authorized by RERACA, and any
2522 regulations enacted pursuant thereto, may, directly or indirectly, have
2523 any management or financial interest in the cultivation, manufacture,
2524 sale, transportation, delivery or testing of cannabis in this state, nor
2525 receive any commission or profit from nor have any interest in
2526 purchases or sales made by persons authorized to make such purchases
2527 or sales pursuant to RERACA. No provision of this section shall prevent
2528 any such member or employee from purchasing and keeping in his or
2529 her possession, for his or her personal use or the use of such member's
2530 or employee's family or guests, any cannabis which may be purchased
2531 or kept by any person by virtue of RERACA.

2532 (b) No former member of the Social Equity Council and no former
2533 employee of the Social Equity Council or department described in

2534 subsection (a) of this section shall, within two years of leaving state
2535 service, be eligible to apply as a social equity applicant either
2536 individually or with a group of individuals for a cannabis establishment
2537 license.

2538 (c) No member of the General Assembly or state-wide elected public
2539 official shall, within two years of leaving state service, be eligible to
2540 apply as a social equity applicant either individually or with a group of
2541 individuals for a cannabis establishment license.

2542 Sec. 52. (NEW) (*Effective July 1, 2021*) Notwithstanding any provision
2543 of the general statutes, the purchase, possession, display, sale or
2544 transportation of cannabis by a cannabis establishment or employee
2545 thereof shall not be unlawful and shall not be an offense or a basis for
2546 seizure or forfeiture of assets so long as such purchase, possession,
2547 display, sale or transportation is within the scope of such person's
2548 employment or such person's license or registration and is in
2549 compliance with the laws and regulations that apply to such license or
2550 registration type.

2551 Sec. 53. (NEW) (*Effective July 1, 2021*) No cannabis establishment shall
2552 display cannabis, cannabis products or drug paraphernalia in a manner
2553 that is visible to the general public from a public right-of-way not on
2554 state lands or waters managed by the Department of Energy and
2555 Environmental Protection.

2556 Sec. 54. (NEW) (*Effective July 1, 2021*) (a) Each cannabis establishment
2557 shall establish, maintain and comply with written policies and
2558 procedures for the cultivation, processing, manufacture, security,
2559 storage, inventory and distribution of cannabis, as applicable to the
2560 specific license type. Such policies and procedures shall include
2561 methods for identifying, recording and reporting diversion, theft or loss,
2562 and for correcting all errors and inaccuracies in inventories. Cannabis
2563 establishments shall include in their written policies and procedures a
2564 process for each of the following, if the establishment engages in such

2565 activity:

2566 (1) Handling mandatory and voluntary recalls of cannabis. Such
2567 process shall be adequate to deal with recalls due to any order of the
2568 commissioner and any voluntary action by the cannabis establishment
2569 to remove defective or potentially defective cannabis from the market
2570 or any action undertaken to promote public health and safety by
2571 replacing existing cannabis with improved products or packaging;

2572 (2) Preparing for, protecting against and handling any crisis that
2573 affects the security or operation of any facility used in the operation of
2574 a cannabis establishment in the event of a strike, fire, flood or other
2575 natural disaster, or other situations of local, state or national emergency;

2576 (3) Ensuring that any outdated, damaged, deteriorated, misbranded
2577 or adulterated cannabis is segregated from all other inventory and
2578 destroyed. Such procedure shall provide for written documentation of
2579 the cannabis disposition; and

2580 (4) Ensuring the oldest stock of a cannabis is sold, delivered or
2581 dispensed first. Such procedure may permit deviation from this
2582 requirement, if such deviation is temporary and approved by the
2583 commissioner.

2584 (b) A cannabis establishment shall (1) store all cannabis in such a
2585 manner as to prevent diversion, theft or loss, (2) make cannabis
2586 accessible only to the minimum number of specifically authorized
2587 employees essential for efficient operation, and (3) return any cannabis
2588 to a secure location at the end of the scheduled business day.

2589 Sec. 55. (NEW) (*Effective July 1, 2021*) (a) Qualifying patients and
2590 caregivers registered pursuant to chapter 420f of the general statutes
2591 shall be permitted to purchase cannabis of higher potency, varied
2592 dosage form, and in a larger per transaction or per day amount than are
2593 generally available for retail purchase, as determined by the
2594 commissioner. Such determination, if any, shall be published on the

2595 Department of Consumer Protection's Internet web site or included in
2596 regulations adopted by the department.

2597 (b) Notwithstanding any provision of the general statutes, the sale or
2598 delivery of drug paraphernalia to a qualifying patient or caregiver or
2599 person licensed pursuant to the provisions of RERACA or chapter 420f
2600 of the general statutes, shall not be considered a violation of the
2601 provisions of RERACA.

2602 Sec. 56. (NEW) (*Effective January 1, 2022*) (a) Each cannabis
2603 establishment, licensed pursuant to chapter 420f of the general statutes
2604 or the provisions of RERACA shall maintain a record of all cannabis
2605 grown, manufactured, wasted and distributed between cannabis
2606 establishments and to consumers, qualifying patients and caregivers in
2607 a form and manner prescribed by the commissioner. The commissioner
2608 shall require each cannabis establishment to use an electronic tracking
2609 system to monitor the production, harvesting, storage, manufacturing,
2610 packaging and labeling, processing, transport, transfer and sale of
2611 cannabis from the point of cannabis cultivation inception through the
2612 point when the final product is sold to a consumer, qualifying patient,
2613 caregiver, research program or otherwise disposed of in accordance
2614 with chapter 420f of the general statutes or the provisions of RERACA,
2615 and the policies and procedures or regulations issued pursuant to
2616 RERACA. Cannabis establishments shall be required to utilize such
2617 electronic tracking system and enter the data points required by the
2618 commissioner to ensure cannabis is safe, secure and properly labeled for
2619 consumer or qualifying patient use. The commissioner may contract
2620 with one or more vendors for the purpose of electronically collecting
2621 such cannabis information.

2622 (b) The electronic tracking system shall not collect information about
2623 any individual consumer, qualifying patient or caregiver purchasing
2624 cannabis.

2625 (c) The electronic tracking system shall (1) track each cannabis seed,

2626 clone, seedling or other commencement of the growth of a cannabis
2627 plant or introduction of any cannabinoid intended for use by a cannabis
2628 establishment, and (2) collect the unit price and amount sold for each
2629 retail sale of cannabis.

2630 (d) Information within the electronic tracking system shall be
2631 confidential and shall not be subject to disclosure under the Freedom of
2632 Information Act, as defined in section 1-200 of the general statutes,
2633 except that (1) the commissioner may provide reasonable access to
2634 cannabis tracking data obtained under this section to: (A) State agencies
2635 and local law enforcement agencies for the purpose of investigating or
2636 prosecuting a violation of law; (B) public or private entities for research
2637 or educational purposes, provided no individually identifiable
2638 information may be disclosed; (C) as part of disciplinary action taken by
2639 the department, to another state agency or local law enforcement; (D)
2640 the office of the Attorney General for any review or investigation; and
2641 (E) in the aggregate, the Department of Public Health and Department
2642 of Mental Health and Addiction Services for epidemiological
2643 surveillance, research and analysis in conjunction with the Department
2644 of Consumer Protection; and (2) the commissioner shall provide access
2645 to the electronic tracking system to (A) the Department of Revenue
2646 Services for the purposes of enforcement of any tax-related
2647 investigations and audits, and (B) the Connecticut Agricultural
2648 Experiment Station for the purpose of laboratory testing and
2649 surveillance.

2650 Sec. 57. (NEW) (*Effective July 1, 2021*) (a) Each cannabis establishment
2651 shall maintain all records necessary to fully demonstrate business
2652 transactions related to cannabis for a period covering the current taxable
2653 year and the three immediately preceding taxable years, all of which
2654 shall be made available to the department pursuant to subsection (c) of
2655 this section.

2656 (b) The commissioner may require any licensee to furnish such
2657 information as the commissioner considers necessary for the proper

2658 administration of RERACA, and may require an audit of any cannabis
2659 establishment, the expense thereof to be paid by such cannabis
2660 establishment.

2661 (c) Each cannabis establishment, and each person in charge, or having
2662 custody, of such documents, shall maintain such documents in an
2663 auditable format for the current taxable year and the three preceding
2664 taxable years. Upon request, such person shall make such documents
2665 immediately available for inspection and copying by the commissioner
2666 or any other enforcement agency or others authorized by RERACA, and
2667 shall produce copies of such documents to the commissioner or
2668 commissioner's authorized representative within two business days.
2669 Such documents shall be provided to the commissioner in electronic
2670 format, unless not commercially practical. In complying with the
2671 provisions of this subsection, no person shall use a foreign language,
2672 codes or symbols to designate cannabis or cannabis product types or
2673 persons in the keeping of any required document.

2674 (d) For purposes of the supervision and enforcement of the
2675 provisions of RERACA, the commissioner may:

2676 (1) Enter any place, including a vehicle, in which cannabis is held,
2677 sold, produced, delivered, transported, manufactured or otherwise
2678 disposed of;

2679 (2) Inspect a cannabis establishment and all pertinent equipment,
2680 finished and unfinished material, containers and labeling, and all things
2681 in such place, including records, files, financial data, sales data, shipping
2682 data, pricing data, employee data, research, papers, processes, controls
2683 and facilities; and

2684 (3) Inventory any stock of cannabis and obtain samples of any
2685 cannabis, any labels or containers, paraphernalia and of any finished or
2686 unfinished material.

2687 (e) Except as otherwise provided in RERACA, all records maintained

2688 or kept on file related to RERACA by the department or the Social
2689 Equity Council shall be public records for purposes of the Freedom of
2690 Information Act, as defined in section 1-200 of the general statutes. In
2691 addition to the nondisclosure provisions contained in sections 35, 56, 58
2692 and 61 of this act, sections 1-210, 21a-408d, 21a-408l and 21a-408v of the
2693 general statutes, any information related to (1) the physical security
2694 plans of a cannabis establishment or the criminal background of
2695 individual applicants that is obtained by the department through the
2696 licensing process, (2) the supply and distribution of cannabis by
2697 cannabis establishments, and (3) qualified patient and caregiver
2698 information, shall be confidential and shall not be subject to disclosure
2699 under the Freedom of Information Act, as defined in section 1-200 of the
2700 general statutes.

2701 Sec. 58. (NEW) (*Effective July 1, 2021*) (a) For sufficient cause found
2702 pursuant to subsection (b) of this section, the commissioner may
2703 suspend or revoke a license or registration, issue fines of not more than
2704 twenty-five thousand dollars per violation, accept an offer in
2705 compromise or refuse to grant or renew a license or registration issued
2706 pursuant to RERACA, or place such licensee or registrant on probation,
2707 place conditions on such licensee or registrant or take other actions
2708 permitted by law. Information from inspections and investigations
2709 conducted by the department related to administrative complaints or
2710 cases shall not be subject to disclosure under the Freedom of
2711 Information Act, as defined in section 1-200 of the general statutes,
2712 except after the department has entered into a settlement agreement, or
2713 concluded its investigation or inspection as evidenced by case closure,
2714 provided that nothing in this section shall prevent the department from
2715 sharing information with other state and federal agencies and law
2716 enforcement as it relates to investigating violations of law.

2717 (b) Any of the following shall constitute sufficient cause for such
2718 action by the commissioner, including, but not limited to:

2719 (1) Furnishing of false or fraudulent information in any application

2720 or failure to comply with representations made in any application,
2721 including, but not limited to, medical preservation plans and security
2722 requirements;

2723 (2) A civil judgment against or disqualifying conviction of a cannabis
2724 establishment licensee, backer, key employee or license applicant;

2725 (3) Failure to maintain effective controls against diversion, theft or
2726 loss of cannabis, cannabis products or other controlled substances;

2727 (4) Discipline by, or a pending disciplinary action or an unresolved
2728 complaint against a cannabis establishment licensee, registrant or
2729 applicant regarding any professional license or registration of any
2730 federal, state or local government;

2731 (5) Failure to keep accurate records and to account for the cultivation,
2732 manufacture, packaging or sale of cannabis;

2733 (6) Denial, suspension or revocation of a license or registration, or the
2734 denial of a renewal of a license or registration, by any federal, state or
2735 local government or a foreign jurisdiction;

2736 (7) False, misleading or deceptive representations to the public or the
2737 department;

2738 (8) Return to regular stock of any cannabis where:

2739 (A) The package or container containing the cannabis has been
2740 opened, breached, tampered with or otherwise adulterated; or

2741 (B) The cannabis has been previously sold to an end user or research
2742 program subject;

2743 (9) Involvement in a fraudulent or deceitful practice or transaction;

2744 (10) Performance of incompetent or negligent work;

2745 (11) Failure to maintain the entire cannabis establishment premises

2746 or laboratory and contents in a secure, clean, orderly and sanitary
2747 condition;

2748 (12) Permitting another person to use the licensee's license;

2749 (13) Failure to properly register employees or license key employees,
2750 or failure to notify the department of a change in key employees or
2751 backers;

2752 (14) An adverse administrative decision or delinquency assessment
2753 against the cannabis establishment from the Department of Revenue
2754 Services;

2755 (15) Failure to cooperate or give information to the department, local
2756 law enforcement authorities or any other enforcement agency upon any
2757 matter arising out of conduct at the premises of a cannabis
2758 establishment or laboratory or in connection with a research program;

2759 (16) Advertising in a manner prohibited by section 33 of this act; or

2760 (17) Failure to comply with any provision of RERACA, or any policies
2761 and procedures issued by the commissioner to implement, or
2762 regulations adopted pursuant to, RERACA.

2763 (c) Upon refusal to issue or renew a license or registration, the
2764 commissioner shall notify the applicant of the denial and of the
2765 applicant's right to request a hearing within ten days from the date of
2766 receipt of the notice of denial. If the applicant requests a hearing within
2767 such ten-day period, the commissioner shall give notice of the grounds
2768 for the commissioner's refusal and shall conduct a hearing concerning
2769 such refusal in accordance with the provisions of chapter 54 of the
2770 general statutes concerning contested cases. If the commissioner's denial
2771 of a license or registration is sustained after such hearing, an applicant
2772 may not apply for a new cannabis establishment, backer or key
2773 employee license or employee registration for a period of one year after
2774 the date on which such denial was sustained.

2775 (d) No person whose license or registration has been revoked may
2776 apply for a cannabis establishment, backer or key employee license or
2777 an employee registration for a period of one year after the date of such
2778 revocation.

2779 (e) The voluntary surrender or failure to renew a license or
2780 registration shall not prevent the commissioner from suspending or
2781 revoking such license or registration or imposing other penalties
2782 permitted by RERACA.

2783 Sec. 59. (NEW) (*Effective from passage*) (a) The commissioner may
2784 adopt regulations in accordance with chapter 54 of the general statutes,
2785 including emergency regulations pursuant to section 4-168 of the
2786 general statutes, to implement the provisions of RERACA.

2787 (b) Notwithstanding the requirements of sections 4-168 to 4-172,
2788 inclusive, of the general statutes, in order to effectuate the purposes of
2789 RERACA and protect public health and safety, prior to adopting such
2790 regulations the commissioner shall implement policies and procedures
2791 to implement the provisions of RERACA that shall have the force and
2792 effect of law. The commissioner shall post all such policies and
2793 procedures on the department's Internet web site and submit such
2794 policies and procedures to the Secretary of the State for posting on the
2795 eRegulations System, at least fifteen days prior to the effective date of
2796 any policy or procedure. Any such policies and procedures shall no
2797 longer be effective upon the earlier of either adoption of such policies
2798 and procedures as a final regulation under section 4-172 of the general
2799 statutes or forty-eight months from the effective date of this section, if
2800 such regulations have not been submitted to the legislative regulation
2801 review committee for consideration under section 4-170 of the general
2802 statutes.

2803 Sec. 60. (*Effective July 1, 2022*) Not later than January 1, 2023, the
2804 department shall make written recommendations, in accordance with
2805 the provisions of section 11-4a of the general statutes, to the Governor

2806 and the joint standing committees of the General Assembly having
2807 cognizance of matters relating to consumer protection, the judiciary and
2808 finance, revenue and bonding, concerning whether to authorize on-site
2809 consumption or events that allow for cannabis usage, including whether
2810 to establish a cannabis on-site consumption or event license.

2811 Sec. 61. (NEW) (*Effective July 1, 2021*) (a) For purposes of this section:

2812 (1) "Material change" means: (A) The addition of a backer, (B) a
2813 change in the ownership interest of an existing backer, (C) the merger,
2814 consolidation or other affiliation of a cannabis establishment with
2815 another cannabis establishment, (D) the acquisition of all or part of a
2816 cannabis establishment by another cannabis establishment or backer,
2817 and (E) the transfer of assets or security interests from a cannabis
2818 establishment to another cannabis establishment or backer;

2819 (2) "Cannabis establishment" has the same meaning as provided in
2820 section 1 of this act;

2821 (3) "Person" has the same meaning as provided in section 1 of this act;
2822 and

2823 (4) "Transfer" means to sell, transfer, lease, exchange, option, convey,
2824 give or otherwise dispose of or transfer control over, including, but not
2825 limited to, transfer by way of merger or joint venture not in the ordinary
2826 course of business.

2827 (b) No person shall, directly or indirectly, enter into a transaction that
2828 results in a material change to a cannabis establishment, unless all
2829 parties involved in the transaction file a written notification with the
2830 Attorney General pursuant to subsection (c) of this section and the
2831 waiting period described in subsection (d) of this section has expired.

2832 (c) The written notice required under subsection (b) of this section
2833 shall be in such form and contain such documentary material and
2834 information relevant to the proposed transaction as the Attorney

2835 General deems necessary and appropriate to enable the Attorney
2836 General to determine whether such transaction, if consummated, would
2837 violate antitrust laws.

2838 (d) The waiting period required under subsection (b) of this section
2839 shall begin on the date of the receipt by the Attorney General's office of
2840 the completed notification required under subsection (c) of this section
2841 from all parties to the transaction and shall end on the thirtieth day after
2842 the date of such receipt, unless such time is extended pursuant to
2843 subsection (f) of this section.

2844 (e) The Attorney General may, in individual cases, terminate the
2845 waiting period specified in subsection (d) of this section and allow any
2846 person to proceed with any transaction.

2847 (f) The Attorney General may, prior to the expiration of the thirty-day
2848 waiting period, require the submission of additional information or
2849 documentary material relevant to the proposed transaction from a
2850 person required to file notification with respect to such transaction
2851 under subsection (b) of this section. Upon request for additional
2852 information under this subsection, the waiting period shall be extended
2853 until thirty days after the parties have substantially complied, as
2854 determined solely by the Attorney General, with such request for
2855 additional information.

2856 (g) Any information or documentary material filed with the Attorney
2857 General pursuant to this section shall not be subject to disclosure under
2858 the Freedom of Information Act, as defined in section 1-200 of the
2859 general statutes, and no such information or documentary material may
2860 be made public, except as may be relevant to any administrative or
2861 judicial action or proceeding. Such information or documentary
2862 material shall be returned to the person furnishing such information or
2863 documentary material upon the termination of the Attorney General's
2864 review or final determination of any action or proceeding commenced
2865 thereunder.

2866 (h) (1) Any person, or any officer, director or partner thereof, who
2867 fails to comply with any provision of this section shall be liable to the
2868 state for a civil penalty of not more than twenty-five thousand dollars
2869 for each day during which such person is in violation of this section.
2870 Such penalty may be recovered in a civil action brought by the Attorney
2871 General.

2872 (2) If any person, or any officer, director, partner, agent or employee
2873 thereof, fails substantially to comply with the notification requirement
2874 under subsection (b) of this section or any request for the submission of
2875 additional information or documentary material under subsection (f) of
2876 this section within the waiting period specified in subsection (d) of this
2877 section and as may be extended under subsection (f) of this section, the
2878 court:

2879 (A) May order compliance;

2880 (B) Shall extend the waiting period specified in subsection (d) of this
2881 section and as may have been extended under subsection (f) of this
2882 section until there has been substantial compliance, except that, in the
2883 case of a tender offer, the court may not extend such waiting period on
2884 the basis of a failure, by the person whose stock is sought to be acquired,
2885 to comply substantially with such notification requirement or any such
2886 request; and

2887 (C) May grant such other equitable relief as the court in its discretion
2888 determines necessary or appropriate, upon application of the Attorney
2889 General.

2890 Sec. 62. (NEW) (*Effective July 1, 2022*) Each cannabis establishment
2891 shall annually report publicly in a manner prescribed by the
2892 commissioner: (1) Its annual usage of electricity, and (2) what fraction
2893 of its electricity usage is generated from Class I Renewable Portfolio
2894 Standards produced in the state per the Regional Greenhouse Gas
2895 Initiative agreement. Each cannabis establishment shall purchase
2896 electricity generated from Class I Renewable Portfolio Standards

2897 produced in the states that are party to the Regional Greenhouse Gas
2898 Initiative agreement, to the greatest extent possible.

2899 Sec. 63. (*Effective from passage*) Not later than January 1, 2022, the
2900 Banking Commissioner, in consultation with the Commissioner of
2901 Consumer Protection, shall report to the Governor and the joint
2902 standing committees of the General Assembly having cognizance of
2903 matters relating to banking, the judiciary and finance, revenue and
2904 bonding, regarding recommended legislation to implement the
2905 provisions of RERACA, to facilitate the use of electronic payments by
2906 cannabis establishments and consumers and regarding access for
2907 cannabis establishments to (1) depository banking, and (2) commercial
2908 mortgages.

2909 Sec. 64. (*Effective from passage*) Not later than January 1, 2022, the
2910 Insurance Commissioner shall report to the Governor and the joint
2911 standing committee of the General Assembly having cognizance of
2912 matters relating to insurance regarding access to insurance by cannabis
2913 establishments.

2914 Sec. 65. (*Effective from passage*) Not later than January 1, 2023, the
2915 Alcohol and Drug Policy Council, jointly with the Departments of
2916 Public Health, Mental Health and Addiction Services and Children and
2917 Families, shall make recommendations to the Governor and the joint
2918 standing committees of the General Assembly having cognizance of
2919 matters relating to public health, the judiciary and finance, revenue and
2920 bonding regarding (1) efforts to promote public health, science-based
2921 harm reduction, mitigate misuse and the risk of addiction to cannabis
2922 and the effective treatment of addiction to cannabis with a particular
2923 focus on individuals under twenty-one years of age; (2) the collection
2924 and reporting of data to allow for epidemiological surveillance and
2925 review of cannabis consumption and the impacts thereof in the state; (3)
2926 impacts of cannabis legalization on the education, mental health and
2927 social and emotional health of individuals under twenty-one years of
2928 age; and (4) any further measures the state should take to prevent usage

2929 of cannabis by individuals under twenty-one years of age, including,
2930 but not limited to, product restrictions and prevention campaigns.

2931 Sec. 66. Section 21a-408 of the general statutes is repealed and the
2932 following is substituted in lieu thereof (*Effective October 1, 2021*):

2933 As used in this section, sections 21a-408a to 21a-408o, inclusive, and
2934 sections 21a-408r to 21a-408v, inclusive, unless the context otherwise
2935 requires:

2936 (1) "Advanced practice registered nurse" means an advanced practice
2937 registered nurse licensed pursuant to chapter 378;

2938 (2) "Cannabis establishment" has the same meaning as provided in
2939 section 1 of this act;

2940 [(2)] (3) "Cultivation" includes planting, propagating, cultivating,
2941 growing and harvesting;

2942 [(3)] (4) "Debilitating medical condition" means (A) cancer, glaucoma,
2943 positive status for human immunodeficiency virus or acquired immune
2944 deficiency syndrome, Parkinson's disease, multiple sclerosis, damage to
2945 the nervous tissue of the spinal cord with objective neurological
2946 indication of intractable spasticity, epilepsy or uncontrolled intractable
2947 seizure disorder, cachexia, wasting syndrome, Crohn's disease,
2948 posttraumatic stress disorder, irreversible spinal cord injury with
2949 objective neurological indication of intractable spasticity, cerebral palsy,
2950 cystic fibrosis or terminal illness requiring end-of-life care, except, if the
2951 qualifying patient is under eighteen years of age, "debilitating medical
2952 condition" means terminal illness requiring end-of-life care, irreversible
2953 spinal cord injury with objective neurological indication of intractable
2954 spasticity, cerebral palsy, cystic fibrosis, severe epilepsy or uncontrolled
2955 intractable seizure disorder, or (B) any medical condition, medical
2956 treatment or disease approved for qualifying patients by the
2957 Department of Consumer Protection [pursuant to regulations adopted
2958 under section 21a-408m] and posted online pursuant to section 21a-408l;

2959 (5) "Dispensary facility" means a place of business where marijuana
2960 may be dispensed, sold or distributed in accordance with this chapter
2961 and any regulations adopted thereunder to qualifying patients and
2962 caregivers and for which the department has issued a dispensary facility
2963 license pursuant to this chapter;

2964 (6) "Employee" has the same meaning as provided in section 1 of this
2965 act;

2966 [(4)] (7) "Institutional animal care and use committee" means a
2967 committee that oversees an organization's animal program, facilities
2968 and procedures to ensure compliance with federal policies, guidelines
2969 and principles related to the care and use of animals in research;

2970 [(5)] (8) "Institutional review board" means a specifically constituted
2971 review body established or designated by an organization to protect the
2972 rights and welfare of persons recruited to participate in biomedical,
2973 behavioral or social science research;

2974 [(6)] (9) "Laboratory" means a laboratory located in the state that is
2975 licensed by the department to provide analysis of [controlled substances
2976 pursuant to] marijuana and that meets the licensure requirements set
2977 forth in section 21a-246; [and section 21a-408r;]

2978 [(7)] (10) "Laboratory employee" means a person who is [(A) licensed]
2979 registered as a laboratory employee pursuant to section 21a-408r; [, or
2980 (B) holds a temporary certificate of registration issued pursuant to
2981 section 21a-408r;]

2982 [(8)] (11) "Licensed dispensary" or "dispensary" means [a person] an
2983 individual who is a licensed [as] pharmacist employed by a dispensary
2984 [pursuant to section 21a-408h] facility or hybrid retailer;

2985 [(9) "Licensed producer" or "producer"] (12) "Producer" means a
2986 person who is licensed as a producer pursuant to section 21a-408i;

2987 [(10)] (13) "Marijuana" means marijuana, as defined in section 21a-

2988 240;

2989 [(11)] (14) "Nurse" means a person who is licensed as a nurse under
2990 chapter 378;

2991 [(12)] (15) "Palliative use" means the acquisition, distribution,
2992 transfer, possession, use or transportation of marijuana or paraphernalia
2993 relating to marijuana, including the transfer of marijuana and
2994 paraphernalia relating to marijuana from the patient's [primary]
2995 caregiver to the qualifying patient, to alleviate a qualifying patient's
2996 symptoms of a debilitating medical condition or the effects of such
2997 symptoms, but does not include any such use of marijuana by any
2998 person other than the qualifying patient;

2999 [(13)] (16) "Paraphernalia" means drug paraphernalia, as defined in
3000 section 21a-240;

3001 [(14)] (17) "Physician" means a person who is licensed as a physician
3002 under chapter 370, but does not include a physician assistant, as defined
3003 in section 20-12a;

3004 [(15) "Primary caregiver"] (18) "Caregiver" means a person, other than
3005 the qualifying patient and the qualifying patient's physician or
3006 advanced practice registered nurse, who is eighteen years of age or older
3007 and has agreed to undertake responsibility for managing the well-being
3008 of the qualifying patient with respect to the palliative use of marijuana,
3009 provided (A) in the case of a qualifying patient (i) under eighteen years
3010 of age and not an emancipated minor, or (ii) otherwise lacking legal
3011 capacity, such person shall be a parent, guardian or person having legal
3012 custody of such qualifying patient, and (B) in the case of a qualifying
3013 patient eighteen years of age or older or an emancipated minor, the need
3014 for such person shall be evaluated by the qualifying patient's physician
3015 or advanced practice registered nurse and such need shall be
3016 documented in the written certification;

3017 [(16)] (19) "Qualifying patient" means a person who: (A) Is a resident

3018 of Connecticut, (B) has been diagnosed by a physician or an advanced
3019 practice registered nurse as having a debilitating medical condition, and
3020 (C) (i) is eighteen years of age or older, (ii) is an emancipated minor, or
3021 (iii) has written consent from a custodial parent, guardian or other
3022 person having legal custody of such person that indicates that such
3023 person has permission from such parent, guardian or other person for
3024 the palliative use of marijuana for a debilitating medical condition and
3025 that such parent, guardian or other person will (I) serve as a [primary]
3026 caregiver for the qualifying patient, and (II) control the acquisition and
3027 possession of marijuana and any related paraphernalia for palliative use
3028 on behalf of such person. "Qualifying patient" does not include an
3029 inmate confined in a correctional institution or facility under the
3030 supervision of the Department of Correction;

3031 [(17)] (20) "Research program" means a study approved by the
3032 Department of Consumer Protection in accordance with this chapter
3033 and undertaken to increase information or knowledge regarding the
3034 growth [,] or processing of marijuana, or the medical attributes, dosage
3035 forms, administration or use of marijuana to treat or alleviate symptoms
3036 of any medical conditions or the effects of such symptoms;

3037 [(18)] (21) "Research program employee" means a person who (A) is
3038 [licensed] registered as a research program employee under section 21a-
3039 408t, or (B) holds a temporary certificate of registration issued pursuant
3040 to section 21a-408t;

3041 [(19)] (22) "Research program subject" means a person registered as a
3042 research program subject pursuant to section 21a-408v;

3043 [(20)] (23) "Usable marijuana" means the dried leaves and flowers of
3044 the marijuana plant, and any mixtures or preparations of such leaves
3045 and flowers, that are appropriate for the palliative use of marijuana, but
3046 does not include the seeds, stalks and roots of the marijuana plant; and

3047 [(21)] (24) "Written certification" means a written certification issued
3048 by a physician or an advanced practice registered nurse pursuant to

3049 section 21a-408c.

3050 Sec. 67. Section 21a-408a of the general statutes is repealed and the
3051 following is substituted in lieu thereof (*Effective July 1, 2021*):

3052 (a) A qualifying patient shall register with the Department of
3053 Consumer Protection pursuant to section 21a-408d prior to engaging in
3054 the palliative use of marijuana. A qualifying patient who has a valid
3055 registration certificate from the Department of Consumer Protection
3056 pursuant to subsection (a) of section 21a-408d and complies with the
3057 requirements of sections 21a-408 to [21a-408n] 21a-408m, inclusive, shall
3058 not be subject to arrest or prosecution, penalized in any manner,
3059 including, but not limited to, being subject to any civil penalty, or denied
3060 any right or privilege, including, but not limited to, being subject to any
3061 disciplinary action by a professional licensing board, for the palliative
3062 use of marijuana if:

3063 (1) The qualifying patient's physician or advanced practice registered
3064 nurse has issued a written certification to the qualifying patient for the
3065 palliative use of marijuana after the physician or advanced practice
3066 registered nurse has prescribed, or determined it is not in the best
3067 interest of the patient to prescribe, prescription drugs to address the
3068 symptoms or effects for which the certification is being issued;

3069 (2) The combined amount of marijuana possessed by the qualifying
3070 patient and the [primary] caregiver for palliative use does not exceed
3071 [an amount of usable marijuana reasonably necessary to ensure
3072 uninterrupted availability for a period of one month, as determined by
3073 the Department of Consumer Protection pursuant to regulations
3074 adopted under section 21a-408m; and] five ounces;

3075 (3) The qualifying patient has not more than one [primary] caregiver
3076 at any time; [.] and

3077 (4) Any cannabis plants grown by the qualifying patient in his or
3078 home is in compliance with subsection (b) of section 21a-408d and any

3079 applicable regulations.

3080 (b) The provisions of subsection (a) of this section do not apply to:

3081 (1) Any palliative use of marijuana that endangers the health or well-
3082 being of a person other than the qualifying patient or the [primary]
3083 caregiver; or

3084 (2) The ingestion of marijuana (A) in a motor bus or a school bus or
3085 in any other moving vehicle, (B) in the workplace, (C) on any school
3086 grounds or any public or private school, dormitory, college or university
3087 property, unless such college or university is participating in a research
3088 program and such use is pursuant to the terms of the research program,
3089 (D) in any public place, or (E) in the presence of a person under the age
3090 of eighteen, unless such person is a qualifying patient or research
3091 program subject. For the purposes of this subdivision, (i) "presence"
3092 means within the direct line of sight of the palliative use of marijuana or
3093 exposure to second-hand marijuana smoke, or both; (ii) "public place"
3094 means any area that is used or held out for use by the public whether
3095 owned or operated by public or private interests; (iii) "vehicle" means a
3096 vehicle, as defined in section 14-1; (iv) "motor bus" means a motor bus,
3097 as defined in section 14-1; and (v) "school bus" means a school bus, as
3098 defined in section 14-1.

3099 Sec. 68. Section 21a-408b of the general statutes is repealed and the
3100 following is substituted in lieu thereof (*Effective July 1, 2021*):

3101 (a) No person may serve as a [primary] caregiver for a qualifying
3102 patient (1) unless such qualifying patient has a valid registration
3103 certificate from the Department of Consumer Protection pursuant to
3104 subsection (a) of section 21a-408d, and (2) if such person has been
3105 convicted of a violation of any law pertaining to the illegal manufacture,
3106 sale or distribution of a controlled substance. A [primary] caregiver may
3107 not be responsible for the care of more than one qualifying patient at
3108 any time, except that a [primary] caregiver may be responsible for the
3109 care of more than one qualifying patient if the [primary] caregiver and

3110 each qualifying patient have a parental, guardianship, conservatorship
3111 or sibling relationship.

3112 (b) A [primary] caregiver who has a valid registration certificate from
3113 the Department of Consumer Protection pursuant to subsection (a) of
3114 section 21a-408d and complies with the requirements of sections 21a-408
3115 to [21a-408n] 21a-408m, inclusive, shall not be subject to arrest or
3116 prosecution, penalized in any manner, including, but not limited to,
3117 being subject to any civil penalty, or denied any right or privilege,
3118 including, but not limited to, being subject to any disciplinary action by
3119 a professional licensing board, for the acquisition, distribution,
3120 possession or transportation of marijuana or paraphernalia related to
3121 marijuana on behalf of such [primary] caregiver's qualifying patient,
3122 provided [(1)] the amount of any marijuana so acquired, distributed,
3123 possessed or transported, together with the combined amount of usable
3124 marijuana possessed by the qualifying patient and the [primary]
3125 caregiver, does not exceed [an amount reasonably necessary to ensure
3126 uninterrupted availability for a period of one month, as determined by
3127 the Department of Consumer Protection pursuant to regulations
3128 adopted under section 21a-408m, and (2) such amount is obtained solely
3129 within this state from a licensed dispensary. Any person with a valid
3130 registration certificate who is found to be in possession of marijuana that
3131 did not originate from the selected dispensary may be subject to a
3132 hearing before the commissioner for possible enforcement action
3133 concerning the registration certificate issued by the department] five
3134 ounces. For the purposes of this subsection, "distribution" or
3135 "distributed" means the transfer of marijuana and paraphernalia related
3136 to marijuana from the [primary] caregiver to the qualifying patient.

3137 (c) A dispensary facility shall not dispense any [marijuana] cannabis
3138 product, as defined in section 1 of this act, in a smokable, inhalable or
3139 vaporizable form to a [primary] caregiver for a qualifying patient who
3140 is under eighteen years of age.

3141 Sec. 69. Section 21a-408c of the general statutes is repealed and the

3142 following is substituted in lieu thereof (*Effective July 1, 2021*):

3143 (a) A physician or an advanced practice registered nurse may issue a
3144 written certification to a qualifying patient that authorizes the palliative
3145 use of marijuana by the qualifying patient. Such written certification
3146 shall be in the form prescribed by the Department of Consumer
3147 Protection and shall include a statement signed and dated by the
3148 qualifying patient's physician or advanced practice registered nurse
3149 stating that, in such physician's or advanced practice registered nurse's
3150 professional opinion, the qualifying patient has a debilitating medical
3151 condition and the potential benefits of the palliative use of marijuana
3152 would likely outweigh the health risks of such use to the qualifying
3153 patient.

3154 (b) Any written certification for the palliative use of marijuana issued
3155 by a physician or an advanced practice registered nurse under
3156 subsection (a) of this section shall be valid for a period not to exceed one
3157 year from the date such written certification is signed and dated by the
3158 physician or advanced practice registered nurse. Not later than ten
3159 calendar days after the expiration of such period, or at any time before
3160 the expiration of such period should the qualifying patient no longer
3161 wish to possess marijuana for palliative use, the qualifying patient or
3162 the [primary] caregiver shall destroy all usable marijuana possessed by
3163 the qualifying patient and the [primary] caregiver for palliative use.

3164 (c) A physician or an advanced practice registered nurse shall not be
3165 subject to arrest or prosecution, penalized in any manner, including, but
3166 not limited to, being subject to any civil penalty, or denied any right or
3167 privilege, including, but not limited to, being subject to any disciplinary
3168 action by the Connecticut Medical Examining Board, the Connecticut
3169 State Board of Examiners for Nursing or other professional licensing
3170 board, for providing a written certification for the palliative use of
3171 marijuana under subdivision (1) of subsection (a) of section 21a-408a if:

3172 (1) The physician or advanced practice registered nurse has

3173 diagnosed the qualifying patient as having a debilitating medical
3174 condition;

3175 (2) The physician or advanced practice registered nurse has explained
3176 the potential risks and benefits of the palliative use of marijuana to the
3177 qualifying patient and, if the qualifying patient lacks legal capacity, to a
3178 parent, guardian or person having legal custody of the qualifying
3179 patient;

3180 (3) The written certification issued by the physician or advanced
3181 practice registered nurse is based upon the physician's or advanced
3182 practice registered nurse's professional opinion after having completed
3183 a medically reasonable assessment of the qualifying patient's medical
3184 history and current medical condition made in the course of a bona fide
3185 health care professional-patient relationship; and

3186 (4) The physician or advanced practice registered nurse has no
3187 financial interest in a [dispensary licensed under section 21a-408h or a
3188 producer licensed under section 21a-408i] cannabis establishment,
3189 except for retailers and delivery services, as such terms are defined in
3190 section 1 of this act.

3191 (d) A nurse shall not be subject to arrest or prosecution, penalized in
3192 any manner, including, but not limited to, being subject to any civil
3193 penalty, or denied any right or privilege, including, but not limited to,
3194 being subject to any disciplinary action by the Board of Examiners for
3195 Nursing, or other professional licensing board, for administering
3196 marijuana to a qualifying patient or research program subject in a
3197 hospital or health care facility licensed by the Department of Public
3198 Health.

3199 (e) Notwithstanding the provisions of this section, sections 21a-408 to
3200 21a-408b, inclusive, and sections 21a-408d to 21a-408o, inclusive, an
3201 advanced practice registered nurse shall not issue a written certification
3202 to a qualifying patient when the qualifying patient's debilitating medical
3203 condition is glaucoma.

3204 Sec. 70. Section 21a-408d of the general statutes is repealed and the
3205 following is substituted in lieu thereof (*Effective October 1, 2021*):

3206 (a) Each qualifying patient who is issued a written certification for the
3207 palliative use of marijuana under subdivision (1) of subsection (a) of
3208 section 21a-408a, and the [primary] caregiver of such qualifying patient,
3209 shall register with the Department of Consumer Protection. Such
3210 registration shall be effective from the date the Department of
3211 Consumer Protection issues a certificate of registration until the
3212 expiration of the written certification issued by the physician or
3213 advanced practice registered nurse. The qualifying patient and the
3214 [primary] caregiver shall provide sufficient identifying information, as
3215 determined by the department, to establish the personal identity of the
3216 qualifying patient and the [primary] caregiver. If the qualifying patient
3217 is under eighteen years of age and not an emancipated minor, the
3218 custodial parent, guardian or other person having legal custody of the
3219 qualifying patient shall also provide a letter from both the qualifying
3220 patient's [primary] care provider and a physician who is board certified
3221 in an area of medicine involved in the treatment of the debilitating
3222 condition for which the qualifying patient was certified that confirms
3223 that the palliative use of marijuana is in the best interest of the qualifying
3224 patient. A physician may issue a written certification for the palliative
3225 use of marijuana by a qualifying patient who is under eighteen years of
3226 age, provided such written certification shall not be for marijuana in a
3227 dosage form that requires that the marijuana be smoked, inhaled or
3228 vaporized. The qualifying patient or the [primary] caregiver shall report
3229 any change in the identifying information to the department not later
3230 than five business days after such change. The department shall issue a
3231 registration certificate to the qualifying patient and to the [primary]
3232 caregiver and may charge a reasonable fee, not to exceed twenty-five
3233 dollars, for each registration certificate issued under this subsection.
3234 Any registration fees collected by the department under this subsection
3235 shall be paid to the State Treasurer and credited to the General Fund.

3236 [(b) The qualifying patient, or, if the qualifying patient is under

3237 eighteen years of age and not an emancipated minor, the custodial
3238 parent, guardian or other person having legal custody of the qualifying
3239 patient, shall select a licensed, in-state dispensary to obtain the palliative
3240 marijuana products at the time of registration. Upon the issuance of the
3241 certificate of registration by the department, the qualifying patient, or
3242 the qualifying patient's custodial parent, guardian or other person
3243 having legal custody of the qualifying patient, shall purchase such
3244 palliative marijuana products from such dispensary, except that the
3245 qualifying patient, or the qualifying patient's custodial parent, guardian
3246 or other person having legal custody of the qualifying patient, may
3247 change such dispensary in accordance with regulations adopted by the
3248 department. Any person with a valid registration certificate who is
3249 found to be in possession of marijuana that did not originate from the
3250 selected dispensary may be subject to hearing before the commissioner
3251 for possible enforcement action concerning the registration certificate
3252 issued by the department.]

3253 (b) Any qualifying patient who is eighteen years of age or older may
3254 cultivate up to three mature cannabis plants and three immature
3255 cannabis plants in the patient's primary residence at any given time,
3256 provided such plants are secure from access by any individual other
3257 than the patient or patient's caregiver and no more than twelve cannabis
3258 plants may be grown per household.

3259 (c) A dispensary shall not dispense any marijuana products in a
3260 smokable, inhalable or vaporizable form to a qualifying patient who is
3261 under eighteen years of age or such qualifying patient's caregiver.

3262 (d) Information obtained under this section shall be confidential and
3263 shall not be subject to disclosure under the Freedom of Information Act,
3264 as defined in section 1-200, except that reasonable access to registry
3265 information obtained under this section [and temporary registration
3266 information obtained under section 21a-408n] shall be provided to: (1)
3267 State agencies, federal agencies and local law enforcement agencies for
3268 the purpose of investigating or prosecuting a violation of law; (2)

3269 physicians, advanced practice registered nurses and pharmacists for the
3270 purpose of providing patient care and drug therapy management and
3271 monitoring controlled substances obtained by the qualifying patient; (3)
3272 public or private entities for research or educational purposes, provided
3273 no individually identifiable health information may be disclosed; (4) a
3274 licensed dispensary for the purpose of complying with sections 21a-408
3275 to [21a-408n] 21a-408m, inclusive; (5) a qualifying patient, but only with
3276 respect to information related to such qualifying patient or such
3277 qualifying patient's [primary] caregiver; or (6) a [primary] caregiver, but
3278 only with respect to information related to such [primary] caregiver's
3279 qualifying patient.

3280 Sec. 71. Section 21a-408f of the general statutes is repealed and the
3281 following is substituted in lieu thereof (*Effective July 1, 2021*):

3282 Any marijuana, paraphernalia relating to marijuana, or other
3283 property seized by law enforcement officials from a qualifying patient
3284 or a [primary] caregiver in connection with the claimed palliative use of
3285 marijuana under sections 21a-408 to [21a-408n] 21a-408m, inclusive,
3286 shall be returned to the qualifying patient or the [primary] caregiver
3287 immediately upon the determination by a court that the qualifying
3288 patient or the [primary] caregiver is entitled to the palliative use of
3289 marijuana under sections 21a-408 to [21a-408n] 21a-408m, inclusive, as
3290 evidenced by a decision not to prosecute, a dismissal of charges or an
3291 acquittal. The provisions of this section do not apply to any qualifying
3292 patient or [primary] caregiver who fails to comply with the
3293 requirements for the palliative use of marijuana under sections 21a-408
3294 to [21a-408n] 21a-408m, inclusive.

3295 Sec. 72. Section 21a-408h of the general statutes is repealed and the
3296 following is substituted in lieu thereof (*Effective July 1, 2021*):

3297 (a) No person may act as a dispensary or represent that such person
3298 is a licensed dispensary unless such person has obtained a license from
3299 the Commissioner of Consumer Protection pursuant to this section.

3300 (b) No person may act as a dispensary facility or represent that such
3301 person is a licensed dispensary facility unless such person has obtained
3302 a license from the Commissioner of Consumer Protection pursuant to
3303 this section.

3304 ~~[(b)]~~ (c) The Commissioner of Consumer Protection shall determine
3305 the number of ~~[dispensaries]~~ dispensary facilities appropriate to meet
3306 the needs of qualifying patients in this state and shall adopt regulations,
3307 in accordance with chapter 54, to provide for the licensure and
3308 standards for ~~[dispensaries]~~ dispensary facilities in this state and specify
3309 the maximum number of ~~[dispensaries]~~ dispensary facilities that may
3310 be licensed in this state. On and after the effective date of such
3311 regulations, the commissioner may license any person who applies for
3312 a license in accordance with such regulations, provided ~~[(1)]~~ the
3313 commissioner deems such applicant qualified to acquire, possess,
3314 distribute and dispense marijuana pursuant to sections 21a-408 to ~~[21a-~~
3315 ~~408n]~~ 21a-408m, inclusive. ~~[~~ (2) the applicant is a pharmacist licensed
3316 under chapter 400j, and (3) the number of dispensary licenses issued
3317 does not exceed the number appropriate to meet the needs of qualifying
3318 patients in this state, as determined by the commissioner pursuant to
3319 this subsection.] At a minimum, such regulations shall:

3320 ~~[(A)]~~ (1) Indicate the maximum number of ~~[dispensaries]~~ dispensary
3321 facilities that may be licensed in this state;

3322 ~~[(B)]~~ Provide that only a pharmacist licensed under chapter 400j may
3323 apply for and receive a dispensary license;

3324 ~~[(C)]~~ (2) Provide that no marijuana may be dispensed from, obtained
3325 from or transferred to a location outside of this state;

3326 ~~[(D)]~~ (3) Establish a licensing fee and renewal fee for each ~~[licensed]~~
3327 dispensary facility, provided such fees shall not be less than the amount
3328 necessary to cover the direct and indirect cost of licensing and
3329 regulating ~~[dispensaries]~~ dispensary facilities pursuant to sections 21a-
3330 408 to ~~[21a-408n]~~ 21a-408m, inclusive;

3331 [(E)] (4) Provide for renewal of such dispensary facility licenses at
3332 least every two years;

3333 [(F)] (5) Describe areas in this state where [licensed dispensaries]
3334 dispensary facilities may not be located, after considering the criteria for
3335 the location of retail liquor permit premises set forth in subsection (a) of
3336 section 30-46;

3337 [(G)] (6) Establish health, safety and security requirements for
3338 [licensed dispensaries] dispensary facilities, which may include, but
3339 need not be limited to: [(i)] (A) The ability to maintain adequate control
3340 against the diversion, theft and loss of marijuana acquired or possessed
3341 by the [licensed] dispensary facility, and [(ii)] (B) the ability to maintain
3342 the knowledge, understanding, judgment, procedures, security controls
3343 and ethics to ensure optimal safety and accuracy in the distributing,
3344 dispensing and use of palliative marijuana;

3345 [(H)] (7) Establish standards and procedures for revocation,
3346 suspension, summary suspension and nonrenewal of dispensary facility
3347 licenses, provided such standards and procedures are consistent with
3348 the provisions of subsection (c) of section 4-182; and

3349 [(I)] (8) Establish other licensing, renewal and operational standards
3350 deemed necessary by the commissioner.

