



General Assembly

January Session, 2021

Bill No. 1118

LCO No. 10238



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 by social equity applicants and not more than fifty per
127 cent owned by a producer or dispensary facility;

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

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

138 parent or child, in the aggregate, do not exceed one-half of one per cent
139 of the total number of shares issued by the corporation;

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

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

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

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

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

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

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

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

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

185 (33) "Labor peace agreement" means an agreement between a
186 cannabis establishment and a bona fide labor organization under section
187 102 of this act pursuant to which the owners and management of the
188 cannabis establishment agree to remain neutral in any effort to organize
189 the employees of the cannabis establishment and that prohibits the bona
190 fide labor organization and any employees they are attempting to
191 organize from engaging in picketing, work stoppages or boycotts
192 against the cannabis establishment;

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

195 (35) "Medical marijuana product" means cannabis that may be
196 exclusively sold to qualifying patients and caregivers by dispensary
197 facilities and hybrid retailers and which are designated by the
198 commissioner as reserved for sale to qualifying patients and caregivers

199 and published on the department's Internet web site;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

255 or a cannabis establishment applicant;

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

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

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

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

266 Sec. 2. Subsection (a) of section 21a-279 of the general statutes is
267 repealed and the following is substituted in lieu thereof (*Effective July 1,*
268 *2021*):

269 (a) (1) Any person who possesses or has under such person's control
270 any quantity of any controlled substance, except [less than one-half
271 ounce of a cannabis-type substance] any quantity of cannabis, as defined
272 in section 1 of this act, and except as authorized in this chapter or chapter
273 420f, shall be guilty of a class A misdemeanor.

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

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

282 Sec. 3. Section 21a-279a of the general statutes is repealed and the

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

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

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

314 (2) Any person under eighteen years of age who possesses or has

315 under such person's control (A) five ounces or more of cannabis plant
316 material, (B) an equivalent amount of cannabis products, as provided in
317 subsection (h) of this section, or (C) an equivalent amount of a
318 combination of cannabis and cannabis products, as provided in
319 subsection (h) of this section, except as authorized in this chapter or
320 chapter 420f, shall be adjudicated delinquent pursuant to the provisions
321 of section 46b-120.

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

323 (c) (1) Any person eighteen years of age or older but under twenty-
324 one years of age, who possesses or has under such person's control less
325 than (A) five ounces of cannabis plant material, (B) an equivalent
326 amount of cannabis products, as provided in subsection (h) of this
327 section, or (C) an equivalent amount of a combination of cannabis and
328 cannabis products, as provided in subsection (h) of this section, except
329 as authorized in this chapter or chapter 420f, shall be required to view
330 and sign a statement acknowledging the health effects of cannabis on
331 young people and shall (i) for a first offense, be fined fifty dollars,
332 provided such person may attest to his or her indigency, in which case
333 such fine shall be waived, and (ii) for any subsequent offense, be fined
334 one hundred fifty dollars, provided such person may in lieu of paying
335 such fine, contribute six community service hours to a private nonprofit
336 charity or other nonprofit organization and attest to and present
337 documentation confirming that such community service was
338 performed.

339 (2) Any person eighteen years of age or older but under twenty-one
340 years of age, who possesses or has under such person's control (A) five
341 ounces or more of cannabis plant material, (B) an equivalent amount of
342 cannabis products, as provided in subsection (h) of this section, or (C)
343 an equivalent amount of a combination of cannabis and cannabis
344 products, as provided in subsection (h) of this section, except as
345 authorized in this chapter or chapter 420f, shall be required to view and
346 sign a statement acknowledging the health effects of cannabis on young

347 people and shall (i) for a first offense, be fined five hundred dollars,
348 provided such person may attest to his or her indigency, in which case
349 such fine shall be waived, and (ii) for any subsequent offense, be guilty
350 of a class D misdemeanor.

351 (d) Any person twenty-one years of age or older, except as authorized
352 in this chapter, chapter 420f or RERACA, who possesses or has under
353 such person's control more than the possession limit pursuant to
354 subsection (a) of this section, but less than (1) five ounces of cannabis
355 plant material and eight ounces of cannabis plant material in a locked
356 container at such person's residence or a locked glove box or trunk of
357 such person's motor vehicle, (2) an equivalent amount of cannabis
358 products, as provided in subsection (h) of this section, or (3) an
359 equivalent amount of a combination of cannabis and cannabis products,
360 as provided in subsection (h) of this section, shall for a (A) first offense,
361 be fined one hundred dollars, and (B) subsequent offense, be fined two
362 hundred fifty dollars.

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

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

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

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

389 (h) (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 (i) (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 (h) 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 (h) 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, a hybrid-retailer under section
1205 145 of this act or an applicant under section 174 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 (b) It is the public policy of this state that contracts related to the
1255 operation of a cannabis establishment business are enforceable.

1256 (c) It is the public policy of this state that no contract entered into by
1257 a licensed cannabis establishment or its agents as authorized in
1258 accordance with a valid license, or by those who allow property to be
1259 used by a cannabis establishment, its employees, backers or its agents as
1260 authorized in accordance with a valid license, shall be unenforceable on
1261 the basis that cultivating, obtaining, manufacturing, distributing,
1262 dispensing, transporting, selling, possessing or using cannabis is
1263 prohibited by federal law.

1264 (d) No law enforcement officer employed by an agency that receives
1265 state or local government funds shall expend state or local resources,
1266 including the officer's time, to effect any arrest or seizure of cannabis, or
1267 conduct any investigation, on the sole basis of activity the officer
1268 believes to constitute a violation of federal law if the officer has reason
1269 to believe that such activity is in compliance with sections 20 to 65,
1270 inclusive, of this act or chapter 420f of the general statutes.

1271 (e) An officer may not expend state or local resources, including the
1272 officer's time, to provide any information or logistical support to any
1273 federal law enforcement authority or prosecuting entity related to
1274 activity the officer believes to constitute a violation of federal law if the

1275 officer has reason to believe that such activity is in compliance with the
1276 provisions of sections 20 to 65, inclusive, of this act or chapter 420f of the
1277 general statutes.

1278 Sec. 26. (NEW) (*Effective July 1, 2021*) (a) In addition to activity
1279 permitted under chapter 420f of the general statutes, a producer may
1280 sell, deliver, transfer, transport, manufacture or package cannabis
1281 utilizing a transporter or the producer's own employees, to cannabis
1282 establishments, upon authorization for such expanded activity in
1283 writing by the commissioner, provided a producer may not transport
1284 any cannabis to consumers, patients or caregivers directly or through a
1285 delivery service.

1286 (b) To obtain approval from the commissioner to engage in expanded
1287 activity as described in subsection (a) of this section, a producer shall
1288 submit (1) a complete license expansion application on a form
1289 prescribed by the commissioner, (2) a medical cannabis preservation
1290 plan, to ensure against supply shortages of medical marijuana products,
1291 which shall be approved or denied at the commissioner's discretion, (3)
1292 payment of a conversion fee of three million dollars, provided, if the
1293 producer participates in at least two approved equity joint ventures as
1294 described in section 27 of this act, such fee shall be one million five
1295 hundred thousand dollars, (4) a workforce development plan in
1296 accordance with requirements developed by the Social Equity Council,
1297 that has been reviewed and approved by the Social Equity Council in
1298 accordance with section 22 of this act, and (5) (A) contributes five
1299 hundred thousand dollars to the Social Equity Council for the program
1300 established by the council in accordance with subsection (l) of section 22
1301 of this act, or (B) establishes an agreement with a social equity partner
1302 pursuant to subsection (c) of this section.

1303 (c) Any producer seeking to obtain approval under subsection (b) of
1304 this section may enter into an agreement with a social equity partner to
1305 provide such partner five per cent of the grow space associated with the
1306 expanded activity of the producer, to establish a social equity business.

1307 The producer shall provide to the social equity partner, for a period of
1308 not less than five years, mentorship, all overhead costs that are
1309 necessary to ensure success, as determined by the Social Equity Council
1310 and codified in an agreement between the social equity partner and
1311 producer. The producer shall ensure that the social equity partner
1312 complies with the cannabis cultivation, testing, labeling, tracking,
1313 reporting and manufacturing provisions of RERACA as they apply to
1314 cultivators. The social equity partner shall own, and be entitled to, at
1315 least five per cent of the profits of the social equity business established
1316 under this subsection. The Social Equity Council may require evidence
1317 of a social equity partnership that includes, but need not be limited to,
1318 evidence of business formation, ownership allocation, terms of
1319 ownership and financing and proof of social equity applicant
1320 involvement. The producer or social equity partner shall submit to the
1321 Social Equity Council information including, but not limited to, the
1322 organizing documents of the entity that outline the ownership stake of
1323 each backer, initial backer investment and payout information to enable
1324 the council to determine the terms of ownership. Prior to submitting the
1325 agreement to the department, the social equity partner and business
1326 agreement shall be approved by the Social Equity Council.

1327 (d) For purposes of this section, "social equity partner" means a
1328 person that is at least sixty-five per cent owned and controlled by an
1329 individual or individuals, or such applicant is an individual, who:

1330 (1) Had an average household income of less than three hundred per
1331 cent of the state median household income over the three tax years
1332 immediately preceding such individual's application; and

1333 (2) (A) Was a resident of a disproportionately impacted area for not
1334 less than five of the ten years immediately preceding the date of such
1335 application; or

1336 (B) Was a resident of a disproportionately impacted area for not less
1337 than nine years prior to attaining the age of eighteen.

1338 Sec. 27. (NEW) (*Effective July 1, 2021*) (a) In order to pay a reduced
1339 license expansion authorization fee as described in subsection (b) of
1340 section 26 of this act, a producer shall commit to create at least two
1341 equity joint ventures to be approved by the Social Equity Council under
1342 section 22 of this act and licensed by the department under this section.

1343 (b) The equity joint venture shall be in any cannabis establishment
1344 licensed business, other than a cultivator license, provided the social
1345 equity applicant shall own at least fifty per cent of such business.

1346 (c) The producer or social equity applicant of an equity joint venture
1347 shall submit an application to the Social Equity Council that may
1348 include, but need not be limited to, evidence of business formation,
1349 ownership allocation, terms of ownership and financing and proof of
1350 social equity applicant involvement. The producer or social equity
1351 applicant of an equity joint venture shall submit to the Social Equity
1352 Council information including, but not limited to, the organizing
1353 documents of the entity that outline the ownership stake of each backer,
1354 initial backer investment and payout information to enable the council
1355 to determine the terms of ownership.

1356 (d) Upon obtaining the written approval of the Social Equity Council
1357 for an equity joint venture, the producer or social equity applicant of the
1358 equity joint venture shall apply for a license from the department in the
1359 same form as required by all other licensees of the same license type,
1360 except that such application shall not be subject to the lottery.

1361 (e) A producer, including the backer of such producer, shall not
1362 increase its ownership in an equity joint venture in excess of fifty per
1363 cent during the seven-year period after a license is issued by the
1364 department under this section.

1365 (f) Equity joint ventures that share a common producer or producer
1366 backer and that are retailers or hybrid retailers shall not be located
1367 within twenty miles of another commonly owned equity joint venture.

1368 (g) If a producer had paid a reduced conversion fee as described in
1369 subsection (b) of section 26 of this act, and subsequently did not create
1370 two equity joint ventures under this section, the producer shall be liable
1371 for the full conversion fee of three million dollars.

1372 Sec. 28. (NEW) (*Effective July 1, 2021*) (a) No cannabis retailer or
1373 hybrid retailer shall accept payment or other form of compensation
1374 directly or indirectly from a cultivator, micro-cultivator, producer, food
1375 and beverage manufacturer, product manufacturer or product packager
1376 to carry a cannabis product or for placement or promotion of such
1377 product in a retailer or hybrid retailer's establishment or through other
1378 promotional initiatives. No retailer or hybrid retailer shall enter into a
1379 contract with a cultivator, micro-cultivator, producer, food and
1380 beverage manufacturer, product manufacturer or product packager that
1381 requires or permits preferential treatment, exclusivity or near
1382 exclusivity or limits a retailer or hybrid retailer from purchasing from
1383 other cultivators, micro-cultivators, producers, food and beverage
1384 manufacturers or product manufacturers in any way.

1385 (b) No cannabis establishment shall produce, manufacture or sell
1386 cannabis that is intended for use or consumption by animals.

1387 (c) A retailer or hybrid retailer shall not knowingly sell to a consumer
1388 more than one ounce of cannabis or the equivalent amount of cannabis
1389 products or combination of cannabis and cannabis products, as set forth
1390 in subsection (h) of section 21a-279a of the general statutes, per day,
1391 except that a hybrid retailer or dispensary facility may sell up to five
1392 ounces of cannabis or the equivalent amount of cannabis products or
1393 combination of cannabis and cannabis products to a qualifying patient
1394 or caregiver per day. Notwithstanding the requirements of sections 4-
1395 168 to 4-172, inclusive, of the general statutes, to avoid cannabis supply
1396 shortages or address a public health and safety concern, the
1397 commissioner may set temporary lower per-transaction limits, which
1398 shall be published on the department's Internet web site. Such limits
1399 shall become ineffective upon the commissioner's determination that a

1400 supply shortage or public health and safety concern no longer exists.

1401 (d) No cannabis establishment, except a producer, cultivator or
1402 micro-cultivator, may acquire or possess a live cannabis plant.

1403 (e) No person issued a license or registration pursuant to RERACA
1404 shall (1) assign or transfer such license or registration without the
1405 commissioner's prior approval, or (2) sell, transfer or transport cannabis
1406 to, or obtain cannabis from, a location outside of this state if such activity
1407 would be in violation of federal law.

1408 Sec. 29. (NEW) (*Effective July 1, 2021*) (a) Each employee of a cannabis
1409 establishment, laboratory or research program, other than a key
1410 employee, shall annually apply for and obtain a registration, on a form
1411 and in a manner prescribed by the commissioner, prior to commencing
1412 employment at the cannabis establishment business.

1413 (b) No person shall act as a backer or key employee, or represent that
1414 such person is a backer or key employee, unless such person has
1415 obtained a license from the department pursuant to this subsection.
1416 Such person shall apply for a license on a form and in a manner
1417 prescribed by the commissioner. Such form may require the applicant
1418 to: (1) Submit to a state and national criminal history records check
1419 conducted in accordance with section 29-17a of the general statutes,
1420 which may include a financial history check if requested by the
1421 commissioner, to determine the character and fitness of the applicant for
1422 the license, (2) provide information sufficient for the department to
1423 assess whether the applicant has an ownership interest in any other
1424 cannabis establishment, cannabis establishment applicant or cannabis-
1425 related business nationally or internationally, (3) provide demographic
1426 information, and (4) obtain such other information as the department
1427 determines is consistent with the requirements of RERACA or chapter
1428 420f of the general statutes. A backer or key employee shall be denied a
1429 license in the event his or her background check reveals a disqualifying
1430 conviction.

1431 (c) Any person who receives a cannabis establishment license, backer
1432 or key employee license or employee registration issued pursuant to
1433 subsection (a) of this section shall notify the department, in writing, of
1434 any changes to the information supplied on the application for such
1435 license or registration not later than five business days after such
1436 change.

1437 Sec. 30. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
1438 commissioner shall require all individuals listed on an application for a
1439 cannabis establishment license, laboratory or research facility license, or
1440 key employee license to submit to fingerprint-based state and national
1441 criminal history records checks before such license is issued. The
1442 criminal history records checks required pursuant to this subsection
1443 shall be conducted in accordance with section 29-17a of the general
1444 statutes. Upon renewal, the commissioner may require all individuals
1445 listed on an application for a cannabis establishment license, laboratory
1446 or research facility license, or key employee license to be fingerprinted
1447 and submit to a state and national criminal history records check
1448 conducted in accordance with section 29-17a of the general statutes
1449 before such renewal license is issued.

1450 (b) The department shall charge the applicant a fee equal to the
1451 amount charged to the department to conduct a state and national
1452 criminal history records check.

1453 Sec. 31. (NEW) (*Effective July 1, 2021*) Notwithstanding the provisions
1454 of sections 29 and 30 of this act, the commissioner may accept a third-
1455 party local and national criminal background check submitted by an
1456 applicant for a backer or key employee license or renewal in lieu of a
1457 fingerprint-based national criminal history records check. Any such
1458 third-party background check shall (1) be conducted by a third-party
1459 consumer reporting agency or background screening company that is in
1460 compliance with the federal Fair Credit Reporting Act and accredited
1461 by the Professional Background Screening Association, and (2) include
1462 a multistate and multi-jurisdiction criminal record locator or other

1463 similar commercial nation-wide database with validation, and other
1464 such background screening as the commissioner may require. The
1465 applicant shall request such background check not more than sixty days
1466 prior to submission of the application.

1467 Sec. 32. (NEW) (*Effective from passage*) The commissioner shall adopt
1468 regulations in accordance with chapter 54 of the general statutes to
1469 implement the provisions of RERACA. Notwithstanding the
1470 requirements of sections 4-168 to 4-172, inclusive, of the general statutes,
1471 in order to effectuate the purposes of RERACA and protect public health
1472 and safety, prior to adopting such regulations the commissioner shall
1473 issue policies and procedures to implement the provisions of RERACA
1474 that shall have the force and effect of law. The commissioner shall post
1475 all policies and procedures on the department's Internet web site and
1476 submit such policies and procedures to the Secretary of the State for
1477 posting on the eRegulations System, at least fifteen days prior to the
1478 effective date of any policy or procedure. Any such policy or procedure
1479 shall no longer be effective upon the earlier of either the adoption of the
1480 policy or procedure as a final regulation under section 4-172 of the
1481 general statutes or forty-eight months from the effective date of this
1482 section, if such regulations have not been submitted to the legislative
1483 regulation review committee for consideration under section 4-170 of
1484 the general statutes. The commissioner shall issue policies and
1485 procedures and thereafter final regulations that include, but are not
1486 limited to, the following:

1487 (1) Setting appropriate dosage, potency, concentration and serving
1488 size limits and delineation requirements for cannabis, provided a
1489 standardized serving of edible cannabis product or beverage, other than
1490 a medical marijuana product, shall contain not more than five
1491 milligrams of THC;

1492 (2) Requiring that each single standardized serving of cannabis
1493 product in a multiple-serving edible product or beverage is physically
1494 demarked in a way that enables a reasonable person to determine how

1495 much of the product constitutes a single serving and a maximum
1496 amount of THC per multiple-serving edible cannabis product or
1497 beverage;

1498 (3) Requiring that, if it is impracticable to clearly demark every
1499 standardized serving of cannabis product or to make each standardized
1500 serving easily separable in an edible cannabis product or beverage, the
1501 product, other than cannabis concentrate or medical marijuana product,
1502 shall contain not more than five milligrams of THC per unit of sale;

1503 (4) Establishing, in consultation with the Department of Mental
1504 Health and Addiction Services, consumer health materials that shall be
1505 posted or distributed, as specified by the commissioner, by cannabis
1506 establishments to maximize dissemination to cannabis consumers.
1507 Consumer health materials may include pamphlets, packaging inserts,
1508 signage, online and printed advertisements and advisories and printed
1509 health materials;

1510 (5) Imposing labeling and packaging requirements for cannabis sold
1511 by a cannabis establishment that include, but are not limited to, the
1512 following:

1513 (A) A universal symbol to indicate that cannabis or a cannabis
1514 product contains cannabis, and prescribe how such product and
1515 product packaging shall utilize and exhibit such symbol;

1516 (B) A disclosure concerning the length of time it typically takes for
1517 the cannabis to affect an individual, including that certain forms of
1518 cannabis take longer to have an effect;

1519 (C) A notation of the amount of cannabis the cannabis product is
1520 considered the equivalent to;

1521 (D) A list of ingredients and all additives for cannabis;

1522 (E) Child-resistant packaging including requiring that an edible
1523 product be individually wrapped;

1524 (F) Product tracking information sufficient to determine where and
1525 when the cannabis was grown and manufactured such that a product
1526 recall could be effectuated;

1527 (G) A net weight statement;

1528 (H) A recommended use by or expiration date; and

1529 (I) Standard and uniform packaging and labeling, including, but not
1530 limited to, (i) requirements regarding branding or logos, and (ii)
1531 requirements that all packaging is opaque;

1532 (6) Establishing laboratory testing standards;

1533 (7) Restricting forms of cannabis products and cannabis product
1534 delivery systems to ensure consumer safety and deter public health
1535 concerns;

1536 (8) Prohibiting certain manufacturing methods, or inclusion of
1537 additives to cannabis products, including, but not limited to, (A) added
1538 flavoring, terpenes or other additives unless approved by the
1539 department, or (B) any form of nicotine or other additive containing
1540 nicotine;

1541 (9) Prohibiting cannabis product types that appeal to children;

1542 (10) Establishing physical and cyber security requirements related to
1543 build out, monitoring and protocols for cannabis establishments as a
1544 requirement for licensure;

1545 (11) Placing temporary limits on the sale of cannabis in the adult-use
1546 market, if deemed appropriate and necessary by the commissioner, in
1547 response to a shortage of cannabis for qualifying patients;

1548 (12) Requiring retailers and hybrid retailers to make best efforts to
1549 provide access to (A) low-dose THC products, including products that
1550 have one milligram and two and a half milligrams of THC per dose, and

1551 (B) high-dose CBD products;

1552 (13) Requiring producers, cultivators, micro-cultivators, product
1553 manufacturers and food and beverage manufacturers to register brand
1554 names for cannabis, in accordance with the policies and procedures and
1555 subject to the fee set forth in, regulations adopted under chapter 420f of
1556 the general statutes;

1557 (14) Prohibiting a cannabis establishment from selling (A) cannabis
1558 flower or other cannabis plant material with a total THC concentration
1559 greater than thirty per cent on a dry-weight basis, and (B) any cannabis
1560 product other than cannabis flower and cannabis plant material with a
1561 total THC concentration greater than sixty per cent on a dry-weight
1562 basis, except that the provisions of subparagraph (B) of this subdivision
1563 shall not apply to the sale of prefilled cartridges for use in an electronic
1564 cannabis delivery system, as defined in section 19a-342a of the general
1565 statutes and the department may adjust the percentages set forth in
1566 subparagraph (A) or (B) of this subdivision in regulations adopted
1567 pursuant to this section for purposes of public health or to address
1568 market access or shortage. As used in this subdivision, "total THC" has
1569 the same meaning as provided in section 21a-240 of the general statutes
1570 and "cannabis plant material" means material from the cannabis plant,
1571 as defined in section 21a-279a of the general statutes; and

1572 (15) Permitting the outdoor cultivation of cannabis.

1573 Sec. 33. (NEW) (*Effective July 1, 2021*) (a) Cannabis establishments and
1574 any person advertising any cannabis or services related to cannabis shall
1575 not:

1576 (1) Advertise cannabis, cannabis paraphernalia or goods or services
1577 related to cannabis in ways that target or are designed to appeal to
1578 individuals under twenty-one years of age, including, but not limited
1579 to, spokespersons or celebrities who appeal to individuals under the
1580 legal age to purchase cannabis or cannabis products, depictions of a
1581 person under twenty-five years of age consuming cannabis, or, the

1582 inclusion of objects, such as toys, characters or cartoon characters
1583 suggesting the presence of a person under twenty-one years of age, or
1584 any other depiction designed in any manner to be appealing to a person
1585 under twenty-one years of age;

1586 (2) Engage in advertising by means of television, radio, Internet,
1587 mobile applications, social media, or other electronic communication,
1588 billboard or other outdoor signage, or print publication unless the
1589 advertiser has reliable evidence that at least ninety per cent of the
1590 audience for the advertisement is reasonably expected to be twenty-one
1591 years of age or older;

1592 (3) Engage in advertising or marketing directed toward location-
1593 based devices, including, but not limited to, cellular phones, unless the
1594 marketing is a mobile device application installed on the device by the
1595 owner of the device who is twenty-one years of age or older and
1596 includes a permanent and easy opt-out feature and warnings that the
1597 use of cannabis is restricted to persons twenty-one years of age or older;

1598 (4) Advertise cannabis or cannabis products in a manner claiming or
1599 implying, or permit any employee of the cannabis establishment to
1600 claim or imply, that such products have curative or therapeutic effects,
1601 or that any other medical claim is true, or allow any employee to
1602 promote cannabis for a wellness purpose unless such claims are
1603 substantiated as set forth in regulations adopted under chapter 420f of
1604 the general statutes or verbally conveyed by a licensed pharmacist or
1605 other licensed medical practitioner in the course of business in, or while
1606 representing, a hybrid retail or dispensary facility;

1607 (5) Sponsor charitable, sports, musical, artistic, cultural, social or
1608 other similar events or advertising at, or in connection with, such an
1609 event unless the sponsor or advertiser has reliable evidence that (A) not
1610 more than ten per cent of the in-person audience at the event is
1611 reasonably expected to be under the legal age to purchase cannabis or
1612 cannabis products, and (B) not more than ten per cent of the audience

1613 that will watch, listen or participate in the event is expected to be under
1614 the legal age to purchase cannabis products;

1615 (6) Advertise cannabis, cannabis products or cannabis paraphernalia
1616 in any physical form visible to the public within five hundred feet of an
1617 elementary or secondary school ground, recreation center or facility,
1618 child care center, playground, public park or library;

1619 (7) Cultivate cannabis or manufacture cannabis products for
1620 distribution outside of this state in violation of federal law, advertise in
1621 any way that encourages the transportation of cannabis across state lines
1622 or otherwise encourages illegal activity;

1623 (8) Except for dispensary facilities and hybrid retailers, exhibit within
1624 or upon the outside of the facility used in the operation of a cannabis
1625 establishment, or include in any advertisement, the word "dispensary"
1626 or any variation of such term or any other words, displays or symbols
1627 indicating that such store, shop or place of business is a dispensary;

1628 (9) Exhibit within or upon the outside of the premises subject to the
1629 cannabis establishment license, or include in any advertisement the
1630 words "drug store", "pharmacy", "apothecary", "drug", "drugs" or
1631 "medicine shop" or any combination of such terms or any other words,
1632 displays or symbols indicating that such store, shop or place of business
1633 is a pharmacy.

1634 (10) Advertise on or in public or private vehicles or at bus stops, taxi
1635 stands, transportation waiting areas, train stations, airports or other
1636 similar transportation venues including, but not limited to, vinyl-
1637 wrapped vehicles or signs or logos on transportation vehicles not
1638 owned by a cannabis establishment;

1639 (11) Display cannabis or cannabis products so as to be clearly visible
1640 to a person from the exterior of the facility used in the operation of a
1641 cannabis establishment, or display signs or other printed material
1642 advertising any brand or any kind of cannabis or cannabis product on

1643 the exterior of any facility used in the operation of a cannabis
1644 establishment;

1645 (12) Utilize radio or loudspeaker, in a vehicle or in or outside of a
1646 facility used in the operation of a cannabis establishment, for the
1647 purposes of advertising the sale of cannabis or cannabis products; or

1648 (13) Operate any web site advertising or depicting cannabis, cannabis
1649 products or cannabis paraphernalia unless such web site verifies that
1650 the entrants or users are twenty-one years of age or older.

1651 (b) Any advertisements from a cannabis establishment shall contain
1652 the following warning: "Do not use cannabis if you are under twenty-
1653 one years of age. Keep cannabis out of the reach of children." In a print
1654 or visual medium, such warning shall be conspicuous, easily legible and
1655 shall take up not less than ten per cent of the advertisement space. In an
1656 audio medium, such warning shall be at the same speed as the rest of
1657 the advertisement and be easily intelligible.

1658 (c) The department shall not register, and may require revision of,
1659 any submitted or registered cannabis brand name that:

1660 (1) Is identical to, or confusingly similar to, the name of an existing
1661 non-cannabis product;

1662 (2) Is identical to, or confusingly similar to, the name of an unlawful
1663 product or substance;

1664 (3) Is confusingly similar to the name of a previously approved
1665 cannabis brand name;

1666 (4) Is obscene or indecent; and

1667 (5) Is customarily associated with persons under the age of twenty-
1668 one.

1669 (d) A violation of the provisions of subsection (a) or (b) of this section

1670 shall be deemed to be an unfair or deceptive trade practice under
1671 subsection (a) of section 42-110b of the general statutes.

1672 Sec. 34. (NEW) (*Effective July 1, 2021*) (a) Not later than thirty days
1673 after the date that the Social Equity Council identifies the criteria and
1674 the necessary supporting documentation for social equity applicants
1675 and posts such information on its Internet web site, the department may
1676 accept applications for the following cannabis establishment license
1677 types: (1) Retailer, (2) hybrid retailer, (3) cultivator, (4) micro-cultivator,
1678 (5) product manufacturer, (6) food and beverage manufacturer, (7)
1679 product packager, (8) delivery service, and (9) transporter. Each
1680 application for licensure shall require the applicant to indicate whether
1681 the applicant wants to be considered for treatment as a social equity
1682 applicant.

1683 (b) On and after July 1, 2021, the department may accept applications
1684 from any dispensary facility to convert its license to a hybrid-retailer
1685 license and any producer for expanded authorization to engage in the
1686 adult use cannabis market under its license issued pursuant to section
1687 21a-408i of the general statutes.

1688 (c) Except as provided in subsection (e) of this section, the following
1689 fees shall be paid by each applicant:

1690 (1) For a retailer license, the fee to enter the lottery shall be five
1691 hundred dollars, the fee to receive a provisional license shall be five
1692 thousand dollars and the fee to receive a final license or a renewal of a
1693 final license shall be twenty-five thousand dollars.

1694 (2) For a hybrid retailer license, the fee to enter the lottery shall be five
1695 hundred dollars, the fee to receive a provisional license shall be five
1696 thousand dollars and the fee to receive a final license or a renewal of a
1697 final license shall be twenty-five thousand dollars.

1698 (3) For a cultivator license, the fee to enter the lottery shall be one
1699 thousand dollars, the fee to receive a provisional license shall be twenty-

1700 five thousand dollars and the fee to receive a final license or a renewal
1701 of a final license shall be seventy-five thousand dollars.

1702 (4) For a micro-cultivator license, the fee to enter the lottery shall be
1703 two hundred fifty dollars, the fee to receive a provisional license shall
1704 be five hundred dollars and the fee to receive a final license or a renewal
1705 of a final license shall be one thousand dollars.

1706 (5) For a product manufacturer license, the fee to enter the lottery
1707 shall be seven hundred fifty dollars, the fee to receive a provisional
1708 license shall be five thousand dollars and the fee to receive a final license
1709 or a renewal of a final license shall be twenty-five thousand dollars.

1710 (6) For a food and beverage manufacturer license, the fee to enter the
1711 lottery shall be two hundred fifty dollars, the fee to receive a provisional
1712 license shall be one thousand dollars and the fee to receive a final license
1713 or a renewal of a final license shall be five thousand dollars.

1714 (7) For a product packager license, the fee to enter the lottery shall be
1715 five 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 (8) For a delivery service or transporter license, the fee to enter the
1719 lottery shall be two hundred fifty dollars, the fee to receive a provisional
1720 license shall be one thousand dollars and the fee to receive a final license
1721 or a renewal of a final license shall be five thousand dollars.

1722 (9) For an initial or renewal of a backer license, the fee shall be one
1723 hundred dollars.

1724 (10) For an initial or renewal of a key employee license, the fee shall
1725 be one hundred dollars.

1726 (11) For an initial or renewal of a registration of an employee who is
1727 not a key employee, the fee shall be fifty dollars.

1728 (12) The license conversion fee for a dispensary facility to become a
1729 hybrid retailer shall be one million dollars, except as provided in section
1730 145 of this act.

1731 (13) The license conversion fee for a producer to engage in the adult
1732 use cannabis market shall be three million dollars, except as provided in
1733 section 26 of this act.

1734 (d) For any dispensary facility that has become a hybrid retailer, the
1735 renewal fee shall be the same as the fee for a hybrid retailer set forth in
1736 subdivision (2) of subsection (c) of this section. For any producer, the
1737 renewal fee shall be the same as set forth in section 21a-408i of the
1738 general statutes. A social equity applicant shall pay fifty per cent of the
1739 amount of any of the fees specified in subsection (c) of this section for
1740 the first three renewal cycles of the applicable cannabis establishment
1741 license applied for, and the full amount thereafter, provided in the case
1742 of the fees set forth in subdivisions (12) and (13) of subsection (c) of this
1743 section, a social equity applicant shall pay the full amount of the fee.

1744 (e) Any fees collected by the department under this section shall be
1745 paid to the State Treasurer and credited to the General Fund, except that
1746 the fees collected under subdivisions (12) and (13) of subsection (c) of
1747 this section shall be deposited in the Social Equity and Innovation Fund
1748 established under section 128 of this act.

1749 (f) For each license type:

1750 (1) Applicants shall apply on a form and in a manner prescribed by
1751 the commissioner, which form shall include a method for the applicant
1752 to request consideration as a social equity applicant; and

1753 (2) The department shall post on its Internet web site the application
1754 period, which shall specify the first and last date that the department
1755 will accept applications for that license type. The first date that the
1756 department shall accept applications shall be no sooner than thirty days
1757 after the date the Social Equity Council posts the criteria and supporting

1758 documentation necessary to qualify for consideration as a social equity
1759 applicant as set forth in section 35 of this act. Only complete license
1760 applications received by the department during the application period
1761 shall be considered.

1762 Sec. 35. (NEW) (*Effective July 1, 2021*) (a) The Social Equity Council
1763 shall review the ownership information and any other information
1764 necessary to confirm that an applicant qualifies as a social equity
1765 applicant for all license type applications submitted to the department
1766 and designated by the applicant as a social equity applicant. The Social
1767 Equity Council shall prescribe the documentation necessary for
1768 applicants to submit to establish that the ownership, residency and
1769 income requirements for social equity applicants are met. On or before
1770 September 1, 2021, the Social Equity Council shall post such necessary
1771 documentation requirements on its Internet web site to inform
1772 applicants of such requirements prior to the start of the application
1773 period.

1774 (b) Except as provided in section 149 of this act, prior to the first date
1775 that the department begins accepting applications for a license type, the
1776 department shall determine the maximum number of applications that
1777 shall be considered for such license type and post such information on
1778 its Internet web site. Fifty per cent of the maximum number of
1779 applications that shall be considered for each license type (1) shall be
1780 selected through a social equity lottery for such license type, and (2)
1781 shall be reserved by the department for social equity applicants. If, upon
1782 the close of the application period for a license type, the department
1783 receives more applications than the maximum number to be considered
1784 in total or to be reserved for social equity applicants as set forth in
1785 subsection (b) of this section, a third-party lottery operator shall conduct
1786 a lottery to identify applications for review by the department and the
1787 Social Equity Council.

1788 (c) (1) The third-party lottery operator shall:

1789 (A) Not be provided any application received after the close of the
1790 application period;

1791 (B) Give equal weight to every complete application submitted
1792 during the application period; and

1793 (C) Conduct multiple, separate geographic lotteries if required by the
1794 department.

1795 (2) For purposes of the lottery, the third-party lottery operator shall:

1796 (A) Conduct an independent lottery for each license type and a
1797 separate lottery for social equity applicants of each license type that
1798 results in each application being randomly ranked starting with one and
1799 continuing sequentially; and

1800 (B) Rank all applications in each lottery numerically according to the
1801 order in which they were drawn, including those that exceed the
1802 number to be considered, and identify for the department all
1803 applications to be considered, which shall consist of the applications
1804 ranked numerically one to the maximum number set forth in accordance
1805 with subsection (b) of this section.

1806 (d) (1) Upon receipt of an application for social equity consideration
1807 or, in the case where a social equity lottery is conducted, after such
1808 lottery applicants are selected, the department shall provide to the
1809 Social Equity Council the documentation received by the department
1810 during the application process that is required under subsection (a) of
1811 this section. No identifying information beyond what is necessary to
1812 establish social equity status shall be provided to the Social Equity
1813 Council. The Social Equity Council shall review the social equity
1814 applications to be considered as identified by the third-party lottery
1815 operator to determine whether the applicant meets the criteria for a
1816 social equity applicant. If the Social Equity Council determines that an
1817 applicant does not qualify as a social equity applicant, the application
1818 shall not be reviewed further for purposes of receiving a license

1819 designated for social equity applicants. The application shall be entered
1820 into the other lottery for the license type and may be reviewed further if
1821 selected through such lottery, provided the applicant pays the
1822 additional amount necessary to pay the full fee for entry into such
1823 lottery within five business days of being notified by the Social Equity
1824 Council that it does not qualify as a social equity applicant. Not later
1825 than thirty days after an applicant is notified of a denial of a license
1826 application under this subsection, the applicant may appeal such denial
1827 to the Superior Court in accordance with section 4-183 of the general
1828 statutes.

1829 (2) Upon determination by the Social Equity Council that an
1830 application selected through the lottery process does not qualify for
1831 consideration as a social equity applicant, the department shall request
1832 that the third-party lottery operator identify the next-ranked application
1833 in the applicable lottery. This process may continue until the Social
1834 Equity Council has identified for further consideration the number of
1835 applications set forth on the department's web site pursuant to
1836 subsection (b) of this section or the lottery indicates that there are no
1837 further applications to be considered.

1838 (3) For each license type, the Social Equity Council shall identify for
1839 the department the applications that qualify as social equity applicants
1840 and that should be reviewed by the department for purposes of
1841 awarding a provisional license.

1842 (4) Any application subject to, but not selected through, the social
1843 equity lottery process shall not be reviewed as a social equity
1844 application but shall be entered into the lottery for the remaining
1845 applications for the license type.

1846 (5) After receiving the list of social equity applications from the Social
1847 Equity Council, the department shall notify the third-party lottery
1848 operator, which shall then conduct an independent lottery for all
1849 remaining applicants for each license type, rank all applications

1850 numerically including those that exceed the number to be considered,
1851 and identify for the department all applications to be reviewed. The
1852 number of applications to be reviewed shall consist of the applications
1853 ranked numerically one through the maximum number set forth in
1854 accordance with subsection (b) of this section, provided that if fewer
1855 social equity applicants are identified pursuant to subdivision (3) of this
1856 subsection, the maximum number shall be the number necessary to
1857 ensure that fifty per cent of the applications for each license type
1858 identified through the lottery process are social equity applicants.

1859 (6) The numerical rankings created by the third-party lottery operator
1860 shall be confidential and shall not be subject to disclosure under the
1861 Freedom of Information Act, as defined in section 1-200 of the general
1862 statutes.

1863 (e) The department shall review each application to be considered, as
1864 identified by the third-party lottery operator or Social Equity Council,
1865 as applicable, to confirm it is complete and to determine whether any
1866 application: (1) Includes a backer with a disqualifying conviction; (2)
1867 includes a backer that would result in common ownership in violation
1868 of the cap set forth in section 40 of this act; or (3) has a backer who
1869 individually or in connection with a cannabis business in another state
1870 or country has an administrative finding or judicial decision that may
1871 substantively compromise the integrity of the cannabis program, as
1872 determined by the department, or that precludes its participation in this
1873 state's cannabis program.

1874 (f) No additional backers may be added to a cannabis establishment
1875 application between the time of lottery entry, or any initial application
1876 for a license, and when a final license is awarded to the cannabis
1877 establishment, except, if a backer of an applicant or provisional licensee
1878 dies, the applicant or provisional licensee may apply to the
1879 commissioner to replace the deceased backer, provided if such applicant
1880 is a social equity applicant, the Social Equity Council shall review
1881 ownership to ensure such replacement would not cause the applicant to

1882 no longer qualify as a social equity applicant.

1883 (g) If an applicant or a single backer of an applicant is disqualified on
1884 the basis of any of the criteria set forth in subsection (e) of this section,
1885 the entire application shall be denied, and such denial shall be a final
1886 decision of the department, provided backers of the applicant entity
1887 named in the lottery application submission may be removed prior to
1888 submission of a final license application unless such removal would
1889 result in a social equity applicant no longer qualifying as a social equity
1890 applicant. If the applicant removes any backer that would cause the
1891 applicant to be denied based on subsection (e) of this section, then the
1892 applicant entity shall not be denied due to such backer's prior
1893 involvement if such backer is removed within thirty days of notice by
1894 the department of the disqualification of a backer. Not later than thirty
1895 days after service of notice upon the applicant of a denial, the applicant
1896 may appeal such denial to the Superior Court in accordance with section
1897 4-183 of the general statutes.

1898 (h) For each application denied pursuant to subsection (e) of this
1899 section, the department may, within its discretion, request that the third-
1900 party lottery operator identify the next-ranked application in the
1901 applicable lottery. If the applicant that was denied was a social equity
1902 applicant, the next ranked social equity applicant shall first be reviewed
1903 by the Social Equity Council to confirm that the applicant qualifies as a
1904 social equity applicant prior to being further reviewed by the
1905 department. This process may continue until the department has
1906 identified for further consideration the number of applications
1907 equivalent to the maximum number set forth on its Internet web site
1908 pursuant to subsection (b) of this section. If the number of applications
1909 remaining is less than the maximum number posted on the
1910 department's Internet web site, the department shall award fewer
1911 licenses. To the extent the denials result in less than fifty per cent of
1912 applicants being social equity applicants, the department shall continue
1913 to review and issue provisional and final licenses for the remaining
1914 applications, but shall reopen the application period only for social

1915 equity applicants.

1916 (i) All applicants selected in the lottery and not denied shall be
1917 provided a provisional license application, which shall be submitted in
1918 a form and manner prescribed by the commissioner. Applicants shall
1919 have sixty days from the date they receive their provisional application
1920 to complete the application. The right to apply for a provisional license
1921 is nontransferable. Upon receiving a provisional application from an
1922 applicant, the department shall review the application for completeness
1923 and to confirm that all information provided is acceptable and in
1924 compliance with this section and any regulations adopted under this
1925 section. If a provisional application does not meet the standards set forth
1926 in this section, the applicant shall not be provided a provisional license.
1927 A provisional license shall expire after fourteen months and shall not be
1928 renewed. Upon granting a provisional license, the department shall
1929 notify the applicant of the project labor agreement requirements of
1930 section 103 of this act. A provisional licensee may apply for a final
1931 license of the license type for which the licensee applied during the
1932 initial application period. A provisional license shall be nontransferable.
1933 If the provisional application does not meet the standards set forth in
1934 this section or is not completed within sixty days, the applicant shall not
1935 receive a provisional license. The decision of the department not to
1936 award a provisional license shall be final and may be appealed in
1937 accordance with section 4-183 of the general statutes. Nothing in this
1938 section shall prevent a provisional applicant from submitting an
1939 application for a future lottery.

1940 (j) Final license applications shall be submitted on a form and in a
1941 manner approved by the commissioner and shall include, but not be
1942 limited to, the information set forth in this section, as well as evidence
1943 of the following:

1944 (1) A contract with an entity providing an approved electronic
1945 tracking system as set forth in section 56 of this act;

1946 (2) A right to occupy the location at which the cannabis establishment
1947 operation will be located;

1948 (3) Any necessary local zoning approval for the cannabis
1949 establishment operation;

1950 (4) A labor peace agreement complying with section 102 of this act
1951 has been entered into between the cannabis establishment and a bona
1952 fide labor organization, as defined in section 102 of this act, or that the
1953 applicant made a good faith effort to reach a labor peace agreement with
1954 such a bona fide labor organization;

1955 (5) A certification by the applicant that a project labor agreement
1956 complying with section 103 of this act will be entered into by the
1957 cannabis establishment prior to construction of any facility to be used in
1958 the operation of a cannabis establishment;

1959 (6) A social equity plan approved by the Social Equity Council;

1960 (7) A workforce development plan approved by the Social Equity
1961 Council;

1962 (8) Written policies for preventing diversion and misuse of cannabis
1963 and sales to underage persons; and

1964 (9) All other security requirements set forth by the department based
1965 on the specific license type.

1966 (k) At any point prior to the expiration of the provisional license, the
1967 department may award a provisional licensee a final license for the
1968 license type for which the licensee applied. Prior to receiving final
1969 license approval, a provisional licensee shall not possess, distribute,
1970 manufacture, sell or transfer cannabis. The department may conduct site
1971 inspections prior to issuing a final license.

1972 (l) At any time after receiving a final license, a cannabis establishment
1973 may begin operations, provided all other requirements for opening a

1974 business in compliance with the laws of this state are complete and all
1975 employees have been registered and all key employees and backers
1976 have been licensed, with the department.

1977 Sec. 36. (NEW) (*Effective July 1, 2021*) The Social Equity Council shall
1978 adopt regulations, in accordance with the provisions of chapter 54 of the
1979 general statutes, to prevent the sale or change in ownership or control
1980 of a cannabis establishment license awarded to a social equity applicant
1981 to someone other than another qualifying social equity applicant during
1982 the period of provisional licensure, and for three years following the
1983 issuance of a final license, unless the backer of such licensee has died or
1984 has a condition, including, but not limited to, a physical illness or loss
1985 of skill or deterioration due to the aging process, emotional disorder or
1986 mental illness that would interfere with the backer's ability to operate.
1987 Notwithstanding the requirements of sections 4-168 to 4-172, inclusive,
1988 of the general statutes, in order to effectuate this section, prior to
1989 adopting such regulations and not later than October 1, 2021, the council
1990 shall issue policies and procedures to implement the provisions of this
1991 section that shall have the force and effect of law. The council shall post
1992 all policies and procedures on its Internet web site and submit such
1993 policies and procedures to the Secretary of the State for posting on the
1994 eRegulations System, at least fifteen days prior to the effective date of
1995 any policy or procedure. Any such policy or procedure shall no longer
1996 be effective upon the earlier of either the adoption of the policy or
1997 procedure as a final regulation under section 4-172 of the general
1998 statutes or forty-eight months from the effective date of this section, if
1999 such regulations have not been submitted to the legislative regulation
2000 review committee for consideration under section 4-170 of the general
2001 statutes. Any violation of such policies and procedures or any violation
2002 of such regulations related to the sale or change in ownership may be
2003 referred by the Social Equity Council to the department for
2004 administrative enforcement action, which may result in a fine of not
2005 more than ten million dollars or action against the establishment's
2006 license.