3351 [(c)] (d) Any fees collected by the Department of Consumer
3352 Protection under this section shall be paid to the State Treasurer and
3353 credited to the General Fund.

3354 [(d)] (e) On or before January 1, 2017, and annually thereafter, each
3355 [licensed] dispensary facility shall report data to the Department of
3356 Consumer Protection relating to the types, mixtures and dosages of
3357 palliative marijuana dispensed by such dispensary facility. A report
3358 prepared pursuant to this subsection shall be in such form as may be
3359 prescribed by the Commissioner of Consumer Protection.

3360 Sec. 73. Section 21a-408j of the general statutes is repealed and the
3361 following is substituted in lieu thereof (*Effective October 1, 2021*):

3362 (a) No [licensed] dispensary facility or employee of the dispensary
3363 facility may: (1) Acquire marijuana from a person other than a [licensed]
3364 producer [; (2) distribute or dispense] from a cultivator, micro-
3365 cultivator, product manufacturer, food and beverage manufacturer,
3366 product packager, or transporter, as such terms are defined in section 1
3367 of this act; (2) transfer or transport marijuana to a person who is not (A)
3368 a qualifying patient registered under section 21a-408d; [or 21a-408n;] (B)
3369 a [primary] caregiver of such qualifying patient; (C) a hospice or other
3370 inpatient care facility licensed by the Department of Public Health
3371 pursuant to chapter 368v that has a protocol for the handling and
3372 distribution of marijuana that has been approved by the Department of
3373 Consumer Protection; (D) a laboratory; [or] (E) an organization engaged
3374 in a research program; (F) a delivery service, as defined in section 1 of
3375 this act; or (G) a transporter, as defined in section 1 of this act; or (3)
3376 obtain or transport marijuana outside of this state in violation of state or
3377 federal law.

3378 (b) No [licensed] dispensary or employee of the dispensary facility
3379 acting within the scope of his or her employment shall be subject to
3380 arrest or prosecution [,] or penalized in any manner, including, but not
3381 limited to, being subject to any civil penalty, or denied any right or
3382 privilege, including, but not limited to, being subject to any disciplinary
3383 action by a professional licensing board, for acquiring, possessing,
3384 distributing or dispensing marijuana pursuant to sections 21a-408 to
3385 [21a-408n] 21a-408m, inclusive.

3386 Sec. 74. Section 21a-408k of the general statutes is repealed and the
3387 following is substituted in lieu thereof (*Effective July 1, 2021*):

3388 (a) No [licensed] producer or employee of the producer may: (1) Sell,
3389 deliver, transport or distribute marijuana to a person who is not (A) a
3390 [licensed dispensary] cannabis establishment, (B) a laboratory, or (C) an

3391 organization engaged in a research program, or (2) obtain or transport
3392 marijuana outside of this state in violation of state or federal law.

3393 (b) No licensed producer or employee of the producer acting within
3394 the scope of his or her employment shall be subject to arrest or
3395 prosecution [,] or penalized in any manner, including, but not limited
3396 to, being subject to any civil penalty, or denied any right or privilege,
3397 including, but not limited to, being subject to any disciplinary action by
3398 a professional licensing board, for cultivating marijuana or selling,
3399 delivering, transferring, transporting or distributing marijuana to
3400 [licensed dispensaries under sections 21a-408 to 21a-408n, inclusive] a
3401 cannabis establishment, laboratory or research program.

3402 Sec. 75. Section 21a-408m of the general statutes is repealed and the
3403 following is substituted in lieu thereof (*Effective October 1, 2021*):

3404 (a) The Commissioner of Consumer Protection may adopt
3405 regulations, in accordance with chapter 54, to establish (1) a standard
3406 form for written certifications for the palliative use of marijuana issued
3407 by physicians and advanced practice registered nurses under
3408 subdivision (1) of subsection (a) of section 21a-408a, and (2) procedures
3409 for registrations under section 21a-408d. Such regulations, if any, shall
3410 be adopted after consultation with the Board of Physicians established
3411 in section 21a-408l.

3412 (b) The Commissioner of Consumer Protection shall adopt
3413 regulations, in accordance with chapter 54, to establish a reasonable fee
3414 to be collected from each qualifying patient to whom a written
3415 certification for the palliative use of marijuana is issued under
3416 subdivision (1) of subsection (a) of section 21a-408a, for the purpose of
3417 offsetting the direct and indirect costs of administering the provisions
3418 of sections 21a-408 to [21a-408n] 21a-408m, inclusive. The commissioner
3419 shall collect such fee at the time the qualifying patient registers with the
3420 Department of Consumer Protection under subsection (a) of section 21a-
3421 408d. Such fee shall be in addition to any registration fee that may be

3422 charged under said subsection. The fees required to be collected by the
3423 commissioner from qualifying patients under this subsection shall be
3424 paid to the State Treasurer and credited to the General Fund.

3425 (c) The Commissioner of Consumer Protection shall adopt
3426 [regulations, in accordance with chapter 54, to implement the provisions
3427 of sections 21a-408 to 21a-408g, inclusive, and section 21a-408l. At a
3428 minimum, such regulations shall] or amend regulations, as applicable,
3429 in accordance with chapter 54, to implement the provisions of sections
3430 21a-408 to 21a-408g, inclusive, and section 21a-408l. Notwithstanding
3431 the requirements of sections 4-168 to 4-172, inclusive, in order to
3432 effectuate the purposes of sections 21a-408 to 21a-408g, inclusive, and
3433 section 21a-408l, and protect public health and safety, prior to adopting
3434 or amending such regulations the commissioner shall adopt policies and
3435 procedures to implement the provisions of sections 21a-408 to 21a-408g,
3436 inclusive, and section 21a-408 that shall have the force and effect of law.
3437 The commissioner shall post all policies and procedures on the
3438 department's Internet web site, and submit such policies and
3439 procedures to the Secretary of the State for posting on the eRegulations
3440 System, at least fifteen days prior to the effective date of any policy or
3441 procedure. Any such policy or procedure shall no longer be effective
3442 upon the earlier of either adoption of such policies or procedures as a
3443 final regulation pursuant to section 4-172 or forty-eight months from
3444 October 1, 2021, if such policies or procedures have not been submitted
3445 to the legislative regulation review committee for consideration under
3446 section 4-170. Such policies and procedures and regulations shall
3447 include, but not be limited to, how the department shall:

3448 (1) [Govern the manner in which the department considers] Accept
3449 applications for the issuance and renewal of registration certificates for
3450 qualifying patients and [primary] caregivers; [, and establish any
3451 additional information to be contained in such registration certificates;]

3452 [(2) Define the protocols for determining the amount of usable
3453 marijuana that is necessary to constitute an adequate supply to ensure

3454 uninterrupted availability for a period of one month, including amounts
3455 for topical treatments;]

3456 [(3)] (2) Establish criteria for adding medical conditions, medical
3457 treatments or diseases to the list of debilitating medical conditions that
3458 qualify for the palliative use of marijuana;

3459 [(4)] (3) Establish a petition process under which members of the
3460 public may submit petitions, [in such manner and in such form as
3461 prescribed in the regulations,] regarding the addition of medical
3462 conditions, medical treatments or diseases to the list of debilitating
3463 medical conditions;

3464 [(5) Establish a process for public comment and public hearings
3465 before the board regarding the addition of medical conditions, medical
3466 treatments or diseases to the list of debilitating medical conditions,
3467 medical treatments or diseases;

3468 (6) Add additional medical conditions, medical treatments or
3469 diseases to the list of debilitating medical conditions that qualify for the
3470 palliative use of marijuana as recommended by the board; and]

3471 (4) Establish requirements for the growing of cannabis plants by a
3472 qualifying patient in his or her primary residence as authorized under
3473 section 21a-408d, including requirements for securing such plants to
3474 prevent access by any individual other than the patient or the patient's
3475 caregiver, the location of such plants and any other requirements
3476 necessary to protect public health or safety;

3477 [(7)] (5) Develop a distribution system for marijuana for palliative use
3478 that provides for:

3479 (A) Marijuana production facilities within this state that are housed
3480 on secured grounds and operated by [licensed] producers; [and]

3481 (B) The transfer of marijuana between dispensary facilities; and

3482 [(B)] (C) Distribution of marijuana for palliative use to qualifying
3483 patients or their [primary] caregivers by [licensed dispensaries.]
3484 dispensary facilities, hybrid retailers and delivery services, as such
3485 terms are defined in section 1 of this act; and

3486 (6) Ensure an adequate supply and variety of marijuana to dispensary
3487 facilities and hybrid retailers to ensure uninterrupted availability for
3488 qualifying patients, based on historical marijuana purchase patterns by
3489 qualifying patients.

3490 [(d) The commissioner shall submit regulations pursuant to
3491 subsections (b) and (c) of this section to the standing legislative
3492 regulation review committee not later than July 1, 2013.]

3493 Sec. 76. Section 21a-408*l* of the general statutes is repealed and the
3494 following is substituted in lieu thereof (*Effective October 1, 2021*):

3495 (a) The Commissioner of Consumer Protection shall establish a Board
3496 of Physicians consisting of eight physicians or surgeons who are
3497 knowledgeable about the palliative use of marijuana and certified by the
3498 appropriate American board in the medical specialty in which they
3499 practice, at least one of whom shall be a board certified pediatrician
3500 appointed in consultation with the Connecticut Chapter of the
3501 American Academy of Pediatrics. Four of the members of the board first
3502 appointed shall serve for a term of three years and four of the members
3503 of the board first appointed shall serve for a term of four years.
3504 Thereafter, members of the board shall serve for a term of four years and
3505 shall be eligible for reappointment. Any member of the board may serve
3506 until a successor is appointed. The Commissioner of Consumer
3507 Protection shall serve as an ex-officio member of the board, and shall
3508 select a chairperson from among the members of the board.

3509 (b) A quorum of the Board of Physicians shall consist of four
3510 members.

3511 (c) The Board of Physicians shall:

3512 (1) Review and recommend to the Department of Consumer
3513 Protection for approval the debilitating medical conditions, medical
3514 treatments or diseases to be added to the list of debilitating medical
3515 conditions that qualify for the palliative use of marijuana for qualifying
3516 patients eighteen years of age or older;

3517 (2) Review and recommend to the Department of Consumer
3518 Protection for approval any illnesses that are severely debilitating, as
3519 defined in 21 CFR 312.81(b), to be added to the list of debilitating
3520 medical conditions that qualify for the palliative use of marijuana for
3521 qualifying patients under eighteen years of age, taking into account,
3522 among other things, the effect of the palliative use of marijuana on the
3523 brain development of such patients, which recommendations shall be
3524 accepted or rejected by the commissioner in his or her discretion;

3525 (3) Accept and review petitions to add medical conditions, medical
3526 treatments or diseases to the list of debilitating medical conditions that
3527 qualify for the palliative use of marijuana;

3528 (4) Convene [at least twice per year] as necessary to conduct public
3529 hearings and to evaluate petitions, which shall be maintained as
3530 confidential pursuant to subsection (e) of this section, for the purpose of
3531 adding medical conditions, medical treatments or diseases to the list of
3532 debilitating medical conditions that qualify for the palliative use of
3533 marijuana;

3534 (5) Review and recommend to the Department of Consumer
3535 Protection protocols for determining the amounts of marijuana that may
3536 be reasonably necessary to ensure uninterrupted availability for a
3537 period of one month for qualifying patients, including amounts for
3538 topical treatments; and

3539 (6) Perform other duties related to the palliative use of marijuana
3540 upon the request of the Commissioner of Consumer Protection.

3541 (d) The Board of Physicians may review the list of debilitating

3542 medical conditions that qualify for the palliative use of marijuana and
3543 make recommendations to the joint standing committees of the General
3544 Assembly having cognizance of matters relating to general law and
3545 public health for the removal of a debilitating medical condition,
3546 medical treatment or disease from such list.

3547 (e) Any individually identifiable health information contained in a
3548 petition received under this section shall be confidential and shall not
3549 be subject to disclosure under the Freedom of Information Act, as
3550 defined in section 1-200.

3551 (f) On and after October 1, 2021, conditions added pursuant to this
3552 section to the list of debilitating medical conditions that qualify for the
3553 palliative use of marijuana shall be posted by the commissioner on the
3554 Department of Consumer Protection's Internet web site.
3555 Notwithstanding the requirements of sections 4-168 to 4-172, inclusive,
3556 the list of debilitating medical conditions that qualify for the palliative
3557 use of marijuana shall be deemed approved and effective without
3558 further action as of the date such conditions are posted on the
3559 Department of Consumer Protection's Internet web site.

3560 Sec. 77. Section 21a-408p of the general statutes is repealed and the
3561 following is substituted in lieu thereof (*Effective July 1, 2021*):

3562 (a) For the purposes of this section:

3563 (1) "Action" has the meaning provided in section 47a-1;

3564 (2) "Dwelling unit" has the meaning provided in section 47a-1;

3565 (3) "Employer" means a person engaged in business who has one or
3566 more employees, including the state and any political subdivision of the
3567 state;

3568 (4) "Landlord" has the meaning provided in section 47a-1;

3569 (5) "Palliative use" has the meaning provided in section 21a-408;

3570 (6) ["Primary caregiver"] "Caregiver" has the meaning provided in
3571 section 21a-408;

3572 (7) "Qualifying patient" has the meaning provided in section 21a-408;

3573 (8) "School" means a public or private elementary or secondary school
3574 in this state or a public or private institution of higher education in this
3575 state; and

3576 (9) "Tenant" has the meaning provided in section 47a-1.

3577 (b) Unless required by federal law or required to obtain federal
3578 funding:

3579 (1) No school may refuse to enroll any person or discriminate against
3580 any student solely on the basis of such person's or student's status as a
3581 qualifying patient or [primary] caregiver under sections 21a-408 to [21a-
3582 408n] 21a-408m, inclusive;

3583 (2) No landlord may refuse to rent a dwelling unit to a person or take
3584 action against a tenant solely on the basis of such person's or tenant's
3585 status as a qualifying patient or [primary] caregiver under sections 21a-
3586 408 to [21a-408n] 21a-408m, inclusive; and

3587 (3) No employer may refuse to hire a person or may discharge,
3588 penalize or threaten an employee solely on the basis of such person's or
3589 employee's status as a qualifying patient or [primary] caregiver under
3590 sections 21a-408 to [21a-408n] 21a-408m, inclusive. Nothing in this
3591 subdivision shall restrict an employer's ability to prohibit the use of
3592 intoxicating substances during work hours or restrict an employer's
3593 ability to discipline an employee for being under the influence of
3594 intoxicating substances during work hours.

3595 (c) Nothing in this section shall be construed to permit the palliative
3596 use of marijuana in violation of subsection (b) of section 21a-408a.

3597 Sec. 78. Section 21a-408r of the general statutes is repealed and the

3598 following is substituted in lieu thereof (*Effective October 1, 2021*):

3599 (a) No person may act as a laboratory or represent that such person
3600 is a laboratory unless such person has (1) obtained a license from the
3601 Commissioner of Consumer Protection pursuant to this section, or (2)
3602 (A) been granted approval by the Commissioner of Consumer
3603 Protection as of October 1, 2021, and (B) submitted an application to the
3604 Commissioner of Consumer Protection for licensure pursuant to this
3605 section in a form and manner prescribed by the commissioner. Such
3606 person may continue to act as a laboratory until such application for
3607 licensure under this section is approved or denied by the Commissioner
3608 of Consumer Protection.

3609 [(a)] (b) Except as provided in subsection [(b)] (c) of this section, no
3610 person may act as a laboratory employee or represent that such person
3611 is a [licensed] laboratory employee unless such person has obtained a
3612 [license] registration from the Commissioner of Consumer Protection
3613 pursuant to this section.

3614 [(b)] (c) Prior to the effective date of regulations adopted under this
3615 section, the Commissioner of Consumer Protection may issue a
3616 temporary certificate of registration to a laboratory employee. The
3617 commissioner shall prescribe the standards, procedures and fees for
3618 obtaining a temporary certificate of registration as a laboratory
3619 employee.

3620 [(c)] (d) The Commissioner of Consumer Protection shall adopt
3621 regulations, in accordance with chapter 54, to (1) provide for the
3622 licensure or registration of laboratories and laboratory employees, (2)
3623 establish standards and procedures for the revocation, suspension,
3624 summary suspension and nonrenewal of laboratory licenses and
3625 laboratory employee [licenses] registrations, provided such standards
3626 and procedures are consistent with the provisions of subsection (c) of
3627 section 4-182, (3) establish a license [and] or registration renewal fee for
3628 each licensed laboratory and [licensed] registered laboratory employee,

3629 provided the aggregate amount of such license, registration and renewal
3630 fees shall not be less than the amount necessary to cover the direct and
3631 indirect cost of licensing, registering and regulating laboratories and
3632 laboratory employees in accordance with the provisions of this chapter,
3633 and (4) establish other licensing, registration, renewal and operational
3634 standards deemed necessary by the commissioner.

3635 [(d)] (e) Any fees collected by the Department of Consumer
3636 Protection under this section shall be paid to the State Treasurer and
3637 credited to the General Fund.

3638 Sec. 79. Section 21a-408t of the general statutes is repealed and the
3639 following is substituted in lieu thereof (*Effective July 1, 2021*):

3640 (a) The Commissioner of Consumer Protection may approve a
3641 research program if such research program will (1) be administered or
3642 overseen by (A) a hospital or health care facility licensed by the
3643 Connecticut Department of Public Health pursuant to chapter 368v, (B)
3644 an institution of higher education, as defined in section 10a-55, (C) a
3645 [licensed] producer, micro-cultivator, cultivator, food and beverage
3646 manufacturer product packager or product manufacturer, as such terms
3647 are defined in section 1 of this act, or (D) a [licensed] dispensary facility,
3648 hybrid retailer or retailer, as such terms are defined in section 1 of this
3649 act, and (2) have institutional review board oversight and, if the research
3650 program involves the use of animals, have an institutional animal care
3651 and use committee.

3652 (b) Except as provided in subsection (c) of this section, no person may
3653 act as a research program employee or represent that such person is a
3654 [licensed] registered research program employee unless such person has
3655 obtained a [license] registration from the Commissioner of Consumer
3656 Protection pursuant to this section.

3657 [(c)] (c) Prior to the effective date of regulations adopted under this
3658 section, the Commissioner of Consumer Protection may issue a
3659 temporary certificate of registration to a research program employee.

3660 The commissioner shall prescribe the standards, procedures and fees for
3661 obtaining a temporary certificate of registration as a research program
3662 employee.]

3663 [(d)] (c) The Commissioner of Consumer Protection shall adopt
3664 regulations, in accordance with chapter 54, to (1) provide for the
3665 approval of research programs and [licensure] registration of research
3666 program employees, (2) establish standards and procedures for the
3667 termination or suspension of a research program, (3) establish standards
3668 and procedures for the revocation, suspension, summary suspension
3669 and nonrenewal of a research program employee [license] registration,
3670 provided such standards and procedures are consistent with the
3671 provisions of subsection (c) of section 4-182, (4) establish a (A) fee for
3672 research program review and approval, and (B) [license] registration
3673 and renewal fee for each research program employee, provided the
3674 aggregate amount of such fees shall not be less than the amount
3675 necessary to cover the direct and indirect cost of approving research
3676 programs and [licensing] registering and regulating research program
3677 employees pursuant to the provisions of this chapter, and (5) establish
3678 other licensing, registration, renewal and operational standards deemed
3679 necessary by the commissioner.

3680 [(e)] (d) Any fees collected by the Department of Consumer
3681 Protection under this section shall be paid to the State Treasurer and
3682 credited to the General Fund.

3683 Sec. 80. Section 21a-408s of the general statutes is repealed and the
3684 following is substituted in lieu thereof (*Effective July 1, 2021*):

3685 (a) No laboratory or laboratory employee may (1) acquire marijuana
3686 from a person other than a [licensed producer, licensed dispensary]
3687 cannabis establishment or an organization engaged in a research
3688 program, (2) deliver, transport or distribute marijuana to (A) a person
3689 who is not a [licensed dispensary, (B) a person who is not a licensed
3690 producer, or (C)] cannabis establishment from which the marijuana was

3691 originally acquired by the laboratory or laboratory employee, (B) an
3692 organization not engaged in a research program, or (3) obtain or
3693 transport marijuana outside of this state in violation of state or federal
3694 law.

3695 (b) (1) No laboratory employee acting within the scope of his or her
3696 employment shall be subject to arrest or prosecution, penalized in any
3697 manner, including, but not limited to, being subject to any civil penalty,
3698 or denied any right or privilege, including, but not limited to, being
3699 subject to any disciplinary action by a professional licensing board, for
3700 acquiring, possessing, delivering, transporting or distributing
3701 marijuana to a [licensed dispensary, a licensed producer] cannabis
3702 establishment or an organization engaged in an approved research
3703 program under the provisions of this chapter.

3704 (2) No laboratory shall be subject to prosecution, penalized in any
3705 manner, including, but not limited to, being subject to any civil penalty
3706 or denied any right or privilege, for acquiring, possessing, delivering,
3707 transporting or distributing marijuana to a [licensed dispensary, a
3708 licensed producer] cannabis establishment or an organization engaged
3709 in an approved research program under the provisions of this chapter.

3710 (c) A laboratory shall be independent from all other persons involved
3711 in the marijuana industry in Connecticut, which shall mean that no
3712 person with a direct or indirect financial, managerial or controlling
3713 interest in the laboratory shall have a direct or indirect financial,
3714 managerial or controlling interest in a cannabis establishment or any
3715 other entity that may benefit from the laboratory test results for a
3716 cannabis or marijuana sample or product.

3717 (d) A laboratory shall maintain all minimum security and safeguard
3718 requirements for the storage of handling of controlled substances as a
3719 laboratory that is licensed to provide analysis of controlled substances
3720 pursuant to section 21a-246 and any regulations adopted thereunder.

3721 Sec. 81. Section 21a-408u of the general statutes is repealed and the

3722 following is substituted in lieu thereof (*Effective July 1, 2021*):

3723 (a) No research program or research program employee may (1)
3724 acquire marijuana from a person other than a [licensed producer,
3725 licensed dispensary] cannabis establishment or laboratory, (2) deliver,
3726 transport or distribute marijuana to a person who is not (A) a [licensed
3727 dispensary] cannabis establishment, (B) a [licensed producer]
3728 laboratory, or (C) a research program subject, (3) distribute or
3729 administer marijuana to an animal unless such animal is an animal
3730 research subject, or (4) obtain or transport marijuana outside of this state
3731 in violation of state or federal law.

3732 (b) No research program employee acting within the scope of his or
3733 her employment shall be subject to arrest or prosecution, penalized in
3734 any manner, including, but not limited to, being subject to any civil
3735 penalty, or denied any right or privilege, including, but not limited to,
3736 being subject to any disciplinary action by a professional licensing
3737 board, for acquiring, possessing, delivering, transporting or distributing
3738 marijuana to a [licensed dispensary, a licensed producer] cannabis
3739 establishment or laboratory, or a research program subject or
3740 distributing or administering marijuana to an animal research subject
3741 under the provisions of this chapter.

3742 Sec. 82. (NEW) (*Effective October 1, 2021*) A licensed pharmacist
3743 working as an employee at a dispensary facility or hybrid retailer shall
3744 transmit dispensing information, in a manner prescribed by the
3745 commissioner, on any cannabis sold to a qualifying patient or caregiver
3746 in real-time or immediately upon completion of the transaction, unless
3747 not reasonably feasible for a specific transaction, but in no case longer
3748 than one hour after completion of the transaction.

3749 Sec. 83. (NEW) (*Effective July 1, 2021*) (a) Upon the petition of not less
3750 than ten per cent of the electors of any municipality, lodged with the
3751 town clerk at least sixty days before the date of any regular election, as
3752 defined in section 9-1 of the general statutes, the selectmen of the

3753 municipality shall warn the electors of such municipality that, at such
3754 regular election, a vote shall be taken to determine: (1) Whether or not
3755 the recreational sale of marijuana shall be permitted in such
3756 municipality, or (2) whether the sale of marijuana shall be permitted in
3757 such municipality in one or more of the classes of license of cannabis
3758 establishments. The ballot label designations in a vote upon the question
3759 of cannabis establishment license shall be "Shall the sale of recreational
3760 marijuana be allowed in (Name of municipality)?" or "Shall the sale
3761 of cannabis under (Specified license or Licenses) be allowed in (Name
3762 of municipality)?" or "Shall the sale of recreational marijuana be
3763 prohibited (No Licenses) in (Name of municipality)?" and shall be
3764 provided in accordance with the provisions of section 9-250 of the
3765 general statutes. No elector shall vote for more than one designation.
3766 Such vote shall be taken in the manner prescribed in section 9-369 of the
3767 general statutes and shall become effective on the first Monday of the
3768 month next succeeding such election and shall remain in force until a
3769 new vote is taken; provided such vote may be taken at a special election
3770 called for the purpose in conformity with the provisions of section 9-164
3771 of the general statutes and provided at least one year shall have elapsed
3772 since the previous vote was taken. The provisions of chapter 145 of the
3773 general statutes concerning absentee voting at referenda shall apply to
3774 all votes taken upon the question of cannabis establishment license. Any
3775 class of cannabis establishments already allowed in a municipality shall
3776 not be affected by any vote.

3777 (b) No municipality shall prohibit delivery of cannabis to a consumer,
3778 qualifying patient or caregiver when the delivery is made by a retailer,
3779 hybrid retailer, dispensary facility, delivery service, micro-cultivator or
3780 other person authorized to make such delivery pursuant to RERACA.
3781 No municipality shall prohibit the transport of cannabis to, from or
3782 through such municipality by any person licensed or registered
3783 pursuant to RERACA to transport cannabis.

3784 (c) No municipality or local official shall condition any official action,
3785 or accept any donation in moneys or in kind, from any cannabis

3786 establishment or from an individual or corporation that has applied for
3787 a license to open or operate a cannabis establishment in such
3788 municipality. No municipality shall negotiate or enter into a local host
3789 agreement with a cannabis establishment or a person that has applied
3790 for a license to open or operate a cannabis establishment in such
3791 municipality.

3792 (d) For up to thirty days after the opening of a retailer or hybrid
3793 retailer, a municipality may charge such retailer or hybrid retailer for
3794 any necessary and reasonable costs incurred by the municipality for
3795 provision of public safety services in relation to such opening, including,
3796 but not limited to, public safety costs incurred to direct traffic, not to
3797 exceed fifty thousand dollars.

3798 Sec. 84. Subparagraph (H) of subdivision (7) of subsection (c) of
3799 section 7-148 of the general statutes is repealed and the following is
3800 substituted in lieu thereof (*Effective October 1, 2021*):

3801 (H) (i) Secure the safety of persons in or passing through the
3802 municipality by regulation of shows, processions, parades and music;

3803 (ii) Regulate and prohibit the carrying on within the municipality of
3804 any trade, manufacture, business or profession which is, or may be, so
3805 carried on as to become prejudicial to public health, conducive to fraud
3806 and cheating, or dangerous to, or constituting an unreasonable
3807 annoyance to, those living or owning property in the vicinity;

3808 (iii) Regulate auctions and garage and tag sales;

3809 (iv) Prohibit, restrain, license and regulate the business of peddlers,
3810 auctioneers and junk dealers in a manner not inconsistent with the
3811 general statutes;

3812 (v) Regulate and prohibit swimming or bathing in the public or
3813 exposed places within the municipality;

3814 (vi) Regulate and license the operation of amusement parks and

3815 amusement arcades including, but not limited to, the regulation of
3816 mechanical rides and the establishment of the hours of operation;

3817 (vii) Prohibit, restrain, license and regulate all sports, exhibitions,
3818 public amusements and performances and all places where games may
3819 be played;

3820 (viii) Preserve the public peace and good order, prevent and quell
3821 riots and disorderly assemblages and prevent disturbing noises;

3822 (ix) Establish a system to obtain a more accurate registration of births,
3823 marriages and deaths than the system provided by the general statutes
3824 in a manner not inconsistent with the general statutes;

3825 (x) Control insect pests or plant diseases in any manner deemed
3826 appropriate;

3827 (xi) Provide for the health of the inhabitants of the municipality and
3828 do all things necessary or desirable to secure and promote the public
3829 health;

3830 (xii) Regulate the use of streets, sidewalks, highways, public places
3831 and grounds for public and private purposes;

3832 (xiii) Make and enforce police, sanitary or other similar regulations
3833 and protect or promote the peace, safety, good government and welfare
3834 of the municipality and its inhabitants;

3835 (xiv) Regulate, in addition to the requirements under section 7-282b,
3836 the installation, maintenance and operation of any device or equipment
3837 in a residence or place of business which is capable of automatically
3838 calling and relaying recorded emergency messages to any state police
3839 or municipal police or fire department telephone number or which is
3840 capable of automatically calling and relaying recorded emergency
3841 messages or other forms of emergency signals to an intermediate third
3842 party which shall thereafter call and relay such emergency messages to
3843 a state police or municipal police or fire department telephone number.

3844 Such regulations may provide for penalties for the transmittal of false
3845 alarms by such devices or equipment;

3846 (xv) Make and enforce regulations for the prevention and
3847 remediation of housing blight, including regulations reducing
3848 assessments and authorizing designated agents of the municipality to
3849 enter property during reasonable hours for the purpose of remediating
3850 blighted conditions, provided such regulations define housing blight
3851 and require such municipality to give written notice of any violation to
3852 the owner and occupant of the property and provide a reasonable
3853 opportunity for the owner and occupant to remediate the blighted
3854 conditions prior to any enforcement action being taken, and further
3855 provided such regulations shall not authorize such municipality or its
3856 designated agents to enter any dwelling house or structure on such
3857 property, and including regulations establishing a duty to maintain
3858 property and specifying standards to determine if there is neglect;
3859 prescribe civil penalties for the violation of such regulations of not less
3860 than ten or more than one hundred dollars for each day that a violation
3861 continues and, if such civil penalties are prescribed, such municipality
3862 shall adopt a citation hearing procedure in accordance with section 7-
3863 152c;

3864 (xvi) Regulate, on any property owned by or under the control of the
3865 municipality, any activity deemed to be deleterious to public health,
3866 including the [lighting or carrying] burning of a lighted cigarette, cigar,
3867 pipe or similar device, whether containing, wholly or in part, tobacco or
3868 cannabis, as defined in section 1 of this act, and the use or consumption
3869 of cannabis, including, but not limited to, electronic cannabis delivery
3870 systems, as defined in section 19a-342a, or vapor products, as defined in
3871 said section, containing cannabis. If the municipality's population is
3872 greater than fifty thousand, such regulations shall designate a place in
3873 the municipality in which public consumption of cannabis is permitted.
3874 Such regulations may prohibit the smoking of cannabis and the use of
3875 electronic cannabis delivery systems and vapor products containing
3876 cannabis in the outdoor sections of a restaurant. Such regulations may

3877 prescribe penalties for the violation of such regulations, provided such
3878 fine does not exceed fifty dollars for a violation of such regulations
3879 regarding consumption by an individual or a fine in excess of one
3880 thousand dollars to any business for a violation of such regulations;

3881 Sec. 85. Section 54-56n of the general statutes is repealed and the
3882 following is substituted in lieu thereof (*Effective April 1, 2022*):

3883 (a) The Judicial Branch shall collect data on the number of members
3884 of the armed forces, veterans and nonveterans who, on and after
3885 January 1, 2016, apply for and are granted admission or are denied entry
3886 into (1) the pretrial program for accelerated rehabilitation established
3887 pursuant to section 54-56e, (2) the supervised diversionary program
3888 established pursuant to section 54-56l, [or] (3) the pretrial drug
3889 education and community service program established pursuant to
3890 section 54-56i, (4) the pretrial drug intervention and community service
3891 program established under section 166 of this act, and (5) the pretrial
3892 impaired driving intervention program established under section 167 of
3893 this act. Data compiled pursuant to this section shall be based on
3894 information provided by applicants at the time of application to any
3895 such program. For the purposes of this section, "veteran" means any
3896 person who was discharged or released under conditions other than
3897 dishonorable from active service in the armed forces and "armed forces"
3898 has the same meaning as provided in section 27-103.

3899 (b) Not later than January 15, 2017, and annually thereafter, the
3900 Judicial Branch shall submit a report detailing the data compiled for the
3901 previous calendar year pursuant to subsection (a) of this section to the
3902 joint standing committees of the General Assembly having cognizance
3903 of matters relating to veterans' and military affairs and the judiciary, in
3904 accordance with the provisions of section 11-4a.

3905 Sec. 86. Section 19a-342 of the general statutes is repealed and the
3906 following is substituted in lieu thereof (*Effective October 1, 2021*):

3907 (a) As used in this section: ["smoke"]

3908 (1) "Smoke" or "smoking" means the [lighting or carrying] burning of
3909 a lighted cigarette, cigar, pipe or any other similar device, [.] whether
3910 containing, wholly or in part, tobacco, cannabis, or hemp;

3911 (2) "Any area" means the interior of the facility, building or
3912 establishment and the outside area within twenty-five feet of any
3913 doorway, operable window or air intake vent of the facility, building or
3914 establishment;

3915 (3) "Cannabis" means marijuana, as defined in section 21a-240; and

3916 (4) "Hemp" has the same meaning as provided in section 22-61l.

3917 (b) (1) Notwithstanding the provisions of section 31-40q, no person
3918 shall smoke: (A) In any area of a building or portion of a building,
3919 partially enclosed shelter on a rail platform or bus shelter owned and
3920 operated or leased and operated by the state or any political subdivision
3921 thereof; (B) in any area of a health care institution, including, but not
3922 limited to, a psychiatric facility; (C) in any area of a retail [food store]
3923 establishment accessed by the general public; (D) in any restaurant; (E)
3924 in any area of an establishment with a permit issued for the sale of
3925 alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-22, 30-22c,
3926 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-37e or 30-37f, in any area
3927 of an establishment with a permit for the sale of alcoholic liquor
3928 pursuant to section 30-23 issued after May 1, 2003, and, on and after
3929 April 1, 2004, in any area of an establishment with a permit issued for
3930 the sale of alcoholic liquor pursuant to section 30-22a or 30-26 or the bar
3931 area of a bowling establishment holding a permit pursuant to subsection
3932 (a) of section 30-37c; (F) [within] in any area of a school building or on
3933 the grounds of such school; (G) within a child care facility or on the
3934 grounds of such child care facility, except, if the child care facility is a
3935 family child care home, as defined in section 19a-77, such smoking is
3936 prohibited only when a child enrolled in such home is present during
3937 customary business hours; (H) in any passenger elevator; [, provided no
3938 person shall be arrested for violating this subsection unless there is

3939 posted in such elevator a sign which indicates that smoking is
3940 prohibited by state law;] (I) in any area of a dormitory in any public or
3941 private institution of higher education; [or (J) on and after April 1, 2004,]
3942 (I) in any area of a dog race track or a facility equipped with screens for
3943 the simulcasting of off-track betting race programs or jai alai games; (K)
3944 in any room offered as an accommodation to guests by the operator of a
3945 hotel, motel or similar lodging; or (L) in any area of a correctional facility
3946 or halfway house. For purposes of this subsection, "restaurant" means
3947 space, in a suitable and permanent building, kept, used, maintained,
3948 advertised and held out to the public to be a place where meals are
3949 regularly served to the public, "school" has the same meaning as
3950 provided in section 10-154a and "child care facility" has the same
3951 meaning as provided in section 19a-342a.

3952 (2) [This section] Subdivision (1) of this subsection shall not apply to
3953 [(A) correctional facilities; (B) designated smoking areas in psychiatric
3954 facilities; (C) public] the following: (A) Public housing projects, as
3955 defined in subsection (b) of section 21a-278a; [(D)] (B) any classroom
3956 where demonstration smoking is taking place as part of a medical or
3957 scientific experiment or lesson; [(E) smoking rooms provided by
3958 employers for employees, pursuant to section 31-40q; (F)] (C)
3959 notwithstanding the provisions of subparagraph (E) of subdivision (1)
3960 of this subsection, the outdoor portion of the premises of any permittee
3961 listed in subparagraph (E) of subdivision (1) of this subsection,
3962 provided, in the case of any seating area maintained for the service of
3963 food, at least seventy-five per cent of the outdoor seating capacity is an
3964 area in which smoking is prohibited and which is clearly designated
3965 with written signage as a nonsmoking area, except that any temporary
3966 seating area established for special events and not used on a regular
3967 basis shall not be subject to the smoking prohibition or signage
3968 requirements of this subparagraph; [(G)] (D) any medical research site
3969 where smoking is integral to the research being conducted; or [(H)] (E)
3970 any tobacco bar, provided no tobacco bar shall expand in size or change
3971 its location from its size or location as of December 31, 2002. For

3972 purposes of this subdivision, "outdoor" means an area which has no roof
3973 or other ceiling enclosure, "tobacco bar" means an establishment with a
3974 permit for the sale of alcoholic liquor to consumers issued pursuant to
3975 chapter 545 that, in the calendar year ending December 31, 2002,
3976 generated ten per cent or more of its total annual gross income from the
3977 on-site sale of tobacco products and the rental of on-site humidors, [and]
3978 "tobacco product" means any substance that contains tobacco,
3979 including, but not limited to, cigarettes, cigars, pipe tobacco or chewing
3980 tobacco, except "tobacco product" does not include cannabis.

3981 [(c) The operator of a hotel, motel or similar lodging may allow guests
3982 to smoke in not more than twenty-five per cent of the rooms offered as
3983 accommodations to guests.]

3984 [(d)] (c) In each room, elevator, area or building in which smoking is
3985 prohibited by this section, the person in control of the premises shall
3986 post or cause to be posted in a conspicuous place signs stating that
3987 smoking is prohibited by state law. Such signs, except in elevators,
3988 restaurants, establishments with permits to sell alcoholic liquor to
3989 consumers issued pursuant to chapter 545, hotels, motels or similar
3990 lodgings, and health care institutions, shall have letters at least four
3991 inches high with the principal strokes of letters not less than one-half
3992 inch wide.

3993 [(e)] (d) Any person found guilty of smoking in violation of this
3994 section, failure to post signs as required by this section or the
3995 unauthorized removal of such signs shall have committed an infraction.
3996 Nothing in this section shall be construed to require the person in
3997 control of a building to post such signs in every room of [a] the building,
3998 provided such signs are posted in a conspicuous place in [such] the
3999 building.

4000 [(f)] (e) Nothing in this section shall be construed to require any
4001 smoking area [in] inside or outside any building or the entryway to any
4002 building or on any property.

4003 [(g)] (f) The provisions of this section shall supersede and preempt
4004 the provisions of any municipal law or ordinance relative to smoking
4005 effective prior to, on or after October 1, 1993.

4006 Sec. 87. Section 19a-342a of the general statutes is repealed and the
4007 following is substituted in lieu thereof (*Effective October 1, 2021*):

4008 (a) As used in this section: [and section 2 of public act 15-206:]

4009 (1) "Any area" means the interior of the facility, building or
4010 establishment and the outside area within twenty-five feet of any
4011 doorway, operable window or air intake vent of the facility, building or
4012 establishment;

4013 [(1)] (2) "Child care facility" means a provider of child care services as
4014 defined in section 19a-77, or a person or entity required to be licensed
4015 under section 17a-145;

4016 [(2)] (3) "Electronic nicotine delivery system" [has the same meaning
4017 as provided in section 21a-415;] means an electronic device used in the
4018 delivery of nicotine to a person inhaling from the device, and includes,
4019 but is not limited to, an electronic cigarette, electronic cigar, electronic
4020 cigarillo, electronic pipe or electronic hookah and any related device and
4021 any cartridge or other component of such device, including, but not
4022 limited to, electronic cigarette liquid or synthetic nicotine. "Electronic
4023 nicotine delivery system" does not include a medicinal or therapeutic
4024 product that is (A) used by a licensed health care provider to treat a
4025 patient in a health care setting, (B) used by a patient, as prescribed or
4026 directed by a licensed healthcare provider in any setting, or (C) any drug
4027 or device, as defined in the Food, Drug and Cosmetic Act, 21 USC 321,
4028 as amended from time to time, any combination product, as described
4029 in said act, 21 USC 353(g), as amended from time to time, or any
4030 biological product, as described in 42 USC 262, as amended from time
4031 to time, and 21 CFR 600.3, as amended from time to time, authorized for
4032 sale by the federal Food and Drug Administration;

4033 (4) "Electronic cigarette liquid" does not include a medicinal or
4034 therapeutic product that is (A) used by a licensed health care provider
4035 to treat a patient in a health care setting, (B) used by a patient, as
4036 prescribed or directed by a licensed health care provider in any setting,
4037 or (C) any drug or device, as defined in the Food, Drug and Cosmetic
4038 Act, 21 USC 321, as amended from time to time, any combination
4039 product, as described in said act, 21 USC 353(g), as amended from time
4040 to time, or any biological product, as described in 42 USC 262, as
4041 amended from time to time, and 21 CFR 600.3, as amended from time to
4042 time, authorized for sale by the federal Food and Drug Administration;

4043 (5) "Electronic cannabis delivery system" means an electronic device
4044 that may be used to simulate smoking in the delivery of cannabis to a
4045 person inhaling the device and includes, but is not limited to, a
4046 vaporizer, electronic pipe, electronic hookah and any related device and
4047 any cartridge or other component of such device. "Electronic cannabis
4048 delivery system" does not include a medicinal or therapeutic product
4049 that is (A) used by a licensed health care provider to treat a patient in a
4050 health care setting, (B) used by a patient, as prescribed or directed by a
4051 licensed health care provider in any setting, or (C) any drug or device,
4052 as defined in the Food, Drug and Cosmetic Act, 21 USC 321, as amended
4053 from time to time, any combination product, as described in said act, 21
4054 USC 353(g), as amended from time to time, or any biological product, as
4055 described in 42 USC 262, as amended from time to time, and 21 CFR
4056 600.3, as amended from time to time, authorized for sale by the federal
4057 Food and Drug Administration;

4058 (6) "Cannabis" means marijuana, as defined in section 21a-240;

4059 ~~[(3)]~~ (7) "Liquid nicotine container" means a container that holds a
4060 liquid substance containing nicotine that is sold, marketed or intended
4061 for use in an electronic nicotine delivery system or vapor product,
4062 except "liquid nicotine container" does not include such a container that
4063 is prefilled and sealed by the manufacturer and not intended to be
4064 opened by the consumer; and

4065 [(4)] (8) "Vapor product" [has the same meaning as provided in
4066 section 21a-415] means any product that employs a heating element,
4067 power source, electronic circuit or other electronic, chemical or
4068 mechanical means, regardless of shape or size, to produce a vapor that
4069 may include nicotine or cannabis and is inhaled by the user of such
4070 product. "Vapor product" does not include a medicinal or therapeutic
4071 product that is (A) used by a licensed health care provider to treat a
4072 patient in a health care setting, (B) used by a patient, as prescribed or
4073 directed by a licensed health care provider in any setting, or (C) any
4074 drug or device, as defined in the Food, Drug and Cosmetic Act, 21 USC
4075 321, as amended from time to time, any combination product, as
4076 described in said act, 21 USC 353(g), as amended from time to time, or
4077 any biological product, as defined in 42 USC 262, as amended from time
4078 to time, and 21 CFR 600.3, as amended from time to time, authorized for
4079 sale by the federal Food and Drug Administration.

4080 (b) (1) No person shall use an electronic nicotine or cannabis delivery
4081 system or vapor product: (A) In any area of a building or portion of a
4082 building owned and operated or leased and operated by the state or any
4083 political subdivision thereof; (B) in any area of a health care institution,
4084 including, but not limited to, a psychiatric facility; (C) in any area of a
4085 retail [food store] establishment accessed by the public; (D) in any
4086 restaurant; (E) in any area of an establishment with a permit issued for
4087 the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-
4088 22, 30-22a, 30-22c, 30-26, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-
4089 37e or 30-37f, in any area of establishment with a permit issued for the
4090 sale of alcoholic liquor pursuant to section 30-23 issued after May 1,
4091 2003, or the bar area of a bowling establishment holding a permit
4092 pursuant to subsection (a) of section 30-37c; (F) [within] in any area of a
4093 school building or on the grounds of such school; (G) within a child care
4094 facility or on the grounds of such child care facility, except, if the child
4095 care facility is a family child care home as defined in section 19a-77, such
4096 use is prohibited only when a child enrolled in such home is present
4097 during customary business hours; (H) in any passenger elevator; [

4098 provided no person shall be arrested for violating this subsection unless
4099 there is posted in such elevator a sign which indicates that such use is
4100 prohibited by state law;] (I) in any area of a dormitory in any public or
4101 private institution of higher education; [or] (J) in any area of a dog race
4102 track or a facility equipped with screens for the simulcasting of off-track
4103 betting race programs or jai alai games; (K) in any room offered as an
4104 accommodation to guests by the operator of a hotel, motel or similar
4105 lodging; or (L) in any area of a correctional facility, halfway house or
4106 residential facility funded by the Judicial Branch. For purposes of this
4107 subsection, "restaurant" means space, in a suitable and permanent
4108 building, kept, used, maintained, advertised and held out to the public
4109 to be a place where meals are regularly served to the public, and "school"
4110 has the same meaning as provided in section 10-154a.

4111 (2) [This section] Subdivision (1) of this subsection shall not apply to
4112 [(A) correctional facilities; (B) designated smoking areas in psychiatric
4113 facilities; (C) public] the following: (A) Public housing projects, as
4114 defined in subsection (b) of section 21a-278a; [(D)] (B) any classroom
4115 where a demonstration of the use of an electronic nicotine or cannabis
4116 delivery system or vapor product is taking place as part of a medical or
4117 scientific experiment or lesson; [(E)] (C) any medical research site where
4118 the use of an electronic nicotine or cannabis delivery system or vapor
4119 product is integral to the research being conducted; [(F)] (D)
4120 establishments without a permit for the sale of alcoholic liquor that sell
4121 electronic nicotine delivery systems, vapor products or liquid nicotine
4122 containers on-site and allow their customers to use such systems,
4123 products or containers on-site; [(G) smoking rooms provided by
4124 employers for employees, pursuant to section 31-40q; (H)] (E)
4125 notwithstanding the provisions of subparagraph (E) of subdivision (1)
4126 of this subsection, the outdoor portion of the premises of any permittee
4127 listed in subparagraph (E) of subdivision (1) of this subsection,
4128 provided, in the case of any seating area maintained for the service of
4129 food, at least seventy-five per cent of the outdoor seating capacity is an
4130 area in which smoking is prohibited and which is clearly designated

4131 with written signage as a nonsmoking area, except that any temporary
4132 seating area established for special events and not used on a regular
4133 basis shall not be subject to the prohibition on the use of an electronic
4134 nicotine or cannabis delivery system or vapor product or the signage
4135 requirements of this subparagraph; or ~~[(I)]~~ ~~(F)~~ any tobacco bar, provided
4136 no tobacco bar shall expand in size or change its location from its size or
4137 location as of October 1, 2015. For purposes of this subdivision,
4138 "outdoor" means an area which has no roof or other ceiling enclosure,
4139 "tobacco bar" means an establishment with a permit for the sale of
4140 alcoholic liquor to consumers issued pursuant to chapter 545 that, in the
4141 calendar year ending December 31, 2015, generated ten per cent or more
4142 of its total annual gross income from the on-site sale of tobacco products
4143 and the rental of on-site humidors, [and] "tobacco product" means any
4144 substance that contains tobacco, including, but not limited to, cigarettes,
4145 cigars, pipe tobacco or chewing tobacco, except that "tobacco product"
4146 does not include cannabis.

4147 [(c) The operator of a hotel, motel or similar lodging may allow guests
4148 to use an electronic nicotine delivery system or vapor product in not
4149 more than twenty-five per cent of the rooms offered as accommodations
4150 to guests.]

4151 ~~[(d)]~~ ~~(c)~~ In each room, elevator, area or building in which the use of
4152 an electronic nicotine or cannabis delivery system or vapor product is
4153 prohibited by this section, the person in control of the premises shall
4154 post or cause to be posted in a conspicuous place signs stating that such
4155 use is prohibited by state law. Such signs, except in elevators,
4156 restaurants, establishments with permits to sell alcoholic liquor to
4157 consumers issued pursuant to chapter 545, hotels, motels or similar
4158 lodgings, and health care institutions, shall have letters at least four
4159 inches high with the principal strokes of letters not less than one-half
4160 inch wide.

4161 ~~[(e)]~~ ~~(d)~~ Any person found guilty of using an electronic nicotine or
4162 cannabis delivery system or vapor product in violation of this section,

4163 failure to post signs as required by this section or the unauthorized
4164 removal of such signs shall have committed an infraction. Nothing in
4165 this section shall be construed to require the person in control of a
4166 building to post such signs in every room of the building, provided such
4167 signs are posted in a conspicuous place in the building.

4168 [(f)] (e) Nothing in this section shall be construed to require the
4169 designation of any area for the use of electronic nicotine or cannabis
4170 delivery system or vapor product [in] inside or outside any building or
4171 the entryway to any building or on any property.

4172 [(g)] (f) The provisions of this section shall supersede and preempt
4173 the provisions of any municipal law or ordinance relative to the use of
4174 an electronic nicotine delivery system or vapor product effective prior
4175 to, on or after October 1, 2015.

4176 Sec. 88. Section 31-40q of the general statutes is repealed and the
4177 following is substituted in lieu thereof (*Effective October 1, 2021*):

4178 (a) As used in this section:

4179 (1) "Person" means one or more individuals, partnerships,
4180 associations, corporations, limited liability companies, business trusts,
4181 legal representatives or any organized group of persons; [.]

4182 (2) "Employer" means a person engaged in business who has
4183 employees, including the state and any political subdivision thereof; [.]

4184 (3) "Employee" means any person engaged in service to an employer
4185 in the business of his employer; [.]

4186 (4) "Business facility" means a structurally enclosed location or
4187 portion thereof at which employees perform services for their employer.
4188 The term "business facility" does not include: (A) Facilities listed in
4189 [subparagraph (A), (C) or (H) of] subdivision (2) of subsection (b) of
4190 section 19a-342 or subdivision (2) of subsection (b) of section 19a-342a;
4191 (B) any establishment with a permit for the sale of alcoholic liquor

4192 pursuant to section 30-23 issued on or before May 1, 2003; (C) for any
4193 business that is engaged in the testing or development of tobacco, [or]
4194 tobacco products or cannabis, the areas of such business designated for
4195 such testing or development; or (D) during the period from October 1,
4196 2003, to April 1, 2004, establishments with a permit issued for the sale of
4197 alcoholic liquor pursuant to section 30-22a or 30-26 or the bar area of a
4198 bowling establishment holding a permit pursuant to subsection (a) of
4199 section 30-37c; [.]

4200 (5) ["Smoking"] "Smoke" or "smoking" means the burning of a lighted
4201 cigar, cigarette, pipe or any other [matter or substance which contains
4202 tobacco.] similar device, whether containing, wholly or in part, tobacco,
4203 cannabis or hemp;

4204 (6) "Cannabis" means marijuana, as defined in section 21a-240;

4205 (7) "Electronic nicotine delivery system" has the same meaning as
4206 provided in section 19a-342a;

4207 (8) "Electronic cannabis delivery system" has the same meaning as
4208 provided in section 19a-342a;

4209 (9) "Vapor product" has the same meaning as provided in section 19a-
4210 342a;

4211 (10) "Any area" has the same meaning as provided in section 19a-
4212 342a; and

4213 (11) "Hemp" has the same meaning as provided in section 22-61l.

4214 [(b) Each employer with fewer than five employees in a business
4215 facility shall establish one or more work areas, sufficient to
4216 accommodate nonsmokers who request to utilize such an area, within
4217 each business facility under his control, where smoking is prohibited.
4218 The employer shall clearly designate the existence and boundaries of
4219 each nonsmoking area by posting signs which can be readily seen by
4220 employees and visitors. In the areas within the business facility where

4221 smoking is permitted, existing physical barriers and ventilation systems
4222 shall be used to the extent practicable to minimize the effect of smoking
4223 in adjacent nonsmoking areas.]

4224 [(c) (1)] (b) Each employer [with five or more employees] shall
4225 prohibit smoking [in] and the use of electronic nicotine and cannabis
4226 delivery systems and vapor products in any area of any business facility
4227 under said employer's control. [, except that an employer may designate
4228 one or more smoking rooms.]

4229 [(2) Each employer that provides a smoking room pursuant to this
4230 subsection shall provide sufficient nonsmoking break rooms for
4231 nonsmoking employees.

4232 (3) Each smoking room designated by an employer pursuant to this
4233 subsection shall meet the following requirements: (A) Air from the
4234 smoking room shall be exhausted directly to the outside by an exhaust
4235 fan, and no air from such room shall be recirculated to other parts of the
4236 building; (B) the employer shall comply with any ventilation standard
4237 adopted by (i) the Commissioner of Labor pursuant to chapter 571, (ii)
4238 the United States Secretary of Labor under the authority of the
4239 Occupational Safety and Health Act of 1970, as from time to time
4240 amended, or (iii) the federal Environmental Protection Agency; (C) such
4241 room shall be located in a nonwork area, where no employee, as part of
4242 his or her work responsibilities, is required to enter, except such work
4243 responsibilities shall not include any custodial or maintenance work
4244 carried out in the smoking room when it is unoccupied; and (D) such
4245 room shall be for the use of employees only.]

4246 [(d)] (c) Nothing in this section may be construed to prohibit an
4247 employer from designating an entire business facility and the real
4248 property on which the business facility is located as a nonsmoking area.

4249 Sec. 89. (NEW) (*Effective July 1, 2022*) (a) As used in this section,
4250 "cannabis" has the same meaning as provided in section 1 of this act and
4251 "electronic cannabis delivery system" and "vapor product" have the

4252 same meanings as provided in section 19a-342a of the general statutes.
4253 No hotel, motel or similar lodging shall prohibit the legal possession or
4254 consumption of cannabis in any nonpublic area of such hotel, motel or
4255 similar lodging.

4256 (b) Notwithstanding the provisions of subsection (a) of this section, a
4257 hotel, motel or similar lodging shall prohibit the smoking of cannabis
4258 and the use of an electronic cannabis delivery system or a vapor product
4259 containing cannabis in any location of such hotel, motel or similar
4260 lodging.

4261 Sec. 90. (NEW) (*Effective July 1, 2022*) (a) As used in this section,
4262 "tenant", "landlord" and dwelling unit" have the same meanings as
4263 provided in section 47a-1 of the general statutes. Except as provided in
4264 this section, a landlord or property manager may not refuse to rent to a
4265 prospective tenant or an existing tenant, or otherwise discriminate
4266 against a prospective tenant or an existing tenant, based on a past
4267 conviction for possession of a cannabis-type substance under section
4268 21a-279a of the general statutes, or for a past conviction for possession
4269 of four or fewer ounces of cannabis plant material, and any
4270 equivalencies and combinations thereof, pursuant to subsection (i) of
4271 section 21a-279a of the general statutes in any other jurisdiction.

4272 (b) Except as provided in this section, in the case of the rental of a
4273 dwelling unit, a landlord or property manager may not prohibit the
4274 possession of cannabis or the consumption of cannabis, except a
4275 landlord or property manager may prohibit smoking of cannabis or use
4276 of an electronic cannabis device or cannabis vapor product, as such
4277 terms are defined in section 19a-342a of the general statutes.

4278 (c) A landlord or property manager may not require a tenant to
4279 submit to a drug test.

4280 (d) The provisions of this section do not apply if:

4281 (1) The tenant is a roomer who is not leasing the entire residence;

4282 (2) the residence is incidental to detention or the provision of medical,
4283 geriatric, educational, counseling, religious, or similar service;

4284 (3) The residence is a transitional housing or sober living facility; or

4285 (4) Failing to prohibit cannabis possession or consumption or failure
4286 to require a drug test would violate federal law or regulations or cause
4287 the landlord to lose a monetary or licensing-related benefit under
4288 federal law or regulations.

4289 Sec. 91. (NEW) (*Effective July 1, 2022*) The use of cannabis shall be
4290 prohibited on any state lands or waters managed by the Department of
4291 Energy and Environmental Protection. Any person who violates such
4292 prohibition shall be fined not more than two hundred fifty dollars. The
4293 provisions of this section may only be enforced by agents of the
4294 Department of Energy and Environmental Protection.

4295 Sec. 92. (NEW) (*Effective July 1, 2021*) The Commissioner of Correction
4296 may prohibit the possession of cannabis in any Department of
4297 Correction facility or halfway house.

4298 Sec. 93. (NEW) (*Effective July 1, 2022*) A drug test of an individual that
4299 yields a positive result solely for 11-nor-9-carboxy-delta-9-
4300 tetrahydrocannabinol shall not be construed, without other evidence, as
4301 proof that such individual is under the influence of or impaired by
4302 cannabis.

4303 Sec. 94. (NEW) (*Effective July 1, 2021*) The presence of cannabinoid
4304 metabolites in the bodily fluids of a person:

4305 (1) With respect to a patient, shall not constitute the use of an illicit
4306 substance resulting in denial of medical care, including organ
4307 transplantation, and a patient's use of cannabis products may only be
4308 considered with respect to evidence-based clinical criteria; and

4309 (2) With respect to a parent or legal guardian of a child or newborn
4310 infant, or a pregnant woman, shall not form the sole or primary basis for

4311 any action or proceeding by the Department of Children and Families,
4312 or any successor agencies provided, nothing in this subdivision shall
4313 preclude any action or proceeding by such department based on harm
4314 or risk of harm to a child or the use of information on the presence of
4315 cannabinoid metabolites in the bodily fluids of any person in any action
4316 or proceeding.

4317 Sec. 95. (NEW) (*Effective July 1, 2021*) A drug test of a student that
4318 yields a positive result solely for 11-nor-9-carboxy-delta-9-
4319 tetrahydrocannabinol shall not form the sole basis for an educational
4320 institution to refuse to enroll or to continue to enroll, or otherwise
4321 penalize such student, unless failing to do so would put the educational
4322 institution in violation of a federal contract or cause it to lose federal
4323 funding, or such student is being drug tested as required by the National
4324 Collegiate Athletic Association and any such action is taken as required
4325 by the policies of the National Collegiate Athletic Association.

4326 Sec. 96. (NEW) (*Effective July 1, 2021*) No institution of higher
4327 education, as defined in section 10a-55 of the general statutes, shall
4328 revoke any financial aid, student loans, or expel a student, solely for use
4329 or possession of less than (1) four ounces of cannabis plant material, (2)
4330 an equivalent amount of cannabis product, as provided in subsection (i)
4331 of section 21a-279a of the general statutes, or (3) an equivalent amount
4332 of a combination of cannabis and cannabis product, as provided in
4333 subsection (i) of section 21a-279a of the general statutes, unless
4334 complying with the provisions of this section would violate federal law
4335 or a federal contract, or failing to take the actions prohibited under this
4336 section would jeopardize an institution of higher education's federal
4337 funding.

4338 Sec. 97. (NEW) (*Effective July 1, 2022*) As used in this section and
4339 sections 98 to 101, inclusive, of this act:

4340 (1) "Employee" means any individual employed or permitted to work
4341 by an employer, or an independent contractor;

4342 (2) "Employer" has the same meaning as provided in section 31-58 of
4343 the general statutes;

4344 (3) "Exempted employer" means an employer whose primary activity
4345 is (A) mining, including, but not limited to, an employer with a two-
4346 digit North American Industry Classification System code of 21, (B)
4347 utilities, including, but not limited to, any employer with a two-digit
4348 North American Industry Classification System code of 22, (C)
4349 construction, including, but not limited to, an employer with a two-digit
4350 North American Industry Classification System code of 23, (D)
4351 manufacturing, including, but not limited to, an employer with a two-
4352 digit North American Industry Classification System code of 31, 32 or
4353 33, (E) transportation or delivery, including, but not limited to, an
4354 employer with a two-digit North American Industry Classification
4355 System code of 48 or 49, (F) educational services, including, but not
4356 limited to, an employer with a two-digit North American Industry
4357 Classification System Code of 61, (G) health care or social services,
4358 including, but not limited to, an employer with a two-digit North
4359 American Industry Classification System Code of 62, (H) justice, public
4360 order, and safety activities, including, but not limited to, an employer
4361 with a four-digit North American Industry Classification System code
4362 of 9221, or (I) national security and international affairs, including, but
4363 not limited to, those with a three-digit North American Industry
4364 Classification System code of 928. As used in this subdivision,
4365 "Employer" includes any subdivision of a business entity that is a
4366 standalone business unit, including, but not limited to, having its own
4367 executive leadership, having some or significant autonomy and having
4368 its own financial statements and results;

4369 (4) "Exempted position" means a position:

4370 (A) As a firefighter;

4371 (B) As an emergency medical technician;

4372 (C) As a police officer or peace officer, in a position with a law

4373 enforcement or investigative function at a state or local agency or in a
4374 position with the Department of Correction involving direct contact
4375 with inmates;

4376 (D) Requiring operation of a motor vehicle, for which federal or state
4377 law requires any employee such position to submit to screening tests,
4378 including, but not limited to, any position requiring a commercial
4379 driver's license or any position subject to 49 CFR 40, 14 CFR 120 or 49
4380 CFR 16;

4381 (E) Requiring certification of completion of a course in construction
4382 safety and health approved by the federal Occupational Safety and
4383 Health Administration;

4384 (F) Requiring a federal Department of Defense or Department of
4385 Energy national security clearance;

4386 (G) For which the provisions of sections 98 to 101, inclusive, of this
4387 act, are inconsistent or otherwise in conflict with the provisions of an
4388 employment contract or collective bargaining agreement;

4389 (H) For which the provisions of sections 98 to 101, inclusive, of this
4390 act, would be inconsistent or otherwise in conflict with any provision of
4391 federal law;

4392 (I) Funded in whole or in part by a federal grant;

4393 (J) Requiring certification of completion of a course in construction
4394 safety and health approved by the federal Occupational Safety and
4395 Health Administration;

4396 (K) Requiring the supervision or care of children, medical patients or
4397 vulnerable persons;

4398 (L) With the potential to adversely impact the health or safety of
4399 employees or members of the public, in the determination of the
4400 employer;

4401 (M) At a nonprofit organization or corporation, the primary purpose
4402 of which is to discourage use of cannabis products or any other drug by
4403 the general public; or

4404 (N) At an exempt employer.

4405 (5) "Exempted employee" means an employee holding an exempted
4406 position or working for an exempted employer;

4407 (6) "On call" means a period of time for which an employee (A) is
4408 scheduled with at least twenty-four hours' notice by his or her employer
4409 to be on standby or otherwise responsible for performing tasks related
4410 to his or her employment, either at the employer's premises or other
4411 previously designated location by his or her employer or supervisor to
4412 perform a work-related task, and (B) is being compensated for such
4413 scheduled time;

4414 (7) "Work hours" means any period of time for which such employee
4415 is compensated by an employer and is performing job duties or is
4416 reasonably expected to be performing job duties; and

4417 (8) "Workplace" means the employer's premises, including any
4418 building, real property, and parking area under the control of the
4419 employer, and area used by an employee while in the performance of
4420 the employee's job duties, and the employer's vehicles, whether leased,
4421 rented, or owned.

4422 Sec. 98. (NEW) (*Effective July 1, 2022*) (a) No employer shall be
4423 required to make accommodations for an employee or be required to
4424 allow an employee to: (1) Perform his or her duties while under the
4425 influence of cannabis, or (2) possess, use or otherwise consume cannabis
4426 while performing such duties or on the premises of the employer, except
4427 possession of palliative cannabis by a qualifying patient under chapter
4428 420f of the general statutes.

4429 (b) (1) An employer may implement a policy prohibiting the

4430 possession, use or other consumption of cannabis by an employee,
4431 except (A) as provided in section 21a-408p of the general statutes, and
4432 (B) for possession of palliative cannabis by a qualifying patient under
4433 chapter 420f of the general statutes, provided such policy is: (i) In
4434 writing in either physical or electronic form, and (ii) made available to
4435 each employee prior to the enactment of such policy. The employer shall
4436 make any such policy available to each prospective employee at the time
4437 the employer makes an offer or conditional offer of employment to the
4438 prospective employee.

4439 (2) (A) No employer shall discharge from employment or take any
4440 adverse action against any employee with respect to compensation,
4441 terms, conditions or other privileges of employment because such
4442 employee does or does not smoke, vape, aerosolize or otherwise use
4443 cannabis products outside of the workplace, unless such employment
4444 action is made pursuant to a policy established under subdivision (1) of
4445 this subsection.

4446 (B) No employer shall discharge from employment or take any
4447 adverse action against any employee or prospective employee with
4448 respect to compensation, terms, conditions, refusal to hire or other
4449 privileges of employment because such employee or prospective
4450 employee had or had not smoked, vaped, aerosolized or otherwise used
4451 cannabis products outside of the workplace before such employee or
4452 prospective employee was employed by such employer, unless failing
4453 to do so would put the employer in violation of a federal contract or
4454 cause it to lose federal funding.

4455 (c) Nothing in sections 97 to 101, inclusive, of this act: (1) Requires an
4456 employer to amend or repeal, or affect, restrict or preempt the rights and
4457 obligations of employers to maintain a drug and alcohol-free workplace,
4458 or (2) shall limit an employer from taking appropriate adverse or other
4459 employment action upon (A) reasonable suspicion of an employee's
4460 usage of cannabis while engaged in the performance of the employee's
4461 work responsibilities at the workplace or on call, or (B) determining that

4462 an employee manifests specific, articulable symptoms of drug
4463 impairment while working at the workplace or on call that decrease or
4464 lessen the employee's performance of the duties or tasks of the
4465 employee's job position, including, but not limited to, (i) symptoms of
4466 the employee's speech, physical dexterity, agility, coordination,
4467 demeanor, irrational or unusual behavior, or negligence or carelessness
4468 in operating equipment of machinery, (ii) disregard for the safety of the
4469 employee or others, or involvement in any accident that results in
4470 serious damage to equipment or property, (iii) disruption of a
4471 production or manufacturing process, or (iv) carelessness that results in
4472 any injury to the employee or others.

4473 (d) (1) The provisions of subsection (b) of this section shall not apply
4474 to an exempted employer, an exempted employee or to any employee
4475 who holds or is applying for an exempted position.

4476 (2) Nothing in sections 97 to 101, inclusive, of this act, shall limit or
4477 prevent an employer from subjecting an employee or applicant to drug
4478 testing or a fitness for duty evaluation, or from taking adverse action,
4479 including, but not limited to, disciplining an employee, terminating the
4480 employment of an employee or rescinding a conditional job offer to a
4481 prospective employee pursuant to a policy established under
4482 subdivision (1) of subsection (b) of this section.

4483 Sec. 99. (NEW) (*Effective July 1, 2022*) A drug test of a prospective or
4484 existing employee, other than a prospective or existing exempted
4485 employee, that yields a positive result solely for 11-nor-9-carboxy-delta-
4486 9-tetrahydrocannabinol, shall not form the sole basis for refusal to
4487 employ or to continue to employ or otherwise penalize such prospective
4488 or existing employee, unless (1) failing to do so would put the employer
4489 in violation of a federal contract or cause it to lose federal funding, (2)
4490 the employer reasonably suspects an employee's usage of cannabis
4491 while engaged in the performance of the employee's work
4492 responsibilities, (3) the employee manifests specific, articulable
4493 symptoms of drug impairment while working that decrease or lessen

4494 the employee's performance of the duties or tasks of the employee's job
4495 position, including, but not limited to, (A) symptoms of the employee's
4496 speech, physical dexterity, agility, coordination, demeanor, irrational or
4497 unusual behavior or negligence or carelessness in operating equipment
4498 of machinery, (B) disregard for the safety of the employee or others, or
4499 involvement in any accident that results in serious damage to
4500 equipment or property, (C) disruption of a production or manufacturing
4501 process, or (D) carelessness that results in any injury to the employee or
4502 others, or (4) except as provided in section 21a-408p of the general
4503 statutes, such drug test was pursuant to a random drug testing policy
4504 pursuant to subdivision (1) of subsection (b) of section 98 of this act or
4505 was of a prospective employee with a conditional job offer, and such
4506 employer has established in such policy that a positive drug test for 11-
4507 nor-9-carboxy-delta-9-tetrahydrocannabinol may result in an adverse
4508 employment action.

4509 Sec. 100. (NEW) (*Effective July 1, 2022*) (a) Except as provided in
4510 subsection (b) of this section, if an employer has violated any provision
4511 of section 98 or 99 of this act, an individual aggrieved by such violation
4512 may bring a civil action for judicial enforcement of such provision in the
4513 superior court for the judicial district where the violation is alleged to
4514 have occurred, or where the employer has its principal office, within
4515 ninety days of such alleged violation, except any action involving a state
4516 agency may be brought in the superior court for the judicial district of
4517 Hartford. Any individual who prevails in such civil action may be
4518 awarded reinstatement of the individual's previous employment or job
4519 offer, back wages and reasonable attorney's fees and costs, to be taxed
4520 by the court.

4521 (b) Nothing in this section shall be construed to create or imply a
4522 cause of action for any person against an employer: (1) For actions taken
4523 based on the employer's good faith belief that an employee used or
4524 possessed cannabis, except possession of palliative cannabis by a
4525 qualifying patient under chapter 420f of the general statutes, in the
4526 employer's workplace, while performing the employee's job duties,

4527 during work hours, or while on call in violation of the employer's
4528 employment policies; (2) for actions taken, including discipline or
4529 termination of employment, based on the employer's good faith belief
4530 that an employee was unfit for duty or impaired as a result of the use of
4531 cannabis, or under the influence of cannabis, while at the employer's
4532 workplace, while performing the employee's job duties, during work
4533 hours or while on call in violation of the employer's workplace drug
4534 policy; (3) for injury, loss or liability to a third party if the employer
4535 neither knew nor had reason to know that the employee was impaired
4536 by cannabis; (4) for subjecting an employee to drug testing or a fitness
4537 for duty evaluation, pursuant to a policy established under subdivision
4538 (1) of subsection (b) of section 98 of this act; (5) for subjecting a
4539 prospective employee to drug testing or taking adverse action against a
4540 prospective employee, including, but not limited to, rescission of a
4541 conditional job offer, based on the results of a drug test, so long as no
4542 employer takes adverse action against a prospective employee in regard
4543 to a drug test that is solely positive for 11-nor-9-carboxy-delta-9-
4544 tetrahydrocannabinol unless such employer is an exempted employer,
4545 such prospective employee is applying for an exempted position, or the
4546 employer has established in an employment policy pursuant to
4547 subdivision (1) of subsection (b) of section 98 of this act that a positive
4548 drug test for 11-nor-9-carboxy-delta-9-tetrahydrocannabinol may result
4549 in adverse employment action; or (6) if such employer is an exempted
4550 employer or the claims are regarding an exempted position.

4551 (c) Notwithstanding the provisions of chapter 557 of the general
4552 statutes, no employer, officer, agent or other person who violates any
4553 provision of sections 98 to 101, inclusive, of this act shall be liable to the
4554 Labor Department for a civil penalty, nor shall the Labor Department
4555 undertake an investigation of an employer, officer, agent or other person
4556 based solely on an allegation that such employer, officer, agent or other
4557 person violated the provisions of this section.

4558 Sec. 101. (NEW) (*Effective July 1, 2021*) (a) Notwithstanding the
4559 provisions of sections 98 to 100, inclusive, of this act, nothing in

4560 RERACA shall be construed to apply to drug testing, conditions of
4561 continued employment or conditions for hiring employees required
4562 pursuant to:

4563 (1) Any regulation of the federal Department of Transportation, if
4564 such regulation requires testing of a prospective employee in
4565 accordance with 49 CFR 40 or any regulations of state agencies that
4566 adopt a federal regulation for purposes of enforcing the requirements of
4567 such regulation with respect to intrastate commerce;

4568 (2) Any contract entered into between the federal government and an
4569 employer or any grant of financial assistance from the federal
4570 government to an employer that requires drug testing of prospective
4571 employees as a condition of receiving the contract or grant;

4572 (3) Any federal law or state statute, regulation or order that requires
4573 drug testing of prospective employees for safety or security purposes;
4574 or

4575 (4) Any applicant whose prospective employer is a party to a valid
4576 collective bargaining agreement that specifically addresses drug testing,
4577 conditions of hiring, or conditions of continued employment of such
4578 applicant.

4579 (b) Nothing in sections 98 to 100, inclusive, of this act, shall apply to
4580 the privileges, qualifications, credentialing, review or discipline of
4581 nonemployee, licensed healthcare professionals on the medical staff of
4582 a hospital or other medical organization.

4583 Sec. 102. (NEW) (*Effective July 1, 2021*) (a) As used in this section:

4584 (1) "Bona fide labor organization" means a labor union that (A)
4585 represents employees in this state with regard to wages, hours and
4586 working conditions, (B) whose officers have been elected by a secret
4587 ballot or otherwise in a manner consistent with federal law, (C) is free
4588 of domination or interference by any employer and has received no

4589 improper assistance or support from any employer, and (D) is actively
4590 seeking to represent cannabis workers in the state;

4591 (2) "Labor peace agreement" means an agreement between a cannabis
4592 establishment and a bona fide labor organization under this section
4593 pursuant to which the owners and management of the cannabis
4594 establishment agree not to lock out employees and that prohibits the
4595 bona fide labor organization from engaging in picketing, work
4596 stoppages or boycotts against the cannabis establishment;

4597 (3) "Cannabis establishment", "dispensary facility" and "producer"
4598 have the same meanings as provided in section 1 of this act; and

4599 (4) "Licensee" means a cannabis establishment licensee, dispensary
4600 facility or producer.

4601 (b) Any provisional cannabis establishment licensee, dispensary
4602 facility or producer shall, as a condition of its final license approval,
4603 license conversion or approval for expanded authorization,
4604 respectively, enter into a labor peace agreement with a bona fide labor
4605 organization. Any such labor peace agreement shall contain a clause
4606 that the parties agree that final and binding arbitration by a neutral
4607 arbitrator will be the exclusive remedy for any violation of such
4608 agreement.

4609 (c) Notwithstanding the provisions of chapter 54 of the general
4610 statutes, if an arbitrator finds that a licensee failed to comply with an
4611 order issued by the arbitrator to correct a failure to abide by such
4612 agreement, upon receipt of a written copy of such finding, the
4613 department shall suspend the licensee's license without further
4614 administrative proceedings or formal hearing.

4615 (d) A licensee or bona fide labor organization may commence a civil
4616 action in the Superior Court in the judicial district where the facility
4617 used in the operation of a cannabis establishment is located to enforce
4618 the arbitration award or to lift the license suspension. The license shall

4619 remain suspended until such time that (1) the arbitrator notifies, or both
4620 of the parties to the arbitration notify, the department that the licensee
4621 is in compliance with the arbitration award; (2) both of the parties to the
4622 arbitration notify the department that they have satisfactorily resolved
4623 their dispute; (3) the court, after hearing, lifts the suspension; or (4) the
4624 court, after hearing, orders alternative remedies, which may include, but
4625 need not be limited to, ordering the department to revoke the license or
4626 ordering the appointment of a receiver to properly dispose of any
4627 cannabis inventory. Except as provided in subsection (e) of this section,
4628 during such time that a license is suspended pursuant to this section,
4629 the licensee may engage in conduct necessary to maintain and secure
4630 the cannabis inventory, but may not sell, transport or transfer cannabis
4631 to another cannabis establishment, consumer or laboratory, unless such
4632 sale or transfer is associated with a voluntary surrender of license and a
4633 cannabis disposition plan approved by the commissioner.

4634 (e) A producer, cultivator or micro-cultivator may sell, transport or
4635 transfer cannabis to a product packager, food or beverage manufacturer,
4636 product manufacturer, dispensary facility or hybrid retailer for the sale
4637 of products to qualified patients or caregivers, which products shall be
4638 labeled "For Medical Use Only".

4639 Sec. 103. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
4640 "project labor agreement" means an agreement between a subcontractor
4641 or contractor and a cannabis establishment that: (1) Binds all contractors
4642 and subcontractors on the covered project to the project labor agreement
4643 through the inclusion of specifications in all relevant solicitation
4644 provisions and contract documents; (2) allows all contractors and
4645 subcontractors to compete for contracts and subcontracts on the project
4646 without regard to whether they are otherwise parties to collective
4647 bargaining agreements; (3) establishes uniform terms and conditions of
4648 employment for all construction labor employed on the projects; (4)
4649 guarantees against strikes, lockouts and similar job disruptions; (5) sets
4650 forth mutually binding procedures for resolving labor disputes arising
4651 during the project labor agreement; and (6) includes any other

4652 provisions as negotiated by the parties to promote successful delivery
4653 of the covered project; and "employee organization" means any lawful
4654 association, labor organization, federation or council having as a
4655 primary purpose the improvement of wages, hours and other
4656 conditions of employment for employees of cannabis establishments.

4657 (b) A project for the construction or renovation of any facility for the
4658 operation of a cannabis establishment in an amount of five million
4659 dollars or greater shall be the subject of a project labor agreement
4660 between the contractors and subcontractors of such project and the
4661 cannabis establishment. A contractor, subcontractor or employee
4662 organization may enforce the provisions of this section or seek remedies
4663 for noncompliance with a project labor agreement entered into under
4664 this section by commencing a civil action in the Superior Court in the
4665 judicial district where the cannabis establishment project is located. The
4666 court, after hearing, may order penalties of not more than ten thousand
4667 dollars per day for each violation of the project labor agreement by the
4668 cannabis establishment. A failure of a cannabis establishment to comply
4669 with the provisions of this section shall not be the basis for any
4670 administrative action by the Department of Consumer Protection.

4671 Sec. 104. (NEW) (*Effective July 1, 2021*) As used in this section,
4672 "hospital" has the same meaning as provided in section 19a-490 of the
4673 general statutes and "cannabis" has the same meaning as provided in
4674 section 1 of this act. No hospital shall be required to allow a patient to
4675 use cannabis while at such hospital. A hospital may have a policy that
4676 sets forth restrictions patients shall follow regarding cannabis use.

4677 Sec. 105. (NEW) (*Effective July 1, 2021*) Any cannabis establishment
4678 licensee or any servant or agent of a licensee who sells or delivers
4679 cannabis or cannabis paraphernalia to any person under twenty-one
4680 years of age shall be guilty of a class A misdemeanor. For purposes of
4681 this section, "paraphernalia" has the same meaning as provided in
4682 section 1 of this act.

4683 Sec. 106. (NEW) (*Effective July 1, 2021*) (a) A cannabis establishment
4684 issued a license pursuant to RERACA or an agent or employee of such
4685 licensee may require any person whose age is in question to have such
4686 person's photograph be taken by, and a photocopy of such person's
4687 driver's license or identity card issued in accordance with the provisions
4688 of section 1-1h of the general statutes be made by, such licensee, agent
4689 or employee as a condition of selling or delivering cannabis or cannabis
4690 products to such person.

4691 (b) No licensee or agent or employee of a licensee shall use a
4692 photograph taken or a photocopy made pursuant to subsection (a) of
4693 this section for a purpose other than the purpose specified in said
4694 subsection.

4695 (c) No licensee or agent or employee of a licensee shall sell or
4696 otherwise disseminate a photograph taken or a photocopy made
4697 pursuant to subsection (a) of this section, or any information derived
4698 from such photograph or photocopy, to any third party for any purpose
4699 including, but not limited to, any marketing, advertising or promotional
4700 activities, except that a licensee or an agent or employee of a licensee
4701 may release such photograph, photocopy or information pursuant to a
4702 court order.

4703 (d) In any prosecution of a licensee or an agent or employee of a
4704 licensee for selling or delivering cannabis to a person under twenty-one
4705 years of age in violation of section 105 of this act, or for providing
4706 cannabis to a person under twenty-one years of age in violation of
4707 section 163 of this act, it shall be an affirmative defense that such
4708 licensee, agent or employee sold or delivered cannabis to such person in
4709 good faith and in reasonable reliance upon the identification presented
4710 by such person and, pursuant to subsection (a) of this section,
4711 photographed the person and made a photocopy of such identification.
4712 In support of such defense, such licensee, agent or employee may
4713 introduce evidence of such photograph and photocopy.

4714 (e) The Commissioner of Consumer Protection may require a
4715 cannabis establishment to use an online age verification system.

4716 Sec. 107. (NEW) (*Effective July 1, 2021*) Any person who induces any
4717 person under twenty-one years of age to procure cannabis from any
4718 person licensed to sell such cannabis shall be guilty of a class A
4719 misdemeanor. The provisions of this section shall not apply to (1) the
4720 procurement of cannabis by a person over eighteen years of age who is
4721 an employee registered pursuant to the provisions of section 29 of this
4722 act where such procurement is made in the course of such person's
4723 employment or business, or (2) any such inducement in furtherance of
4724 an official investigation or enforcement activity conducted by a law
4725 enforcement agency. Nothing in this section shall be construed to
4726 prevent any action from being taken against any person permitted to
4727 sell cannabis who has sold cannabis to a person under twenty-one years
4728 of age who is participating in an official investigation or enforcement
4729 activity conducted by a law enforcement agency.

4730 Sec. 108. (NEW) (*Effective July 1, 2021*) (a) Each person who attains the
4731 age of twenty-one years and has a motor vehicle operator's license or
4732 identity card issued in accordance with the provisions of section 1-1h of
4733 the general statutes, containing a full-face photograph of such person,
4734 may use, and each licensee may accept, such license as legal proof of the
4735 age of the person for the purposes of RERACA.

4736 (b) Any person who, for the purpose of procuring cannabis,
4737 misrepresents his or her age or uses or exhibits an operator's license
4738 belonging to any other person shall for (1) a first offense, be fined not
4739 more than two hundred fifty dollars, and (2) any subsequent offense, be
4740 guilty of a class D misdemeanor.

4741 (c) The provisions of this section shall not apply to any person
4742 employed by, or who has contracted directly or indirectly with, a state
4743 agency for the purposes of testing the age verification and product
4744 controls of cannabis retailers while performing such testing duties.

4745 Sec. 109. (NEW) (*Effective July 1, 2021*) (a) No person having
4746 possession of, or exercising dominion and control over, any dwelling
4747 unit or private property shall: (1) Knowingly or recklessly permit any
4748 person under twenty-one years of age to possess cannabis in violation
4749 of section 21-279a of the general statutes, in such dwelling unit or on
4750 such private property, or (2) knowing that any person under twenty-one
4751 years of age possesses cannabis in violation of section 21-279a of the
4752 general statutes, in such dwelling unit or on such private property, fail
4753 to make reasonable efforts to halt such possession.

4754 (b) Any person who violates the provisions of subsection (a) of this
4755 section shall be guilty of a class A misdemeanor.

4756 Sec. 110. (NEW) (*Effective July 1, 2021*) (a) No retailer or hybrid retailer
4757 or employee or agent of a retailer or hybrid retailer shall permit any
4758 person under twenty-one years of age to loiter on his or her premises
4759 where cannabis is kept for sale or be in any room on such premises
4760 where cannabis is consumed, unless such person is (1) an employee of
4761 the retailer or hybrid retailer, (2) in the case of hybrid retailer or
4762 employee or agent of a hybrid retailer, permitted under chapter 420f of
4763 the general statutes to possess or consume cannabis, or (3) accompanied
4764 by his or her parent or guardian.

4765 (b) Any retailer or hybrid retailer or employee or agent of a retailer
4766 or hybrid retailer who violates the provisions of subsection (a) of this
4767 section shall be (1) fined not more than one thousand dollars for a first
4768 offense, and (2) guilty of a class B misdemeanor for any subsequent
4769 offense.

4770 Sec. 111. Section 30-89a of the general statutes is repealed and the
4771 following is substituted in lieu thereof (*Effective July 1, 2021*):

4772 (a) No person having possession of, or exercising dominion and
4773 control over, any dwelling unit or private property shall (1) knowingly
4774 [] or recklessly [or with criminal negligence] permit any minor to
4775 possess alcoholic liquor in violation of subsection (b) of section 30-89 in

4776 such dwelling unit or on such private property, or (2) knowing that any
4777 minor possesses alcoholic liquor in violation of subsection (b) of section
4778 30-89 in such dwelling unit or on such private property, fail to make
4779 reasonable efforts to halt such possession. For the purposes of this
4780 subsection, "minor" means a person under twenty-one years of age.

4781 (b) Any person who violates the provisions of subsection (a) of this
4782 section shall be guilty of a class A misdemeanor.

4783 Sec. 112. (NEW) (*Effective July 1, 2021*) (a) A person is guilty of
4784 smoking, otherwise inhaling or ingesting cannabis, as defined in section
4785 1 of this act, while operating a motor vehicle when he or she smokes,
4786 otherwise inhales or ingests cannabis, as defined in section 1 of this act,
4787 while operating a motor vehicle upon a public highway of this state or
4788 upon any road of any specially chartered municipal association or of
4789 any district organized under the provisions of chapter 105 of the general
4790 statutes, a purpose of which is the construction and maintenance of
4791 roads and sidewalks, or in any parking area for ten cars or more, or upon
4792 any private road on which a speed limit has been established in
4793 accordance with the provisions of section 14-218a of the general statutes
4794 or upon any school property. No person shall be convicted of smoking
4795 or otherwise inhaling or ingesting cannabis while operating a motor
4796 vehicle and possessing or having under such person's control a
4797 controlled substance upon the same transaction. A person may be
4798 charged and prosecuted for either or each such offense, a violation of
4799 operating a motor vehicle while under the influence of any drug and
4800 any other applicable offense upon the same information.

4801 (b) Smoking, otherwise inhaling or ingesting cannabis while
4802 operating a motor vehicle is a class C misdemeanor.

4803 (c) No peace officer shall stop a motor vehicle for a violation of this
4804 section if such violation is the sole reason for such stop.

4805 Sec. 113. (NEW) (*Effective July 1, 2021*) (a) A person is guilty of

4806 smoking or otherwise inhaling or ingesting cannabis, as defined in
4807 section 1 of this act, in a motor vehicle when he or she smokes or
4808 otherwise inhales or ingests cannabis in a motor vehicle that is being
4809 operated by another person upon a public highway of this state or upon
4810 any road of any specially chartered municipal association or of any
4811 district organized under the provisions of chapter 105 of the general
4812 statutes, a purpose of which is the construction and maintenance of
4813 roads and sidewalks, or in any parking area for ten cars or more, or upon
4814 any private road on which a speed limit has been established in
4815 accordance with the provisions of section 14-218a of the general statutes
4816 or upon any school property. No person shall be convicted of smoking
4817 or otherwise inhaling or ingesting cannabis as a passenger in a motor
4818 vehicle and possessing or having under such person's control a
4819 controlled substance upon the same transaction, but such person may
4820 be charged and prosecuted for both offenses upon the same information.

4821 (b) Smoking or otherwise inhaling or ingesting cannabis in a motor
4822 vehicle is a class D misdemeanor.

4823 (c) No peace officer shall stop a motor vehicle for a violation of this
4824 section if such violation is the sole reason for such stop.

4825 Sec. 114. (NEW) (*Effective July 1, 2021*) (a) Not later than January 1,
4826 2022, each law enforcement unit shall report to the Police Officer
4827 Standards and Training Council, in the manner specified by the council,
4828 a recommendation as to the minimum number of officers that such law
4829 enforcement unit should have accredited as drug recognition experts in
4830 order to ensure adequate availability of drug recognition experts to
4831 respond to instances of impaired driving, allowing that law enforcement
4832 units may call upon drug recognition experts from other law
4833 enforcement units as necessary and available. Such recommendation
4834 shall be based on data on impaired driving made available to law
4835 enforcement units by the Department of Transportation and any
4836 guidance issued by the council.

4837 (b) The Police Officer Standards and Training Council, in conjunction
4838 with the Highway Safety Office within the Department of
4839 Transportation, shall determine the minimum number of police officers
4840 to be accredited as drug recognition experts for each law enforcement
4841 unit. In making such determination, the council and office shall consider
4842 the recommendation made by each law enforcement unit pursuant to
4843 subsection (a) of this section. The council and office shall submit the
4844 results of such determination to the Governor and the Secretary of the
4845 Office of Policy and Management not later than July 1, 2022. The council
4846 and office shall update and submit such determination to the Governor
4847 and Secretary of the Office of Policy and Management no less frequently
4848 than once every three years.

4849 (c) Not later than April 1, 2022, the Police Officer Standards and
4850 Training Council shall develop and promulgate a model policy to
4851 ensure that enough police officers become trained drug recognition
4852 experts in each law enforcement unit to meet the minimum number
4853 established in subsection (b) of this section.

4854 (d) Not later than October 1, 2022, each law enforcement unit shall
4855 adopt and maintain a written policy that meets or exceeds the standards
4856 of the model policy developed pursuant to subsection (c) of this section.

4857 (e) Not later than January 1, 2022, the Police Officer Standards and
4858 Training Council and the Highway Safety Office within the Department
4859 of Transportation shall jointly issue a plan to increase access to
4860 advanced roadside impaired driving enforcement training and drug
4861 recognition expert training for police officers and law enforcement units
4862 in the state. The council and office shall update such plan no less
4863 frequently than once every three years.

4864 (f) On and after January 1, 2022, each police officer who has not yet
4865 been recertified pursuant to section 7-294e of the general statutes for the
4866 second time after receiving an initial certification, shall complete
4867 training and receive certification in advanced roadside impaired driving

4868 enforcement prior to being recertified pursuant to section 7-294e of the
4869 general statutes.

4870 (g) For purposes of this section, "advanced roadside impaired driving
4871 enforcement" means a program developed by the National Highway
4872 Traffic Safety Administration with the International Association of
4873 Chiefs of Police and the Technical Advisory Panel, which focuses on
4874 impaired driving enforcement education for police officers, or any
4875 successor to such program; "drug recognition expert" means a person
4876 certified by the International Association of Chiefs of Police as having
4877 met all requirements of the International Drug Evaluation and
4878 Classification Program; "law enforcement unit" has the same meaning
4879 as provided in section 7-294a of the general statutes; and "Police Officer
4880 Standards and Training Council" means the council established under
4881 section 7-294b of the general statutes.

4882 Sec. 115. Subsection (a) of section 14-111e of the general statutes is
4883 repealed and the following is substituted in lieu thereof (*Effective April*
4884 *1, 2022*):

4885 (a) (1) The Commissioner of Motor Vehicles shall suspend, for a
4886 period of one hundred fifty days, the motor vehicle operator's license or
4887 nonresident operating privilege of any person who has been convicted
4888 of a violation of section 30-88a involving the misuse of an operator's
4889 license and who was under the age of twenty-one at the time of such
4890 violation.

4891 (2) The commissioner shall suspend, for a period of sixty days, the
4892 motor vehicle operator's license or nonresident operating privilege of
4893 any person who has been convicted of a violation of subdivision (1) of
4894 subsection (b) of section 30-89 [.] or subsection [(a)] (b), or (c) of section
4895 21a-279a [or subsection (d) of section 21a-267] and who was under the
4896 age of twenty-one at the time of such violation.

4897 (3) The commissioner shall suspend, for a period of thirty days, the

4898 motor vehicle operator's license or nonresident operating privilege of
4899 any person who has been convicted of a violation of subdivision (2) of
4900 subsection (b) of section 30-89 and who was under the age of twenty-
4901 one at the time of such violation.

4902 Sec. 116. Subsections (a) to (e), inclusive, of section 14-227a of the
4903 general statutes are repealed and the following is substituted in lieu
4904 thereof (*Effective April 1, 2022*):

4905 (a) No person shall operate a motor vehicle while under the influence
4906 of intoxicating liquor or any drug or both. A person commits the offense
4907 of operating a motor vehicle while under the influence of intoxicating
4908 liquor or any drug or both if such person operates a motor vehicle (1)
4909 while under the influence of intoxicating liquor or any drug or both, or
4910 (2) while such person has an elevated blood alcohol content. For the
4911 purposes of this section, "elevated blood alcohol content" means a ratio
4912 of alcohol in the blood of such person that is eight-hundredths of one
4913 per cent or more of alcohol, by weight, except that if such person is
4914 operating a commercial motor vehicle, "elevated blood alcohol content"
4915 means a ratio of alcohol in the blood of such person that is four-
4916 hundredths of one per cent or more of alcohol, by weight, and "motor
4917 vehicle" includes a snowmobile and all-terrain vehicle, as those terms
4918 are defined in section 14-379. For purposes of this section, section 14-
4919 227b and section 14-227c, (A) "advanced roadside impaired driving
4920 enforcement" means a program developed by the National Highway
4921 Traffic Safety Administration with the International Association of
4922 Chiefs of Police and the Technical Advisory Panel, which focuses on
4923 impaired driving enforcement education for police officers, or any
4924 successor to such program; (B) "drug influence evaluation" means an
4925 evaluation developed by the National Highway Traffic Safety
4926 Administration and the International Association of Chiefs of Police that
4927 is conducted by a drug recognition expert to determine the level of a
4928 person's impairment from the use of drugs and the drug category
4929 causing such impairment; (C) "drug recognition expert" means a person
4930 certified by the International Association of Chiefs of Police as having

4931 met all requirements of the International Drug Evaluation and
4932 Classification Program; and (D) "nontestimonial portion of a drug
4933 influence evaluation" means a drug influence evaluation conducted by
4934 a drug recognition expert that does not include a verbal interview with
4935 the subject.