2007 Sec. 37. (NEW) (*Effective July 1, 2021*) The commissioner shall adopt
2008 regulations, in accordance with the provisions of chapter 54 of the
2009 general statutes, to establish the maximum grow space permitted by a
2010 cultivator and micro-cultivator. In adopting such regulations, the
2011 commissioner shall seek to ensure an adequate supply of cannabis for
2012 the market. Notwithstanding the requirements of sections 4-168 to 4-
2013 172, inclusive, of the general statutes, in order to effectuate this section,
2014 prior to adopting such regulations, the commissioner shall issue policies
2015 and procedures to implement the provisions of this section that shall
2016 have the force and effect of law. The commissioner shall post all policies
2017 and procedures on the department's Internet web site and submit such
2018 policies and procedures to the Secretary of the State for posting on the
2019 eRegulations System, at least fifteen days prior to the effective date of
2020 any policy or procedure. Any such policy or procedure shall no longer
2021 be effective upon the earlier of either the adoption of the policy or
2022 procedure as a final regulation under section 4-172 of the general
2023 statutes or forty-eight months from the effective date of this section, if
2024 such regulations have not been submitted to the legislative regulation
2025 review committee for consideration under section 4-170 of the general
2026 statutes.

2027 Sec. 38. (*Effective from passage*) (a) The Social Equity Council, in
2028 coordination with the Departments of Consumer Protection and
2029 Economic and Community Development, shall develop a cannabis
2030 business accelerator program to provide technical assistance to
2031 participants by partnering participants with a cannabis establishment.
2032 The Social Equity Council may partner with a constituent unit of the
2033 state system of higher education in developing the program.

2034 (b) Any individual who would qualify as a social equity applicant
2035 may apply to participate in the accelerator program under this section:

2036 (c) On and after October 1, 2021, the Social Equity Council may accept
2037 applications from an individual described in subsection (b) of this
2038 section for the component of the accelerator program corresponding to

2039 each of the following license types: (1) Retailer, (2) cultivator, (3) product
2040 manufacturer, (4) food and beverage manufacturer, and (5) product
2041 packager.

2042 (d) On and after July 1, 2022, the council may accept applications from
2043 (1) retailers, (2) cultivators, (3) product manufacturers, (4) food and
2044 beverage manufacturers, (5) product packagers, (6) hybrid-retailers, and
2045 (7) micro-cultivators, licensed pursuant to section 34 of this act, to
2046 partner with participants in the accelerator program component
2047 corresponding to the same license type, provided an accelerator retailer
2048 participant may be partnered with either a retailer or hybrid retailer and
2049 an accelerator cultivator participant may be partnered with either a
2050 cultivator or micro-cultivator.

2051 (e) As part of the cannabis business accelerator program, accelerator
2052 participants may be required to participate in training on accounting
2053 methods, business services, how to access capital markets and financing
2054 opportunities and on regulatory compliance. Social equity applicants
2055 who have been awarded either a provisional license or a final license for
2056 a cannabis establishment may participate in the training programs made
2057 available under this section.

2058 (f) The Social Equity Council shall facilitate opportunities for
2059 participants in the cannabis business accelerator program to meet with
2060 potential investors.

2061 (g) A participant who has partnered with a cannabis establishment
2062 pursuant to subsection (d) of this section shall be allowed to participate
2063 in any activity of the cannabis establishment with the same privileges
2064 afforded by the cannabis establishment's license to employees of such
2065 cannabis establishment.

2066 (h) Each participant shall annually apply for and obtain a registration,
2067 on a form and in a manner prescribed by the commissioner, prior to
2068 participating in any activity of a cannabis establishment. The Social
2069 Equity Council may charge a registration fee to participants.

2070 (i) The Social Equity Council may determine the duration of the
2071 program and number of participants under this section.

2072 Sec. 39. (*Effective from passage*) (a) The Social Equity Council, in
2073 coordination with the Department of Economic and Community
2074 Development and Labor Department, shall develop a workforce
2075 training program to further equity goals, ensure cannabis
2076 establishments have access to a well-trained employee applicant pool,
2077 and support individuals who live in a disproportionately impacted area
2078 to find employment in the cannabis industry.

2079 (b) The Social Equity Council, in consultation with the Department of
2080 Economic and Community Development and Labor Department, shall:

2081 (1) Consult with cannabis establishments on an ongoing basis to
2082 assess the hiring needs of their businesses.

2083 (2) Develop a universal application for prospective enrollees in
2084 workforce training programs as part of the workforce training programs
2085 developed pursuant to this section;

2086 (3) Partner with the regional workforce development boards and
2087 institutions of higher education to develop workforce training
2088 programs;

2089 (4) Develop a series of cannabis career pathways so that workers have
2090 the ability to vertically advance their careers within the cannabis
2091 industry;

2092 (5) Partner with associated training providers to track and report
2093 performance outcomes of participants entering a cannabis workforce
2094 training program. Performance outcomes shall include, but not be
2095 limited to, enrollment, completion and placement of each individual
2096 entering into a training program; and

2097 (6) Explore the creation of a series of apprenticeship programs for
2098 cannabis workers across the state.

2099 (c) Upon completion of a workforce training program, enrollees may
2100 opt to have their information provided to cannabis establishments as
2101 prospective employees.

2102 Sec. 40. (NEW) (*Effective July 1, 2021*) From July 1, 2021, until June 30,
2103 2025, the department shall not award a cannabis establishment license
2104 to any lottery applicant who, at the time the lottery is conducted, has
2105 two or more licenses or includes a backer that has managerial control of,
2106 or is a backer of, two or more licensees in the same license type or
2107 category for which the applicant has entered the lottery, provided an
2108 ownership interest in an equity joint venture or a social equity partner
2109 in accordance with subsection (c) of section 26 of this act shall not be
2110 considered for purposes of such cap. For purposes of this section,
2111 dispensary facility, retailer and hybrid retailer licenses shall be
2112 considered to be within the same license category and producer,
2113 cultivator and micro-cultivator licenses shall be considered to be within
2114 the same license category.

2115 Sec. 41. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2116 department may issue or renew a license for a person to be a retailer. No
2117 person may act as a retailer or represent that such person is a retailer
2118 unless such person has obtained a license from the department pursuant
2119 to this section.

2120 (b) A retailer may obtain cannabis from a cultivator, micro-cultivator,
2121 producer, product packager, food and beverage manufacturer, product
2122 manufacturer or transporter or an undeliverable return from a delivery
2123 service. A retailer may sell, transport or transfer cannabis or cannabis
2124 products to a delivery service, laboratory or research program. A retailer
2125 may sell cannabis to a consumer or research program. A retailer may
2126 not conduct sales of medical marijuana products nor offer discounts or
2127 other inducements to qualifying patients or caregivers. A retailer shall
2128 not gift or transfer cannabis at no cost to a consumer as part of a
2129 commercial transaction.

2130 (c) Retailers shall maintain a secure location, in a manner approved
2131 by the commissioner, at the licensee's premises where cannabis that is
2132 unable to be delivered by an employee or delivery service may be
2133 returned to the retailer. Such secure cannabis return location shall meet
2134 specifications set forth by the commissioner and published on the
2135 department's Internet web site or included in regulations adopted by
2136 the department.

2137 (d) A retailer may deliver cannabis through a delivery service or by
2138 utilizing its own employees, subject to the provisions of subsection (b)
2139 of section 21 of this act.

2140 Sec. 42. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2141 department may issue or renew a license for a hybrid retailer. No person
2142 may act as a hybrid retailer or represent that such person is a hybrid
2143 retailer unless such person has obtained a license from the department
2144 pursuant to this section.

2145 (b) A hybrid retailer may obtain cannabis from a cultivator, micro-
2146 cultivator, producer, product packager, food and beverage
2147 manufacturer, product manufacturer or transporter. In addition to the
2148 activities authorized under section 43 of this act, a hybrid retailer may
2149 sell, transport or transfer cannabis to a delivery service, laboratory or
2150 research program. A hybrid retailer may sell cannabis products to a
2151 consumer or research program. A hybrid retailer shall not gift or
2152 transfer cannabis at no cost to a consumer, qualifying patient or
2153 caregiver as part of a commercial transaction.

2154 (c) In addition to conducting general retail sales, a hybrid retailer may
2155 sell cannabis and medical marijuana products, to qualifying patients
2156 and caregivers. Any cannabis or medical marijuana products sold to
2157 qualifying patients and caregivers shall be dispensed by a licensed
2158 pharmacist and shall be recorded in the electronic prescription drug
2159 monitoring program, established pursuant to section 21a-254 of the
2160 general statutes, in real-time or immediately upon completion of the

2161 transaction, unless not reasonably feasible for a specific transaction, but
2162 in no case longer than one hour after completion of the transaction. Only
2163 a licensed pharmacist or dispensary technician may upload or access
2164 data in the prescription drug monitoring program.

2165 (d) A hybrid retailer shall maintain a licensed pharmacist on premises
2166 at all times when the hybrid retail location is open to the public or to
2167 qualifying patients and caregivers.

2168 (e) The hybrid retailer location shall include a private consultation
2169 space for pharmacists to meet with qualifying patients and caregivers.
2170 Additionally, the hybrid retailer premises shall accommodate an
2171 expedited method of entry that allows for priority entrance into the
2172 premises for qualifying patients and caregivers.

2173 (f) Hybrid retailers shall maintain a secure location, in a manner
2174 approved by the commissioner, at the licensee's premises where
2175 cannabis that is unable to be delivered may be returned to the hybrid
2176 retailer. Such secure cannabis return location shall meet specifications
2177 set forth by the commissioner and published on the department's
2178 Internet web site or included in regulations adopted by the department.

2179 (g) Cannabis dispensed to a qualifying patient or caregiver that are
2180 unable to be delivered and are returned by the delivery service to the
2181 hybrid retailer shall be returned to the licensee inventory system and
2182 removed from the prescription drug monitoring program not later than
2183 forty-eight hours after receipt of the cannabis from the delivery service.

2184 (h) A hybrid retailer may not convert its license to a retailer license.
2185 To obtain a retailer license, a hybrid retailer shall apply through the
2186 lottery application process. A hybrid retailer may convert to a
2187 dispensary facility if the hybrid retailer complies with all applicable
2188 provisions of chapter 420f of the general statutes, and upon written
2189 approval by the department.

2190 Sec. 43. (NEW) (*Effective July 1, 2021*) (a) A dispensary facility may

2191 apply to the department, on a form and in a manner prescribed by the
2192 commissioner, to convert its license to a hybrid retailer license on or
2193 after September 1, 2021, without applying through the lottery
2194 application system. The license conversion application shall require a
2195 dispensary facility to submit to, and obtain approval from the
2196 department for, a detailed medical preservation plan for how it will
2197 prioritize sales and access to medical marijuana products for qualifying
2198 patients, including, but not limited to, managing customer traffic flow,
2199 preventing supply shortages, providing delivery services and ensuring
2200 appropriate staffing levels.

2201 (b) After October 1, 2021, qualifying patients shall not be required to
2202 designate a dispensary facility or hybrid retailer as its exclusive location
2203 to purchase cannabis or medical marijuana products, nor shall the
2204 department require any future change of designated dispensary facility
2205 applications. If all dispensary facilities demonstrate to the department's
2206 satisfaction that they are adhering to the real-time upload requirements
2207 set forth in subsection (c) of this section prior to October 1, 2021, the
2208 commissioner may eliminate the requirement for designated dispensary
2209 facilities prior to said date.

2210 (c) On and after September 1, 2021, dispensary facilities and hybrid
2211 retailers shall be required to perform real-time uploads to the
2212 prescription drug monitoring program. Any cannabis or medical
2213 marijuana products sold to qualifying patients or caregivers shall be
2214 dispensed by a licensed pharmacist and shall be recorded into the
2215 prescription drug monitoring program, established pursuant to section
2216 21a-254 of the general statutes, in real-time or immediately upon
2217 completion of the transaction, unless not reasonably feasible for a
2218 specific transaction, but in no case longer than one hour after completion
2219 of the transaction.

2220 (d) On and after September 1, 2021, a dispensary facility or hybrid
2221 retailer may apply to the department, in a form and in a manner
2222 prescribed by the commissioner, to provide delivery services through a

2223 delivery service or utilizing its own employees, subject to the provisions
2224 of subsection (b) of section 21 of this act, to qualifying patients,
2225 caregivers, research program subjects, as defined in section 21a-408 of
2226 the general statutes, and hospice and other inpatient care facilities
2227 licensed by the Department of Public Health pursuant to chapter 368v
2228 of the general statutes that have a protocol for the handling and
2229 distribution of cannabis that has been approved by the Department of
2230 Consumer Protection. A dispensary facility or hybrid retailer may
2231 deliver cannabis or medical marijuana products only from its own
2232 inventory to qualifying patients and caregivers. If such application is
2233 approved by the commissioner, the dispensary facility or hybrid retailer
2234 may commence delivery services on and after January 1, 2022, provided
2235 the commissioner may authorize dispensary facilities or hybrid retailers
2236 to commence delivery services prior to January 1, 2022, upon forty-five
2237 days advance written notice, published on the department's Internet
2238 web site.

2239 (e) Hybrid retailers may commence delivery of cannabis directly to
2240 consumers as of the date the first adult use cannabis sales are permitted
2241 by the commissioner as set forth in subsection (f) of this section, through
2242 a delivery service, or utilizing their own employees, subject to the
2243 provisions of subsection (b) of section 21 of this act.

2244 (f) Dispensary facilities that have been approved by the department
2245 and that have converted to hybrid retailers may open their premises to
2246 the general public and commence adult use cannabis sales on and after
2247 thirty days after the date that cannabis is available for purchase for
2248 purposes of adult use sales from producers or cultivators that have at
2249 least two hundred fifty thousand square feet of grow space in the
2250 aggregate, which date shall be published on the department's Internet
2251 web site.

2252 Sec. 44. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2253 department may issue or renew a license for a person to be a food and
2254 beverage manufacturer. No person may act as a food and beverage

2255 manufacturer or represent that such person is a licensed food and
2256 beverage manufacturer unless such person has obtained a license from
2257 the department pursuant to this section.

2258 (b) A food and beverage manufacturer may incorporate cannabis into
2259 foods or beverages as an ingredient. A food and beverage manufacturer
2260 shall not perform extraction of cannabis into a cannabis concentrate nor
2261 create any product that is not a food or beverage intended to be
2262 consumed by humans.

2263 (c) A food and beverage manufacturer may package or label any food
2264 or beverage prepared by the food and beverage manufacturer at the
2265 establishment subject to the license.

2266 (d) A food and beverage manufacturer may sell, transfer or transport
2267 its own products to a cannabis establishment, laboratory or research
2268 program, utilizing its employees or a transporter. A food and beverage
2269 manufacturer may not deliver any cannabis, cannabis products or food
2270 or beverage incorporating cannabis to a consumer, directly or through
2271 a delivery service.

2272 (e) All products created by a food and beverage manufacturer shall
2273 be labeled in accordance with the policies and procedures issued by the
2274 commissioner to implement, and any regulations adopted pursuant to,
2275 RERACA as well as federal Food and Drug Administration and United
2276 States Department of Agriculture requirements.

2277 (f) A food and beverage manufacturer shall ensure all equipment
2278 utilized for manufacturing, processing and packaging cannabis is
2279 sanitary and inspected regularly to deter the adulteration of cannabis in
2280 accordance with RERACA as well as federal Food and Drug
2281 Administration and United States Department of Agriculture
2282 requirements.

2283 Sec. 45. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2284 department may issue or renew a license for a person to be a product

2285 manufacturer. No person may act as a product manufacturer or
2286 represent that such person is a licensed product manufacturer unless
2287 such person has obtained a license from the department pursuant to this
2288 section.

2289 (b) A product manufacturer may perform cannabis extractions,
2290 chemical synthesis and all other manufacturing activities authorized by
2291 the commissioner and published on the department's Internet web site.

2292 (c) A product manufacturer may package and label cannabis
2293 manufactured at its establishment subject to the license.

2294 (d) A product manufacturer may sell, transfer or transport its own
2295 products to a cannabis establishment, laboratory or research program,
2296 provided such transportation is performed by utilizing its own
2297 employees or a transporter. A product manufacturer may not deliver
2298 any cannabis to a consumer directly or through a delivery service.

2299 (e) All products created by a product manufacturer shall be labeled
2300 in accordance with the policies and procedures issued by the
2301 commissioner to implement, and any regulations adopted pursuant to,
2302 RERACA as well as federal Food and Drug Administration
2303 requirements.

2304 (f) A product manufacturer shall ensure all equipment utilized for
2305 manufacturing, extracting, processing and packaging cannabis is
2306 sanitary and inspected regularly to deter the adulteration of cannabis in
2307 accordance with RERACA as well as federal Food and Drug
2308 Administration requirements.

2309 Sec. 46. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2310 department may issue or renew a license for a person to be a product
2311 packager. No person may act as a product packager or represent that
2312 such person is a product packager unless such person has obtained a
2313 license from the department pursuant to this section.

2314 (b) A product packager may obtain cannabis from a producer,
2315 cultivator, micro-cultivator, food and beverage manufacturer or a
2316 product manufacturer. The product packager may sell, transfer or
2317 transport cannabis to any cannabis establishment, laboratory or research
2318 program, provided the product packager only transports cannabis
2319 packaged at its licensed establishment and utilizing its own employees
2320 or a transporter.

2321 (c) A product packager shall be responsible for ensuring that
2322 cannabis products are labeled and packaged in compliance with the
2323 provisions of RERACA and the policies and procedures issued by the
2324 commissioner to implement, and any regulations adopted pursuant to,
2325 RERACA.

2326 (d) A product packager shall ensure all equipment utilized for
2327 processing and packaging cannabis is sanitary and inspected regularly
2328 to deter the adulteration of cannabis.

2329 Sec. 47. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2330 department may issue or renew a license for a person to be a delivery
2331 service or a transporter. No person may act as a delivery service or
2332 transporter or represent that such person is a licensed delivery service
2333 or transporter unless such person has obtained a license from the
2334 department pursuant to this section.

2335 (b) Upon application for a delivery service or transporter license, the
2336 applicant shall indicate whether the applicant is applying to transport
2337 cannabis (1) between cannabis establishments, in which case the
2338 applicant shall apply for a transporter license, or (2) from certain
2339 cannabis establishments to consumers or qualifying patients and
2340 caregivers, or a combination thereof, in which case the applicant shall
2341 apply for a delivery service license.

2342 (c) A delivery service may (1) deliver cannabis from a micro-
2343 cultivator, retailer, or hybrid retailer directly to a consumer, and (2)
2344 deliver cannabis and medical marijuana products from a hybrid retailer

2345 or dispensary facility directly to a qualifying patient, caregiver, or
2346 hospice or other inpatient care facility licensed by the Department of
2347 Public Health pursuant to chapter 368v of the general statutes that has
2348 protocols for the handling and distribution of cannabis that have been
2349 approved by the Department of Consumer Protection. A delivery
2350 service may not store or maintain control of cannabis or medical
2351 marijuana products for more than twenty-four hours between the point
2352 when a consumer, qualifying patient, caregiver or facility places an
2353 order, until the time that the cannabis or medical marijuana product is
2354 delivered to such consumer, qualifying patient, caregiver or facility.

2355 (d) A transporter may deliver cannabis between cannabis
2356 establishments, research programs and laboratories and shall not store
2357 or maintain control of cannabis for more than twenty-four hours from
2358 the time the transporter obtains the cannabis from a cannabis
2359 establishment, research program or laboratory until the time such
2360 cannabis is delivered to the destination.

2361 (e) The commissioner shall adopt regulations, in accordance with
2362 chapter 54 of the general statutes, to implement the provisions of
2363 RERACA. Notwithstanding the requirements of sections 4-168 to 4-172,
2364 inclusive, of the general statutes, in order to effectuate the purposes of
2365 RERACA and protect public health and safety, prior to adopting such
2366 regulations the commissioner shall issue policies and procedures to
2367 implement the provisions of this section that shall have the force and
2368 effect of law. The commissioner shall post all policies and procedures
2369 on the department's Internet web site, and submit such policies and
2370 procedures to the Secretary of the State for posting on the eRegulations
2371 System, at least fifteen days prior to the effective date of any policy or
2372 procedure. Any such policy or procedure shall no longer be effective
2373 upon the earlier of either adoption of such policy or procedure as a final
2374 regulation under section 4-172 of the general statutes or forty-eight
2375 months from July 1, 2021, if such final regulations have not been
2376 submitted to the legislative regulation review committee for
2377 consideration under section 4-170 of the general statutes. The

2378 commissioner shall issue policies and procedures, and thereafter adopt
2379 final regulations, requiring that: (1) The delivery service and transporter
2380 meet certain security requirements related to the storage, handling and
2381 transport of cannabis, the vehicles employed, the conduct of employees
2382 and agents, and the documentation that shall be maintained by the
2383 delivery service, transporter and its drivers; (2) a delivery service that
2384 delivers cannabis to consumers maintain an online interface that verifies
2385 the age of consumers ordering cannabis for delivery and meets certain
2386 specifications and data security standards; and (3) a delivery service that
2387 delivers cannabis to consumers, qualifying patients or caregivers, and
2388 all employees and agents of such licensee, to verify the identity of the
2389 qualifying patient, caregiver or consumer and the age of the consumer
2390 upon delivery of cannabis to the end consumer, qualifying patient, or
2391 caregiver, in a manner acceptable to the commissioner. The individual
2392 placing the cannabis order shall be the individual accepting delivery of
2393 the cannabis except, in the case of a qualifying patient, the individual
2394 accepting the delivery may be the caregiver of such qualifying patient.

2395 (f) A delivery service shall not gift or transfer cannabis at no cost to a
2396 consumer or qualifying patient or caregiver as part of a commercial
2397 transaction.

2398 (g) A delivery service may only use individuals employed on a full-
2399 time basis, not less than thirty-five hours a week, to deliver cannabis
2400 pursuant to subsection (c) of this section. Any delivery service
2401 employees who deliver cannabis shall be registered with the
2402 department, and a delivery service shall not employ more than twenty-
2403 five such delivery employees at any given time.

2404 Sec. 48. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2405 department may issue or renew a license for a person to be a cultivator.
2406 No person may act as a cultivator or represent that such person is a
2407 licensed cultivator unless such person has obtained a license from the
2408 department pursuant to this section.

2409 (b) A cultivator is authorized to cultivate, grow and propagate
2410 cannabis at an establishment containing not less than fifteen thousand
2411 square feet of grow space, provided such cultivator complies with the
2412 provisions of any regulations adopted under section 37 of this act
2413 concerning grow space. A cultivator establishment shall meet physical
2414 security controls and protocols set forth and required by the
2415 commissioner.

2416 (c) A cultivator may label, manufacture, package and perform
2417 extractions on any cannabis cultivated, grown or propagated at its
2418 licensed establishment, including food and beverage products
2419 incorporating cannabis and cannabis concentrates, provided the
2420 cultivator meets all licensure and application requirements for a food
2421 and beverage manufacturer and a product manufacturer.

2422 (d) A cultivator may sell, transfer or transport its cannabis to a
2423 dispensary facility, hybrid retailer, retailer, food and beverage
2424 manufacturer, product manufacturer, research program, laboratory or
2425 product packager utilizing its own employees or a transporter. A
2426 cultivator shall not sell, transfer or deliver to consumers, qualifying
2427 patients or caregivers, directly or through a delivery service.

2428 Sec. 49. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the
2429 department may issue or renew a license for a person to be a micro-
2430 cultivator. No person may act as a micro-cultivator or represent that
2431 such person is a licensed micro-cultivator unless such person has
2432 obtained a license from the department pursuant to this section.

2433 (b) A micro-cultivator is authorized to cultivate, grow, propagate,
2434 manufacture and package the cannabis plant at an establishment
2435 containing not less than two thousand square feet and not more than ten
2436 thousand square feet of grow space, prior to any expansion authorized
2437 by the commissioner, provided such micro-cultivator complies with the
2438 provisions of any regulations adopted under section 37 of this act
2439 concerning grow space. A micro-cultivator business shall meet physical

2440 security controls set forth and required by the commissioner.

2441 (c) A micro-cultivator may apply for expansion of its grow space, in
2442 increments of five thousand square feet, on an annual basis, from the
2443 date of initial licensure, if such licensee is not subject to any pending or
2444 final administrative actions or judicial findings. If there are any pending
2445 or final administrative actions or judicial findings against the licensee,
2446 the department shall conduct a suitability review to determine whether
2447 such expansion shall be granted, which determination shall be final and
2448 appealable only to the Superior Court. The micro-cultivator may apply
2449 for an expansion of its business annually upon renewal of its credential
2450 until such licensee reaches a maximum of twenty-five thousand square
2451 feet of grow space. If a micro-cultivator desires to expand beyond
2452 twenty-five thousand square feet of grow space, the micro-cultivator
2453 licensee may apply for a cultivator license one year after its last
2454 expansion request. The micro-cultivator licensee shall not be required to
2455 apply through the lottery application process to convert its license to a
2456 cultivator license. If a micro-cultivator maintains its license and meets
2457 all of the application and licensure requirements for a cultivator license,
2458 including payment of the cultivator license fee, the micro-cultivator
2459 licensee shall be granted a cultivator license.

2460 (d) A micro-cultivator may label, manufacture, package and perform
2461 extractions on any cannabis cultivated, grown and propagated at its
2462 licensed establishment provided it meets all licensure and application
2463 requirements for a food and beverage manufacturer, product
2464 manufacturer or product packager, as applicable.

2465 (e) A micro-cultivator may sell, transfer or transport its cannabis to a
2466 dispensary facility, hybrid retailer, retailer, delivery service, food and
2467 beverage manufacturer, product manufacturer, research program,
2468 laboratory or product packager, provided the cannabis is cultivated,
2469 grown and propagated at the micro-cultivator's licensed establishment
2470 and transported utilizing the micro-cultivator's own employees or a
2471 transporter. A micro-cultivator shall not gift or transfer cannabis or

2472 cannabis products at no cost to a consumer as part of a commercial
2473 transaction.

2474 (f) A micro-cultivator may sell its own cannabis to consumers,
2475 excluding qualifying patients and caregivers, either through a delivery
2476 service or utilizing its own employees, subject to the requirements of
2477 subsection (b) of section 21 of this act. Any micro-cultivator that engages
2478 in the delivery of cannabis shall maintain a secure location, in a manner
2479 approved by the commissioner, at the micro-cultivator's premises where
2480 cannabis that is unable to be delivered may be returned to the micro-
2481 cultivator. Such secure cannabis return location shall meet specifications
2482 set forth by the commissioner and published on the department's
2483 Internet web site or included in regulations adopted by the department.
2484 A micro-cultivator shall cease delivery of cannabis to consumers if it
2485 converts to being a cultivator.

2486 Sec. 50. (NEW) (*Effective July 1, 2021*) (a) Until June 30, 2023, the
2487 commissioner may deny a change of location application from a
2488 dispensary facility or hybrid retailer based on the needs of qualifying
2489 patients.

2490 (b) Prior to June 30, 2022, the commissioner shall not approve the
2491 relocation of a dispensary facility or hybrid retailer to a location that is
2492 further than ten miles from its current dispensary facility or hybrid
2493 retailer location.

2494 Sec. 51. (NEW) (*Effective from passage*) No member of the Social Equity
2495 Council and no employee of the Social Equity Council or department
2496 who carries out the licensing, inspection, investigation, enforcement or
2497 policy decisions authorized by RERACA, and any regulations enacted
2498 pursuant thereto, may, directly or indirectly, have any management or
2499 financial interest in the cultivation, manufacture, sale, transportation,
2500 delivery or testing of cannabis in this state, nor receive any commission
2501 or profit from nor have any interest in purchases or sales made by
2502 persons authorized to make such purchases or sales pursuant to

2503 RERACA. No provision of this section shall prevent any such member
2504 or employee from purchasing and keeping in his or her possession, for
2505 his or her personal use or the use of such member's or employee's family
2506 or guests, any cannabis which may be purchased or kept by any person
2507 by virtue of RERACA.

2508 Sec. 52. (NEW) (*Effective July 1, 2021*) Notwithstanding any provision
2509 of the general statutes, the purchase, possession, display, sale or
2510 transportation of cannabis by a cannabis establishment or employee
2511 thereof shall not be unlawful and shall not be an offense or a basis for
2512 seizure or forfeiture of assets so long as such purchase, possession,
2513 display, sale or transportation is within the scope of such person's
2514 employment or such person's license or registration and is in
2515 compliance with the laws and regulations that apply to such license or
2516 registration type.

2517 Sec. 53. (NEW) (*Effective July 1, 2021*) No cannabis establishment shall
2518 display cannabis, cannabis products or drug paraphernalia in a manner
2519 that is visible to the general public from a public right-of-way not on
2520 state lands or waters managed by the Department of Energy and
2521 Environmental Protection.

2522 Sec. 54. (NEW) (*Effective July 1, 2021*) (a) Each cannabis establishment
2523 shall establish, maintain and comply with written policies and
2524 procedures for the cultivation, processing, manufacture, security,
2525 storage, inventory and distribution of cannabis, as applicable to the
2526 specific license type. Such policies and procedures shall include
2527 methods for identifying, recording and reporting diversion, theft or loss,
2528 and for correcting all errors and inaccuracies in inventories. Cannabis
2529 establishments shall include in their written policies and procedures a
2530 process for each of the following, if the establishment engages in such
2531 activity:

2532 (1) Handling mandatory and voluntary recalls of cannabis. Such
2533 process shall be adequate to deal with recalls due to any order of the

2534 commissioner and any voluntary action by the cannabis establishment
2535 to remove defective or potentially defective cannabis from the market
2536 or any action undertaken to promote public health and safety by
2537 replacing existing cannabis with improved products or packaging;

2538 (2) Preparing for, protecting against and handling any crisis that
2539 affects the security or operation of any facility used in the operation of
2540 a cannabis establishment in the event of a strike, fire, flood or other
2541 natural disaster, or other situations of local, state or national emergency;

2542 (3) Ensuring that any outdated, damaged, deteriorated, misbranded
2543 or adulterated cannabis is segregated from all other inventory and
2544 destroyed. Such procedure shall provide for written documentation of
2545 the cannabis disposition; and

2546 (4) Ensuring the oldest stock of a cannabis is sold, delivered or
2547 dispensed first. Such procedure may permit deviation from this
2548 requirement, if such deviation is temporary and approved by the
2549 commissioner.

2550 (b) A cannabis establishment shall (1) store all cannabis in such a
2551 manner as to prevent diversion, theft or loss, (2) make cannabis
2552 accessible only to the minimum number of specifically authorized
2553 employees essential for efficient operation, and (3) return any cannabis
2554 to a secure location at the end of the scheduled business day.

2555 Sec. 55. (NEW) (*Effective July 1, 2021*) (a) Qualifying patients and
2556 caregivers registered pursuant to chapter 420f of the general statutes
2557 shall be permitted to purchase cannabis of higher potency, varied
2558 dosage form, and in a larger per transaction or per day amount than are
2559 generally available for retail purchase, as determined by the
2560 commissioner. Such determination, if any, shall be published on the
2561 Department of Consumer Protection's Internet web site or included in
2562 regulations adopted by the department.

2563 (b) Notwithstanding any provision of the general statutes, the sale or

2564 delivery of drug paraphernalia to a qualifying patient or caregiver or
2565 person licensed pursuant to the provisions of RERACA or chapter 420f
2566 of the general statutes, shall not be considered a violation of the
2567 provisions of RERACA.

2568 Sec. 56. (NEW) (*Effective January 1, 2022*) (a) Each cannabis
2569 establishment, licensed pursuant to chapter 420f of the general statutes
2570 or the provisions of RERACA shall maintain a record of all cannabis
2571 grown, manufactured, wasted and distributed between cannabis
2572 establishments and to consumers, qualifying patients and caregivers in
2573 a form and manner prescribed by the commissioner. The commissioner
2574 shall require each cannabis establishment to use an electronic tracking
2575 system to monitor the production, harvesting, storage, manufacturing,
2576 packaging and labeling, processing, transport, transfer and sale of
2577 cannabis from the point of cannabis cultivation inception through the
2578 point when the final product is sold to a consumer, qualifying patient,
2579 caregiver, research program or otherwise disposed of in accordance
2580 with chapter 420f of the general statutes or the provisions of RERACA,
2581 and the policies and procedures or regulations issued pursuant to
2582 RERACA. Cannabis establishments shall be required to utilize such
2583 electronic tracking system and enter the data points required by the
2584 commissioner to ensure cannabis is safe, secure and properly labeled for
2585 consumer or qualifying patient use. The commissioner may contract
2586 with one or more vendors for the purpose of electronically collecting
2587 such cannabis information.

2588 (b) The electronic tracking system shall not collect information about
2589 any individual consumer, qualifying patient or caregiver purchasing
2590 cannabis.

2591 (c) The electronic tracking system shall (1) track each cannabis seed,
2592 clone, seedling or other commencement of the growth of a cannabis
2593 plant or introduction of any cannabinoid intended for use by a cannabis
2594 establishment, and (2) collect the unit price and amount sold for each
2595 retail sale of cannabis.

2596 (d) Information within the electronic tracking system shall be
2597 confidential and shall not be subject to disclosure under the Freedom of
2598 Information Act, as defined in section 1-200 of the general statutes,
2599 except that (1) the commissioner may provide reasonable access to
2600 cannabis tracking data obtained under this section to: (A) State agencies
2601 and local law enforcement agencies for the purpose of investigating or
2602 prosecuting a violation of law; (B) public or private entities for research
2603 or educational purposes, provided no individually identifiable
2604 information may be disclosed; (C) as part of disciplinary action taken by
2605 the department, to another state agency or local law enforcement; (D)
2606 the office of the Attorney General for any review or investigation; and
2607 (E) in the aggregate, the Department of Public Health and Department
2608 of Mental Health and Addiction Services for epidemiological
2609 surveillance, research and analysis in conjunction with the Department
2610 of Consumer Protection; and (2) the commissioner shall provide access
2611 to the electronic tracking system to (A) the Department of Revenue
2612 Services for the purposes of enforcement of any tax-related
2613 investigations and audits, and (B) the Connecticut Agricultural
2614 Experiment Station for the purpose of laboratory testing and
2615 surveillance.

2616 Sec. 57. (NEW) (*Effective July 1, 2021*) (a) Each cannabis establishment
2617 shall maintain all records necessary to fully demonstrate business
2618 transactions related to cannabis for a period covering the current taxable
2619 year and the three immediately preceding taxable years, all of which
2620 shall be made available to the department pursuant to subsection (c) of
2621 this section.

2622 (b) The commissioner may require any licensee to furnish such
2623 information as the commissioner considers necessary for the proper
2624 administration of RERACA, and may require an audit of any cannabis
2625 establishment, the expense thereof to be paid by such cannabis
2626 establishment.

2627 (c) Each cannabis establishment, and each person in charge, or having

2628 custody, of such documents, shall maintain such documents in an
2629 auditable format for the current taxable year and the three preceding
2630 taxable years. Upon request, such person shall make such documents
2631 immediately available for inspection and copying by the commissioner
2632 or any other enforcement agency or others authorized by RERACA, and
2633 shall produce copies of such documents to the commissioner or
2634 commissioner's authorized representative within two business days.
2635 Such documents shall be provided to the commissioner in electronic
2636 format, unless not commercially practical. In complying with the
2637 provisions of this subsection, no person shall use a foreign language,
2638 codes or symbols to designate cannabis or cannabis product types or
2639 persons in the keeping of any required document.

2640 (d) For purposes of the supervision and enforcement of the
2641 provisions of RERACA, the commissioner may:

2642 (1) Enter any place, including a vehicle, in which cannabis is held,
2643 sold, produced, delivered, transported, manufactured or otherwise
2644 disposed of;

2645 (2) Inspect a cannabis establishment and all pertinent equipment,
2646 finished and unfinished material, containers and labeling, and all things
2647 in such place, including records, files, financial data, sales data, shipping
2648 data, pricing data, employee data, research, papers, processes, controls
2649 and facilities; and

2650 (3) Inventory any stock of cannabis and obtain samples of any
2651 cannabis, any labels or containers, paraphernalia and of any finished or
2652 unfinished material.

2653 Sec. 58. (NEW) (*Effective July 1, 2021*) (a) For sufficient cause found
2654 pursuant to subsection (b) of this section, the commissioner may
2655 suspend or revoke a license or registration, issue fines of not more than
2656 twenty-five thousand dollars per violation, accept an offer in
2657 compromise or refuse to grant or renew a license or registration issued
2658 pursuant to RERACA, or place such licensee or registrant on probation,

2659 place conditions on such licensee or registrant or take other actions
2660 permitted by law. Information from inspections and investigations
2661 conducted by the department related to administrative complaints or
2662 cases shall not be subject to disclosure under the Freedom of
2663 Information Act, as defined in section 1-200 of the general statutes,
2664 except after the department has entered into a settlement agreement, or
2665 concluded its investigation or inspection as evidenced by case closure,
2666 provided that nothing in this section shall prevent the department from
2667 sharing information with other state and federal agencies and law
2668 enforcement as it relates to investigating violations of law.

2669 (b) Any of the following shall constitute sufficient cause for such
2670 action by the commissioner, including, but not limited to:

2671 (1) Furnishing of false or fraudulent information in any application
2672 or failure to comply with representations made in any application,
2673 including, but not limited to, medical preservation plans and security
2674 requirements;

2675 (2) A civil judgment against or disqualifying conviction of a cannabis
2676 establishment licensee, backer, key employee or license applicant;

2677 (3) Failure to maintain effective controls against diversion, theft or
2678 loss of cannabis, cannabis products or other controlled substances;

2679 (4) Discipline by, or a pending disciplinary action or an unresolved
2680 complaint against a cannabis establishment licensee, registrant or
2681 applicant regarding any professional license or registration of any
2682 federal, state or local government;

2683 (5) Failure to keep accurate records and to account for the cultivation,
2684 manufacture, packaging or sale of cannabis;

2685 (6) Denial, suspension or revocation of a license or registration, or the
2686 denial of a renewal of a license or registration, by any federal, state or
2687 local government or a foreign jurisdiction;

2688 (7) False, misleading or deceptive representations to the public or the
2689 department;

2690 (8) Return to regular stock of any cannabis where:

2691 (A) The package or container containing the cannabis has been
2692 opened, breached, tampered with or otherwise adulterated; or

2693 (B) The cannabis has been previously sold to an end user or research
2694 program subject;

2695 (9) Involvement in a fraudulent or deceitful practice or transaction;

2696 (10) Performance of incompetent or negligent work;

2697 (11) Failure to maintain the entire cannabis establishment premises
2698 or laboratory and contents in a secure, clean, orderly and sanitary
2699 condition;

2700 (12) Permitting another person to use the licensee's license;

2701 (13) Failure to properly register employees or license key employees,
2702 or failure to notify the department of a change in key employees or
2703 backers;

2704 (14) An adverse administrative decision or delinquency assessment
2705 against the cannabis establishment from the Department of Revenue
2706 Services;

2707 (15) Failure to cooperate or give information to the department, local
2708 law enforcement authorities or any other enforcement agency upon any
2709 matter arising out of conduct at the premises of a cannabis
2710 establishment or laboratory or in connection with a research program;

2711 (16) Advertising in a manner prohibited by section 25 of this act; or

2712 (17) Failure to comply with any provision of RERACA, or any policies
2713 and procedures issued by the commissioner to implement, or

2714 regulations adopted pursuant to, RERACA.

2715 (c) Upon refusal to issue or renew a license or registration, the
2716 commissioner shall notify the applicant of the denial and of the
2717 applicant's right to request a hearing within ten days from the date of
2718 receipt of the notice of denial. If the applicant requests a hearing within
2719 such ten-day period, the commissioner shall give notice of the grounds
2720 for the commissioner's refusal and shall conduct a hearing concerning
2721 such refusal in accordance with the provisions of chapter 54 of the
2722 general statutes concerning contested cases. If the commissioner's denial
2723 of a license or registration is sustained after such hearing, an applicant
2724 may not apply for a new cannabis establishment, backer or key
2725 employee license or employee registration for a period of one year after
2726 the date on which such denial was sustained.

2727 (d) No person whose license or registration has been revoked may
2728 apply for a cannabis establishment, backer or key employee license or
2729 an employee registration for a period of one year after the date of such
2730 revocation.

2731 (e) The voluntary surrender or failure to renew a license or
2732 registration shall not prevent the commissioner from suspending or
2733 revoking such license or registration or imposing other penalties
2734 permitted by RERACA.

2735 Sec. 59. (NEW) (*Effective from passage*) (a) The commissioner may
2736 adopt regulations in accordance with chapter 54 of the general statutes,
2737 including emergency regulations pursuant to section 4-168 of the
2738 general statutes, to implement the provisions of RERACA.

2739 (b) Notwithstanding the requirements of sections 4-168 to 4-172,
2740 inclusive, of the general statutes, in order to effectuate the purposes of
2741 RERACA and protect public health and safety, prior to adopting such
2742 regulations the commissioner shall implement policies and procedures
2743 to implement the provisions of RERACA that shall have the force and
2744 effect of law. The commissioner shall post all such policies and

2745 procedures on the department's Internet web site and submit such
2746 policies and procedures to the Secretary of the State for posting on the
2747 eRegulations System, at least fifteen days prior to the effective date of
2748 any policy or procedure. Any such policies and procedures shall no
2749 longer be effective upon the earlier of either adoption of such policies
2750 and procedures as a final regulation under section 4-172 of the general
2751 statutes or forty-eight months from the effective date of this section, if
2752 such regulations have not been submitted to the legislative regulation
2753 review committee for consideration under section 4-170 of the general
2754 statutes.

2755 Sec. 60. (*Effective July 1, 2022*) Not later than January 1, 2023, the
2756 department shall make written recommendations, in accordance with
2757 the provisions of section 11-4a of the general statutes, to the Governor
2758 and the joint standing committees of the General Assembly having
2759 cognizance of matters relating to consumer protection, the judiciary and
2760 finance, revenue and bonding, as to:

2761 (1) Whether to continue allowing consumers, who are twenty-one
2762 years of age and older, to cultivate cannabis for the consumer's use. In
2763 making such recommendation the commissioner shall consider: (A)
2764 Reasonable precautions to ensure that the plants are secure from
2765 unauthorized access or access by any individual under twenty-one
2766 years of age; (B) the location where such cannabis may be grown; (C)
2767 how other states allow home growing and how such states are
2768 regulating personal cultivation; (D) if personal cultivation in other states
2769 has improved access for consumers; and (E) any other related public
2770 safety or regulatory issues the department deems necessary; and

2771 (2) Whether to authorize on-site consumption or events that allow for
2772 cannabis usage, including whether to establish a cannabis on-site
2773 consumption or event license.

2774 Sec. 61. (NEW) (*Effective July 1, 2021*) (a) For purposes of this section:

2775 (1) "Material change" means: (A) The addition of a backer, (B) a

2776 change in the ownership interest of an existing backer, (C) the merger,
2777 consolidation or other affiliation of a cannabis establishment with
2778 another cannabis establishment, (D) the acquisition of all or part of a
2779 cannabis establishment by another cannabis establishment or backer,
2780 and (E) the transfer of assets or security interests from a cannabis
2781 establishment to another cannabis establishment or backer;

2782 (2) "Cannabis establishment" has the same meaning as provided in
2783 section 1 of this act;

2784 (3) "Person" has the same meaning as provided in section 1 of this act;
2785 and

2786 (4) "Transfer" means to sell, transfer, lease, exchange, option, convey,
2787 give or otherwise dispose of or transfer control over, including, but not
2788 limited to, transfer by way of merger or joint venture not in the ordinary
2789 course of business.

2790 (b) No person shall, directly or indirectly, enter into a transaction that
2791 results in a material change to a cannabis establishment, unless all
2792 parties involved in the transaction file a written notification with the
2793 Attorney General pursuant to subsection (c) of this section and the
2794 waiting period described in subsection (d) of this section has expired.

2795 (c) The written notice required under subsection (b) of this section
2796 shall be in such form and contain such documentary material and
2797 information relevant to the proposed transaction as the Attorney
2798 General deems necessary and appropriate to enable the Attorney
2799 General to determine whether such transaction, if consummated, would
2800 violate antitrust laws.

2801 (d) The waiting period required under subsection (b) of this section
2802 shall begin on the date of the receipt by the Attorney General's office of
2803 the completed notification required under subsection (c) of this section
2804 from all parties to the transaction and shall end on the thirtieth day after
2805 the date of such receipt, unless such time is extended pursuant to

2806 subsection (f) of this section.

2807 (e) The Attorney General may, in individual cases, terminate the
2808 waiting period specified in subsection (d) of this section and allow any
2809 person to proceed with any transaction.

2810 (f) The Attorney General may, prior to the expiration of the thirty-day
2811 waiting period, require the submission of additional information or
2812 documentary material relevant to the proposed transaction from a
2813 person required to file notification with respect to such transaction
2814 under subsection (b) of this section. Upon request for additional
2815 information under this subsection, the waiting period shall be extended
2816 until thirty days after the parties have substantially complied, as
2817 determined solely by the Attorney General, with such request for
2818 additional information.

2819 (g) Any information or documentary material filed with the Attorney
2820 General pursuant to this section shall not be subject to disclosure under
2821 the Freedom of Information Act, as defined in section 1-200 of the
2822 general statutes, and no such information or documentary material may
2823 be made public, except as may be relevant to any administrative or
2824 judicial action or proceeding. Such information or documentary
2825 material shall be returned to the person furnishing such information or
2826 documentary material upon the termination of the Attorney General's
2827 review or final determination of any action or proceeding commenced
2828 thereunder.

2829 (h) (1) Any person, or any officer, director or partner thereof, who
2830 fails to comply with any provision of this section shall be liable to the
2831 state for a civil penalty of not more than twenty-five thousand dollars
2832 for each day during which such person is in violation of this section.
2833 Such penalty may be recovered in a civil action brought by the Attorney
2834 General.

2835 (2) If any person, or any officer, director, partner, agent or employee
2836 thereof, fails substantially to comply with the notification requirement

2837 under subsection (b) of this section or any request for the submission of
2838 additional information or documentary material under subsection (f) of
2839 this section within the waiting period specified in subsection (d) of this
2840 section and as may be extended under subsection (f) of this section, the
2841 court:

2842 (A) May order compliance;

2843 (B) Shall extend the waiting period specified in subsection (d) of this
2844 section and as may have been extended under subsection (f) of this
2845 section until there has been substantial compliance, except that, in the
2846 case of a tender offer, the court may not extend such waiting period on
2847 the basis of a failure, by the person whose stock is sought to be acquired,
2848 to comply substantially with such notification requirement or any such
2849 request; and

2850 (C) May grant such other equitable relief as the court in its discretion
2851 determines necessary or appropriate, upon application of the Attorney
2852 General.

2853 Sec. 62. (NEW) (*Effective July 1, 2022*) Each cannabis establishment
2854 shall annually report publicly in a manner prescribed by the
2855 commissioner: (1) Its annual usage of electricity, and (2) what fraction
2856 of its electricity usage is generated from Class I Renewable Portfolio
2857 Standards produced in the state per the Regional Greenhouse Gas
2858 Initiative agreement. Each cannabis establishment shall purchase
2859 electricity generated from Class I Renewable Portfolio Standards
2860 produced in the states that are party to the Regional Greenhouse Gas
2861 Initiative agreement, to the greatest extent possible.