4936 (b) Except as provided in subsection (c) of this section, in any criminal
4937 prosecution for violation of subsection (a) of this section, evidence
4938 respecting the amount of alcohol or drug in the defendant's blood or
4939 urine at the time of the alleged offense, as shown by a chemical
4940 [analysis] test of the defendant's breath, blood or urine, shall be
4941 admissible and competent provided: (1) The defendant was afforded a
4942 reasonable opportunity to telephone an attorney prior to the
4943 performance of the test and consented to the taking of the test upon
4944 which such analysis is made; (2) a true copy of the report of the test
4945 result was mailed to or personally delivered to the defendant within
4946 twenty-four hours or by the end of the next regular business day, after
4947 such result was known, whichever is later; (3) the test was performed
4948 by or at the direction of a police officer according to methods and with
4949 equipment approved by the Department of Emergency Services and
4950 Public Protection and was performed in accordance with the regulations
4951 adopted under subsection (d) of this section; (4) the device used for such
4952 test was checked for accuracy in accordance with the regulations
4953 adopted under subsection (d) of this section; (5) an additional chemical
4954 test of the same type was performed at least ten minutes after the initial
4955 test was performed or, if requested by the police officer for reasonable
4956 cause, an additional chemical test of a different type was performed,
4957 including a test to detect the presence of a drug or drugs other than or
4958 in addition to alcohol, provided the results of the initial test shall not be
4959 inadmissible under this subsection if reasonable efforts were made to
4960 have such additional test performed in accordance with the conditions
4961 set forth in this subsection and (A) such additional test was not
4962 performed or was not performed within a reasonable time, or (B) the
4963 results of such additional test are not admissible for failure to meet a

4964 condition set forth in this subsection; and (6) evidence is presented that
4965 the test was commenced within two hours of operation. In any
4966 prosecution under this section it shall be a rebuttable presumption that
4967 the results of such chemical [analysis] test establish the ratio of alcohol
4968 in the blood of the defendant at the time of the alleged offense, except
4969 that if the results of the additional test indicate that the ratio of alcohol
4970 in the blood of such defendant is ten-hundredths of one per cent or less
4971 of alcohol, by weight, and is higher than the results of the first test,
4972 evidence shall be presented that demonstrates that the test results and
4973 the analysis thereof accurately indicate the blood alcohol content at the
4974 time of the alleged offense.

4975 (c) In any prosecution for a violation of subdivision (1) of subsection
4976 (a) of this section, reliable evidence respecting the amount of alcohol in
4977 the defendant's blood or urine at the time of the alleged offense, as
4978 shown by a chemical analysis of the defendant's blood, breath or urine,
4979 otherwise admissible under subdivision (1) of subsection (b) of this
4980 section, shall be admissible only at the request of the defendant.

4981 (d) The Commissioner of Emergency Services and Public Protection
4982 shall ascertain the reliability of each method and type of device offered
4983 for chemical testing [and analysis purposes] of blood, of breath and of
4984 urine and certify those methods and types which [said] the
4985 commissioner finds suitable for use in testing [and analysis] of blood,
4986 breath and urine, respectively, in this state. The Commissioner of
4987 Emergency Services and Public Protection shall adopt regulations, in
4988 accordance with chapter 54, governing the conduct of chemical tests, the
4989 operation and use of chemical test devices, the training and certification
4990 of operators of such devices and the drawing or obtaining of blood,
4991 breath or urine samples as [said] the commissioner finds necessary to
4992 protect the health and safety of persons who submit to chemical tests
4993 and to insure reasonable accuracy in testing results. Such regulations
4994 shall not require recertification of a police officer solely because such
4995 officer terminates such officer's employment with the law enforcement
4996 agency for which certification was originally issued and commences

4997 employment with another such agency.

4998 (e) (1) In any criminal prosecution for a violation of subsection (a) of
4999 this section, evidence that the defendant refused to submit to a blood,
5000 breath or urine test or the nontestimonial portion of a drug influence
5001 evaluation requested in accordance with section 14-227b shall be
5002 admissible provided the requirements of subsection (b) of said section
5003 have been satisfied. If a case involving a violation of subsection (a) of
5004 this section is tried to a jury, the court shall instruct the jury as to any
5005 inference that may or may not be drawn from the defendant's refusal to
5006 submit to [a blood, breath or urine test] such a test or evaluation.

5007 (2) In any prosecution for a violation of subdivision (1) of subsection
5008 (a) of this section in which it is alleged that the defendant's operation of
5009 a motor vehicle was impaired, in whole or in part, by consumption of
5010 cannabis, as defined in section 1 of this act, the court may take judicial
5011 notice that the ingestion of cannabis (A) can impair a person's ability to
5012 operate a motor vehicle; (B) can cause impairment of motor function,
5013 reaction time, tracking ability, cognitive attention, decision-making,
5014 judgment, perception, peripheral vision, impulse control or memory;
5015 and (C) does not enhance a person's ability to safely operate a motor
5016 vehicle.

5017 Sec. 117. Subsection (j) of section 14-227a of the general statutes is
5018 repealed and the following is substituted in lieu thereof (*Effective April*
5019 *1, 2022*):

5020 (j) In addition to any fine or sentence imposed pursuant to the
5021 provisions of subsection (g) of this section, the court may order such
5022 person to participate in an alcohol education and treatment program or
5023 the pretrial impaired driving intervention program established under
5024 section 167 of this act, if such person was operating a motor vehicle
5025 under the influence of intoxicating liquor or under the influence of both
5026 intoxicating liquor and any drug.

5027 Sec. 118. Section 14-227b of the general statutes is repealed and the

5028 following is substituted in lieu thereof (*Effective April 1, 2022*):

5029 (a) Any person who operates a motor vehicle in this state shall be
5030 deemed to have given such person's consent to: [a] (1) A chemical
5031 [analysis] test of such person's blood, breath or urine; [and, if] and (2) a
5032 nontestimonial portion of a drug influence evaluation conducted by a
5033 drug recognition expert. If such person is a minor, such person's parent
5034 or parents or guardian shall also be deemed to have given their consent
5035 for such test or evaluation.

5036 [(b) If any such person, having been placed under arrest for a
5037 violation of section 14-227a or 14-227m or subdivision (1) or (2) of
5038 subsection (a) of section 14-227n, and thereafter, after being apprised of
5039 such person's constitutional rights, having been requested to submit to
5040 a blood, breath or urine test at the option of the police officer, having
5041 been afforded a reasonable opportunity to telephone an attorney prior
5042 to the performance of such test and having been informed that such
5043 person's license or nonresident operating privilege may be suspended
5044 in accordance with the provisions of this section if such person refuses
5045 to submit to such test, or if such person submits to such test and the
5046 results of such test indicate that such person has an elevated blood
5047 alcohol content, and that evidence of any such refusal shall be
5048 admissible in accordance with subsection (e) of section 14-227a and may
5049 be used against such person in any criminal prosecution, refuses to
5050 submit to the designated test, the test shall not be given; provided, if the
5051 person refuses or is unable to submit to a blood test, the police officer
5052 shall designate the breath or urine test as the test to be taken. The police
5053 officer shall make a notation upon the records of the police department
5054 that such officer informed the person that such person's license or
5055 nonresident operating privilege may be suspended if such person
5056 refused to submit to such test or if such person submitted to such test
5057 and the results of such test indicated that such person had an elevated
5058 blood alcohol content.]

5059 (b) (1) A police officer who has placed a person under arrest for a

5060 violation of section 14-227a, 14-227m or subdivision (1) or (2) of
5061 subsection (a) of section 14-227n may request that such person submit
5062 to a blood, breath or urine test at the option of the police officer, a drug
5063 influence evaluation conducted by a drug recognition expert, or both,
5064 after such person has been (A) apprised of such person's constitutional
5065 rights; (B) afforded a reasonable opportunity to telephone an attorney
5066 prior to the performance of such test or evaluation; (C) informed that
5067 evidence of any refusal to submit to such test or evaluation shall be
5068 admissible in accordance with subsection (e) of section 14-227a and may
5069 be used against such person in any criminal prosecution, except that
5070 refusal to submit to the testimonial portions of a drug influence
5071 evaluation shall not be considered evidence of refusal of such evaluation
5072 for purposes of any criminal prosecution; and (D) informed that such
5073 person's license or operating privilege may be suspended in accordance
5074 with the provisions of this section if (i) such person refuses to submit to
5075 such test or the nontestimonial portion of a drug influence evaluation,
5076 (ii) such person submits to such test and the results of such test indicate
5077 that such person has an elevated blood alcohol content, or (iii) the officer
5078 concludes, through investigation, that such person was operating a
5079 motor vehicle under the influence of intoxicating liquor or any drug, or
5080 both.

5081 (2) If the person refuses to submit to any test or drug influence
5082 evaluation, the test or evaluation shall not be given, except if the person
5083 refuses or is unable to submit to a blood test, the police officer shall
5084 designate another test to be taken. If a person submits to a breath test
5085 and the police officer, for reasonable cause, requests an additional
5086 chemical test of a different type to detect the presence of a drug or drugs
5087 other than or in addition to alcohol, the officer may administer such test,
5088 except that if such person refuses or is unable to submit to a blood test,
5089 the officer shall designate a urine test to be taken. The police officer shall
5090 make a notation upon the records of the law enforcement unit, as
5091 defined in section 7-294a, that such officer informed the person that such
5092 person's license or operating privilege may be suspended if (A) such

5093 person refused to submit to such test or nontestimonial portion of a drug
5094 influence evaluation; (B) such person submitted to such test and the
5095 results of such test indicated that such person had an elevated blood
5096 alcohol content; or (C) the officer concludes, through investigation, that
5097 such person was operating a motor vehicle under the influence of
5098 intoxicating liquor or any drug, or both.

5099 (c) If the person arrested refuses to submit to such test or [analysis]
5100 nontestimonial portion of a drug influence evaluation or submits to such
5101 test, [or analysis,] commenced within two hours of the time of operation,
5102 and the results of such test [or analysis] indicate that such person has an
5103 elevated blood alcohol content, the police officer, acting on behalf of the
5104 Commissioner of Motor Vehicles, shall immediately revoke and take
5105 possession of the motor vehicle operator's license or, if such person is
5106 not licensed or is a nonresident, suspend the [nonresident] operating
5107 privilege of such person, for a twenty-four-hour period. The police
5108 officer shall prepare a report of the incident and shall mail or otherwise
5109 transmit in accordance with this subsection the report and a copy of the
5110 results of any chemical test [or analysis] to the Department of Motor
5111 Vehicles within three business days. The report shall contain such
5112 information as prescribed by the Commissioner of Motor Vehicles and
5113 shall be subscribed and sworn to under penalty of false statement as
5114 provided in section 53a-157b by the arresting officer. If the person
5115 arrested refused to submit to such test or [analysis] evaluation, the
5116 report shall be endorsed by a third person who witnessed such refusal.
5117 The report shall set forth the grounds for the officer's belief that there
5118 was probable cause to arrest such person for a violation of section 14-
5119 227a or 14-227m or subdivision (1) or (2) of subsection (a) of section 14-
5120 227n and shall state that such person had refused to submit to such test
5121 or [analysis] evaluation when requested by such police officer to do so
5122 or that such person submitted to such test, [or analysis,] commenced
5123 within two hours of the time of operation, and the results of such test
5124 [or analysis] indicated that such person had an elevated blood alcohol
5125 content. The Commissioner of Motor Vehicles may accept a police

5126 report under this subsection that is prepared and transmitted as an
5127 electronic record, including electronic signature or signatures, subject to
5128 such security procedures as the commissioner may specify and in
5129 accordance with the provisions of sections 1-266 to 1-286, inclusive. In
5130 any hearing conducted pursuant to the provisions of subsection (g) of
5131 this section, it shall not be a ground for objection to the admissibility of
5132 a police report that it is an electronic record prepared by electronic
5133 means.

5134 [(d) If the person arrested submits to a blood or urine test at the
5135 request of the police officer, and the specimen requires laboratory
5136 analysis in order to obtain the test results, the police officer shall not take
5137 possession of the motor vehicle operator's license of such person or,
5138 except as provided in this subsection, follow the procedures subsequent
5139 to taking possession of the operator's license as set forth in subsection
5140 (c) of this section. If the test results indicate that such person has an
5141 elevated blood alcohol content, the police officer, immediately upon
5142 receipt of the test results, shall notify the Commissioner of Motor
5143 Vehicles and submit to the commissioner the written report required
5144 pursuant to subsection (c) of this section.]

5145 (d) If a police officer who has placed a person under arrest for a
5146 violation of section 14-227a or 14-227m or subdivision (1) or (2) of
5147 subsection (a) of section 14-227n does not request that such person
5148 submit to a blood, breath or urine test under subsection (b) of this
5149 section, or obtains results from a test administered under subsection (b)
5150 of this section that indicate that the person does not have an elevated
5151 blood alcohol content, such officer shall:

5152 (1) Advise such person that such person's license or operating
5153 privilege may be suspended in accordance with the provisions of this
5154 section if such police officer concludes, through investigation, that such
5155 person was operating a motor vehicle under the influence of
5156 intoxicating liquor or any drug, or both; and

5157 (2) Submit a report to the commissioner in accordance with the
5158 procedure set forth in subsection (c) of this section and, if such report
5159 contains the results of a blood, breath or urine test that does not show
5160 an elevated blood alcohol content, such report shall conform to the
5161 requirements in subsection (c) of this section for reports that contain
5162 results showing an elevated blood alcohol content. In any report
5163 submitted under this subdivision, the officer shall document (A) the
5164 basis for the officer's belief that there was probable cause to arrest such
5165 person for a violation of section 14-227a or 14-227m or subdivision (1)
5166 or (2) of subsection (a) of section 14-227n, and (B) whether the officer
5167 concluded, through investigation, that the person was operating a
5168 motor vehicle under the influence of intoxicating liquor or any drug, or
5169 both. With such report, the officer may submit other supporting
5170 documentation indicating the person's intoxication by liquor or any
5171 drug, or both. If the officer concludes, through investigation, that the
5172 person was operating a motor vehicle under the influence of
5173 intoxicating liquor or any drug, or both, the officer shall immediately
5174 revoke and take possession of the motor vehicle operator's license or, if
5175 such person is not licensed or is a nonresident, suspend the operating
5176 privilege of such person for a twenty-four-hour period.

5177 (e) (1) Except as provided in subdivision (2) of this subsection, upon
5178 receipt of [such] a report submitted under subsection (c) or (d) of this
5179 section, the [Commissioner of Motor Vehicles] commissioner may
5180 suspend any operator's license or [nonresident] operating privilege of
5181 such person effective as of a date certain, which date certain shall be not
5182 later than thirty days [after] from the later of the date such person
5183 received (A) notice of such person's arrest by the police officer, or (B) the
5184 results of a blood or urine test or a drug influence evaluation. Any
5185 person whose operator's license or [nonresident] operating privilege has
5186 been suspended in accordance with this subdivision shall automatically
5187 be entitled to a hearing before the commissioner to be held in accordance
5188 with the provisions of chapter 54 and prior to the effective date of the
5189 suspension. The commissioner shall send a suspension notice to such

5190 person informing such person that such person's operator's license or
5191 [nonresident] operating privilege is suspended as of a date certain and
5192 that such person is entitled to a hearing prior to the effective date of the
5193 suspension and may schedule such hearing by contacting the
5194 Department of Motor Vehicles not later than seven days after the date
5195 of mailing of such suspension notice.

5196 (2) [If the person arrested (A) is] Upon receipt of a report that (A) the
5197 person's arrest involved [in] an accident resulting in a fatality, or (B) the
5198 person has previously had such person's operator's license or
5199 [nonresident] operating privilege suspended under the provisions of
5200 section 14-227a, 14-227m or 14-227n during the ten-year period
5201 preceding the present arrest, [upon receipt of such report, the
5202 Commissioner of Motor Vehicles] the commissioner may suspend any
5203 operator's license or [nonresident] operating privilege of such person
5204 effective as of the date specified in a notice of such suspension to such
5205 person. [Any] A person whose operator's license or [nonresident]
5206 operating privilege has been suspended in accordance with this
5207 subdivision shall automatically be entitled to a hearing before the
5208 commissioner, to be held in accordance with the provisions of chapter
5209 54. The commissioner shall send a suspension notice to such person
5210 informing such person that such person's operator's license or
5211 [nonresident] operating privilege is suspended as of the date specified
5212 in such suspension notice, and that such person is entitled to a hearing
5213 and may schedule such hearing by contacting the Department of Motor
5214 Vehicles not later than seven days after the date of mailing of such
5215 suspension notice. Any suspension issued under this subdivision shall
5216 remain in effect until such suspension is affirmed under subsection (f)
5217 of this section or such operator's license or [nonresident] operating
5218 privilege is reinstated in accordance with [subsections (f) and]
5219 subsection (h) of this section.

5220 (f) If such person does not contact the department to schedule a
5221 hearing, the commissioner shall affirm the suspension contained in the
5222 suspension notice for the appropriate period specified in subsection (i)

5223 of this section.

5224 (g) (1) If such person contacts the department to schedule a hearing,
5225 the department shall assign a date, time and place for the hearing, which
5226 date shall be prior to the effective date of the suspension, except that,
5227 with respect to a person whose operator's license or [nonresident]
5228 operating privilege is suspended in accordance with subdivision (2) of
5229 subsection (e) of this section, such hearing shall be scheduled not later
5230 than thirty days after such person contacts the department. At the
5231 request of such person, the hearing officer or the department and upon
5232 a showing of good cause, the commissioner may grant one or more
5233 continuances. [The hearing]

5234 (2) A hearing based on a report submitted under subsection (c) of this
5235 section shall be limited to a determination of the following issues: [(1)]
5236 (A) Did the police officer have probable cause to arrest the person for
5237 operating a motor vehicle while under the influence of intoxicating
5238 liquor or any drug, or both; [(2)] (B) was such person placed under
5239 arrest; [(3)] (C) did such person (i) refuse to submit to such test or
5240 [analysis or did such person] nontestimonial portion of a drug influence
5241 evaluation, or (ii) submit to such test, [or analysis,] commenced within
5242 two hours of the time of operation, and the results of such test [or
5243 analysis] indicated that such person had an elevated blood alcohol
5244 content; and [(4)] (D) was such person operating the motor vehicle.

5245 (3) A hearing based on a report submitted under subsection (d) of this
5246 section shall be limited to a determination of the following issues: (A)
5247 Did the police officer have probable cause to arrest the person for
5248 operating a motor vehicle while under the influence of intoxicating
5249 liquor or any drug, or both; (B) was such person placed under arrest; (C)
5250 was such person operating a motor vehicle under the influence of
5251 intoxicating liquor or any drug, or both; and (D) was such person
5252 operating the motor vehicle.

5253 (4) In [the] a hearing under this subsection, the results of the test, [or

5254 analysis] if administered, shall be sufficient to indicate the ratio of
5255 alcohol in the blood of such person at the time of operation, provided
5256 such test was commenced within two hours of the time of operation.
5257 The fees of any witness summoned to appear at [the] a hearing under
5258 this subsection shall be the same as provided by the general statutes for
5259 witnesses in criminal cases. Notwithstanding the provisions of
5260 subsection (a) of section 52-143, any subpoena summoning a police
5261 officer as a witness shall be served not less than seventy-two hours prior
5262 to the designated time of the hearing.

5263 (5) In a hearing based on a report submitted under subsection (d) of
5264 this section, evidence of operation under the influence of intoxicating
5265 liquor or any drug, or both shall be admissible. Such evidence may
5266 include, but need not be limited to, (A) the police officer's observations
5267 of intoxication, as documented in a report submitted to the
5268 commissioner under subsection (d) of this section; (B) the results of any
5269 chemical test administered under this section or a toxicology report
5270 certified by the Division of Scientific Services within the Department of
5271 Emergency Services and Public Protection; (C) hospital or medical
5272 records obtained in accordance with subsection (j) of this section or by
5273 the consent of the operator; (D) the results of any tests conducted by, or
5274 the report of, an officer trained in advanced roadside impaired driving
5275 enforcement; or (E) reports of drug recognition experts.

5276 (h) If, after [such] a hearing under subdivision (2) of subsection (g) of
5277 this section, the commissioner finds in the negative on any one of the
5278 [said] issues [in the negative] specified in subparagraph (A), (B), (C) or
5279 (D) of said subdivision, the commissioner shall reinstate such license or
5280 operating privilege. If, after a hearing under subdivision (3) of
5281 subsection (g) of this section, the commissioner finds in the negative on
5282 any one of the issues specified in subparagraph (A), (B), (C) or (D) of
5283 said subdivision, the commissioner shall reinstate such license or
5284 operating privilege. If, after such hearing under subdivision (2) or (3) of
5285 subsection (g) of this section, the commissioner does not find on any one
5286 of [the] said issues in the negative or if such person fails to appear at

5287 such hearing, the commissioner shall affirm the suspension contained
5288 in the suspension notice for the appropriate period specified in
5289 subsection (i) of this section. The commissioner shall render a decision
5290 at the conclusion of such hearing and send a notice of the decision by
5291 bulk certified mail to such person. The notice of such decision sent by
5292 bulk certified mail to the address of such person as shown by the records
5293 of the commissioner shall be sufficient notice to such person that such
5294 person's operator's license or [nonresident] operating privilege is
5295 reinstated or suspended, as the case may be.

5296 (i) (1) The commissioner shall suspend the operator's license or
5297 [nonresident] operating privilege of a person who did not contact the
5298 department to schedule a hearing, who failed to appear at a hearing, or
5299 against whom a decision was issued, after a hearing, pursuant to
5300 subsection (h) of this section, as of the effective date contained in the
5301 suspension notice, for a period of forty-five days. As a condition for the
5302 restoration of such operator's license or [nonresident] operating
5303 privilege, such person shall be required to install an ignition interlock
5304 device on each motor vehicle owned or operated by such person and,
5305 upon such restoration, be prohibited from operating a motor vehicle
5306 unless such motor vehicle is equipped with a functioning, approved
5307 ignition interlock device, as defined in section 14-227j, for the longer of
5308 either (A) the period prescribed in subdivision (2) of this subsection for
5309 the present arrest and suspension, or (B) the period prescribed in
5310 subdivision (1), (2) or (3) of subsection (g) of section 14-227a or
5311 subdivision (1), (2) or (3) of subsection (c) of section 14-227m or
5312 subdivision (1) or (2) of subsection (c) of section 14-227n for the present
5313 arrest and conviction, if any.

5314 (2) (A) A person twenty-one years of age or older at the time of the
5315 arrest who submitted to a test [or analysis] and the results of such test
5316 [or analysis] indicated that such person had an elevated blood alcohol
5317 content, or was found to have been operating a motor vehicle under the
5318 influence of intoxicating liquor or any drug, or both based on a report
5319 filed pursuant to subsection (d) of this section, shall install and maintain

5320 an ignition interlock device for the following periods: (i) For a first
5321 suspension under this section, six months; (ii) for a second suspension
5322 under this section, one year; and (iii) for a third or subsequent
5323 suspension under this section, two years; (B) a person under twenty-one
5324 years of age at the time of the arrest who submitted to a test [or analysis]
5325 and the results of such test [or analysis] indicated that such person had
5326 an elevated blood alcohol content, or was found to have been operating
5327 a motor vehicle under the influence of intoxicating liquor or any drug,
5328 or both based on a report filed pursuant to subsection (d) of this section,
5329 shall install and maintain an ignition interlock device for the following
5330 periods: (i) For a first suspension under this section, one year; (ii) for a
5331 second suspension under this section, two years; and (iii) for a third or
5332 subsequent suspension under this section, three years; and (C) a person,
5333 regardless of age, who refused to submit to a test or [analysis]
5334 nontestimonial portion of a drug influence evaluation shall install and
5335 maintain an ignition interlock device for the following periods: (i) For a
5336 first suspension under this section, one year; (ii) for a second suspension
5337 under this section, two years; and (iii) for a third or subsequent
5338 suspension, under this section, three years.

5339 (3) Notwithstanding the provisions of subdivisions (1) and (2) of this
5340 subsection, a person whose motor vehicle operator's license or
5341 [nonresident] operating privilege has been permanently revoked upon
5342 a third offense pursuant to subsection (g) of section 14-227a or
5343 subsection (c) of section 14-227m shall be subject to the penalties
5344 prescribed in subdivision (2) of subsection (i) of section 14-111.

5345 (j) Notwithstanding the provisions of subsections (b) to (i), inclusive,
5346 of this section, any police officer who obtains the results of a [chemical
5347 analysis] test of a blood sample taken from or a urine sample provided
5348 by an operator of a motor vehicle who was involved in an accident and
5349 suffered or allegedly suffered physical injury in such accident, or who
5350 was otherwise deemed by a police officer to require treatment or
5351 observation at a hospital, shall notify the [Commissioner of Motor
5352 Vehicles] commissioner and submit to the commissioner a written

5353 report if such results indicate that such person had an elevated blood
5354 alcohol content, or any quantity of an intoxicating liquor or any drug, or
5355 both, in such person's blood, and if such person was arrested for
5356 violation of section 14-227a or 14-227m or subdivision (1) or (2) of
5357 subsection (a) of section 14-227n. The report shall be made on a form
5358 approved by the commissioner containing such information as the
5359 commissioner prescribes, and shall be subscribed and sworn to under
5360 penalty of false statement, as provided in section 53a-157b, by the police
5361 officer. The commissioner may, after notice and an opportunity for
5362 hearing, which shall be conducted by a hearing officer on behalf of the
5363 commissioner in accordance with chapter 54, suspend the motor vehicle
5364 operator's license or [nonresident] operating privilege of such person for
5365 the appropriate period of time specified in subsection (i) of this section
5366 and require such person to install and maintain an ignition interlock
5367 device for the appropriate period of time prescribed in subsection (i) of
5368 this section. Each hearing conducted under this subsection shall be
5369 limited to a determination of the following issues: (1) Whether the police
5370 officer had probable cause to arrest the person for operating a motor
5371 vehicle while under the influence of intoxicating liquor or drug, or both;
5372 (2) whether such person was placed under arrest; (3) whether such
5373 person was operating the motor vehicle; (4) whether (A) the results of
5374 the analysis of the blood or urine of such person indicate that such
5375 person had an elevated blood alcohol content, or (B) the person was
5376 operating a motor vehicle under the influence of intoxicating liquor or
5377 any drug, or both; and (5) in the event that a blood sample was taken,
5378 whether the blood sample was obtained in accordance with conditions
5379 for admissibility and competence as evidence as set forth in subsection
5380 (k) of section 14-227a. If, after such hearing, the commissioner finds on
5381 any one of the said issues in the negative, the commissioner shall not
5382 impose a suspension. The fees of any witness summoned to appear at
5383 the hearing shall be the same as provided by the general statutes for
5384 witnesses in criminal cases, as provided in section 52-260.

5385 (k) The provisions of this section shall apply with the same effect to

5386 the refusal by any person to submit to an additional chemical test as
5387 provided in subparagraph (E) of subdivision [(5)] (1) of subsection (b)
5388 of section 14-227a.

5389 (l) The provisions of this section shall not apply to any person whose
5390 physical condition is such that, according to competent medical advice,
5391 such test would be inadvisable.

5392 (m) The state shall pay the reasonable charges of any physician who,
5393 at the request of a [municipal police department] law enforcement unit,
5394 as defined in section 7-294a, takes a blood sample for purposes of a test
5395 under the provisions of this section.

5396 (n) For the purposes of this section, "elevated blood alcohol content"
5397 means (1) a ratio of alcohol in the blood of such person that is eight-
5398 hundredths of one per cent or more of alcohol, by weight, (2) if such
5399 person is operating a commercial motor vehicle, a ratio of alcohol in the
5400 blood of such person that is four-hundredths of one per cent or more of
5401 alcohol, by weight, or (3) if such person is less than twenty-one years of
5402 age, a ratio of alcohol in the blood of such person that is two-hundredths
5403 of one per cent or more of alcohol, by weight.

5404 (o) The Commissioner of Motor Vehicles shall adopt regulations, in
5405 accordance with chapter 54, to implement the provisions of this section.

5406 Sec. 119. Section 14-227c of the general statutes is repealed and the
5407 following is substituted in lieu thereof (*Effective April 1, 2022*):

5408 (a) As part of the investigation of any motor vehicle accident resulting
5409 in the death of a person, the Chief Medical Examiner, Deputy Chief
5410 Medical Examiner, an associate medical examiner, a pathologist as
5411 specified in section 19a-405, or an authorized assistant medical
5412 examiner, as the case may be, shall order that a blood sample be taken
5413 from the body of any operator or pedestrian who dies as a result of such
5414 accident. Such blood samples shall be examined for the presence and
5415 concentration of alcohol and any drug by the Division of Scientific

5416 Services within the Department of Emergency Services and Public
5417 Protection or by the Office of the Chief Medical Examiner, or by any
5418 forensic toxicology laboratory pursuant to an agreement with the office.
5419 Nothing in this subsection or section 19a-406 shall be construed as
5420 requiring such medical examiner to perform an autopsy in connection
5421 with obtaining such blood samples.

5422 (b) [A blood or breath sample shall be obtained from any surviving
5423 operator whose motor vehicle is involved in an accident resulting in the
5424 serious physical injury, as defined in section 53a-3, or death of another
5425 person, if] If any surviving operator whose motor vehicle is involved in
5426 an accident resulting in the serious physical injury, as defined in section
5427 53a-3, or death of another person, and (1) a police officer has probable
5428 cause to believe that such operator operated such motor vehicle while
5429 under the influence of intoxicating liquor or any drug, or both, or (2)
5430 such operator has been charged with a motor vehicle violation in
5431 connection with such accident and a police officer has a reasonable and
5432 articulable suspicion that such operator operated such motor vehicle
5433 while under the influence of intoxicating liquor or any drug, or both;

5434 (A) A blood, breath or urine sample shall be obtained from such
5435 surviving operator. The test shall be performed by or at the direction of
5436 a police officer according to methods and with equipment approved by
5437 the Department of Emergency Services and Public Protection and shall
5438 be performed by a person certified or recertified for such purpose by
5439 said department or recertified by persons certified as instructors by the
5440 Commissioner of Emergency Services and Public Protection. The
5441 equipment used for such test shall be checked for accuracy by a person
5442 certified by the Department of Emergency Services and Public
5443 Protection immediately before and after such test is performed. If a
5444 blood test is performed, it shall be on a blood sample taken by a person
5445 licensed to practice medicine and surgery in this state, a qualified
5446 laboratory technician, a registered nurse, a physician assistant or a
5447 phlebotomist. [The blood samples] A blood sample obtained from an
5448 operator pursuant to this subsection shall be examined for the presence

5449 and concentration of alcohol and any drug by the Division of Scientific
5450 Services within the Department of Emergency Services and Public
5451 Protection; [.] and

5452 (B) A drug recognition expert shall conduct a drug influence
5453 evaluation of such surviving operator, provided such operator is not
5454 seriously injured or otherwise unable to take such evaluation as a result
5455 of the accident.

5456 (c) Each police officer who obtains from a surviving operator any
5457 blood, breath or urine sample or a drug influence evaluation conducted
5458 on such operator pursuant to subsection (b) of this section shall submit
5459 to the Commissioner of Motor Vehicles a written report providing the
5460 results of such sample or evaluation on a form approved by the
5461 commissioner. The commissioner may, after notice and an opportunity
5462 for a hearing held in accordance with chapter 54 and section 14-227b,
5463 suspend the motor vehicle operator's license or operating privilege of
5464 such person and require such person to install and maintain an ignition
5465 interlock device as provided for in subsection (i) of section 14-227b. Such
5466 hearing shall be limited to a determination of the following issues: (1)
5467 Was the person operating the motor vehicle; (2) was the person's sample
5468 obtained in accordance with, or drug influence evaluation conducted
5469 pursuant to, the provisions of subsection (b) of this section; and (3) was
5470 the examined sample found to have an elevated blood alcohol content,
5471 as defined in section 14-227b or was the person operating the motor
5472 vehicle under the influence of intoxicating liquor or any drug, or both.

5473 (d) In any motor vehicle accident resulting in the death of a person,
5474 the law enforcement unit, as defined in section 7-294a, responding to the
5475 accident shall assign an officer trained in advanced roadside impaired
5476 driving enforcement to respond, if such an officer is available.

5477 Sec. 120. Subsection (c) of section 14-44k of the general statutes is
5478 repealed and the following is substituted in lieu thereof (*Effective April*
5479 *1, 2022*):

5480 (c) In addition to any other penalties provided by law, and except as
5481 provided in subsection (d) of this section, a person is disqualified from
5482 operating a commercial motor vehicle for one year if the commissioner
5483 finds that such person (1) has refused to submit to a test to determine
5484 such person's blood alcohol concentration while operating any motor
5485 vehicle [, or has failed such a test when given,] or to a nontestimonial
5486 portion of a drug influence evaluation conducted by a drug recognition
5487 expert, (2) has an elevated blood alcohol content based on such a test
5488 pursuant to section 14-227b, or (3) was found to have been operating
5489 under the influence of intoxicating liquor or any drug, or both based on
5490 a report filed pursuant to the provisions of subsection (d) of section 14-
5491 227b or pursuant to the provisions of a law of any other state that is
5492 deemed by the commissioner to be substantially similar to section 14-
5493 227b. For the purpose of this subsection, [a person shall be deemed to
5494 have failed such a test if, when driving a commercial motor vehicle, the
5495 ratio of alcohol in the blood of such person was four-hundredths of one
5496 per cent or more of alcohol, by weight, or if, when driving any other
5497 motor vehicle, the ratio of alcohol in the blood of such person was eight-
5498 hundredths of one per cent or more of alcohol, by weight] "drug
5499 recognition expert," "elevated blood alcohol content" and
5500 "nontestimonial portion of a drug influence evaluation" have the same
5501 meanings as provided in section 14-227a.

5502 Sec. 121. (NEW) (*Effective July 1, 2021*) The state Traffic Safety
5503 Resource Prosecutor, in consultation with the Department of
5504 Transportation, the Department of Motor Vehicles, the state-wide drug
5505 recognition expert coordinator, and the Connecticut Police Chiefs
5506 Association, shall seek any guidance available from the National
5507 Highway Traffic Safety Administration, and shall (1) develop
5508 educational materials and programs about the drug recognition expert
5509 program and drug influence evaluations, and (2) make such materials
5510 and programs available to the Judicial Branch and the Connecticut
5511 Judges Association.

5512 Sec. 122. Section 15-140q of the general statutes is repealed and the

5513 following is substituted in lieu thereof (*Effective April 1, 2022*):

5514 (a) Any person who operates a vessel in this state shall be deemed to
5515 have consented to (1) a chemical [analysis] test of such person's blood,
5516 breath or urine, [and if] and (2) a nontestimonial portion of a drug
5517 influence evaluation conducted by a drug recognition expert. If such
5518 person is a minor, such person's parent or parents or guardian shall also
5519 be deemed to have given their consent for such [an analysis of the
5520 minor's blood, breath or urine] test or evaluation.

5521 [(b) If any such person, having been placed under arrest for: (1)
5522 Violating subsection (b) of section 53-206d; (2) operating a vessel upon
5523 the waters of this state while under the influence of intoxicating liquor
5524 or any drug, or both; (3) operating a vessel upon the waters of this state
5525 while such person has an elevated blood alcohol content, and thereafter,
5526 after being apprised of such person's constitutional rights, having been
5527 requested to submit to a blood, breath or urine test at the option of the
5528 police officer, having been afforded a reasonable opportunity to
5529 telephone an attorney prior to the performance of such test and having
5530 been informed that such person's safe boating certificate, right to
5531 operate a vessel that requires a safe boating certificate for operation or
5532 certificate of personal watercraft operation issued by the commissioner
5533 as a condition of operating a vessel shall be suspended in accordance
5534 with the provisions of this section if such person refuses to submit to
5535 such test or if such person submits to such test and the results of such
5536 test indicate that such person has an elevated blood alcohol content and
5537 that evidence of any such refusal shall be admissible in accordance with
5538 subsection (d) of section 15-140r, and may be used against such person
5539 in any criminal prosecution, refuses to submit to the designated test, the
5540 test shall not be given; provided, if such person refuses or is unable to
5541 submit to a blood test, the peace officer shall designate the breath or
5542 urine test as the test to be taken. The peace officer shall make a notation
5543 upon the records of the police department that such officer informed
5544 such person that such person's safe boating certificate, right to operate
5545 a vessel that requires a safe boating certificate for operation or certificate

5546 of personal watercraft operation would be suspended if such person
5547 refused to submit to such test or if such person submitted to such test
5548 and the results of such test indicated that such person has an elevated
5549 blood alcohol content.]

5550 (b) (1) A peace officer who has placed a person under arrest for
5551 violating subsection (b) of section 53-206d; operating a vessel upon the
5552 waters of this state while under the influence of intoxicating liquor or
5553 any drug, or both; or operating a vessel upon the waters of this state
5554 while such person has an elevated blood alcohol content, may request
5555 that such person submit to a blood, breath or urine test at the option of
5556 the peace officer, a drug influence evaluation conducted by a drug
5557 recognition expert, or both, after such person has been (A) apprised of
5558 such person's constitutional rights, (B) afforded a reasonable
5559 opportunity to telephone an attorney prior to the performance of such
5560 test or evaluation, (C) informed that evidence of any refusal to submit
5561 to such test or evaluation shall be admissible in accordance with
5562 subsection (d) of section 15-140r and may be used against such person
5563 in any criminal prosecution, except that refusal to submit to the
5564 testimonial portions of a drug influence evaluation shall not be
5565 considered evidence of refusal of such evaluation for purposes of any
5566 criminal prosecution, and (D) informed that such person's safe boating
5567 certificate, right to operate a vessel that requires a safe boating certificate
5568 for operation or certificate of personal watercraft operation issued by
5569 the commissioner as a condition of operating a vessel may be suspended
5570 in accordance with the provisions of this section if (i) such person
5571 refuses to submit to such test or nontestimonial portion of a drug
5572 influence evaluation, (ii) such person submits to such test and the results
5573 of such test indicate that such person has an elevated blood alcohol
5574 content, or (iii) the officer concludes, through investigation, that such
5575 person was operating a vessel under the influence of intoxicating liquor
5576 or any drug, or both.

5577 (2) If the person refuses to submit to any test or drug influence
5578 evaluation, the test or evaluation shall not be given, except that if the

5579 person refuses or is unable to submit to a blood test, the peace officer
5580 shall designate another test to be taken. If the person submits to a breath
5581 test and the peace officer, for reasonable cause, requests an additional
5582 chemical test of a different type to detect the presence of a drug or drugs
5583 other than or in addition to alcohol, the peace officer may administer
5584 such test, except that if the person refuses or is unable to submit to a
5585 blood test, the peace officer shall designate a urine test to be taken. The
5586 peace officer shall make a notation upon the records of the law
5587 enforcement unit, as defined in section 7-294a, that such officer
5588 informed the person that such person's safe boating certificate, right to
5589 operate a vessel that requires a safe boating certificate for operation or
5590 certificate of personal watercraft operation may be suspended if such
5591 person (A) refused to submit to such test or the nontestimonial portion
5592 of a drug influence evaluation; (B) submitted to such test and the results
5593 of such test indicated that such person had an elevated blood alcohol
5594 content; or (C) the officer concludes, through investigation, that such
5595 person was operating a vessel under the influence of intoxicating liquor
5596 or any drug, or both.

5597 (c) If the person arrested refuses to submit to such test or [analysis]
5598 nontestimonial portion of a drug influence evaluation, or submits to
5599 such test [or analysis] and the results of such test [or analysis] indicate
5600 that at the time of the alleged offense such person had an elevated blood
5601 alcohol content, the peace officer shall immediately revoke the safe
5602 boating certificate, right to operate a vessel that requires a safe boating
5603 certificate for operation or certificate of personal watercraft operation, if
5604 any, of such person for a twenty-four-hour period. The peace officer
5605 shall prepare a written report of the incident and shall mail the report,
5606 together with any certificate taken into possession and a copy of the
5607 results of any chemical test, [or analysis,] to the commissioner within
5608 three business days. The report shall be made on a form approved by
5609 the commissioner and shall be subscribed and sworn to under penalty
5610 of false statement as provided in section 53a-157b by the peace officer
5611 before whom such refusal was made or who administered or caused to

5612 be administered such test, [or analysis.] If the person arrested refused to
5613 submit to such test or [analysis] evaluation, the report shall be endorsed
5614 by a third person who witnessed such refusal. The report shall set forth
5615 the grounds for the officer's belief that there was probable cause to arrest
5616 such person for operating such vessel while under the influence of
5617 intoxicating liquor or any drug, or both, or while such person has an
5618 elevated blood alcohol content and shall state that such person refused
5619 to submit to such test or [analysis] evaluation when requested by such
5620 peace officer or that such person submitted to such test [or analysis] and
5621 the results of such test [or analysis] indicated that such person at the
5622 time of the alleged offense had an elevated blood alcohol content.

5623 [(d) If the person arrested submits to a blood or urine test at the
5624 request of the peace officer, and the specimen requires laboratory
5625 analysis in order to obtain the test results, and if the test results indicate
5626 that such person has an elevated blood alcohol content, the peace officer,
5627 immediately upon receipt of the test results, shall notify and submit to
5628 the commissioner the written report required pursuant to subsection (c)
5629 of this section.]

5630 (d) If a peace officer has placed a person under arrest for violating
5631 subsection (b) of section 53-206d; operating a vessel upon the waters of
5632 this state while under the influence of intoxicating liquor or any drug,
5633 or both; or operating a vessel upon the waters of this state while such
5634 person has an elevated blood alcohol content and does not request that
5635 such person submit to a blood, breath or urine test under subsection (b)
5636 of this section, or obtains test results from a test administered under
5637 subsection (b) of this section that indicate that the person does not have
5638 an elevated blood alcohol content, such officer shall:

5639 (1) Advise such person that such person's safe boating certificate,
5640 right to operate a vessel that requires a safe boating certificate for
5641 operation or certificate of personal watercraft operation issued by the
5642 commissioner as a condition of operating a vessel may be suspended in
5643 accordance with the provisions of this section if such officer concludes,

5644 through a police investigation, that such person was operating a vessel
5645 under the influence of intoxicating liquor or any drug, or both; and

5646 (2) Submit a report to the commissioner in accordance with the
5647 procedure set forth in subsection (c) of this section and, if such report
5648 contains the results of a blood, breath or urine test that does not show
5649 an elevated blood alcohol content, such report shall conform to the
5650 requirements in subsection (c) of this section for reports that contain
5651 results showing an elevated blood alcohol content. In any report
5652 submitted under this subdivision, the officer shall document (A) the
5653 basis for the officer's belief that there was probable cause to arrest such
5654 person for a violation of subsection (b) of section 53-206d; operating a
5655 vessel upon the waters of this state while under the influence of
5656 intoxicating liquor or any drug, or both; or operating a vessel upon the
5657 waters of this state while such person has an elevated blood alcohol
5658 content, and (B) whether the officer concludes, through investigation,
5659 that the person was operating a vessel under the influence of
5660 intoxicating liquor or any drug, or both. With such report, the officer
5661 may submit other supporting documentation indicating the person's
5662 intoxication by liquor or any drug, or both. If the officer concludes,
5663 through investigation, that the person was operating a vessel under the
5664 influence of intoxicating liquor or any drug, or both, the officer shall
5665 immediately revoke and take possession of the person's safe boating
5666 certificate, right to operate a vessel that requires a safe boating certificate
5667 for operation or certificate of personal watercraft operation issued by
5668 the commissioner as a condition of operating a vessel, for a twenty-four-
5669 hour period.

5670 (e) Upon receipt of [such] a report submitted under subsection (c) or
5671 (d) of this section, the commissioner shall suspend the safe boating
5672 certificate, right to operate a vessel that requires a safe boating certificate
5673 for operation or certificate of personal watercraft operation of such
5674 person effective as of a date certain, and such date certain shall be no
5675 later than thirty-five days [after] from the later of the date such person
5676 received (1) notice of such person's arrest by the peace officer, or (2) the

5677 results of a blood or urine test or a drug influence evaluation. Any
5678 person whose safe boating certificate, right to operate a vessel that
5679 requires a safe boating certificate for operation or certificate of personal
5680 watercraft operation is suspended in accordance with this subsection
5681 shall be entitled to a hearing before the commissioner to be held prior to
5682 the effective date of the suspension. The commissioner shall send a
5683 suspension notice to such person informing such person that such
5684 person's safe boating certificate, right to operate a vessel that requires a
5685 safe boating certificate for operation or certificate of personal watercraft
5686 operation is suspended and shall specify the date of such suspension
5687 and that such person is entitled to a hearing prior to the effective date of
5688 the suspension and may schedule such hearing by contacting the
5689 commissioner not later than seven days after the date of mailing of such
5690 suspension notice.

5691 (f) If such person does not contact the department to schedule a
5692 hearing, the commissioner shall affirm the suspension contained in the
5693 suspension notice for the appropriate period specified in subsection (i)
5694 of this section.

5695 (g) (1) If such person contacts the department to schedule a hearing,
5696 the commissioner shall assign a date, time and place for the hearing,
5697 which date shall be prior to the effective date of the suspension. At the
5698 request of such person and upon a showing of good cause, the
5699 commissioner may grant one continuance for a period not to exceed
5700 thirty days. [The hearing]

5701 (2) A hearing based on a report submitted under subsection (c) of this
5702 section shall be limited to a determination of the following issues: [(1)]
5703 (A) Whether the peace officer had probable cause to arrest the person
5704 for operating the vessel while under the influence of intoxicating liquor
5705 or drugs, or both, or while such person has an elevated blood alcohol
5706 content; [(2)] (B) whether such person was placed under arrest; [(3)] (C)
5707 whether such person [(A)] (i) refused to submit to such test or [analysis]
5708 nontestimonial portion of a drug influence evaluation, or [(B)] (ii)

5709 submitted to such test [or analysis] and the results of such test [or
5710 analysis] indicated that at the time of the alleged offense that such
5711 person had an elevated blood alcohol content; and [(4)] (D) whether
5712 such person was operating the vessel.

5713 (3) A hearing based on a report submitted under subsection (d) of this
5714 section shall be limited to a determination of the following issues: (A)
5715 Whether the peace officer had probable cause to arrest the person for
5716 operating a vessel while under the influence of intoxicating liquor or
5717 drugs, or both, or while such person has an elevated blood alcohol
5718 content; (B) whether such person was placed under arrest; (C) whether
5719 such person was operating a vessel under the influence of intoxicating
5720 liquor or any drug, or both; and (D) whether such person was operating
5721 the vessel.

5722 (4) At [the] a hearing held under this subsection, the results of the
5723 test, [or analysis] if administered, shall be sufficient to indicate the ratio
5724 of alcohol in the blood of such person at the time of operation, except
5725 that if the results of an additional test, administered pursuant to section
5726 15-140r, indicate that the ratio of alcohol in the blood of such person is
5727 eight-hundredths of one per cent or less of alcohol, by weight, and is
5728 higher than the results of the first test, evidence shall be presented that
5729 demonstrates that the test results and analysis thereof accurately
5730 indicate the blood alcohol content at the time of operation. The fees of
5731 any witness summoned to appear at [the] a hearing under this
5732 subsection shall be the same as provided in section 52-260.

5733 (5) In a hearing based on a report submitted under subsection (d) of
5734 this section, evidence of operation under the influence of intoxicating
5735 liquor or any drug, or both shall be admissible. Such evidence may
5736 include, but need not be limited to, (A) the peace officer's observations
5737 of intoxication, as documented in a report submitted to the
5738 commissioner under subsection (d) of this section; (B) the results of any
5739 chemical test administered under this section or a toxicology report
5740 certified by the Division of Scientific Services within the Department of

5741 Emergency Services and Public Protection; (C) hospital or medical
5742 records obtained in accordance with subsection (j) of this section or by
5743 the consent of the operator; or (D) reports of drug recognition experts.