2862 Sec. 63. (*Effective from passage*) Not later than January 1, 2022, the
2863 Banking Commissioner, in consultation with the Commissioner of
2864 Consumer Protection, shall report to the Governor and the joint
2865 standing committees of the General Assembly having cognizance of
2866 matters relating to banking, the judiciary and finance, revenue and
2867 bonding, regarding recommended legislation to implement the

2868 provisions of RERACA, to facilitate the use of electronic payments by
2869 cannabis establishments and consumers and regarding access for
2870 cannabis establishments to (1) depository banking, and (2) commercial
2871 mortgages.

2872 Sec. 64. (*Effective from passage*) Not later than January 1, 2022, the
2873 Insurance Commissioner shall report to the Governor and the joint
2874 standing committee of the General Assembly having cognizance of
2875 matters relating to insurance regarding access to insurance by cannabis
2876 establishments.

2877 Sec. 65. (*Effective from passage*) Not later than January 1, 2023, the
2878 Alcohol and Drug Policy Council shall make recommendations to the
2879 Governor and the joint standing committees of the General Assembly
2880 having cognizance of matters relating to public health, the judiciary and
2881 finance, revenue and bonding regarding (1) efforts to promote public
2882 health, science-based harm reduction, mitigate misuse and the risk of
2883 addiction to cannabis and the effective treatment of addiction to
2884 cannabis with a particular focus on individuals under twenty-one years
2885 of age; and (2) the collection and reporting of data to allow for
2886 epidemiological surveillance and review of cannabis consumption and
2887 the impacts thereof in the state.

2888 Sec. 66. Section 21a-408 of the general statutes is repealed and the
2889 following is substituted in lieu thereof (*Effective October 1, 2021*):

2890 As used in this section, sections 21a-408a to 21a-408o, inclusive, and
2891 sections 21a-408r to 21a-408v, inclusive, unless the context otherwise
2892 requires:

2893 (1) "Advanced practice registered nurse" means an advanced practice
2894 registered nurse licensed pursuant to chapter 378;

2895 (2) "Cannabis establishment" has the same meaning as provided in
2896 section 1 of this act;

2897 [(2)] (3) "Cultivation" includes planting, propagating, cultivating,
2898 growing and harvesting;

2899 [(3)] (4) "Debilitating medical condition" means (A) cancer, glaucoma,
2900 positive status for human immunodeficiency virus or acquired immune
2901 deficiency syndrome, Parkinson's disease, multiple sclerosis, damage to
2902 the nervous tissue of the spinal cord with objective neurological
2903 indication of intractable spasticity, epilepsy or uncontrolled intractable
2904 seizure disorder, cachexia, wasting syndrome, Crohn's disease,
2905 posttraumatic stress disorder, irreversible spinal cord injury with
2906 objective neurological indication of intractable spasticity, cerebral palsy,
2907 cystic fibrosis or terminal illness requiring end-of-life care, except, if the
2908 qualifying patient is under eighteen years of age, "debilitating medical
2909 condition" means terminal illness requiring end-of-life care, irreversible
2910 spinal cord injury with objective neurological indication of intractable
2911 spasticity, cerebral palsy, cystic fibrosis, severe epilepsy or uncontrolled
2912 intractable seizure disorder, or (B) any medical condition, medical
2913 treatment or disease approved for qualifying patients by the
2914 Department of Consumer Protection [pursuant to regulations adopted
2915 under section 21a-408m] and posted online pursuant to section 21a-408l;

2916 (5) "Dispensary facility" means a place of business where marijuana
2917 may be dispensed, sold or distributed in accordance with this chapter
2918 and any regulations adopted thereunder to qualifying patients and
2919 caregivers and for which the department has issued a dispensary facility
2920 license pursuant to this chapter;

2921 (6) "Employee" has the same meaning as provided in section 1 of this
2922 act;

2923 [(4)] (7) "Institutional animal care and use committee" means a
2924 committee that oversees an organization's animal program, facilities
2925 and procedures to ensure compliance with federal policies, guidelines
2926 and principles related to the care and use of animals in research;

2927 [(5)] (8) "Institutional review board" means a specifically constituted

2928 review body established or designated by an organization to protect the
2929 rights and welfare of persons recruited to participate in biomedical,
2930 behavioral or social science research;

2931 [(6)] (9) "Laboratory" means a laboratory located in the state that is
2932 licensed by the department to provide analysis of [controlled substances
2933 pursuant to] marijuana and that meets the licensure requirements set
2934 forth in section 21a-246; [and section 21a-408r;]

2935 [(7)] (10) "Laboratory employee" means a person who is [(A) licensed]
2936 registered as a laboratory employee pursuant to section 21a-408r; [, or
2937 (B) holds a temporary certificate of registration issued pursuant to
2938 section 21a-408r;]

2939 [(8)] (11) "Licensed dispensary" or "dispensary" means [a person] an
2940 individual who is a licensed [as] pharmacist employed by a dispensary
2941 [pursuant to section 21a-408h] facility or hybrid retailer;

2942 [(9) "Licensed producer" or "producer"] (12) "Producer" means a
2943 person who is licensed as a producer pursuant to section 21a-408i;

2944 [(10)] (13) "Marijuana" means marijuana, as defined in section 21a-
2945 240;

2946 [(11)] (14) "Nurse" means a person who is licensed as a nurse under
2947 chapter 378;

2948 [(12)] (15) "Palliative use" means the acquisition, distribution,
2949 transfer, possession, use or transportation of marijuana or paraphernalia
2950 relating to marijuana, including the transfer of marijuana and
2951 paraphernalia relating to marijuana from the patient's [primary]
2952 caregiver to the qualifying patient, to alleviate a qualifying patient's
2953 symptoms of a debilitating medical condition or the effects of such
2954 symptoms, but does not include any such use of marijuana by any
2955 person other than the qualifying patient;

2956 [(13)] (16) "Paraphernalia" means drug paraphernalia, as defined in

2957 section 21a-240;

2958 [(14)] (17) "Physician" means a person who is licensed as a physician
2959 under chapter 370, but does not include a physician assistant, as defined
2960 in section 20-12a;

2961 [(15) "Primary caregiver"] (18) "Caregiver" means a person, other than
2962 the qualifying patient and the qualifying patient's physician or
2963 advanced practice registered nurse, who is eighteen years of age or older
2964 and has agreed to undertake responsibility for managing the well-being
2965 of the qualifying patient with respect to the palliative use of marijuana,
2966 provided (A) in the case of a qualifying patient (i) under eighteen years
2967 of age and not an emancipated minor, or (ii) otherwise lacking legal
2968 capacity, such person shall be a parent, guardian or person having legal
2969 custody of such qualifying patient, and (B) in the case of a qualifying
2970 patient eighteen years of age or older or an emancipated minor, the need
2971 for such person shall be evaluated by the qualifying patient's physician
2972 or advanced practice registered nurse and such need shall be
2973 documented in the written certification;

2974 [(16)] (19) "Qualifying patient" means a person who: (A) Is a resident
2975 of Connecticut, (B) has been diagnosed by a physician or an advanced
2976 practice registered nurse as having a debilitating medical condition, and
2977 (C) (i) is eighteen years of age or older, (ii) is an emancipated minor, or
2978 (iii) has written consent from a custodial parent, guardian or other
2979 person having legal custody of such person that indicates that such
2980 person has permission from such parent, guardian or other person for
2981 the palliative use of marijuana for a debilitating medical condition and
2982 that such parent, guardian or other person will (I) serve as a [primary]
2983 caregiver for the qualifying patient, and (II) control the acquisition and
2984 possession of marijuana and any related paraphernalia for palliative use
2985 on behalf of such person. "Qualifying patient" does not include an
2986 inmate confined in a correctional institution or facility under the
2987 supervision of the Department of Correction;

2988 [(17)] (20) "Research program" means a study approved by the
2989 Department of Consumer Protection in accordance with this chapter
2990 and undertaken to increase information or knowledge regarding the
2991 growth [,] or processing of marijuana, or the medical attributes, dosage
2992 forms, administration or use of marijuana to treat or alleviate symptoms
2993 of any medical conditions or the effects of such symptoms;

2994 [(18)] (21) "Research program employee" means a person who (A) is
2995 [licensed] registered as a research program employee under section 21a-
2996 408t, or (B) holds a temporary certificate of registration issued pursuant
2997 to section 21a-408t;

2998 [(19)] (22) "Research program subject" means a person registered as a
2999 research program subject pursuant to section 21a-408v;

3000 [(20)] (23) "Usable marijuana" means the dried leaves and flowers of
3001 the marijuana plant, and any mixtures or preparations of such leaves
3002 and flowers, that are appropriate for the palliative use of marijuana, but
3003 does not include the seeds, stalks and roots of the marijuana plant; and

3004 [(21)] (24) "Written certification" means a written certification issued
3005 by a physician or an advanced practice registered nurse pursuant to
3006 section 21a-408c.

3007 Sec. 67. Section 21a-408a of the general statutes is repealed and the
3008 following is substituted in lieu thereof (*Effective July 1, 2021*):

3009 (a) A qualifying patient shall register with the Department of
3010 Consumer Protection pursuant to section 21a-408d prior to engaging in
3011 the palliative use of marijuana. A qualifying patient who has a valid
3012 registration certificate from the Department of Consumer Protection
3013 pursuant to subsection (a) of section 21a-408d and complies with the
3014 requirements of sections 21a-408 to [21a-408n] 21a-408m, inclusive, shall
3015 not be subject to arrest or prosecution, penalized in any manner,
3016 including, but not limited to, being subject to any civil penalty, or denied
3017 any right or privilege, including, but not limited to, being subject to any

3018 disciplinary action by a professional licensing board, for the palliative
3019 use of marijuana if:

3020 (1) The qualifying patient's physician or advanced practice registered
3021 nurse has issued a written certification to the qualifying patient for the
3022 palliative use of marijuana after the physician or advanced practice
3023 registered nurse has prescribed, or determined it is not in the best
3024 interest of the patient to prescribe, prescription drugs to address the
3025 symptoms or effects for which the certification is being issued;

3026 (2) The combined amount of marijuana possessed by the qualifying
3027 patient and the [primary] caregiver for palliative use does not exceed
3028 [an amount of usable marijuana reasonably necessary to ensure
3029 uninterrupted availability for a period of one month, as determined by
3030 the Department of Consumer Protection pursuant to regulations
3031 adopted under section 21a-408m; and] five ounces;

3032 (3) The qualifying patient has not more than one [primary] caregiver
3033 at any time; [.] and

3034 (4) Any cannabis plants grown by the qualifying patient in his or
3035 home is in compliance with subsection (b) of section 21a-408d and any
3036 applicable regulations.

3037 (b) The provisions of subsection (a) of this section do not apply to:

3038 (1) Any palliative use of marijuana that endangers the health or well-
3039 being of a person other than the qualifying patient or the [primary]
3040 caregiver; or

3041 (2) The ingestion of marijuana (A) in a motor bus or a school bus or
3042 in any other moving vehicle, (B) in the workplace, (C) on any school
3043 grounds or any public or private school, dormitory, college or university
3044 property, unless such college or university is participating in a research
3045 program and such use is pursuant to the terms of the research program,
3046 (D) in any public place, or (E) in the presence of a person under the age

3047 of eighteen, unless such person is a qualifying patient or research
3048 program subject. For the purposes of this subdivision, (i) "presence"
3049 means within the direct line of sight of the palliative use of marijuana or
3050 exposure to second-hand marijuana smoke, or both; (ii) "public place"
3051 means any area that is used or held out for use by the public whether
3052 owned or operated by public or private interests; (iii) "vehicle" means a
3053 vehicle, as defined in section 14-1; (iv) "motor bus" means a motor bus,
3054 as defined in section 14-1; and (v) "school bus" means a school bus, as
3055 defined in section 14-1.

3056 Sec. 68. Section 21a-408b of the general statutes is repealed and the
3057 following is substituted in lieu thereof (*Effective July 1, 2021*):

3058 (a) No person may serve as a [primary] caregiver for a qualifying
3059 patient (1) unless such qualifying patient has a valid registration
3060 certificate from the Department of Consumer Protection pursuant to
3061 subsection (a) of section 21a-408d, and (2) if such person has been
3062 convicted of a violation of any law pertaining to the illegal manufacture,
3063 sale or distribution of a controlled substance. A [primary] caregiver may
3064 not be responsible for the care of more than one qualifying patient at
3065 any time, except that a [primary] caregiver may be responsible for the
3066 care of more than one qualifying patient if the [primary] caregiver and
3067 each qualifying patient have a parental, guardianship, conservatorship
3068 or sibling relationship.

3069 (b) A [primary] caregiver who has a valid registration certificate from
3070 the Department of Consumer Protection pursuant to subsection (a) of
3071 section 21a-408d and complies with the requirements of sections 21a-408
3072 to [21a-408n] 21a-408m, inclusive, shall not be subject to arrest or
3073 prosecution, penalized in any manner, including, but not limited to,
3074 being subject to any civil penalty, or denied any right or privilege,
3075 including, but not limited to, being subject to any disciplinary action by
3076 a professional licensing board, for the acquisition, distribution,
3077 possession or transportation of marijuana or paraphernalia related to
3078 marijuana on behalf of such [primary] caregiver's qualifying patient,

3079 provided [(1)] the amount of any marijuana so acquired, distributed,
3080 possessed or transported, together with the combined amount of usable
3081 marijuana possessed by the qualifying patient and the [primary]
3082 caregiver, does not exceed [an amount reasonably necessary to ensure
3083 uninterrupted availability for a period of one month, as determined by
3084 the Department of Consumer Protection pursuant to regulations
3085 adopted under section 21a-408m, and (2) such amount is obtained solely
3086 within this state from a licensed dispensary. Any person with a valid
3087 registration certificate who is found to be in possession of marijuana that
3088 did not originate from the selected dispensary may be subject to a
3089 hearing before the commissioner for possible enforcement action
3090 concerning the registration certificate issued by the department] five
3091 ounces. For the purposes of this subsection, "distribution" or
3092 "distributed" means the transfer of marijuana and paraphernalia related
3093 to marijuana from the [primary] caregiver to the qualifying patient.

3094 (c) A dispensary facility shall not dispense any [marijuana] cannabis
3095 product, as defined in section 1 of this act, in a smokable, inhalable or
3096 vaporizable form to a [primary] caregiver for a qualifying patient who
3097 is under eighteen years of age.

3098 Sec. 69. Section 21a-408c of the general statutes is repealed and the
3099 following is substituted in lieu thereof (*Effective July 1, 2021*):

3100 (a) A physician or an advanced practice registered nurse may issue a
3101 written certification to a qualifying patient that authorizes the palliative
3102 use of marijuana by the qualifying patient. Such written certification
3103 shall be in the form prescribed by the Department of Consumer
3104 Protection and shall include a statement signed and dated by the
3105 qualifying patient's physician or advanced practice registered nurse
3106 stating that, in such physician's or advanced practice registered nurse's
3107 professional opinion, the qualifying patient has a debilitating medical
3108 condition and the potential benefits of the palliative use of marijuana
3109 would likely outweigh the health risks of such use to the qualifying
3110 patient.

3111 (b) Any written certification for the palliative use of marijuana issued
3112 by a physician or an advanced practice registered nurse under
3113 subsection (a) of this section shall be valid for a period not to exceed one
3114 year from the date such written certification is signed and dated by the
3115 physician or advanced practice registered nurse. Not later than ten
3116 calendar days after the expiration of such period, or at any time before
3117 the expiration of such period should the qualifying patient no longer
3118 wish to possess marijuana for palliative use, the qualifying patient or
3119 the [primary] caregiver shall destroy all usable marijuana possessed by
3120 the qualifying patient and the [primary] caregiver for palliative use.

3121 (c) A physician or an advanced practice registered nurse shall not be
3122 subject to arrest or prosecution, penalized in any manner, including, but
3123 not limited to, being subject to any civil penalty, or denied any right or
3124 privilege, including, but not limited to, being subject to any disciplinary
3125 action by the Connecticut Medical Examining Board, the Connecticut
3126 State Board of Examiners for Nursing or other professional licensing
3127 board, for providing a written certification for the palliative use of
3128 marijuana under subdivision (1) of subsection (a) of section 21a-408a if:

3129 (1) The physician or advanced practice registered nurse has
3130 diagnosed the qualifying patient as having a debilitating medical
3131 condition;

3132 (2) The physician or advanced practice registered nurse has explained
3133 the potential risks and benefits of the palliative use of marijuana to the
3134 qualifying patient and, if the qualifying patient lacks legal capacity, to a
3135 parent, guardian or person having legal custody of the qualifying
3136 patient;

3137 (3) The written certification issued by the physician or advanced
3138 practice registered nurse is based upon the physician's or advanced
3139 practice registered nurse's professional opinion after having completed
3140 a medically reasonable assessment of the qualifying patient's medical
3141 history and current medical condition made in the course of a bona fide

3142 health care professional-patient relationship; and

3143 (4) The physician or advanced practice registered nurse has no
3144 financial interest in a [dispensary licensed under section 21a-408h or a
3145 producer licensed under section 21a-408i] cannabis establishment,
3146 except for retailers and delivery services, as such terms are defined in
3147 section 1 of this act.

3148 (d) A nurse shall not be subject to arrest or prosecution, penalized in
3149 any manner, including, but not limited to, being subject to any civil
3150 penalty, or denied any right or privilege, including, but not limited to,
3151 being subject to any disciplinary action by the Board of Examiners for
3152 Nursing, or other professional licensing board, for administering
3153 marijuana to a qualifying patient or research program subject in a
3154 hospital or health care facility licensed by the Department of Public
3155 Health.

3156 (e) Notwithstanding the provisions of this section, sections 21a-408 to
3157 21a-408b, inclusive, and sections 21a-408d to 21a-408o, inclusive, an
3158 advanced practice registered nurse shall not issue a written certification
3159 to a qualifying patient when the qualifying patient's debilitating medical
3160 condition is glaucoma.

3161 Sec. 70. Section 21a-408d of the general statutes is repealed and the
3162 following is substituted in lieu thereof (*Effective October 1, 2021*):

3163 (a) Each qualifying patient who is issued a written certification for the
3164 palliative use of marijuana under subdivision (1) of subsection (a) of
3165 section 21a-408a, and the [primary] caregiver of such qualifying patient,
3166 shall register with the Department of Consumer Protection. Such
3167 registration shall be effective from the date the Department of
3168 Consumer Protection issues a certificate of registration until the
3169 expiration of the written certification issued by the physician or
3170 advanced practice registered nurse. The qualifying patient and the
3171 [primary] caregiver shall provide sufficient identifying information, as
3172 determined by the department, to establish the personal identity of the

3173 qualifying patient and the [primary] caregiver. If the qualifying patient
3174 is under eighteen years of age and not an emancipated minor, the
3175 custodial parent, guardian or other person having legal custody of the
3176 qualifying patient shall also provide a letter from both the qualifying
3177 patient's [primary] care provider and a physician who is board certified
3178 in an area of medicine involved in the treatment of the debilitating
3179 condition for which the qualifying patient was certified that confirms
3180 that the palliative use of marijuana is in the best interest of the qualifying
3181 patient. A physician may issue a written certification for the palliative
3182 use of marijuana by a qualifying patient who is under eighteen years of
3183 age, provided such written certification shall not be for marijuana in a
3184 dosage form that requires that the marijuana be smoked, inhaled or
3185 vaporized. The qualifying patient or the [primary] caregiver shall report
3186 any change in the identifying information to the department not later
3187 than five business days after such change. The department shall issue a
3188 registration certificate to the qualifying patient and to the [primary]
3189 caregiver and may charge a reasonable fee, not to exceed twenty-five
3190 dollars, for each registration certificate issued under this subsection.
3191 Any registration fees collected by the department under this subsection
3192 shall be paid to the State Treasurer and credited to the General Fund.

3193 [(b) The qualifying patient, or, if the qualifying patient is under
3194 eighteen years of age and not an emancipated minor, the custodial
3195 parent, guardian or other person having legal custody of the qualifying
3196 patient, shall select a licensed, in-state dispensary to obtain the palliative
3197 marijuana products at the time of registration. Upon the issuance of the
3198 certificate of registration by the department, the qualifying patient, or
3199 the qualifying patient's custodial parent, guardian or other person
3200 having legal custody of the qualifying patient, shall purchase such
3201 palliative marijuana products from such dispensary, except that the
3202 qualifying patient, or the qualifying patient's custodial parent, guardian
3203 or other person having legal custody of the qualifying patient, may
3204 change such dispensary in accordance with regulations adopted by the
3205 department. Any person with a valid registration certificate who is

3206 found to be in possession of marijuana that did not originate from the
3207 selected dispensary may be subject to hearing before the commissioner
3208 for possible enforcement action concerning the registration certificate
3209 issued by the department.]

3210 (b) Any qualifying patient who is eighteen years of age or older may
3211 cultivate up to three mature cannabis plants and three immature
3212 cannabis plants in the patient's primary residence at any given time,
3213 provided such plants are secure from access by any individual other
3214 than the patient or patient's caregiver and no more than twelve cannabis
3215 plants may be grown per household.

3216 (c) A dispensary shall not dispense any marijuana products in a
3217 smokable, inhalable or vaporizable form to a qualifying patient who is
3218 under eighteen years of age or such qualifying patient's caregiver.

3219 (d) Information obtained under this section shall be confidential and
3220 shall not be subject to disclosure under the Freedom of Information Act,
3221 as defined in section 1-200, except that reasonable access to registry
3222 information obtained under this section [and temporary registration
3223 information obtained under section 21a-408n] shall be provided to: (1)
3224 State agencies, federal agencies and local law enforcement agencies for
3225 the purpose of investigating or prosecuting a violation of law; (2)
3226 physicians, advanced practice registered nurses and pharmacists for the
3227 purpose of providing patient care and drug therapy management and
3228 monitoring controlled substances obtained by the qualifying patient; (3)
3229 public or private entities for research or educational purposes, provided
3230 no individually identifiable health information may be disclosed; (4) a
3231 licensed dispensary for the purpose of complying with sections 21a-408
3232 to [21a-408n] 21a-408m, inclusive; (5) a qualifying patient, but only with
3233 respect to information related to such qualifying patient or such
3234 qualifying patient's [primary] caregiver; or (6) a [primary] caregiver, but
3235 only with respect to information related to such [primary] caregiver's
3236 qualifying patient.

3237 Sec. 71. Section 21a-408f of the general statutes is repealed and the
3238 following is substituted in lieu thereof (*Effective July 1, 2021*):

3239 Any marijuana, paraphernalia relating to marijuana, or other
3240 property seized by law enforcement officials from a qualifying patient
3241 or a [primary] caregiver in connection with the claimed palliative use of
3242 marijuana under sections 21a-408 to [21a-408n] 21a-408m, inclusive,
3243 shall be returned to the qualifying patient or the [primary] caregiver
3244 immediately upon the determination by a court that the qualifying
3245 patient or the [primary] caregiver is entitled to the palliative use of
3246 marijuana under sections 21a-408 to [21a-408n] 21a-408m, inclusive, as
3247 evidenced by a decision not to prosecute, a dismissal of charges or an
3248 acquittal. The provisions of this section do not apply to any qualifying
3249 patient or [primary] caregiver who fails to comply with the
3250 requirements for the palliative use of marijuana under sections 21a-408
3251 to [21a-408n] 21a-408m, inclusive.

3252 Sec. 72. Section 21a-408h of the general statutes is repealed and the
3253 following is substituted in lieu thereof (*Effective July 1, 2021*):

3254 (a) No person may act as a dispensary or represent that such person
3255 is a licensed dispensary unless such person has obtained a license from
3256 the Commissioner of Consumer Protection pursuant to this section.

3257 (b) No person may act as a dispensary facility or represent that such
3258 person is a licensed dispensary facility unless such person has obtained
3259 a license from the Commissioner of Consumer Protection pursuant to
3260 this section.

3261 ~~[(b)]~~ (c) The Commissioner of Consumer Protection shall determine
3262 the number of [dispensaries] dispensary facilities appropriate to meet
3263 the needs of qualifying patients in this state and shall adopt regulations,
3264 in accordance with chapter 54, to provide for the licensure and
3265 standards for [dispensaries] dispensary facilities in this state and specify
3266 the maximum number of [dispensaries] dispensary facilities that may
3267 be licensed in this state. On and after the effective date of such

3268 regulations, the commissioner may license any person who applies for
3269 a license in accordance with such regulations, provided [(1)] the
3270 commissioner deems such applicant qualified to acquire, possess,
3271 distribute and dispense marijuana pursuant to sections 21a-408 to [21a-
3272 408n] 21a-408m, inclusive. [, (2) the applicant is a pharmacist licensed
3273 under chapter 400j, and (3) the number of dispensary licenses issued
3274 does not exceed the number appropriate to meet the needs of qualifying
3275 patients in this state, as determined by the commissioner pursuant to
3276 this subsection.] At a minimum, such regulations shall:

3277 [(A)] (1) Indicate the maximum number of [dispensaries] dispensary
3278 facilities that may be licensed in this state;

3279 [(B)] Provide that only a pharmacist licensed under chapter 400j may
3280 apply for and receive a dispensary license;]

3281 [(C)] (2) Provide that no marijuana may be dispensed from, obtained
3282 from or transferred to a location outside of this state;

3283 [(D)] (3) Establish a licensing fee and renewal fee for each [licensed]
3284 dispensary facility, provided such fees shall not be less than the amount
3285 necessary to cover the direct and indirect cost of licensing and
3286 regulating [dispensaries] dispensary facilities pursuant to sections 21a-
3287 408 to [21a-408n] 21a-408m, inclusive;

3288 [(E)] (4) Provide for renewal of such dispensary facility licenses at
3289 least every two years;

3290 [(F)] (5) Describe areas in this state where [licensed dispensaries]
3291 dispensary facilities may not be located, after considering the criteria for
3292 the location of retail liquor permit premises set forth in subsection (a) of
3293 section 30-46;

3294 [(G)] (6) Establish health, safety and security requirements for
3295 [licensed dispensaries] dispensary facilities, which may include, but
3296 need not be limited to: [(i)] (A) The ability to maintain adequate control

3297 against the diversion, theft and loss of marijuana acquired or possessed
3298 by the [licensed] dispensary facility, and [(ii)] (B) the ability to maintain
3299 the knowledge, understanding, judgment, procedures, security controls
3300 and ethics to ensure optimal safety and accuracy in the distributing,
3301 dispensing and use of palliative marijuana;

3302 [(H)] (Z) Establish standards and procedures for revocation,
3303 suspension, summary suspension and nonrenewal of dispensary facility
3304 licenses, provided such standards and procedures are consistent with
3305 the provisions of subsection (c) of section 4-182; and

3306 [(I)] (8) Establish other licensing, renewal and operational standards
3307 deemed necessary by the commissioner.

3308 [(c)] (d) Any fees collected by the Department of Consumer
3309 Protection under this section shall be paid to the State Treasurer and
3310 credited to the General Fund.

3311 [(d)] (e) On or before January 1, 2017, and annually thereafter, each
3312 [licensed] dispensary facility shall report data to the Department of
3313 Consumer Protection relating to the types, mixtures and dosages of
3314 palliative marijuana dispensed by such dispensary facility. A report
3315 prepared pursuant to this subsection shall be in such form as may be
3316 prescribed by the Commissioner of Consumer Protection.

3317 Sec. 73. Section 21a-408j of the general statutes is repealed and the
3318 following is substituted in lieu thereof (*Effective October 1, 2021*):

3319 (a) No [licensed] dispensary facility or employee of the dispensary
3320 facility may: (1) Acquire marijuana from a person other than a [licensed]
3321 producer [; (2) distribute or dispense] from a cultivator, micro-
3322 cultivator, product manufacturer, food and beverage manufacturer,
3323 product packager, or transporter, as such terms are defined in section 1
3324 of this act; (2) transfer or transport marijuana to a person who is not (A)
3325 a qualifying patient registered under section 21a-408d; [or 21a-408n;] (B)
3326 a [primary] caregiver of such qualifying patient; (C) a hospice or other

3327 inpatient care facility licensed by the Department of Public Health
3328 pursuant to chapter 368v that has a protocol for the handling and
3329 distribution of marijuana that has been approved by the Department of
3330 Consumer Protection; (D) a laboratory; [or] (E) an organization engaged
3331 in a research program; (F) a delivery service, as defined in section 1 of
3332 this act; or (G) a transporter, as defined in section 1 of this act; or (3)
3333 obtain or transport marijuana outside of this state in violation of state or
3334 federal law.

3335 (b) No [licensed] dispensary or employee of the dispensary facility
3336 acting within the scope of his or her employment shall be subject to
3337 arrest or prosecution [] or penalized in any manner, including, but not
3338 limited to, being subject to any civil penalty, or denied any right or
3339 privilege, including, but not limited to, being subject to any disciplinary
3340 action by a professional licensing board, for acquiring, possessing,
3341 distributing or dispensing marijuana pursuant to sections 21a-408 to
3342 [21a-408n] 21a-408m, inclusive.

3343 Sec. 74. Section 21a-408k of the general statutes is repealed and the
3344 following is substituted in lieu thereof (*Effective July 1, 2021*):

3345 (a) No [licensed] producer or employee of the producer may: (1) Sell,
3346 deliver, transport or distribute marijuana to a person who is not (A) a
3347 [licensed dispensary] cannabis establishment, (B) a laboratory, or (C) an
3348 organization engaged in a research program, or (2) obtain or transport
3349 marijuana outside of this state in violation of state or federal law.

3350 (b) No licensed producer or employee of the producer acting within
3351 the scope of his or her employment shall be subject to arrest or
3352 prosecution [] or penalized in any manner, including, but not limited
3353 to, being subject to any civil penalty, or denied any right or privilege,
3354 including, but not limited to, being subject to any disciplinary action by
3355 a professional licensing board, for cultivating marijuana or selling,
3356 delivering, transferring, transporting or distributing marijuana to
3357 [licensed dispensaries under sections 21a-408 to 21a-408n, inclusive] a

3358 cannabis establishment, laboratory or research program.

3359 Sec. 75. Section 21a-408m of the general statutes is repealed and the
3360 following is substituted in lieu thereof (*Effective October 1, 2021*):

3361 (a) The Commissioner of Consumer Protection may adopt
3362 regulations, in accordance with chapter 54, to establish (1) a standard
3363 form for written certifications for the palliative use of marijuana issued
3364 by physicians and advanced practice registered nurses under
3365 subdivision (1) of subsection (a) of section 21a-408a, and (2) procedures
3366 for registrations under section 21a-408d. Such regulations, if any, shall
3367 be adopted after consultation with the Board of Physicians established
3368 in section 21a-408l.

3369 (b) The Commissioner of Consumer Protection shall adopt
3370 regulations, in accordance with chapter 54, to establish a reasonable fee
3371 to be collected from each qualifying patient to whom a written
3372 certification for the palliative use of marijuana is issued under
3373 subdivision (1) of subsection (a) of section 21a-408a, for the purpose of
3374 offsetting the direct and indirect costs of administering the provisions
3375 of sections 21a-408 to [21a-408n] 21a-408m, inclusive. The commissioner
3376 shall collect such fee at the time the qualifying patient registers with the
3377 Department of Consumer Protection under subsection (a) of section 21a-
3378 408d. Such fee shall be in addition to any registration fee that may be
3379 charged under said subsection. The fees required to be collected by the
3380 commissioner from qualifying patients under this subsection shall be
3381 paid to the State Treasurer and credited to the General Fund.

3382 (c) The Commissioner of Consumer Protection shall adopt
3383 [regulations, in accordance with chapter 54, to implement the provisions
3384 of sections 21a-408 to 21a-408g, inclusive, and section 21a-408l. At a
3385 minimum, such regulations shall] or amend regulations, as applicable,
3386 in accordance with chapter 54, to implement the provisions of sections
3387 21a-408 to 21a-408g, inclusive, and section 21a-408l. Notwithstanding
3388 the requirements of sections 4-168 to 4-172, inclusive, in order to

3389 effectuate the purposes of sections 21a-408 to 21a-408g, inclusive, and
3390 section 21a-408l, and protect public health and safety, prior to adopting
3391 or amending such regulations the commissioner shall adopt policies and
3392 procedures to implement the provisions of sections 21a-408 to 21a-408g,
3393 inclusive, and section 21a-408 that shall have the force and effect of law.
3394 The commissioner shall post all policies and procedures on the
3395 department's Internet web site, and submit such policies and
3396 procedures to the Secretary of the State for posting on the eRegulations
3397 System, at least fifteen days prior to the effective date of any policy or
3398 procedure. Any such policy or procedure shall no longer be effective
3399 upon the earlier of either adoption of such policies or procedures as a
3400 final regulation pursuant to section 4-172 or forty-eight months from
3401 October 1, 2021, if such policies or procedures have not been submitted
3402 to the legislative regulation review committee for consideration under
3403 section 4-170. Such policies and procedures and regulations shall
3404 include, but not be limited to, how the department shall:

3405 (1) [Govern the manner in which the department considers] Accept
3406 applications for the issuance and renewal of registration certificates for
3407 qualifying patients and [primary] caregivers; [, and establish any
3408 additional information to be contained in such registration certificates;]

3409 [(2) Define the protocols for determining the amount of usable
3410 marijuana that is necessary to constitute an adequate supply to ensure
3411 uninterrupted availability for a period of one month, including amounts
3412 for topical treatments;]

3413 [(3)] (2) Establish criteria for adding medical conditions, medical
3414 treatments or diseases to the list of debilitating medical conditions that
3415 qualify for the palliative use of marijuana;

3416 [(4)] (3) Establish a petition process under which members of the
3417 public may submit petitions, [in such manner and in such form as
3418 prescribed in the regulations,] regarding the addition of medical
3419 conditions, medical treatments or diseases to the list of debilitating

3420 medical conditions;

3421 [(5) Establish a process for public comment and public hearings
3422 before the board regarding the addition of medical conditions, medical
3423 treatments or diseases to the list of debilitating medical conditions,
3424 medical treatments or diseases;

3425 (6) Add additional medical conditions, medical treatments or
3426 diseases to the list of debilitating medical conditions that qualify for the
3427 palliative use of marijuana as recommended by the board; and]

3428 (4) Establish requirements for the growing of cannabis plants by a
3429 qualifying patient in his or her primary residence as authorized under
3430 section 21a-408d, including requirements for securing such plants to
3431 prevent access by any individual other than the patient or the patient's
3432 caregiver, the location of such plants and any other requirements
3433 necessary to protect public health or safety;

3434 [(7)] (5) Develop a distribution system for marijuana for palliative use
3435 that provides for:

3436 (A) Marijuana production facilities within this state that are housed
3437 on secured grounds and operated by [licensed] producers; [and]

3438 (B) The transfer of marijuana between dispensary facilities; and

3439 [(B)] (C) Distribution of marijuana for palliative use to qualifying
3440 patients or their [primary] caregivers by [licensed dispensaries.]
3441 dispensary facilities, hybrid retailers and delivery services, as such
3442 terms are defined in section 1 of this act; and

3443 (6) Ensure an adequate supply and variety of marijuana to dispensary
3444 facilities and hybrid retailers to ensure uninterrupted availability for
3445 qualifying patients, based on historical marijuana purchase patterns by
3446 qualifying patients.

3447 [(d) The commissioner shall submit regulations pursuant to

3448 subsections (b) and (c) of this section to the standing legislative
3449 regulation review committee not later than July 1, 2013.]

3450 Sec. 76. Section 21a-408l of the general statutes is repealed and the
3451 following is substituted in lieu thereof (*Effective October 1, 2021*):

3452 (a) The Commissioner of Consumer Protection shall establish a Board
3453 of Physicians consisting of eight physicians or surgeons who are
3454 knowledgeable about the palliative use of marijuana and certified by the
3455 appropriate American board in the medical specialty in which they
3456 practice, at least one of whom shall be a board certified pediatrician
3457 appointed in consultation with the Connecticut Chapter of the
3458 American Academy of Pediatrics. Four of the members of the board first
3459 appointed shall serve for a term of three years and four of the members
3460 of the board first appointed shall serve for a term of four years.
3461 Thereafter, members of the board shall serve for a term of four years and
3462 shall be eligible for reappointment. Any member of the board may serve
3463 until a successor is appointed. The Commissioner of Consumer
3464 Protection shall serve as an ex-officio member of the board, and shall
3465 select a chairperson from among the members of the board.

3466 (b) A quorum of the Board of Physicians shall consist of four
3467 members.

3468 (c) The Board of Physicians shall:

3469 (1) Review and recommend to the Department of Consumer
3470 Protection for approval the debilitating medical conditions, medical
3471 treatments or diseases to be added to the list of debilitating medical
3472 conditions that qualify for the palliative use of marijuana for qualifying
3473 patients eighteen years of age or older;

3474 (2) Review and recommend to the Department of Consumer
3475 Protection for approval any illnesses that are severely debilitating, as
3476 defined in 21 CFR 312.81(b), to be added to the list of debilitating
3477 medical conditions that qualify for the palliative use of marijuana for

3478 qualifying patients under eighteen years of age, taking into account,
3479 among other things, the effect of the palliative use of marijuana on the
3480 brain development of such patients, which recommendations shall be
3481 accepted or rejected by the commissioner in his or her discretion;

3482 (3) Accept and review petitions to add medical conditions, medical
3483 treatments or diseases to the list of debilitating medical conditions that
3484 qualify for the palliative use of marijuana;

3485 (4) Convene [at least twice per year] as necessary to conduct public
3486 hearings and to evaluate petitions, which shall be maintained as
3487 confidential pursuant to subsection (e) of this section, for the purpose of
3488 adding medical conditions, medical treatments or diseases to the list of
3489 debilitating medical conditions that qualify for the palliative use of
3490 marijuana;

3491 (5) Review and recommend to the Department of Consumer
3492 Protection protocols for determining the amounts of marijuana that may
3493 be reasonably necessary to ensure uninterrupted availability for a
3494 period of one month for qualifying patients, including amounts for
3495 topical treatments; and

3496 (6) Perform other duties related to the palliative use of marijuana
3497 upon the request of the Commissioner of Consumer Protection.

3498 (d) The Board of Physicians may review the list of debilitating
3499 medical conditions that qualify for the palliative use of marijuana and
3500 make recommendations to the joint standing committees of the General
3501 Assembly having cognizance of matters relating to general law and
3502 public health for the removal of a debilitating medical condition,
3503 medical treatment or disease from such list.

3504 (e) Any individually identifiable health information contained in a
3505 petition received under this section shall be confidential and shall not
3506 be subject to disclosure under the Freedom of Information Act, as
3507 defined in section 1-200.

3508 (f) On and after October 1, 2021, conditions added pursuant to this
3509 section to the list of debilitating medical conditions that qualify for the
3510 palliative use of marijuana shall be posted by the commissioner on the
3511 Department of Consumer Protection's Internet web site.
3512 Notwithstanding the requirements of sections 4-168 to 4-172, inclusive,
3513 the list of debilitating medical conditions that qualify for the palliative
3514 use of marijuana shall be deemed approved and effective without
3515 further action as of the date such conditions are posted on the
3516 Department of Consumer Protection's Internet web site.

3517 Sec. 77. Section 21a-408p of the general statutes is repealed and the
3518 following is substituted in lieu thereof (*Effective July 1, 2021*):

3519 (a) For the purposes of this section:

3520 (1) "Action" has the meaning provided in section 47a-1;

3521 (2) "Dwelling unit" has the meaning provided in section 47a-1;

3522 (3) "Employer" means a person engaged in business who has one or
3523 more employees, including the state and any political subdivision of the
3524 state;

3525 (4) "Landlord" has the meaning provided in section 47a-1;

3526 (5) "Palliative use" has the meaning provided in section 21a-408;

3527 (6) ["Primary caregiver"] Caregiver has the meaning provided in
3528 section 21a-408;

3529 (7) "Qualifying patient" has the meaning provided in section 21a-408;

3530 (8) "School" means a public or private elementary or secondary school
3531 in this state or a public or private institution of higher education in this
3532 state; and

3533 (9) "Tenant" has the meaning provided in section 47a-1.

3534 (b) Unless required by federal law or required to obtain federal
3535 funding:

3536 (1) No school may refuse to enroll any person or discriminate against
3537 any student solely on the basis of such person's or student's status as a
3538 qualifying patient or [primary] caregiver under sections 21a-408 to [21a-
3539 408n] 21a-408m, inclusive;

3540 (2) No landlord may refuse to rent a dwelling unit to a person or take
3541 action against a tenant solely on the basis of such person's or tenant's
3542 status as a qualifying patient or [primary] caregiver under sections 21a-
3543 408 to [21a-408n] 21a-408m, inclusive; and

3544 (3) No employer may refuse to hire a person or may discharge,
3545 penalize or threaten an employee solely on the basis of such person's or
3546 employee's status as a qualifying patient or [primary] caregiver under
3547 sections 21a-408 to [21a-408n] 21a-408m, inclusive. Nothing in this
3548 subdivision shall restrict an employer's ability to prohibit the use of
3549 intoxicating substances during work hours or restrict an employer's
3550 ability to discipline an employee for being under the influence of
3551 intoxicating substances during work hours.

3552 (c) Nothing in this section shall be construed to permit the palliative
3553 use of marijuana in violation of subsection (b) of section 21a-408a.

3554 Sec. 78. Section 21a-408r of the general statutes is repealed and the
3555 following is substituted in lieu thereof (*Effective October 1, 2021*):

3556 (a) No person may act as a laboratory or represent that such person
3557 is a laboratory unless such person has (1) obtained a license from the
3558 Commissioner of Consumer Protection pursuant to this section, or (2)
3559 (A) been granted approval by the Commissioner of Consumer
3560 Protection as of October 1, 2021, and (B) submitted an application to the
3561 Commissioner of Consumer Protection for licensure pursuant to this
3562 section in a form and manner prescribed by the commissioner. Such
3563 person may continue to act as a laboratory until such application for

3564 licensure under this section is approved or denied by the Commissioner
3565 of Consumer Protection.

3566 [(a)] (b) Except as provided in subsection [(b)] (c) of this section, no
3567 person may act as a laboratory employee or represent that such person
3568 is a [licensed] laboratory employee unless such person has obtained a
3569 [license] registration from the Commissioner of Consumer Protection
3570 pursuant to this section.

3571 [(b)] (c) Prior to the effective date of regulations adopted under this
3572 section, the Commissioner of Consumer Protection may issue a
3573 temporary certificate of registration to a laboratory employee. The
3574 commissioner shall prescribe the standards, procedures and fees for
3575 obtaining a temporary certificate of registration as a laboratory
3576 employee.

3577 [(c)] (d) The Commissioner of Consumer Protection shall adopt
3578 regulations, in accordance with chapter 54, to (1) provide for the
3579 licensure or registration of laboratories and laboratory employees, (2)
3580 establish standards and procedures for the revocation, suspension,
3581 summary suspension and nonrenewal of laboratory licenses and
3582 laboratory employee [licenses] registrations, provided such standards
3583 and procedures are consistent with the provisions of subsection (c) of
3584 section 4-182, (3) establish a license [and] or registration renewal fee for
3585 each licensed laboratory and [licensed] registered laboratory employee,
3586 provided the aggregate amount of such license, registration and renewal
3587 fees shall not be less than the amount necessary to cover the direct and
3588 indirect cost of licensing, registering and regulating laboratories and
3589 laboratory employees in accordance with the provisions of this chapter,
3590 and (4) establish other licensing, registration, renewal and operational
3591 standards deemed necessary by the commissioner.

3592 [(d)] (e) Any fees collected by the Department of Consumer
3593 Protection under this section shall be paid to the State Treasurer and
3594 credited to the General Fund.

3595 Sec. 79. Section 21a-408t of the general statutes is repealed and the
3596 following is substituted in lieu thereof (*Effective July 1, 2021*):

3597 (a) The Commissioner of Consumer Protection may approve a
3598 research program if such research program will (1) be administered or
3599 overseen by (A) a hospital or health care facility licensed by the
3600 Connecticut Department of Public Health pursuant to chapter 368v, (B)
3601 an institution of higher education, as defined in section 10a-55, (C) a
3602 [licensed] producer, micro-cultivator, cultivator, food and beverage
3603 manufacturer product packager or product manufacturer, as such terms
3604 are defined in section 1 of this act, or (D) a [licensed] dispensary facility,
3605 hybrid retailer or retailer, as such terms are defined in section 1 of this
3606 act, and (2) have institutional review board oversight and, if the research
3607 program involves the use of animals, have an institutional animal care
3608 and use committee.

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

3614 [(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 research program employee.
3617 The commissioner shall prescribe the standards, procedures and fees for
3618 obtaining a temporary certificate of registration as a research program
3619 employee.]

3620 [(d)] (c) The Commissioner of Consumer Protection shall adopt
3621 regulations, in accordance with chapter 54, to (1) provide for the
3622 approval of research programs and [licensure] registration of research
3623 program employees, (2) establish standards and procedures for the
3624 termination or suspension of a research program, (3) establish standards
3625 and procedures for the revocation, suspension, summary suspension

3626 and nonrenewal of a research program employee [~~license~~] registration,
3627 provided such standards and procedures are consistent with the
3628 provisions of subsection (c) of section 4-182, (4) establish a (A) fee for
3629 research program review and approval, and (B) [~~license~~] registration
3630 and renewal fee for each research program employee, provided the
3631 aggregate amount of such fees shall not be less than the amount
3632 necessary to cover the direct and indirect cost of approving research
3633 programs and [~~licensing~~] registering and regulating research program
3634 employees pursuant to the provisions of this chapter, and (5) establish
3635 other licensing, registration, renewal and operational standards deemed
3636 necessary by the commissioner.

3637 [(e)] (d) Any fees collected by the Department of Consumer
3638 Protection under this section shall be paid to the State Treasurer and
3639 credited to the General Fund.

3640 Sec. 80. Section 21a-408s of the general statutes is repealed and the
3641 following is substituted in lieu thereof (*Effective July 1, 2021*):

3642 (a) No laboratory or laboratory employee may (1) acquire marijuana
3643 from a person other than a [~~licensed producer, licensed dispensary~~]
3644 cannabis establishment or an organization engaged in a research
3645 program, (2) deliver, transport or distribute marijuana to (A) a person
3646 who is not a [~~licensed dispensary, (B) a person who is not a licensed~~
3647 producer, or (C)] cannabis establishment from which the marijuana was
3648 originally acquired by the laboratory or laboratory employee, (B) an
3649 organization not engaged in a research program, or (3) obtain or
3650 transport marijuana outside of this state in violation of state or federal
3651 law.

3652 (b) (1) No laboratory employee acting within the scope of his or her
3653 employment shall be subject to arrest or prosecution, penalized in any
3654 manner, including, but not limited to, being subject to any civil penalty,
3655 or denied any right or privilege, including, but not limited to, being
3656 subject to any disciplinary action by a professional licensing board, for

3657 acquiring, possessing, delivering, transporting or distributing
3658 marijuana to a [licensed dispensary, a licensed producer] cannabis
3659 establishment or an organization engaged in an approved research
3660 program under the provisions of this chapter.

3661 (2) No laboratory shall be subject to prosecution, penalized in any
3662 manner, including, but not limited to, being subject to any civil penalty
3663 or denied any right or privilege, for acquiring, possessing, delivering,
3664 transporting or distributing marijuana to a [licensed dispensary, a
3665 licensed producer] cannabis establishment or an organization engaged
3666 in an approved research program under the provisions of this chapter.

3667 (c) A laboratory shall be independent from all other persons involved
3668 in the marijuana industry in Connecticut, which shall mean that no
3669 person with a direct or indirect financial, managerial or controlling
3670 interest in the laboratory shall have a direct or indirect financial,
3671 managerial or controlling interest in a cannabis establishment or any
3672 other entity that may benefit from the laboratory test results for a
3673 cannabis or marijuana sample or product.

3674 (d) A laboratory shall maintain all minimum security and safeguard
3675 requirements for the storage of handling of controlled substances as a
3676 laboratory that is licensed to provide analysis of controlled substances
3677 pursuant to section 21a-246 and any regulations adopted thereunder.

3678 Sec. 81. Section 21a-408u of the general statutes is repealed and the
3679 following is substituted in lieu thereof (*Effective July 1, 2021*):

3680 (a) No research program or research program employee may (1)
3681 acquire marijuana from a person other than a [licensed producer,
3682 licensed dispensary] cannabis establishment or laboratory, (2) deliver,
3683 transport or distribute marijuana to a person who is not (A) a [licensed
3684 dispensary] cannabis establishment, (B) a [licensed producer]
3685 laboratory, or (C) a research program subject, (3) distribute or
3686 administer marijuana to an animal unless such animal is an animal
3687 research subject, or (4) obtain or transport marijuana outside of this state

3688 in violation of state or federal law.

3689 (b) No research program employee acting within the scope of his or
3690 her employment shall be subject to arrest or prosecution, penalized in
3691 any manner, including, but not limited to, being subject to any civil
3692 penalty, or denied any right or privilege, including, but not limited to,
3693 being subject to any disciplinary action by a professional licensing
3694 board, for acquiring, possessing, delivering, transporting or distributing
3695 marijuana to a [licensed dispensary, a licensed producer] cannabis
3696 establishment or laboratory, or a research program subject or
3697 distributing or administering marijuana to an animal research subject
3698 under the provisions of this chapter.

3699 Sec. 82. (NEW) (*Effective October 1, 2021*) A licensed pharmacist
3700 working as an employee at a dispensary facility or hybrid retailer shall
3701 transmit dispensing information, in a manner prescribed by the
3702 commissioner, on any cannabis sold to a qualifying patient or caregiver
3703 in real-time or immediately upon completion of the transaction, unless
3704 not reasonably feasible for a specific transaction, but in no case longer
3705 than one hour after completion of the transaction.

3706 Sec. 83. (NEW) (*Effective July 1, 2021*) (a) Upon the petition of not less
3707 than ten per cent of the electors of any municipality, lodged with the
3708 town clerk at least sixty days before the date of any regular election, as
3709 defined in section 9-1 of the general statutes, the selectmen of the
3710 municipality shall warn the electors of such municipality that, at such
3711 regular election, a vote shall be taken to determine: (1) Whether or not
3712 the recreational sale of marijuana shall be permitted in such
3713 municipality, or (2) whether the sale of marijuana shall be permitted in
3714 such municipality in one or more of the classes of license of cannabis
3715 establishments. The ballot label designations in a vote upon the question
3716 of cannabis establishment license shall be "Shall the sale of recreational
3717 marijuana be allowed in (Name of municipality)?" or "Shall the sale
3718 of cannabis under (Specified license or Licenses) be allowed in (Name
3719 of municipality)?" or "Shall the sale of recreational marijuana be

3720 prohibited (No Licenses) in (Name of municipality)?" and shall be
3721 provided in accordance with the provisions of section 9-250 of the
3722 general statutes. No elector shall vote for more than one designation.
3723 Such vote shall be taken in the manner prescribed in section 9-369 of the
3724 general statutes and shall become effective on the first Monday of the
3725 month next succeeding such election and shall remain in force until a
3726 new vote is taken; provided such vote may be taken at a special election
3727 called for the purpose in conformity with the provisions of section 9-164
3728 of the general statutes and provided at least one year shall have elapsed
3729 since the previous vote was taken. The provisions of chapter 145 of the
3730 general statutes concerning absentee voting at referenda shall apply to
3731 all votes taken upon the question of cannabis establishment license. Any
3732 class of cannabis establishments already allowed in a municipality shall
3733 not be affected by any vote.

3734 (b) No municipality shall prohibit delivery of cannabis to a consumer,
3735 qualifying patient or caregiver when the delivery is made by a retailer,
3736 hybrid retailer, dispensary facility, delivery service, micro-cultivator or
3737 other person authorized to make such delivery pursuant to RERACA.
3738 No municipality shall prohibit the transport of cannabis to, from or
3739 through such municipality by any person licensed or registered
3740 pursuant to RERACA to transport cannabis.

3741 (c) No municipality or local official shall condition any official action,
3742 or accept any donation in moneys or in kind, from any cannabis
3743 establishment or from an individual or corporation that has applied for
3744 a license to open or operate a cannabis establishment in such
3745 municipality. No municipality shall negotiate or enter into a local host
3746 agreement with a cannabis establishment or a person that has applied
3747 for a license to open or operate a cannabis establishment in such
3748 municipality.

3749 (d) For up to thirty days after the opening of a retailer or hybrid
3750 retailer, a municipality may charge such retailer or hybrid retailer for
3751 any necessary and reasonable costs incurred by the municipality for

3752 provision of public safety services in relation to such opening, including,
3753 but not limited to, public safety costs incurred to direct traffic, not to
3754 exceed fifty thousand dollars.

3755 Sec. 84. Subparagraph (H) of subdivision (7) of subsection (c) of
3756 section 7-148 of the general statutes is repealed and the following is
3757 substituted in lieu thereof (*Effective October 1, 2021*):

3758 (H) (i) Secure the safety of persons in or passing through the
3759 municipality by regulation of shows, processions, parades and music;

3760 (ii) Regulate and prohibit the carrying on within the municipality of
3761 any trade, manufacture, business or profession which is, or may be, so
3762 carried on as to become prejudicial to public health, conducive to fraud
3763 and cheating, or dangerous to, or constituting an unreasonable
3764 annoyance to, those living or owning property in the vicinity;

3765 (iii) Regulate auctions and garage and tag sales;

3766 (iv) Prohibit, restrain, license and regulate the business of peddlers,
3767 auctioneers and junk dealers in a manner not inconsistent with the
3768 general statutes;

3769 (v) Regulate and prohibit swimming or bathing in the public or
3770 exposed places within the municipality;

3771 (vi) Regulate and license the operation of amusement parks and
3772 amusement arcades including, but not limited to, the regulation of
3773 mechanical rides and the establishment of the hours of operation;

3774 (vii) Prohibit, restrain, license and regulate all sports, exhibitions,
3775 public amusements and performances and all places where games may
3776 be played;

3777 (viii) Preserve the public peace and good order, prevent and quell
3778 riots and disorderly assemblages and prevent disturbing noises;

3779 (ix) Establish a system to obtain a more accurate registration of births,
3780 marriages and deaths than the system provided by the general statutes
3781 in a manner not inconsistent with the general statutes;

3782 (x) Control insect pests or plant diseases in any manner deemed
3783 appropriate;

3784 (xi) Provide for the health of the inhabitants of the municipality and
3785 do all things necessary or desirable to secure and promote the public
3786 health;

3787 (xii) Regulate the use of streets, sidewalks, highways, public places
3788 and grounds for public and private purposes;

3789 (xiii) Make and enforce police, sanitary or other similar regulations
3790 and protect or promote the peace, safety, good government and welfare
3791 of the municipality and its inhabitants;

3792 (xiv) Regulate, in addition to the requirements under section 7-282b,
3793 the installation, maintenance and operation of any device or equipment
3794 in a residence or place of business which is capable of automatically
3795 calling and relaying recorded emergency messages to any state police
3796 or municipal police or fire department telephone number or which is
3797 capable of automatically calling and relaying recorded emergency
3798 messages or other forms of emergency signals to an intermediate third
3799 party which shall thereafter call and relay such emergency messages to
3800 a state police or municipal police or fire department telephone number.
3801 Such regulations may provide for penalties for the transmittal of false
3802 alarms by such devices or equipment;

3803 (xv) Make and enforce regulations for the prevention and
3804 remediation of housing blight, including regulations reducing
3805 assessments and authorizing designated agents of the municipality to
3806 enter property during reasonable hours for the purpose of remediating
3807 blighted conditions, provided such regulations define housing blight
3808 and require such municipality to give written notice of any violation to

3809 the owner and occupant of the property and provide a reasonable
3810 opportunity for the owner and occupant to remediate the blighted
3811 conditions prior to any enforcement action being taken, and further
3812 provided such regulations shall not authorize such municipality or its
3813 designated agents to enter any dwelling house or structure on such
3814 property, and including regulations establishing a duty to maintain
3815 property and specifying standards to determine if there is neglect;
3816 prescribe civil penalties for the violation of such regulations of not less
3817 than ten or more than one hundred dollars for each day that a violation
3818 continues and, if such civil penalties are prescribed, such municipality
3819 shall adopt a citation hearing procedure in accordance with section 7-
3820 152c;

3821 (xvi) Regulate, on any property owned by or under the control of the
3822 municipality, any activity deemed to be deleterious to public health,
3823 including the [lighting or carrying] burning of a lighted cigarette, cigar,
3824 pipe or similar device, whether containing, wholly or in part, tobacco or
3825 cannabis, as defined in section 1 of this act, and the use or consumption
3826 of cannabis, including, but not limited to, electronic cannabis delivery
3827 systems, as defined in section 19a-342a, or vapor products, as defined in
3828 said section, containing cannabis. If the municipality's population is
3829 greater than fifty thousand, such regulations shall designate a place in
3830 the municipality in which public consumption of cannabis is permitted.
3831 Such regulations may prohibit the smoking of cannabis and the use of
3832 electronic cannabis delivery systems and vapor products containing
3833 cannabis in the outdoor sections of a restaurant. Such regulations may
3834 prescribe penalties for the violation of such regulations, provided such
3835 fine does not exceed fifty dollars for a violation of such regulations
3836 regarding consumption by an individual or a fine in excess of one
3837 thousand dollars to any business for a violation of such regulations;

3838 Sec. 85. (NEW) (*Effective July 1, 2021*) (a) For the school year
3839 commencing July 1, 2021, and biennially thereafter, the Department of
3840 Public Health shall administer the Connecticut School Health Survey to
3841 students in grades nine to twelve, inclusive, either with funding from

3842 the federal Centers for Disease Control and Prevention provided for
3843 such purpose, or within existing appropriations. The survey shall be
3844 based on the Youth Risk Behavior Survey developed by the federal
3845 Centers for Disease Control and Prevention. The department shall
3846 provide guidelines to the local or regional boards of education
3847 regarding the administration of the survey to those high schools selected
3848 at random by the federal Centers for Disease Control and Prevention.
3849 The local or regional boards of education of such randomly selected
3850 high schools shall administer the survey to each high school selected to
3851 participate in the survey in accordance with the guidelines provided by
3852 the department, including, but not be limited to, (1) the survey protocol
3853 as required by the federal Centers for Disease Control and Prevention,
3854 (2) the requirement to utilize passive parental consent before
3855 administering the survey, (3) the requirement for the survey to be
3856 anonymous and administered in a manner designed to protect student
3857 privacy, (4) the time frame for completion of the survey, and (5) the
3858 process by which the results of such survey are to be submitted to the
3859 department.

3860 (b) The Department of Public Health, in consultation with the
3861 Department of Mental Health and Addiction Services, the Office of
3862 Early Childhood, the Department of Children and Families, the
3863 Department of Education and any other agency or public interest group
3864 the department deems necessary, may develop additional survey
3865 questions to be included as part of the Connecticut School Health
3866 Survey that are relevant to the health concerns of high school students
3867 in the state.

3868 Sec. 86. Section 19a-342 of the general statutes is repealed and the
3869 following is substituted in lieu thereof (*Effective October 1, 2021*):

3870 (a) As used in this section: [, "smoke"]

3871 (1) "Smoke" or "smoking" means the [lighting or carrying] burning of
3872 a lighted cigarette, cigar, pipe or any other similar device, [.] whether

3873 containing, wholly or in part, tobacco, cannabis, or hemp;

3874 (2) "Any area" means the interior of the facility, building or
3875 establishment and the outside area within twenty-five feet of any
3876 doorway, operable window or air intake vent of the facility, building or
3877 establishment;

3878 (3) "Cannabis" means marijuana, as defined in section 21a-240; and

3879 (4) "Hemp" has the same meaning as provided in section 22-61l.

3880 (b) (1) Notwithstanding the provisions of section 31-40q, no person
3881 shall smoke: (A) In any area of a building or portion of a building,
3882 partially enclosed shelter on a rail platform or bus shelter owned and
3883 operated or leased and operated by the state or any political subdivision
3884 thereof; (B) in any area of a health care institution, including, but not
3885 limited to, a psychiatric facility; (C) in any area of a retail [food store]
3886 establishment accessed by the general public; (D) in any restaurant; (E)
3887 in any area of an establishment with a permit issued for the sale of
3888 alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-22, 30-22c,
3889 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-37e or 30-37f, in any area
3890 of an establishment with a permit for the sale of alcoholic liquor
3891 pursuant to section 30-23 issued after May 1, 2003, and, on and after
3892 April 1, 2004, in any area of an establishment with a permit issued for
3893 the sale of alcoholic liquor pursuant to section 30-22a or 30-26 or the bar
3894 area of a bowling establishment holding a permit pursuant to subsection
3895 (a) of section 30-37c; (F) [within] in any area of a school building or on
3896 the grounds of such school; (G) within a child care facility or on the
3897 grounds of such child care facility, except, if the child care facility is a
3898 family child care home, as defined in section 19a-77, such smoking is
3899 prohibited only when a child enrolled in such home is present during
3900 customary business hours; (H) in any passenger elevator; [provided no
3901 person shall be arrested for violating this subsection unless there is
3902 posted in such elevator a sign which indicates that smoking is
3903 prohibited by state law;] (I) in any area of a dormitory in any public or

3904 private institution of higher education; [or (J) on and after April 1, 2004,
3905 (I) in any area of a dog race track or a facility equipped with screens for
3906 the simulcasting of off-track betting race programs or jai alai games; (K)
3907 in any room offered as an accommodation to guests by the operator of a
3908 hotel, motel or similar lodging; or (L) in any area of a correctional facility
3909 or halfway house. For purposes of this subsection, "restaurant" means
3910 space, in a suitable and permanent building, kept, used, maintained,
3911 advertised and held out to the public to be a place where meals are
3912 regularly served to the public, "school" has the same meaning as
3913 provided in section 10-154a and "child care facility" has the same
3914 meaning as provided in section 19a-342a.

3915 (2) [This section] Subdivision (1) of this subsection shall not apply to
3916 [(A) correctional facilities; (B) designated smoking areas in psychiatric
3917 facilities; (C) public] the following: (A) Public housing projects, as
3918 defined in subsection (b) of section 21a-278a; [(D)] (B) any classroom
3919 where demonstration smoking is taking place as part of a medical or
3920 scientific experiment or lesson; [(E) smoking rooms provided by
3921 employers for employees, pursuant to section 31-40q; (F)] (C)
3922 notwithstanding the provisions of subparagraph (E) of subdivision (1)
3923 of this subsection, the outdoor portion of the premises of any permittee
3924 listed in subparagraph (E) of subdivision (1) of this subsection,
3925 provided, in the case of any seating area maintained for the service of
3926 food, at least seventy-five per cent of the outdoor seating capacity is an
3927 area in which smoking is prohibited and which is clearly designated
3928 with written signage as a nonsmoking area, except that any temporary
3929 seating area established for special events and not used on a regular
3930 basis shall not be subject to the smoking prohibition or signage
3931 requirements of this subparagraph; [(G)] (D) any medical research site
3932 where smoking is integral to the research being conducted; or [(H)] (E)
3933 any tobacco bar, provided no tobacco bar shall expand in size or change
3934 its location from its size or location as of December 31, 2002. For
3935 purposes of this subdivision, "outdoor" means an area which has no roof
3936 or other ceiling enclosure, "tobacco bar" means an establishment with a

3937 permit for the sale of alcoholic liquor to consumers issued pursuant to
3938 chapter 545 that, in the calendar year ending December 31, 2002,
3939 generated ten per cent or more of its total annual gross income from the
3940 on-site sale of tobacco products and the rental of on-site humidors, [and]
3941 "tobacco product" means any substance that contains tobacco,
3942 including, but not limited to, cigarettes, cigars, pipe tobacco or chewing
3943 tobacco, except "tobacco product" does not include cannabis.

3944 [(c) The operator of a hotel, motel or similar lodging may allow guests
3945 to smoke in not more than twenty-five per cent of the rooms offered as
3946 accommodations to guests.]

3947 [(d)] (c) In each room, elevator, area or building in which smoking is
3948 prohibited by this section, the person in control of the premises shall
3949 post or cause to be posted in a conspicuous place signs stating that
3950 smoking is prohibited by state law. Such signs, except in elevators,
3951 restaurants, establishments with permits to sell alcoholic liquor to
3952 consumers issued pursuant to chapter 545, hotels, motels or similar
3953 lodgings, and health care institutions, shall have letters at least four
3954 inches high with the principal strokes of letters not less than one-half
3955 inch wide.

3956 [(e)] (d) Any person found guilty of smoking in violation of this
3957 section, failure to post signs as required by this section or the
3958 unauthorized removal of such signs shall have committed an infraction.
3959 Nothing in this section shall be construed to require the person in
3960 control of a building to post such signs in every room of [a] the building,
3961 provided such signs are posted in a conspicuous place in [such] the
3962 building.

3963 [(f)] (e) Nothing in this section shall be construed to require any
3964 smoking area [in] inside or outside any building or the entryway to any
3965 building or on any property.

3966 [(g)] (f) The provisions of this section shall supersede and preempt
3967 the provisions of any municipal law or ordinance relative to smoking

3968 effective prior to, on or after October 1, 1993.

3969 Sec. 87. Section 19a-342a of the general statutes is repealed and the
3970 following is substituted in lieu thereof (*Effective October 1, 2021*):

3971 (a) As used in this section: [and section 2 of public act 15-206:]

3972 (1) "Any area" means the interior of the facility, building or
3973 establishment and the outside area within twenty-five feet of any
3974 doorway, operable window or air intake vent of the facility, building or
3975 establishment;

3976 ~~[(1)]~~ (2) "Child care facility" means a provider of child care services as
3977 defined in section 19a-77, or a person or entity required to be licensed
3978 under section 17a-145;

3979 ~~[(2)]~~ (3) "Electronic nicotine delivery system" [has the same meaning
3980 as provided in section 21a-415;] means an electronic device used in the
3981 delivery of nicotine to a person inhaling from the device, and includes,
3982 but is not limited to, an electronic cigarette, electronic cigar, electronic
3983 cigarillo, electronic pipe or electronic hookah and any related device and
3984 any cartridge or other component of such device, including, but not
3985 limited to, electronic cigarette liquid or synthetic nicotine. "Electronic
3986 nicotine delivery system" does not include a medicinal or therapeutic
3987 product that is (A) used by a licensed health care provider to treat a
3988 patient in a health care setting, (B) used by a patient, as prescribed or
3989 directed by a licensed healthcare provider in any setting, or (C) any drug
3990 or device, as defined in the Food, Drug and Cosmetic Act, 21 USC 321,
3991 as amended from time to time, any combination product, as described
3992 in said act, 21 USC 353(g), as amended from time to time, or any
3993 biological product, as described in 42 USC 262, as amended from time
3994 to time, and 21 CFR 600.3, as amended from time to time, authorized for
3995 sale by the federal Food and Drug Administration;

3996 (4) "Electronic cigarette liquid" does not include a medicinal or
3997 therapeutic product that is (A) used by a licensed health care provider

3998 to treat a patient in a health care setting, (B) used by a patient, as
3999 prescribed or directed by a licensed health care provider in any setting,
4000 or (C) any drug or device, as defined in the Food, Drug and Cosmetic
4001 Act, 21 USC 321, as amended from time to time, any combination
4002 product, as described in said act, 21 USC 353(g), as amended from time
4003 to time, or any biological product, as described in 42 USC 262, as
4004 amended from time to time, and 21 CFR 600.3, as amended from time to
4005 time, authorized for sale by the federal Food and Drug Administration;

4006 (5) "Electronic cannabis delivery system" means an electronic device
4007 that may be used to simulate smoking in the delivery of cannabis to a
4008 person inhaling the device and includes, but is not limited to, a
4009 vaporizer, electronic pipe, electronic hookah and any related device and
4010 any cartridge or other component of such device. "Electronic cannabis
4011 delivery system" does not include a medicinal or therapeutic product
4012 that is (A) used by a licensed health care provider to treat a patient in a
4013 health care setting, (B) used by a patient, as prescribed or directed by a
4014 licensed health care provider in any setting, or (C) any drug or device,
4015 as defined in the Food, Drug and Cosmetic Act, 21 USC 321, as amended
4016 from time to time, any combination product, as described in said act, 21
4017 USC 353(g), as amended from time to time, or any biological product, as
4018 described in 42 USC 262, as amended from time to time, and 21 CFR
4019 600.3, as amended from time to time, authorized for sale by the federal
4020 Food and Drug Administration;

4021 (6) "Cannabis" means marijuana, as defined in section 21a-240;

4022 [(3)] (7) "Liquid nicotine container" means a container that holds a
4023 liquid substance containing nicotine that is sold, marketed or intended
4024 for use in an electronic nicotine delivery system or vapor product,
4025 except "liquid nicotine container" does not include such a container that
4026 is prefilled and sealed by the manufacturer and not intended to be
4027 opened by the consumer; and

4028 [(4)] (8) "Vapor product" [has the same meaning as provided in

4029 section 21a-415] means any product that employs a heating element,
4030 power source, electronic circuit or other electronic, chemical or
4031 mechanical means, regardless of shape or size, to produce a vapor that
4032 may include nicotine or cannabis and is inhaled by the user of such
4033 product. "Vapor product" does not include a medicinal or therapeutic
4034 product that is (A) used by a licensed health care provider to treat a
4035 patient in a health care setting, (B) used by a patient, as prescribed or
4036 directed by a licensed health care provider in any setting, or (C) any
4037 drug or device, as defined in the Food, Drug and Cosmetic Act, 21 USC
4038 321, as amended from time to time, any combination product, as
4039 described in said act, 21 USC 353(g), as amended from time to time, or
4040 any biological product, as defined in 42 USC 262, as amended from time
4041 to time, and 21 CFR 600.3, as amended from time to time, authorized for
4042 sale by the federal Food and Drug Administration.

4043 (b) (1) No person shall use an electronic nicotine or cannabis delivery
4044 system or vapor product: (A) In any area of a building or portion of a
4045 building owned and operated or leased and operated by the state or any
4046 political subdivision thereof; (B) in any area of a health care institution,
4047 including, but not limited to, a psychiatric facility; (C) in any area of a
4048 retail [food store] establishment accessed by the public; (D) in any
4049 restaurant; (E) in any area of an establishment with a permit issued for
4050 the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-
4051 22, 30-22a, 30-22c, 30-26, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-
4052 37e or 30-37f, in any area of establishment with a permit issued for the
4053 sale of alcoholic liquor pursuant to section 30-23 issued after May 1,
4054 2003, or the bar area of a bowling establishment holding a permit
4055 pursuant to subsection (a) of section 30-37c; (F) [within] in any area of a
4056 school building or on the grounds of such school; (G) within a child care
4057 facility or on the grounds of such child care facility, except, if the child
4058 care facility is a family child care home as defined in section 19a-77, such
4059 use is prohibited only when a child enrolled in such home is present
4060 during customary business hours; (H) in any passenger elevator; [,
4061 provided no person shall be arrested for violating this subsection unless

4062 there is posted in such elevator a sign which indicates that such use is
4063 prohibited by state law;] (I) in any area of a dormitory in any public or
4064 private institution of higher education; [or] (J) in any area of a dog race
4065 track or a facility equipped with screens for the simulcasting of off-track
4066 betting race programs or jai alai games; (K) in any room offered as an
4067 accommodation to guests by the operator of a hotel, motel or similar
4068 lodging; or (L) in any area of a correctional facility, halfway house or
4069 residential facility funded by the Judicial Branch. For purposes of this
4070 subsection, "restaurant" means space, in a suitable and permanent
4071 building, kept, used, maintained, advertised and held out to the public
4072 to be a place where meals are regularly served to the public, and "school"
4073 has the same meaning as provided in section 10-154a.

4074 (2) [This section] Subdivision (1) of this subsection shall not apply to
4075 [(A) correctional facilities; (B) designated smoking areas in psychiatric
4076 facilities; (C) public] the following: (A) Public housing projects, as
4077 defined in subsection (b) of section 21a-278a; [(D)] (B) any classroom
4078 where a demonstration of the use of an electronic nicotine or cannabis
4079 delivery system or vapor product is taking place as part of a medical or
4080 scientific experiment or lesson; [(E)] (C) any medical research site where
4081 the use of an electronic nicotine or cannabis delivery system or vapor
4082 product is integral to the research being conducted; [(F)] (D)
4083 establishments without a permit for the sale of alcoholic liquor that sell
4084 electronic nicotine delivery systems, vapor products or liquid nicotine
4085 containers on-site and allow their customers to use such systems,
4086 products or containers on-site; [(G) smoking rooms provided by
4087 employers for employees, pursuant to section 31-40q; (H)] (E)
4088 notwithstanding the provisions of subparagraph (E) of subdivision (1)
4089 of this subsection, the outdoor portion of the premises of any permittee
4090 listed in subparagraph (E) of subdivision (1) of this subsection,
4091 provided, in the case of any seating area maintained for the service of
4092 food, at least seventy-five per cent of the outdoor seating capacity is an
4093 area in which smoking is prohibited and which is clearly designated
4094 with written signage as a nonsmoking area, except that any temporary

4095 seating area established for special events and not used on a regular
4096 basis shall not be subject to the prohibition on the use of an electronic
4097 nicotine or cannabis delivery system or vapor product or the signage
4098 requirements of this subparagraph; or [(I)] (F) any tobacco bar, provided
4099 no tobacco bar shall expand in size or change its location from its size or
4100 location as of October 1, 2015. For purposes of this subdivision,
4101 "outdoor" means an area which has no roof or other ceiling enclosure,
4102 "tobacco bar" means an establishment with a permit for the sale of
4103 alcoholic liquor to consumers issued pursuant to chapter 545 that, in the
4104 calendar year ending December 31, 2015, generated ten per cent or more
4105 of its total annual gross income from the on-site sale of tobacco products
4106 and the rental of on-site humidors, [and] "tobacco product" means any
4107 substance that contains tobacco, including, but not limited to, cigarettes,
4108 cigars, pipe tobacco or chewing tobacco, except that "tobacco product"
4109 does not include cannabis.

4110 [(c) The operator of a hotel, motel or similar lodging may allow guests
4111 to use an electronic nicotine delivery system or vapor product in not
4112 more than twenty-five per cent of the rooms offered as accommodations
4113 to guests.]

4114 [(d)] (c) In each room, elevator, area or building in which the use of
4115 an electronic nicotine or cannabis delivery system or vapor product is
4116 prohibited by this section, the person in control of the premises shall
4117 post or cause to be posted in a conspicuous place signs stating that such
4118 use is prohibited by state law. Such signs, except in elevators,
4119 restaurants, establishments with permits to sell alcoholic liquor to
4120 consumers issued pursuant to chapter 545, hotels, motels or similar
4121 lodgings, and health care institutions, shall have letters at least four
4122 inches high with the principal strokes of letters not less than one-half
4123 inch wide.

4124 [(e)] (d) Any person found guilty of using an electronic nicotine or
4125 cannabis delivery system or vapor product in violation of this section,
4126 failure to post signs as required by this section or the unauthorized

4127 removal of such signs shall have committed an infraction. Nothing in
4128 this section shall be construed to require the person in control of a
4129 building to post such signs in every room of the building, provided such
4130 signs are posted in a conspicuous place in the building.

4131 [(f)] (e) Nothing in this section shall be construed to require the
4132 designation of any area for the use of electronic nicotine or cannabis
4133 delivery system or vapor product [in] inside or outside any building or
4134 the entryway to any building or on any property.

4135 [(g)] (f) The provisions of this section shall supersede and preempt
4136 the provisions of any municipal law or ordinance relative to the use of
4137 an electronic nicotine delivery system or vapor product effective prior
4138 to, on or after October 1, 2015.

4139 Sec. 88. Section 31-40q of the general statutes is repealed and the
4140 following is substituted in lieu thereof (*Effective October 1, 2021*):

4141 (a) As used in this section:

4142 (1) "Person" means one or more individuals, partnerships,
4143 associations, corporations, limited liability companies, business trusts,
4144 legal representatives or any organized group of persons; [.]

4145 (2) "Employer" means a person engaged in business who has
4146 employees, including the state and any political subdivision thereof; [.]

4147 (3) "Employee" means any person engaged in service to an employer
4148 in the business of his employer; [.]

4149 (4) "Business facility" means a structurally enclosed location or
4150 portion thereof at which employees perform services for their employer.
4151 The term "business facility" does not include: (A) Facilities listed in
4152 [subparagraph (A), (C) or (H) of] subdivision (2) of subsection (b) of
4153 section 19a-342 or subdivision (2) of subsection (b) of section 19a-342a;
4154 (B) any establishment with a permit for the sale of alcoholic liquor
4155 pursuant to section 30-23 issued on or before May 1, 2003; (C) for any

4156 business that is engaged in the testing or development of tobacco, [or]
4157 tobacco products or cannabis, the areas of such business designated for
4158 such testing or development; or (D) during the period from October 1,
4159 2003, to April 1, 2004, establishments with a permit issued for the sale of
4160 alcoholic liquor pursuant to section 30-22a or 30-26 or the bar area of a
4161 bowling establishment holding a permit pursuant to subsection (a) of
4162 section 30-37c; [.]

4163 (5) ["Smoking"] "Smoke" or "smoking" means the burning of a lighted
4164 cigar, cigarette, pipe or any other [matter or substance which contains
4165 tobacco.] similar device, whether containing, wholly or in part, tobacco,
4166 cannabis or hemp;

4167 (6) "Cannabis" means marijuana, as defined in section 21a-240;

4168 (7) "Electronic nicotine delivery system" has the same meaning as
4169 provided in section 19a-342a;

4170 (8) "Electronic cannabis delivery system" has the same meaning as
4171 provided in section 19a-342a;

4172 (9) "Vapor product" has the same meaning as provided in section 19a-
4173 342a;

4174 (10) "Any area" has the same meaning as provided in section 19a-
4175 342a; and

4176 (11) "Hemp" has the same meaning as provided in section 22-61l.

4177 [(b) Each employer with fewer than five employees in a business
4178 facility shall establish one or more work areas, sufficient to
4179 accommodate nonsmokers who request to utilize such an area, within
4180 each business facility under his control, where smoking is prohibited.
4181 The employer shall clearly designate the existence and boundaries of
4182 each nonsmoking area by posting signs which can be readily seen by
4183 employees and visitors. In the areas within the business facility where
4184 smoking is permitted, existing physical barriers and ventilation systems

4185 shall be used to the extent practicable to minimize the effect of smoking
4186 in adjacent nonsmoking areas.]

4187 [(c) (1)] (b) Each employer [with five or more employees] shall
4188 prohibit smoking [in] and the use of electronic nicotine and cannabis
4189 delivery systems and vapor products in any area of any business facility
4190 under said employer's control. [, except that an employer may designate
4191 one or more smoking rooms.]

4192 [(2) Each employer that provides a smoking room pursuant to this
4193 subsection shall provide sufficient nonsmoking break rooms for
4194 nonsmoking employees.

4195 (3) Each smoking room designated by an employer pursuant to this
4196 subsection shall meet the following requirements: (A) Air from the
4197 smoking room shall be exhausted directly to the outside by an exhaust
4198 fan, and no air from such room shall be recirculated to other parts of the
4199 building; (B) the employer shall comply with any ventilation standard
4200 adopted by (i) the Commissioner of Labor pursuant to chapter 571, (ii)
4201 the United States Secretary of Labor under the authority of the
4202 Occupational Safety and Health Act of 1970, as from time to time
4203 amended, or (iii) the federal Environmental Protection Agency; (C) such
4204 room shall be located in a nonwork area, where no employee, as part of
4205 his or her work responsibilities, is required to enter, except such work
4206 responsibilities shall not include any custodial or maintenance work
4207 carried out in the smoking room when it is unoccupied; and (D) such
4208 room shall be for the use of employees only.]

4209 [(d)] (c) Nothing in this section may be construed to prohibit an
4210 employer from designating an entire business facility and the real
4211 property on which the business facility is located as a nonsmoking area.

4212 Sec. 89. (NEW) (*Effective July 1, 2022*) (a) As used in this section,
4213 "cannabis" has the same meaning as provided in section 1 of this act and
4214 "electronic cannabis delivery system" and "vapor product" have the
4215 same meanings as provided in section 19a-342a of the general statutes.

4216 No hotel, motel or similar lodging shall prohibit the legal possession or
4217 consumption of cannabis in any nonpublic area of such hotel, motel or
4218 similar lodging.

4219 (b) Notwithstanding the provisions of subsection (a) of this section, a
4220 hotel, motel or similar lodging shall prohibit the smoking of cannabis
4221 and the use of an electronic cannabis delivery system or a vapor product
4222 containing cannabis in any location of such hotel, motel or similar
4223 lodging.

4224 Sec. 90. (NEW) (*Effective July 1, 2022*) (a) As used in this section,
4225 "tenant", "landlord" and dwelling unit" have the same meanings as
4226 provided in section 47a-1 of the general statutes. Except as provided in
4227 this section, a landlord or property manager may not refuse to rent to a
4228 prospective tenant or an existing tenant, or otherwise discriminate
4229 against a prospective tenant or an existing tenant, based on a past
4230 conviction for possession of a cannabis-type substance under section
4231 21a-279a of the general statutes, or for a past conviction for possession
4232 of four or fewer ounces of cannabis plant material, and any
4233 equivalencies and combinations thereof, pursuant to subsection (h) of
4234 section 21a-279a of the general statutes in any other jurisdiction.

4235 (b) Except as provided in this section, in the case of the rental of a
4236 dwelling unit, a landlord or property manager may not prohibit the
4237 possession of cannabis or the consumption of cannabis, except a
4238 landlord or property manager may prohibit smoking of cannabis or use
4239 of an electronic cannabis device or cannabis vapor product, as such
4240 terms are defined in section 19a-342a of the general statutes.

4241 (c) A landlord or property manager may not require a tenant to
4242 submit to a drug test.

4243 (d) The provisions of this section do not apply if:

4244 (1) The tenant is a roomer who is not leasing the entire residence;

4245 (2) the residence is incidental to detention or the provision of medical,
4246 geriatric, educational, counseling, religious, or similar service;

4247 (3) The residence is a transitional housing or sober living facility; or

4248 (4) Failing to prohibit cannabis possession or consumption or failure
4249 to require a drug test would violate federal law or regulations or cause
4250 the landlord to lose a monetary or licensing-related benefit under
4251 federal law or regulations.

4252 Sec. 91. (NEW) (*Effective July 1, 2022*) The use of cannabis shall be
4253 prohibited on any state lands or waters managed by the Department of
4254 Energy and Environmental Protection. Any person who violates such
4255 prohibition shall be fined not more than two hundred fifty dollars. The
4256 provisions of this section may only be enforced by agents of the
4257 Department of Energy and Environmental Protection.

4258 Sec. 92. (NEW) (*Effective July 1, 2021*) The Commissioner of Correction
4259 may prohibit the possession of cannabis in any Department of
4260 Correction facility or halfway house.

4261 Sec. 93. (NEW) (*Effective July 1, 2022*) A drug test of an individual that
4262 yields a positive result solely for 11-nor-9-carboxy-delta-9-
4263 tetrahydrocannabinol shall not be construed, without other evidence, as
4264 proof that such individual is under the influence of or impaired by
4265 cannabis.

4266 Sec. 94. (NEW) (*Effective July 1, 2021*) The presence of cannabinoid
4267 metabolites in the bodily fluids of a person:

4268 (1) With respect to a patient, shall not constitute the use of an illicit
4269 substance resulting in denial of medical care, including organ
4270 transplantation, and a patient's use of cannabis products may only be
4271 considered with respect to evidence-based clinical criteria; and

4272 (2) With respect to a parent or legal guardian of a child or newborn
4273 infant, or a pregnant woman, shall not form the sole or primary basis for

4274 any action or proceeding by the Department of Children and Families,
4275 or any successor agencies provided, nothing in this subdivision shall
4276 preclude any action or proceeding by such department based on harm
4277 or risk of harm to a child or the use of information on the presence of
4278 cannabinoid metabolites in the bodily fluids of any person in any action
4279 or proceeding.

4280 Sec. 95. (NEW) (*Effective July 1, 2021*) A drug test of a student that
4281 yields a positive result solely for 11-nor-9-carboxy-delta-9-
4282 tetrahydrocannabinol shall not form the sole basis for an educational
4283 institution to refuse to enroll or to continue to enroll, or otherwise
4284 penalize such student, unless failing to do so would put the educational
4285 institution in violation of a federal contract or cause it to lose federal
4286 funding, or such student is being drug tested as required by the National
4287 Collegiate Athletic Association and any such action is taken as required
4288 by the policies of the National Collegiate Athletic Association.

4289 Sec. 96. (NEW) (*Effective July 1, 2021*) No institution of higher
4290 education, as defined in section 10a-55 of the general statutes, shall
4291 revoke any financial aid, student loans, or expel a student, solely for use
4292 or possession of less than (1) four ounces of cannabis plant material, (2)
4293 an equivalent amount of cannabis product, as provided in subsection
4294 (h) of section 21a-279a of the general statutes, or (3) an equivalent
4295 amount of a combination of cannabis and cannabis product, as provided
4296 in subsection (h) of section 21a-279a of the general statutes, unless
4297 complying with the provisions of this section would violate federal law
4298 or a federal contract, or failing to take the actions prohibited under this
4299 section would jeopardize an institution of higher education's federal
4300 funding.

4301 Sec. 97. (NEW) (*Effective July 1, 2022*) As used in this section and
4302 sections 98 to 101, inclusive, of this act:

4303 (1) "Employee" means any individual employed or permitted to work
4304 by an employer, or an independent contractor;

4305 (2) "Employer" has the same meaning as provided in section 31-58 of
4306 the general statutes;

4307 (3) "Exempted employer" means an employer whose primary activity
4308 is (A) mining, including, but not limited to, an employer with a two-
4309 digit North American Industry Classification System code of 21, (B)
4310 utilities, including, but not limited to, any employer with a two-digit
4311 North American Industry Classification System code of 22, (C)
4312 construction, including, but not limited to, an employer with a two-digit
4313 North American Industry Classification System code of 23, (D)
4314 manufacturing, including, but not limited to, an employer with a two-
4315 digit North American Industry Classification System code of 31, 32 or
4316 33, (E) transportation or delivery, including, but not limited to, an
4317 employer with a two-digit North American Industry Classification
4318 System code of 48 or 49, (F) educational services, including, but not
4319 limited to, an employer with a two-digit North American Industry
4320 Classification System Code of 61, (G) health care or social services,
4321 including, but not limited to, an employer with a two-digit North
4322 American Industry Classification System Code of 62, (H) justice, public
4323 order, and safety activities, including, but not limited to, an employer
4324 with a four-digit North American Industry Classification System code
4325 of 9221, or (I) national security and international affairs, including, but
4326 not limited to, those with a three-digit North American Industry
4327 Classification System code of 928. As used in this subdivision,
4328 "Employer" includes any subdivision of a business entity that is a
4329 standalone business unit, including, but not limited to, having its own
4330 executive leadership, having some or significant autonomy and having
4331 its own financial statements and results;

4332 (4) "Exempted position" means a position:

4333 (A) As a firefighter;

4334 (B) As an emergency medical technician;

4335 (C) As a police officer or peace officer, in a position with a law

4336 enforcement or investigative function at a state or local agency or in a
4337 position with the Department of Correction involving direct contact
4338 with inmates;

4339 (D) Requiring operation of a motor vehicle, for which federal or state
4340 law requires any employee such position to submit to screening tests,
4341 including, but not limited to, any position requiring a commercial
4342 driver's license or any position subject to 49 CFR 40, 14 CFR 120 or 49
4343 CFR 16;

4344 (E) Requiring certification of completion of a course in construction
4345 safety and health approved by the federal Occupational Safety and
4346 Health Administration;

4347 (F) Requiring a federal Department of Defense or Department of
4348 Energy national security clearance;

4349 (G) For which the provisions of sections 98 to 101, inclusive, of this
4350 act, are inconsistent or otherwise in conflict with the provisions of an
4351 employment contract or collective bargaining agreement;

4352 (H) For which the provisions of sections 98 to 101, inclusive, of this
4353 act, would be inconsistent or otherwise in conflict with any provision of
4354 federal law;

4355 (I) Funded in whole or in part by a federal grant;

4356 (J) Requiring certification of completion of a course in construction
4357 safety and health approved by the federal Occupational Safety and
4358 Health Administration;

4359 (K) Requiring the supervision or care of children, medical patients or
4360 vulnerable persons;

4361 (L) With the potential to adversely impact the health or safety of
4362 employees or members of the public, in the determination of the
4363 employer;

4364 (M) At a nonprofit organization or corporation, the primary purpose
4365 of which is to discourage use of cannabis products or any other drug by
4366 the general public; or

4367 (N) At an exempt employer.

4368 (5) "Exempted employee" means an employee holding an exempted
4369 position or working for an exempted employer;

4370 (6) "On call" means a period of time for which an employee (A) is
4371 scheduled with at least twenty-four hours' notice by his or her employer
4372 to be on standby or otherwise responsible for performing tasks related
4373 to his or her employment, either at the employer's premises or other
4374 previously designated location by his or her employer or supervisor to
4375 perform a work-related task, and (B) is being compensated for such
4376 scheduled time;

4377 (7) "Work hours" means any period of time for which such employee
4378 is compensated by an employer and is performing job duties or is
4379 reasonably expected to be performing job duties; and

4380 (8) "Workplace" means the employer's premises, including any
4381 building, real property, and parking area under the control of the
4382 employer, and area used by an employee while in the performance of
4383 the employee's job duties, and the employer's vehicles, whether leased,
4384 rented, or owned.

4385 Sec. 98. (NEW) (*Effective July 1, 2022*) (a) No employer shall be
4386 required to make accommodations for an employee or be required to
4387 allow an employee to: (1) Perform his or her duties while under the
4388 influence of cannabis, or (2) possess, use or otherwise consume cannabis
4389 while performing such duties or on the premises of the employer, except
4390 possession of palliative cannabis by a qualifying patient under chapter
4391 420f of the general statutes.

4392 (b) (1) An employer may implement a policy prohibiting the

4393 possession, use or other consumption of cannabis by an employee,
4394 except (A) as provided in section 21a-408p of the general statutes, and
4395 (B) for possession of palliative cannabis by a qualifying patient under
4396 chapter 420f of the general statutes, provided such policy is: (i) In
4397 writing in either physical or electronic form, and (ii) made available to
4398 each employee prior to the enactment of such policy. The employer shall
4399 make any such policy available to each prospective employee at the time
4400 the employer makes an offer or conditional offer of employment to the
4401 prospective employee.

4402 (2) (A) No employer shall discharge from employment or take any
4403 adverse action against any employee with respect to compensation,
4404 terms, conditions or other privileges of employment because such
4405 employee does or does not smoke, vape, aerosolize or otherwise use
4406 cannabis products outside of the workplace, unless such employment
4407 action is made pursuant to a policy established under subdivision (1) of
4408 this subsection.

4409 (B) No employer shall discharge from employment or take any
4410 adverse action against any employee or prospective employee with
4411 respect to compensation, terms, conditions, refusal to hire or other
4412 privileges of employment because such employee or prospective
4413 employee had or had not smoked, vaped, aerosolized or otherwise used
4414 cannabis products outside of the workplace before such employee or
4415 prospective employee was employed by such employer, unless failing
4416 to do so would put the employer in violation of a federal contract or
4417 cause it to lose federal funding.

4418 (c) Nothing in sections 97 to 101, inclusive, of this act: (1) Requires an
4419 employer to amend or repeal, or affect, restrict or preempt the rights and
4420 obligations of employers to maintain a drug and alcohol-free workplace,
4421 or (2) shall limit an employer from taking appropriate adverse or other
4422 employment action upon (A) reasonable suspicion of an employee's
4423 usage of cannabis while engaged in the performance of the employee's
4424 work responsibilities at the workplace or on call, or (B) determining that

4425 an employee manifests specific, articulable symptoms of drug
4426 impairment while working at the workplace or on call that decrease or
4427 lessen the employee's performance of the duties or tasks of the
4428 employee's job position, including, but not limited to, (i) symptoms of
4429 the employee's speech, physical dexterity, agility, coordination,
4430 demeanor, irrational or unusual behavior, or negligence or carelessness
4431 in operating equipment of machinery, (ii) disregard for the safety of the
4432 employee or others, or involvement in any accident that results in
4433 serious damage to equipment or property, (iii) disruption of a
4434 production or manufacturing process, or (iv) carelessness that results in
4435 any injury to the employee or others.

4436 (d) (1) The provisions of subsection (b) of this section shall not apply
4437 to an exempted employer, an exempted employee or to any employee
4438 who holds or is applying for an exempted position.