5744 (h) If, after [such] a hearing under subdivision (2) of subsection (g) of
5745 this section, the commissioner finds in the negative on any one of [said]
5746 the issues specified in [the negative] subparagraph (A), (B), (C) or (D) of
5747 said subdivision, the commissioner shall stay the safe boating certificate,
5748 right to operate a vessel that requires a safe boating certificate for
5749 operation or certificate of personal watercraft operation suspension. If,
5750 after a hearing under subdivision (3) of subsection (g) of this section, the
5751 commissioner finds in the negative on any one of the issues specified in
5752 subparagraph (A), (B), (C) or (D) of said subdivision, the commissioner
5753 shall stay the safe boating certificate, right to operate a vessel that
5754 requires a safe boating certificate for operation or certificate of personal
5755 watercraft operation suspension. If, after such hearing under
5756 subdivision (2) or (3) of subsection (g) of this section, the commissioner
5757 does not find on any one of said issues in the negative or if such person
5758 fails to appear at such hearing, the commissioner shall affirm the
5759 suspension contained in the suspension notice for the appropriate
5760 period specified in subsection (i) of this section. The commissioner shall
5761 render a decision at the conclusion of such hearing or send a notice of
5762 the decision by certified mail to such person not later than thirty-five
5763 days from the date of notice of such person's arrest by the peace officer
5764 or, if a continuance is granted, not later than sixty-five days from the
5765 date such person received notice of such person's arrest by the peace
5766 officer. The notice of such decision sent by certified mail to the address
5767 of such person as shown by the records of the commissioner shall be
5768 sufficient notice to such person that such person's safe boating
5769 certificate, right to operate a vessel that requires a safe boating certificate
5770 for operation or certificate of personal watercraft operation is suspended
5771 or the suspension is stayed. Unless a continuance of the hearing is
5772 granted pursuant to subsection (g) of this section, if the commissioner
5773 fails to render a decision within thirty-five days from the date that such

5774 person received notice of such person's arrest by the peace officer, the
5775 commissioner shall not suspend such person's safe boating certificate,
5776 right to operate a vessel that requires a safe boating certificate for
5777 operation or certificate of personal watercraft operation.

5778 (i) The commissioner shall suspend the operator's safe boating
5779 certificate, right to operate a vessel that requires a safe boating certificate
5780 for operation or certificate of personal watercraft operation of a person
5781 who does not contact the department to schedule a hearing under
5782 subsection (e) of this section, who fails to appear at such hearing, or
5783 against whom, after a hearing, the commissioner holds pursuant to
5784 subsection (g) of this section. Such suspension shall be as of the effective
5785 date contained in the suspension notice or the date the commissioner
5786 renders a decision, whichever is later, for a period of: (1) (A) Except as
5787 provided in subparagraph (B) of this subdivision, ninety days if such
5788 person submitted to a test [or analysis] and the results of such test [or
5789 analysis] indicated that at the time of the alleged offense that such
5790 person had an elevated blood alcohol content, or such person was found
5791 to have been operating a vessel under the influence of intoxicating
5792 liquor or any drug, or both, based on a report filed pursuant to
5793 subsection (d) of this section, or (B) one hundred twenty days if such
5794 person submitted to a test [or analysis] and the results of such test [or
5795 analysis] indicated that the ratio of alcohol in the blood of such person
5796 was sixteen-hundredths of one per cent or more of alcohol, by weight,
5797 or (C) six months if such person refused to submit to such test; [or
5798 analysis;] (2) if such person has previously had such person's safe
5799 boating certificate, right to operate a vessel that requires a safe boating
5800 certificate for operation or certificate of personal watercraft operation
5801 suspended under this section, (A) except as provided in subparagraph
5802 (B) of this subdivision, nine months if such person submitted to a test
5803 [or analysis] and the results of such test [or analysis] indicated that at
5804 the time of the alleged offense that such person had an elevated blood
5805 alcohol content, or such person was found to have been operating a
5806 vessel under the influence of intoxicating liquor or any drug, or both,

5807 based on a report filed pursuant to subsection (d) of this section, (B) ten
5808 months if such person submitted to a test [or analysis] and the results of
5809 such test [or analysis] indicated that the ratio of alcohol in the blood of
5810 such person was sixteen-hundredths of one per cent or more of alcohol,
5811 by weight, and (C) one year if such person refused to submit to such
5812 test; [or analysis;] and (3) if such person has two or more times
5813 previously had such person's safe boating certificate, right to operate a
5814 vessel that requires a safe boating certificate for operation or certificate
5815 of personal watercraft operation suspended under this section, (A)
5816 except as provided in subparagraph (B) of this subdivision, two years if
5817 such person submitted to a test [or analysis] and the results of such test
5818 [or analysis] indicated that at the time of the alleged offense that such
5819 person had an elevated blood alcohol content, or such person was found
5820 to have been operating a vessel under the influence of intoxicating
5821 liquor or any drug, or both, based on a report filed pursuant to
5822 subsection (d) of this section, (B) two and one-half years if such person
5823 submitted to a test [or analysis] and the results of such test [or analysis]
5824 indicated that the ratio of alcohol in the blood of such person was
5825 sixteen-hundredths of one per cent or more of alcohol, by weight, and
5826 (C) three years if such person refused to submit to such test. [or
5827 analysis.]

5828 (j) Notwithstanding the provisions of subsections (b) to (i), inclusive,
5829 of this section, any peace officer who obtains the results of a chemical
5830 analysis of a blood sample taken from an operator of a vessel involved
5831 in an accident who suffered or allegedly suffered physical injury in such
5832 accident shall notify the commissioner and submit to the commissioner
5833 a written report if such results indicate that at the time of the alleged
5834 offense such person had an elevated blood alcohol content, or any
5835 quantity of an intoxicating liquor or any drug, or both, in such person's
5836 blood, and if such person was arrested for a violation of section 15-132a,
5837 subsection (d) of section 15-133 or section 15-140l or 15-140n in
5838 connection with such accident. The report shall be made on a form
5839 approved by the commissioner containing such information as the

5840 commissioner prescribes and shall be subscribed and sworn under
5841 penalty of false statement, as provided in section 53a-157b, by the peace
5842 officer. The commissioner shall, after notice and an opportunity for
5843 hearing, which shall be conducted in accordance with chapter 54,
5844 suspend the safe boating certificate, right to operate a vessel that
5845 requires a safe boating certificate for operation or certificate of personal
5846 watercraft operation of such person for a period of up to ninety days,
5847 or, if such person has previously had such person's operating privilege
5848 suspended under this section, for a period up to one year. Each hearing
5849 conducted under this section shall be limited to a determination of the
5850 following issues: (1) Whether the peace officer had probable cause to
5851 arrest the person for operating a vessel while under the influence of
5852 intoxicating liquor or drugs, or both, or while such person has an
5853 elevated blood alcohol content; (2) whether such person was placed
5854 under arrest; (3) whether such person was operating the vessel; (4)
5855 whether (A) the results of the analysis of the blood of such person
5856 indicate that such person had an elevated blood alcohol content, or (B)
5857 the person was operating a vessel under the influence of intoxicating
5858 liquor or any drug, or both; and (5) whether the blood sample was
5859 obtained in accordance with conditions for admissibility as set forth in
5860 section 15-140s. If, after such hearing, the commissioner finds on any
5861 issue in the negative, the commissioner shall not impose a suspension.
5862 The fees of any witness summoned to appear at the hearing shall be the
5863 same as provided by the general statutes for witnesses in criminal cases.

5864 (k) The provisions of this section shall apply with the same effect to
5865 the refusal by any person to submit to an additional chemical test as
5866 provided in [subdivision (5)] subparagraph (E) of subdivision (1) of
5867 subsection (a) of section 15-140r.

5868 (l) The provisions of this section do not apply to any person whose
5869 physical condition is such that, according to competent medical advice,
5870 such test would be inadvisable.

5871 (m) The state shall pay the reasonable charges of any physician who,

5872 at the request of a [municipal police department] law enforcement unit,
5873 as defined in section 7-294a, takes a blood sample for purposes of a test
5874 under the provisions of this section.

5875 (n) For the purposes of this section, "elevated blood alcohol content"
5876 means: (1) A ratio of alcohol in the blood of such person that is eight-
5877 hundredths of one per cent or more of alcohol, by weight, or (2) if such
5878 person is under twenty-one years of age, a ratio of alcohol in the blood
5879 of such person that is two-hundredths of one per cent or more of alcohol,
5880 by weight.

5881 (o) The commissioner may adopt regulations, in accordance with
5882 chapter 54, to implement the provisions of this section.

5883 (p) For purposes of this section and section 15-140r, (1) "drug
5884 influence evaluation" means an evaluation developed by the National
5885 Highway Traffic Safety Administration and the International
5886 Association of Chiefs of Police that is conducted by a drug recognition
5887 expert to determine the level of a person's impairment from the use of
5888 drugs and the drug category causing such impairment; (2) "drug
5889 recognition expert" means a person certified by the International
5890 Association of Chiefs of Police as having met all requirements of the
5891 International Drug Evaluation and Classification Program; and (3)
5892 "nontestimonial portion of a drug influence evaluation" means a drug
5893 influence evaluation conducted by a drug recognition expert that does
5894 not include a verbal interview with the subject.

5895 Sec. 123. Section 15-140r of the general statutes is repealed and the
5896 following is substituted in lieu thereof (*Effective April 1, 2022*):

5897 (a) Except as provided in section 15-140s or subsection (d) of this
5898 section, in any criminal prosecution for the violation of section 15-132a,
5899 subsection (d) of section 15-133, section 15-140l or 15-140n or subsection
5900 (b) of section 53-206d, evidence respecting the amount of alcohol or drug
5901 in the defendant's blood or urine at the time of the alleged offense, as
5902 shown by a chemical [analysis] test of the defendant's breath, blood or

5903 urine shall be admissible and competent provided: (1) The defendant
5904 was afforded a reasonable opportunity to telephone an attorney prior to
5905 the performance of the test and consented to the taking of the test upon
5906 which such analysis is made; (2) a true copy of the report of the test
5907 result was mailed to or personally delivered to the defendant within
5908 twenty-four hours or by the end of the next regular business day, after
5909 such result was known, whichever is later; (3) the test was performed
5910 by or at the direction of a certified law enforcement officer according to
5911 methods and with equipment approved by the Department of
5912 Emergency Services and Public Protection, and if a blood test was
5913 performed, it was performed on a blood sample taken by a person
5914 licensed to practice medicine and surgery in this state, a qualified
5915 laboratory technician, an emergency medical technician II or a
5916 registered nurse in accordance with the regulations adopted under
5917 subsection (b) of this section; (4) the device used for such test was
5918 checked for accuracy in accordance with the regulations adopted under
5919 subsection (b) of this section; (5) an additional chemical test of the same
5920 type was performed at least ten minutes after the initial test was
5921 performed or, if requested by the peace officer for reasonable cause, an
5922 additional chemical test of a different type was performed, including a
5923 test to detect the presence of a drug or drugs other than or in addition
5924 to alcohol, except that the results of the initial test shall not be
5925 inadmissible under this subsection if reasonable efforts were made to
5926 have such additional test performed in accordance with the conditions
5927 set forth in this subsection and (A) such additional test was not
5928 performed or was not performed within a reasonable time, or (B) the
5929 results of such additional test are not admissible for failure to meet a
5930 condition set forth in this subsection; and (6) evidence is presented that
5931 the test was commenced within two hours of operation of the vessel or
5932 expert testimony establishes the reliability of a test commenced beyond
5933 two hours of operation of the vessel. In any prosecution under this
5934 section, it shall be a rebuttable presumption that the results of such
5935 chemical analysis establish the ratio of alcohol in the blood of the
5936 defendant at the time of the alleged offense, except that if the results of

5937 the additional test indicate that the ratio of alcohol in the blood of such
5938 defendant is ten-hundredths of one per cent or less of alcohol, by weight,
5939 and is higher than the results of the first test, evidence shall be presented
5940 that demonstrates that the test results and the analysis thereof
5941 accurately indicate the blood alcohol content at the time of the alleged
5942 offense.

5943 (b) The Commissioner of Emergency Services and Public Protection
5944 shall ascertain the reliability of each method and type of device offered
5945 for chemical testing and analysis of blood, of breath and of urine and
5946 certify those methods and types which the Commissioner of Emergency
5947 Services and Public Protection finds suitable for use in testing and
5948 analysis of blood, breath and urine, respectively, in this state. The
5949 Commissioner of Emergency Services and Public Protection, after
5950 consultation with the Commissioner of Public Health, shall adopt
5951 regulations, in accordance with chapter 54, governing the conduct of
5952 chemical tests, the operation and use of chemical test devices and the
5953 training and certification of operators of such devices and the drawing
5954 or obtaining of blood, breath or urine samples as the Commissioner of
5955 Emergency Services and Public Protection finds necessary to protect the
5956 health and safety of persons who submit to chemical tests and to insure
5957 reasonable accuracy in testing results. Such regulations shall not require
5958 recertification of a peace officer solely because such officer terminates
5959 such officer's employment with the law enforcement agency for which
5960 certification was originally issued and commences employment with
5961 another such agency.

5962 (c) If a person is charged with a violation of section 15-132a,
5963 subsection (d) of section 15-133 or section 15-140/ or 15-140n, the charge
5964 may not be reduced, nolle or dismissed unless the prosecuting
5965 authority states in open court such prosecutor's reasons for the
5966 reduction, nolle or dismissal.

5967 (d) (1) In any criminal prosecution for a violation of section 15-132a,
5968 subsection (d) of section 15-133 or section 15-140/ or 15-140n, evidence

5969 that the defendant refused to submit to a blood, breath or urine test or
5970 the nontestimonial portion of a drug influence evaluation requested in
5971 accordance with section 15-140q shall be admissible provided the
5972 requirements of subsection (a) of said section have been satisfied. If a
5973 case involving a violation of section 15-132a, subsection (d) of section
5974 15-133 or section 15-140l or 15-140n is tried to a jury, the court shall
5975 instruct the jury as to any inference that may or may not be drawn from
5976 the defendant's refusal to submit to a blood, breath or urine test or
5977 evaluation.

5978 (2) In any prosecution for a violation of subsection (a) of this section
5979 in which it is alleged that the defendant's operation of a vessel was
5980 impaired, in whole or in part, by consumption of cannabis, as defined
5981 in section 1 of this act, the court may take judicial notice that the
5982 ingestion of cannabis (A) can impair a person's ability to operate a
5983 vessel; (B) can cause impairment of motor function, reaction time,
5984 tracking ability, cognitive attention, decision-making, judgment,
5985 perception, peripheral vision, impulse control or memory; and (C) does
5986 not enhance a person's ability to safely operate a vessel.

5987 Sec. 124. (*Effective July 1, 2021*) Not later than July 1, 2022, the
5988 Commissioner of Transportation, in consultation with the
5989 Commissioner of Motor Vehicles and a task force established within the
5990 Executive Branch known as the Statewide Impaired Driving Task Force,
5991 shall make recommendations to the Governor and, in accordance with
5992 the provisions of section 11-4a of the general statutes, the joint standing
5993 committees of the General Assembly having cognizance of matters
5994 relating to the judiciary and transportation regarding (1) the
5995 enhancement of data collection regarding impaired driving, including,
5996 but not limited to, the possibility of reorganizing the state's impaired
5997 driving statutes into separate offenses for operation under the influence
5998 of alcohol, operation under the influence of any drug and operation
5999 under the influence of both alcohol and any drug, (2) the
6000 implementation of an electronic warrant pilot program in impaired
6001 driving investigations, and (3) the merits and feasibility of a pilot

6002 program for oral fluid testing in impaired driving investigations.

6003 Sec. 125. (NEW) (*Effective July 1, 2021*) (a) As used in this section and
6004 sections 126 and 127 of this act:

6005 (1) "Cannabis" has the same meaning as provided in section 1 of this
6006 act;

6007 (2) "Cannabis concentrate" has the same meaning as provided in
6008 section 1 of this act;

6009 (3) "Cannabis edible product" means a product containing cannabis
6010 or cannabis concentrate, combined with other ingredients, that is
6011 intended for use or consumption through ingestion, including
6012 sublingual or oral absorption;

6013 (4) "Cannabis plant material" has the same meaning as provided in
6014 section 21a-279a of the general statutes;

6015 (5) "Cannabis retailer" means "retailer", as defined in section 1 of this
6016 act;

6017 (6) "Consumer" has the same meaning as provided in section 1 of this
6018 act;

6019 (7) "Cultivator" has the same meaning as provided in section 1 of this
6020 act;

6021 (8) "Delivery service" has the same meaning as provided in section 1
6022 of this act;

6023 (9) "Dispensary facility" has the same meaning as provided in section
6024 1 of this act;

6025 (10) "Food and beverage manufacturer" has the same meaning as
6026 provided in section 1 of this act;

6027 (11) "Hybrid retailer" has the same meaning as provided in section 1

6028 of this act;

6029 (12) "Micro-cultivator" has the same meaning as provided in section
6030 1 of this act;

6031 (13) "Municipality" has the same meaning as provided in section 1 of
6032 this act;

6033 (14) "Palliative use" has the same meaning as provided in section 21a-
6034 408 of the general statutes;

6035 (15) "Producer" has the same meaning as provided in section 1 of this
6036 act;

6037 (16) "Product manufacturer" has the same meaning as provided in
6038 section 1 of this act;

6039 (17) "Product packager" has the same meaning as provided in section
6040 1 of this act;

6041 (18) "Social Equity Council" has the same meaning as provided in
6042 section 1 of this act;

6043 (19) "Total THC" has the same meaning as provided in section 21a-
6044 240 of the general statutes; and

6045 (20) "Transporter" has the same meaning as provided in section 1 of
6046 this act.

6047 (b) (1) For the privilege of making any sales of cannabis in this state,
6048 a tax is hereby imposed on each cannabis retailer, hybrid retailer or
6049 micro-cultivator at the following rates:

6050 (A) Cannabis plant material, at the rate of six hundred twenty-five-
6051 thousandths of one cent per milligram of total THC, as reflected on the
6052 product label;

6053 (B) Cannabis edible products, at the rate of two and seventy-five-

6054 hundredths cents per milligram of total THC, as reflected on the product
6055 label; and

6056 (C) Cannabis, other than cannabis plant material or cannabis edible
6057 products, at the rate of nine-tenths of one cent per milligram of total
6058 THC, as reflected on the product label.

6059 (2) The tax under this section:

6060 (A) Shall be collected from the consumer, except as provided under
6061 subparagraphs (B) and (D) of this subdivision, by the cannabis retailer,
6062 hybrid retailer or micro-cultivator at the time of sale and such tax
6063 reimbursement, termed "tax" in this section, shall be paid by the
6064 consumer to the cannabis retailer, hybrid retailer or micro-cultivator.
6065 Each cannabis retailer, hybrid retailer or micro-cultivator shall collect
6066 from the consumer the full amount of the tax imposed by this section or
6067 an amount equal to the average equivalent thereof to the nearest amount
6068 practicable. Such tax shall be a debt from the consumer to the cannabis
6069 retailer, hybrid retailer or micro-cultivator, when so added to the
6070 original sales price, and shall be recoverable at law in the same manner
6071 as other debts except as provided in section 12-432a of the general
6072 statutes.

6073 (B) Shall not apply to the sale of cannabis for palliative use;

6074 (C) Shall not apply to the transfer of cannabis to a transporter for
6075 transport to any other cultivator, micro-cultivator, food and beverage
6076 manufacturer, product manufacturer, product packager, dispensary
6077 facility, cannabis retailer, hybrid retailer or producer;

6078 (D) Shall not apply to the sale of cannabis by a delivery service to a
6079 consumer;

6080 (E) Shall be in addition to the taxes imposed under section 126 of this
6081 act and chapter 219 of the general statutes; and

6082 (F) When so collected, shall be deemed to be a special fund in trust

6083 for the state until remitted to the state.

6084 (c) On or before the last day of each month in which a cannabis
6085 retailer, hybrid retailer or micro-cultivator may legally sell cannabis
6086 other than cannabis for palliative use, each such cannabis retailer,
6087 hybrid retailer or micro-cultivator shall file a return with the
6088 Department of Revenue Services. Such return shall be in such form and
6089 contain such information as the Commissioner of Revenue Services
6090 prescribes as necessary for administration of the tax under this section
6091 and shall be accompanied by a payment of the amount of the tax shown
6092 to be due thereon. Each cannabis retailer, hybrid retailer and micro-
6093 cultivator shall file such return electronically with the department and
6094 make such payment by electronic funds transfer in the manner provided
6095 by chapter 228g of the general statutes, to the extent possible.

6096 (d) If any cannabis retailer, hybrid retailer or micro-cultivator fails to
6097 pay the amount of tax reported due on its return within the time
6098 specified under this section, there shall be imposed a penalty equal to
6099 twenty-five per cent of such amount due and unpaid, or two hundred
6100 fifty dollars, whichever is greater. Such amount shall bear interest at the
6101 rate of one per cent per month or fraction thereof, from the due date of
6102 such tax until the date of payment. Subject to the provisions of section
6103 12-3a of the general statutes, the commissioner may waive all or part of
6104 the penalties provided under this section when it is proven to the
6105 commissioner's satisfaction that the failure to pay any tax was due to
6106 reasonable cause and was not intentional or due to neglect. Any penalty
6107 that is waived shall be applied as a credit against tax liabilities owed by
6108 the cannabis retailer, hybrid retailer or micro-cultivator.

6109 (e) Each person, other than a cannabis retailer, hybrid retailer or
6110 micro-cultivator, who is required, on behalf of such cannabis retailer,
6111 hybrid retailer or micro-cultivator, to collect, truthfully account for and
6112 pay over a tax imposed on such cannabis retailer, hybrid retailer or
6113 micro-cultivator under this section and who wilfully fails to collect,
6114 truthfully account for and pay over such tax or who wilfully attempts in

6115 any manner to evade or defeat the tax or the payment thereof, shall, in
6116 addition to other penalties provided by law, be liable for a penalty equal
6117 to the total amount of the tax evaded, or not collected, or not accounted
6118 for and paid over, including any penalty or interest attributable to such
6119 wilful failure to collect or truthfully account for and pay over such tax
6120 or such wilful attempt to evade or defeat such tax, provided such
6121 penalty shall only be imposed against such person in the event that such
6122 tax, penalty or interest cannot otherwise be collected from such cannabis
6123 retailer, hybrid retailer or micro-cultivator. The amount of such penalty
6124 with respect to which a person may be personally liable under this
6125 section shall be collected in accordance with the provisions of section
6126 12-555a of the general statutes and any amount so collected shall be
6127 allowed as a credit against the amount of such tax, penalty or interest
6128 due and owing from the cannabis retailer, hybrid retailer or micro-
6129 cultivator. The dissolution of the cannabis retailer, hybrid retailer or
6130 micro-cultivator shall not discharge any person in relation to any
6131 personal liability under this section for wilful failure to collect or
6132 truthfully account for and pay over such tax or for a wilful attempt to
6133 evade or defeat such tax prior to dissolution, except as otherwise
6134 provided in this section. For purposes of this section, "person" includes
6135 any individual, corporation, limited liability company or partnership
6136 and any officer or employee of any corporation, including a dissolved
6137 corporation, and a member of or employee of any partnership or limited
6138 liability company who, as such officer, employee or member, is under a
6139 duty to file a tax return under this section on behalf of a cannabis
6140 retailer, hybrid retailer or micro-cultivator or to collect or truthfully
6141 account for and pay over a tax imposed under this section on behalf of
6142 such cannabis retailer, hybrid retailer or micro-cultivator.

6143 (f) The provisions of sections 12-548, 12-551 to 12-554, inclusive, and
6144 12-555a of the general statutes shall apply to the provisions of this
6145 section in the same manner and with the same force and effect as if the
6146 language of said sections had been incorporated in full into this section
6147 and had expressly referred to the tax under this section, except to the

6148 extent that any provision is inconsistent with a provision in this section.

6149 (g) The commissioner shall not issue a refund of any tax paid by a
6150 cannabis retailer, hybrid retailer or micro-cultivator under this section.

6151 (h) The commissioner may adopt regulations, in accordance with the
6152 provisions of chapter 54 of the general statutes, to implement the
6153 provisions of this section and sections 126 and 127 of this act.
6154 Notwithstanding the provisions of sections 4-168 to 4-172, inclusive, of
6155 the general statutes, prior to adopting any such regulations, the
6156 commissioner shall issue policies and procedures, which shall have the
6157 force and effect of law, to implement the taxes imposed under this
6158 section and sections 126 and 127 of this act. At least fifteen days prior to
6159 the effective date of any policy or procedure issued pursuant to this
6160 subsection, the commissioner shall post such policy or procedure on the
6161 department's Internet web site and submit such policy or procedure to
6162 the Secretary of the State for posting on the eRegulations System. Any
6163 such policy or procedure shall no longer be effective upon the adoption
6164 of such policy or procedure as a final regulation in accordance with the
6165 provisions of chapter 54 of the general statutes or forty-eight months of
6166 the effective date of this section, whichever is earlier.

6167 (i) The tax received by the state under this section shall be deposited
6168 as follows:

6169 (1) For the fiscal year ending June 30, 2022, in the cannabis regulatory
6170 and investment account established under section 128 of this act and for
6171 the fiscal year ending June 30, 2023, in the General Fund;

6172 (2) For the fiscal years ending June 30, 2024, June 30, 2025, and June
6173 30, 2026, sixty per cent of such tax received in the Social Equity and
6174 Innovation Fund established under section 128 of this act, twenty-five
6175 per cent of such tax received in the Prevention and Recovery Services
6176 Fund established under section 128 of this act and fifteen per cent in the
6177 General Fund;

6178 (3) For the fiscal years ending June 30, 2027, and June 30, 2028, sixty-
6179 five per cent of such tax received in the Social Equity and Innovation
6180 Fund established under section 128 of this act, twenty-five per cent of
6181 such tax received in the Prevention and Recovery Services Fund and ten
6182 per cent in the General Fund; and

6183 (4) For the fiscal year ending June 30, 2029, and each fiscal year
6184 thereafter, seventy-five per cent of such tax received in the Social Equity
6185 and Innovation Fund established under section 128 of this act and
6186 twenty-five per cent of such tax received in the Prevention and Recovery
6187 Services Fund established under section 128 of this act.

6188 (j) At the close of each fiscal year in which the tax imposed under the
6189 provisions of this section are received by the commissioner, the
6190 Comptroller is authorized to record as revenue for such fiscal year the
6191 amounts of such tax that are received by the commissioner not later than
6192 five business days from the July thirty-first immediately following the
6193 end of such fiscal year.

6194 Sec. 126. (NEW) (*Effective July 1, 2021*) (a) (1) There is imposed a tax,
6195 which shall be administered in accordance with the provisions of
6196 chapter 219 of the general statutes, on each cannabis retailer, hybrid
6197 retailer and micro-cultivator at the rate of three per cent on the gross
6198 receipts from the sale of cannabis by a cannabis retailer, hybrid retailer
6199 or micro-cultivator. For the purposes of this section, "gross receipts"
6200 means the total amount received from sales of cannabis by a cannabis
6201 retailer, hybrid retailer or micro-cultivator.

6202 (2) The tax under this section:

6203 (A) Shall not apply to the sale of cannabis for palliative use;

6204 (B) Shall not apply to the transfer of cannabis to a transporter for
6205 transport to any cultivator, micro-cultivator, food and beverage
6206 manufacturer, product manufacturer, product packager, dispensary
6207 facility, cannabis retailer, hybrid retailer or producer;

6208 (C) Shall not apply to the sale of cannabis by a delivery service to a
6209 consumer;

6210 (D) Shall be collected from the consumer at the time of sale, except as
6211 provided under subparagraphs (A) and (C) of this subdivision, and
6212 shall be in addition to the taxes imposed under section 125 of this act
6213 and chapter 219 of the general statutes; and

6214 (E) When so collected, shall be held in trust until remitted to the
6215 municipality.

6216 (b) (1) On or before the last day of each month in which a cannabis
6217 retailer, hybrid retailer or micro-cultivator may legally sell cannabis
6218 other than cannabis sold for palliative use, each such cannabis retailer,
6219 hybrid retailer and micro-cultivator shall file a return with the
6220 Department of Revenue Services. Such return shall be in such form and
6221 contain such information as the Commissioner of Revenue Services
6222 prescribes as necessary for administration of the tax under this section.
6223 Each cannabis retailer, hybrid retailer and micro-cultivator shall file
6224 such return electronically with the department, to the extent possible.

6225 (2) Each municipality in which a cannabis retailer, hybrid retailer or
6226 micro-cultivator is located shall submit to the commissioner at least
6227 annually the name and contact information of the individual designated
6228 by the municipality to receive notifications from the commissioner
6229 under subdivision (3) of this subsection.

6230 (3) Notwithstanding the provisions of section 12-15 of the general
6231 statutes, the commissioner shall notify each individual designated
6232 pursuant to subdivision (2) of this subsection of the amount of tax
6233 reported to be due under this section from each cannabis retailer, hybrid
6234 retailer and micro-cultivator located in the applicable municipality. The
6235 commissioner shall establish policies and procedures for the provision
6236 to municipalities of the information required under this subdivision.

6237 (4) Not later than sixty days after the receipt of the information under

6238 subdivision (3) of this subsection, each such municipality shall invoice
6239 each applicable cannabis retailer, hybrid retailer and micro-cultivator,
6240 in accordance with the provisions of section 12-2f of the general statutes,
6241 and such cannabis retailer, hybrid retailer and micro-cultivator shall
6242 remit payment to the municipality not later than thirty days after the
6243 date such invoice was sent. The amounts remitted pursuant to this
6244 subsection shall become part of the general revenue of such
6245 municipality and used for any of the purposes set forth in subdivision
6246 (5) of this subsection.

6247 (5) The tax collected pursuant to this section shall be used by such
6248 municipality to (A) make improvements to the streetscapes and other
6249 neighborhood developments in and around each community in which
6250 a cannabis retailer, hybrid retailer or micro-cultivator is located, (B) fund
6251 education programs or youth employment and training programs in
6252 such municipality, (C) fund services for individuals released from the
6253 custody of the Commissioner of Correction, probation or parole and
6254 residing in such municipality, (D) fund mental health or addiction
6255 services, (E) fund youth service bureaus established pursuant to section
6256 10-19m of the general statutes and to municipal juvenile review boards,
6257 or (F) fund efforts to promote civic engagement in communities in such
6258 municipality.

6259 (c) If any cannabis retailer, hybrid retailer or micro-cultivator fails to
6260 pay the amount of tax invoiced by the municipality within the time
6261 period set forth under this section, there shall be imposed a penalty
6262 equal to twenty-five per cent of such amount due and unpaid, or two
6263 hundred fifty dollars, whichever is greater. Such amount shall bear
6264 interest at the rate of one per cent per month or fraction thereof, from
6265 the due date of such tax until the date of payment. A municipality may
6266 waive, by vote of its legislative body, all or part of the penalties provided
6267 under this subsection upon a finding by such body that the failure to
6268 pay any tax was due to reasonable cause and was not intentional or due
6269 to neglect. Any penalty waiver shall be applied as a credit against future
6270 tax liabilities owed by the cannabis retailer, hybrid retailer or micro-

6271 cultivator.

6272 (d) A municipality may impose a lien on the real property of a
6273 cannabis retailer, hybrid retailer or micro-cultivator for nonpayment of
6274 tax due under this section. The amount of such lien shall not exceed the
6275 amount of tax due under this section plus penalties and interest. Such
6276 lien shall have the same priority as a municipal lien for real property
6277 taxes.

6278 (e) The commissioner may review and adjust any return filed by a
6279 cannabis retailer, hybrid retailer or micro-cultivator pursuant to
6280 subsection (b) of this section and may issue any assessments that may
6281 result therefrom, in accordance with the provisions of sections 12-548,
6282 12-551 to 12-554, inclusive, and 12-555a of the general statutes. The
6283 provisions of said sections shall apply to the provisions of this section
6284 in the same manner and with the same force and effect as if the language
6285 of said sections had been incorporated in full into this section and had
6286 expressly referred to the tax under this section, except to the extent that
6287 any provision is inconsistent with a provision in this section.

6288 (f) (1) No cannabis retailer, hybrid retailer, micro-cultivator or
6289 municipality shall issue a refund to a purchaser for any tax paid under
6290 this section by such purchaser.

6291 (2) No municipality shall issue a refund to a cannabis retailer, hybrid
6292 retailer or micro-cultivator for any tax paid under this section by such
6293 cannabis retailer, hybrid retailer or micro-cultivator.

6294 (3) No overpayment of the tax under this section by a purchaser,
6295 cannabis retailer, hybrid retailer or micro-cultivator shall be applied to
6296 any other liability due to such municipality from such purchaser,
6297 cannabis retailer, hybrid retailer or micro-cultivator.

6298 Sec. 127. (NEW) (*Effective July 1, 2021*) (a) The tax under chapter 219
6299 of the general statutes shall not be imposed on the transfer of cannabis
6300 to a transporter by a cultivator, micro-cultivator, food and beverage

6301 manufacturer, product manufacturer, product packager, dispensary
6302 facility, cannabis retailer, hybrid retailer or producer, for transport to
6303 any other cultivator, micro-cultivator, food and beverage manufacturer,
6304 product manufacturer, product packager, dispensary facility, cannabis
6305 retailer, hybrid retailer or producer.

6306 (b) No person may purchase cannabis on a resale basis and no
6307 exemption under chapter 219 of the general statutes shall apply to the
6308 sale of cannabis, except as provided under section 12-412 of the general
6309 statutes, for the sale of cannabis for palliative use.

6310 (c) (1) No cannabis retailer, hybrid retailer, micro-cultivator or
6311 delivery service, nor the Department of Revenue Services, shall issue a
6312 refund to a purchaser for any tax paid under chapter 219 of the general
6313 statutes for the sale of cannabis.

6314 (2) The Commissioner of Revenue Services shall not issue a refund to
6315 a cannabis retailer, hybrid retailer, micro-cultivator or delivery service
6316 of any tax paid under chapter 219 of the general statutes by such
6317 cannabis retailer, hybrid retailer or micro-cultivator.

6318 (d) The provisions of subsection (g) of section 125 of this act,
6319 subsection (f) of section 126 of this act and subsection (c) of this section
6320 shall not be construed as authorizing suit against the state or any
6321 political subdivision thereof by a person against whom any tax, penalty
6322 or interest has been erroneously or illegally assessed or from whom any
6323 tax, penalty or interest has been erroneously or illegally collected and
6324 shall not be construed as a waiver of sovereign immunity.

6325 Sec. 128. (NEW) (*Effective July 1, 2021*) (a) (1) There is established an
6326 account to be known as the "cannabis regulatory and investment
6327 account" which shall be a separate, nonlapsing account within the
6328 General Fund. The account shall contain any moneys required by law to
6329 be deposited in the account. Moneys in the account shall be allocated by
6330 the Secretary of the Office of Policy and Management to state agencies
6331 for the purpose of paying costs incurred to implement the activities

6332 authorized under RERACA, as defined in section 1 of this act.

6333 (2) Notwithstanding the provisions of section 34 of this act, for the
6334 fiscal year ending June 30, 2022, the following shall be deposited in the
6335 cannabis regulatory and investment account: (A) All fees received by
6336 the state pursuant to section 30 of this act and subdivisions (1) to (11),
6337 inclusive, of subsection (c) of section 34 of this act; (B) the tax received
6338 by the state under section 125 of this act; and (C) the tax received by the
6339 state under chapter 219 of the general statutes from a cannabis retailer,
6340 hybrid retailer or micro-cultivator, as those terms are defined in section
6341 125 of this act.

6342 (b) (1) There is established an account to be known as the "social
6343 equity and innovation account" which shall be a separate, nonlapsing
6344 account within the General Fund. The account shall contain any moneys
6345 required by law to be deposited in the account. Moneys in the account
6346 shall be allocated by the Secretary of the Office of Policy and
6347 Management to state agencies for the purpose of (A) paying costs
6348 incurred by the Social Equity Council, as defined in section 1 of this act,
6349 and (B) administering programs under RERACA to provide (i) access to
6350 capital for businesses, (ii) technical assistance for the start-up and
6351 operation of a business, (iii) funding for workforce education, and (iv)
6352 funding for community investments.

6353 (2) Notwithstanding the provisions of sections 34 and 149 of this act,
6354 for the fiscal year ending June 30, 2022, the following shall be deposited
6355 in the social equity and innovation account: All fees received by the state
6356 pursuant to sections 26, 145 and 149 of this act and subdivisions (12) and
6357 (13) of subsection (c) of section 34 of this act.

6358 (c) (1) On and after July 1, 2022, there is established a fund to be
6359 known as the "Social Equity and Innovation Fund" which shall be a
6360 separate, nonlapsing fund. The fund shall contain any moneys required
6361 by law to be deposited in the fund and shall be held by the Treasurer
6362 separate and apart from all other moneys, funds and accounts. Moneys

6363 in the fund shall be appropriated for the purposes of providing the
6364 following: Access to capital for businesses; technical assistance for the
6365 start-up and operation of a business; funding for workforce education;
6366 and funding for community investments. All such appropriations shall
6367 be dedicated to expenditures that further the principles of equity, as
6368 defined in section 1 of this act.

6369 (2) (A) For the purposes of subdivision (1) of this subsection, for the
6370 fiscal year ending June 30, 2023, and for each fiscal year thereafter, the
6371 Social Equity Council shall transmit, for even-numbered years,
6372 estimates of expenditure requirements and for odd-numbered years,
6373 recommended adjustments and revisions, if any, of such estimates, to
6374 the Secretary of the Office of Policy and Management, in the manner
6375 prescribed for a budgeted agency under subsection (a) of section 4-77 of
6376 the general statutes. The council shall recommend for each fiscal year
6377 commencing with the fiscal year ending June 30, 2023, appropriate
6378 funding for all credits payable to angel investors that invest in cannabis
6379 businesses pursuant to section 12-704d of the general statutes.

6380 (B) The Office of Policy and Management may not make adjustments
6381 to any such estimates or adjustments and revisions of such estimates
6382 transmitted by the council. Notwithstanding any provision of the
6383 general statutes or any special act, the Governor shall not reduce the
6384 allotment requisitions or allotments in force pursuant to section 4-85 of
6385 the general statutes or make reductions in allotments in order to achieve
6386 budget savings in the General Fund, concerning any appropriations
6387 made by the General Assembly for the purposes of subdivision (1) of
6388 this subsection.

6389 (d) On and after July 1, 2022, there is established a fund to be known
6390 as the "Prevention and Recovery Services Fund" which shall be a
6391 separate, nonlapsing fund. The fund shall contain any moneys required
6392 by law to be deposited in the fund and shall be held by the Treasurer
6393 separate and apart from all other moneys, funds and accounts. Moneys
6394 in the fund shall be appropriated for the purposes of (1) substance abuse

6395 prevention, treatment and recovery services, and (2) collection and
6396 analysis of data regarding substance use.

6397 Sec. 129. Subdivision (120) of section 12-412 of the general statutes is
6398 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6399 *2021*):

6400 (120) [On and after April 1, 2015, sales] (A) Sales of the following
6401 nonprescription drugs or medicines available for purchase for use in or
6402 on the body: Vitamin or mineral concentrates; dietary supplements;
6403 natural or herbal drugs or medicines; products intended to be taken for
6404 coughs, cold, asthma or allergies, or antihistamines; laxatives;
6405 antidiarrheal medicines; analgesics; antibiotic, antibacterial, antiviral
6406 and antifungal medicines; antiseptics; astringents; anesthetics; steroidal
6407 medicines; anthelmintics; emetics and antiemetics; antacids; [and] any
6408 medication prepared to be used in the eyes, ears or nose; and cannabis
6409 sold for palliative use under the provisions of chapter 420f.

6410 (B) Nonprescription drugs or medicines [shall] do not include
6411 cosmetics, [dentrifrices] dentifrices, mouthwash, shaving and hair care
6412 products, soaps, [or] deodorants or products containing cannabis or
6413 cannabinoids. As used in this subparagraph, "cannabis" has the same
6414 meaning as provided in section 1 of this act and "cannabinoids" means
6415 manufactured cannabinoids or synthetic cannabinoids, as such terms
6416 are defined in section 21a-240.

6417 Sec. 130. Section 12-650 of the general statutes is repealed and the
6418 following is substituted in lieu thereof (*Effective July 1, 2021*):

6419 [As used in this chapter:

6420 (1) "Marijuana" means any marijuana, whether real or counterfeit, as
6421 defined in subdivision (29) of section 21a-240, that is held, possessed,
6422 transported, sold or offered to be sold in violation of any provision of
6423 the general statutes;

6424 (2) "Controlled substance" means any controlled substance as defined
6425 in subdivision (9) of section 21a-240, that is held, possessed, transported,
6426 sold or offered to be sold in violation of any provision of the general
6427 statutes;

6428 (3) "Dealer" means any person who, in violation of any provision of
6429 the general statutes, manufactures, produces, ships, transports, or
6430 imports into the state or in any manner acquires or possesses more than
6431 forty-two and one-half grams of marijuana or seven or more grams of
6432 any controlled substance or ten or more dosage units of any controlled
6433 substance which is not sold by weight; and

6434 (4) "Commissioner" means the Commissioner of Revenue Services.]

6435 Notwithstanding the provisions of this chapter, revision of 1958,
6436 revised to January 1, 2021, any outstanding liabilities or assessments, or
6437 any portion thereof, made under said chapter related to the sale,
6438 purchase, acquisition or possession within the state or the transport or
6439 importation into the state, of marijuana, as defined in section 21a-240,
6440 shall be cancelled. The Commissioner of Revenue Services may take any
6441 action necessary to effectuate the cancellation of such liabilities and
6442 assessments. No cancellation of a liability or an assessment pursuant to
6443 this section shall entitle any person affected by such cancellation to a
6444 refund or credit of any amount previously paid or collected in
6445 connection with such liability or assessment.

6446 Sec. 131. Subdivision (1) of subsection (a) of section 12-30a of the
6447 general statutes is repealed and the following is substituted in lieu
6448 thereof (*Effective July 1, 2021*):

6449 (a) (1) Whenever the provisions of section 12-35, 12-204, 12-205, 12-
6450 206, 12-225, 12-226, 12-229, 12-235, 12-242d, 12-263c, 12-263d, 12-263m,
6451 12-268d, 12-268h, 12-293a, 12-309, 12-330d, 12-330i, 12-376, 12-376a, 12-
6452 376b, 12-392, 12-414, 12-415, 12-416, 12-419, 12-419a, 12-439, 12-440, 12-
6453 458, 12-458d, 12-486a, 12-488, 12-547, 12-548, 12-590, 12-594, 12-638c, 12-
6454 638d, 12-646a, 12-647, [12-655,] 12-667, 12-722, 12-723, 12-728, 12-731, 12-

6455 735, 22a-132, 22a-232, 22a-237c, 38a-277 or 51-81b require interest to be
6456 paid to the Commissioner of Revenue Services at the rate of one per cent
6457 per month or fraction thereof or one per cent for each month or fraction
6458 thereof, the Commissioner of Revenue Services may adopt regulations
6459 in accordance with the provisions of chapter 54 that require interest to
6460 be paid to said commissioner at the equivalent daily rate in lieu of such
6461 monthly rate.

6462 Sec. 132. Subsection (a) of section 12-35b of the general statutes is
6463 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6464 *2021*):

6465 (a) For the purposes of sections 12-204, 12-212, 12-235, 12-268h, 12-
6466 309, 12-330i, 12-366, 12-398, 12-420, 12-441, 12-475, 12-488, 12-555a, 12-
6467 594, 12-638j [, 12-655] and 12-734:

6468 (1) "Bona fide purchaser" means a person who takes a conveyance of
6469 real estate in good faith from the holder of legal title, and pays valuable
6470 consideration, without actual, implied, or constructive notice of any tax
6471 delinquency.

6472 (2) "Qualified encumbrancer" means a person who places a burden,
6473 charge or lien on real estate, in good faith, without actual, implied, or
6474 constructive notice of any tax delinquency.

6475 (3) "Commissioner" means the Commissioner of Revenue Services or
6476 his or her authorized agent.

6477 Sec. 133. Section 12-704d of the general statutes is repealed and the
6478 following is substituted in lieu thereof (*Effective July 1, 2021*):

6479 (a) As used in this section:

6480 (1) "Angel investor" means an accredited investor, as defined by the
6481 Securities and Exchange Commission, or network of accredited
6482 investors who review new or proposed businesses for potential
6483 investment and who may seek active involvement, such as consulting

6484 and mentoring, in a qualified Connecticut business or a qualified
6485 cannabis business, but "angel investor" does not include (A) a person
6486 controlling fifty per cent or more of the Connecticut business or cannabis
6487 business invested in by the angel investor, (B) a venture capital
6488 company, or (C) any bank, bank and trust company, insurance
6489 company, trust company, national bank, savings association or building
6490 and loan association for activities that are a part of its normal course of
6491 business;

6492 (2) "Cash investment" means the contribution of cash, at a risk of loss,
6493 to a qualified Connecticut business or a qualified cannabis business in
6494 exchange for qualified securities;

6495 (3) "Connecticut business" means any business, other than a cannabis
6496 business, with its principal place of business in Connecticut;

6497 (4) "Bioscience" means manufacturing pharmaceuticals, medicines,
6498 medical equipment or medical devices and analytical laboratory
6499 instruments, operating medical or diagnostic testing laboratories, or
6500 conducting pure research and development in life sciences;

6501 (5) "Advanced materials" means developing, formulating or
6502 manufacturing advanced alloys, coatings, lubricants, refrigerants,
6503 surfactants, emulsifiers or substrates;

6504 (6) "Photonics" means generation, emission, transmission,
6505 modulation, signal processing, switching, amplification, detection and
6506 sensing of light from ultraviolet to infrared and the manufacture,
6507 research or development of opto-electronic devices, including, but not
6508 limited to, lasers, masers, fiber optic devices, quantum devices,
6509 holographic devices and related technologies;

6510 (7) "Information technology" means software publishing, motion
6511 picture and video production, teleproduction and postproduction
6512 services, telecommunications, data processing, hosting and related
6513 services, custom computer programming services, computer system

6514 design, computer facilities management services, other computer
6515 related services and computer training;

6516 (8) "Clean technology" means the production, manufacture, design,
6517 research or development of clean energy, green buildings, smart grid,
6518 high-efficiency transportation vehicles and alternative fuels,
6519 environmental products, environmental remediation and pollution
6520 prevention;

6521 (9) "Qualified securities" means any form of equity, including a
6522 general or limited partnership interest, common stock, preferred stock,
6523 with or without voting rights, without regard to seniority position that
6524 must be convertible into common stock; [and]

6525 (10) "Emerging technology business" means any business that is
6526 engaged in bioscience, advanced materials, photonics, information
6527 technology, clean technology or any other emerging technology as
6528 determined by the Commissioner of Economic and Community
6529 Development; [.]