4439 (2) Nothing in sections 97 to 101, inclusive, of this act, shall limit or
4440 prevent an employer from subjecting an employee or applicant to drug
4441 testing or a fitness for duty evaluation, or from taking adverse action,
4442 including, but not limited to, disciplining an employee, terminating the
4443 employment of an employee or rescinding a conditional job offer to a
4444 prospective employee pursuant to a policy established under
4445 subdivision (1) of subsection (b) of this section.

4446 Sec. 99. (NEW) (*Effective July 1, 2022*) A drug test of a prospective or
4447 existing employee, other than a prospective or existing exempted
4448 employee, that yields a positive result solely for 11-nor-9-carboxy-delta-
4449 9-tetrahydrocannabinol, shall not form the sole basis for refusal to
4450 employ or to continue to employ or otherwise penalize such prospective
4451 or existing employee, unless (1) failing to do so would put the employer
4452 in violation of a federal contract or cause it to lose federal funding, (2)
4453 the employer reasonably suspects an employee's usage of cannabis
4454 while engaged in the performance of the employee's work
4455 responsibilities, (3) the employee manifests specific, articulable
4456 symptoms of drug impairment while working that decrease or lessen

4457 the employee's performance of the duties or tasks of the employee's job
4458 position, including, but not limited to, (A) symptoms of the employee's
4459 speech, physical dexterity, agility, coordination, demeanor, irrational or
4460 unusual behavior or negligence or carelessness in operating equipment
4461 of machinery, (B) disregard for the safety of the employee or others, or
4462 involvement in any accident that results in serious damage to
4463 equipment or property, (C) disruption of a production or manufacturing
4464 process, or (D) carelessness that results in any injury to the employee or
4465 others, or (4) except as provided in section 21a-408p of the general
4466 statutes, such drug test was pursuant to a random drug testing policy
4467 pursuant to subdivision (1) of subsection (b) of section 98 of this act or
4468 was of a prospective employee with a conditional job offer, and such
4469 employer has established in such policy that a positive drug test for 11-
4470 nor-9-carboxy-delta-9-tetrahydrocannabinol may result in an adverse
4471 employment action.

4472 Sec. 100. (NEW) (*Effective July 1, 2022*) (a) Except as provided in
4473 subsection (b) of this section, if an employer has violated any provision
4474 of section 98 or 99 of this act, an individual aggrieved by such violation
4475 may bring a civil action for judicial enforcement of such provision in the
4476 superior court for the judicial district where the violation is alleged to
4477 have occurred, or where the employer has its principal office, within
4478 ninety days of such alleged violation, except any action involving a state
4479 agency may be brought in the superior court for the judicial district of
4480 Hartford. Any individual who prevails in such civil action may be
4481 awarded reinstatement of the individual's previous employment or job
4482 offer, back wages and reasonable attorney's fees and costs, to be taxed
4483 by the court.

4484 (b) Nothing in this section shall be construed to create or imply a
4485 cause of action for any person against an employer: (1) For actions taken
4486 based on the employer's good faith belief that an employee used or
4487 possessed cannabis, except possession of palliative cannabis by a
4488 qualifying patient under chapter 420f of the general statutes, in the
4489 employer's workplace, while performing the employee's job duties,

4490 during work hours, or while on call in violation of the employer's
4491 employment policies; (2) for actions taken, including discipline or
4492 termination of employment, based on the employer's good faith belief
4493 that an employee was unfit for duty or impaired as a result of the use of
4494 cannabis, or under the influence of cannabis, while at the employer's
4495 workplace, while performing the employee's job duties, during work
4496 hours or while on call in violation of the employer's workplace drug
4497 policy; (3) for injury, loss or liability to a third party if the employer
4498 neither knew nor had reason to know that the employee was impaired
4499 by cannabis; (4) for subjecting an employee to drug testing or a fitness
4500 for duty evaluation, pursuant to a policy established under subdivision
4501 (1) of subsection (b) of section 98 of this act; (5) for subjecting a
4502 prospective employee to drug testing or taking adverse action against a
4503 prospective employee, including, but not limited to, rescission of a
4504 conditional job offer, based on the results of a drug test, so long as no
4505 employer takes adverse action against a prospective employee in regard
4506 to a drug test that is solely positive for 11-nor-9-carboxy-delta-9-
4507 tetrahydrocannabinol unless such employer is an exempted employer,
4508 such prospective employee is applying for an exempted position, or the
4509 employer has established in an employment policy pursuant to
4510 subdivision (1) of subsection (b) of section 98 of this act that a positive
4511 drug test for 11-nor-9-carboxy-delta-9-tetrahydrocannabinol may result
4512 in adverse employment action; or (6) if such employer is an exempted
4513 employer or the claims are regarding an exempted position.

4514 (c) Notwithstanding the provisions of chapter 557 of the general
4515 statutes, no employer, officer, agent or other person who violates any
4516 provision of sections 98 to 101, inclusive, of this act shall be liable to the
4517 Labor Department for a civil penalty, nor shall the Labor Department
4518 undertake an investigation of an employer, officer, agent or other person
4519 based solely on an allegation that such employer, officer, agent or other
4520 person violated the provisions of this section.

4521 Sec. 101. (NEW) (*Effective July 1, 2021*) (a) Notwithstanding the
4522 provisions of sections 98 to 100, inclusive, of this act, nothing in

4523 RERACA shall be construed to apply to drug testing, conditions of
4524 continued employment or conditions for hiring employees required
4525 pursuant to:

4526 (1) Any regulation of the federal Department of Transportation, if
4527 such regulation requires testing of a prospective employee in
4528 accordance with 49 CFR 40 or any regulations of state agencies that
4529 adopt a federal regulation for purposes of enforcing the requirements of
4530 such regulation with respect to intrastate commerce;

4531 (2) Any contract entered into between the federal government and an
4532 employer or any grant of financial assistance from the federal
4533 government to an employer that requires drug testing of prospective
4534 employees as a condition of receiving the contract or grant;

4535 (3) Any federal law or state statute, regulation or order that requires
4536 drug testing of prospective employees for safety or security purposes;
4537 or

4538 (4) Any applicant whose prospective employer is a party to a valid
4539 collective bargaining agreement that specifically addresses drug testing,
4540 conditions of hiring, or conditions of continued employment of such
4541 applicant.

4542 (b) Nothing in sections 98 to 100, inclusive, of this act, shall apply to
4543 the privileges, qualifications, credentialing, review or discipline of
4544 nonemployee, licensed healthcare professionals on the medical staff, as
4545 described in 42 CFR 482.22, of a hospital or other medical organization.

4546 Sec. 102. (NEW) (*Effective July 1, 2021*) (a) As used in this section:

4547 (1) "Bona fide labor organization" means a labor union that (A)
4548 represents employees in this state with regard to wages, hours and
4549 working conditions, (B) whose officers have been elected by a secret
4550 ballot or otherwise in a manner consistent with federal law, (C) is free
4551 of domination or interference by any employer and has received no

4552 improper assistance or support from any employer, and (D) is actively
4553 seeking to represent cannabis workers in the state;

4554 (2) "Labor peace agreement" means an agreement between a cannabis
4555 establishment and a bona fide labor organization pursuant to which the
4556 owners and management of the cannabis establishment agree to remain
4557 neutral in any effort to organize the employees of the cannabis
4558 establishment and that prohibits the bona fide labor organization and
4559 any employees they are attempting to organize from engaging in
4560 picketing, work stoppages or boycotts against the cannabis
4561 establishment;

4562 (3) "Cannabis establishment", "dispensary facility" and "producer"
4563 have the same meanings as provided in section 1 of this act; and

4564 (4) "Licensee" means a cannabis establishment licensee, dispensary
4565 facility or producer.

4566 (b) Any provisional cannabis establishment licensee, dispensary
4567 facility or producer shall, as a condition of its final license approval,
4568 license conversion or approval for expanded authorization,
4569 respectively, make a good faith effort to enter into a labor peace
4570 agreement with a bona fide labor organization. Any such labor peace
4571 agreement shall contain a clause that the parties agree that final and
4572 binding arbitration by a neutral arbitrator will be the exclusive remedy
4573 for any violation of such agreement.

4574 (c) Notwithstanding the provisions of chapter 54 of the general
4575 statutes, if an arbitrator finds that a licensee failed to comply with an
4576 order issued by the arbitrator to correct a failure to abide by such
4577 agreement, upon receipt of a written copy of such finding, the
4578 department shall suspend the licensee's license without further
4579 administrative proceedings or formal hearing.

4580 (d) A licensee or bona fide labor organization may commence a civil
4581 action in the Superior Court in the judicial district where the facility

4582 used in the operation of a cannabis establishment is located to enforce
4583 the arbitration award or to lift the license suspension. The license shall
4584 remain suspended until such time that (1) the arbitrator notifies, or both
4585 of the parties to the arbitration notify, the department that the licensee
4586 is in compliance with the arbitration award; (2) both of the parties to the
4587 arbitration notify the department that they have satisfactorily resolved
4588 their dispute; (3) the court, after hearing, lifts the suspension; or (4) the
4589 court, after hearing, orders alternative remedies, which may include, but
4590 need not be limited to, ordering the department to revoke the license or
4591 ordering the appointment of a receiver to properly dispose of any
4592 cannabis inventory. Except as provided in subsection (e) of this section,
4593 during such time that a license is suspended pursuant to this section,
4594 the licensee may engage in conduct necessary to maintain and secure
4595 the cannabis inventory, but may not sell, transport or transfer cannabis
4596 to another cannabis establishment, consumer or laboratory, unless such
4597 sale or transfer is associated with a voluntary surrender of license and a
4598 cannabis disposition plan approved by the commissioner.

4599 (e) A producer, cultivator or micro-cultivator may sell, transport or
4600 transfer cannabis to a product packager, food or beverage manufacturer,
4601 product manufacturer, dispensary facility or hybrid retailer for the sale
4602 of products to qualified patients or caregivers, which products shall be
4603 labeled "For Medical Use Only".

4604 Sec. 103. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
4605 "project labor agreement" means an agreement between a subcontractor
4606 or contractor and a cannabis establishment that: (1) Binds all contractors
4607 and subcontractors on the covered project to the project labor agreement
4608 through the inclusion of specifications in all relevant solicitation
4609 provisions and contract documents; (2) allows all contractors and
4610 subcontractors to compete for contracts and subcontracts on the project
4611 without regard to whether they are otherwise parties to collective
4612 bargaining agreements; (3) establishes uniform terms and conditions of
4613 employment for all construction labor employed on the projects; (4)
4614 guarantees against strikes, lockouts and similar job disruptions; (5) sets

4615 forth mutually binding procedures for resolving labor disputes arising
4616 during the project labor agreement; and (6) includes any other
4617 provisions as negotiated by the parties to promote successful delivery
4618 of the covered project; and "employee organization" means any lawful
4619 association, labor organization, federation or council having as a
4620 primary purpose the improvement of wages, hours and other
4621 conditions of employment for employees of cannabis establishments.

4622 (b) A project for the construction or renovation of any facility for the
4623 operation of a cannabis establishment in an amount of five million
4624 dollars or greater shall be the subject of a project labor agreement
4625 between the contractors and subcontractors of such project and the
4626 cannabis establishment. A contractor, subcontractor or employee
4627 organization may enforce the provisions of this section or seek remedies
4628 for noncompliance with a project labor agreement entered into under
4629 this section by commencing a civil action in the Superior Court in the
4630 judicial district where the cannabis establishment project is located. The
4631 court, after hearing, may order penalties of not more than ten thousand
4632 dollars per day for each violation of the project labor agreement by the
4633 cannabis establishment. A failure of a cannabis establishment to comply
4634 with the provisions of this section shall not be the basis for any
4635 administrative action by the Department of Consumer Protection.

4636 Sec. 104. (NEW) (*Effective July 1, 2021*) As used in this section,
4637 "hospital" has the same meaning as provided in section 19a-490 of the
4638 general statutes and "cannabis" has the same meaning as provided in
4639 section 1 of this act. No hospital shall be required to allow a patient to
4640 use cannabis while at such hospital. A hospital may have a policy that
4641 sets forth restrictions patients shall follow regarding cannabis use.

4642 Sec. 105. (NEW) (*Effective July 1, 2021*) Any cannabis establishment
4643 licensee or any servant or agent of a licensee who sells or delivers
4644 cannabis or cannabis paraphernalia to any person under twenty-one
4645 years of age shall be guilty of a class A misdemeanor. For purposes of
4646 this section, "paraphernalia" has the same meaning as provided in

4647 section 1 of this act.

4648 Sec. 106. (NEW) (*Effective July 1, 2021*) (a) A cannabis establishment
4649 issued a license pursuant to RERACA or an agent or employee of such
4650 licensee may require any person whose age is in question to have such
4651 person's photograph be taken by, and a photocopy of such person's
4652 driver's license or identity card issued in accordance with the provisions
4653 of section 1-1h of the general statutes be made by, such licensee, agent
4654 or employee as a condition of selling or delivering cannabis or cannabis
4655 products to such person.

4656 (b) No licensee or agent or employee of a licensee shall use a
4657 photograph taken or a photocopy made pursuant to subsection (a) of
4658 this section for a purpose other than the purpose specified in said
4659 subsection.

4660 (c) No licensee or agent or employee of a licensee shall sell or
4661 otherwise disseminate a photograph taken or a photocopy made
4662 pursuant to subsection (a) of this section, or any information derived
4663 from such photograph or photocopy, to any third party for any purpose
4664 including, but not limited to, any marketing, advertising or promotional
4665 activities, except that a licensee or an agent or employee of a licensee
4666 may release such photograph, photocopy or information pursuant to a
4667 court order.

4668 (d) In any prosecution of a licensee or an agent or employee of a
4669 licensee for selling or delivering cannabis to a person under twenty-one
4670 years of age in violation of section 105 of this act, or for providing
4671 cannabis to a person under twenty-one years of age in violation of
4672 section 163 of this act, it shall be an affirmative defense that such
4673 licensee, agent or employee sold or delivered cannabis to such person in
4674 good faith and in reasonable reliance upon the identification presented
4675 by such person and, pursuant to subsection (a) of this section,
4676 photographed the person and made a photocopy of such identification.
4677 In support of such defense, such licensee, agent or employee may

4678 introduce evidence of such photograph and photocopy.

4679 (e) The Commissioner of Consumer Protection may require a
4680 cannabis establishment to use an online age verification system.

4681 Sec. 107. (NEW) (*Effective July 1, 2021*) Any person who induces any
4682 person under twenty-one years of age to procure cannabis from any
4683 person licensed to sell such cannabis shall be guilty of a class A
4684 misdemeanor. The provisions of this section shall not apply to (1) the
4685 procurement of cannabis by a person over eighteen years of age who is
4686 an employee registered pursuant to the provisions of section 29 of this
4687 act where such procurement is made in the course of such person's
4688 employment or business, or (2) any such inducement in furtherance of
4689 an official investigation or enforcement activity conducted by a law
4690 enforcement agency. Nothing in this section shall be construed to
4691 prevent any action from being taken against any person permitted to
4692 sell cannabis who has sold cannabis to a person under twenty-one years
4693 of age who is participating in an official investigation or enforcement
4694 activity conducted by a law enforcement agency.

4695 Sec. 108. (NEW) (*Effective July 1, 2021*) (a) Each person who attains the
4696 age of twenty-one years and has a motor vehicle operator's license or
4697 identity card issued in accordance with the provisions of section 1-1h of
4698 the general statutes, containing a full-face photograph of such person,
4699 may use, and each licensee may accept, such license as legal proof of the
4700 age of the person for the purposes of RERACA.

4701 (b) Any person who, for the purpose of procuring cannabis,
4702 misrepresents his or her age or uses or exhibits an operator's license
4703 belonging to any other person shall for (1) a first offense, be fined not
4704 more than two hundred fifty dollars, and (2) any subsequent offense, be
4705 guilty of a class D misdemeanor.

4706 (c) The provisions of this section shall not apply to any person
4707 employed by, or who has contracted directly or indirectly with, a state
4708 agency for the purposes of testing the age verification and product

4709 controls of cannabis retailers while performing such testing duties.

4710 Sec. 109. (NEW) (*Effective July 1, 2021*) (a) No person having
4711 possession of, or exercising dominion and control over, any dwelling
4712 unit or private property shall: (1) Knowingly or recklessly permit any
4713 person under twenty-one years of age to possess cannabis in violation
4714 of section 21-279a of the general statutes, in such dwelling unit or on
4715 such private property, or (2) knowing that any person under twenty-one
4716 years of age possesses cannabis in violation of section 21-279a of the
4717 general statutes, in such dwelling unit or on such private property, fail
4718 to make reasonable efforts to halt such possession.

4719 (b) Any person who violates the provisions of subsection (a) of this
4720 section shall be guilty of a class A misdemeanor.

4721 Sec. 110. (NEW) (*Effective July 1, 2021*) (a) No retailer or hybrid retailer
4722 or employee or agent of a retailer or hybrid retailer shall permit any
4723 person under twenty-one years of age to loiter on his or her premises
4724 where cannabis is kept for sale or be in any room on such premises
4725 where cannabis is consumed, unless such person is (1) an employee of
4726 the retailer or hybrid retailer, (2) in the case of hybrid retailer or
4727 employee or agent of a hybrid retailer, permitted under chapter 420f of
4728 the general statutes to possess or consume cannabis, or (3) accompanied
4729 by his or her parent or guardian.

4730 (b) Any retailer or hybrid retailer or employee or agent of a retailer
4731 or hybrid retailer who violates the provisions of subsection (a) of this
4732 section shall be (1) fined not more than one thousand dollars for a first
4733 offense, and (2) guilty of a class B misdemeanor for any subsequent
4734 offense.

4735 Sec. 111. Section 30-89a of the general statutes is repealed and the
4736 following is substituted in lieu thereof (*Effective July 1, 2021*):

4737 (a) No person having possession of, or exercising dominion and
4738 control over, any dwelling unit or private property shall (1) knowingly

4739 [] or recklessly [or with criminal negligence] permit any minor to
4740 possess alcoholic liquor in violation of subsection (b) of section 30-89 in
4741 such dwelling unit or on such private property, or (2) knowing that any
4742 minor possesses alcoholic liquor in violation of subsection (b) of section
4743 30-89 in such dwelling unit or on such private property, fail to make
4744 reasonable efforts to halt such possession. For the purposes of this
4745 subsection, "minor" means a person under twenty-one years of age.

4746 (b) Any person who violates the provisions of subsection (a) of this
4747 section shall be guilty of a class A misdemeanor.

4748 Sec. 112. (NEW) (*Effective July 1, 2021*) (a) A person is guilty of
4749 smoking, otherwise inhaling or ingesting cannabis, as defined in section
4750 1 of this act, while operating a motor vehicle when he or she smokes,
4751 otherwise inhales or ingests cannabis, as defined in section 1 of this act,
4752 while operating a motor vehicle upon a public highway of this state or
4753 upon any road of any specially chartered municipal association or of
4754 any district organized under the provisions of chapter 105 of the general
4755 statutes, a purpose of which is the construction and maintenance of
4756 roads and sidewalks, or in any parking area for ten cars or more, or upon
4757 any private road on which a speed limit has been established in
4758 accordance with the provisions of section 14-218a of the general statutes
4759 or upon any school property. No person shall be convicted of smoking
4760 or otherwise inhaling or ingesting cannabis while operating a motor
4761 vehicle and possessing or having under such person's control a
4762 controlled substance upon the same transaction. A person may be
4763 charged and prosecuted for either or each such offense, a violation of
4764 operating a motor vehicle while under the influence of any drug and
4765 any other applicable offense upon the same information.

4766 (b) Smoking, otherwise inhaling or ingesting cannabis while
4767 operating a motor vehicle is a class C misdemeanor.

4768 (c) No peace officer shall stop a motor vehicle for a violation of this
4769 section if such violation is the sole reason for such stop.

4770 Sec. 113. (NEW) (*Effective July 1, 2021*) (a) A person is guilty of
4771 smoking or otherwise inhaling or ingesting cannabis, as defined in
4772 section 1 of this act, in a motor vehicle when he or she smokes or
4773 otherwise inhales or ingests cannabis in a motor vehicle that is being
4774 operated by another person upon a public highway of this state or upon
4775 any road of any specially chartered municipal association or of any
4776 district organized under the provisions of chapter 105 of the general
4777 statutes, a purpose of which is the construction and maintenance of
4778 roads and sidewalks, or in any parking area for ten cars or more, or upon
4779 any private road on which a speed limit has been established in
4780 accordance with the provisions of section 14-218a of the general statutes
4781 or upon any school property. No person shall be convicted of smoking
4782 or otherwise inhaling or ingesting cannabis as a passenger in a motor
4783 vehicle and possessing or having under such person's control a
4784 controlled substance upon the same transaction, but such person may
4785 be charged and prosecuted for both offenses upon the same information.

4786 (b) Smoking or otherwise inhaling or ingesting cannabis in a motor
4787 vehicle is a class D misdemeanor.

4788 (c) No peace officer shall stop a motor vehicle for a violation of this
4789 section if such violation is the sole reason for such stop.

4790 Sec. 114. (NEW) (*Effective July 1, 2021*) (a) Not later than January 1,
4791 2022, each law enforcement unit shall report to the Police Officer
4792 Standards and Training Council, in the manner specified by the council,
4793 a recommendation as to the minimum number of officers that such law
4794 enforcement unit should have accredited as drug recognition experts in
4795 order to ensure adequate availability of drug recognition experts to
4796 respond to instances of impaired driving, allowing that law enforcement
4797 units may call upon drug recognition experts from other law
4798 enforcement units as necessary and available. Such recommendation
4799 shall be based on data on impaired driving made available to law
4800 enforcement units by the Department of Transportation and any
4801 guidance issued by the council.

4802 (b) The Police Officer Standards and Training Council, in conjunction
4803 with the Highway Safety Office within the Department of
4804 Transportation, shall determine the minimum number of police officers
4805 to be accredited as drug recognition experts for each law enforcement
4806 unit. In making such determination, the council and office shall consider
4807 the recommendation made by each law enforcement unit pursuant to
4808 subsection (a) of this section. The council and office shall submit the
4809 results of such determination to the Governor and the Secretary of the
4810 Office of Policy and Management not later than July 1, 2022. The council
4811 and office shall update and submit such determination to the Governor
4812 and Secretary of the Office of Policy and Management no less frequently
4813 than once every three years.

4814 (c) Not later than April 1, 2022, the Police Officer Standards and
4815 Training Council shall develop and promulgate a model policy to
4816 ensure that enough police officers become trained drug recognition
4817 experts in each law enforcement unit to meet the minimum number
4818 established in subsection (b) of this section.

4819 (d) Not later than October 1, 2022, each law enforcement unit shall
4820 adopt and maintain a written policy that meets or exceeds the standards
4821 of the model policy developed pursuant to subsection (c) of this section.

4822 (e) Not later than January 1, 2022, the Police Officer Standards and
4823 Training Council and the Highway Safety Office within the Department
4824 of Transportation shall jointly issue a plan to increase access to
4825 advanced roadside impaired driving enforcement training and drug
4826 recognition expert training for police officers and law enforcement units
4827 in the state. The council and office shall update such plan no less
4828 frequently than once every three years.

4829 (f) On and after January 1, 2022, each police officer who has not yet
4830 been recertified pursuant to section 7-294e of the general statutes for the
4831 second time after receiving an initial certification, shall complete
4832 training and receive certification in advanced roadside impaired driving

4833 enforcement prior to being recertified pursuant to section 7-294e of the
4834 general statutes.

4835 (g) For purposes of this section, "advanced roadside impaired driving
4836 enforcement" means a program developed by the National Highway
4837 Traffic Safety Administration with the International Association of
4838 Chiefs of Police and the Technical Advisory Panel, which focuses on
4839 impaired driving enforcement education for police officers, or any
4840 successor to such program; "drug recognition expert" means a person
4841 certified by the International Association of Chiefs of Police as having
4842 met all requirements of the International Drug Evaluation and
4843 Classification Program; "law enforcement unit" has the same meaning
4844 as provided in section 7-294a of the general statutes; and "Police Officer
4845 Standards and Training Council" means the council established under
4846 section 7-294b of the general statutes.

4847 Sec. 115. Subsection (a) of section 14-111e of the general statutes is
4848 repealed and the following is substituted in lieu thereof (*Effective April*
4849 *1, 2022*):

4850 (a) (1) The Commissioner of Motor Vehicles shall suspend, for a
4851 period of one hundred fifty days, the motor vehicle operator's license or
4852 nonresident operating privilege of any person who has been convicted
4853 of a violation of section 30-88a involving the misuse of an operator's
4854 license and who was under the age of twenty-one at the time of such
4855 violation.

4856 (2) The commissioner shall suspend, for a period of sixty days, the
4857 motor vehicle operator's license or nonresident operating privilege of
4858 any person who has been convicted of a violation of subdivision (1) of
4859 subsection (b) of section 30-89 [.] or subsection [(a)] (b), or (c) of section
4860 21a-279a [or subsection (d) of section 21a-267] and who was under the
4861 age of twenty-one at the time of such violation.

4862 (3) The commissioner shall suspend, for a period of thirty days, the

4863 motor vehicle operator's license or nonresident operating privilege of
4864 any person who has been convicted of a violation of subdivision (2) of
4865 subsection (b) of section 30-89 and who was under the age of twenty-
4866 one at the time of such violation.

4867 Sec. 116. Subsections (a) to (e), inclusive, of section 14-227a of the
4868 general statutes are repealed and the following is substituted in lieu
4869 thereof (*Effective April 1, 2022*):

4870 (a) No person shall operate a motor vehicle while under the influence
4871 of intoxicating liquor or any drug or both. A person commits the offense
4872 of operating a motor vehicle while under the influence of intoxicating
4873 liquor or any drug or both if such person operates a motor vehicle (1)
4874 while under the influence of intoxicating liquor or any drug or both, or
4875 (2) while such person has an elevated blood alcohol content. For the
4876 purposes of this section, "elevated blood alcohol content" means a ratio
4877 of alcohol in the blood of such person that is eight-hundredths of one
4878 per cent or more of alcohol, by weight, except that if such person is
4879 operating a commercial motor vehicle, "elevated blood alcohol content"
4880 means a ratio of alcohol in the blood of such person that is four-
4881 hundredths of one per cent or more of alcohol, by weight, and "motor
4882 vehicle" includes a snowmobile and all-terrain vehicle, as those terms
4883 are defined in section 14-379. For purposes of this section, section 14-
4884 227b and section 14-227c, (A) "advanced roadside impaired driving
4885 enforcement" means a program developed by the National Highway
4886 Traffic Safety Administration with the International Association of
4887 Chiefs of Police and the Technical Advisory Panel, which focuses on
4888 impaired driving enforcement education for police officers, or any
4889 successor to such program; (B) "drug influence evaluation" means an
4890 evaluation developed by the National Highway Traffic Safety
4891 Administration and the International Association of Chiefs of Police that
4892 is conducted by a drug recognition expert to determine the level of a
4893 person's impairment from the use of drugs and the drug category
4894 causing such impairment; (C) "drug recognition expert" means a person
4895 certified by the International Association of Chiefs of Police as having

4896 met all requirements of the International Drug Evaluation and
4897 Classification Program; and (D) "nontestimonial portion of a drug
4898 influence evaluation" means a drug influence evaluation conducted by
4899 a drug recognition expert that does not include a verbal interview with
4900 the subject.

4901 (b) Except as provided in subsection (c) of this section, in any criminal
4902 prosecution for violation of subsection (a) of this section, evidence
4903 respecting the amount of alcohol or drug in the defendant's blood or
4904 urine at the time of the alleged offense, as shown by a chemical
4905 [analysis] test of the defendant's breath, blood or urine, shall be
4906 admissible and competent provided: (1) The defendant was afforded a
4907 reasonable opportunity to telephone an attorney prior to the
4908 performance of the test and consented to the taking of the test upon
4909 which such analysis is made; (2) a true copy of the report of the test
4910 result was mailed to or personally delivered to the defendant within
4911 twenty-four hours or by the end of the next regular business day, after
4912 such result was known, whichever is later; (3) the test was performed
4913 by or at the direction of a police officer according to methods and with
4914 equipment approved by the Department of Emergency Services and
4915 Public Protection and was performed in accordance with the regulations
4916 adopted under subsection (d) of this section; (4) the device used for such
4917 test was checked for accuracy in accordance with the regulations
4918 adopted under subsection (d) of this section; (5) an additional chemical
4919 test of the same type was performed at least ten minutes after the initial
4920 test was performed or, if requested by the police officer for reasonable
4921 cause, an additional chemical test of a different type was performed,
4922 including a test to detect the presence of a drug or drugs other than or
4923 in addition to alcohol, provided the results of the initial test shall not be
4924 inadmissible under this subsection if reasonable efforts were made to
4925 have such additional test performed in accordance with the conditions
4926 set forth in this subsection and (A) such additional test was not
4927 performed or was not performed within a reasonable time, or (B) the
4928 results of such additional test are not admissible for failure to meet a

4929 condition set forth in this subsection; and (6) evidence is presented that
4930 the test was commenced within two hours of operation. In any
4931 prosecution under this section it shall be a rebuttable presumption that
4932 the results of such chemical [analysis] test establish the ratio of alcohol
4933 in the blood of the defendant at the time of the alleged offense, except
4934 that if the results of the additional test indicate that the ratio of alcohol
4935 in the blood of such defendant is ten-hundredths of one per cent or less
4936 of alcohol, by weight, and is higher than the results of the first test,
4937 evidence shall be presented that demonstrates that the test results and
4938 the analysis thereof accurately indicate the blood alcohol content at the
4939 time of the alleged offense.

4940 (c) In any prosecution for a violation of subdivision (1) of subsection
4941 (a) of this section, reliable evidence respecting the amount of alcohol in
4942 the defendant's blood or urine at the time of the alleged offense, as
4943 shown by a chemical analysis of the defendant's blood, breath or urine,
4944 otherwise admissible under subdivision (1) of subsection (b) of this
4945 section, shall be admissible only at the request of the defendant.

4946 (d) The Commissioner of Emergency Services and Public Protection
4947 shall ascertain the reliability of each method and type of device offered
4948 for chemical testing [and analysis purposes] of blood, of breath and of
4949 urine and certify those methods and types which [said] the
4950 commissioner finds suitable for use in testing [and analysis] of blood,
4951 breath and urine, respectively, in this state. The Commissioner of
4952 Emergency Services and Public Protection shall adopt regulations, in
4953 accordance with chapter 54, governing the conduct of chemical tests, the
4954 operation and use of chemical test devices, the training and certification
4955 of operators of such devices and the drawing or obtaining of blood,
4956 breath or urine samples as [said] the commissioner finds necessary to
4957 protect the health and safety of persons who submit to chemical tests
4958 and to insure reasonable accuracy in testing results. Such regulations
4959 shall not require recertification of a police officer solely because such
4960 officer terminates such officer's employment with the law enforcement
4961 agency for which certification was originally issued and commences

4962 employment with another such agency.

4963 (e) (1) In any criminal prosecution for a violation of subsection (a) of
4964 this section, evidence that the defendant refused to submit to a blood,
4965 breath or urine test or the nontestimonial portion of a drug influence
4966 evaluation requested in accordance with section 14-227b shall be
4967 admissible provided the requirements of subsection (b) of said section
4968 have been satisfied. If a case involving a violation of subsection (a) of
4969 this section is tried to a jury, the court shall instruct the jury as to any
4970 inference that may or may not be drawn from the defendant's refusal to
4971 submit to [a blood, breath or urine test] such a test or evaluation.

4972 (2) In any prosecution for a violation of subdivision (1) of subsection
4973 (a) of this section in which it is alleged that the defendant's operation of
4974 a motor vehicle was impaired, in whole or in part, by consumption of
4975 cannabis, as defined in section 1 of this act, the court may take judicial
4976 notice that the ingestion of cannabis (A) can impair a person's ability to
4977 operate a motor vehicle; (B) can cause impairment of motor function,
4978 reaction time, tracking ability, cognitive attention, decision-making,
4979 judgment, perception, peripheral vision, impulse control or memory;
4980 and (C) does not enhance a person's ability to safely operate a motor
4981 vehicle.

4982 Sec. 117. Subsection (j) of section 14-227a of the general statutes is
4983 repealed and the following is substituted in lieu thereof (*Effective April*
4984 *1, 2022*):

4985 (j) In addition to any fine or sentence imposed pursuant to the
4986 provisions of subsection (g) of this section, the court may order such
4987 person to participate in an alcohol education and treatment program or
4988 the pretrial impaired driving intervention program established under
4989 section 167 of this act, if such person was operating a motor vehicle
4990 under the influence of intoxicating liquor or under the influence of both
4991 intoxicating liquor and any drug.

4992 Sec. 118. Section 14-227b of the general statutes is repealed and the

4993 following is substituted in lieu thereof (*Effective April 1, 2022*):

4994 (a) Any person who operates a motor vehicle in this state shall be
4995 deemed to have given such person's consent to: [a] (1) A chemical
4996 [analysis] test of such person's blood, breath or urine; [and, if] and (2) a
4997 nontestimonial portion of a drug influence evaluation conducted by a
4998 drug recognition expert. If such person is a minor, such person's parent
4999 or parents or guardian shall also be deemed to have given their consent
5000 for such test or evaluation.

5001 [(b) If any such person, having been placed under arrest for a
5002 violation of section 14-227a or 14-227m or subdivision (1) or (2) of
5003 subsection (a) of section 14-227n, and thereafter, after being apprised of
5004 such person's constitutional rights, having been requested to submit to
5005 a blood, breath or urine test at the option of the police officer, having
5006 been afforded a reasonable opportunity to telephone an attorney prior
5007 to the performance of such test and having been informed that such
5008 person's license or nonresident operating privilege may be suspended
5009 in accordance with the provisions of this section if such person refuses
5010 to submit to such test, or if such person submits to such test and the
5011 results of such test indicate that such person has an elevated blood
5012 alcohol content, and that evidence of any such refusal shall be
5013 admissible in accordance with subsection (e) of section 14-227a and may
5014 be used against such person in any criminal prosecution, refuses to
5015 submit to the designated test, the test shall not be given; provided, if the
5016 person refuses or is unable to submit to a blood test, the police officer
5017 shall designate the breath or urine test as the test to be taken. The police
5018 officer shall make a notation upon the records of the police department
5019 that such officer informed the person that such person's license or
5020 nonresident operating privilege may be suspended if such person
5021 refused to submit to such test or if such person submitted to such test
5022 and the results of such test indicated that such person had an elevated
5023 blood alcohol content.]

5024 (b) (1) A police officer who has placed a person under arrest for a

5025 violation of section 14-227a, 14-227m or subdivision (1) or (2) of
5026 subsection (a) of section 14-227n may request that such person submit
5027 to a blood, breath or urine test at the option of the police officer, a drug
5028 influence evaluation conducted by a drug recognition expert, or both,
5029 after such person has been (A) apprised of such person's constitutional
5030 rights; (B) afforded a reasonable opportunity to telephone an attorney
5031 prior to the performance of such test or evaluation; (C) informed that
5032 evidence of any refusal to submit to such test or evaluation shall be
5033 admissible in accordance with subsection (e) of section 14-227a and may
5034 be used against such person in any criminal prosecution, except that
5035 refusal to submit to the testimonial portions of a drug influence
5036 evaluation shall not be considered evidence of refusal of such evaluation
5037 for purposes of any criminal prosecution; and (D) informed that such
5038 person's license or operating privilege may be suspended in accordance
5039 with the provisions of this section if (i) such person refuses to submit to
5040 such test or the nontestimonial portion of a drug influence evaluation,
5041 (ii) such person submits to such test and the results of such test indicate
5042 that such person has an elevated blood alcohol content, or (iii) the officer
5043 concludes, through investigation, that such person was operating a
5044 motor vehicle under the influence of intoxicating liquor or any drug, or
5045 both.

5046 (2) If the person refuses to submit to any test or drug influence
5047 evaluation, the test or evaluation shall not be given, except if the person
5048 refuses or is unable to submit to a blood test, the police officer shall
5049 designate another test to be taken. If a person submits to a breath test
5050 and the police officer, for reasonable cause, requests an additional
5051 chemical test of a different type to detect the presence of a drug or drugs
5052 other than or in addition to alcohol, the officer may administer such test,
5053 except that if such person refuses or is unable to submit to a blood test,
5054 the officer shall designate a urine test to be taken. The police officer shall
5055 make a notation upon the records of the law enforcement unit, as
5056 defined in section 7-294a, that such officer informed the person that such
5057 person's license or operating privilege may be suspended if (A) such

5058 person refused to submit to such test or nontestimonial portion of a drug
5059 influence evaluation; (B) such person submitted to such test and the
5060 results of such test indicated that such person had an elevated blood
5061 alcohol content; or (C) the officer concludes, through investigation, that
5062 such person was operating a motor vehicle under the influence of
5063 intoxicating liquor or any drug, or both.

5064 (c) If the person arrested refuses to submit to such test or [analysis]
5065 nontestimonial portion of a drug influence evaluation or submits to such
5066 test, [or analysis,] commenced within two hours of the time of operation,
5067 and the results of such test [or analysis] indicate that such person has an
5068 elevated blood alcohol content, the police officer, acting on behalf of the
5069 Commissioner of Motor Vehicles, shall immediately revoke and take
5070 possession of the motor vehicle operator's license or, if such person is
5071 not licensed or is a nonresident, suspend the [nonresident] operating
5072 privilege of such person, for a twenty-four-hour period. The police
5073 officer shall prepare a report of the incident and shall mail or otherwise
5074 transmit in accordance with this subsection the report and a copy of the
5075 results of any chemical test [or analysis] to the Department of Motor
5076 Vehicles within three business days. The report shall contain such
5077 information as prescribed by the Commissioner of Motor Vehicles and
5078 shall be subscribed and sworn to under penalty of false statement as
5079 provided in section 53a-157b by the arresting officer. If the person
5080 arrested refused to submit to such test or [analysis] evaluation, the
5081 report shall be endorsed by a third person who witnessed such refusal.
5082 The report shall set forth the grounds for the officer's belief that there
5083 was probable cause to arrest such person for a violation of section 14-
5084 227a or 14-227m or subdivision (1) or (2) of subsection (a) of section 14-
5085 227n and shall state that such person had refused to submit to such test
5086 or [analysis] evaluation when requested by such police officer to do so
5087 or that such person submitted to such test, [or analysis,] commenced
5088 within two hours of the time of operation, and the results of such test
5089 [or analysis] indicated that such person had an elevated blood alcohol
5090 content. The Commissioner of Motor Vehicles may accept a police

5091 report under this subsection that is prepared and transmitted as an
5092 electronic record, including electronic signature or signatures, subject to
5093 such security procedures as the commissioner may specify and in
5094 accordance with the provisions of sections 1-266 to 1-286, inclusive. In
5095 any hearing conducted pursuant to the provisions of subsection (g) of
5096 this section, it shall not be a ground for objection to the admissibility of
5097 a police report that it is an electronic record prepared by electronic
5098 means.

5099 [(d) If the person arrested submits to a blood or urine test at the
5100 request of the police officer, and the specimen requires laboratory
5101 analysis in order to obtain the test results, the police officer shall not take
5102 possession of the motor vehicle operator's license of such person or,
5103 except as provided in this subsection, follow the procedures subsequent
5104 to taking possession of the operator's license as set forth in subsection
5105 (c) of this section. If the test results indicate that such person has an
5106 elevated blood alcohol content, the police officer, immediately upon
5107 receipt of the test results, shall notify the Commissioner of Motor
5108 Vehicles and submit to the commissioner the written report required
5109 pursuant to subsection (c) of this section.]

5110 (d) If a police officer who has placed a person under arrest for a
5111 violation of section 14-227a or 14-227m or subdivision (1) or (2) of
5112 subsection (a) of section 14-227n does not request that such person
5113 submit to a blood, breath or urine test under subsection (b) of this
5114 section, or obtains results from a test administered under subsection (b)
5115 of this section that indicate that the person does not have an elevated
5116 blood alcohol content, such officer shall:

5117 (1) Advise such person that such person's license or operating
5118 privilege may be suspended in accordance with the provisions of this
5119 section if such police officer concludes, through investigation, that such
5120 person was operating a motor vehicle under the influence of
5121 intoxicating liquor or any drug, or both; and

5122 (2) Submit a report to the commissioner in accordance with the
5123 procedure set forth in subsection (c) of this section and, if such report
5124 contains the results of a blood, breath or urine test that does not show
5125 an elevated blood alcohol content, such report shall conform to the
5126 requirements in subsection (c) of this section for reports that contain
5127 results showing an elevated blood alcohol content. In any report
5128 submitted under this subdivision, the officer shall document (A) the
5129 basis for the officer's belief that there was probable cause to arrest such
5130 person for a violation of section 14-227a or 14-227m or subdivision (1)
5131 or (2) of subsection (a) of section 14-227n, and (B) whether the officer
5132 concluded, through investigation, that the person was operating a
5133 motor vehicle under the influence of intoxicating liquor or any drug, or
5134 both. With such report, the officer may submit other supporting
5135 documentation indicating the person's intoxication by liquor or any
5136 drug, or both. If the officer concludes, through investigation, that the
5137 person was operating a motor vehicle under the influence of
5138 intoxicating liquor or any drug, or both, the officer shall immediately
5139 revoke and take possession of the motor vehicle operator's license or, if
5140 such person is not licensed or is a nonresident, suspend the operating
5141 privilege of such person for a twenty-four-hour period.

5142 (e) (1) Except as provided in subdivision (2) of this subsection, upon
5143 receipt of [such] a report submitted under subsection (c) or (d) of this
5144 section, the [Commissioner of Motor Vehicles] commissioner may
5145 suspend any operator's license or [nonresident] operating privilege of
5146 such person effective as of a date certain, which date certain shall be not
5147 later than thirty days [after] from the later of the date such person
5148 received (A) notice of such person's arrest by the police officer, or (B) the
5149 results of a blood or urine test or a drug influence evaluation. Any
5150 person whose operator's license or [nonresident] operating privilege has
5151 been suspended in accordance with this subdivision shall automatically
5152 be entitled to a hearing before the commissioner to be held in accordance
5153 with the provisions of chapter 54 and prior to the effective date of the
5154 suspension. The commissioner shall send a suspension notice to such

5155 person informing such person that such person's operator's license or
5156 [nonresident] operating privilege is suspended as of a date certain and
5157 that such person is entitled to a hearing prior to the effective date of the
5158 suspension and may schedule such hearing by contacting the
5159 Department of Motor Vehicles not later than seven days after the date
5160 of mailing of such suspension notice.

5161 (2) [If the person arrested (A) is] Upon receipt of a report that (A) the
5162 person's arrest involved [in] an accident resulting in a fatality, or (B) the
5163 person has previously had such person's operator's license or
5164 [nonresident] operating privilege suspended under the provisions of
5165 section 14-227a, 14-227m or 14-227n during the ten-year period
5166 preceding the present arrest, [upon receipt of such report, the
5167 Commissioner of Motor Vehicles] the commissioner may suspend any
5168 operator's license or [nonresident] operating privilege of such person
5169 effective as of the date specified in a notice of such suspension to such
5170 person. [Any] A person whose operator's license or [nonresident]
5171 operating privilege has been suspended in accordance with this
5172 subdivision shall automatically be entitled to a hearing before the
5173 commissioner, to be held in accordance with the provisions of chapter
5174 54. The commissioner shall send a suspension notice to such person
5175 informing such person that such person's operator's license or
5176 [nonresident] operating privilege is suspended as of the date specified
5177 in such suspension notice, and that such person is entitled to a hearing
5178 and may schedule such hearing by contacting the Department of Motor
5179 Vehicles not later than seven days after the date of mailing of such
5180 suspension notice. Any suspension issued under this subdivision shall
5181 remain in effect until such suspension is affirmed under subsection (f)
5182 of this section or such operator's license or [nonresident] operating
5183 privilege is reinstated in accordance with [subsections (f) and]
5184 subsection (h) of this section.

5185 (f) If such person does not contact the department to schedule a
5186 hearing, the commissioner shall affirm the suspension contained in the
5187 suspension notice for the appropriate period specified in subsection (i)

5188 of this section.

5189 (g) (1) If such person contacts the department to schedule a hearing,
5190 the department shall assign a date, time and place for the hearing, which
5191 date shall be prior to the effective date of the suspension, except that,
5192 with respect to a person whose operator's license or [nonresident]
5193 operating privilege is suspended in accordance with subdivision (2) of
5194 subsection (e) of this section, such hearing shall be scheduled not later
5195 than thirty days after such person contacts the department. At the
5196 request of such person, the hearing officer or the department and upon
5197 a showing of good cause, the commissioner may grant one or more
5198 continuances. [The hearing]

5199 (2) A hearing based on a report submitted under subsection (c) of this
5200 section shall be limited to a determination of the following issues: [(1)]
5201 (A) Did the police officer have probable cause to arrest the person for
5202 operating a motor vehicle while under the influence of intoxicating
5203 liquor or any drug, or both; [(2)] (B) was such person placed under
5204 arrest; [(3)] (C) did such person (i) refuse to submit to such test or
5205 [analysis or did such person] nontestimonial portion of a drug influence
5206 evaluation, or (ii) submit to such test, [or analysis,] commenced within
5207 two hours of the time of operation, and the results of such test [or
5208 analysis] indicated that such person had an elevated blood alcohol
5209 content; and [(4)] (D) was such person operating the motor vehicle.

5210 (3) A hearing based on a report submitted under subsection (d) of this
5211 section shall be limited to a determination of the following issues: (A)
5212 Did the police officer have probable cause to arrest the person for
5213 operating a motor vehicle while under the influence of intoxicating
5214 liquor or any drug, or both; (B) was such person placed under arrest; (C)
5215 was such person operating a motor vehicle under the influence of
5216 intoxicating liquor or any drug, or both; and (D) was such person
5217 operating the motor vehicle.

5218 (4) In [the] a hearing under this subsection, the results of the test, [or

5219 analysis] if administered, shall be sufficient to indicate the ratio of
5220 alcohol in the blood of such person at the time of operation, provided
5221 such test was commenced within two hours of the time of operation.
5222 The fees of any witness summoned to appear at [the] a hearing under
5223 this subsection shall be the same as provided by the general statutes for
5224 witnesses in criminal cases. Notwithstanding the provisions of
5225 subsection (a) of section 52-143, any subpoena summoning a police
5226 officer as a witness shall be served not less than seventy-two hours prior
5227 to the designated time of the hearing.