6530 (11) "cannabis business" means a cannabis establishment (A) for
6531 which a social equity applicant has been granted a provisional license
6532 or a license, (B) in which a social equity applicant or social equity
6533 applicants have an ownership interest of at least sixty-five per cent, and
6534 (C) such social equity applicant or social equity applicants have control
6535 of such establishment;

6536 (12) "Social equity applicant" has the same meaning as provided in
6537 section 1 of this act;

6538 (13) "Cannabis" has the same meaning as provided in section 1 of this
6539 act; and

6540 (14) "Cannabis establishment" has the same meaning as provided in
6541 section 1 of this act.

6542 (b) There shall be allowed a credit against the tax imposed under this

6543 chapter, other than the liability imposed by section 12-707, for a cash
6544 investment by an angel investor of not less than twenty-five thousand
6545 dollars in the qualified securities of a Connecticut business [by an angel
6546 investor] or a cannabis business. The credit shall be in an amount equal
6547 to (1) twenty-five per cent of such investor's cash investment in a
6548 Connecticut business, or (2) forty per cent of such investor's cash
6549 investment in a cannabis business, provided the total tax credits allowed
6550 to any angel investor shall not exceed five hundred thousand dollars.
6551 The credit shall be claimed in the taxable year in which such cash
6552 investment is made by the angel investor. The credit may be sold,
6553 assigned or otherwise transferred, in whole or in part.

6554 (c) To qualify for a tax credit pursuant to this section, a cash
6555 investment shall be in: [a]

6556 (1) A Connecticut business that [(1)] (A) has been approved as a
6557 qualified Connecticut business pursuant to subsection (d) of this section;
6558 [(2)] (B) had annual gross revenues of less than one million dollars in the
6559 most recent income year of such business; [(3)] (C) has fewer than
6560 twenty-five employees, not less than seventy-five per cent of whom
6561 reside in this state; [(4)] (D) has been operating in this state for less than
6562 seven consecutive years; [(5)] (E) is primarily owned by the
6563 management of the business and their families; and [(6)] (F) received
6564 less than two million dollars in cash investments eligible for the tax
6565 credits provided by this section; [.] or

6566 (2) A cannabis business that (A) has been approved as a qualified
6567 cannabis business pursuant to subsection (d) of this section; (B) had
6568 annual gross revenues of less than one million dollars in the most recent
6569 income year of such business; (C) has fewer than twenty-five employees,
6570 not less than seventy-five per cent of whom reside in this state; (D) is
6571 primarily owned by the management of the business and their families;
6572 and (E) received less than two million dollars in cash investments
6573 eligible for the tax credits provided by this section.

6574 (d) (1) A Connecticut business or a cannabis business may apply to
6575 Connecticut Innovations, Incorporated, for approval as a Connecticut
6576 business or cannabis business, as applicable, qualified to receive cash
6577 investments eligible for a tax credit pursuant to this section. The
6578 application shall include (A) the name of the business and a copy of the
6579 organizational documents of such business, (B) a business plan,
6580 including a description of the business and the management, product,
6581 market and financial plan of the business, (C) a description of the
6582 business's innovative technology, product or service, (D) a statement of
6583 the potential economic impact of the business, including the number,
6584 location and types of jobs expected to be created, (E) a description of the
6585 qualified securities to be issued and the amount of cash investment
6586 sought by the [qualified Connecticut] business, (F) a statement of the
6587 amount, timing and projected use of the proceeds to be raised from the
6588 proposed sale of qualified securities, and (G) such other information as
6589 the chief executive officer of Connecticut Innovations, Incorporated,
6590 may require.

6591 (2) Said chief executive officer shall, on a monthly basis, compile a list
6592 of approved applications, categorized by the cash investments being
6593 sought by the qualified Connecticut business or the qualified cannabis
6594 business and type of qualified securities offered.

6595 (e) (1) Any angel investor that intends to make a cash investment in
6596 a business on such list may apply to Connecticut Innovations,
6597 Incorporated, to reserve a tax credit in the amount indicated by such
6598 investor. Connecticut Innovations, Incorporated, shall not reserve tax
6599 credits under this section for any investments made on or after July 1,
6600 2028.

6601 (2) The aggregate amount of all tax credits under this section that may
6602 be reserved by Connecticut Innovations, Incorporated, shall not exceed
6603 (A) for cash investments made in Connecticut businesses, six million
6604 dollars annually for the fiscal years commencing July 1, 2010, to July 1,
6605 2012, inclusive, and [shall not exceed] five million dollars [in] for each

6606 fiscal year thereafter, [. Each fiscal year,] and (B) for cash investments
6607 made in qualified cannabis businesses, fifteen million dollars annually
6608 for each fiscal year commencing on or after July 1, 2021.

6609 (3) With respect to the tax credits available under this section for
6610 investments in Connecticut businesses, Connecticut Innovations,
6611 Incorporated, shall not reserve more than seventy-five per cent of [the]
6612 such tax credits [available under this section] for investments in
6613 emerging technology businesses, except if any such credits remain
6614 available for reservation after April first in any fiscal year, such
6615 remaining credits may be reserved for investments in such businesses
6616 [.] and may be prioritized for veteran-owned, women-owned or
6617 minority-owned businesses and businesses owned by individuals with
6618 disabilities. [Connecticut Innovations, Incorporated, shall not reserve
6619 tax credits under this section for any investment made on or after July
6620 1, 2024.]

6621 ~~[(2)]~~ (4) The amount of the credit allowed to any investor pursuant to
6622 this section shall not exceed the amount of tax due from such investor
6623 under this chapter, other than section 12-707, with respect to such
6624 taxable year. Any tax credit that is claimed by the angel investor but not
6625 applied against the tax due under this chapter, other than the liability
6626 imposed under section 12-707, may be carried forward for the five
6627 immediately succeeding taxable years until the full credit has been
6628 applied.

6629 (f) If the angel investor is an S corporation or an entity treated as a
6630 partnership for federal income tax purposes, the tax credit may be
6631 claimed by the shareholders or partners of the angel investor. If the
6632 angel investor is a single member limited liability company that is
6633 disregarded as an entity separate from its owner, the tax credit may be
6634 claimed by such limited liability company's owner, provided such
6635 owner is a person subject to the tax imposed under this chapter.

6636 (g) A review of the cumulative effectiveness of the credit under this

6637 section shall be conducted by Connecticut Innovations, Incorporated, by
6638 [July 1, 2014, and by] July first annually. [thereafter.] Such review shall
6639 include, but need not be limited to, the number and type of Connecticut
6640 businesses and cannabis businesses that received angel investments, the
6641 number of angel investors and the aggregate amount of cash
6642 investments, the current status of each Connecticut business and
6643 cannabis business that received angel investments, the number of
6644 employees employed in each year following the year in which such
6645 Connecticut business or cannabis business received the angel
6646 investment [,] and the economic impact in the state [,] of the Connecticut
6647 business or cannabis business that received the angel investment. Such
6648 review shall be submitted to the Office of Policy and Management and
6649 to the joint standing committee of the General Assembly having
6650 cognizance of matters relating to commerce, in accordance with the
6651 provisions of section 11-4a.

6652 Sec. 134. (NEW) (*Effective July 1, 2021*) (a) For the purposes described
6653 in subsection (b) of this section, the State Bond Commission shall have
6654 the power from time to time to authorize the issuance of bonds of the
6655 state in one or more series and in principal amounts not exceeding in
6656 the aggregate fifty million dollars.

6657 (b) The proceeds of the sale of such bonds, to the extent of the amount
6658 stated in subsection (a) of this section, shall be used by the Department
6659 of Economic and Community Development jointly with the Social
6660 Equity Council for the purposes of providing (1) low-interest loans to
6661 social equity applicants, municipalities or organizations exempt from
6662 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,
6663 or any subsequent corresponding internal revenue code of the United
6664 States, as amended from time to time, to facilitate the rehabilitation,
6665 renovation or development of unused, underused real property to be
6666 used as a cannabis establishment or as part of such establishment; (2)
6667 capital to social equity applicants seeking to start or maintain a cannabis
6668 establishment; (3) funding to assist in the development or ongoing
6669 expenses of the cannabis business accelerator program established

6670 under section 38 of this act; and (4) funding to assist in the development
6671 or ongoing expenses of workforce training programs developed by the
6672 Social Equity Council pursuant to section 39 of this act. As used in this
6673 subsection, "Social Equity Council", "cannabis establishment" and
6674 "social equity applicant" have the same meanings as provided in section
6675 1 of this act.

6676 (c) All provisions of section 3-20 of the general statutes, or the exercise
6677 of any right or power granted thereby, that are not inconsistent with the
6678 provisions of this section are hereby adopted and shall apply to all
6679 bonds authorized by the State Bond Commission pursuant to this
6680 section. Temporary notes in anticipation of the money to be derived
6681 from the sale of any such bonds so authorized may be issued in
6682 accordance with section 3-20 of the general statutes and from time to
6683 time renewed. Such bonds shall mature at such time or times not
6684 exceeding twenty years from their respective dates as may be provided
6685 in or pursuant to the resolution or resolutions of the State Bond
6686 Commission authorizing such bonds. None of such bonds shall be
6687 authorized except upon a finding by the State Bond Commission that
6688 there has been filed with it a request for such authorization that is signed
6689 by or on behalf of the Secretary of the Office of Policy and Management
6690 and states such terms and conditions as said commission, in its
6691 discretion, may require. Such bonds issued pursuant to this section shall
6692 be general obligations of the state and the full faith and credit of the state
6693 of Connecticut are pledged for the payment of the principal of and
6694 interest on such bonds as the same become due, and accordingly and as
6695 part of the contract of the state with the holders of such bonds,
6696 appropriation of all amounts necessary for punctual payment of such
6697 principal and interest is hereby made, and the State Treasurer shall pay
6698 such principal and interest as the same become due.

6699 Sec. 135. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
6700 "Social Equity Council", "cannabis establishment" and "social equity
6701 applicant" have the same meanings as provided in section 1 of this act.

6702 (b) (1) The Department of Economic and Community Development
6703 and the Social Equity Council shall jointly develop and establish:

6704 (A) A revolving loan program for the purposes of subdivision (1) of
6705 subsection (b) of section 134 of this act, including (i) requirements for
6706 loan eligibility under the program, (ii) an application form and the
6707 information and documentation required to be submitted with such
6708 application, (iii) the terms of the loans to be offered, including the rates
6709 of interest to be charged and the length of the loans, (iv) a plan for
6710 publicizing and marketing the program, and (v) any other requirements
6711 necessary to implement the program; and

6712 (B) Application forms, applicant requirements and any other
6713 provisions the department and the council deem necessary for the
6714 purposes of subdivisions (2) to (4), inclusive, of subsection (b) of section
6715 134 of this act.

6716 (2) The department and the council shall post on the Internet web
6717 sites of the Department of Economic and Community Development and
6718 the Department of Consumer Protection information concerning the
6719 loan program and other available funding under this section.

6720 Sec. 136. Section 21a-408e of the general statutes is repealed and the
6721 following is substituted in lieu thereof (*Effective July 1, 2021*):

6722 No person shall be subject to arrest or prosecution solely for being in
6723 the presence or vicinity of the palliative use of marijuana as permitted
6724 under sections 21a-408 to [21a-408n] 21a-408m, inclusive.

6725 Sec. 137. Subsection (b) of section 21a-408i of the general statutes is
6726 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6727 *2021*):

6728 (b) The Commissioner of Consumer Protection shall determine the
6729 number of producers appropriate to meet the needs of qualifying
6730 patients in this state and shall adopt regulations, in accordance with

6731 chapter 54, to provide for the licensure, standards and locations for
6732 producers in this state and specify the maximum number of producers
6733 that may be licensed in this state at any time. On and after the effective
6734 date of such regulations, the commissioner may license any person who
6735 applies for a license in accordance with such regulations, provided (1)
6736 such person is organized for the purpose of cultivating marijuana for
6737 palliative use in this state, (2) the commissioner finds that such applicant
6738 has appropriate expertise in agriculture and that such applicant is
6739 qualified to cultivate marijuana and sell, deliver, transport or distribute
6740 marijuana solely within this state pursuant to sections 21a-408 to [21a-
6741 408n] 21a-408m, inclusive, and (3) the number of producer licenses
6742 issued does not exceed the number appropriate to meet the needs of
6743 qualifying patients in this state, as determined by the commissioner
6744 pursuant to this subsection. At a minimum, such regulations shall:

6745 (A) Indicate the maximum number of producers that may be licensed
6746 in this state at any time, which number shall not be less than three nor
6747 more than ten producers;

6748 (B) Provide that no marijuana may be sold, delivered, transported or
6749 distributed by a producer from or to a location outside of this state;

6750 (C) Establish a nonrefundable application fee of not less than twenty-
6751 five thousand dollars for each application submitted for a producer
6752 license;

6753 (D) Establish a license fee and renewal fee for each licensed producer,
6754 provided the aggregate amount of such license and renewal fees shall
6755 not be less than the amount necessary to cover the direct and indirect
6756 cost of licensing and regulating producers pursuant to sections 21a-408
6757 to [21a-408n] 21a-408m, inclusive;

6758 (E) Provide for renewal of such producer licenses at least every five
6759 years;

6760 (F) Provide that no producer may cultivate marijuana for palliative

6761 use outside of this state and designate permissible locations for licensed
6762 producers in this state;

6763 (G) Establish financial requirements for producers, under which (i)
6764 each applicant demonstrates the financial capacity to build and operate
6765 a marijuana production facility, and (ii) each licensed producer may be
6766 required to maintain an escrow account in a financial institution in this
6767 state in an amount of two million dollars;

6768 (H) Establish health, safety and security requirements for licensed
6769 producers, which shall include, but need not be limited to, a
6770 requirement that the applicant or licensed producer demonstrate: (i) The
6771 ability to maintain adequate control against the diversion, theft and loss
6772 of marijuana cultivated by the producer, and (ii) the ability to cultivate
6773 pharmaceutical grade marijuana for palliative use in a secure indoor
6774 facility;

6775 (I) Define "pharmaceutical grade marijuana for palliative use" for the
6776 purposes of this section;

6777 (J) Establish standards and procedures for revocation, suspension,
6778 summary suspension and nonrenewal of producer licenses, provided
6779 such standards and procedures are consistent with the provisions of
6780 subsection (c) of section 4-182; and

6781 (K) Establish other licensing, renewal and operational standards
6782 deemed necessary by the commissioner.

6783 Sec. 138. Section 21a-408o of the general statutes is repealed and the
6784 following is substituted in lieu thereof (*Effective July 1, 2021*):

6785 Nothing in sections 21a-408 to [21a-408n] 21a-408m, inclusive, or
6786 section 21a-243 shall be construed to require health insurance coverage
6787 for the palliative use of marijuana.

6788 Sec. 139. Subsection (d) of section 21a-408v of the general statutes is
6789 repealed and the following is substituted in lieu thereof (*Effective July 1,*

6790 2021):

6791 (d) Information obtained under this section shall be confidential and
6792 shall not be subject to disclosure under the Freedom of Information Act,
6793 as defined in section 1-200, except that reasonable access to registry
6794 information obtained under this section shall be provided to (1) state
6795 agencies, federal agencies and local law enforcement agencies for the
6796 purpose of investigating or prosecuting a violation of law, (2) physicians
6797 and pharmacists for the purpose of providing patient care and drug
6798 therapy management and monitoring controlled substances obtained by
6799 the research program subject, (3) public or private entities for research
6800 or educational purposes, provided no individually identifiable health
6801 information may be disclosed, (4) a licensed dispensary for the purpose
6802 of complying with sections 21a-408 to [21a-408n] 21a-408m, inclusive, or
6803 (5) a research program subject, but only with respect to information
6804 related to such research program subject.

6805 Sec. 140. Subsection (a) of section 21a-10 of the general statutes is
6806 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6807 *2021*):

6808 (a) The Commissioner of Consumer Protection may establish,
6809 combine or abolish divisions, sections or other units within the
6810 Department of Consumer Protection and allocate powers, duties and
6811 functions among such units, but no function vested by statute in any
6812 officer, division, board, agency or other unit within the department shall
6813 be removed from the jurisdiction of such officer, division, board, agency
6814 or other unit under the provisions of this section. The Governor shall
6815 appoint a deputy commissioner of the department, with the advice and
6816 consent of one house of the General Assembly in accordance with the
6817 provisions of section 4-7, who shall have responsibilities related to the
6818 regulation of cannabis under RERACA.

6819 Sec. 141. Subdivision (29) of section 21a-240 of the general statutes is
6820 repealed and the following is substituted in lieu thereof (*Effective July 1,*

6821 2021):

6822 (29) "Marijuana" means all parts of any plant, or species of the genus
6823 cannabis or any infra specific taxon thereof, whether growing or not; the
6824 seeds thereof; the resin extracted from any part of the plant; [and] every
6825 compound, manufacture, salt, derivative, mixture, or preparation of
6826 such plant, its seeds or resin, [. Marijuana does not include the mature
6827 stalks of such plant, fiber produced from such stalks, oil or cake made
6828 from the seeds of such plant, any other compound, manufacture, salt,
6829 derivative, mixture or preparation of such mature stalks, except the
6830 resin extracted therefrom, fiber, oil, or cake, the sterilized seed of such
6831 plant which is incapable of germination, or hemp, as defined in 7 USC
6832 1639o, as amended from time to time. Included are] any product made
6833 using hemp, as defined in section 22-61l, which exceeds three-tenths per
6834 cent total THC concentration on a dry-weight basis; manufactured
6835 cannabinoids, synthetic cannabinoids, except as provided in
6836 subparagraph (E) of this subdivision; or cannabimon, cannabimol or
6837 cannabidiol and chemical compounds which are similar to cannabimon,
6838 cannabimol or cannabidiol in chemical structure or which are similar
6839 thereto in physiological effect, [and which show a like potential for
6840 abuse,] which are controlled substances under this chapter, [unless]
6841 except cannabidiol derived from hemp, as defined in section 22-61l, with
6842 a total THC concentration of not more than three-tenths per cent on a
6843 dry-weight basis. "Marijuana" does not include: (A) The mature stalks
6844 of such plant, fiber produced from such stalks, oil or cake made from
6845 the seeds of such plant, any other compound, manufacture, salt,
6846 derivative, mixture or preparation of such mature stalks, except the
6847 resin extracted from such mature stalks or fiber, oil or cake; (B) the
6848 sterilized seed of such plant which is incapable of germination; (C)
6849 hemp, as defined in section 22-61l, with a total THC concentration of not
6850 more than three-tenths per cent on a dry-weight basis; (D) any substance
6851 approved by the federal Food and Drug Administration or successor
6852 agency as a drug and reclassified in any schedule of controlled
6853 substances or unscheduled by the federal Drug Enforcement

6854 Administration or successor agency which is included in the same
6855 schedule designated by the federal Drug Enforcement Administration
6856 or successor agency; or (E) synthetic cannabinoids which are controlled
6857 substances that are designated by the Commissioner of Consumer
6858 Protection, by whatever official, common, usual, chemical or trade name
6859 designation, as controlled substances and are classified in the
6860 appropriate schedule in accordance with subsections (i) and (j) of section
6861 21a-243;

6862 Sec. 142. Section 21a-240 of the general statutes is amended by adding
6863 subdivisions (59) to (62), inclusive, as follows (*Effective July 1, 2021*):

6864 (NEW) (59) "THC" means tetrahydrocannabinol, including, but not
6865 limited to, delta-7, delta-8-tetrahydrocannabinol, delta-9-
6866 tetrahydrocannabinol and delta-10-tetrahydrocannabinol, and any
6867 material, compound, mixture or preparation which contain their salts,
6868 isomers and salts of isomers, whenever the existence of such salts,
6869 isomers and salts of isomers is possible within the specific chemical
6870 designation, regardless of the source, except: (A) Dronabinol substituted
6871 in sesame oil and encapsulated in a soft gelatin capsule in a federal Food
6872 and Drug Administration or successor agency approved product, or (B)
6873 any tetrahydrocannabinol product that has been approved by the
6874 federal Food and Drug Administration or successor agency to have a
6875 medical use and reclassified in any schedule of controlled substances or
6876 unscheduled by the federal Drug Enforcement Administration or
6877 successor agency.

6878 (NEW) (60) "Total THC" means the sum of the percentage by weight
6879 of tetrahydrocannabinolic acid, multiplied by eight hundred seventy-
6880 seven-thousandths, plus the percentage of weight of
6881 tetrahydrocannabinol.

6882 (NEW) (61) "Manufactured cannabinoid" means cannabinoids
6883 naturally occurring from a source other than marijuana that are similar
6884 in chemical structure or physiological effect to cannabinoids derived

6885 from marijuana, as defined in section 21a-243, but are derived by a
6886 chemical or biological process.

6887 (NEW) (62) "Synthetic cannabinoid" means any material, compound,
6888 mixture or preparation which contains any quantity of a substance
6889 having a psychotropic response primarily by agonist activity at
6890 cannabinoid-specific receptors affecting the central nervous system that
6891 is produced artificially and not derived from an organic source naturally
6892 containing cannabinoids, unless listed in another schedule pursuant to
6893 section 21a-243.

6894 Sec. 143. Subsection (q) of section 1-1 of the general statutes is
6895 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6896 *2021*):

6897 (q) Except as otherwise specifically defined, the words "agriculture"
6898 and "farming" [shall] include cultivation of the soil, dairying, forestry,
6899 raising or harvesting any agricultural or horticultural commodity,
6900 including the raising, shearing, feeding, caring for, training and
6901 management of livestock, including horses, bees, the production of
6902 honey, poultry, fur-bearing animals and wildlife, and the raising or
6903 harvesting of oysters, clams, mussels, other molluscan shellfish or fish;
6904 the operation, management, conservation, improvement or
6905 maintenance of a farm and its buildings, tools and equipment, or
6906 salvaging timber or cleared land of brush or other debris left by a storm,
6907 as an incident to such farming operations; the production or harvesting
6908 of maple syrup or maple sugar, or any agricultural commodity,
6909 including lumber, as an incident to ordinary farming operations or the
6910 harvesting of mushrooms, the hatching of poultry, or the construction,
6911 operation or maintenance of ditches, canals, reservoirs or waterways
6912 used exclusively for farming purposes; handling, planting, drying,
6913 packing, packaging, processing, freezing, grading, storing or delivering
6914 to storage or to market, or to a carrier for transportation to market, or
6915 for direct sale any agricultural or horticultural commodity as an incident
6916 to ordinary farming operations, or, in the case of fruits and vegetables,

6917 as an incident to the preparation of such fruits or vegetables for market
6918 or for direct sale. The term "farm" includes farm buildings, and
6919 accessory buildings thereto, nurseries, orchards, ranges, greenhouses,
6920 hoopouses and other temporary structures or other structures used
6921 primarily for the raising and, as an incident to ordinary farming
6922 operations, the sale of agricultural or horticultural commodities. The
6923 terms "agriculture" and "farming" do not include the cultivation of
6924 cannabis, as defined in section 1 of this act. The term "aquaculture"
6925 means the farming of the waters of the state and tidal wetlands and the
6926 production of protein food, including fish, oysters, clams, mussels and
6927 other molluscan shellfish, on leased, franchised and public underwater
6928 farm lands. Nothing herein shall restrict the power of a local zoning
6929 authority under chapter 124.

6930 Sec. 144. (*Effective from passage*) Not later than January 1, 2025, the
6931 Social Equity Council established pursuant to section 22 of this act shall
6932 report to the Governor and, in accordance with the provisions of section
6933 11-4a of the general statutes, to the joint standing committees of the
6934 General Assembly having cognizance of matters relating to the judiciary
6935 and general law, data regarding the location of cannabis establishments
6936 and whether such establishments are predominantly located in
6937 communities of color.

6938 Sec. 145. (NEW) (*Effective July 1, 2021*) (a) In order for a dispensary
6939 facility to convert its license to a hybrid-retailer license, a dispensary
6940 facility shall have a workforce development plan that has been
6941 approved by the Social Equity Council under section 22 of this act and
6942 shall either pay the fee of one million dollars established in section 34 of
6943 this act or, if such dispensary facility has committed to create one equity
6944 joint venture to be approved by the Social Equity Council for ownership
6945 purposes under section 22 of this act and subsequent to obtaining such
6946 approval, approved by the department for licensure under this section,
6947 pay a reduced fee of five hundred thousand dollars.

6948 (b) Any equity joint venture created under this section shall be

6949 created for the development of a cannabis establishment business with
6950 a social equity applicant that owns at least fifty per cent of such business
6951 and where the dispensary facility owns at most fifty per cent of such
6952 business.

6953 (c) An equity joint venture applicant shall submit an application to
6954 the Social Equity Council that may include, but need not be limited to,
6955 evidence of business formation, ownership allocation, terms of
6956 ownership and financing and proof of social equity applicant
6957 involvement. The dispensary facility or social equity applicant of an
6958 equity joint venture shall submit an application to the Social Equity
6959 Council that may include, but need not be limited to, evidence of
6960 business formation, ownership allocation, terms of ownership and
6961 financing and proof of social equity applicant involvement. The
6962 dispensary facility or social equity applicant of an equity joint venture
6963 shall submit to the Social Equity Council information including, but not
6964 limited to, the organizing documents of the entity that outline the
6965 ownership stake of each backer, initial backer investment and payout
6966 information to enable the council to determine the terms of ownership.

6967 (d) Upon receipt of written approval of the equity joint venture by
6968 the Social Equity Council, the dispensary facility or social equity
6969 applicant of the equity joint venture shall apply for a license from the
6970 department in the same form as required by all other licensees of the
6971 same license type and subject to the same fees as required by all other
6972 licensees of the same license type.

6973 (e) A dispensary facility, including the backers of such dispensary
6974 facility, shall not increase its ownership in an equity joint venture in
6975 excess of fifty per cent during the seven-year period after a license is
6976 issued by the department under this section.

6977 (f) Equity joint ventures that are retailers or hybrid retailers that share
6978 a common dispensary facility or dispensary facility backer owner shall
6979 not be located within twenty miles of another commonly owned equity

6980 joint venture.

6981 (g) If a dispensary facility has paid the reduced conversion fee in
6982 accordance with subsection (a) of this section, and did not subsequently
6983 create one equity joint venture under this section, the dispensary facility
6984 shall be liable for the full conversion fee of one million dollars,
6985 established under section 34 of this act.

6986 Sec. 146. (NEW) (*Effective January 1, 2022*) (a) There is established,
6987 within the Department of Public Health, a program to collect and
6988 abstract timely public health information on cannabis associated illness
6989 and adverse events, nonfatal and fatal injuries and cannabis use
6990 poisoning data, from state and national data sources. Such program
6991 shall include, but need not be limited to, the following: (1) Serving as a
6992 data coordinator, analysis and reporting source of cannabis data and
6993 statistics that include, but are not limited to, illness, adverse events,
6994 injury, pregnancy outcomes, childhood poisoning, adult and youth use,
6995 cannabis-related emergency room visits and urgent care episodic
6996 mental health visits; (2) performing epidemiologic analysis on
6997 demographic, health and mortality data to identify risk factors and
6998 changes in trends; (3) working with the Departments of Consumer
6999 Protection and Mental Health and Addiction Services and any other
7000 entity that the Commissioner of Public Health deems necessary to
7001 disseminate public health alerts; and (4) sharing state-wide data to
7002 inform policy makers and citizens on the impact of cannabis legalization
7003 by posting public health prevention information and cannabis use
7004 associated morbidity and mortality statistics to the Department of
7005 Public Health's Internet web site.

7006 (b) The Department of Public Health shall, not later than April 1, 2023,
7007 and annually thereafter, report in accordance with the provisions of
7008 section 11-4a of the general statutes, to the joint standing committees of
7009 the General Assembly with cognizance relating to public health, human
7010 services, and appropriations and the budgets of state agencies about the
7011 public health information on cannabis collected by the department

7012 under subsection (a) of this section.

7013 Sec. 147. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
7014 "producer", "cultivator", "micro-cultivator", "product manufacturer",
7015 "hybrid retailer" and "retailer" have the same meanings as provided in
7016 section 1 of this act; and "hemp" and "hemp products" have the same
7017 meanings as provided in section 22-61l of the general statutes.

7018 (b) Any producer, cultivator, micro-cultivator and product
7019 manufacturer may manufacture, market, cultivate or store hemp and
7020 hemp products in accordance with the provisions of chapter 424 of the
7021 general statutes and any regulations adopted under said chapter, except
7022 that a producer, cultivator, micro-cultivator and product manufacturer
7023 may obtain hemp and hemp products from a person authorized under
7024 the laws of this state or another state, territory or possession of the
7025 United States or another sovereign entity to possess and sell such hemp
7026 and hemp products.

7027 (c) Hemp or hemp products purchased by a producer, cultivator,
7028 micro-cultivator or product manufacturer from a third party shall be
7029 tracked as a separate batch throughout the manufacturing process in
7030 order to document the disposition of such hemp or hemp products.
7031 Once hemp or hemp products are received by a producer, cultivator,
7032 micro-cultivator or product manufacturer, such hemp or hemp products
7033 shall be deemed cannabis and shall comply with the requirements for
7034 cannabis contained in the applicable provisions of the general statutes
7035 and any regulations adopted under such provisions. A producer,
7036 cultivator, micro-cultivator and product manufacturer shall retain a
7037 copy of the certificate of analysis for purchased hemp or hemp products
7038 and invoice and transport documents that evidence the quantity
7039 purchased and date received.

7040 (d) No hemp or hemp products shall be sold or distributed within a
7041 dispensary facility that is licensed under chapter 420f of the general
7042 statutes or the business premises of a hybrid retailer or a retailer.

7043 Sec. 148. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
7044 "municipality" means any town, city or borough, consolidated town and
7045 city or consolidated town and borough, and a district establishing a
7046 zoning commission under section 7-326 of the general statutes.

7047 (b) Any municipality may, by amendment to such municipality's
7048 zoning regulations or by local ordinance, (1) prohibit the establishment
7049 of a cannabis establishment, (2) establish reasonable restrictions
7050 regarding the hours and signage within the limits of such municipality,
7051 or (3) establish restrictions on the proximity of cannabis establishments
7052 to any of the establishments listed in subsection (a) of subdivision (1) of
7053 section 30-46 of the general statutes. The chief zoning official of a
7054 municipality shall report, in writing, any zoning changes adopted by the
7055 municipality regarding cannabis establishments pursuant to this
7056 subsection to the Secretary of the Office of Policy and Management and
7057 to the department not later than fourteen days after the adoption of such
7058 changes.

7059 (c) Unless otherwise provided for by a municipality through its
7060 zoning regulations or ordinances, a cannabis establishment shall be
7061 zoned as if for any other similar use, other than a cannabis
7062 establishment, would be zoned.

7063 (d) Any restriction regarding hours, zoning and signage of a cannabis
7064 establishment adopted by a municipality shall not apply to an existing
7065 cannabis establishment located in such municipality if such cannabis
7066 establishment does not convert to a different license type, for a period
7067 of five years after the adoption of such prohibition or restriction.

7068 (e) Until June 30, 2024, no municipality shall grant zoning approval
7069 for more retailers or micro-cultivators than a number that would allow
7070 for one retailer and one micro-cultivator for every twenty-five thousand
7071 residents of such municipality, as determined by the most recent
7072 decennial census.

7073 (f) On and after July 1, 2024, the Commissioner of Consumer

7074 Protection may, in the discretion of the commissioner, post on the
7075 Department of Consumer Protection's Internet web site a specific
7076 number of residents such that no municipality shall grant zoning
7077 approval for more retailers or micro-cultivators than would result in one
7078 retailer and one micro-cultivator for every such specific number of
7079 residents, as determined by the commissioner. Any such determination
7080 shall be made to ensure reasonable access to cannabis by consumers.

7081 (g) For purposes of ensuring compliance with this section, a special
7082 permit or other affirmative approval shall be required for any retailer or
7083 micro-cultivator seeking to be located within a municipality. A
7084 municipality shall not grant such special permit or approval for any
7085 retailer or micro-cultivator applying for such special permit or approval
7086 if that would result in an amount that (1) until June 30, 2024, exceeds the
7087 density cap of one retailer and one micro-cultivator for every twenty-
7088 five thousand residents, and (2) on and after July 1, 2024, exceeds any
7089 density cap determined by the commissioner under subsection (f) of this
7090 section. When awarding final licenses for a retailer or micro-cultivator,
7091 the Department of Consumer Protection may assume that, if an
7092 applicant for such final license has obtained zoning approval, the
7093 approval of a final license for such applicant shall not result in a
7094 violation of this section or any other municipal restrictions on the
7095 number or density of cannabis establishments.

7096 Sec. 149. (NEW) (*Effective July 1, 2021*) (a) Thirty days after the Social
7097 Equity Council posts the criteria for social equity applicants on its
7098 Internet web site, the department shall open up a three-month
7099 application period for cultivators during which a social equity applicant
7100 may apply to the department for a provisional cultivator license and
7101 final license for a cultivation facility located in a disproportionately
7102 impacted area without participating in a lottery or request for proposals.
7103 Such application for a provisional license shall be granted upon (1)
7104 verification by the Social Equity Council that the applicant meets the
7105 criteria for a social equity applicant; (2) the applicant submitting to and
7106 passing a criminal background check; and (3) payment of a three-

7107 million-dollar fee to be deposited in the Social Equity and Innovation
7108 Fund established in section 128 of this act. Upon granting such
7109 provisional license, the department shall notify the applicant of the
7110 project labor agreement requirements of section 103 of this act.

7111 (b) To obtain a final cultivator license under this section, the social
7112 equity applicant shall provide evidence of (1) a contract with an entity
7113 providing an approved electronic tracking system as described in
7114 section 56 of this act; (2) a right to exclusively occupy a location in a
7115 disproportionately impacted area at which the cultivation facility will
7116 be located; (3) any necessary local zoning approval and permits for the
7117 cultivation facility; (4) a business plan; (5) a social equity plan approved
7118 by the Social Equity Council; (6) written policies for preventing
7119 diversion and misuse of cannabis and sales of cannabis to underage
7120 persons; and (7) blueprints of the facility and all other security
7121 requirements of the department.

7122 Sec. 150. (NEW) (*Effective July 1, 2021*) (a) The Governor may enter
7123 into one or more compacts, amendments to existing compacts,
7124 memoranda of understanding or agreements with the Mashantucket
7125 Pequot Tribe or with the Mohegan Tribe of Indians of Connecticut, or
7126 both, to coordinate the administration and execution of laws and
7127 regulations of this state, as set forth in RERACA, and of laws and
7128 regulations of said tribes relating to the possession, delivery,
7129 production, processing or use of cannabis. Any such compact,
7130 amendment to existing compact, memorandum of understanding or
7131 agreement may contain provisions including, but not limited to, those
7132 relating to:

7133 (1) Criminal and civil law enforcement;

7134 (2) Laws and regulations relating to the possession, delivery,
7135 production, processing or use of cannabis; and

7136 (3) Laws and regulations relating to taxation.

7137 (b) Any compact, amendment to existing compact, memorandum of
7138 understanding or agreement entered into pursuant to subsection (a) of
7139 this section shall:

7140 (1) Provide for the preservation of public health and safety;

7141 (2) Ensure the security of any cannabis production, processing,
7142 testing or retail facilities on tribal land; and

7143 (3) Regulate any business involving cannabis that passes between the
7144 reservation of the tribal nation that is a party to such compact,
7145 amendment to existing compact, memorandum of understanding or
7146 agreement, and other areas in the state.

7147 (c) Notwithstanding the provisions of section 3-6c of the general
7148 statutes, any compact, amendment to existing compact, memorandum
7149 of understanding or agreement, or renewal thereof, entered into by the
7150 Governor with the Mashantucket Pequot Tribe or with the Mohegan
7151 Tribe of Indians of Connecticut pursuant to subsection (a) of this section,
7152 shall be considered approved by the General Assembly under section 3-
7153 6c of the general statutes upon the Governor entering into such compact,
7154 amendment to existing compact, memorandum of understanding or
7155 agreement, or renewal thereof, without any further action required by
7156 the General Assembly.

7157 Sec. 151. (*Effective from passage*) The Legislative Commissioners' Office
7158 shall, in codifying the provisions of this act, make such technical,
7159 grammatical and punctuation changes as are necessary to carry out the
7160 purposes of this act, including, but not limited to, correcting inaccurate
7161 internal references.

7162 Sec. 152. Section 32-39 of the general statutes is repealed and the
7163 following is substituted in lieu thereof (*Effective July 1, 2021*):

7164 The purposes of the corporation shall be to stimulate and encourage
7165 the research and development of new technologies, businesses and

7166 products, to encourage the creation and transfer of new technologies, to
7167 assist existing businesses in adopting current and innovative
7168 technological processes, to stimulate and provide services to industry
7169 that will advance the adoption and utilization of technology, to achieve
7170 improvements in the quality of products and services, to stimulate and
7171 encourage the development and operation of new and existing science
7172 parks and incubator facilities, and to promote science, engineering,
7173 mathematics and other disciplines that are essential to the development
7174 and application of technology within Connecticut by the infusion of
7175 financial aid for research, invention and innovation in situations in
7176 which such financial aid would not otherwise be reasonably available
7177 from commercial or other sources, and for these purposes the
7178 corporation shall have the following powers:

7179 (1) To have perpetual succession as a body corporate and to adopt
7180 bylaws, policies and procedures for the regulation of its affairs and
7181 conduct of its businesses as provided in section 32-36;

7182 (2) To enter into venture agreements with persons, upon such terms
7183 and on such conditions as are consistent with the purposes of this
7184 chapter, for the advancement of financial aid to such persons for the
7185 research, development and application of specific technologies,
7186 products, procedures, services and techniques, to be developed and
7187 produced in this state, and to condition such agreements upon
7188 contractual assurances that the benefits of increasing or maintaining
7189 employment and tax revenues shall remain in this state and shall accrue
7190 to it;

7191 (3) To solicit, receive and accept aid, grants or contributions from any
7192 source of money, property or labor or other things of value, to be held,
7193 used and applied to carry out the purposes of this chapter, subject to the
7194 conditions upon which such grants and contributions may be made,
7195 including but not limited to, gifts or grants from any department or
7196 agency of the United States or the state;

7197 (4) To invest in, acquire, lease, purchase, own, manage, hold and
7198 dispose of real property and lease, convey or deal in or enter into
7199 agreements with respect to such property on any terms necessary or
7200 incidental to the carrying out of these purposes; provided, however, (A)
7201 all such acquisitions of real property for the corporation's own use with
7202 amounts appropriated by the state to the corporation or with the
7203 proceeds of bonds supported by the full faith and credit of the state shall
7204 be subject to the approval of the Secretary of the Office of Policy and
7205 Management and the provisions of section 4b-23, and (B) upon
7206 termination of a lease executed on or before, May 1, 2016, for its main
7207 office, the corporation shall consider relocating such main office to a
7208 designated innovation place, as defined in section 32-39j, and
7209 establishing a satellite office in one or more designated innovation
7210 places;

7211 (5) To borrow money or to guarantee a return to the investors in or
7212 lenders to any capital initiative, to the extent permitted under this
7213 chapter;

7214 (6) To hold patents, copyrights, trademarks, marketing rights,
7215 licenses, or any other evidences of protection or exclusivity as to any
7216 products as defined herein, issued under the laws of the United States
7217 or any state or any nation;

7218 (7) To employ such assistants, agents and other employees as may be
7219 necessary or desirable, which employees shall be exempt from the
7220 classified service and shall not be employees, as defined in subsection
7221 (b) of section 5-270; establish all necessary or appropriate personnel
7222 practices and policies, including those relating to hiring, promotion,
7223 compensation, retirement and collective bargaining, which need not be
7224 in accordance with chapter 68, and the corporation shall not be an
7225 employer, as defined in subsection (a) of section 5-270; and engage
7226 consultants, attorneys and appraisers as may be necessary or desirable
7227 to carry out its purposes in accordance with this chapter;

7228 (8) To make and enter into all contracts and agreements necessary or
7229 incidental to the performance of its duties and the execution of its
7230 powers under this chapter;

7231 (9) To sue and be sued, plead and be impleaded, adopt a seal and
7232 alter the same at pleasure;

7233 (10) With the approval of the State Treasurer, to invest any funds not
7234 needed for immediate use or disbursement, including any funds held in
7235 reserve, in obligations issued or guaranteed by the United States of
7236 America or the state of Connecticut and in other obligations which are
7237 legal investments for retirement funds in this state;

7238 (11) To procure insurance against any loss in connection with its
7239 property and other assets in such amounts and from such insurers as it
7240 deems desirable;

7241 (12) To the extent permitted under its contract with other persons, to
7242 consent to any termination, modification, forgiveness or other change of
7243 any term of any contractual right, payment, royalty, contract or
7244 agreement of any kind to which the corporation is a party;

7245 (13) To do anything necessary and convenient to render the bonds to
7246 be issued under section 32-41 more marketable;

7247 (14) To acquire, lease, purchase, own, manage, hold and dispose of
7248 personal property, and lease, convey or deal in or enter into agreements
7249 with respect to such property on any terms necessary or incidental to
7250 the carrying out of these purposes;

7251 (15) In connection with any application for assistance under this
7252 chapter, or commitments therefor, to make and collect such fees as the
7253 corporation shall determine to be reasonable;

7254 (16) To enter into venture agreements with persons, upon such terms
7255 and conditions as are consistent with the purposes of this chapter to
7256 provide financial aid to such persons for the marketing of new and

7257 innovative services based on the use of a specific technology, product,
7258 device, technique, service or process;

7259 (17) To enter into limited partnerships or other contractual
7260 arrangements with private and public sector entities as the corporation
7261 deems necessary to provide financial aid which shall be used to make
7262 investments of seed venture capital in companies based in or relocating
7263 to the state in a manner which shall foster additional capital investment,
7264 the establishment of new businesses, the creation of new jobs and
7265 additional commercially-oriented research and development activity.
7266 The repayment of such financial aid shall be structured in such manner
7267 as the corporation deems will best encourage private sector
7268 participation in such limited partnerships or other arrangements. The
7269 board of directors, chief executive officer, officers and staff of the
7270 corporation may serve as members of any advisory or other board
7271 which may be established to carry out the purposes of this subdivision;

7272 (18) To account for and audit funds of the corporation and funds of
7273 any recipients of financial aid from the corporation;

7274 (19) To advise the Governor, the General Assembly, the
7275 Commissioner of Economic and Community Development and the
7276 president of the Connecticut State Colleges and Universities on matters
7277 relating to science, engineering and technology which may have an
7278 impact on state policies, programs, employers and residents, and on job
7279 creation and retention;

7280 (20) To promote technology-based development in the state;

7281 (21) To encourage and promote the establishment of and, within
7282 available resources, to provide financial aid to advanced technology
7283 centers;

7284 (22) To maintain an inventory of data and information concerning
7285 state and federal programs which are related to the purposes of this
7286 chapter and to serve as a clearinghouse and referral service for such data

7287 and information, provided such power shall be transferred to CTNext
7288 on September 1, 2016;

7289 (23) To conduct and encourage research and studies relating to
7290 technological development;

7291 (24) To provide technical or other assistance and, within available
7292 resources, to provide financial aid to the Connecticut Academy of
7293 Science and Engineering, Incorporated, in order to further the purposes
7294 of this chapter;

7295 (25) To recommend a science and technology agenda for the state that
7296 will promote the formation of public and private partnerships for the
7297 purpose of stimulating research, new business formation and growth
7298 and job creation;

7299 (26) To encourage and provide technical assistance and, within
7300 available resources, to provide financial aid to existing manufacturers
7301 and other businesses in the process of adopting innovative technology
7302 and new state-of-the-art processes and techniques;

7303 (27) To recommend state goals for technological development and to
7304 establish policies and strategies for developing and assisting
7305 technology-based companies and for attracting such companies to the
7306 state;

7307 (28) To promote and encourage and, within available resources, to
7308 provide financial aid for the establishment, maintenance and operation
7309 of incubator facilities, provided such power shall be transferred to
7310 CTNext on September 1, 2016;

7311 (29) To promote and encourage the coordination of public and
7312 private resources and activities within the state in order to assist
7313 technology-based entrepreneurs and business enterprises;

7314 (30) To provide services to industry that will stimulate and advance
7315 the adoption and utilization of technology and achieve improvements

7316 in the quality of products and services;

7317 (31) To promote science, engineering, mathematics and other
7318 disciplines that are essential to the development and application of
7319 technology;

7320 (32) To coordinate its efforts with existing business outreach centers,
7321 as described in section 32-9qq;

7322 (33) To do all acts and things necessary and convenient to carry out
7323 the purposes of this chapter;

7324 (34) To accept from the department: (A) Financial assistance, (B)
7325 revenues or the right to receive revenues with respect to any program
7326 under the supervision of the department, and (C) loan assets or equity
7327 interests in connection with any program under the supervision of the
7328 department; to make advances to and reimburse the department for any
7329 expenses incurred or to be incurred by it in the delivery of such
7330 assistance, revenues, rights, assets, or interests; to enter into agreements
7331 for the delivery of services by the corporation, in consultation with the
7332 department and the Connecticut Housing Finance Authority, to third
7333 parties, which agreements may include provisions for payment by the
7334 department to the corporation for the delivery of such services; and to
7335 enter into agreements with the department or with the Connecticut
7336 Housing Finance Authority for the sharing of assistants, agents and
7337 other consultants, professionals and employees, and facilities and other
7338 real and personal property used in the conduct of the corporation's
7339 affairs;

7340 (35) To transfer to the department: (A) Financial assistance, (B)
7341 revenues or the right to receive revenues with respect to any program
7342 under the supervision of the corporation, and (C) loan assets or equity
7343 interests in connection with any program under the supervision of the
7344 corporation, provided the transfer of such financial assistance, revenues,
7345 rights, assets or interests is determined by the corporation to be
7346 practicable, within the constraints and not inconsistent with the

7347 fiduciary obligations of the corporation imposed upon or established
7348 upon the corporation by any provision of the general statutes, the
7349 corporation's bond resolutions or any other agreement or contract of the
7350 corporation and to have no adverse effect on the tax-exempt status of
7351 any bonds of the state;

7352 (36) With respect to any capital initiative, to create, with one or more
7353 persons, one or more affiliates and to provide, directly or indirectly, for
7354 the contribution of capital to any such affiliate, each such affiliate being
7355 expressly authorized to exercise on such affiliate's own behalf all powers
7356 which the corporation may exercise under this section, in addition to
7357 such other powers provided to it by law;

7358 (37) To provide financial aid to enable biotechnology, bioscience and
7359 other technology companies to lease, acquire, construct, maintain,
7360 repair, replace or otherwise obtain and maintain production, testing,
7361 research, development, manufacturing, laboratory and related and
7362 other facilities, improvements and equipment;

7363 (38) To provide financial aid to persons developing smart buildings,
7364 as defined in section 32-23d, incubator facilities or other information
7365 technology intensive office and laboratory space;

7366 (39) To provide financial aid to persons developing or constructing
7367 the basic buildings, facilities or installations needed for the functioning
7368 of the media and motion picture industry in this state;

7369 (40) To coordinate the development and implementation of strategies
7370 regarding technology-based talent and innovation among state and
7371 quasi-public agencies, including the creation and administration of the
7372 Connecticut Small Business Innovation Research Office to act as a
7373 centralized clearinghouse and provide technical assistance to applicants
7374 in developing small business innovation research programs in
7375 conformity with the federal program established pursuant to the Small
7376 Business Research and Development Enhancement Act of 1992, P.L. 102-
7377 564, as amended, and other proposals, provided such power shall be

7378 transferred to CTNext on September 1, 2016;

7379 (41) To invest in private equity investment funds, or funds of funds,
7380 and enter into related agreements of limited partnership or other
7381 contractual arrangements related to such funds. Any such fund may be
7382 organized and managed, and may invest in businesses, located within
7383 or outside the state, provided the characteristics, investment objectives
7384 and criteria for such fund shall be consistent with policies adopted by
7385 the corporation's board of directors, which shall include requirements
7386 that the fund manager have or establish an office in the state and that
7387 the fund manager agrees to make diligent and good faith efforts to
7388 source deals and make fund investments such that an amount at least
7389 equal to the amount invested in such fund by the corporation and not
7390 otherwise returned, net of customary fees, expenses and closing costs
7391 borne ratably by fund investors, is invested by or through such fund in
7392 a manner that supports (A) the growth of business operations of
7393 companies in the technology, bioscience or precision manufacturing
7394 sectors in the state, or (B) the relocation of companies in such sectors to
7395 the state;

7396 (42) To invest up to five million dollars in a venture capital funding
7397 round of an out-of-state business that has raised private capital, has
7398 been incorporated for ten years or less and whose annual gross revenue
7399 has increased by twenty per cent for each of the three previous income
7400 years of such business, provided (A) any such investment is contingent
7401 upon the business relocating its operations to the state, (B) no
7402 investment shall exceed fifty per cent of the total amount raised by the
7403 business in such venture capital funding round, and (C) the total
7404 amount of investments pursuant to this section shall not exceed ten
7405 million dollars;

7406 (43) To establish a program to solicit private investment from state
7407 residents that Connecticut Innovations, Incorporated will invest in a
7408 private investment fund or funds of funds pursuant to subdivision (41)
7409 of this section or subsections (e) and (g) of section 32-41cc on behalf of

7410 such residents, provided any such private investment shall be invested
7411 by Connecticut Innovations, Incorporated in venture capital firms
7412 having offices located in the state; [and]

7413 (44) To create financial incentives to induce (A) out-of-state
7414 businesses that have raised private capital, have been incorporated for
7415 ten years or less and whose annual gross revenue has increased by
7416 twenty per cent for each of the three previous income years of such
7417 business, to relocate to Connecticut, provided the corporation has made
7418 an equity investment in such business and (B) out-of-state venture
7419 capital firms to relocate to Connecticut, provided the corporation is
7420 investing funds in such firm as a limited partner; [.] and

7421 (45) To provide financial aid, including in the form of equity
7422 investments, to cannabis establishments, as defined in section 1 of this
7423 act.

7424 Sec. 153. (NEW) (*Effective January 1, 2022*) Not later than January 1,
7425 2022, the Police Officer Standards and Training Council shall issue
7426 guidance concerning how police officers shall determine whether the
7427 cannabis possessed by a person is in excess of such person's possession
7428 limit pursuant to subsection (a) of section 21a-279a of the general
7429 statutes.

7430 Sec. 154. Subsection (h) of section 51-164n of the general statutes is
7431 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7432 *2021*):

7433 (h) In any trial for the alleged commission of an infraction, the
7434 practice, procedure, rules of evidence and burden of proof applicable in
7435 criminal proceedings shall apply; [, except that in any trial for the
7436 alleged commission of an infraction under subsection (d) of section 21a-
7437 267, the burden of proof shall be by the preponderance of the evidence.]
7438 Any person found guilty at the trial or upon a plea shall be guilty of the
7439 commission of an infraction and shall be fined not less than thirty-five
7440 dollars or more than ninety dollars or, if the infraction is for a violation

7441 of any provision of title 14, not less than fifty dollars or more than ninety
7442 dollars.

7443 Sec. 155. Subdivision (4) of subsection (c) of section 19a-343 of the
7444 general statutes is repealed and the following is substituted in lieu
7445 thereof (*Effective July 1, 2021*):

7446 (4) Offenses for the sale of controlled substances, possession of
7447 controlled substances with intent to sell, or maintaining a drug factory
7448 under section 21a-277, 21a-278 or 21a-278a or section 13 of this act use of
7449 the property by persons possessing controlled substances under section
7450 21a-279. Nothing in this section shall prevent the state from also
7451 proceeding against property under section 21a-259 or 54-36h.

7452 Sec. 156. Subsection (a) of section 53-394 of the general statutes is
7453 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7454 *2021*):

7455 (a) "Racketeering activity" means to commit, to attempt to commit, to
7456 conspire to commit, or to intentionally aid, solicit, coerce or intimidate
7457 another person to commit any crime which, at the time of its
7458 commission, was a felony chargeable by indictment or information
7459 under the following provisions of the general statutes then applicable:
7460 (1) Sections 53-278a to 53-278f, inclusive, relating to gambling activity;
7461 (2) chapter 949a, relating to extortionate credit transactions; (3) chapter
7462 952, part IV, relating to homicide; (4) chapter 952, part V, relating to
7463 assault, except assault with a motor vehicle as defined in section 53a-
7464 60d; (5) sections 53a-85 to 53a-88, inclusive, relating to prostitution; (6)
7465 chapter 952, part VII, relating to kidnapping; (7) chapter 952, part VIII,
7466 relating to burglary, arson and related offenses; (8) chapter 952, part IX,
7467 relating to larceny, robbery and related offenses; (9) chapter 952, part X,
7468 relating to forgery and related offenses; (10) chapter 952, part XI, relating
7469 to bribery and related offenses; (11) chapter 952, part XX, relating to
7470 obscenity and related offenses; (12) chapter 952, part XIX, relating to
7471 coercion; (13) sections 53-202, 53-206, 53a-211 and 53a-212, relating to

7472 weapons and firearms; (14) section 53-80a, relating to the manufacture
7473 of bombs; (15) sections 36b-2 to 36b-34, inclusive, relating to securities
7474 fraud and related offenses; (16) sections 21a-277, 21a-278 and 21a-279,
7475 and section 13 of this act, relating to drugs; (17) section 22a-131a, relating
7476 to hazardous waste; (18) chapter 952, part XXIII, relating to money
7477 laundering; (19) section 53a-192a, relating to trafficking in persons; or
7478 (20) subsection (b) of section 12-304 or section 12-308, relating to
7479 cigarettes, or subsection (c) of section 12-330f or subsection (b) of section
7480 12-330j, relating to tobacco products.

7481 Sec. 157. Subsections (a) to (c), inclusive, of section 54-33g of the
7482 general statutes are repealed and the following is substituted in lieu
7483 thereof (*Effective July 1, 2021*):

7484 (a) When any property believed to be possessed, controlled, designed
7485 or intended for use or which is or has been used or which may be used
7486 as a means of committing any criminal offense, or which constitutes the
7487 proceeds of the commission of any criminal offense, except a violation
7488 of section 21a-267, 21a-277, 21a-278 or 21a-279, or section 13 of this act,
7489 has been seized as a result of a lawful arrest or a lawful search that
7490 results in an arrest, which the state claims to be a nuisance and desires
7491 to have destroyed or disposed of in accordance with the provisions of
7492 this section, the Chief State's Attorney or a deputy chief state's attorney,
7493 state's attorney or assistant or deputy assistant state's attorney may
7494 petition the court not later than ninety days after the seizure, in the
7495 nature of a proceeding in rem, to order forfeiture of such property. Such
7496 proceeding shall be deemed a civil suit in equity, in which the state shall
7497 have the burden of proving all material facts by clear and convincing
7498 evidence. The court shall identify the owner of such property and any
7499 other person as appears to have an interest in such property, and order
7500 the state to give notice to such owner and any interested person by
7501 certified or registered mail.

7502 (b) The court shall hold a hearing on the petition filed pursuant to
7503 subsection (a) of this section not more than two weeks after the criminal

7504 proceeding that occurred as a result of the arrest has been nolle,
7505 dismissed or otherwise disposed of. The court shall deny the petition
7506 and return the property to the owner if the criminal proceeding does not
7507 result in (1) a plea of guilty or nolo contendere to any offense charged in
7508 the same criminal information, (2) a guilty verdict after trial to a
7509 forfeiture-eligible offense for which the property was possessed,
7510 controlled, designed or intended for use, or which was or had been used
7511 as a means of committing such offense, or which constitutes the
7512 proceeds of the commission of such offense, or (3) a dismissal resulting
7513 from the completion of a pretrial diversionary program.

7514 (c) If the court finds the allegations made in such petition to be true
7515 and that the property has been possessed, controlled or designed for
7516 use, or is or has been or is intended to be used, with intent to violate or
7517 in violation of any of the criminal laws of this state, or constitutes the
7518 proceeds of a violation of any of the criminal laws of this state, except a
7519 violation of section 21a-267, 21a-277, 21a-278 or 21a-279, or section 13 of
7520 this act, and that a plea of guilty or nolo contendere to such offense or
7521 another charge in the same criminal information, or a guilty verdict after
7522 trial for such forfeiture-eligible offense, or a dismissal resulting from the
7523 completion of a pretrial diversionary program has been entered, the
7524 court shall render judgment that such property is a nuisance and order
7525 the property to be destroyed or disposed of to a charitable or
7526 educational institution or to a governmental agency or institution,
7527 except that if any such property is subject to a bona fide mortgage,
7528 assignment of lease or rent, lien or security interest, such property shall
7529 not be so destroyed or disposed of in violation of the rights of the holder
7530 of such mortgage, assignment of lease or rent, lien or security interest.

7531 Sec. 158. Section 54-41b of the general statutes is repealed and the
7532 following is substituted in lieu thereof (*Effective July 1, 2021*):

7533 The Chief State's Attorney or the state's attorney for the judicial
7534 district in which the interception is to be conducted may make
7535 application to a panel of judges for an order authorizing the interception

7536 of any wire communication by investigative officers having
7537 responsibility for the investigation of offenses as to which the
7538 application is made when such interception may provide evidence of
7539 the commission of offenses involving gambling, bribery, violations of
7540 section 53-395, violations of section 53a-70c, violations of subsection (a)
7541 of section 53a-90a, violations of section 53a-192a, violations of section
7542 53a-196, violations of section 21a-277, violations of section 13 of this act,
7543 felonious crimes of violence or felonies involving the unlawful use or
7544 threatened use of physical force or violence committed with the intent
7545 to intimidate or coerce the civilian population or a unit of government.

7546 Sec. 159. Subsection (b) of section 18-100h of the general statutes is
7547 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7548 *2021*):

7549 (b) Notwithstanding any provision of the general statutes, whenever
7550 a person is sentenced to a term of imprisonment for a violation of section
7551 21a-267, [or] 21a-279 or 21a-279a, and committed by the court to the
7552 custody of the Commissioner of Correction, the commissioner may,
7553 after admission and a risk and needs assessment, release such person to
7554 such person's residence subject to the condition that such person not
7555 leave such residence unless otherwise authorized. Based upon the
7556 assessment of such person, the commissioner may require such person
7557 to be subject to electronic monitoring, which may include the use of a
7558 global positioning system and continuous monitoring for alcohol
7559 consumption, to drug testing on a random basis, and to any other
7560 conditions that the commissioner may impose. Any person released
7561 pursuant to this subsection shall remain in the custody of the
7562 commissioner and shall be supervised by employees of the department
7563 during the period of such release. Upon the violation by such person of
7564 any condition of such release, the commissioner may revoke such
7565 release and return such person to confinement in a correctional facility.
7566 For purposes of this subsection, "continuous monitoring for alcohol
7567 consumption" means automatically testing breath, blood or transdermal
7568 alcohol concentration levels and tamper attempts at least once every

7569 hour regardless of the location of the person being monitored.

7570 Sec. 160. Subsection (a) of section 53a-39c of the general statutes is
7571 repealed and the following is substituted in lieu thereof (*Effective July*
7572 *1, 2021*):

7573 (a) There is established, within available appropriations, a
7574 community service labor program for persons convicted of a first
7575 violation of section 21a-267, [or] 21a-279 or 21a-279a, who have not
7576 previously been convicted of a violation of section 21a-277 or 21a-278.
7577 Upon application by any such person for participation in such program
7578 the court may grant such application and, upon a plea of guilty without
7579 trial where a term of imprisonment is part of a stated plea agreement,
7580 suspend any sentence of imprisonment and make participation in such
7581 program a condition of probation or conditional discharge in
7582 accordance with section 53a-30. No person may be placed in such
7583 program who has previously been placed in such program.

7584 Sec. 161. Subsection (c) of section 54-56e of the general statutes is
7585 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7586 *2021*):

7587 (c) This section shall not be applicable: (1) To any person charged
7588 with (A) a class A felony, (B) a class B felony, except a violation of
7589 subdivision (1), (2) or (3) of subsection (a) of section 53a-122 that does
7590 not involve the use, attempted use or threatened use of physical force
7591 against another person, or a violation of subdivision (4) of subsection (a)
7592 of section 53a-122 that does not involve the use, attempted use or
7593 threatened use of physical force against another person and does not
7594 involve a violation by a person who is a public official, as defined in
7595 section 1-110, or a state or municipal employee, as defined in section 1-
7596 110, or (C) a violation of section 53a-70b of the general statutes, revision
7597 of 1958, revised to January 1, 2019, or section 14-227a or 14-227m,
7598 subdivision (1) or (2) of subsection (a) of section 14-227n, subdivision (2)
7599 of subsection (a) of section 53-21 or section 53a-56b, 53a-60d, 53a-70, 53a-

7600 70a, 53a-71, except as provided in subdivision (5) of this subsection, 53a-
7601 72a, 53a-72b, 53a-90a, 53a-196e or 53a-196f, (2) to any person charged
7602 with a crime or motor vehicle violation who, as a result of the
7603 commission of such crime or motor vehicle violation, causes the death
7604 of another person, (3) to any person accused of a family violence crime
7605 as defined in section 46b-38a who (A) is eligible for the pretrial family
7606 violence education program established under section 46b-38c, or (B)
7607 has previously had the pretrial family violence education program
7608 invoked in such person's behalf, (4) to any person charged with a
7609 violation of section 21a-267, [or] 21a-279 or 21a-279a, who (A) is eligible
7610 for the pretrial drug education and community service program
7611 established under section 54-56i or the pretrial drug intervention and
7612 community service program established under section 166 of this act, or
7613 (B) has previously had (i) the pretrial drug education program [or] (ii)
7614 the pretrial drug education and community service program established
7615 under the provisions of section 54-56i, or (iii) the pretrial drug
7616 intervention and community service program established under section
7617 166 of this act, invoked on such person's behalf, (5) unless good cause is
7618 shown, to (A) any person charged with a class C felony, or (B) any
7619 person charged with committing a violation of subdivision (1) of
7620 subsection (a) of section 53a-71 while such person was less than four
7621 years older than the other person, (6) to any person charged with a
7622 violation of section 9-359 or 9-359a, (7) to any person charged with a
7623 motor vehicle violation (A) while operating a commercial motor vehicle,
7624 as defined in section 14-1, or (B) who holds a commercial driver's license
7625 or commercial driver's instruction permit at the time of the violation, (8)
7626 to any person charged with a violation of subdivision (6) of subsection
7627 (a) of section 53a-60, or (9) to a health care provider or vendor
7628 participating in the state's Medicaid program charged with a violation
7629 of section 53a-122 or subdivision (4) of subsection (a) of section 53a-123.

7630 Sec. 162. (NEW) (*Effective July 1, 2023*) Notwithstanding the
7631 provisions of section 13 of this act, any consumer may cultivate up to
7632 three mature cannabis plants and three immature cannabis plants in the

7633 consumer's primary residence, provided such plants are secure from
7634 access by any individual other than the consumer and no more than
7635 twelve cannabis plants may be grown at any given time per household.

7636 Sec. 163. (NEW) (*Effective October 1, 2021*) Any person twenty-three
7637 years of age or older who sells, delivers or gives cannabis, as defined in
7638 section 1 of this act, to any person under twenty-one years of age, and
7639 who knew or should have known that such person was under twenty-
7640 one years of age, shall be guilty of a class A misdemeanor.

7641 Sec. 164. Subsection (i) of section 54-1m of the general statutes is
7642 repealed and the following is substituted in lieu thereof (*Effective from*
7643 *passage*):

7644 (i) The Office of Policy and Management shall, within available
7645 resources, review the prevalence and disposition of traffic stops and
7646 complaints reported pursuant to this section, including any traffic stops
7647 conducted on suspicion of a violation of section 14-227a, 14-227g, 14-
7648 227m or 14-227n. Not later than July 1, 2014, and annually thereafter, the
7649 office shall report the results of any such review, including any
7650 recommendations, to the Governor, the General Assembly and any
7651 other entity deemed appropriate.

7652 Sec. 165. (NEW) (*Effective from passage*) Not later than January 1, 2022,
7653 the Commissioner of Emergency Services and Public Protection shall
7654 report to the Governor and, in accordance with the provisions of section
7655 11-4a, to the joint standing committees of the General Assembly having
7656 cognizance of matters relating to public safety and security and
7657 transportation, regarding the merits and feasibility of establishing (1) a
7658 phlebotomy program for police departments in the state, and (2) a
7659 facility to train police officers on the symptoms of cannabis impairment.

7660 Sec. 166. (NEW) (*Effective April 1, 2022*) (a) (1) There is established a
7661 pretrial drug intervention and community service program for persons
7662 charged with a violation of section 21a-257 of the general statutes, 21a-
7663 267 of the general statutes, 21a-279 of the general statutes or 21a-279a of

7664 the general statutes. The program shall consist of a twelve-session drug
7665 education component or a substance use treatment program of not less
7666 than fifteen sessions, and the performance of community service as
7667 ordered by the court pursuant to subsection (c) of this section.

7668 (2) The provisions of this section shall not apply to any person who
7669 has twice previously participated in: (A) The pretrial drug education
7670 program established under the provisions of section 54-56i of the
7671 general statutes; (B) the community service labor program established
7672 under section 53a-39c of the general statutes; (C) the pretrial drug
7673 intervention and community service program established under this
7674 section; or (D) any of such programs, except that the court may allow a
7675 person who has twice previously participated in such programs to
7676 participate in the program established under this section one additional
7677 time, for good cause shown.

7678 (b) Upon application for participation in the program:

7679 (1) The court shall, but only as to the public, order the court file
7680 sealed;

7681 (2) The applicant shall pay to the court a nonrefundable application
7682 fee of one hundred dollars and a nonrefundable evaluation fee of one
7683 hundred fifty dollars, both of which shall be credited to the pretrial
7684 account established under section 54-56k of the general statutes;

7685 (3) The applicant shall agree that, if the court grants the application
7686 and places the applicant in the program:

7687 (A) The statute of limitations for any alleged violations for which the
7688 court grants the application for the program shall be tolled;

7689 (B) The applicant waives the right to a speedy trial;

7690 (C) The applicant will begin participation in the components of the
7691 program ordered by the court not later than ninety days after the date
7692 that the Court Support Services Division directs the applicant to attend

7693 such components pursuant to subsection (d) of this section, unless the
7694 applicant requests a later start date, and the division determines that a
7695 later start date is appropriate;

7696 (D) The applicant will successfully complete any components of the
7697 program ordered by the court;

7698 (E) The applicant will not engage in any conduct that would
7699 constitute a violation of section 21a-257 of the general statutes, 21a-267
7700 of the general statutes, 21a-279 of the general statutes or 21a-279a of the
7701 general statutes; and

7702 (F) To satisfactorily complete the program, the applicant may be
7703 required to participate in additional substance use treatment after
7704 completing the drug education or substance use treatment component
7705 of the program that the Court Support Services Division directs the
7706 applicant to attend pursuant to subsection (d) of this section, if a
7707 program component provider recommends such additional treatment
7708 and the division deems it appropriate, pursuant to subdivision (3) of
7709 subsection (h) of this section, or the court orders the additional
7710 treatment.

7711 (c) (1) The court, after consideration of the recommendation of the
7712 state's attorney, assistant state's attorney or deputy assistant state's
7713 attorney in charge of the case, may, in its discretion, grant the
7714 application for, and place the applicant in, the pretrial drug intervention
7715 and community service program for a period of one year, subject to
7716 confirmation of the applicant's eligibility to participate in the program.

7717 (2) If the court grants the application and places the applicant in the
7718 program, the court shall refer the person placed in the program to the
7719 Court Support Services Division for confirmation of eligibility to
7720 participate in the program, and:

7721 (A) If the division confirms that such person is eligible for the
7722 program:

7723 (i) Direct the division to refer the applicant to the Department of
7724 Mental Health and Addiction Services for evaluation and determination
7725 of the appropriate drug education or substance use treatment
7726 component of the program, if the court has granted the applicant's
7727 participation in the program established under the provisions of this
7728 section or the community service labor program established under
7729 section 53a-39c of the general statutes for the first or second time;

7730 (ii) Direct the division to refer the applicant to a state-licensed
7731 substance use treatment provider for evaluation and determination of
7732 the appropriate substance use treatment component of the program, if
7733 the court has granted the applicant's participation in the program
7734 established under the provisions of this section or the community
7735 service labor program established under section 53a-39c of the general
7736 statutes for the third time; or

7737 (iii) If the applicant is a veteran, may direct the division to refer the
7738 applicant to the Department of Veterans Affairs or the United States
7739 Department of Veterans Affairs for evaluation and determination of the
7740 appropriate drug education or substance use treatment component of
7741 the program; or

7742 (B) If the division determines that such person is not eligible for the
7743 program, to inform the court of such determination and return such
7744 person's case to court for further proceedings.

7745 (3) When granting an application and placing an applicant in the
7746 program:

7747 (A) For the first time, the court shall order the applicant to participate
7748 in (i) either the drug education or substance use treatment component
7749 of the program recommended by the evaluation conducted pursuant to
7750 subparagraph (A)(i) of subdivision (2) of this subsection; and (ii) the
7751 community service component of the program for a period of five days;

7752 (B) For the second time, the court shall order the applicant to

7753 participate in (i) either the drug education or substance use treatment
7754 component of the program recommended by the evaluation conducted
7755 pursuant to subparagraph (A) of subdivision (2) of this subsection; and
7756 (ii) the community service component of the program for a period of
7757 fifteen days; or

7758 (C) For the third time, the court shall order the applicant to
7759 participate in (i) the substance use treatment component recommended
7760 by the evaluation conducted pursuant to subparagraph (A) of
7761 subdivision (2) of this subsection; and (ii) the community service
7762 component of the program for a period of thirty days.

7763 (d) (1) Except as provided in subdivisions (2) and (4) of this
7764 subsection, upon receipt of the evaluation of any person placed in the
7765 program conducted pursuant to subparagraph (A) of subdivision (2) of
7766 subsection (c) of this section, the Court Support Services Division shall
7767 (A) refer such person to the Department of Mental Health and Addiction
7768 Services or to a state-licensed substance use treatment provider with
7769 facilities that are in compliance with all state standards governing the
7770 operation of such facilities, as appropriate, for the purpose of receiving
7771 the drug education or substance use treatment component services
7772 recommended by such evaluation; and (B) direct such person to attend
7773 the recommended drug education or substance use treatment
7774 component within ninety days after referral unless the division
7775 determines that a later start date is appropriate.

7776 (2) If any person placed in the program is a veteran, the division (A)
7777 may refer such person to the Department of Veterans Affairs or the
7778 United States Department of Veterans Affairs for the applicable drug
7779 education or substance use treatment component recommended by the
7780 evaluation conducted pursuant to subparagraph (A) of subdivision (2)
7781 of subsection (c) of this section if: (i) the division determines that
7782 services for such component will be provided in a timely manner under
7783 standards substantially similar to, or higher than, the standards for
7784 services provided by the Department of Mental Health and Addiction

7785 Services or a state-licensed substance use treatment provider, and (ii)
7786 the applicable department agrees to submit timely component
7787 participation and completion reports to the division in the manner
7788 required by the division; and (B) shall direct such person to attend the
7789 recommended drug education or substance use treatment component
7790 within ninety days unless the division determines that a later start date
7791 is appropriate.

7792 (3) The division shall direct such person to attend the applicable
7793 community service component ordered by the court, and shall supervise
7794 such person's participation in such community service component.

7795 (4) The division may allow any person placed in the program whose
7796 employment, residence or education makes it unreasonable to
7797 participate in any component of the program ordered by the court in
7798 this state to participate in the applicable program components in
7799 another state if:

7800 (A) The out-of-state component provider has standards substantially
7801 similar to, or higher than, those of this state;

7802 (B) For any substance use treatment component, the out-of-state
7803 substance use treatment provider is licensed by the state in which
7804 treatment will be provided; and

7805 (C) The person allowed to participate in any of the components of the
7806 program in another state pays the applicable program fee and
7807 participation costs provided in this section.

7808 (5) If the division determines that any person placed in the program
7809 has either failed to comply with the requirements of any component of
7810 the program in which the court has ordered such person to participate,
7811 or engaged in any conduct that constitutes a violation of section 21a-257
7812 of the general statutes, 21a-267 of the general statutes, 21a-279 of the
7813 general statutes or 21a-279a of the general statutes, the division shall
7814 inform the court and return such person's case to court for further

7815 proceedings.

7816 (e) (1) At the time that the Court Support Services Division directs
7817 any person to attend any component of the program, such person shall
7818 (A) if directed to attend the drug education component, pay to the court
7819 a nonrefundable program fee of four hundred dollars, or (B) if directed
7820 to attend the substance use treatment component, pay to the court a
7821 nonrefundable program fee of one hundred dollars and pay to the
7822 treatment provider any costs associated with such treatment. All
7823 program fees shall be credited to the pretrial account established under
7824 section 54-56k of the general statutes.

7825 (2) (A) No person may be excluded from any component of the
7826 program because such person is indigent and unable to pay the
7827 associated fee or costs, provided (i) such person files with the court an
7828 affidavit of indigency and the court enters a finding of such indigency,
7829 or (ii) such person has been determined indigent and eligible for
7830 representation by a public defender who has been appointed on behalf
7831 of such person pursuant to section 51-296 of the general statutes. The
7832 court shall not require a person to perform community service in lieu of
7833 payment of any fee or cost, if such fee or cost is waived.

7834 (B) If the court finds that a person is indigent and unable to pay for
7835 the program application or the evaluation fee for the program, the court
7836 may waive all or any portion of these fees.

7837 (C) If the court finds that a person is indigent and unable to pay for
7838 the drug education component of the program, the court may waive all
7839 or any portion of the program fee for that component, provided that
7840 such person participates in such drug education services offered by a
7841 provider located in this state.

7842 (D) If the court finds that a person is indigent and unable to pay for
7843 the substance use treatment component of the program, the court may
7844 waive all or any portion of the program fee for that component and the
7845 costs of such treatment, provided that such person participates in such

7846 treatment at a substance use treatment provider licensed by and located
7847 in this state. Any costs waived under this subparagraph shall be paid by
7848 the Department of Mental Health and Addiction Services.

7849 (E) Notwithstanding any provision of this section, in no event shall
7850 the Department of Mental Health and Addiction Services pay any costs
7851 associated with education or substance use treatment provided outside
7852 of this state.

7853 (f) (1) If the Court Support Services Division returns to court the case
7854 of any person placed in the program whom the division has determined
7855 is not eligible for the program, and the court finds that such person is
7856 not eligible to participate in the program, the court shall revoke such
7857 person's placement in the program.

7858 (2) If the Court Support Services Division returns to court the case of
7859 any person placed in the program whom the division has learned has
7860 failed to comply with requirements of any component of the program in
7861 which the court has ordered such person to participate, or engaged in
7862 any conduct that constitutes a violation of section 21a-257 of the general
7863 statutes, 21a-267 of the general statutes, 21a-279 of the general statutes
7864 or 21a-279a of the general statutes, and the court finds that such person
7865 is no longer eligible to continue participating in the program, the court
7866 shall terminate such person's participation in the program.

7867 (3) If the court revokes any person's placement in the program or
7868 terminates any person's participation in the program, the court shall
7869 order the court file to be unsealed, enter a plea of not guilty for such
7870 person, and immediately place the case on the trial list, unless such
7871 person is eligible for, such person requests and the court grants such
7872 person reinstatement into the program pursuant to subsection (k) of this
7873 section.

7874 (4) (A) If the court revokes any person's placement in the program,
7875 such person shall not be required to pay any program fee or
7876 participation costs specified in subsection (e) of this section.

7877 (B) If the court terminates any person's participation in the program,
7878 no program fees or substance use treatment costs imposed pursuant to
7879 subsection (e) of this section shall be refunded.

7880 (g) The Department of Mental Health and Addiction Services shall
7881 administer the drug education component of the program and shall
7882 adopt regulations, in accordance with the provisions of chapter 54 of the
7883 general statutes, to establish standards for such drug education
7884 component. The department may contract with service providers to
7885 provide the appropriate drug education component in accordance with
7886 the provisions of this section. The department may combine the services
7887 for the drug education component of the program under the provisions
7888 of this section with the services for the alcohol education component of
7889 the impaired driving intervention program under the provisions of
7890 section 167 of this act, if necessary to ensure the appropriate and timely
7891 access to court ordered education components. Participation by a person
7892 in any combined drug and alcohol education services provided by the
7893 department for the drug education component of the program under the
7894 provisions of this section shall not be deemed participation in, nor shall
7895 affect such person's eligibility for, the impaired driving intervention
7896 program under the provisions of section 167 of this act.

7897 (h) (1) All program component providers shall provide the Court
7898 Support Services Division with a certification regarding the
7899 participation of each person referred to such provider pursuant to this
7900 section in the manner required by the division. (A) If such person has
7901 successfully completed the applicable program component, the
7902 certification shall indicate such successful completion and state whether
7903 additional substance use treatment is recommended. (B) If such person
7904 has failed to successfully complete the applicable program component,
7905 the certification shall indicate the reasons for such failure, whether the
7906 person is no longer amenable to education or treatment, and whether
7907 the current referral was an initial referral under subsection (d) of this
7908 section or a reinstatement under subsection (k) of this section for the
7909 program component. The certification of failure shall also, to the extent

7910 practicable, include a recommendation as to whether an alternative
7911 drug education or substance use treatment component would best serve
7912 such person's needs.

7913 (2) Except as provided in subdivision (3) of this subsection, upon
7914 receipt of a participation certification from any program component
7915 provider pursuant to this subsection, the Court Support Services
7916 Division shall provide the court with a final progress report indicating
7917 whether such person has successfully completed any components of the
7918 program ordered by the court, whether the division required such
7919 person to participate in any additional substance use treatment in
7920 accordance with subdivision (3) of this subsection and whether such
7921 person successfully completed any such additional substance use
7922 treatment. The final progress report shall also include any other
7923 information the division obtained during the supervision of such person
7924 relevant to such person's participation in the program, including
7925 whether the results of a criminal history record check, which the
7926 division shall complete prior to the submission of the final progress
7927 report, reveals that such person has engaged in any conduct that
7928 constitutes a violation of section 21a-257 of the general statutes, 21a-267
7929 of the general statutes, 21a-279 of the general statutes or 21a-279a of the
7930 general statutes, during such person's period of participation in the
7931 program.

7932 (3) If a participation certification indicates that a person who was
7933 placed in the program successfully completed the drug education or
7934 substance use treatment component ordered by the court, but the
7935 program component provider recommends additional substance use
7936 treatment for such person, the Court Support Services Division may, if
7937 it deems such additional treatment appropriate, require such person to
7938 participate in the recommended additional substance use treatment in
7939 order to satisfactorily complete the pretrial drug intervention and
7940 community service program. If the division requires such additional
7941 substance use treatment, the division shall provide the court with a final
7942 progress report in accordance with subdivision (2) of this subsection

7943 upon receipt of the participation certification from the substance use
7944 treatment provider for such additional treatment.

7945 (i) (1) If any person successfully completes all components of the
7946 program ordered by the court and any additional substance use
7947 treatment required by the Court Support Services Division, such person
7948 may apply for dismissal of the charges against such person at the
7949 conclusion of such person's period of participation in the program.
7950 Upon application, the court shall review the final progress report
7951 submitted by the division regarding such person and any other relevant
7952 information. If the court finds that such person has satisfactorily
7953 completed the pretrial drug intervention and community service
7954 program, the court shall dismiss the charges.

7955 (2) If any person who has successfully completed all components of
7956 the program ordered by the court and any additional substance use
7957 treatment required by the Court Support Services Division does not
7958 apply for dismissal of the charges against such person at the conclusion
7959 of such person's period of participation in the program, the court may,
7960 upon its own motion, review of the final progress report regarding such
7961 person submitted by the division and any other relevant information. If
7962 the court finds that such person has satisfactorily completed the pretrial
7963 drug intervention and community service program, the court shall
7964 dismiss the charges.

7965 (3) Upon the motion of any person placed in the program and a
7966 showing of good cause, the court may extend the program placement
7967 period for a reasonable period of time to allow such person to complete
7968 the applicable program components.

7969 (j) If, upon review of the final progress report submitted by the Court
7970 Support Services Division or any other relevant information, the court
7971 finds that any person placed in the program has failed to successfully
7972 complete any component of the program ordered by the court, is no
7973 longer amenable to treatment or is otherwise ineligible to continue

7974 participating in the program, the court shall terminate such person's
7975 participation in the program. No program fees or substance use
7976 treatment costs imposed pursuant to subsection (e) of this section shall
7977 be refunded to any person whose participation in the program is
7978 terminated. Unless such person requests, and the court grants,
7979 reinstatement into the program pursuant to subsection (k) of this
7980 section, the court shall order the court file of any person whose
7981 participation in the program is terminated to be unsealed, enter a plea
7982 of not guilty for such person and immediately place the case on the trial
7983 list.

7984 (k) (1) Any person whose participation in the program is terminated
7985 may ask the court to reinstate such person into the program up to two
7986 times. If a person requests reinstatement into the program, the Court
7987 Support Services Division shall verify that such person is eligible for
7988 such reinstatement. If a person requesting reinstatement into the
7989 program is eligible for reinstatement, the court may, in its discretion,
7990 grant such person reinstatement into the program. When granting such
7991 reinstatement, the court shall order the person to participate in an
7992 appropriate drug education, substance use treatment or community
7993 service component of the program.

7994 (2) Any person reinstated into the program shall (A) if ordered to
7995 participate in the drug education component of the program, pay to the
7996 court a nonrefundable program fee of two hundred fifty dollars, which
7997 shall be credited to the pretrial account established under section 54-56k
7998 of the general statutes, or (B) if ordered to participate in the substance
7999 use treatment component of the program, pay the costs of any substance
8000 use treatment. The court shall not waive the program fee or the costs of
8001 substance use treatment associated with reinstatement into the program
8002 unless such person is found eligible to have such fee or costs waived
8003 under subdivision (2) of subsection (e) of this section and such person
8004 participates in the applicable drug education at a service provider
8005 located in this state or substance use treatment at a substance use
8006 treatment provider licensed by and located in this state.

8007 (l) (1) If any person applies for both the pretrial drug intervention and
8008 community service program under the provisions of this section and the
8009 pretrial impaired driving intervention program pursuant to section 167
8010 of this act, for charges arising from the same arrest, and the Department
8011 of Mental Health and Addiction Services has already completed the
8012 required evaluation and determination of the appropriate alcohol
8013 education or substance use treatment component pursuant to section
8014 167 of this act, the court and the Court Support Services Division may
8015 rely on such evaluation and determination for the purposes of ordering
8016 participation and directing attendance in the drug education or
8017 substance use treatment component of the program under the
8018 provisions of this section. If the court and the division rely on such
8019 evaluation and determination, such person shall not be required to pay
8020 the evaluation fee under the provisions of subdivision (2) of subsection
8021 (b) of this section, provided that such person has paid, or the court has
8022 waived, the evaluation fee pursuant to section 167 of this act.

8023 (2) If any person is placed in both the pretrial drug intervention and
8024 community service program under the provisions of this section and the
8025 pretrial impaired driving intervention program under section 167 of this
8026 act, for charges arising from the same arrest, the court may find that:

8027 (A) Such person's successful completion of the alcohol education
8028 component of the pretrial impaired driving intervention program
8029 pursuant to section 167 of this act, satisfies such person's required
8030 participation in the drug education component of the pretrial drug
8031 intervention and community service program under the provisions of
8032 this section; or

8033 (B) Such person's successful completion of the substance use
8034 treatment component of the pretrial impaired driving intervention
8035 program under section 167 of this act, satisfies such person's required
8036 participation in the substance use treatment component of the pretrial
8037 drug intervention and community service program under the
8038 provisions of this section.

8039 (3) Nothing in this subsection shall relieve any person placed in both
8040 the pretrial drug intervention and community service program
8041 pursuant to this section and the pretrial impaired driving intervention
8042 program pursuant to section 167 of this act, for charges arising from the
8043 same arrest, from the requirement to participate in the:

8044 (A) Community service component of the pretrial drug intervention
8045 and community service program under the provisions of this section, in
8046 order to satisfactorily complete the pretrial drug intervention and
8047 community service program, or

8048 (B) Victim impact component of the pretrial impaired driving
8049 intervention program, if ordered by the court pursuant to section 167 of
8050 this act, in order to satisfactorily complete the pretrial impaired driving
8051 intervention program.

8052 (m) The Court Support Services Division shall retain a record of
8053 participation in the pretrial drug intervention and community service
8054 program for a period of ten years from the date the court grants the
8055 application for, and places the applicant in, the program pursuant to the
8056 provisions of this section.

8057 (n) For purposes of this section, "veteran" has the same meaning as
8058 provided in subdivision (2) of subsection (a) of section 27-103 of the
8059 general statutes.

8060 Sec. 167. (NEW) (*Effective April 1, 2022*) (a) (1) There is established a
8061 pretrial impaired driving intervention program for persons charged
8062 with a violation of section 14-227a of the general statutes, section 14-
8063 227g of the general statutes, section 14-227m of the general statutes,
8064 section 14-227n of the general statutes, subsection (d) of section 15-133
8065 of the general statutes or section 15-140n of the general statutes. The
8066 program shall consist of a twelve-session alcohol education component
8067 or a substance use treatment component of not less than fifteen sessions,
8068 and may also include a victim impact component, as ordered by the
8069 court pursuant to subsection (d) of this section.

8070 (2) The provisions of this section shall not apply to any person:

8071 (A) Who has been placed in the pretrial impaired driving intervention
8072 program under this section or the pretrial alcohol education program
8073 established under section 54-56g of the general statutes, within ten years
8074 immediately preceding the application;

8075 (B) Who has been convicted of a violation of section 14-227a of the
8076 general statutes, section 14-227g of the general statutes, section 14-227m
8077 of the general statutes, section 14-227n of the general statutes, section
8078 15-132a of the general statutes, subsection (d) of section 15-133 of the
8079 general statutes, section 15-140l of the general statutes, section 15-140n
8080 of the general statutes, section 53a-56b of the general statutes or section
8081 53a-60d of the general statutes;

8082 (C) Who has been convicted in any other state at any time of an
8083 offense the essential elements of which are substantially the same as any
8084 statutory provision set forth in subparagraph (B) of this subdivision;

8085 (D) Who is charged with a violation of section 14-227a of the general
8086 statutes, 14-227g of the general statutes, 14-227m of the general statutes
8087 or 14-227n of the general statutes (i) and held a commercial driver's
8088 license or commercial driver's instruction permit at the time of the
8089 violation; or (ii) while operating a commercial motor vehicle, as defined
8090 in section 14-1 of the general statutes; or

8091 (3) Whose alleged violation caused the serious physical injury, as
8092 defined in section 53a-3 of the general statutes, of another person, unless
8093 good cause is shown.

8094 (b) Upon application for participation in the program:

8095 (1) The court shall, but only as to the public, order the court file
8096 sealed;

8097 (2) The applicant shall pay to the court a nonrefundable application
8098 fee of one hundred dollars, which shall be credited to the Criminal

8099 Injuries Compensation Fund established under section 54-215 of the
8100 general statutes, and a nonrefundable evaluation fee of one hundred
8101 fifty dollars, which shall be credited to the pretrial account established
8102 under section 54-56k of the general statutes;

8103 (3) The applicant shall agree that, if the court grants the application
8104 and places the applicant in the program:

8105 (A) The statute of limitations for any alleged violations for which the
8106 court grants the application for the program shall be tolled;

8107 (B) The applicant waives the right to a speedy trial;

8108 (C) The applicant will begin participation in the components of the
8109 program ordered by the court not later than ninety days after the date
8110 that the Court Support Services Division directs the applicant to attend
8111 such components pursuant to subsection (e) of this section, unless the
8112 applicant requests a later start date and the division determines that a
8113 later start date is appropriate;

8114 (D) The applicant will successfully complete any components of the
8115 program ordered by the court;

8116 (E) The applicant will not engage in any conduct that would
8117 constitute a violation of (i) any statutory provision set forth in
8118 subparagraph (B) of subdivision (2) of subsection (a) of this section; or
8119 (ii) any statutory provision in any other state the essential elements of
8120 which are substantially the same as any statutory provision set forth in
8121 subparagraph (B) of subdivision (2) of subsection (a) of this section;

8122 (F) To satisfactorily complete the program, the applicant may be
8123 required to participate in additional substance use treatment after
8124 completing the alcohol education or substance use treatment
8125 component of the program that the Court Support Services Division
8126 directs the applicant to attend pursuant to subsection (e) of this section,
8127 if a program component provider recommends such additional

8128 treatment and the division deems it appropriate pursuant to subdivision
8129 (3) of subsection (j) of this section, or the court orders the additional
8130 treatment.

8131 (c) (1) Immediately following application, the applicant shall send
8132 notice, by registered or certified mail on a form prescribed by the Office
8133 of the Chief Court Administrator, to any victim who sustained a serious
8134 physical injury, as defined in section 53a-3 of the general statutes, as a
8135 result of the applicant's alleged violation. The notice shall inform each
8136 such victim that the applicant has applied to participate in the pretrial
8137 impaired driving intervention program and that the victim has an
8138 opportunity to be heard by the court on the application. The court shall
8139 provide each such victim an opportunity to be heard prior to granting
8140 an application under this section.

8141 (2) If the court determines that any person not entitled to notice
8142 pursuant to subdivision (1) of this subsection should be provided an
8143 opportunity to be heard on the application, the court may also require
8144 the defendant or the state's attorney, assistant state's attorney or deputy
8145 assistant state's attorney in charge of the case to send notice of the
8146 application to any such person.

8147 (d) (1) The court, after consideration of the recommendation of the
8148 state's attorney, assistant state's attorney or deputy assistant state's
8149 attorney in charge of the case, and the statement of any victim and any
8150 other person required to be notified pursuant to subsection (c) of this
8151 section, may, in its discretion, grant the application for, and place the
8152 applicant in, the pretrial impaired driving intervention program for a
8153 period of one year, subject to confirmation of the applicant's eligibility
8154 to participate in the program.

8155 (2) If the court grants the application and places the applicant in the
8156 program, the court shall: (A) Refer the person placed in the program to
8157 the Court Support Services Division for confirmation of eligibility to
8158 participate in the program; and (B) direct the division, (i) if it confirms

8159 that such person is eligible for the program, to refer such person to the
8160 Department of Mental Health and Addiction Services for evaluation and
8161 determination of the appropriate alcohol education or substance use
8162 treatment component of the program; or (ii) if it determines that such
8163 person is not eligible for the program, to inform the court of such
8164 determination and return such person's case to the court for further
8165 proceedings.

8166 (3) When granting an application and placing an applicant in the
8167 program, the court (A) shall order the applicant to participate in the
8168 alcohol education or substance use treatment component of the program
8169 recommended by the evaluation conducted pursuant to subparagraph
8170 (B)(i) of subdivision (2) of this subsection, and (B) may also order the
8171 applicant to participate in a victim impact component for which the
8172 applicant must attend a victim impact panel provided by an
8173 organization approved by the Court Support Services Division pursuant
8174 to subsection (h) of this section.

8175 (e) (1) Except as provided in subdivision (3) of this subsection, upon
8176 receipt of the evaluation of any person placed in the program conducted
8177 pursuant to subparagraph (B)(i) of subdivision (2) of subsection (d) of
8178 this section, the Court Support Services Division shall (A) refer such
8179 person to the Department of Mental Health and Addiction Services or
8180 to a state-licensed substance use treatment provider with facilities that
8181 are in compliance with all state standards governing the operation of
8182 such facilities, as appropriate, for the purpose of receiving the alcohol
8183 education or substance use treatment component services
8184 recommended by such evaluation; and (B) direct such person to attend
8185 the recommended alcohol education or substance use treatment
8186 component within ninety days unless the division determines that a
8187 later start date is appropriate. In making the determination of whether
8188 a later start date is appropriate, the division may consider any relevant
8189 factors, including, but not limited to, the date upon which the
8190 suspension of such person's motor vehicle operator's license pursuant
8191 to section 14-227b of the general statutes will expire.

8192 (2) If the court has ordered any person placed in the program to
8193 participate in a victim impact component, the division shall (A) refer
8194 such person to an organization approved to conduct victim impact
8195 panels in accordance with subsection (h) of this section; and (B) direct
8196 such person to attend an appropriate victim impact panel.

8197 (3) The division may allow any person placed in the program whose
8198 employment, residence, or education makes it unreasonable to
8199 participate in any component of the program ordered by the court in
8200 this state to participate in the applicable program components in
8201 another state if:

8202 (A) The out-of-state component provider has standards substantially
8203 similar to, or higher than, those of this state;

8204 (B) For any substance use treatment component, the out-of-state
8205 substance use treatment provider is licensed by the state in which
8206 treatment will be provided; and

8207 (C) The person allowed to participate in any components of the
8208 program in another state pays the applicable program fee and
8209 participation costs provided in this section.

8210 (4) If the division determines that any person placed in the program
8211 has either failed to comply with requirements of any component of the
8212 program in which the court has ordered such person to participate, or
8213 engaged in any conduct that constitutes a violation of (A) any statutory
8214 provision set forth in subparagraph (B) of subdivision (2) of subsection
8215 (a) of this section; or (B) any statutory provision in any other state the
8216 essential elements of which are substantially the same as any statutory
8217 provision set forth in subparagraph (B) of subdivision (2) of subsection
8218 (a) of this section, the division shall inform the court and return such
8219 person's case to court for further proceedings.

8220 (f) (1) At the time that the Court Support Services Division directs any
8221 person to attend any component of the program, such person shall (A)

8222 if directed to attend the alcohol education component, pay to the court
8223 a nonrefundable program fee of four hundred dollars, or (B) if directed
8224 to attend the substance use treatment component, pay to the court a
8225 nonrefundable program fee of one hundred dollars and pay to the
8226 treatment provider any costs associated with such treatment. All
8227 program fees shall be credited to the pretrial account established under
8228 section 54-56k of the general statutes.

8229 (2) Any person directed to attend the victim impact component shall,
8230 at the time such person attends the victim impact panel, pay the
8231 organization conducting the victim impact panel the participation fee
8232 required by such organization.

8233 (3) (A) No person may be excluded from any component of the
8234 program because such person is indigent and unable to pay the
8235 associated fee or costs, provided (i) such person files with the court an
8236 affidavit of indigency and the court enters a finding of such indigency,
8237 or (ii) such person has been determined indigent and eligible for
8238 representation by a public defender who has been appointed on behalf
8239 of such person pursuant to section 51-296 of the general statutes. The
8240 court shall not require a person to perform community service in lieu of
8241 payment of any fee or cost, if such fee or cost is waived.