5228 (5) In a hearing based on a report submitted under subsection (d) of
5229 this section, evidence of operation under the influence of intoxicating
5230 liquor or any drug, or both shall be admissible. Such evidence may
5231 include, but need not be limited to, (A) the police officer's observations
5232 of intoxication, as documented in a report submitted to the
5233 commissioner under subsection (d) of this section; (B) the results of any
5234 chemical test administered under this section or a toxicology report
5235 certified by the Division of Scientific Services within the Department of
5236 Emergency Services and Public Protection; (C) hospital or medical
5237 records obtained in accordance with subsection (j) of this section or by
5238 the consent of the operator; (D) the results of any tests conducted by, or
5239 the report of, an officer trained in advanced roadside impaired driving
5240 enforcement; or (E) reports of drug recognition experts.

5241 (h) If, after [such] a hearing under subdivision (2) of subsection (g) of
5242 this section, the commissioner finds in the negative on any one of the
5243 [said] issues [in the negative] specified in subparagraph (A), (B), (C) or
5244 (D) of said subdivision, the commissioner shall reinstate such license or
5245 operating privilege. If, after a hearing under subdivision (3) of
5246 subsection (g) of this section, the commissioner finds in the negative on
5247 any one of the issues specified in subparagraph (A), (B), (C) or (D) of
5248 said subdivision, the commissioner shall reinstate such license or
5249 operating privilege. If, after such hearing under subdivision (2) or (3) of
5250 subsection (g) of this section, the commissioner does not find on any one
5251 of [the] said issues in the negative or if such person fails to appear at

5252 such hearing, the commissioner shall affirm the suspension contained
5253 in the suspension notice for the appropriate period specified in
5254 subsection (i) of this section. The commissioner shall render a decision
5255 at the conclusion of such hearing and send a notice of the decision by
5256 bulk certified mail to such person. The notice of such decision sent by
5257 bulk certified mail to the address of such person as shown by the records
5258 of the commissioner shall be sufficient notice to such person that such
5259 person's operator's license or [nonresident] operating privilege is
5260 reinstated or suspended, as the case may be.

5261 (i) (1) The commissioner shall suspend the operator's license or
5262 [nonresident] operating privilege of a person who did not contact the
5263 department to schedule a hearing, who failed to appear at a hearing, or
5264 against whom a decision was issued, after a hearing, pursuant to
5265 subsection (h) of this section, as of the effective date contained in the
5266 suspension notice, for a period of forty-five days. As a condition for the
5267 restoration of such operator's license or [nonresident] operating
5268 privilege, such person shall be required to install an ignition interlock
5269 device on each motor vehicle owned or operated by such person and,
5270 upon such restoration, be prohibited from operating a motor vehicle
5271 unless such motor vehicle is equipped with a functioning, approved
5272 ignition interlock device, as defined in section 14-227j, for the longer of
5273 either (A) the period prescribed in subdivision (2) of this subsection for
5274 the present arrest and suspension, or (B) the period prescribed in
5275 subdivision (1), (2) or (3) of subsection (g) of section 14-227a or
5276 subdivision (1), (2) or (3) of subsection (c) of section 14-227m or
5277 subdivision (1) or (2) of subsection (c) of section 14-227n for the present
5278 arrest and conviction, if any.

5279 (2) (A) A person twenty-one years of age or older at the time of the
5280 arrest who submitted to a test [or analysis] and the results of such test
5281 [or analysis] indicated that such person had an elevated blood alcohol
5282 content, or was found to have been operating a motor vehicle under the
5283 influence of intoxicating liquor or any drug, or both based on a report
5284 filed pursuant to subsection (d) of this section, shall install and maintain

5285 an ignition interlock device for the following periods: (i) For a first
5286 suspension under this section, six months; (ii) for a second suspension
5287 under this section, one year; and (iii) for a third or subsequent
5288 suspension under this section, two years; (B) a person under twenty-one
5289 years of age at the time of the arrest who submitted to a test [or analysis]
5290 and the results of such test [or analysis] indicated that such person had
5291 an elevated blood alcohol content, or was found to have been operating
5292 a motor vehicle under the influence of intoxicating liquor or any drug,
5293 or both based on a report filed pursuant to subsection (d) of this section,
5294 shall install and maintain an ignition interlock device for the following
5295 periods: (i) For a first suspension under this section, one year; (ii) for a
5296 second suspension under this section, two years; and (iii) for a third or
5297 subsequent suspension under this section, three years; and (C) a person,
5298 regardless of age, who refused to submit to a test or [analysis]
5299 nontestimonial portion of a drug influence evaluation shall install and
5300 maintain an ignition interlock device for the following periods: (i) For a
5301 first suspension under this section, one year; (ii) for a second suspension
5302 under this section, two years; and (iii) for a third or subsequent
5303 suspension, under this section, three years.

5304 (3) Notwithstanding the provisions of subdivisions (1) and (2) of this
5305 subsection, a person whose motor vehicle operator's license or
5306 [nonresident] operating privilege has been permanently revoked upon
5307 a third offense pursuant to subsection (g) of section 14-227a or
5308 subsection (c) of section 14-227m shall be subject to the penalties
5309 prescribed in subdivision (2) of subsection (i) of section 14-111.

5310 (j) Notwithstanding the provisions of subsections (b) to (i), inclusive,
5311 of this section, any police officer who obtains the results of a [chemical
5312 analysis] test of a blood sample taken from or a urine sample provided
5313 by an operator of a motor vehicle who was involved in an accident and
5314 suffered or allegedly suffered physical injury in such accident, or who
5315 was otherwise deemed by a police officer to require treatment or
5316 observation at a hospital, shall notify the [Commissioner of Motor
5317 Vehicles] commissioner and submit to the commissioner a written

5318 report if such results indicate that such person had an elevated blood
5319 alcohol content, or any quantity of an intoxicating liquor or any drug, or
5320 both, in such person's blood, and if such person was arrested for
5321 violation of section 14-227a or 14-227m or subdivision (1) or (2) of
5322 subsection (a) of section 14-227n. The report shall be made on a form
5323 approved by the commissioner containing such information as the
5324 commissioner prescribes, and shall be subscribed and sworn to under
5325 penalty of false statement, as provided in section 53a-157b, by the police
5326 officer. The commissioner may, after notice and an opportunity for
5327 hearing, which shall be conducted by a hearing officer on behalf of the
5328 commissioner in accordance with chapter 54, suspend the motor vehicle
5329 operator's license or [nonresident] operating privilege of such person for
5330 the appropriate period of time specified in subsection (i) of this section
5331 and require such person to install and maintain an ignition interlock
5332 device for the appropriate period of time prescribed in subsection (i) of
5333 this section. Each hearing conducted under this subsection shall be
5334 limited to a determination of the following issues: (1) Whether the police
5335 officer had probable cause to arrest the person for operating a motor
5336 vehicle while under the influence of intoxicating liquor or drug, or both;
5337 (2) whether such person was placed under arrest; (3) whether such
5338 person was operating the motor vehicle; (4) whether (A) the results of
5339 the analysis of the blood or urine of such person indicate that such
5340 person had an elevated blood alcohol content, or (B) the person was
5341 operating a motor vehicle under the influence of intoxicating liquor or
5342 any drug, or both; and (5) in the event that a blood sample was taken,
5343 whether the blood sample was obtained in accordance with conditions
5344 for admissibility and competence as evidence as set forth in subsection
5345 (k) of section 14-227a. If, after such hearing, the commissioner finds on
5346 any one of the said issues in the negative, the commissioner shall not
5347 impose a suspension. The fees of any witness summoned to appear at
5348 the hearing shall be the same as provided by the general statutes for
5349 witnesses in criminal cases, as provided in section 52-260.

5350 (k) The provisions of this section shall apply with the same effect to

5351 the refusal by any person to submit to an additional chemical test as
5352 provided in subparagraph (E) of subdivision [(5)] (1) of subsection (b)
5353 of section 14-227a.

5354 (l) The provisions of this section shall not apply to any person whose
5355 physical condition is such that, according to competent medical advice,
5356 such test would be inadvisable.

5357 (m) The state shall pay the reasonable charges of any physician who,
5358 at the request of a [municipal police department] law enforcement unit,
5359 as defined in section 7-294a, takes a blood sample for purposes of a test
5360 under the provisions of this section.

5361 (n) For the purposes of this section, "elevated blood alcohol content"
5362 means (1) a ratio of alcohol in the blood of such person that is eight-
5363 hundredths of one per cent or more of alcohol, by weight, (2) if such
5364 person is operating a commercial motor vehicle, a ratio of alcohol in the
5365 blood of such person that is four-hundredths of one per cent or more of
5366 alcohol, by weight, or (3) if such person is less than twenty-one years of
5367 age, a ratio of alcohol in the blood of such person that is two-hundredths
5368 of one per cent or more of alcohol, by weight.

5369 (o) The Commissioner of Motor Vehicles shall adopt regulations, in
5370 accordance with chapter 54, to implement the provisions of this section.

5371 Sec. 119. Section 14-227c of the general statutes is repealed and the
5372 following is substituted in lieu thereof (*Effective April 1, 2022*):

5373 (a) As part of the investigation of any motor vehicle accident resulting
5374 in the death of a person, the Chief Medical Examiner, Deputy Chief
5375 Medical Examiner, an associate medical examiner, a pathologist as
5376 specified in section 19a-405, or an authorized assistant medical
5377 examiner, as the case may be, shall order that a blood sample be taken
5378 from the body of any operator or pedestrian who dies as a result of such
5379 accident. Such blood samples shall be examined for the presence and
5380 concentration of alcohol and any drug by the Division of Scientific

5381 Services within the Department of Emergency Services and Public
5382 Protection or by the Office of the Chief Medical Examiner, or by any
5383 forensic toxicology laboratory pursuant to an agreement with the office.
5384 Nothing in this subsection or section 19a-406 shall be construed as
5385 requiring such medical examiner to perform an autopsy in connection
5386 with obtaining such blood samples.

5387 (b) [A blood or breath sample shall be obtained from any surviving
5388 operator whose motor vehicle is involved in an accident resulting in the
5389 serious physical injury, as defined in section 53a-3, or death of another
5390 person, if] If any surviving operator whose motor vehicle is involved in
5391 an accident resulting in the serious physical injury, as defined in section
5392 53a-3, or death of another person, and (1) a police officer has probable
5393 cause to believe that such operator operated such motor vehicle while
5394 under the influence of intoxicating liquor or any drug, or both, or (2)
5395 such operator has been charged with a motor vehicle violation in
5396 connection with such accident and a police officer has a reasonable and
5397 articulable suspicion that such operator operated such motor vehicle
5398 while under the influence of intoxicating liquor or any drug, or both;

5399 (A) A blood, breath or urine sample shall be obtained from such
5400 surviving operator. The test shall be performed by or at the direction of
5401 a police officer according to methods and with equipment approved by
5402 the Department of Emergency Services and Public Protection and shall
5403 be performed by a person certified or recertified for such purpose by
5404 said department or recertified by persons certified as instructors by the
5405 Commissioner of Emergency Services and Public Protection. The
5406 equipment used for such test shall be checked for accuracy by a person
5407 certified by the Department of Emergency Services and Public
5408 Protection immediately before and after such test is performed. If a
5409 blood test is performed, it shall be on a blood sample taken by a person
5410 licensed to practice medicine and surgery in this state, a qualified
5411 laboratory technician, a registered nurse, a physician assistant or a
5412 phlebotomist. [The blood samples] A blood sample obtained from an
5413 operator pursuant to this subsection shall be examined for the presence

5414 and concentration of alcohol and any drug by the Division of Scientific
5415 Services within the Department of Emergency Services and Public
5416 Protection; [.] and

5417 (B) A drug recognition expert shall conduct a drug influence
5418 evaluation of such surviving operator, provided such operator is not
5419 seriously injured or otherwise unable to take such evaluation as a result
5420 of the accident.

5421 (c) Each police officer who obtains from a surviving operator any
5422 blood, breath or urine sample or a drug influence evaluation conducted
5423 on such operator pursuant to subsection (b) of this section shall submit
5424 to the Commissioner of Motor Vehicles a written report providing the
5425 results of such sample or evaluation on a form approved by the
5426 commissioner. The commissioner may, after notice and an opportunity
5427 for a hearing held in accordance with chapter 54 and section 14-227b,
5428 suspend the motor vehicle operator's license or operating privilege of
5429 such person and require such person to install and maintain an ignition
5430 interlock device as provided for in subsection (i) of section 14-227b. Such
5431 hearing shall be limited to a determination of the following issues: (1)
5432 Was the person operating the motor vehicle; (2) was the person's sample
5433 obtained in accordance with, or drug influence evaluation conducted
5434 pursuant to, the provisions of subsection (b) of this section; and (3) was
5435 the examined sample found to have an elevated blood alcohol content,
5436 as defined in section 14-227b or was the person operating the motor
5437 vehicle under the influence of intoxicating liquor or any drug, or both.

5438 (d) In any motor vehicle accident resulting in the death of a person,
5439 the law enforcement unit, as defined in section 7-294a, responding to the
5440 accident shall assign an officer trained in advanced roadside impaired
5441 driving enforcement to respond, if such an officer is available.

5442 Sec. 120. Subsection (c) of section 14-44k of the general statutes is
5443 repealed and the following is substituted in lieu thereof (*Effective April*
5444 *1, 2022*):

5445 (c) In addition to any other penalties provided by law, and except as
5446 provided in subsection (d) of this section, a person is disqualified from
5447 operating a commercial motor vehicle for one year if the commissioner
5448 finds that such person (1) has refused to submit to a test to determine
5449 such person's blood alcohol concentration while operating any motor
5450 vehicle [, or has failed such a test when given,] or to a nontestimonial
5451 portion of a drug influence evaluation conducted by a drug recognition
5452 expert, (2) has an elevated blood alcohol content based on such a test
5453 pursuant to section 14-227b, or (3) was found to have been operating
5454 under the influence of intoxicating liquor or any drug, or both based on
5455 a report filed pursuant to the provisions of subsection (d) of section 14-
5456 227b or pursuant to the provisions of a law of any other state that is
5457 deemed by the commissioner to be substantially similar to section 14-
5458 227b. For the purpose of this subsection, [a person shall be deemed to
5459 have failed such a test if, when driving a commercial motor vehicle, the
5460 ratio of alcohol in the blood of such person was four-hundredths of one
5461 per cent or more of alcohol, by weight, or if, when driving any other
5462 motor vehicle, the ratio of alcohol in the blood of such person was eight-
5463 hundredths of one per cent or more of alcohol, by weight] "drug
5464 recognition expert," "elevated blood alcohol content" and
5465 "nontestimonial portion of a drug influence evaluation" have the same
5466 meanings as provided in section 14-227a.

5467 Sec. 121. (NEW) (*Effective July 1, 2021*) The state Traffic Safety
5468 Resource Prosecutor, in consultation with the Department of
5469 Transportation, the Department of Motor Vehicles, the state-wide drug
5470 recognition expert coordinator, and the Connecticut Police Chiefs
5471 Association, shall seek any guidance available from the National
5472 Highway Traffic Safety Administration, and shall (1) develop
5473 educational materials and programs about the drug recognition expert
5474 program and drug influence evaluations, and (2) make such materials
5475 and programs available to the Judicial Branch and the Connecticut
5476 Judges Association.

5477 Sec. 122. Section 15-140q of the general statutes is repealed and the

5478 following is substituted in lieu thereof (*Effective April 1, 2022*):

5479 (a) Any person who operates a vessel in this state shall be deemed to
5480 have consented to (1) a chemical [analysis] test of such person's blood,
5481 breath or urine, [and if] and (2) a nontestimonial portion of a drug
5482 influence evaluation conducted by a drug recognition expert. If such
5483 person is a minor, such person's parent or parents or guardian shall also
5484 be deemed to have given their consent for such [an analysis of the
5485 minor's blood, breath or urine] test or evaluation.

5486 [(b) If any such person, having been placed under arrest for: (1)
5487 Violating subsection (b) of section 53-206d; (2) operating a vessel upon
5488 the waters of this state while under the influence of intoxicating liquor
5489 or any drug, or both; (3) operating a vessel upon the waters of this state
5490 while such person has an elevated blood alcohol content, and thereafter,
5491 after being apprised of such person's constitutional rights, having been
5492 requested to submit to a blood, breath or urine test at the option of the
5493 police officer, having been afforded a reasonable opportunity to
5494 telephone an attorney prior to the performance of such test and having
5495 been informed that such person's safe boating certificate, right to
5496 operate a vessel that requires a safe boating certificate for operation or
5497 certificate of personal watercraft operation issued by the commissioner
5498 as a condition of operating a vessel shall be suspended in accordance
5499 with the provisions of this section if such person refuses to submit to
5500 such test or if such person submits to such test and the results of such
5501 test indicate that such person has an elevated blood alcohol content and
5502 that evidence of any such refusal shall be admissible in accordance with
5503 subsection (d) of section 15-140r, and may be used against such person
5504 in any criminal prosecution, refuses to submit to the designated test, the
5505 test shall not be given; provided, if such person refuses or is unable to
5506 submit to a blood test, the peace officer shall designate the breath or
5507 urine test as the test to be taken. The peace officer shall make a notation
5508 upon the records of the police department that such officer informed
5509 such person that such person's safe boating certificate, right to operate
5510 a vessel that requires a safe boating certificate for operation or certificate

5511 of personal watercraft operation would be suspended if such person
5512 refused to submit to such test or if such person submitted to such test
5513 and the results of such test indicated that such person has an elevated
5514 blood alcohol content.]

5515 (b) (1) A peace officer who has placed a person under arrest for
5516 violating subsection (b) of section 53-206d; operating a vessel upon the
5517 waters of this state while under the influence of intoxicating liquor or
5518 any drug, or both; or operating a vessel upon the waters of this state
5519 while such person has an elevated blood alcohol content, may request
5520 that such person submit to a blood, breath or urine test at the option of
5521 the peace officer, a drug influence evaluation conducted by a drug
5522 recognition expert, or both, after such person has been (A) apprised of
5523 such person's constitutional rights, (B) afforded a reasonable
5524 opportunity to telephone an attorney prior to the performance of such
5525 test or evaluation, (C) informed that evidence of any refusal to submit
5526 to such test or evaluation shall be admissible in accordance with
5527 subsection (d) of section 15-140r and may be used against such person
5528 in any criminal prosecution, except that refusal to submit to the
5529 testimonial portions of a drug influence evaluation shall not be
5530 considered evidence of refusal of such evaluation for purposes of any
5531 criminal prosecution, and (D) informed that such person's safe boating
5532 certificate, right to operate a vessel that requires a safe boating certificate
5533 for operation or certificate of personal watercraft operation issued by
5534 the commissioner as a condition of operating a vessel may be suspended
5535 in accordance with the provisions of this section if (i) such person
5536 refuses to submit to such test or nontestimonial portion of a drug
5537 influence evaluation, (ii) such person submits to such test and the results
5538 of such test indicate that such person has an elevated blood alcohol
5539 content, or (iii) the officer concludes, through investigation, that such
5540 person was operating a vessel under the influence of intoxicating liquor
5541 or any drug, or both.

5542 (2) If the person refuses to submit to any test or drug influence
5543 evaluation, the test or evaluation shall not be given, except that if the

5544 person refuses or is unable to submit to a blood test, the peace officer
5545 shall designate another test to be taken. If the person submits to a breath
5546 test and the peace officer, for reasonable cause, requests an additional
5547 chemical test of a different type to detect the presence of a drug or drugs
5548 other than or in addition to alcohol, the peace officer may administer
5549 such test, except that if the person refuses or is unable to submit to a
5550 blood test, the peace officer shall designate a urine test to be taken. The
5551 peace officer shall make a notation upon the records of the law
5552 enforcement unit, as defined in section 7-294a, that such officer
5553 informed the person that such person's safe boating certificate, right to
5554 operate a vessel that requires a safe boating certificate for operation or
5555 certificate of personal watercraft operation may be suspended if such
5556 person (A) refused to submit to such test or the nontestimonial portion
5557 of a drug influence evaluation; (B) submitted to such test and the results
5558 of such test indicated that such person had an elevated blood alcohol
5559 content; or (C) the officer concludes, through investigation, that such
5560 person was operating a vessel under the influence of intoxicating liquor
5561 or any drug, or both.

5562 (c) If the person arrested refuses to submit to such test or [analysis]
5563 nontestimonial portion of a drug influence evaluation, or submits to
5564 such test [or analysis] and the results of such test [or analysis] indicate
5565 that at the time of the alleged offense such person had an elevated blood
5566 alcohol content, the peace officer shall immediately revoke the safe
5567 boating certificate, right to operate a vessel that requires a safe boating
5568 certificate for operation or certificate of personal watercraft operation, if
5569 any, of such person for a twenty-four-hour period. The peace officer
5570 shall prepare a written report of the incident and shall mail the report,
5571 together with any certificate taken into possession and a copy of the
5572 results of any chemical test, [or analysis,] to the commissioner within
5573 three business days. The report shall be made on a form approved by
5574 the commissioner and shall be subscribed and sworn to under penalty
5575 of false statement as provided in section 53a-157b by the peace officer
5576 before whom such refusal was made or who administered or caused to

5577 be administered such test, [or analysis.] If the person arrested refused to
5578 submit to such test or [analysis] evaluation, the report shall be endorsed
5579 by a third person who witnessed such refusal. The report shall set forth
5580 the grounds for the officer's belief that there was probable cause to arrest
5581 such person for operating such vessel while under the influence of
5582 intoxicating liquor or any drug, or both, or while such person has an
5583 elevated blood alcohol content and shall state that such person refused
5584 to submit to such test or [analysis] evaluation when requested by such
5585 peace officer or that such person submitted to such test [or analysis] and
5586 the results of such test [or analysis] indicated that such person at the
5587 time of the alleged offense had an elevated blood alcohol content.

5588 [(d) If the person arrested submits to a blood or urine test at the
5589 request of the peace officer, and the specimen requires laboratory
5590 analysis in order to obtain the test results, and if the test results indicate
5591 that such person has an elevated blood alcohol content, the peace officer,
5592 immediately upon receipt of the test results, shall notify and submit to
5593 the commissioner the written report required pursuant to subsection (c)
5594 of this section.]

5595 (d) If a peace officer has placed a person under arrest for violating
5596 subsection (b) of section 53-206d; operating a vessel upon the waters of
5597 this state while under the influence of intoxicating liquor or any drug,
5598 or both; or operating a vessel upon the waters of this state while such
5599 person has an elevated blood alcohol content and does not request that
5600 such person submit to a blood, breath or urine test under subsection (b)
5601 of this section, or obtains test results from a test administered under
5602 subsection (b) of this section that indicate that the person does not have
5603 an elevated blood alcohol content, such officer shall:

5604 (1) Advise such person that such person's safe boating certificate,
5605 right to operate a vessel that requires a safe boating certificate for
5606 operation or certificate of personal watercraft operation issued by the
5607 commissioner as a condition of operating a vessel may be suspended in
5608 accordance with the provisions of this section if such officer concludes,

5609 through a police investigation, that such person was operating a vessel
5610 under the influence of intoxicating liquor or any drug, or both; and

5611 (2) Submit a report to the commissioner in accordance with the
5612 procedure set forth in subsection (c) of this section and, if such report
5613 contains the results of a blood, breath or urine test that does not show
5614 an elevated blood alcohol content, such report shall conform to the
5615 requirements in subsection (c) of this section for reports that contain
5616 results showing an elevated blood alcohol content. In any report
5617 submitted under this subdivision, the officer shall document (A) the
5618 basis for the officer's belief that there was probable cause to arrest such
5619 person for a violation of subsection (b) of section 53-206d; operating a
5620 vessel upon the waters of this state while under the influence of
5621 intoxicating liquor or any drug, or both; or operating a vessel upon the
5622 waters of this state while such person has an elevated blood alcohol
5623 content, and (B) whether the officer concludes, through investigation,
5624 that the person was operating a vessel under the influence of
5625 intoxicating liquor or any drug, or both. With such report, the officer
5626 may submit other supporting documentation indicating the person's
5627 intoxication by liquor or any drug, or both. If the officer concludes,
5628 through investigation, that the person was operating a vessel under the
5629 influence of intoxicating liquor or any drug, or both, the officer shall
5630 immediately revoke and take possession of the person's safe boating
5631 certificate, right to operate a vessel that requires a safe boating certificate
5632 for operation or certificate of personal watercraft operation issued by
5633 the commissioner as a condition of operating a vessel, for a twenty-four-
5634 hour period.

5635 (e) Upon receipt of [such] a report submitted under subsection (c) or
5636 (d) of this section, the commissioner shall suspend the safe boating
5637 certificate, right to operate a vessel that requires a safe boating certificate
5638 for operation or certificate of personal watercraft operation of such
5639 person effective as of a date certain, and such date certain shall be no
5640 later than thirty-five days [after] from the later of the date such person
5641 received (1) notice of such person's arrest by the peace officer, or (2) the

5642 results of a blood or urine test or a drug influence evaluation. Any
5643 person whose safe boating certificate, right to operate a vessel that
5644 requires a safe boating certificate for operation or certificate of personal
5645 watercraft operation is suspended in accordance with this subsection
5646 shall be entitled to a hearing before the commissioner to be held prior to
5647 the effective date of the suspension. The commissioner shall send a
5648 suspension notice to such person informing such person that such
5649 person's safe boating certificate, right to operate a vessel that requires a
5650 safe boating certificate for operation or certificate of personal watercraft
5651 operation is suspended and shall specify the date of such suspension
5652 and that such person is entitled to a hearing prior to the effective date of
5653 the suspension and may schedule such hearing by contacting the
5654 commissioner not later than seven days after the date of mailing of such
5655 suspension notice.

5656 (f) If such person does not contact the department to schedule a
5657 hearing, the commissioner shall affirm the suspension contained in the
5658 suspension notice for the appropriate period specified in subsection (i)
5659 of this section.

5660 (g) (1) If such person contacts the department to schedule a hearing,
5661 the commissioner shall assign a date, time and place for the hearing,
5662 which date shall be prior to the effective date of the suspension. At the
5663 request of such person and upon a showing of good cause, the
5664 commissioner may grant one continuance for a period not to exceed
5665 thirty days. [The hearing]

5666 (2) A hearing based on a report submitted under subsection (c) of this
5667 section shall be limited to a determination of the following issues: [(1)]
5668 (A) Whether the peace officer had probable cause to arrest the person
5669 for operating the vessel while under the influence of intoxicating liquor
5670 or drugs, or both, or while such person has an elevated blood alcohol
5671 content; [(2)] (B) whether such person was placed under arrest; [(3)] (C)
5672 whether such person [(A)] (i) refused to submit to such test or [analysis]
5673 nontestimonial portion of a drug influence evaluation, or [(B)] (ii)

5674 submitted to such test [or analysis] and the results of such test [or
5675 analysis] indicated that at the time of the alleged offense that such
5676 person had an elevated blood alcohol content; and [(4)] (D) whether
5677 such person was operating the vessel.

5678 (3) A hearing based on a report submitted under subsection (d) of this
5679 section shall be limited to a determination of the following issues: (A)
5680 Whether the peace officer had probable cause to arrest the person for
5681 operating a vessel while under the influence of intoxicating liquor or
5682 drugs, or both, or while such person has an elevated blood alcohol
5683 content; (B) whether such person was placed under arrest; (C) whether
5684 such person was operating a vessel under the influence of intoxicating
5685 liquor or any drug, or both; and (D) whether such person was operating
5686 the vessel.

5687 (4) At [the] a hearing held under this subsection, the results of the
5688 test, [or analysis] if administered, shall be sufficient to indicate the ratio
5689 of alcohol in the blood of such person at the time of operation, except
5690 that if the results of an additional test, administered pursuant to section
5691 15-140r, indicate that the ratio of alcohol in the blood of such person is
5692 eight-hundredths of one per cent or less of alcohol, by weight, and is
5693 higher than the results of the first test, evidence shall be presented that
5694 demonstrates that the test results and analysis thereof accurately
5695 indicate the blood alcohol content at the time of operation. The fees of
5696 any witness summoned to appear at [the] a hearing under this
5697 subsection shall be the same as provided in section 52-260.

5698 (5) In a hearing based on a report submitted under subsection (d) of
5699 this section, evidence of operation under the influence of intoxicating
5700 liquor or any drug, or both shall be admissible. Such evidence may
5701 include, but need not be limited to, (A) the peace officer's observations
5702 of intoxication, as documented in a report submitted to the
5703 commissioner under subsection (d) of this section; (B) the results of any
5704 chemical test administered under this section or a toxicology report
5705 certified by the Division of Scientific Services within the Department of

5706 Emergency Services and Public Protection; (C) hospital or medical
5707 records obtained in accordance with subsection (j) of this section or by
5708 the consent of the operator; or (D) reports of drug recognition experts.

5709 (h) If, after [such] a hearing under subdivision (2) of subsection (g) of
5710 this section, the commissioner finds in the negative on any one of [said]
5711 the issues specified in [the negative] subparagraph (A), (B), (C) or (D) of
5712 said subdivision, the commissioner shall stay the safe boating certificate,
5713 right to operate a vessel that requires a safe boating certificate for
5714 operation or certificate of personal watercraft operation suspension. If,
5715 after a hearing under subdivision (3) of subsection (g) of this section, the
5716 commissioner finds in the negative on any one of the issues specified in
5717 subparagraph (A), (B), (C) or (D) of said subdivision, the commissioner
5718 shall stay the safe boating certificate, right to operate a vessel that
5719 requires a safe boating certificate for operation or certificate of personal
5720 watercraft operation suspension. If, after such hearing under
5721 subdivision (2) or (3) of subsection (g) of this section, the commissioner
5722 does not find on any one of said issues in the negative or if such person
5723 fails to appear at such hearing, the commissioner shall affirm the
5724 suspension contained in the suspension notice for the appropriate
5725 period specified in subsection (i) of this section. The commissioner shall
5726 render a decision at the conclusion of such hearing or send a notice of
5727 the decision by certified mail to such person not later than thirty-five
5728 days from the date of notice of such person's arrest by the peace officer
5729 or, if a continuance is granted, not later than sixty-five days from the
5730 date such person received notice of such person's arrest by the peace
5731 officer. The notice of such decision sent by certified mail to the address
5732 of such person as shown by the records of the commissioner shall be
5733 sufficient notice to such person that such person's safe boating
5734 certificate, right to operate a vessel that requires a safe boating certificate
5735 for operation or certificate of personal watercraft operation is suspended
5736 or the suspension is stayed. Unless a continuance of the hearing is
5737 granted pursuant to subsection (g) of this section, if the commissioner
5738 fails to render a decision within thirty-five days from the date that such

5739 person received notice of such person's arrest by the peace officer, the
5740 commissioner shall not suspend such person's safe boating certificate,
5741 right to operate a vessel that requires a safe boating certificate for
5742 operation or certificate of personal watercraft operation.

5743 (i) The commissioner shall suspend the operator's safe boating
5744 certificate, right to operate a vessel that requires a safe boating certificate
5745 for operation or certificate of personal watercraft operation of a person
5746 who does not contact the department to schedule a hearing under
5747 subsection (e) of this section, who fails to appear at such hearing, or
5748 against whom, after a hearing, the commissioner holds pursuant to
5749 subsection (g) of this section. Such suspension shall be as of the effective
5750 date contained in the suspension notice or the date the commissioner
5751 renders a decision, whichever is later, for a period of: (1) (A) Except as
5752 provided in subparagraph (B) of this subdivision, ninety days if such
5753 person submitted to a test [or analysis] and the results of such test [or
5754 analysis] indicated that at the time of the alleged offense that such
5755 person had an elevated blood alcohol content, or such person was found
5756 to have been operating a vessel under the influence of intoxicating
5757 liquor or any drug, or both, based on a report filed pursuant to
5758 subsection (d) of this section, or (B) one hundred twenty days if such
5759 person submitted to a test [or analysis] and the results of such test [or
5760 analysis] indicated that the ratio of alcohol in the blood of such person
5761 was sixteen-hundredths of one per cent or more of alcohol, by weight,
5762 or (C) six months if such person refused to submit to such test; [or
5763 analysis;] (2) if such person has previously had such person's safe
5764 boating certificate, right to operate a vessel that requires a safe boating
5765 certificate for operation or certificate of personal watercraft operation
5766 suspended under this section, (A) except as provided in subparagraph
5767 (B) of this subdivision, nine months if such person submitted to a test
5768 [or analysis] and the results of such test [or analysis] indicated that at
5769 the time of the alleged offense that such person had an elevated blood
5770 alcohol content, or such person was found to have been operating a
5771 vessel under the influence of intoxicating liquor or any drug, or both,

5772 based on a report filed pursuant to subsection (d) of this section, (B) ten
5773 months if such person submitted to a test [or analysis] and the results of
5774 such test [or analysis] indicated that the ratio of alcohol in the blood of
5775 such person was sixteen-hundredths of one per cent or more of alcohol,
5776 by weight, and (C) one year if such person refused to submit to such
5777 test; [or analysis;] and (3) if such person has two or more times
5778 previously had such person's safe boating certificate, right to operate a
5779 vessel that requires a safe boating certificate for operation or certificate
5780 of personal watercraft operation suspended under this section, (A)
5781 except as provided in subparagraph (B) of this subdivision, two years if
5782 such person submitted to a test [or analysis] and the results of such test
5783 [or analysis] indicated that at the time of the alleged offense that such
5784 person had an elevated blood alcohol content, or such person was found
5785 to have been operating a vessel under the influence of intoxicating
5786 liquor or any drug, or both, based on a report filed pursuant to
5787 subsection (d) of this section, (B) two and one-half years if such person
5788 submitted to a test [or analysis] and the results of such test [or analysis]
5789 indicated that the ratio of alcohol in the blood of such person was
5790 sixteen-hundredths of one per cent or more of alcohol, by weight, and
5791 (C) three years if such person refused to submit to such test. [or
5792 analysis.]

5793 (j) Notwithstanding the provisions of subsections (b) to (i), inclusive,
5794 of this section, any peace officer who obtains the results of a chemical
5795 analysis of a blood sample taken from an operator of a vessel involved
5796 in an accident who suffered or allegedly suffered physical injury in such
5797 accident shall notify the commissioner and submit to the commissioner
5798 a written report if such results indicate that at the time of the alleged
5799 offense such person had an elevated blood alcohol content, or any
5800 quantity of an intoxicating liquor or any drug, or both, in such person's
5801 blood, and if such person was arrested for a violation of section 15-132a,
5802 subsection (d) of section 15-133 or section 15-140l or 15-140n in
5803 connection with such accident. The report shall be made on a form
5804 approved by the commissioner containing such information as the

5805 commissioner prescribes and shall be subscribed and sworn under
5806 penalty of false statement, as provided in section 53a-157b, by the peace
5807 officer. The commissioner shall, after notice and an opportunity for
5808 hearing, which shall be conducted in accordance with chapter 54,
5809 suspend the safe boating certificate, right to operate a vessel that
5810 requires a safe boating certificate for operation or certificate of personal
5811 watercraft operation of such person for a period of up to ninety days,
5812 or, if such person has previously had such person's operating privilege
5813 suspended under this section, for a period up to one year. Each hearing
5814 conducted under this section shall be limited to a determination of the
5815 following issues: (1) Whether the peace officer had probable cause to
5816 arrest the person for operating a vessel while under the influence of
5817 intoxicating liquor or drugs, or both, or while such person has an
5818 elevated blood alcohol content; (2) whether such person was placed
5819 under arrest; (3) whether such person was operating the vessel; (4)
5820 whether (A) the results of the analysis of the blood of such person
5821 indicate that such person had an elevated blood alcohol content, or (B)
5822 the person was operating a vessel under the influence of intoxicating
5823 liquor or any drug, or both; and (5) whether the blood sample was
5824 obtained in accordance with conditions for admissibility as set forth in
5825 section 15-140s. If, after such hearing, the commissioner finds on any
5826 issue in the negative, the commissioner shall not impose a suspension.
5827 The fees of any witness summoned to appear at the hearing shall be the
5828 same as provided by the general statutes for witnesses in criminal cases.

5829 (k) The provisions of this section shall apply with the same effect to
5830 the refusal by any person to submit to an additional chemical test as
5831 provided in [subdivision (5)] subparagraph (E) of subdivision (1) of
5832 subsection (a) of section 15-140r.

5833 (l) The provisions of this section do not apply to any person whose
5834 physical condition is such that, according to competent medical advice,
5835 such test would be inadvisable.

5836 (m) The state shall pay the reasonable charges of any physician who,

5837 at the request of a [municipal police department] law enforcement unit,
5838 as defined in section 7-294a, takes a blood sample for purposes of a test
5839 under the provisions of this section.

5840 (n) For the purposes of this section, "elevated blood alcohol content"
5841 means: (1) A ratio of alcohol in the blood of such person that is eight-
5842 hundredths of one per cent or more of alcohol, by weight, or (2) if such
5843 person is under twenty-one years of age, a ratio of alcohol in the blood
5844 of such person that is two-hundredths of one per cent or more of alcohol,
5845 by weight.

5846 (o) The commissioner may adopt regulations, in accordance with
5847 chapter 54, to implement the provisions of this section.

5848 (p) For purposes of this section and section 15-140r, (1) "drug
5849 influence evaluation" means an evaluation developed by the National
5850 Highway Traffic Safety Administration and the International
5851 Association of Chiefs of Police that is conducted by a drug recognition
5852 expert to determine the level of a person's impairment from the use of
5853 drugs and the drug category causing such impairment; (2) "drug
5854 recognition expert" means a person certified by the International
5855 Association of Chiefs of Police as having met all requirements of the
5856 International Drug Evaluation and Classification Program; and (3)
5857 "nontestimonial portion of a drug influence evaluation" means a drug
5858 influence evaluation conducted by a drug recognition expert that does
5859 not include a verbal interview with the subject.

5860 Sec. 123. Section 15-140r of the general statutes is repealed and the
5861 following is substituted in lieu thereof (*Effective April 1, 2022*):

5862 (a) Except as provided in section 15-140s or subsection (d) of this
5863 section, in any criminal prosecution for the violation of section 15-132a,
5864 subsection (d) of section 15-133, section 15-140l or 15-140n or subsection
5865 (b) of section 53-206d, evidence respecting the amount of alcohol or drug
5866 in the defendant's blood or urine at the time of the alleged offense, as
5867 shown by a chemical [analysis] test of the defendant's breath, blood or

5868 urine shall be admissible and competent provided: (1) The defendant
5869 was afforded a reasonable opportunity to telephone an attorney prior to
5870 the performance of the test and consented to the taking of the test upon
5871 which such analysis is made; (2) a true copy of the report of the test
5872 result was mailed to or personally delivered to the defendant within
5873 twenty-four hours or by the end of the next regular business day, after
5874 such result was known, whichever is later; (3) the test was performed
5875 by or at the direction of a certified law enforcement officer according to
5876 methods and with equipment approved by the Department of
5877 Emergency Services and Public Protection, and if a blood test was
5878 performed, it was performed on a blood sample taken by a person
5879 licensed to practice medicine and surgery in this state, a qualified
5880 laboratory technician, an emergency medical technician II or a
5881 registered nurse in accordance with the regulations adopted under
5882 subsection (b) of this section; (4) the device used for such test was
5883 checked for accuracy in accordance with the regulations adopted under
5884 subsection (b) of this section; (5) an additional chemical test of the same
5885 type was performed at least ten minutes after the initial test was
5886 performed or, if requested by the peace officer for reasonable cause, an
5887 additional chemical test of a different type was performed, including a
5888 test to detect the presence of a drug or drugs other than or in addition
5889 to alcohol, except that the results of the initial test shall not be
5890 inadmissible under this subsection if reasonable efforts were made to
5891 have such additional test performed in accordance with the conditions
5892 set forth in this subsection and (A) such additional test was not
5893 performed or was not performed within a reasonable time, or (B) the
5894 results of such additional test are not admissible for failure to meet a
5895 condition set forth in this subsection; and (6) evidence is presented that
5896 the test was commenced within two hours of operation of the vessel or
5897 expert testimony establishes the reliability of a test commenced beyond
5898 two hours of operation of the vessel. In any prosecution under this
5899 section, it shall be a rebuttable presumption that the results of such
5900 chemical analysis establish the ratio of alcohol in the blood of the
5901 defendant at the time of the alleged offense, except that if the results of

5902 the additional test indicate that the ratio of alcohol in the blood of such
5903 defendant is ten-hundredths of one per cent or less of alcohol, by weight,
5904 and is higher than the results of the first test, evidence shall be presented
5905 that demonstrates that the test results and the analysis thereof
5906 accurately indicate the blood alcohol content at the time of the alleged
5907 offense.

5908 (b) The Commissioner of Emergency Services and Public Protection
5909 shall ascertain the reliability of each method and type of device offered
5910 for chemical testing and analysis of blood, of breath and of urine and
5911 certify those methods and types which the Commissioner of Emergency
5912 Services and Public Protection finds suitable for use in testing and
5913 analysis of blood, breath and urine, respectively, in this state. The
5914 Commissioner of Emergency Services and Public Protection, after
5915 consultation with the Commissioner of Public Health, shall adopt
5916 regulations, in accordance with chapter 54, governing the conduct of
5917 chemical tests, the operation and use of chemical test devices and the
5918 training and certification of operators of such devices and the drawing
5919 or obtaining of blood, breath or urine samples as the Commissioner of
5920 Emergency Services and Public Protection finds necessary to protect the
5921 health and safety of persons who submit to chemical tests and to insure
5922 reasonable accuracy in testing results. Such regulations shall not require
5923 recertification of a peace officer solely because such officer terminates
5924 such officer's employment with the law enforcement agency for which
5925 certification was originally issued and commences employment with
5926 another such agency.

5927 (c) If a person is charged with a violation of section 15-132a,
5928 subsection (d) of section 15-133 or section 15-140/ or 15-140n, the charge
5929 may not be reduced, nolle or dismissed unless the prosecuting
5930 authority states in open court such prosecutor's reasons for the
5931 reduction, nolle or dismissal.

5932 (d) (1) In any criminal prosecution for a violation of section 15-132a,
5933 subsection (d) of section 15-133 or section 15-140/ or 15-140n, evidence

5934 that the defendant refused to submit to a blood, breath or urine test or
5935 the nontestimonial portion of a drug influence evaluation requested in
5936 accordance with section 15-140q shall be admissible provided the
5937 requirements of subsection (a) of said section have been satisfied. If a
5938 case involving a violation of section 15-132a, subsection (d) of section
5939 15-133 or section 15-140l or 15-140n is tried to a jury, the court shall
5940 instruct the jury as to any inference that may or may not be drawn from
5941 the defendant's refusal to submit to a blood, breath or urine test or
5942 evaluation.

5943 (2) In any prosecution for a violation of subsection (a) of this section
5944 in which it is alleged that the defendant's operation of a vessel was
5945 impaired, in whole or in part, by consumption of cannabis, as defined
5946 in section 1 of this act, the court may take judicial notice that the
5947 ingestion of cannabis (A) can impair a person's ability to operate a
5948 vessel; (B) can cause impairment of motor function, reaction time,
5949 tracking ability, cognitive attention, decision-making, judgment,
5950 perception, peripheral vision, impulse control or memory; and (C) does
5951 not enhance a person's ability to safely operate a vessel.

5952 Sec. 124. (*Effective July 1, 2021*) Not later than July 1, 2022, the
5953 Commissioner of Transportation, in consultation with the
5954 Commissioner of Motor Vehicles and a task force established within the
5955 Executive Branch known as the Statewide Impaired Driving Task Force,
5956 shall make recommendations to the Governor and, in accordance with
5957 the provisions of section 11-4a of the general statutes, the joint standing
5958 committees of the General Assembly having cognizance of matters
5959 relating to the judiciary and transportation regarding (1) the
5960 enhancement of data collection regarding impaired driving, including,
5961 but not limited to, the possibility of reorganizing the state's impaired
5962 driving statutes into separate offenses for operation under the influence
5963 of alcohol, operation under the influence of any drug and operation
5964 under the influence of both alcohol and any drug, (2) the
5965 implementation of an electronic warrant pilot program in impaired
5966 driving investigations, and (3) the merits and feasibility of a pilot

5967 program for oral fluid testing in impaired driving investigations.

5968 Sec. 125. (NEW) (*Effective July 1, 2021*) (a) As used in this section and
5969 sections 126 and 127 of this act:

5970 (1) "Cannabis" has the same meaning as provided in section 1 of this
5971 act;

5972 (2) "Cannabis concentrate" has the same meaning as provided in
5973 section 1 of this act;

5974 (3) "Cannabis edible product" means a product containing cannabis
5975 or cannabis concentrate, combined with other ingredients, that is
5976 intended for use or consumption through ingestion, including
5977 sublingual or oral absorption;

5978 (4) "Cannabis plant material" has the same meaning as provided in
5979 section 21a-279a of the general statutes;

5980 (5) "Cannabis retailer" means "retailer", as defined in section 1 of this
5981 act;

5982 (6) "Consumer" has the same meaning as provided in section 1 of this
5983 act;

5984 (7) "Cultivator" has the same meaning as provided in section 1 of this
5985 act;

5986 (8) "Delivery service" has the same meaning as provided in section 1
5987 of this act;

5988 (9) "Dispensary facility" has the same meaning as provided in section
5989 1 of this act;

5990 (10) "Food and beverage manufacturer" has the same meaning as
5991 provided in section 1 of this act;

5992 (11) "Hybrid retailer" has the same meaning as provided in section 1

5993 of this act;

5994 (12) "Micro-cultivator" has the same meaning as provided in section
5995 1 of this act;

5996 (13) "Municipality" has the same meaning as provided in section 1 of
5997 this act;

5998 (14) "Palliative use" has the same meaning as provided in section 21a-
5999 408 of the general statutes;

6000 (15) "Producer" has the same meaning as provided in section 1 of this
6001 act;

6002 (16) "Product manufacturer" has the same meaning as provided in
6003 section 1 of this act;

6004 (17) "Product packager" has the same meaning as provided in section
6005 1 of this act;

6006 (18) "Social Equity Council" has the same meaning as provided in
6007 section 1 of this act;

6008 (19) "Total THC" has the same meaning as provided in section 21a-
6009 240 of the general statutes; and

6010 (20) "Transporter" has the same meaning as provided in section 1 of
6011 this act.

6012 (b) (1) For the privilege of making any sales of cannabis in this state,
6013 a tax is hereby imposed on each cannabis retailer, hybrid retailer or
6014 micro-cultivator at the following rates:

6015 (A) Cannabis plant material, at the rate of six hundred twenty-five-
6016 thousandths of one cent per milligram of total THC, as reflected on the
6017 product label;

6018 (B) Cannabis edible products, at the rate of two and seventy-five-

6019 hundredths cents per milligram of total THC, as reflected on the product
6020 label; and

6021 (C) Cannabis, other than cannabis plant material or cannabis edible
6022 products, at the rate of nine-tenths of one cent per milligram of total
6023 THC, as reflected on the product label.

6024 (2) The tax under this section:

6025 (A) Shall be collected from the consumer, except as provided under
6026 subparagraphs (B) and (D) of this subdivision, by the cannabis retailer,
6027 hybrid retailer or micro-cultivator at the time of sale and such tax
6028 reimbursement, termed "tax" in this section, shall be paid by the
6029 consumer to the cannabis retailer, hybrid retailer or micro-cultivator.
6030 Each cannabis retailer, hybrid retailer or micro-cultivator shall collect
6031 from the consumer the full amount of the tax imposed by this section or
6032 an amount equal to the average equivalent thereof to the nearest amount
6033 practicable. Such tax shall be a debt from the consumer to the cannabis
6034 retailer, hybrid retailer or micro-cultivator, when so added to the
6035 original sales price, and shall be recoverable at law in the same manner
6036 as other debts except as provided in section 12-432a of the general
6037 statutes.

6038 (B) Shall not apply to the sale of cannabis for palliative use;

6039 (C) Shall not apply to the transfer of cannabis to a transporter for
6040 transport to any other cultivator, micro-cultivator, food and beverage
6041 manufacturer, product manufacturer, product packager, dispensary
6042 facility, cannabis retailer, hybrid retailer or producer;

6043 (D) Shall not apply to the sale of cannabis by a delivery service to a
6044 consumer;

6045 (E) Shall be in addition to the taxes imposed under section 126 of this
6046 act and chapter 219 of the general statutes; and

6047 (F) When so collected, shall be deemed to be a special fund in trust

6048 for the state until remitted to the state.

6049 (c) On or before the last day of each month in which a cannabis
6050 retailer, hybrid retailer or micro-cultivator may legally sell cannabis
6051 other than cannabis for palliative use, each such cannabis retailer,
6052 hybrid retailer or micro-cultivator shall file a return with the
6053 Department of Revenue Services. Such return shall be in such form and
6054 contain such information as the Commissioner of Revenue Services
6055 prescribes as necessary for administration of the tax under this section
6056 and shall be accompanied by a payment of the amount of the tax shown
6057 to be due thereon. Each cannabis retailer, hybrid retailer and micro-
6058 cultivator shall file such return electronically with the department and
6059 make such payment by electronic funds transfer in the manner provided
6060 by chapter 228g of the general statutes, to the extent possible.

6061 (d) If any cannabis retailer, hybrid retailer or micro-cultivator fails to
6062 pay the amount of tax reported due on its return within the time
6063 specified under this section, there shall be imposed a penalty equal to
6064 twenty-five per cent of such amount due and unpaid, or two hundred
6065 fifty dollars, whichever is greater. Such amount shall bear interest at the
6066 rate of one per cent per month or fraction thereof, from the due date of
6067 such tax until the date of payment. Subject to the provisions of section
6068 12-3a of the general statutes, the commissioner may waive all or part of
6069 the penalties provided under this section when it is proven to the
6070 commissioner's satisfaction that the failure to pay any tax was due to
6071 reasonable cause and was not intentional or due to neglect. Any penalty
6072 that is waived shall be applied as a credit against tax liabilities owed by
6073 the cannabis retailer, hybrid retailer or micro-cultivator.

6074 (e) Each person, other than a cannabis retailer, hybrid retailer or
6075 micro-cultivator, who is required, on behalf of such cannabis retailer,
6076 hybrid retailer or micro-cultivator, to collect, truthfully account for and
6077 pay over a tax imposed on such cannabis retailer, hybrid retailer or
6078 micro-cultivator under this section and who wilfully fails to collect,
6079 truthfully account for and pay over such tax or who wilfully attempts in

6080 any manner to evade or defeat the tax or the payment thereof, shall, in
6081 addition to other penalties provided by law, be liable for a penalty equal
6082 to the total amount of the tax evaded, or not collected, or not accounted
6083 for and paid over, including any penalty or interest attributable to such
6084 wilful failure to collect or truthfully account for and pay over such tax
6085 or such wilful attempt to evade or defeat such tax, provided such
6086 penalty shall only be imposed against such person in the event that such
6087 tax, penalty or interest cannot otherwise be collected from such cannabis
6088 retailer, hybrid retailer or micro-cultivator. The amount of such penalty
6089 with respect to which a person may be personally liable under this
6090 section shall be collected in accordance with the provisions of section
6091 12-555a of the general statutes and any amount so collected shall be
6092 allowed as a credit against the amount of such tax, penalty or interest
6093 due and owing from the cannabis retailer, hybrid retailer or micro-
6094 cultivator. The dissolution of the cannabis retailer, hybrid retailer or
6095 micro-cultivator shall not discharge any person in relation to any
6096 personal liability under this section for wilful failure to collect or
6097 truthfully account for and pay over such tax or for a wilful attempt to
6098 evade or defeat such tax prior to dissolution, except as otherwise
6099 provided in this section. For purposes of this section, "person" includes
6100 any individual, corporation, limited liability company or partnership
6101 and any officer or employee of any corporation, including a dissolved
6102 corporation, and a member of or employee of any partnership or limited
6103 liability company who, as such officer, employee or member, is under a
6104 duty to file a tax return under this section on behalf of a cannabis
6105 retailer, hybrid retailer or micro-cultivator or to collect or truthfully
6106 account for and pay over a tax imposed under this section on behalf of
6107 such cannabis retailer, hybrid retailer or micro-cultivator.

6108 (f) The provisions of sections 12-548, 12-551 to 12-554, inclusive, and
6109 12-555a of the general statutes shall apply to the provisions of this
6110 section in the same manner and with the same force and effect as if the
6111 language of said sections had been incorporated in full into this section
6112 and had expressly referred to the tax under this section, except to the

6113 extent that any provision is inconsistent with a provision in this section.

6114 (g) The commissioner shall not issue a refund of any tax paid by a
6115 cannabis retailer, hybrid retailer or micro-cultivator under this section.

6116 (h) The commissioner may adopt regulations, in accordance with the
6117 provisions of chapter 54 of the general statutes, to implement the
6118 provisions of this section and sections 126 and 127 of this act.
6119 Notwithstanding the provisions of sections 4-168 to 4-172, inclusive, of
6120 the general statutes, prior to adopting any such regulations, the
6121 commissioner shall issue policies and procedures, which shall have the
6122 force and effect of law, to implement the taxes imposed under this
6123 section and sections 126 and 127 of this act. At least fifteen days prior to
6124 the effective date of any policy or procedure issued pursuant to this
6125 subsection, the commissioner shall post such policy or procedure on the
6126 department's Internet web site and submit such policy or procedure to
6127 the Secretary of the State for posting on the eRegulations System. Any
6128 such policy or procedure shall no longer be effective upon the adoption
6129 of such policy or procedure as a final regulation in accordance with the
6130 provisions of chapter 54 of the general statutes or forty-eight months of
6131 the effective date of this section, whichever is earlier.

6132 (i) The tax received by the state under this section shall be deposited
6133 as follows:

6134 (1) For the fiscal years ending June 30, 2022, and June 30, 2023, in the
6135 General Fund;

6136 (2) For the fiscal years ending June 30, 2024, June 30, 2025, and June
6137 30, 2026, sixty per cent of such tax received in the Social Equity and
6138 Innovation Fund established under section 128 of this act, twenty-five
6139 per cent of such tax received in the Prevention and Recovery Services
6140 Fund established under section 128 of this act and fifteen per cent in the
6141 General Fund;

6142 (3) For the fiscal years ending June 30, 2027, and June 30, 2028, sixty-

6143 five per cent of such tax received in the Social Equity and Innovation
6144 Fund established under section 128 of this act, twenty-five per cent of
6145 such tax received in the Prevention and Recovery Services Fund and ten
6146 per cent in the General Fund; and

6147 (4) For the fiscal year ending June 30, 2029, and each fiscal year
6148 thereafter, seventy-five per cent of such tax received in the Social Equity
6149 and Innovation Fund established under section 128 of this act and
6150 twenty-five per cent of such tax received in the Prevention and Recovery
6151 Services Fund established under section 128 of this act.

6152 (j) At the close of each fiscal year in which the tax imposed under the
6153 provisions of this section are received by the commissioner, the
6154 Comptroller is authorized to record as revenue for such fiscal year the
6155 amounts of such tax that are received by the commissioner not later than
6156 five business days from the July thirty-first immediately following the
6157 end of such fiscal year.

6158 Sec. 126. (NEW) (*Effective July 1, 2021*) (a) (1) There is imposed a tax,
6159 which shall be administered in accordance with the provisions of
6160 chapter 219 of the general statutes, on each cannabis retailer, hybrid
6161 retailer and micro-cultivator at the rate of three per cent on the gross
6162 receipts from the sale of cannabis by a cannabis retailer, hybrid retailer
6163 or micro-cultivator. For the purposes of this section, "gross receipts"
6164 means the total amount received from sales of cannabis by a cannabis
6165 retailer, hybrid retailer or micro-cultivator.

6166 (2) The tax under this section:

6167 (A) Shall not apply to the sale of cannabis for palliative use;

6168 (B) Shall not apply to the transfer of cannabis to a transporter for
6169 transport to any cultivator, micro-cultivator, food and beverage
6170 manufacturer, product manufacturer, product packager, dispensary
6171 facility, cannabis retailer, hybrid retailer or producer;

6172 (C) Shall not apply to the sale of cannabis by a delivery service to a
6173 consumer;

6174 (D) Shall be collected from the consumer at the time of sale, except as
6175 provided under subparagraphs (A) and (C) of this subdivision, and
6176 shall be in addition to the taxes imposed under section 125 of this act
6177 and chapter 219 of the general statutes; and

6178 (E) When so collected, shall be held in trust until remitted to the
6179 municipality.

6180 (b) (1) On or before the last day of each month in which a cannabis
6181 retailer, hybrid retailer or micro-cultivator may legally sell cannabis
6182 other than cannabis sold for palliative use, each such cannabis retailer,
6183 hybrid retailer and micro-cultivator shall file a return with the
6184 Department of Revenue Services. Such return shall be in such form and
6185 contain such information as the Commissioner of Revenue Services
6186 prescribes as necessary for administration of the tax under this section.
6187 Each cannabis retailer, hybrid retailer and micro-cultivator shall file
6188 such return electronically with the department, to the extent possible.

6189 (2) Each municipality in which a cannabis retailer, hybrid retailer or
6190 micro-cultivator is located shall submit to the commissioner at least
6191 annually the name and contact information of the individual designated
6192 by the municipality to receive notifications from the commissioner
6193 under subdivision (3) of this subsection.

6194 (3) Notwithstanding the provisions of section 12-15 of the general
6195 statutes, the commissioner shall notify each individual designated
6196 pursuant to subdivision (2) of this subsection of the amount of tax
6197 reported to be due under this section from each cannabis retailer, hybrid
6198 retailer and micro-cultivator located in the applicable municipality. The
6199 commissioner shall establish policies and procedures for the provision
6200 to municipalities of the information required under this subdivision.

6201 (4) Not later than sixty days after the receipt of the information under

6202 subdivision (3) of this subsection, each such municipality shall invoice
6203 each applicable cannabis retailer, hybrid retailer and micro-cultivator,
6204 in accordance with the provisions of section 12-2f of the general statutes,
6205 and such cannabis retailer, hybrid retailer and micro-cultivator shall
6206 remit payment to the municipality not later than thirty days after the
6207 date such invoice was sent. The amounts remitted pursuant to this
6208 subsection shall become part of the general revenue of such
6209 municipality and used for any of the purposes set forth in subdivision
6210 (5) of this subsection.

6211 (5) The tax collected pursuant to this section shall be used by such
6212 municipality to (A) make improvements to the streetscapes and other
6213 neighborhood developments in and around each community in which
6214 a cannabis retailer, hybrid retailer or micro-cultivator is located, (B) fund
6215 education programs or youth employment and training programs in
6216 such municipality, (C) fund services for individuals released from the
6217 custody of the Commissioner of Correction, probation or parole and
6218 residing in such municipality, (D) fund mental health or addiction
6219 services, (E) fund youth service bureaus established pursuant to section
6220 10-19m of the general statutes and to municipal juvenile review boards,
6221 or (F) fund efforts to promote civic engagement in communities in such
6222 municipality.

6223 (c) If any cannabis retailer, hybrid retailer or micro-cultivator fails to
6224 pay the amount of tax invoiced by the municipality within the time
6225 period set forth under this section, there shall be imposed a penalty
6226 equal to twenty-five per cent of such amount due and unpaid, or two
6227 hundred fifty dollars, whichever is greater. Such amount shall bear
6228 interest at the rate of one per cent per month or fraction thereof, from
6229 the due date of such tax until the date of payment. A municipality may
6230 waive, by vote of its legislative body, all or part of the penalties provided
6231 under this subsection upon a finding by such body that the failure to
6232 pay any tax was due to reasonable cause and was not intentional or due
6233 to neglect. Any penalty waiver shall be applied as a credit against future
6234 tax liabilities owed by the cannabis retailer, hybrid retailer or micro-

6235 cultivator.

6236 (d) A municipality may impose a lien on the real property of a
6237 cannabis retailer, hybrid retailer or micro-cultivator for nonpayment of
6238 tax due under this section. The amount of such lien shall not exceed the
6239 amount of tax due under this section plus penalties and interest. Such
6240 lien shall have the same priority as a municipal lien for real property
6241 taxes.

6242 (e) The commissioner may review and adjust any return filed by a
6243 cannabis retailer, hybrid retailer or micro-cultivator pursuant to
6244 subsection (b) of this section and may issue any assessments that may
6245 result therefrom, in accordance with the provisions of sections 12-548,
6246 12-551 to 12-554, inclusive, and 12-555a of the general statutes. The
6247 provisions of said sections shall apply to the provisions of this section
6248 in the same manner and with the same force and effect as if the language
6249 of said sections had been incorporated in full into this section and had
6250 expressly referred to the tax under this section, except to the extent that
6251 any provision is inconsistent with a provision in this section.

6252 (f) (1) No cannabis retailer, hybrid retailer, micro-cultivator or
6253 municipality shall issue a refund to a purchaser for any tax paid under
6254 this section by such purchaser.

6255 (2) No municipality shall issue a refund to a cannabis retailer, hybrid
6256 retailer or micro-cultivator for any tax paid under this section by such
6257 cannabis retailer, hybrid retailer or micro-cultivator.

6258 (3) No overpayment of the tax under this section by a purchaser,
6259 cannabis retailer, hybrid retailer or micro-cultivator shall be applied to
6260 any other liability due to such municipality from such purchaser,
6261 cannabis retailer, hybrid retailer or micro-cultivator.

6262 Sec. 127. (NEW) (*Effective July 1, 2021*) (a) The tax under chapter 219
6263 of the general statutes shall not be imposed on the transfer of cannabis
6264 to a transporter by a cultivator, micro-cultivator, food and beverage

6265 manufacturer, product manufacturer, product packager, dispensary
6266 facility, cannabis retailer, hybrid retailer or producer, for transport to
6267 any other cultivator, micro-cultivator, food and beverage manufacturer,
6268 product manufacturer, product packager, dispensary facility, cannabis
6269 retailer, hybrid retailer or producer.

6270 (b) No person may purchase cannabis on a resale basis and no
6271 exemption under chapter 219 of the general statutes shall apply to the
6272 sale of cannabis, except as provided under section 12-412 of the general
6273 statutes, for the sale of cannabis for palliative use.

6274 (c) (1) No cannabis retailer, hybrid retailer, micro-cultivator or
6275 delivery service, nor the Department of Revenue Services, shall issue a
6276 refund to a purchaser for any tax paid under chapter 219 of the general
6277 statutes for the sale of cannabis.

6278 (2) The Commissioner of Revenue Services shall not issue a refund to
6279 a cannabis retailer, hybrid retailer, micro-cultivator or delivery service
6280 of any tax paid under chapter 219 of the general statutes by such
6281 cannabis retailer, hybrid retailer or micro-cultivator.

6282 (d) The provisions of subsection (g) of section 125 of this act,
6283 subsection (f) of section 126 of this act and subsection (c) of this section
6284 shall not be construed as authorizing suit against the state or any
6285 political subdivision thereof by a person against whom any tax, penalty
6286 or interest has been erroneously or illegally assessed or from whom any
6287 tax, penalty or interest has been erroneously or illegally collected and
6288 shall not be construed as a waiver of sovereign immunity.

6289 Sec. 128. (NEW) (*Effective July 1, 2021*) (a) (1) There is established a
6290 fund to be known as the "Social Equity and Innovation Fund" which
6291 shall be a separate, nonlapsing fund. The fund shall contain any moneys
6292 required by law to be deposited in the fund and shall be held by the
6293 Treasurer separate and apart from all other moneys, funds and
6294 accounts. Moneys in the fund shall be appropriated for the purposes of
6295 providing the following: Access to capital for businesses; technical

6296 assistance for the start-up and operation of a business; funding for
6297 workforce education; and funding for community investments. All such
6298 appropriations shall be dedicated to expenditures that further the
6299 principles of equity, as defined in section 1 of this act.

6300 (2) (A) For the purposes of subdivision (1) of this subsection, the
6301 Social Equity Council, as defined in section 1 of this act, shall transmit,
6302 for even-numbered years, estimates of expenditure requirements and
6303 for odd-numbered years, recommended adjustments and revisions, if
6304 any, of such estimates, to the Secretary of the Office of Policy and
6305 Management, in the manner prescribed for a budgeted agency under
6306 subsection (a) of section 4-77 of the general statutes. The council shall
6307 recommend for each fiscal year appropriate funding for all credits
6308 payable to angel investors that invest in cannabis businesses pursuant
6309 to section 12-704d of the general statutes.

6310 (B) The Office of Policy and Management may not make adjustments
6311 to any such estimates or adjustments and revisions of such estimates
6312 transmitted by the council. Notwithstanding any provision of the
6313 general statutes or any special act, the Governor shall not reduce the
6314 allotment requisitions or allotments in force pursuant to section 4-85 of
6315 the general statutes or make reductions in allotments in order to achieve
6316 budget savings in the General Fund, concerning any appropriations
6317 made by the General Assembly for the purposes of subdivision (1) of
6318 this subsection.

6319 (b) There is established a fund to be known as the "Prevention and
6320 Recovery Services Fund" which shall be a separate, nonlapsing fund.
6321 The fund shall contain any moneys required by law to be deposited in
6322 the fund and shall be held by the Treasurer separate and apart from all
6323 other moneys, funds and accounts. Moneys in the fund shall be
6324 appropriated for the purposes of (1) substance abuse prevention,
6325 treatment and recovery services, and (2) collection and analysis of data
6326 regarding substance use.

6327 Sec. 129. Subdivision (120) of section 12-412 of the general statutes is
6328 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6329 *2021*):

6330 (120) [On and after April 1, 2015, sales] (A) Sales of the following
6331 nonprescription drugs or medicines available for purchase for use in or
6332 on the body: Vitamin or mineral concentrates; dietary supplements;
6333 natural or herbal drugs or medicines; products intended to be taken for
6334 coughs, cold, asthma or allergies, or antihistamines; laxatives;
6335 antidiarrheal medicines; analgesics; antibiotic, antibacterial, antiviral
6336 and antifungal medicines; antiseptics; astringents; anesthetics; steroidal
6337 medicines; anthelmintics; emetics and antiemetics; antacids; [and] any
6338 medication prepared to be used in the eyes, ears or nose; and cannabis
6339 sold for palliative use under the provisions of chapter 420f.

6340 (B) Nonprescription drugs or medicines [shall] do not include
6341 cosmetics, [dentrifrices] dentifrices, mouthwash, shaving and hair care
6342 products, soaps, [or] deodorants or products containing cannabis or
6343 cannabinoids. As used in this subparagraph, "cannabis" has the same
6344 meaning as provided in section 1 of this act and "cannabinoids" means
6345 manufactured cannabinoids or synthetic cannabinoids, as such terms
6346 are defined in section 21a-240.

6347 Sec. 130. Section 12-650 of the general statutes is repealed and the
6348 following is substituted in lieu thereof (*Effective July 1, 2021*):

6349 [As used in this chapter:

6350 (1) "Marijuana" means any marijuana, whether real or counterfeit, as
6351 defined in subdivision (29) of section 21a-240, that is held, possessed,
6352 transported, sold or offered to be sold in violation of any provision of
6353 the general statutes;

6354 (2) "Controlled substance" means any controlled substance as defined
6355 in subdivision (9) of section 21a-240, that is held, possessed, transported,
6356 sold or offered to be sold in violation of any provision of the general

6357 statutes;

6358 (3) "Dealer" means any person who, in violation of any provision of
6359 the general statutes, manufactures, produces, ships, transports, or
6360 imports into the state or in any manner acquires or possesses more than
6361 forty-two and one-half grams of marijuana or seven or more grams of
6362 any controlled substance or ten or more dosage units of any controlled
6363 substance which is not sold by weight; and

6364 (4) "Commissioner" means the Commissioner of Revenue Services.]

6365 Notwithstanding the provisions of this chapter, revision of 1958,
6366 revised to January 1, 2021, any outstanding liabilities or assessments, or
6367 any portion thereof, made under said chapter related to the sale,
6368 purchase, acquisition or possession within the state or the transport or
6369 importation into the state, of marijuana, as defined in section 21a-240,
6370 shall be cancelled. The Commissioner of Revenue Services may take any
6371 action necessary to effectuate the cancellation of such liabilities and
6372 assessments. No cancellation of a liability or an assessment pursuant to
6373 this section shall entitle any person affected by such cancellation to a
6374 refund or credit of any amount previously paid or collected in
6375 connection with such liability or assessment.

6376 Sec. 131. Subdivision (1) of subsection (a) of section 12-30a of the
6377 general statutes is repealed and the following is substituted in lieu
6378 thereof (*Effective July 1, 2021*):

6379 (a) (1) Whenever the provisions of section 12-35, 12-204, 12-205, 12-
6380 206, 12-225, 12-226, 12-229, 12-235, 12-242d, 12-263c, 12-263d, 12-263m,
6381 12-268d, 12-268h, 12-293a, 12-309, 12-330d, 12-330i, 12-376, 12-376a, 12-
6382 376b, 12-392, 12-414, 12-415, 12-416, 12-419, 12-419a, 12-439, 12-440, 12-
6383 458, 12-458d, 12-486a, 12-488, 12-547, 12-548, 12-590, 12-594, 12-638c, 12-
6384 638d, 12-646a, 12-647, [12-655,] 12-667, 12-722, 12-723, 12-728, 12-731, 12-
6385 735, 22a-132, 22a-232, 22a-237c, 38a-277 or 51-81b require interest to be
6386 paid to the Commissioner of Revenue Services at the rate of one per cent
6387 per month or fraction thereof or one per cent for each month or fraction

6388 thereof, the Commissioner of Revenue Services may adopt regulations
6389 in accordance with the provisions of chapter 54 that require interest to
6390 be paid to said commissioner at the equivalent daily rate in lieu of such
6391 monthly rate.

6392 Sec. 132. Subsection (a) of section 12-35b of the general statutes is
6393 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6394 *2021*):

6395 (a) For the purposes of sections 12-204, 12-212, 12-235, 12-268h, 12-
6396 309, 12-330i, 12-366, 12-398, 12-420, 12-441, 12-475, 12-488, 12-555a, 12-
6397 594, 12-638j [, 12-655] and 12-734:

6398 (1) "Bona fide purchaser" means a person who takes a conveyance of
6399 real estate in good faith from the holder of legal title, and pays valuable
6400 consideration, without actual, implied, or constructive notice of any tax
6401 delinquency.

6402 (2) "Qualified encumbrancer" means a person who places a burden,
6403 charge or lien on real estate, in good faith, without actual, implied, or
6404 constructive notice of any tax delinquency.

6405 (3) "Commissioner" means the Commissioner of Revenue Services or
6406 his or her authorized agent.

6407 Sec. 133. Section 12-704d of the general statutes is repealed and the
6408 following is substituted in lieu thereof (*Effective July 1, 2021*):

6409 (a) As used in this section:

6410 (1) "Angel investor" means an accredited investor, as defined by the
6411 Securities and Exchange Commission, or network of accredited
6412 investors who review new or proposed businesses for potential
6413 investment and who may seek active involvement, such as consulting
6414 and mentoring, in a qualified Connecticut business or a qualified
6415 cannabis business, but "angel investor" does not include (A) a person
6416 controlling fifty per cent or more of the Connecticut business or cannabis

6417 business invested in by the angel investor, (B) a venture capital
6418 company, or (C) any bank, bank and trust company, insurance
6419 company, trust company, national bank, savings association or building
6420 and loan association for activities that are a part of its normal course of
6421 business;

6422 (2) "Cash investment" means the contribution of cash, at a risk of loss,
6423 to a qualified Connecticut business or a qualified cannabis business in
6424 exchange for qualified securities;

6425 (3) "Connecticut business" means any business, other than a cannabis
6426 business, with its principal place of business in Connecticut;

6427 (4) "Bioscience" means manufacturing pharmaceuticals, medicines,
6428 medical equipment or medical devices and analytical laboratory
6429 instruments, operating medical or diagnostic testing laboratories, or
6430 conducting pure research and development in life sciences;

6431 (5) "Advanced materials" means developing, formulating or
6432 manufacturing advanced alloys, coatings, lubricants, refrigerants,
6433 surfactants, emulsifiers or substrates;

6434 (6) "Photonics" means generation, emission, transmission,
6435 modulation, signal processing, switching, amplification, detection and
6436 sensing of light from ultraviolet to infrared and the manufacture,
6437 research or development of opto-electronic devices, including, but not
6438 limited to, lasers, masers, fiber optic devices, quantum devices,
6439 holographic devices and related technologies;

6440 (7) "Information technology" means software publishing, motion
6441 picture and video production, teleproduction and postproduction
6442 services, telecommunications, data processing, hosting and related
6443 services, custom computer programming services, computer system
6444 design, computer facilities management services, other computer
6445 related services and computer training;

6446 (8) "Clean technology" means the production, manufacture, design,
6447 research or development of clean energy, green buildings, smart grid,
6448 high-efficiency transportation vehicles and alternative fuels,
6449 environmental products, environmental remediation and pollution
6450 prevention;

6451 (9) "Qualified securities" means any form of equity, including a
6452 general or limited partnership interest, common stock, preferred stock,
6453 with or without voting rights, without regard to seniority position that
6454 must be convertible into common stock; [and]

6455 (10) "Emerging technology business" means any business that is
6456 engaged in bioscience, advanced materials, photonics, information
6457 technology, clean technology or any other emerging technology as
6458 determined by the Commissioner of Economic and Community
6459 Development; [.]

6460 (11) "cannabis business" means a cannabis establishment (A) for
6461 which a social equity applicant has been granted a provisional license
6462 or a license, (B) in which a social equity applicant or social equity
6463 applicants have an ownership interest of at least sixty-five per cent, and
6464 (C) such social equity applicant or social equity applicants have control
6465 of such establishment;

6466 (12) "Social equity applicant" has the same meaning as provided in
6467 section 1 of this act;

6468 (13) "Cannabis" has the same meaning as provided in section 1 of this
6469 act; and

6470 (14) "Cannabis establishment" has the same meaning as provided in
6471 section 1 of this act.

6472 (b) There shall be allowed a credit against the tax imposed under this
6473 chapter, other than the liability imposed by section 12-707, for a cash
6474 investment by an angel investor of not less than twenty-five thousand

6475 dollars in the qualified securities of a Connecticut business [by an angel
6476 investor] or a cannabis business. The credit shall be in an amount equal
6477 to (1) twenty-five per cent of such investor's cash investment in a
6478 Connecticut business, or (2) forty per cent of such investor's cash
6479 investment in a cannabis business, provided the total tax credits allowed
6480 to any angel investor shall not exceed five hundred thousand dollars.
6481 The credit shall be claimed in the taxable year in which such cash
6482 investment is made by the angel investor. The credit may be sold,
6483 assigned or otherwise transferred, in whole or in part.

6484 (c) To qualify for a tax credit pursuant to this section, a cash
6485 investment shall be in: [a]

6486 (1) A Connecticut business that [(1)] (A) has been approved as a
6487 qualified Connecticut business pursuant to subsection (d) of this section;
6488 [(2)] (B) had annual gross revenues of less than one million dollars in the
6489 most recent income year of such business; [(3)] (C) has fewer than
6490 twenty-five employees, not less than seventy-five per cent of whom
6491 reside in this state; [(4)] (D) has been operating in this state for less than
6492 seven consecutive years; [(5)] (E) is primarily owned by the
6493 management of the business and their families; and [(6)] (F) received
6494 less than two million dollars in cash investments eligible for the tax
6495 credits provided by this section; [.] or

6496 (2) A cannabis business that (A) has been approved as a qualified
6497 cannabis business pursuant to subsection (d) of this section; (B) had
6498 annual gross revenues of less than one million dollars in the most recent
6499 income year of such business; (C) has fewer than twenty-five employees,
6500 not less than seventy-five per cent of whom reside in this state; (D) is
6501 primarily owned by the management of the business and their families;
6502 and (E) received less than two million dollars in cash investments
6503 eligible for the tax credits provided by this section.

6504 (d) (1) A Connecticut business or a cannabis business may apply to
6505 Connecticut Innovations, Incorporated, for approval as a Connecticut

6506 business or cannabis business, as applicable, qualified to receive cash
6507 investments eligible for a tax credit pursuant to this section. The
6508 application shall include (A) the name of the business and a copy of the
6509 organizational documents of such business, (B) a business plan,
6510 including a description of the business and the management, product,
6511 market and financial plan of the business, (C) a description of the
6512 business's innovative technology, product or service, (D) a statement of
6513 the potential economic impact of the business, including the number,
6514 location and types of jobs expected to be created, (E) a description of the
6515 qualified securities to be issued and the amount of cash investment
6516 sought by the [qualified Connecticut] business, (F) a statement of the
6517 amount, timing and projected use of the proceeds to be raised from the
6518 proposed sale of qualified securities, and (G) such other information as
6519 the chief executive officer of Connecticut Innovations, Incorporated,
6520 may require.

6521 (2) Said chief executive officer shall, on a monthly basis, compile a list
6522 of approved applications, categorized by the cash investments being
6523 sought by the qualified Connecticut business or the qualified cannabis
6524 business and type of qualified securities offered.

6525 (e) (1) Any angel investor that intends to make a cash investment in
6526 a business on such list may apply to Connecticut Innovations,
6527 Incorporated, to reserve a tax credit in the amount indicated by such
6528 investor. Connecticut Innovations, Incorporated, shall not reserve tax
6529 credits under this section for any investments made on or after July 1,
6530 2028.

6531 (2) The aggregate amount of all tax credits under this section that may
6532 be reserved by Connecticut Innovations, Incorporated, shall not exceed
6533 (A) for cash investments made in Connecticut businesses, six million
6534 dollars annually for the fiscal years commencing July 1, 2010, to July 1,
6535 2012, inclusive, and [shall not exceed] five million dollars [in] for each
6536 fiscal year thereafter, [. Each fiscal year,] and (B) for cash investments
6537 made in qualified cannabis businesses, fifteen million dollars annually

6538 for each fiscal year commencing on or after July 1, 2021.

6539 (3) With respect to the tax credits available under this section for
6540 investments in Connecticut businesses, Connecticut Innovations,
6541 Incorporated, shall not reserve more than seventy-five per cent of [the]
6542 such tax credits [available under this section] for investments in
6543 emerging technology businesses, except if any such credits remain
6544 available for reservation after April first in any fiscal year, such
6545 remaining credits may be reserved for investments in such businesses
6546 [.] and may be prioritized for veteran-owned, women-owned or
6547 minority-owned businesses and businesses owned by individuals with
6548 disabilities. [Connecticut Innovations, Incorporated, shall not reserve
6549 tax credits under this section for any investment made on or after July
6550 1, 2024.]

6551 ~~[(2)]~~ (4) The amount of the credit allowed to any investor pursuant to
6552 this section shall not exceed the amount of tax due from such investor
6553 under this chapter, other than section 12-707, with respect to such
6554 taxable year. Any tax credit that is claimed by the angel investor but not
6555 applied against the tax due under this chapter, other than the liability
6556 imposed under section 12-707, may be carried forward for the five
6557 immediately succeeding taxable years until the full credit has been
6558 applied.

6559 (f) If the angel investor is an S corporation or an entity treated as a
6560 partnership for federal income tax purposes, the tax credit may be
6561 claimed by the shareholders or partners of the angel investor. If the
6562 angel investor is a single member limited liability company that is
6563 disregarded as an entity separate from its owner, the tax credit may be
6564 claimed by such limited liability company's owner, provided such
6565 owner is a person subject to the tax imposed under this chapter.

6566 (g) A review of the cumulative effectiveness of the credit under this
6567 section shall be conducted by Connecticut Innovations, Incorporated, by
6568 [July 1, 2014, and by] July first annually. [thereafter.] Such review shall

6569 include, but need not be limited to, the number and type of Connecticut
6570 businesses and cannabis businesses that received angel investments, the
6571 number of angel investors and the aggregate amount of cash
6572 investments, the current status of each Connecticut business and
6573 cannabis business that received angel investments, the number of
6574 employees employed in each year following the year in which such
6575 Connecticut business or cannabis business received the angel
6576 investment [,] and the economic impact in the state [,] of the Connecticut
6577 business or cannabis business that received the angel investment. Such
6578 review shall be submitted to the Office of Policy and Management and
6579 to the joint standing committee of the General Assembly having
6580 cognizance of matters relating to commerce, in accordance with the
6581 provisions of section 11-4a.

6582 Sec. 134. (NEW) (*Effective June 10, 2021*) (a) For the purposes described
6583 in subsection (b) of this section, the State Bond Commission shall have
6584 the power from time to time to authorize the issuance of bonds of the
6585 state in one or more series and in principal amounts not exceeding in
6586 the aggregate fifty million dollars.

6587 (b) The proceeds of the sale of such bonds, to the extent of the amount
6588 stated in subsection (a) of this section, shall be used by the Department
6589 of Economic and Community Development jointly with the Social
6590 Equity Council for the purposes of providing (1) low-interest loans to
6591 social equity applicants, municipalities or organizations exempt from
6592 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,
6593 or any subsequent corresponding internal revenue code of the United
6594 States, as amended from time to time, to facilitate the rehabilitation,
6595 renovation or development of unused, underused real property to be
6596 used as a cannabis establishment or as part of such establishment; (2)
6597 capital to social equity applicants seeking to start or maintain a cannabis
6598 establishment; (3) funding to assist in the development or ongoing
6599 expenses of the cannabis business accelerator program established
6600 under section 38 of this act; and (4) funding to assist in the development
6601 or ongoing expenses of workforce training programs developed by the

6602 Social Equity Council pursuant to section 39 of this act. As used in this
6603 subsection, "Social Equity Council", "cannabis establishment" and
6604 "social equity applicant" have the same meanings as provided in section
6605 1 of this act.

6606 (c) All provisions of section 3-20 of the general statutes, or the exercise
6607 of any right or power granted thereby, that are not inconsistent with the
6608 provisions of this section are hereby adopted and shall apply to all
6609 bonds authorized by the State Bond Commission pursuant to this
6610 section. Temporary notes in anticipation of the money to be derived
6611 from the sale of any such bonds so authorized may be issued in
6612 accordance with section 3-20 of the general statutes and from time to
6613 time renewed. Such bonds shall mature at such time or times not
6614 exceeding twenty years from their respective dates as may be provided
6615 in or pursuant to the resolution or resolutions of the State Bond
6616 Commission authorizing such bonds. None of such bonds shall be
6617 authorized except upon a finding by the State Bond Commission that
6618 there has been filed with it a request for such authorization that is signed
6619 by or on behalf of the Secretary of the Office of Policy and Management
6620 and states such terms and conditions as said commission, in its
6621 discretion, may require. Such bonds issued pursuant to this section shall
6622 be general obligations of the state and the full faith and credit of the state
6623 of Connecticut are pledged for the payment of the principal of and
6624 interest on such bonds as the same become due, and accordingly and as
6625 part of the contract of the state with the holders of such bonds,
6626 appropriation of all amounts necessary for punctual payment of such
6627 principal and interest is hereby made, and the State Treasurer shall pay
6628 such principal and interest as the same become due.

6629 Sec. 135. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
6630 "Social Equity Council", "cannabis establishment" and "social equity
6631 applicant" have the same meanings as provided in section 1 of this act.

6632 (b) (1) The Department of Economic and Community Development
6633 and the Social Equity Council shall jointly develop and establish:

6634 (A) A revolving loan program for the purposes of subdivision (1) of
6635 subsection (b) of section 134 of this act, including (i) requirements for
6636 loan eligibility under the program, (ii) an application form and the
6637 information and documentation required to be submitted with such
6638 application, (iii) the terms of the loans to be offered, including the rates
6639 of interest to be charged and the length of the loans, (iv) a plan for
6640 publicizing and marketing the program, and (v) any other requirements
6641 necessary to implement the program; and

6642 (B) Application forms, applicant requirements and any other
6643 provisions the department and the council deem necessary for the
6644 purposes of subdivisions (2) to (4), inclusive, of subsection (b) of section
6645 134 of this act.

6646 (2) The department and the council shall post on the Internet web
6647 sites of the Department of Economic and Community Development and
6648 the Department of Consumer Protection information concerning the
6649 loan program and other available funding under this section.

6650 Sec. 136. Section 21a-408e of the general statutes is repealed and the
6651 following is substituted in lieu thereof (*Effective July 1, 2021*):

6652 No person shall be subject to arrest or prosecution solely for being in
6653 the presence or vicinity of the palliative use of marijuana as permitted
6654 under sections 21a-408 to [21a-408n] 21a-408m, inclusive.

6655 Sec. 137. Subsection (b) of section 21a-408i of the general statutes is
6656 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6657 *2021*):

6658 (b) The Commissioner of Consumer Protection shall determine the
6659 number of producers appropriate to meet the needs of qualifying
6660 patients in this state and shall adopt regulations, in accordance with
6661 chapter 54, to provide for the licensure, standards and locations for
6662 producers in this state and specify the maximum number of producers
6663 that may be licensed in this state at any time. On and after the effective

6664 date of such regulations, the commissioner may license any person who
6665 applies for a license in accordance with such regulations, provided (1)
6666 such person is organized for the purpose of cultivating marijuana for
6667 palliative use in this state, (2) the commissioner finds that such applicant
6668 has appropriate expertise in agriculture and that such applicant is
6669 qualified to cultivate marijuana and sell, deliver, transport or distribute
6670 marijuana solely within this state pursuant to sections 21a-408 to [21a-
6671 408n] 21a-408m, inclusive, and (3) the number of producer licenses
6672 issued does not exceed the number appropriate to meet the needs of
6673 qualifying patients in this state, as determined by the commissioner
6674 pursuant to this subsection. At a minimum, such regulations shall:

6675 (A) Indicate the maximum number of producers that may be licensed
6676 in this state at any time, which number shall not be less than three nor
6677 more than ten producers;

6678 (B) Provide that no marijuana may be sold, delivered, transported or
6679 distributed by a producer from or to a location outside of this state;

6680 (C) Establish a nonrefundable application fee of not less than twenty-
6681 five thousand dollars for each application submitted for a producer
6682 license;

6683 (D) Establish a license fee and renewal fee for each licensed producer,
6684 provided the aggregate amount of such license and renewal fees shall
6685 not be less than the amount necessary to cover the direct and indirect
6686 cost of licensing and regulating producers pursuant to sections 21a-408
6687 to [21a-408n] 21a-408m, inclusive;

6688 (E) Provide for renewal of such producer licenses at least every five
6689 years;

6690 (F) Provide that no producer may cultivate marijuana for palliative
6691 use outside of this state and designate permissible locations for licensed
6692 producers in this state;

6693 (G) Establish financial requirements for producers, under which (i)
6694 each applicant demonstrates the financial capacity to build and operate
6695 a marijuana production facility, and (ii) each licensed producer may be
6696 required to maintain an escrow account in a financial institution in this
6697 state in an amount of two million dollars;

6698 (H) Establish health, safety and security requirements for licensed
6699 producers, which shall include, but need not be limited to, a
6700 requirement that the applicant or licensed producer demonstrate: (i) The
6701 ability to maintain adequate control against the diversion, theft and loss
6702 of marijuana cultivated by the producer, and (ii) the ability to cultivate
6703 pharmaceutical grade marijuana for palliative use in a secure indoor
6704 facility;

6705 (I) Define "pharmaceutical grade marijuana for palliative use" for the
6706 purposes of this section;

6707 (J) Establish standards and procedures for revocation, suspension,
6708 summary suspension and nonrenewal of producer licenses, provided
6709 such standards and procedures are consistent with the provisions of
6710 subsection (c) of section 4-182; and

6711 (K) Establish other licensing, renewal and operational standards
6712 deemed necessary by the commissioner.

6713 Sec. 138. Section 21a-408o of the general statutes is repealed and the
6714 following is substituted in lieu thereof (*Effective July 1, 2021*):

6715 Nothing in sections 21a-408 to [21a-408n] 21a-408m, inclusive, or
6716 section 21a-243 shall be construed to require health insurance coverage
6717 for the palliative use of marijuana.

6718 Sec. 139. Subsection (d) of section 21a-408v of the general statutes is
6719 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6720 *2021*):

6721 (d) Information obtained under this section shall be confidential and

6722 shall not be subject to disclosure under the Freedom of Information Act,
6723 as defined in section 1-200, except that reasonable access to registry
6724 information obtained under this section shall be provided to (1) state
6725 agencies, federal agencies and local law enforcement agencies for the
6726 purpose of investigating or prosecuting a violation of law, (2) physicians
6727 and pharmacists for the purpose of providing patient care and drug
6728 therapy management and monitoring controlled substances obtained by
6729 the research program subject, (3) public or private entities for research
6730 or educational purposes, provided no individually identifiable health
6731 information may be disclosed, (4) a licensed dispensary for the purpose
6732 of complying with sections 21a-408 to [21a-408n] 21a-408m, inclusive, or
6733 (5) a research program subject, but only with respect to information
6734 related to such research program subject.

6735 Sec. 140. Subsection (a) of section 21a-10 of the general statutes is
6736 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6737 *2021*):

6738 (a) The Commissioner of Consumer Protection may establish,
6739 combine or abolish divisions, sections or other units within the
6740 Department of Consumer Protection and allocate powers, duties and
6741 functions among such units, but no function vested by statute in any
6742 officer, division, board, agency or other unit within the department shall
6743 be removed from the jurisdiction of such officer, division, board, agency
6744 or other unit under the provisions of this section. The Governor shall
6745 appoint a deputy commissioner of the department, with the advice and
6746 consent of one house of the General Assembly in accordance with the
6747 provisions of section 4-7, who shall have responsibilities related to the
6748 licensing and regulation of cannabis under RERACA.

6749 Sec. 141. Subdivision (29) of section 21a-240 of the general statutes is
6750 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6751 *2021*):

6752 (29) "Marijuana" means all parts of any plant, or species of the genus

6753 cannabis or any infra specific taxon thereof, whether growing or not; the
6754 seeds thereof; the resin extracted from any part of the plant; [and] every
6755 compound, manufacture, salt, derivative, mixture, or preparation of
6756 such plant, its seeds or resin, [. Marijuana does not include the mature
6757 stalks of such plant, fiber produced from such stalks, oil or cake made
6758 from the seeds of such plant, any other compound, manufacture, salt,
6759 derivative, mixture or preparation of such mature stalks, except the
6760 resin extracted therefrom, fiber, oil, or cake, the sterilized seed of such
6761 plant which is incapable of germination, or hemp, as defined in 7 USC
6762 1639o, as amended from time to time. Included are] any product made
6763 using hemp, as defined in section 22-61l, which exceeds three-tenths per
6764 cent total THC concentration on a dry-weight basis; manufactured
6765 cannabinoids, synthetic cannabinoids, except as provided in
6766 subparagraph (E) of this subdivision; or cannabinon, cannabinol or
6767 cannabidiol and chemical compounds which are similar to cannabinon,
6768 cannabinol or cannabidiol in chemical structure or which are similar
6769 thereto in physiological effect, [and which show a like potential for
6770 abuse,] which are controlled substances under this chapter, [unless]
6771 except cannabidiol derived from hemp, as defined in section 22-61l, with
6772 a total THC concentration of not more than three-tenths per cent on a
6773 dry-weight basis. "Marijuana" does not include: (A) The mature stalks
6774 of such plant, fiber produced from such stalks, oil or cake made from
6775 the seeds of such plant, any other compound, manufacture, salt,
6776 derivative, mixture or preparation of such mature stalks, except the
6777 resin extracted from such mature stalks or fiber, oil or cake; (B) the
6778 sterilized seed of such plant which is incapable of germination; (C)
6779 hemp, as defined in section 22-61l, with a total THC concentration of not
6780 more than three-tenths per cent on a dry-weight basis; (D) any substance
6781 approved by the federal Food and Drug Administration or successor
6782 agency as a drug and reclassified in any schedule of controlled
6783 substances or unscheduled by the federal Drug Enforcement
6784 Administration or successor agency which is included in the same
6785 schedule designated by the federal Drug Enforcement Administration
6786 or successor agency; or (E) synthetic cannabinoids which are controlled

6787 substances that are designated by the Commissioner of Consumer
6788 Protection, by whatever official, common, usual, chemical or trade name
6789 designation, as controlled substances and are classified in the
6790 appropriate schedule in accordance with subsections (i) and (j) of section
6791 21a-243;

6792 Sec. 142. Section 21a-240 of the general statutes is amended by adding
6793 subdivisions (59) to (62), inclusive, as follows (*Effective July 1, 2021*):

6794 (NEW) (59) "THC" means tetrahydrocannabinol, including, but not
6795 limited to, delta-7, delta-8-tetrahydrocannabinol, delta-9-
6796 tetrahydrocannabinol and delta-10-tetrahydrocannabinol, and any
6797 material, compound, mixture or preparation which contain their salts,
6798 isomers and salts of isomers, whenever the existence of such salts,
6799 isomers and salts of isomers is possible within the specific chemical
6800 designation, regardless of the source, except: (A) Dronabinol substituted
6801 in sesame oil and encapsulated in a soft gelatin capsule in a federal Food
6802 and Drug Administration or successor agency approved product, or (B)
6803 any tetrahydrocannabinol product that has been approved by the
6804 federal Food and Drug Administration or successor agency to have a
6805 medical use and reclassified in any schedule of controlled substances or
6806 unscheduled by the federal Drug Enforcement Administration or
6807 successor agency.