8242 (B) If the court finds that a person is indigent and unable to pay for
8243 the program application or evaluation fee for the program, the court
8244 may waive all or any portion of these fees.

8245 (C) If the court finds that a person is indigent and unable to pay for
8246 the alcohol education component of the program, the court may waive
8247 all or any portion of the program fee for that component, provided that
8248 such person participates in alcohol education services offered by a
8249 provider located in this state.

8250 (D) If the court finds that a person is indigent and unable to pay for
8251 the substance use treatment component of the program, the court may
8252 waive all or any portion of the program fee for that component and the

8253 costs of such treatment, provided that such person participates in such
8254 treatment at a substance use treatment provider licensed by and located
8255 in this state. Any costs waived under this subparagraph shall be paid by
8256 the Department of Mental Health and Addiction Services.

8257 (E) Notwithstanding any provision of this section, in no event shall
8258 the Department of Mental Health and Addiction Services pay any fees
8259 or costs associated with education or substance use treatment provided
8260 outside of this state.

8261 (g) (1) If the Court Support Services Division returns to court the case
8262 of any person placed in the program whom the division has determined
8263 is not eligible for the program, and the court finds that such person is
8264 not eligible to participate in the program, the court shall revoke such
8265 person's placement in the program.

8266 (2) If the Court Support Services Division returns to court the case of
8267 any person placed in the program whom the division has learned has
8268 failed to comply with requirements of any component of the program in
8269 which the court has ordered such person to participate, or engaged in
8270 any conduct that constitutes a violation of (A) any statutory provision
8271 set forth in subparagraph (B) of subdivision (2) of subsection (a) of this
8272 section; or (B) any statutory provision in any other state the essential
8273 elements of which are substantially the same as any statutory provision
8274 set forth in subparagraph (B) of subdivision (2) of subsection (a) of this
8275 section, and the court finds that such person is no longer eligible to
8276 continue participating in the program, the court shall terminate such
8277 person's participation in the program.

8278 (3) If the court revokes any person's placement in the program or
8279 terminates any person's participation in the program, the court shall
8280 order the court file to be unsealed, enter a plea of not guilty for such
8281 person, and immediately place the case on the trial list unless such
8282 person is eligible for, such person requests and the court grants such
8283 person reinstatement into the program pursuant to subsection (m) of

8284 this section.

8285 (4) (A) If the court revokes any person's placement in the program,
8286 such person shall not be required to pay any program fee or
8287 participation costs specified in subsection (f) of this section.

8288 (B) If the court terminates any person's participation in the program,
8289 no program fees or substance use treatment costs imposed pursuant to
8290 subsection (f) of this section shall be refunded.

8291 (h) The Court Support Services Division shall approve a nonprofit
8292 organization that advocates on behalf of victims of accidents caused by
8293 persons who operated a motor vehicle while under the influence of
8294 intoxicating liquor or drugs, or both, to provide victim impact panels for
8295 the victim impact component of the program. Victim impact panels shall
8296 provide a non-confrontational forum for the victims of alcohol-related
8297 or drug-related offenses and offenders to share experiences of the
8298 impact of alcohol-related or drug-related incidents in their lives. Such
8299 organization may assess a participation fee of not more than seventy-
8300 five dollars per panel on any person ordered to participate in the victim
8301 impact component of the program, provided that such organization
8302 offers a hardship waiver of the participation fee when it determines that
8303 the imposition of the fee would pose an economic hardship for such
8304 person.

8305 (i) The Department of Mental Health and Addiction Services shall
8306 administer the alcohol education component of the program and shall
8307 adopt regulations, in accordance with chapter 54 of the general statutes,
8308 to establish standards for such alcohol education component. The
8309 department may contract with service providers to provide the
8310 appropriate alcohol education component in accordance with the
8311 provisions of this section. The department may combine the services for
8312 the alcohol education component of the program under the provisions
8313 of this section with the services for the drug education component of the
8314 drug intervention and community service program under section 166 of

8315 this act, if necessary to ensure the appropriate and timely access to court
8316 ordered education components. Participation by a person in any
8317 combined alcohol and drug education services provided by the
8318 department for the alcohol education component of the program under
8319 the provisions of this section shall not be deemed participation in, nor
8320 shall affect such person's eligibility for, the drug intervention and
8321 community service program under the provisions of section 166 of this
8322 act.

8323 (j) (1) All program component providers shall provide the Court
8324 Support Services Division with a certification regarding the
8325 participation of each person referred to such provider pursuant to this
8326 section in the manner required by the division. (A) If such person has
8327 successfully completed the applicable program component, the
8328 certification shall indicate such successful completion and state whether
8329 additional substance use treatment is recommended. (B) If such person
8330 has failed to successfully complete the applicable program component,
8331 the certification shall indicate the reasons for such failure, whether the
8332 person is no longer amenable to education or treatment and whether the
8333 current referral was an initial referral under subsection (e) of this section
8334 or a reinstatement under subsection (m) of this section for the program
8335 component. The certification of failure shall also, to the extent
8336 practicable, include a recommendation as to whether an alternative
8337 alcohol education or substance use treatment component would best
8338 serve such person's needs.

8339 (2) Except as provided in subdivision (3) of this subsection, upon
8340 receipt of a participation certification from any program component
8341 provider pursuant to this subsection, the Court Support Services
8342 Division shall provide the court with a final progress report indicating
8343 whether such person has successfully completed any components of the
8344 program ordered by the court, whether the division required such
8345 person to participate in any additional substance use treatment in
8346 accordance with subdivision (3) of this subsection and whether such
8347 person successfully completed any such additional substance use

8348 treatment. The final progress report shall also include any other
8349 information the division obtained during the supervision of such person
8350 relevant to such person's participation in the program, including
8351 whether the results of a criminal history record check, which the
8352 division shall complete prior to the submission of the final progress
8353 report, reveals that such person has engaged in any conduct that
8354 constitutes a violation of (A) any statutory provision set forth in
8355 subparagraph (B) of subdivision (2) of subsection (a) of this section; or
8356 (B) any statutory provision in any other state the essential elements of
8357 which are substantially the same as any statutory provision set forth in
8358 subparagraph (B) of subdivision (2) of subsection (a) of this section,
8359 during such person's period of participation in the program.

8360 (3) If a participation certification indicates that a person who was
8361 placed in the program successfully completed the alcohol education or
8362 substance use treatment component ordered by the court, but the
8363 program component provider recommends additional substance use
8364 treatment for such person, the Court Support Services Division may, if
8365 it deems such additional treatment appropriate, require such person to
8366 participate in the recommended additional substance use treatment in
8367 order to satisfactorily complete the pretrial impaired driving
8368 intervention program. If the division requires such additional substance
8369 use treatment, the division shall provide the court with a final progress
8370 report in accordance with subdivision (2) of this subsection upon receipt
8371 of the participation certification from the substance use treatment
8372 provider for such additional treatment.

8373 (k) (1) If any person successfully completes all components of the
8374 program ordered by the court and any additional substance use
8375 treatment required by the Court Support Services Division, such person
8376 may apply for dismissal of the charges against such person at the
8377 conclusion of such person's period of participation in the program.
8378 Upon application, the court shall review the final progress report
8379 submitted by the division regarding such person and any other relevant
8380 information. If the court finds that such person has satisfactorily

8381 completed the pretrial impaired driving intervention program, the court
8382 shall dismiss the charges.

8383 (2) If any person who has successfully completed all components of
8384 the program ordered by the court and any additional substance use
8385 treatment required by the Court Support Services Division does not
8386 apply for dismissal of the charges against such person at the conclusion
8387 of such person's period of participation in the program, the court may,
8388 upon its own motion, review the final progress report regarding such
8389 person submitted by the division and any other relevant information. If
8390 the court finds that such person has satisfactorily completed the pretrial
8391 impaired driving intervention program, the court shall dismiss the
8392 charges.

8393 (3) Upon the motion of any person placed in the program and a
8394 showing of good cause, the court may extend the program placement
8395 period for a reasonable period of time to allow such person to complete
8396 the applicable program components.

8397 (l) If, upon review of the final progress report submitted by the Court
8398 Support Services Division or any other relevant information, the court
8399 finds that any person placed in the program has failed to successfully
8400 complete any component of the program ordered by the court, is no
8401 longer amenable to treatment or is otherwise ineligible to continue
8402 participating in the program, the court shall terminate such person's
8403 participation in the program. No program fees or substance use
8404 treatment costs imposed pursuant to subsection (f) of this section shall
8405 be refunded to any person whose participation in the program is
8406 terminated. Unless such person requests, and the court grants,
8407 reinstatement into the program pursuant to subsection (m) of this
8408 section, the court shall order the court file of any person whose
8409 participation in the program is terminated to be unsealed, enter a plea
8410 of not guilty for such person and immediately place the case on the trial
8411 list.

8412 (m) (1) Any person whose participation in the program is terminated
8413 may ask the court to reinstate such person into the program up to two
8414 times. If a person requests reinstatement into the program, the Court
8415 Support Services Division shall verify that such person is eligible for
8416 such reinstatement. If a person requesting reinstatement into the
8417 program is eligible for reinstatement, the court may, in its discretion,
8418 grant such person reinstatement into the program. When granting such
8419 reinstatement, the court shall order the defendant to participate in an
8420 appropriate alcohol education, substance use treatment or victim impact
8421 component of the program.

8422 (2) Any person reinstated into the program shall: (A) If ordered to
8423 participate in the alcohol education component of the program, pay to
8424 the court a nonrefundable program fee of two hundred fifty dollars,
8425 which shall be credited to the pretrial account established under section
8426 54-56k of the general statutes, or (B) if ordered to participate in the
8427 substance use treatment component of the program, pay the costs of any
8428 substance use treatment. The court shall not waive the program fee or
8429 the costs of substance use treatment associated with reinstatement into
8430 the program unless such person is found eligible to have such fee or cost
8431 waived under subdivision (3) of subsection (f) of this section and such
8432 person participates in the applicable alcohol education at a service
8433 provider located in this state or substance use treatment at a substance
8434 use treatment provider licensed by and located in this state.

8435 (n) (1) If any person applies for both the pretrial impaired driving
8436 intervention program under the provisions of this section and the
8437 pretrial drug intervention and community service program pursuant to
8438 section 166 of this act, for charges arising from the same arrest, and the
8439 Department of Mental Health and Addiction Services, a licensed
8440 substance use treatment provider, the Department of Veterans Affairs
8441 or the United States Department of Veterans Affairs has already
8442 completed the required evaluation and determination of the
8443 appropriate drug education or substance use treatment component
8444 pursuant to section 166 of this act, the court and the Court Support

8445 Services Division may rely on such evaluation and determination for the
8446 purposes of ordering participation and directing attendance in the
8447 alcohol education or substance use treatment component of the program
8448 under the provisions of this section. If the court and the division rely on
8449 such evaluation and determination, such person shall not be required to
8450 pay the evaluation fee under the provisions of subdivision (2) of
8451 subsection (b) of this section, provided that such person has paid, or the
8452 court has waived, the evaluation fee pursuant to section 166 of this act.

8453 (2) If any person is placed in both the pretrial impaired driving
8454 intervention program under the provisions of this section and the
8455 pretrial drug intervention and community service program pursuant to
8456 section 166 of this act, for charges arising from the same arrest, the court
8457 may find that (A) such person's successful completion of the drug
8458 education component of the pretrial drug intervention and community
8459 service program pursuant to section 166 of this act, satisfies such
8460 person's required participation in the alcohol education component of
8461 the pretrial impaired driving intervention program under the
8462 provisions of this section; or (B) such person's successful completion of
8463 the substance use treatment component of the pretrial drug intervention
8464 and community service program pursuant to section 166 of this act,
8465 satisfies such person's required participation in the substance use
8466 treatment component of the pretrial impaired driving intervention
8467 program under the provisions of this section.

8468 (3) Nothing in this subsection shall relieve any person placed in both
8469 the pretrial impaired driving intervention program pursuant to this
8470 section and the pretrial drug intervention and community service
8471 program pursuant to section 166 of this act, for charges arising from the
8472 same arrest, from the requirement to participate in the:

8473 (A) Victim impact component of the pretrial impaired driving
8474 intervention program, if ordered by the court under the provisions of
8475 this section, in order to satisfactorily complete the pretrial impaired
8476 driving intervention program, or

8477 (B) Community service component of the pretrial drug intervention
8478 and community service program pursuant to section 166 of this act, in
8479 order to satisfactorily complete the pretrial drug intervention and
8480 community service program.

8481 (o) (1) The Court Support Services Division shall retain a record of
8482 participation in the pretrial impaired driving intervention program for
8483 a period of ten years from the date the court grants the application for,
8484 and places the applicant in, the program pursuant to the provisions of
8485 this section.

8486 (2) For any person charged with a violation of section 14-227a of the
8487 general statutes, section 14-227g of the general statutes, section 14-227m
8488 of the general statutes or section 14-227n of the general statutes whose
8489 charges were dismissed pursuant to the provisions of this section, the
8490 division shall transmit to the Department of Motor Vehicles the record
8491 of such person's participation in the program. The Department of Motor
8492 Vehicles shall maintain the record of any person's participation in such
8493 program as part of such person's driving record for a period of ten years.

8494 (3) For any person charged with a violation of subsection (d) of
8495 section 15-133 of the general statutes or section 15-140n of the general
8496 statutes whose charges were dismissed pursuant to the provisions of
8497 this section, the division shall transmit to the Department of Energy and
8498 Environmental Protection the record of such person's participation in
8499 the program. The Department of Energy and Environmental Protection
8500 shall maintain the record of any person's participation in such program
8501 as a part of such person's boater certification record for a period of ten
8502 years.

8503 Sec. 168. Section 54-56g of the general statutes is repealed and the
8504 following is substituted in lieu thereof (*Effective from passage*):

8505 (a) (1) There shall be a pretrial alcohol education program for persons
8506 charged with a violation of section 14-227a, 14-227g or 14-227m,
8507 subdivision (1) or (2) of subsection (a) of section 14-227n or section 15-

8508 133 or 15-140n. Upon application by any such person for participation
8509 in such program, the court shall, but only as to the public, order the
8510 court file sealed, and such person shall pay to the court an application
8511 fee of one hundred dollars and a nonrefundable evaluation fee of one
8512 hundred dollars, and such person shall state under oath, in open court
8513 or before any person designated by the clerk and duly authorized to
8514 administer oaths, under penalties of perjury that: (A) If such person is
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, subsection (d)
8517 of section 15-133 or section 15-140n, such person has not had such
8518 program invoked in such person's behalf within the preceding ten years
8519 for a violation of section 14-227a, 14-227g or 14-227m, subdivision (1) or
8520 (2) of subsection (a) of section 14-227n, subsection (d) of section 15-133
8521 or section 15-140n, (B) such person has not been convicted of a violation
8522 of section 53a-56b or 53a-60d, a violation of subsection (a) of section 14-
8523 227a before, on or after October 1, 1981, a violation of subdivision (1) or
8524 (2) of subsection (a) of section 14-227a on or after October 1, 1985, a
8525 violation of section 14-227g, a violation of section 14-227m or a violation
8526 of subdivision (1) or (2) of subsection (a) of section 14-227n, (C) such
8527 person has not been convicted of a violation of section 15-132a,
8528 subsection (d) of section 15-133, section 15-140l or section 15-140n, (D)
8529 such person has not been convicted in any other state at any time of an
8530 offense the essential elements of which are substantially the same as
8531 section 53a-56b, 53a-60d, 15-132a, 15-140l or 15-140n, subdivision (1) or
8532 (2) of subsection (a) of section 14-227a, section 14-227m, subdivision (1)
8533 or (2) of subsection (a) of section 14-227n or subsection (d) of section 15-
8534 133, and (E) notice has been given by such person, by registered or
8535 certified mail on a form prescribed by the Office of the Chief Court
8536 Administrator, to each victim who sustained a serious physical injury,
8537 as defined in section 53a-3, which was caused by such person's alleged
8538 violation, that such person has applied to participate in the pretrial
8539 alcohol education program and that such victim has an opportunity to
8540 be heard by the court on the application.

8541 (2) The court shall provide each such victim who sustained a serious
8542 physical injury an opportunity to be heard prior to granting an
8543 application under this section. Unless good cause is shown, a person
8544 shall be ineligible for participation in such pretrial alcohol education
8545 program if such person's alleged violation of section 14-227a, 14-227g or
8546 14-227m, subdivision (1) or (2) of subsection (a) of section 14-227n or
8547 subsection (d) of section 15-133 caused the serious physical injury, as
8548 defined in section 53a-3, of another person.

8549 (3) The application fee imposed under this subsection shall be
8550 credited to the Criminal Injuries Compensation Fund established under
8551 section 54-215. The evaluation fee imposed under this subsection shall
8552 be credited to the pretrial account established under section 54-56k.

8553 (b) The court, after consideration of the recommendation of the state's
8554 attorney, assistant state's attorney or deputy assistant state's attorney in
8555 charge of the case, may, in its discretion, grant such application. If the
8556 court grants such application, the court shall refer such person to the
8557 Court Support Services Division for assessment and confirmation of the
8558 eligibility of the applicant and to the Department of Mental Health and
8559 Addiction Services for evaluation. The Court Support Services Division,
8560 in making its assessment and confirmation, may rely on the
8561 representations made by the applicant under oath in open court with
8562 respect to convictions in other states of offenses specified in subsection
8563 (a) of this section. Upon confirmation of eligibility and receipt of the
8564 evaluation report, the defendant shall be referred to the Department of
8565 Mental Health and Addiction Services by the Court Support Services
8566 Division for placement in an appropriate alcohol intervention program
8567 for one year, or be placed in a state-licensed substance abuse treatment
8568 program. The alcohol intervention program shall include a ten-session
8569 intervention program and a fifteen-session intervention program. Any
8570 person who enters the pretrial alcohol education program shall agree:
8571 (1) To the tolling of the statute of limitations with respect to such crime,
8572 (2) to a waiver of such person's right to a speedy trial, (3) to complete
8573 ten or fifteen counseling sessions in an alcohol intervention program or

8574 successfully complete a substance abuse treatment program of not less
8575 than twelve sessions pursuant to this section dependent upon the
8576 evaluation report and the court order, (4) to commence participation in
8577 an alcohol intervention program or substance abuse treatment program
8578 not later than ninety days after the date of entry of the court order unless
8579 granted a delayed entry into a program by the court, (5) upon
8580 completion of participation in the alcohol intervention program, to
8581 accept placement in a substance abuse treatment program upon the
8582 recommendation of a provider under contract with the Department of
8583 Mental Health and Addiction Services pursuant to subsection (f) of this
8584 section or placement in a state-licensed substance abuse treatment
8585 program which meets standards established by the Department of
8586 Mental Health and Addiction Services, if the Court Support Services
8587 Division deems it appropriate, and (6) if ordered by the court, to
8588 participate in at least one victim impact panel. The suspension of the
8589 motor vehicle operator's license of any such person pursuant to section
8590 14-227b shall be effective during the period such person is participating
8591 in the pretrial alcohol education program, provided such person shall
8592 have the option of not commencing the participation in such program
8593 until the period of such suspension is completed. If the Court Support
8594 Services Division informs the court that the defendant is ineligible for
8595 such program and the court makes a determination of ineligibility or if
8596 the program provider certifies to the court that the defendant did not
8597 successfully complete the assigned program or is no longer amenable to
8598 treatment and such person does not request, or the court denies,
8599 program reinstatement under subsection (e) of this section, the court
8600 shall order the court file to be unsealed, enter a plea of not guilty for
8601 such defendant and immediately place the case on the trial list. If such
8602 defendant satisfactorily completes the assigned program, such
8603 defendant may apply for dismissal of the charges against such
8604 defendant and the court, on reviewing the record of the defendant's
8605 participation in such program submitted by the Court Support Services
8606 Division and on finding such satisfactory completion, shall dismiss the
8607 charges. If the defendant does not apply for dismissal of the charges

8608 against such defendant after satisfactorily completing the assigned
8609 program the court, upon receipt of the record of the defendant's
8610 participation in such program submitted by the Court Support Services
8611 Division, may on its own motion make a finding of such satisfactory
8612 completion and dismiss the charges. Upon motion of the defendant and
8613 a showing of good cause, the court may extend the one-year placement
8614 period for a reasonable period for the defendant to complete the
8615 assigned program. A record of participation in such program shall be
8616 retained by the Court Support Services Division for a period of ten years
8617 from the date the court grants the application for participation in such
8618 program. The Court Support Services Division shall transmit to the
8619 Department of Motor Vehicles a record of participation in such program
8620 for each person who satisfactorily completes such program. The
8621 Department of Motor Vehicles shall maintain for a period of ten years
8622 the record of a person's participation in such program as part of such
8623 person's driving record. The Court Support Services Division shall
8624 transmit to the Department of Energy and Environmental Protection the
8625 record of participation of any person who satisfactorily completes such
8626 program who has been charged with a violation of the provisions of
8627 subsection (d) of section 15-133 or section 15-140n. The Department of
8628 Energy and Environmental Protection shall maintain for a period of ten
8629 years the record of a person's participation in such program as a part of
8630 such person's boater certification record.

8631 (c) At the time the court grants the application for participation in the
8632 pretrial alcohol education program, such person shall also pay to the
8633 court a nonrefundable program fee of three hundred fifty dollars if such
8634 person is ordered to participate in the ten-session intervention program
8635 and a nonrefundable program fee of five hundred dollars if such person
8636 is ordered to participate in the fifteen-session intervention program. If
8637 the court grants the application for participation in the pretrial alcohol
8638 education program and such person is ordered to participate in a
8639 substance abuse treatment program, such person shall be responsible
8640 for the costs associated with participation in such program. No person

8641 may be excluded from either program for inability to pay such fee or
8642 cost, provided (1) such person files with the court an affidavit of
8643 indigency or inability to pay, (2) such indigency or inability to pay is
8644 confirmed by the Court Support Services Division, and (3) the court
8645 enters a finding thereof. If the court finds that a person is indigent or
8646 unable to pay for a treatment program, the costs of such program shall
8647 be paid from the pretrial account established under section 54-56k. If the
8648 court finds that a person is indigent or unable to pay for an intervention
8649 program, the court may waive all or any portion of the fee for such
8650 intervention program. If the court denies the application, such person
8651 shall not be required to pay the program fee. If the court grants the
8652 application and such person is later determined to be ineligible for
8653 participation in such pretrial alcohol education program or fails to
8654 complete the assigned program, the program fee shall not be refunded.
8655 All program fees shall be credited to the pretrial account established
8656 under section 54-56k.

8657 (d) If a person returns to court with certification from a program
8658 provider that such person did not successfully complete the assigned
8659 program or is no longer amenable to treatment, the provider, to the
8660 extent practicable, shall include a recommendation to the court as to
8661 whether a ten-session intervention program, a fifteen-session
8662 intervention program or placement in a state-licensed substance abuse
8663 treatment program would best serve such person's needs. The provider
8664 shall also indicate whether the current program referral was an initial
8665 referral or a reinstatement to the program.

8666 (e) When a person subsequently requests reinstatement into an
8667 alcohol intervention program or a substance abuse treatment program
8668 and the Court Support Services Division verifies that such person is
8669 eligible for reinstatement into such program and thereafter the court
8670 favorably acts on such request, such person shall pay a nonrefundable
8671 program fee of one hundred seventy-five dollars if ordered to complete
8672 a ten-session intervention program or two hundred fifty dollars if
8673 ordered to complete a fifteen-session intervention program, as the case

8674 may be. Unless good cause is shown, such fees shall not be waived. If
8675 the court grants a person's request to be reinstated into a treatment
8676 program, such person shall be responsible for the costs, if any,
8677 associated with being reinstated into the treatment program. All
8678 program fees collected in connection with a reinstatement to an
8679 intervention program shall be credited to the pretrial account
8680 established under section 54-56k. No person shall be permitted more
8681 than two program reinstatements pursuant to this subsection.

8682 (f) The Department of Mental Health and Addiction Services shall
8683 contract with service providers, develop standards and oversee
8684 appropriate alcohol programs to meet the requirements of this section.
8685 Said department shall adopt regulations, in accordance with chapter 54,
8686 to establish standards for such alcohol programs. Any person ordered
8687 to participate in a treatment program shall do so at a state-licensed
8688 treatment program which meets the standards established by said
8689 department. Any defendant whose employment or residence makes it
8690 unreasonable to attend an alcohol intervention program or a substance
8691 abuse treatment program in this state may attend a program in another
8692 state which has standards substantially similar to, or higher than, those
8693 of this state, subject to the approval of the court and payment of the
8694 application, evaluation and program fees and treatment costs, as
8695 appropriate, as provided in this section.

8696 (g) The court may, as a condition of granting such application, require
8697 that such person participate in a victim impact panel program approved
8698 by the Court Support Services Division of the Judicial Department. Such
8699 victim impact panel program shall provide a nonconfrontational forum
8700 for the victims of alcohol-related or drug-related offenses and offenders
8701 to share experiences on the impact of alcohol-related or drug-related
8702 incidents in their lives. Such victim impact panel program shall be
8703 conducted by a nonprofit organization that advocates on behalf of
8704 victims of accidents caused by persons who operated a motor vehicle
8705 while under the influence of intoxicating liquor or any drug, or both.
8706 Such organization may assess a participation fee of not more than

8707 seventy-five dollars on any person required by the court to participate
8708 in such program, provided such organization shall offer a hardship
8709 waiver when it has determined that the imposition of a fee would pose
8710 an economic hardship for such person.

8711 (h) The provisions of this section shall not be applicable in the case of
8712 any person charged with a violation of section 14-227a or 14-227m or
8713 subdivision (1) or (2) of subsection (a) of section 14-227n (1) while
8714 operating a commercial motor vehicle, as defined in section 14-1, or (2)
8715 who holds a commercial driver's license or commercial driver's
8716 instruction permit at the time of the violation.

8717 (i) A court may not grant an application to participate in the pretrial
8718 alcohol education program under this section on or after April 1, 2022.
8719 Anyone participating in the program on April 1, 2022, may continue
8720 such participation until successful completion of the program or
8721 termination of participation in the program after any possible
8722 reinstatements in the program.

8723 Sec. 169. Section 54-56i of the general statutes is repealed and the
8724 following is substituted in lieu thereof (*Effective from passage*):

8725 (a) There is established a pretrial drug education and community
8726 service program for persons charged with a violation of section 21a-267,
8727 21a-279 or 21a-279a. The pretrial drug education and community service
8728 program shall include a fifteen-session drug education program and a
8729 substance abuse treatment program of not less than fifteen sessions, and
8730 the performance of community service.

8731 (b) Upon application by any such person for participation in such
8732 program, the court shall, but only as to the public, order the court file
8733 sealed, and such person shall pay to the court of an application fee of
8734 one hundred dollars and a nonrefundable evaluation fee of one hundred
8735 fifty dollars. A person shall be ineligible for participation in such pretrial
8736 drug education and community service program if such person has
8737 twice previously participated in (1) the pretrial drug education program

8738 established under the provisions of this section in effect prior to October
8739 1, 2013, (2) the community service labor program established under
8740 section 53a-39c, (3) the pretrial drug education and community service
8741 program established under this section, or (4) any of such programs,
8742 except that the court may allow a person who has twice previously
8743 participated in such programs to participate in the pretrial drug
8744 education and community service program one additional time, for
8745 good cause shown. The evaluation and application fee imposed under
8746 this subsection shall be credited to the pretrial account established
8747 under section 54-56k.

8748 (c) The court, after consideration of the recommendation of the state's
8749 attorney, assistant state's attorney or deputy assistant state's attorney in
8750 charge of the case, may, in its discretion, grant such application. If the
8751 court grants such application, the court shall refer such person (1) to the
8752 Court Support Services Division for confirmation of the eligibility of the
8753 applicant, (2) to the Department of Mental Health and Addiction
8754 Services for evaluation and determination of an appropriate drug
8755 education or substance abuse treatment program for the first or second
8756 time such application is granted, and (3) to a state-licensed substance
8757 abuse treatment program for evaluation and determination of an
8758 appropriate substance abuse treatment program for the third time such
8759 application is granted, except that, if such person is a veteran, the court
8760 may refer such person to the Department of Veterans Affairs or the
8761 United States Department of Veterans Affairs, as applicable, for any
8762 such evaluation and determination. For the purposes of this subsection
8763 and subsection (d) of this section, "veteran" means any person who was
8764 discharged or released under conditions other than dishonorable from
8765 active service in the armed forces as defined in section 27-103.

8766 (d) (1) (A) Upon confirmation of eligibility and receipt of the
8767 evaluation and determination required under subsection (c) of this
8768 section, such person shall be placed in the pretrial drug education and
8769 community service program and referred by the Court Support Services
8770 Division for the purpose of receiving appropriate drug education

8771 services or substance abuse treatment program services, as
8772 recommended by the evaluation conducted pursuant to subsection (c)
8773 of this section and ordered by the court, to the Department of Mental
8774 Health and Addiction Services or to a state-licensed substance abuse
8775 treatment program for placement in the appropriate drug education or
8776 substance abuse treatment program, except that, if such person is a
8777 veteran, the division may refer such person to the Department of
8778 Veterans Affairs or the United States Department of Veterans Affairs,
8779 subject to the provisions of subdivision (2) of this subsection.

8780 (B) Persons who have been granted entry into the pretrial drug
8781 education and community service program for the first time shall
8782 participate in either a fifteen-session drug education program or a
8783 substance abuse treatment program of not less than fifteen sessions, as
8784 ordered by the court on the basis of the evaluation and determination
8785 required under subsection (c) of this section. Persons who have been
8786 granted entry into the pretrial drug education and community service
8787 program for the second time shall participate in either a fifteen-session
8788 drug education program or a substance abuse treatment program of not
8789 less than fifteen sessions, as ordered by the court based on the
8790 evaluation and determination required under subsection (c) of this
8791 section. Persons who have been granted entry into the pretrial drug
8792 education and community service program for a third time shall be
8793 referred to a state-licensed substance abuse program for evaluation and
8794 participation in a course of treatment as ordered by the court based on
8795 the evaluation and determination required under subsection (c) of this
8796 section.

8797 (C) Persons who have been granted entry into the pretrial drug
8798 education and community service program shall also participate in a
8799 community service program administered by the Court Support
8800 Services Division pursuant to section 53a-39c. Persons who have been
8801 granted entry into the pretrial drug education and community service
8802 program for the first time shall participate in the community service
8803 program for a period of five days. Persons who have been granted entry

8804 into the pretrial drug education and community service program for the
8805 second time shall participate in the community service program for a
8806 period of fifteen days. Persons who have been granted entry into the
8807 pretrial drug education and community service program for a third or
8808 additional time shall participate in the community service program for
8809 a period of thirty days.

8810 (D) Placement in the pretrial drug education and community service
8811 program pursuant to this section shall not exceed one year. Persons
8812 receiving substance abuse treatment program services in accordance
8813 with the provisions of this section shall only receive such services at
8814 state-licensed substance abuse treatment program facilities that are in
8815 compliance with all state standards governing the operation of such
8816 facilities, except that, if such person is a veteran, such person may
8817 receive services from facilities under the supervision of the Department
8818 of Veterans Affairs or the United States Department of Veterans Affairs,
8819 subject to the provisions of subdivision (2) of this subsection.

8820 (E) Any person who enters the pretrial drug education and
8821 community service program shall agree: (i) To the tolling of the statute
8822 of limitations with respect to such crime; (ii) to a waiver of such person's
8823 right to a speedy trial; (iii) to complete participation in the pretrial drug
8824 education and community service program, as ordered by the court; (iv)
8825 to commence participation in the pretrial drug education and
8826 community service program not later than ninety days after the date of
8827 entry of the court order unless granted a delayed entry into the program
8828 by the court; and (v) upon completion of participation in the pretrial
8829 drug education and community service program, to accept (I) placement
8830 in a treatment program upon the recommendation of a provider under
8831 contract with the Department of Mental Health and Addiction Services
8832 or a provider under the supervision of the Department of Veterans
8833 Affairs or the United States Department of Veterans Affairs, or (II)
8834 placement in a treatment program that has standards substantially
8835 similar to, or higher than, a program of a provider under contract with
8836 the Department of Mental Health and Addiction Services, if the Court

8837 Support Services Division deems it appropriate.

8838 (2) The Court Support Services Division may only refer a veteran to
8839 the Department of Veterans Affairs or the United States Department of
8840 Veterans Affairs for the receipt of services under the program if (A) the
8841 division determines that such services will be provided in a timely
8842 manner under standards substantially similar to, or higher than,
8843 standards for services provided by the Department of Mental Health
8844 and Addiction Services under the program, and (B) the applicable
8845 department agrees to submit timely program participation and
8846 completion reports to the division in the manner required by the
8847 division.

8848 (e) If the Court Support Services Division informs the court that such
8849 person is ineligible for the program and the court makes a determination
8850 of ineligibility or if the program provider certifies to the court that such
8851 person did not successfully complete the assigned program and such
8852 person did not request, or the court denied, reinstatement in the
8853 program under subsection (i) of this section, the court shall order the
8854 court file to be unsealed, enter a plea of not guilty for such person and
8855 immediately place the case on the trial list.

8856 (f) If such person satisfactorily completes the assigned program, such
8857 person may apply for dismissal of the charges against such person and
8858 the court, on reviewing the record of such person's participation in such
8859 program submitted by the Court Support Services Division and on
8860 finding such satisfactory completion, shall dismiss the charges. If such
8861 person does not apply for dismissal of the charges against such person
8862 after satisfactorily completing the assigned program, the court, upon
8863 receipt of the record of such person's participation in such program
8864 submitted by the Court Support Services Division, may on its own
8865 motion make a finding of such satisfactory completion and dismiss the
8866 charges. Upon motion of such person and a showing of good cause, the
8867 court may extend the placement period for a reasonable period of time
8868 to allow such person to complete the assigned program. A record of

8869 participation in such program shall be retained by the Court Support
8870 Services Division for a period of ten years from the date the court grants
8871 the application for participation in the program.

8872 (g) At the time the court grants the application for participation in the
8873 pretrial drug education and community service program, any person
8874 ordered to participate in such drug education program shall pay to the
8875 court a nonrefundable program fee of six hundred dollars. If the court
8876 orders participation in a substance abuse treatment program, such
8877 person shall pay to the court a nonrefundable program fee of one
8878 hundred dollars and shall be responsible for the costs associated with
8879 such program. No person may be excluded from any such program for
8880 inability to pay such fee or cost, provided (1) such person files with the
8881 court an affidavit of indigency or inability to pay, (2) such indigency or
8882 inability to pay is confirmed by the Court Support Services Division,
8883 and (3) the court enters a finding thereof. The court may waive all or any
8884 portion of such fee depending on such person's ability to pay. If the
8885 court finds that a person is indigent or unable to pay for a substance
8886 abuse treatment program, the costs of such program shall be paid from
8887 the pretrial account established under section 54-56k. If the court denies
8888 the application, such person shall not be required to pay the program
8889 fee. If the court grants the application, and such person is later
8890 determined to be ineligible for participation in such pretrial drug
8891 education and community service program or fails to complete the
8892 assigned program, the program fee shall not be refunded. All program
8893 fees shall be credited to the pretrial account established under section
8894 54-56k.

8895 (h) If a person returns to court with certification from a program
8896 provider that such person did not successfully complete the assigned
8897 program or is no longer amenable to treatment, the provider, to the
8898 extent practicable, shall include a recommendation to the court as to
8899 whether placement in a drug education program or placement in a
8900 substance abuse treatment program would best serve such person's
8901 needs. The provider shall also indicate whether the current program

8902 referral was an initial referral or a reinstatement to the program.

8903 (i) When a person subsequently requests reinstatement into a drug
8904 education program or a substance abuse treatment program and the
8905 Court Support Services Division verifies that such person is eligible for
8906 reinstatement into such program and thereafter the court favorably acts
8907 on such request, any person reinstated into such drug education
8908 program shall pay a nonrefundable program fee of two hundred fifty
8909 dollars, and any person reinstated into a substance abuse treatment
8910 program shall be responsible for the costs, if any, associated with being
8911 reinstated into the treatment program. Unless good cause is shown,
8912 such program fee shall not be waived. All program fees collected in
8913 connection with a reinstatement to a drug education program shall be
8914 credited to the pretrial account established under section 54-56k. No
8915 person shall be permitted more than two program reinstatements
8916 pursuant to this subsection.

8917 (j) The Department of Mental Health and Addiction Services shall
8918 develop standards and oversee appropriate drug education programs
8919 that it administers to meet the requirements of this section and may
8920 contract with service providers to provide such programs. The
8921 department shall adopt regulations, in accordance with chapter 54, to
8922 establish standards for such drug education programs.

8923 (k) Any person whose employment or residence or schooling makes
8924 it unreasonable to attend a drug education program or substance abuse
8925 treatment program in this state may attend a program in another state
8926 that has standards similar to, or higher than, those of this state, subject
8927 to the approval of the court and payment of the program fee or costs as
8928 provided in this section.

8929 (l) A court may not grant an application to participate in the pretrial
8930 drug education and community service program under this section on
8931 or after April 1, 2022. Anyone participating in the program on April 1,
8932 2022, may continue such participation until successful completion of the

8933 program or termination of participation in the program after any
8934 possible reinstatements in the program.

8935 Sec. 170. Subsection (b) of section 14-227j of the general statutes is
8936 repealed and the following is substituted in lieu thereof (*Effective April*
8937 *1, 2022*):

8938 (b) Any person who has been arrested for a violation of section 14-
8939 227a or 14-227m, subdivision (1) or (2) of subsection (a) of section 14-
8940 227n or section 53a-56b or 53a-60d, may be ordered by the court not to
8941 operate any motor vehicle unless such motor vehicle is equipped with
8942 an ignition interlock device. Any such order may be made as a condition
8943 of such person's release on bail, as a condition of probation or as a
8944 condition of granting such person's application for participation in the
8945 pretrial alcohol education program under section 54-56g or the pretrial
8946 impaired driving intervention program under section 167 of this act and
8947 may include any other terms and conditions as to duration, use, proof
8948 of installation or any other matter that the court determines to be
8949 appropriate or necessary.

8950 Sec. 171. Section 54-66a of the general statutes is repealed and the
8951 following is substituted in lieu thereof (*Effective April 1, 2022*):

8952 Any bail bond posted in any criminal proceeding in this state shall be
8953 automatically terminated and released whenever the defendant: (1) Is
8954 granted accelerated rehabilitation pursuant to section 54-56e; (2) is
8955 granted admission to the pretrial alcohol education program pursuant
8956 to section 54-56g; (3) is granted admission to the pretrial family violence
8957 education program pursuant to section 46b-38c; (4) is granted admission
8958 to the pretrial drug education and community service program
8959 pursuant to section 54-56i; (5) has the complaint or information filed
8960 against such defendant dismissed; (6) has the prosecution of the
8961 complaint or information filed against such defendant terminated by
8962 entry of a nolle prosequi; (7) is acquitted; (8) is sentenced by the court
8963 and a stay of such sentence, if any, is lifted; (9) is granted admission to

8964 the pretrial school violence prevention program pursuant to section 54-
8965 56j; (10) is charged with a violation of section 29-33, 53-202l or 53-202w,
8966 and prosecution has been suspended pursuant to subsection (h) of
8967 section 29-33; (11) is charged with a violation of section 29-37a and
8968 prosecution has been suspended pursuant to subsection (i) of section 29-
8969 37a; (12) is granted admission to the supervised diversionary program
8970 for persons with psychiatric disabilities, or persons who are veterans,
8971 pursuant to section 54-56l; [or] (13) is granted admission to a
8972 diversionary program for young persons charged with a motor vehicle
8973 violation or an alcohol-related offense pursuant to section 54-56p; (14) is
8974 granted admission to the pretrial drug intervention and community
8975 service program pursuant to section 166 of this act; or (15) is granted
8976 admission to the pretrial impaired driving intervention program
8977 pursuant to section 167 of this act.

8978 Sec. 172. Section 54-56k of the general statutes is repealed and the
8979 following is substituted in lieu thereof (*Effective April 1, 2022*):

8980 (a) There is established an account to be known as the pretrial
8981 account. The account shall contain any moneys required by law to be
8982 deposited in the account and shall be a separate, nonlapsing account of
8983 the General Fund. Investment earnings credited to the account shall
8984 become part of the assets of the account. Any balance remaining in said
8985 account at the end of any fiscal year shall be carried forward in the
8986 account for the next fiscal year.

8987 (b) There shall be deposited in the pretrial account (1) all evaluation
8988 fees collected pursuant to subsection (a) of section 54-56g and subsection
8989 (b) of section 54-56i [and] (2) all program fees collected pursuant to
8990 subsections (c) and (e) of section 54-56g and subsections (g) and (i) of
8991 section 54-56i [and] funds appropriated in subsection (a) of section 47 of
8992 special act 01-1 of the June special session, (3) fees collected pursuant to
8993 subdivision (2) of subsection (b), subdivision (1) of subsection (e) and
8994 subparagraph (A) of subdivision (2) of subsection (k) of section 166 of
8995 this act, and (4) the evaluation fee collected pursuant to subdivision (2)

8996 of subsection (b), and fees collected pursuant to subdivision (1) of
 8997 subsection (f) and subparagraph (A) of subdivision (2) of subsection (m)
 8998 of section 167 of this act.

8999 (c) Amounts in the pretrial account shall be available to fund the cost
 9000 of operating the pretrial alcohol and drug education programs
 9001 established under sections 54-56g and 54-56i, the pretrial drug
 9002 intervention and community service program established under section
 9003 166 of this act and the pretrial impaired driving intervention program
 9004 established under section 167 of this act.

9005 Sec. 173. Sections 12-651 to 12-660, inclusive, and 21a-408n of the
 9006 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	<i>July 1, 2021</i>	New section
Sec. 12	<i>July 1, 2021</i>	New section
Sec. 13	<i>July 1, 2021</i>	New section
Sec. 14	<i>July 1, 2021</i>	New section
Sec. 15	<i>July 1, 2021</i>	21a-277(b)
Sec. 16	<i>July 1, 2021</i>	New section
Sec. 17	<i>July 1, 2021</i>	54-63d(c)
Sec. 18	<i>July 1, 2021</i>	New section
Sec. 19	<i>October 1, 2021</i>	10-221(d)
Sec. 20	<i>October 1, 2021</i>	New section
Sec. 21	<i>July 1, 2021</i>	New section

Sec. 22	<i>from passage</i>	New section
Sec. 23	<i>from passage</i>	New section
Sec. 24	<i>July 1, 2021</i>	New section
Sec. 25	<i>July 1, 2021</i>	New section
Sec. 26	<i>July 1, 2021</i>	New section
Sec. 27	<i>July 1, 2021</i>	New section
Sec. 28	<i>July 1, 2021</i>	New section
Sec. 29	<i>July 1, 2021</i>	New section
Sec. 30	<i>July 1, 2021</i>	New section
Sec. 31	<i>July 1, 2021</i>	New section
Sec. 32	<i>from passage</i>	New section
Sec. 33	<i>July 1, 2021</i>	New section
Sec. 34	<i>July 1, 2021</i>	New section
Sec. 35	<i>July 1, 2021</i>	New section
Sec. 36	<i>July 1, 2021</i>	New section
Sec. 37	<i>July 1, 2021</i>	New section
Sec. 38	<i>from passage</i>	New section
Sec. 39	<i>from passage</i>	New section
Sec. 40	<i>July 1, 2021</i>	New section
Sec. 41	<i>July 1, 2021</i>	New section
Sec. 42	<i>July 1, 2021</i>	New section
Sec. 43	<i>July 1, 2021</i>	New section
Sec. 44	<i>July 1, 2021</i>	New section
Sec. 45	<i>July 1, 2021</i>	New section
Sec. 46	<i>July 1, 2021</i>	New section
Sec. 47	<i>July 1, 2021</i>	New section
Sec. 48	<i>July 1, 2021</i>	New section
Sec. 49	<i>July 1, 2021</i>	New section
Sec. 50	<i>July 1, 2021</i>	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	<i>July 1, 2021</i>	12-30a(a)(1)
Sec. 132	<i>July 1, 2021</i>	12-35b(a)
Sec. 133	<i>July 1, 2021</i>	12-704d
Sec. 134	<i>July 1, 2021</i>	New section
Sec. 135	<i>July 1, 2021</i>	New section
Sec. 136	<i>July 1, 2021</i>	21a-408e
Sec. 137	<i>July 1, 2021</i>	21a-408i(b)
Sec. 138	<i>July 1, 2021</i>	21a-408o

Sec. 139	<i>July 1, 2021</i>	21a-408v(d)
Sec. 140	<i>July 1, 2021</i>	21a-10(a)
Sec. 141	<i>July 1, 2021</i>	21a-240(29)
Sec. 142	<i>July 1, 2021</i>	21a-240
Sec. 143	<i>July 1, 2021</i>	1-1(q)
Sec. 144	<i>from passage</i>	New section
Sec. 145	<i>July 1, 2021</i>	New section
Sec. 146	<i>January 1, 2022</i>	New section
Sec. 147	<i>July 1, 2021</i>	New section
Sec. 148	<i>July 1, 2021</i>	New section
Sec. 149	<i>July 1, 2021</i>	New section
Sec. 150	<i>July 1, 2021</i>	New section
Sec. 151	<i>from passage</i>	New section
Sec. 152	<i>July 1, 2021</i>	32-39
Sec. 153	<i>January 1, 2022</i>	New section
Sec. 154	<i>July 1, 2021</i>	51-164n(h)
Sec. 155	<i>July 1, 2021</i>	19a-343(c)(4)
Sec. 156	<i>July 1, 2021</i>	53-394(a)
Sec. 157	<i>July 1, 2021</i>	54-33g(a) to (c)
Sec. 158	<i>July 1, 2021</i>	54-41b
Sec. 159	<i>July 1, 2021</i>	18-100h(b)
Sec. 160	<i>July 1, 2021</i>	53a-39c(a)
Sec. 161	<i>July 1, 2021</i>	54-56e(c)
Sec. 162	<i>July 1, 2023</i>	New section
Sec. 163	<i>October 1, 2021</i>	New section
Sec. 164	<i>from passage</i>	54-1m(i)
Sec. 165	<i>from passage</i>	New section
Sec. 166	<i>April 1, 2022</i>	New section
Sec. 167	<i>April 1, 2022</i>	New section
Sec. 168	<i>from passage</i>	54-56g
Sec. 169	<i>from passage</i>	54-56i
Sec. 170	<i>April 1, 2022</i>	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

House A (LCO 10984) SB 1201

Monday, June 21, 2021 6:05 PM



House A (LCO 10984) SB 1201



General Assembly

Amendment

June Special Session, 2021

LCO No. **10984**



Offered by:
REP. STAFSTROM, 129th Dist.

To: Senate Bill No. **1201**

File No.

Cal. No.

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

1 Strike subsections (b) and (c) of section 51 in their entirety and
2 substitute the following in lieu thereof:

3 "(b) No former member of the Social Equity Council and no former
4 employee of the Social Equity Council or department described in
5 subsection (a) of this section shall, within two years of leaving state
6 service, be eligible to apply either individually or with a group of
7 individuals for a cannabis establishment license.

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