6808 (NEW) (60) "Total THC" means the sum of the percentage by weight
6809 of tetrahydrocannabinolic acid, multiplied by eight hundred seventy-
6810 seven-thousandths, plus the percentage of weight of
6811 tetrahydrocannabinol.

6812 (NEW) (61) "Manufactured cannabinoid" means cannabinoids
6813 naturally occurring from a source other than marijuana that are similar
6814 in chemical structure or physiological effect to cannabinoids derived
6815 from marijuana, as defined in section 21a-243, but are derived by a
6816 chemical or biological process.

6817 (NEW) (62) "Synthetic cannabinoid" means any material, compound,

6818 mixture or preparation which contains any quantity of a substance
6819 having a psychotropic response primarily by agonist activity at
6820 cannabinoid-specific receptors affecting the central nervous system that
6821 is produced artificially and not derived from an organic source naturally
6822 containing cannabinoids, unless listed in another schedule pursuant to
6823 section 21a-243.

6824 Sec. 143. Subsection (q) of section 1-1 of the general statutes is
6825 repealed and the following is substituted in lieu thereof (*Effective July 1,*
6826 *2021*):

6827 (q) Except as otherwise specifically defined, the words "agriculture"
6828 and "farming" [shall] include cultivation of the soil, dairying, forestry,
6829 raising or harvesting any agricultural or horticultural commodity,
6830 including the raising, shearing, feeding, caring for, training and
6831 management of livestock, including horses, bees, the production of
6832 honey, poultry, fur-bearing animals and wildlife, and the raising or
6833 harvesting of oysters, clams, mussels, other molluscan shellfish or fish;
6834 the operation, management, conservation, improvement or
6835 maintenance of a farm and its buildings, tools and equipment, or
6836 salvaging timber or cleared land of brush or other debris left by a storm,
6837 as an incident to such farming operations; the production or harvesting
6838 of maple syrup or maple sugar, or any agricultural commodity,
6839 including lumber, as an incident to ordinary farming operations or the
6840 harvesting of mushrooms, the hatching of poultry, or the construction,
6841 operation or maintenance of ditches, canals, reservoirs or waterways
6842 used exclusively for farming purposes; handling, planting, drying,
6843 packing, packaging, processing, freezing, grading, storing or delivering
6844 to storage or to market, or to a carrier for transportation to market, or
6845 for direct sale any agricultural or horticultural commodity as an incident
6846 to ordinary farming operations, or, in the case of fruits and vegetables,
6847 as an incident to the preparation of such fruits or vegetables for market
6848 or for direct sale. The term "farm" includes farm buildings, and
6849 accessory buildings thereto, nurseries, orchards, ranges, greenhouses,
6850 hoophouses and other temporary structures or other structures used

6851 primarily for the raising and, as an incident to ordinary farming
6852 operations, the sale of agricultural or horticultural commodities. The
6853 terms "agriculture" and "farming" do not include the cultivation of
6854 cannabis, as defined in section 1 of this act. The term "aquaculture"
6855 means the farming of the waters of the state and tidal wetlands and the
6856 production of protein food, including fish, oysters, clams, mussels and
6857 other molluscan shellfish, on leased, franchised and public underwater
6858 farm lands. Nothing herein shall restrict the power of a local zoning
6859 authority under chapter 124.

6860 Sec. 144. (*Effective from passage*) Not later than January 1, 2025, the
6861 Social Equity Council established pursuant to section 22 of this act shall
6862 report to the Governor and, in accordance with the provisions of section
6863 11-4a of the general statutes, to the joint standing committees of the
6864 General Assembly having cognizance of matters relating to the judiciary
6865 and general law, data regarding the location of cannabis establishments
6866 and whether such establishments are predominantly located in
6867 communities of color.

6868 Sec. 145. (NEW) (*Effective July 1, 2021*) (a) In order for a dispensary
6869 facility to convert its license to a hybrid-retailer license, a dispensary
6870 facility shall have a workforce development plan that has been
6871 approved by the Social Equity Council under section 22 of this act and
6872 shall either pay a fee of one million dollars or, if such dispensary facility
6873 has committed to create at least one equity joint venture to be approved
6874 by the Social Equity Council for ownership purposes under section 22
6875 of this act and subsequent to obtaining such approval, approved by the
6876 department for licensure under this section, pay a reduced fee of five
6877 hundred thousand dollars.

6878 (b) Any equity joint venture created under this section shall be
6879 created for the development of a cannabis establishment business with
6880 a social equity applicant that owns at least fifty per cent of such business
6881 and where the dispensary facility owns at most fifty per cent of such
6882 business.

6883 (c) An equity joint venture applicant shall submit an application to
6884 the Social Equity Council that may include, but need not be limited to,
6885 evidence of business formation, ownership allocation, terms of
6886 ownership and financing and proof of social equity applicant
6887 involvement. The dispensary facility or social equity applicant of an
6888 equity joint venture shall submit an application to the Social Equity
6889 Council that may include, but need not be limited to, evidence of
6890 business formation, ownership allocation, terms of ownership and
6891 financing and proof of social equity applicant involvement. The
6892 dispensary facility or social equity applicant of an equity joint venture
6893 shall submit to the Social Equity Council information including, but not
6894 limited to, the organizing documents of the entity that outline the
6895 ownership stake of each backer, initial backer investment and payout
6896 information to enable the council to determine the terms of ownership.

6897 (d) Upon receipt of written approval of the equity joint venture by
6898 the Social Equity Council, the dispensary facility or social equity
6899 applicant of the equity joint venture shall apply for a license from the
6900 department in the same form as required by all other licensees of the
6901 same license type and subject to the same fees as required by all other
6902 licensees of the same license type.

6903 (e) A dispensary facility, including the backers of such dispensary
6904 facility, shall not increase its ownership in an equity joint venture in
6905 excess of fifty per cent during the seven-year period after a license is
6906 issued by the department under this section.

6907 (f) Equity joint ventures that are retailers or hybrid retailers that share
6908 a common dispensary facility or dispensary facility backer owner shall
6909 not be located within twenty miles of another commonly owned equity
6910 joint venture.

6911 (g) If a dispensary facility has paid the reduced conversion fee in
6912 accordance with subsection (a) of this section, and did not subsequently
6913 create at least one equity joint venture under this section, the dispensary

6914 facility shall be liable for the full conversion fee of one million dollars.

6915 Sec. 146. (NEW) (*Effective January 1, 2022*) There is established, within
6916 the Department of Public Health, a program to collect and abstract
6917 timely public health information on cannabis associated illness and
6918 adverse events, nonfatal and fatal injuries and cannabis use poisoning
6919 data, from state and national data sources. Such program shall include,
6920 but need not be limited to, the following: (1) Serving as a data
6921 coordinator, analysis and reporting source of cannabis data and
6922 statistics that include, but are not limited to, illness, adverse events,
6923 injury, pregnancy outcomes, childhood poisoning, adult and youth use,
6924 cannabis-related emergency room visits and urgent care episodic
6925 mental health visits; (2) performing epidemiologic analysis on
6926 demographic, health and mortality data to identify risk factors and
6927 changes in trends; (3) working with the Departments of Consumer
6928 Protection and Mental Health and Addiction Services and any other
6929 entity that the Commissioner of Public Health deems necessary to
6930 disseminate public health alerts; and (4) sharing state-wide data to
6931 inform policy makers and citizens on the impact of cannabis legalization
6932 by posting public health prevention information and cannabis use
6933 associated morbidity and mortality statistics to the Department of
6934 Public Health's Internet web site.

6935 Sec. 147. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
6936 "producer", "cultivator", "micro-cultivator", "product manufacturer",
6937 "hybrid retailer" and "retailer" have the same meanings as provided in
6938 section 1 of this act; and "hemp" and "hemp products" have the same
6939 meanings as provided in section 22-61l of the general statutes.

6940 (b) Any producer, cultivator, micro-cultivator and product
6941 manufacturer may manufacture, market, cultivate or store hemp and
6942 hemp products in accordance with the provisions of chapter 424 of the
6943 general statutes and any regulations adopted under said chapter, except
6944 that a producer, cultivator, micro-cultivator and product manufacturer
6945 may obtain hemp and hemp products from a person authorized under

6946 the laws of this state or another state, territory or possession of the
6947 United States or another sovereign entity to possess and sell such hemp
6948 and hemp products.

6949 (c) Hemp or hemp products purchased by a producer, cultivator,
6950 micro-cultivator or product manufacturer from a third party shall be
6951 tracked as a separate batch throughout the manufacturing process in
6952 order to document the disposition of such hemp or hemp products.
6953 Once hemp or hemp products are received by a producer, cultivator,
6954 micro-cultivator or product manufacturer, such hemp or hemp products
6955 shall be deemed cannabis and shall comply with the requirements for
6956 cannabis contained in the applicable provisions of the general statutes
6957 and any regulations adopted under such provisions. A producer,
6958 cultivator, micro-cultivator and product manufacturer shall retain a
6959 copy of the certificate of analysis for purchased hemp or hemp products
6960 and invoice and transport documents that evidence the quantity
6961 purchased and date received.

6962 (d) No hemp or hemp products shall be sold or distributed within a
6963 dispensary facility that is licensed under chapter 420f of the general
6964 statutes or the business premises of a hybrid retailer or a retailer.

6965 Sec. 148. (NEW) (*Effective July 1, 2021*) (a) As used in this section,
6966 "municipality" means any town, city or borough, consolidated town and
6967 city or consolidated town and borough, and a district establishing a
6968 zoning commission under section 7-326 of the general statutes.

6969 (b) Any municipality may, by amendment to such municipality's
6970 zoning regulations or by local ordinance, (1) prohibit the establishment
6971 of a cannabis establishment, (2) establish reasonable restrictions
6972 regarding the hours and signage within the limits of such municipality,
6973 or (3) establish restrictions on the proximity of cannabis establishments
6974 to any of the establishments listed in subsection (a) of subdivision (1) of
6975 section 30-46 of the general statutes. The chief zoning official of a
6976 municipality shall report, in writing, any zoning changes adopted by the

6977 municipality regarding cannabis establishments pursuant to this
6978 subsection to the Secretary of the Office of Policy and Management and
6979 to the department not later than fourteen days after the adoption of such
6980 changes.

6981 (c) Unless otherwise provided for by a municipality through its
6982 zoning regulations or ordinances, a cannabis establishment shall be
6983 zoned as if for any other similar use, other than a cannabis
6984 establishment, would be zoned.

6985 (d) Any restriction regarding hours, zoning and signage of a cannabis
6986 establishment adopted by a municipality shall not apply to an existing
6987 cannabis establishment located in such municipality if such cannabis
6988 establishment does not convert to a different license type, for a period
6989 of five years after the adoption of such prohibition or restriction.

6990 (e) Until June 30, 2024, no municipality shall grant zoning approval
6991 for more retailers or micro-cultivators than a number that would allow
6992 for one retailer and one micro-cultivator for every twenty-five thousand
6993 residents of such municipality, as determined by the most recent
6994 decennial census.

6995 (f) On and after July 1, 2024, the Commissioner of Consumer
6996 Protection may, in the discretion of the commissioner, post on the
6997 Department of Consumer Protection's Internet web site a specific
6998 number of residents such that no municipality shall grant zoning
6999 approval for more retailers or micro-cultivators than would result in one
7000 retailer and one micro-cultivator for every such specific number of
7001 residents, as determined by the commissioner. Any such determination
7002 shall be made to ensure reasonable access to cannabis by consumers.

7003 (g) For purposes of ensuring compliance with this section, a special
7004 permit or other affirmative approval shall be required for any retailer or
7005 micro-cultivator seeking to be located within a municipality. A
7006 municipality shall not grant such special permit or approval for any
7007 retailer or micro-cultivator applying for such special permit or approval

7008 if that would result in an amount that (1) until June 30, 2024, exceeds the
7009 density cap of one retailer and one micro-cultivator for every twenty-
7010 five thousand residents, and (2) on and after July 1, 2024, exceeds any
7011 density cap determined by the commissioner under subsection (f) of this
7012 section. When awarding final licenses for a retailer or micro-cultivator,
7013 the Department of Consumer Protection may assume that, if an
7014 applicant for such final license has obtained zoning approval, the
7015 approval of a final license for such applicant shall not result in a
7016 violation of this section or any other municipal restrictions on the
7017 number or density of cannabis establishments.

7018 Sec. 149. (NEW) (*Effective July 1, 2021*) (a) Thirty days after the Social
7019 Equity Council posts the criteria for social equity applicants on its
7020 Internet web site, the department shall open up a three-month
7021 application period for cultivators during which a social equity applicant
7022 may apply to the department for a provisional cultivator license and
7023 final license for a cultivation facility located in a disproportionately
7024 impacted area without participating in a lottery or request for proposals.
7025 Such application for a provisional license shall be granted upon (1)
7026 verification by the Social Equity Council that the applicant meets the
7027 criteria for a social equity applicant; (2) the applicant submitting to and
7028 passing a criminal background check; and (3) payment of a three-
7029 million-dollar fee to be deposited in the Social Equity and Innovation
7030 Fund. Upon granting such provisional license, the department shall
7031 notify the applicant of the project labor agreement requirements of
7032 section 103 of this act.

7033 (b) To obtain a final cultivator license under this section, the social
7034 equity applicant shall provide evidence of (1) a contract with an entity
7035 providing an approved electronic tracking system as described in
7036 section 56 of this act; (2) a right to exclusively occupy a location in a
7037 disproportionately impacted area at which the cultivation facility will
7038 be located; (3) any necessary local zoning approval and permits for the
7039 cultivation facility; (4) a business plan; (5) a social equity plan approved
7040 by the Social Equity Council; (6) written policies for preventing

7041 diversion and misuse of cannabis and sales of cannabis to underage
7042 persons; and (7) blueprints of the facility and all other security
7043 requirements of the department.

7044 Sec. 150. (NEW) (*Effective July 1, 2021*) (a) The Governor may enter
7045 into one or more compacts, amendments to existing compacts,
7046 memoranda of understanding or agreements with the Mashantucket
7047 Pequot Tribe or with the Mohegan Tribe of Indians of Connecticut, or
7048 both, to coordinate the administration and execution of laws and
7049 regulations of this state, as set forth in RERACA, and of laws and
7050 regulations of said tribes relating to the possession, delivery,
7051 production, processing or use of cannabis. Any such compact,
7052 amendment to existing compact, memorandum of understanding or
7053 agreement may contain provisions including, but not limited to, those
7054 relating to:

7055 (1) Criminal and civil law enforcement;

7056 (2) Laws and regulations relating to the possession, delivery,
7057 production, processing or use of cannabis; and

7058 (3) Laws and regulations relating to taxation.

7059 (b) Any compact, amendment to existing compact, memorandum of
7060 understanding or agreement entered into pursuant to subsection (a) of
7061 this section shall:

7062 (1) Provide for the preservation of public health and safety;

7063 (2) Ensure the security of any cannabis production, processing,
7064 testing or retail facilities on tribal land; and

7065 (3) Regulate any business involving cannabis that passes between the
7066 reservation of the tribal nation that is a party to such compact,
7067 amendment to existing compact, memorandum of understanding or
7068 agreement, and other areas in the state.

7069 (c) Notwithstanding the provisions of section 3-6c of the general
7070 statutes, any compact, amendment to existing compact, memorandum
7071 of understanding or agreement, or renewal thereof, entered into by the
7072 Governor with the Mashantucket Pequot Tribe or with the Mohegan
7073 Tribe of Indians of Connecticut pursuant to subsection (a) of this section,
7074 shall be considered approved by the General Assembly under section 3-
7075 6c of the general statutes upon the Governor entering into such compact,
7076 amendment to existing compact, memorandum of understanding or
7077 agreement, or renewal thereof, without any further action required by
7078 the General Assembly.

7079 Sec. 151. (*Effective from passage*) The Legislative Commissioners' Office
7080 shall, in codifying the provisions of this act, make such technical,
7081 grammatical and punctuation changes as are necessary to carry out the
7082 purposes of this act, including, but not limited to, correcting inaccurate
7083 internal references.

7084 Sec. 152. Section 32-39 of the general statutes is repealed and the
7085 following is substituted in lieu thereof (*Effective July 1, 2021*):

7086 The purposes of the corporation shall be to stimulate and encourage
7087 the research and development of new technologies, businesses and
7088 products, to encourage the creation and transfer of new technologies, to
7089 assist existing businesses in adopting current and innovative
7090 technological processes, to stimulate and provide services to industry
7091 that will advance the adoption and utilization of technology, to achieve
7092 improvements in the quality of products and services, to stimulate and
7093 encourage the development and operation of new and existing science
7094 parks and incubator facilities, and to promote science, engineering,
7095 mathematics and other disciplines that are essential to the development
7096 and application of technology within Connecticut by the infusion of
7097 financial aid for research, invention and innovation in situations in
7098 which such financial aid would not otherwise be reasonably available
7099 from commercial or other sources, and for these purposes the
7100 corporation shall have the following powers:

7101 (1) To have perpetual succession as a body corporate and to adopt
7102 bylaws, policies and procedures for the regulation of its affairs and
7103 conduct of its businesses as provided in section 32-36;

7104 (2) To enter into venture agreements with persons, upon such terms
7105 and on such conditions as are consistent with the purposes of this
7106 chapter, for the advancement of financial aid to such persons for the
7107 research, development and application of specific technologies,
7108 products, procedures, services and techniques, to be developed and
7109 produced in this state, and to condition such agreements upon
7110 contractual assurances that the benefits of increasing or maintaining
7111 employment and tax revenues shall remain in this state and shall accrue
7112 to it;

7113 (3) To solicit, receive and accept aid, grants or contributions from any
7114 source of money, property or labor or other things of value, to be held,
7115 used and applied to carry out the purposes of this chapter, subject to the
7116 conditions upon which such grants and contributions may be made,
7117 including but not limited to, gifts or grants from any department or
7118 agency of the United States or the state;

7119 (4) To invest in, acquire, lease, purchase, own, manage, hold and
7120 dispose of real property and lease, convey or deal in or enter into
7121 agreements with respect to such property on any terms necessary or
7122 incidental to the carrying out of these purposes; provided, however, (A)
7123 all such acquisitions of real property for the corporation's own use with
7124 amounts appropriated by the state to the corporation or with the
7125 proceeds of bonds supported by the full faith and credit of the state shall
7126 be subject to the approval of the Secretary of the Office of Policy and
7127 Management and the provisions of section 4b-23, and (B) upon
7128 termination of a lease executed on or before, May 1, 2016, for its main
7129 office, the corporation shall consider relocating such main office to a
7130 designated innovation place, as defined in section 32-39j, and
7131 establishing a satellite office in one or more designated innovation
7132 places;

7133 (5) To borrow money or to guarantee a return to the investors in or
7134 lenders to any capital initiative, to the extent permitted under this
7135 chapter;

7136 (6) To hold patents, copyrights, trademarks, marketing rights,
7137 licenses, or any other evidences of protection or exclusivity as to any
7138 products as defined herein, issued under the laws of the United States
7139 or any state or any nation;

7140 (7) To employ such assistants, agents and other employees as may be
7141 necessary or desirable, which employees shall be exempt from the
7142 classified service and shall not be employees, as defined in subsection
7143 (b) of section 5-270; establish all necessary or appropriate personnel
7144 practices and policies, including those relating to hiring, promotion,
7145 compensation, retirement and collective bargaining, which need not be
7146 in accordance with chapter 68, and the corporation shall not be an
7147 employer, as defined in subsection (a) of section 5-270; and engage
7148 consultants, attorneys and appraisers as may be necessary or desirable
7149 to carry out its purposes in accordance with this chapter;

7150 (8) To make and enter into all contracts and agreements necessary or
7151 incidental to the performance of its duties and the execution of its
7152 powers under this chapter;

7153 (9) To sue and be sued, plead and be impleaded, adopt a seal and
7154 alter the same at pleasure;

7155 (10) With the approval of the State Treasurer, to invest any funds not
7156 needed for immediate use or disbursement, including any funds held in
7157 reserve, in obligations issued or guaranteed by the United States of
7158 America or the state of Connecticut and in other obligations which are
7159 legal investments for retirement funds in this state;

7160 (11) To procure insurance against any loss in connection with its
7161 property and other assets in such amounts and from such insurers as it
7162 deems desirable;

7163 (12) To the extent permitted under its contract with other persons, to
7164 consent to any termination, modification, forgiveness or other change of
7165 any term of any contractual right, payment, royalty, contract or
7166 agreement of any kind to which the corporation is a party;

7167 (13) To do anything necessary and convenient to render the bonds to
7168 be issued under section 32-41 more marketable;

7169 (14) To acquire, lease, purchase, own, manage, hold and dispose of
7170 personal property, and lease, convey or deal in or enter into agreements
7171 with respect to such property on any terms necessary or incidental to
7172 the carrying out of these purposes;

7173 (15) In connection with any application for assistance under this
7174 chapter, or commitments therefor, to make and collect such fees as the
7175 corporation shall determine to be reasonable;

7176 (16) To enter into venture agreements with persons, upon such terms
7177 and conditions as are consistent with the purposes of this chapter to
7178 provide financial aid to such persons for the marketing of new and
7179 innovative services based on the use of a specific technology, product,
7180 device, technique, service or process;

7181 (17) To enter into limited partnerships or other contractual
7182 arrangements with private and public sector entities as the corporation
7183 deems necessary to provide financial aid which shall be used to make
7184 investments of seed venture capital in companies based in or relocating
7185 to the state in a manner which shall foster additional capital investment,
7186 the establishment of new businesses, the creation of new jobs and
7187 additional commercially-oriented research and development activity.
7188 The repayment of such financial aid shall be structured in such manner
7189 as the corporation deems will best encourage private sector
7190 participation in such limited partnerships or other arrangements. The
7191 board of directors, chief executive officer, officers and staff of the
7192 corporation may serve as members of any advisory or other board
7193 which may be established to carry out the purposes of this subdivision;

7194 (18) To account for and audit funds of the corporation and funds of
7195 any recipients of financial aid from the corporation;

7196 (19) To advise the Governor, the General Assembly, the
7197 Commissioner of Economic and Community Development and the
7198 president of the Connecticut State Colleges and Universities on matters
7199 relating to science, engineering and technology which may have an
7200 impact on state policies, programs, employers and residents, and on job
7201 creation and retention;

7202 (20) To promote technology-based development in the state;

7203 (21) To encourage and promote the establishment of and, within
7204 available resources, to provide financial aid to advanced technology
7205 centers;

7206 (22) To maintain an inventory of data and information concerning
7207 state and federal programs which are related to the purposes of this
7208 chapter and to serve as a clearinghouse and referral service for such data
7209 and information, provided such power shall be transferred to CTNext
7210 on September 1, 2016;

7211 (23) To conduct and encourage research and studies relating to
7212 technological development;

7213 (24) To provide technical or other assistance and, within available
7214 resources, to provide financial aid to the Connecticut Academy of
7215 Science and Engineering, Incorporated, in order to further the purposes
7216 of this chapter;

7217 (25) To recommend a science and technology agenda for the state that
7218 will promote the formation of public and private partnerships for the
7219 purpose of stimulating research, new business formation and growth
7220 and job creation;

7221 (26) To encourage and provide technical assistance and, within
7222 available resources, to provide financial aid to existing manufacturers

7223 and other businesses in the process of adopting innovative technology
7224 and new state-of-the-art processes and techniques;

7225 (27) To recommend state goals for technological development and to
7226 establish policies and strategies for developing and assisting
7227 technology-based companies and for attracting such companies to the
7228 state;

7229 (28) To promote and encourage and, within available resources, to
7230 provide financial aid for the establishment, maintenance and operation
7231 of incubator facilities, provided such power shall be transferred to
7232 CTNext on September 1, 2016;

7233 (29) To promote and encourage the coordination of public and
7234 private resources and activities within the state in order to assist
7235 technology-based entrepreneurs and business enterprises;

7236 (30) To provide services to industry that will stimulate and advance
7237 the adoption and utilization of technology and achieve improvements
7238 in the quality of products and services;

7239 (31) To promote science, engineering, mathematics and other
7240 disciplines that are essential to the development and application of
7241 technology;

7242 (32) To coordinate its efforts with existing business outreach centers,
7243 as described in section 32-9qq;

7244 (33) To do all acts and things necessary and convenient to carry out
7245 the purposes of this chapter;

7246 (34) To accept from the department: (A) Financial assistance, (B)
7247 revenues or the right to receive revenues with respect to any program
7248 under the supervision of the department, and (C) loan assets or equity
7249 interests in connection with any program under the supervision of the
7250 department; to make advances to and reimburse the department for any
7251 expenses incurred or to be incurred by it in the delivery of such

7252 assistance, revenues, rights, assets, or interests; to enter into agreements
7253 for the delivery of services by the corporation, in consultation with the
7254 department and the Connecticut Housing Finance Authority, to third
7255 parties, which agreements may include provisions for payment by the
7256 department to the corporation for the delivery of such services; and to
7257 enter into agreements with the department or with the Connecticut
7258 Housing Finance Authority for the sharing of assistants, agents and
7259 other consultants, professionals and employees, and facilities and other
7260 real and personal property used in the conduct of the corporation's
7261 affairs;

7262 (35) To transfer to the department: (A) Financial assistance, (B)
7263 revenues or the right to receive revenues with respect to any program
7264 under the supervision of the corporation, and (C) loan assets or equity
7265 interests in connection with any program under the supervision of the
7266 corporation, provided the transfer of such financial assistance, revenues,
7267 rights, assets or interests is determined by the corporation to be
7268 practicable, within the constraints and not inconsistent with the
7269 fiduciary obligations of the corporation imposed upon or established
7270 upon the corporation by any provision of the general statutes, the
7271 corporation's bond resolutions or any other agreement or contract of the
7272 corporation and to have no adverse effect on the tax-exempt status of
7273 any bonds of the state;

7274 (36) With respect to any capital initiative, to create, with one or more
7275 persons, one or more affiliates and to provide, directly or indirectly, for
7276 the contribution of capital to any such affiliate, each such affiliate being
7277 expressly authorized to exercise on such affiliate's own behalf all powers
7278 which the corporation may exercise under this section, in addition to
7279 such other powers provided to it by law;

7280 (37) To provide financial aid to enable biotechnology, bioscience and
7281 other technology companies to lease, acquire, construct, maintain,
7282 repair, replace or otherwise obtain and maintain production, testing,
7283 research, development, manufacturing, laboratory and related and

7284 other facilities, improvements and equipment;

7285 (38) To provide financial aid to persons developing smart buildings,
7286 as defined in section 32-23d, incubator facilities or other information
7287 technology intensive office and laboratory space;

7288 (39) To provide financial aid to persons developing or constructing
7289 the basic buildings, facilities or installations needed for the functioning
7290 of the media and motion picture industry in this state;

7291 (40) To coordinate the development and implementation of strategies
7292 regarding technology-based talent and innovation among state and
7293 quasi-public agencies, including the creation and administration of the
7294 Connecticut Small Business Innovation Research Office to act as a
7295 centralized clearinghouse and provide technical assistance to applicants
7296 in developing small business innovation research programs in
7297 conformity with the federal program established pursuant to the Small
7298 Business Research and Development Enhancement Act of 1992, P.L. 102-
7299 564, as amended, and other proposals, provided such power shall be
7300 transferred to CTNext on September 1, 2016;

7301 (41) To invest in private equity investment funds, or funds of funds,
7302 and enter into related agreements of limited partnership or other
7303 contractual arrangements related to such funds. Any such fund may be
7304 organized and managed, and may invest in businesses, located within
7305 or outside the state, provided the characteristics, investment objectives
7306 and criteria for such fund shall be consistent with policies adopted by
7307 the corporation's board of directors, which shall include requirements
7308 that the fund manager have or establish an office in the state and that
7309 the fund manager agrees to make diligent and good faith efforts to
7310 source deals and make fund investments such that an amount at least
7311 equal to the amount invested in such fund by the corporation and not
7312 otherwise returned, net of customary fees, expenses and closing costs
7313 borne ratably by fund investors, is invested by or through such fund in
7314 a manner that supports (A) the growth of business operations of

7315 companies in the technology, bioscience or precision manufacturing
7316 sectors in the state, or (B) the relocation of companies in such sectors to
7317 the state;

7318 (42) To invest up to five million dollars in a venture capital funding
7319 round of an out-of-state business that has raised private capital, has
7320 been incorporated for ten years or less and whose annual gross revenue
7321 has increased by twenty per cent for each of the three previous income
7322 years of such business, provided (A) any such investment is contingent
7323 upon the business relocating its operations to the state, (B) no
7324 investment shall exceed fifty per cent of the total amount raised by the
7325 business in such venture capital funding round, and (C) the total
7326 amount of investments pursuant to this section shall not exceed ten
7327 million dollars;

7328 (43) To establish a program to solicit private investment from state
7329 residents that Connecticut Innovations, Incorporated will invest in a
7330 private investment fund or funds of funds pursuant to subdivision (41)
7331 of this section or subsections (e) and (g) of section 32-41cc on behalf of
7332 such residents, provided any such private investment shall be invested
7333 by Connecticut Innovations, Incorporated in venture capital firms
7334 having offices located in the state; [and]

7335 (44) To create financial incentives to induce (A) out-of-state
7336 businesses that have raised private capital, have been incorporated for
7337 ten years or less and whose annual gross revenue has increased by
7338 twenty per cent for each of the three previous income years of such
7339 business, to relocate to Connecticut, provided the corporation has made
7340 an equity investment in such business and (B) out-of-state venture
7341 capital firms to relocate to Connecticut, provided the corporation is
7342 investing funds in such firm as a limited partner; [.] and

7343 (45) To provide financial aid, including in the form of equity
7344 investments, to cannabis establishments, as defined in section 1 of this
7345 act.

7346 Sec. 153. (NEW) (*Effective January 1, 2022*) Not later than January 1,
7347 2022, the Police Officer Standards and Training Council shall issue
7348 guidance concerning how police officers shall determine whether the
7349 cannabis possessed by a person is in excess of such person's possession
7350 limit pursuant to subsection (a) of section 21a-279a of the general
7351 statutes.

7352 Sec. 154. Subsection (h) of section 51-164n of the general statutes is
7353 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7354 *2021*):

7355 (h) In any trial for the alleged commission of an infraction, the
7356 practice, procedure, rules of evidence and burden of proof applicable in
7357 criminal proceedings shall apply. [except that in any trial for the
7358 alleged commission of an infraction under subsection (d) of section 21a-
7359 267, the burden of proof shall be by the preponderance of the evidence.]
7360 Any person found guilty at the trial or upon a plea shall be guilty of the
7361 commission of an infraction and shall be fined not less than thirty-five
7362 dollars or more than ninety dollars or, if the infraction is for a violation
7363 of any provision of title 14, not less than fifty dollars or more than ninety
7364 dollars.

7365 Sec. 155. Subdivision (4) of subsection (c) of section 19a-343 of the
7366 general statutes is repealed and the following is substituted in lieu
7367 thereof (*Effective July 1, 2021*):

7368 (4) Offenses for the sale of controlled substances, possession of
7369 controlled substances with intent to sell, or maintaining a drug factory
7370 under section 21a-277, 21a-278 or 21a-278a or section 13 of this act use of
7371 the property by persons possessing controlled substances under section
7372 21a-279. Nothing in this section shall prevent the state from also
7373 proceeding against property under section 21a-259 or 54-36h.

7374 Sec. 156. Subsection (a) of section 53-394 of the general statutes is
7375 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7376 *2021*):

7377 (a) "Racketeering activity" means to commit, to attempt to commit, to
7378 conspire to commit, or to intentionally aid, solicit, coerce or intimidate
7379 another person to commit any crime which, at the time of its
7380 commission, was a felony chargeable by indictment or information
7381 under the following provisions of the general statutes then applicable:
7382 (1) Sections 53-278a to 53-278f, inclusive, relating to gambling activity;
7383 (2) chapter 949a, relating to extortionate credit transactions; (3) chapter
7384 952, part IV, relating to homicide; (4) chapter 952, part V, relating to
7385 assault, except assault with a motor vehicle as defined in section 53a-
7386 60d; (5) sections 53a-85 to 53a-88, inclusive, relating to prostitution; (6)
7387 chapter 952, part VII, relating to kidnapping; (7) chapter 952, part VIII,
7388 relating to burglary, arson and related offenses; (8) chapter 952, part IX,
7389 relating to larceny, robbery and related offenses; (9) chapter 952, part X,
7390 relating to forgery and related offenses; (10) chapter 952, part XI, relating
7391 to bribery and related offenses; (11) chapter 952, part XX, relating to
7392 obscenity and related offenses; (12) chapter 952, part XIX, relating to
7393 coercion; (13) sections 53-202, 53-206, 53a-211 and 53a-212, relating to
7394 weapons and firearms; (14) section 53-80a, relating to the manufacture
7395 of bombs; (15) sections 36b-2 to 36b-34, inclusive, relating to securities
7396 fraud and related offenses; (16) sections 21a-277, 21a-278 and 21a-279,
7397 and section 13 of this act, relating to drugs; (17) section 22a-131a, relating
7398 to hazardous waste; (18) chapter 952, part XXIII, relating to money
7399 laundering; (19) section 53a-192a, relating to trafficking in persons; or
7400 (20) subsection (b) of section 12-304 or section 12-308, relating to
7401 cigarettes, or subsection (c) of section 12-330f or subsection (b) of section
7402 12-330j, relating to tobacco products.

7403 Sec. 157. Subsections (a) to (c), inclusive, of section 54-33g of the
7404 general statutes are repealed and the following is substituted in lieu
7405 thereof (*Effective July 1, 2021*):

7406 (a) When any property believed to be possessed, controlled, designed
7407 or intended for use or which is or has been used or which may be used
7408 as a means of committing any criminal offense, or which constitutes the
7409 proceeds of the commission of any criminal offense, except a violation

7410 of section 21a-267, 21a-277, 21a-278 or 21a-279, or section 13 of this act,
7411 has been seized as a result of a lawful arrest or a lawful search that
7412 results in an arrest, which the state claims to be a nuisance and desires
7413 to have destroyed or disposed of in accordance with the provisions of
7414 this section, the Chief State's Attorney or a deputy chief state's attorney,
7415 state's attorney or assistant or deputy assistant state's attorney may
7416 petition the court not later than ninety days after the seizure, in the
7417 nature of a proceeding in rem, to order forfeiture of such property. Such
7418 proceeding shall be deemed a civil suit in equity, in which the state shall
7419 have the burden of proving all material facts by clear and convincing
7420 evidence. The court shall identify the owner of such property and any
7421 other person as appears to have an interest in such property, and order
7422 the state to give notice to such owner and any interested person by
7423 certified or registered mail.

7424 (b) The court shall hold a hearing on the petition filed pursuant to
7425 subsection (a) of this section not more than two weeks after the criminal
7426 proceeding that occurred as a result of the arrest has been nolle,
7427 dismissed or otherwise disposed of. The court shall deny the petition
7428 and return the property to the owner if the criminal proceeding does not
7429 result in (1) a plea of guilty or nolo contendere to any offense charged in
7430 the same criminal information, (2) a guilty verdict after trial to a
7431 forfeiture-eligible offense for which the property was possessed,
7432 controlled, designed or intended for use, or which was or had been used
7433 as a means of committing such offense, or which constitutes the
7434 proceeds of the commission of such offense, or (3) a dismissal resulting
7435 from the completion of a pretrial diversionary program.

7436 (c) If the court finds the allegations made in such petition to be true
7437 and that the property has been possessed, controlled or designed for
7438 use, or is or has been or is intended to be used, with intent to violate or
7439 in violation of any of the criminal laws of this state, or constitutes the
7440 proceeds of a violation of any of the criminal laws of this state, except a
7441 violation of section 21a-267, 21a-277, 21a-278 or 21a-279, or section 13 of
7442 this act, and that a plea of guilty or nolo contendere to such offense or

7443 another charge in the same criminal information, or a guilty verdict after
7444 trial for such forfeiture-eligible offense, or a dismissal resulting from the
7445 completion of a pretrial diversionary program has been entered, the
7446 court shall render judgment that such property is a nuisance and order
7447 the property to be destroyed or disposed of to a charitable or
7448 educational institution or to a governmental agency or institution,
7449 except that if any such property is subject to a bona fide mortgage,
7450 assignment of lease or rent, lien or security interest, such property shall
7451 not be so destroyed or disposed of in violation of the rights of the holder
7452 of such mortgage, assignment of lease or rent, lien or security interest.

7453 Sec. 158. Section 54-41b of the general statutes is repealed and the
7454 following is substituted in lieu thereof (*Effective July 1, 2021*):

7455 The Chief State's Attorney or the state's attorney for the judicial
7456 district in which the interception is to be conducted may make
7457 application to a panel of judges for an order authorizing the interception
7458 of any wire communication by investigative officers having
7459 responsibility for the investigation of offenses as to which the
7460 application is made when such interception may provide evidence of
7461 the commission of offenses involving gambling, bribery, violations of
7462 section 53-395, violations of section 53a-70c, violations of subsection (a)
7463 of section 53a-90a, violations of section 53a-192a, violations of section
7464 53a-196, violations of section 21a-277, violations of section 13 of this act,
7465 felonious crimes of violence or felonies involving the unlawful use or
7466 threatened use of physical force or violence committed with the intent
7467 to intimidate or coerce the civilian population or a unit of government.

7468 Sec. 159. Subsection (b) of section 18-100h of the general statutes is
7469 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7470 *2021*):

7471 (b) Notwithstanding any provision of the general statutes, whenever
7472 a person is sentenced to a term of imprisonment for a violation of section
7473 21a-267, [or] 21a-279 or 21a-279a, and committed by the court to the

7474 custody of the Commissioner of Correction, the commissioner may,
7475 after admission and a risk and needs assessment, release such person to
7476 such person's residence subject to the condition that such person not
7477 leave such residence unless otherwise authorized. Based upon the
7478 assessment of such person, the commissioner may require such person
7479 to be subject to electronic monitoring, which may include the use of a
7480 global positioning system and continuous monitoring for alcohol
7481 consumption, to drug testing on a random basis, and to any other
7482 conditions that the commissioner may impose. Any person released
7483 pursuant to this subsection shall remain in the custody of the
7484 commissioner and shall be supervised by employees of the department
7485 during the period of such release. Upon the violation by such person of
7486 any condition of such release, the commissioner may revoke such
7487 release and return such person to confinement in a correctional facility.
7488 For purposes of this subsection, "continuous monitoring for alcohol
7489 consumption" means automatically testing breath, blood or transdermal
7490 alcohol concentration levels and tamper attempts at least once every
7491 hour regardless of the location of the person being monitored.

7492 Sec. 160. Subsection (a) of section 53a-39c of the general statutes is
7493 repealed and the following is substituted in lieu thereof (*Effective July*
7494 *1, 2021*):

7495 (a) There is established, within available appropriations, a
7496 community service labor program for persons convicted of a first
7497 violation of section 21a-267, [or] 21a-279 or 21a-279a, who have not
7498 previously been convicted of a violation of section 21a-277 or 21a-278.
7499 Upon application by any such person for participation in such program
7500 the court may grant such application and, upon a plea of guilty without
7501 trial where a term of imprisonment is part of a stated plea agreement,
7502 suspend any sentence of imprisonment and make participation in such
7503 program a condition of probation or conditional discharge in
7504 accordance with section 53a-30. No person may be placed in such
7505 program who has previously been placed in such program.

7506 Sec. 161. Subsection (c) of section 54-56e of the general statutes is
7507 repealed and the following is substituted in lieu thereof (*Effective July 1,*
7508 *2021*):

7509 (c) This section shall not be applicable: (1) To any person charged
7510 with (A) a class A felony, (B) a class B felony, except a violation of
7511 subdivision (1), (2) or (3) of subsection (a) of section 53a-122 that does
7512 not involve the use, attempted use or threatened use of physical force
7513 against another person, or a violation of subdivision (4) of subsection (a)
7514 of section 53a-122 that does not involve the use, attempted use or
7515 threatened use of physical force against another person and does not
7516 involve a violation by a person who is a public official, as defined in
7517 section 1-110, or a state or municipal employee, as defined in section 1-
7518 110, or (C) a violation of section 53a-70b of the general statutes, revision
7519 of 1958, revised to January 1, 2019, or section 14-227a or 14-227m,
7520 subdivision (1) or (2) of subsection (a) of section 14-227n, subdivision (2)
7521 of subsection (a) of section 53-21 or section 53a-56b, 53a-60d, 53a-70, 53a-
7522 70a, 53a-71, except as provided in subdivision (5) of this subsection, 53a-
7523 72a, 53a-72b, 53a-90a, 53a-196e or 53a-196f, (2) to any person charged
7524 with a crime or motor vehicle violation who, as a result of the
7525 commission of such crime or motor vehicle violation, causes the death
7526 of another person, (3) to any person accused of a family violence crime
7527 as defined in section 46b-38a who (A) is eligible for the pretrial family
7528 violence education program established under section 46b-38c, or (B)
7529 has previously had the pretrial family violence education program
7530 invoked in such person's behalf, (4) to any person charged with a
7531 violation of section 21a-267, [or] 21a-279 or 21a-279a, who (A) is eligible
7532 for the pretrial drug education and community service program
7533 established under section 54-56i or the pretrial drug intervention and
7534 community service program established under section 166 of this act, or
7535 (B) has previously had (i) the pretrial drug education program [or] (ii)
7536 the pretrial drug education and community service program established
7537 under the provisions of section 54-56i, or (iii) the pretrial drug
7538 intervention and community service program established under section

7539 166 of this act, invoked on such person's behalf, (5) unless good cause is
7540 shown, to (A) any person charged with a class C felony, or (B) any
7541 person charged with committing a violation of subdivision (1) of
7542 subsection (a) of section 53a-71 while such person was less than four
7543 years older than the other person, (6) to any person charged with a
7544 violation of section 9-359 or 9-359a, (7) to any person charged with a
7545 motor vehicle violation (A) while operating a commercial motor vehicle,
7546 as defined in section 14-1, or (B) who holds a commercial driver's license
7547 or commercial driver's instruction permit at the time of the violation, (8)
7548 to any person charged with a violation of subdivision (6) of subsection
7549 (a) of section 53a-60, or (9) to a health care provider or vendor
7550 participating in the state's Medicaid program charged with a violation
7551 of section 53a-122 or subdivision (4) of subsection (a) of section 53a-123.

7552 Sec. 162. (NEW) (*Effective July 1, 2023*) Notwithstanding the
7553 provisions of section 13 of this act, any consumer may cultivate up to
7554 three mature cannabis plants and three immature cannabis plants in the
7555 consumer's primary residence, provided such plants are secure from
7556 access by any individual other than the consumer and no more than
7557 twelve cannabis plants may be grown at any given time per household.

7558 Sec. 163. (NEW) (*Effective October 1, 2021*) Any person twenty-three
7559 years of age or older who sells, delivers or gives cannabis, as defined in
7560 section 1 of this act, to any person under twenty-one years of age, and
7561 who knew or should have known that such person was under twenty-
7562 one years of age, shall be guilty of a class A misdemeanor.

7563 Sec. 164. Subsection (i) of section 54-1m of the general statutes is
7564 repealed and the following is substituted in lieu thereof (*Effective from*
7565 *passage*):

7566 (i) The Office of Policy and Management shall, within available
7567 resources, review the prevalence and disposition of traffic stops and
7568 complaints reported pursuant to this section, including any traffic stops
7569 conducted on suspicion of a violation of section 14-227a, 14-227g, 14-

7570 227m or 14-227n. Not later than July 1, 2014, and annually thereafter, the
7571 office shall report the results of any such review, including any
7572 recommendations, to the Governor, the General Assembly and any
7573 other entity deemed appropriate.

7574 Sec. 165. (NEW) (*Effective from passage*) Not later than January 1, 2022,
7575 the Commissioner of Emergency Services and Public Protection shall
7576 report to the Governor and, in accordance with the provisions of section
7577 11-4a, to the joint standing committees of the General Assembly having
7578 cognizance of matters relating to public safety and security and
7579 transportation, regarding the merits and feasibility of establishing (1) a
7580 phlebotomy program for police departments in the state, and (2) a
7581 facility to train police officers on the symptoms of cannabis impairment.

7582 Sec. 166. (NEW) (*Effective April 1, 2022*) (a) (1) There is established a
7583 pretrial drug intervention and community service program for persons
7584 charged with a violation of section 21a-257 of the general statutes, 21a-
7585 267 of the general statutes, 21a-279 of the general statutes or 21a-279a of
7586 the general statutes. The program shall consist of a twelve-session drug
7587 education component or a substance use treatment program of not less
7588 than fifteen sessions, and the performance of community service as
7589 ordered by the court pursuant to subsection (c) of this section.

7590 (2) The provisions of this section shall not apply to any person who
7591 has twice previously participated in: (A) The pretrial drug education
7592 program established under the provisions of section 54-56i of the
7593 general statutes; (B) the community service labor program established
7594 under section 53a-39c of the general statutes; (C) the pretrial drug
7595 intervention and community service program established under this
7596 section; or (D) any of such programs, except that the court may allow a
7597 person who has twice previously participated in such programs to
7598 participate in the program established under this section one additional
7599 time, for good cause shown.

7600 (b) Upon application for participation in the program:

7601 (1) The court shall, but only as to the public, order the court file
7602 sealed;

7603 (2) The applicant shall pay to the court a nonrefundable application
7604 fee of one hundred dollars and a nonrefundable evaluation fee of one
7605 hundred fifty dollars, both of which shall be credited to the pretrial
7606 account established under section 54-56k of the general statutes;

7607 (3) The applicant shall agree that, if the court grants the application
7608 and places the applicant in the program:

7609 (A) The statute of limitations for any alleged violations for which the
7610 court grants the application for the program shall be tolled;

7611 (B) The applicant waives the right to a speedy trial;

7612 (C) The applicant will begin participation in the components of the
7613 program ordered by the court not later than ninety days after the date
7614 that the Court Support Services Division directs the applicant to attend
7615 such components pursuant to subsection (d) of this section, unless the
7616 applicant requests a later start date, and the division determines that a
7617 later start date is appropriate;

7618 (D) The applicant will successfully complete any components of the
7619 program ordered by the court;

7620 (E) The applicant will not engage in any conduct that would
7621 constitute a violation of section 21a-257 of the general statutes, 21a-267
7622 of the general statutes, 21a-279 of the general statutes or 21a-279a of the
7623 general statutes; and

7624 (F) To satisfactorily complete the program, the applicant may be
7625 required to participate in additional substance use treatment after
7626 completing the drug education or substance use treatment component
7627 of the program that the Court Support Services Division directs the
7628 applicant to attend pursuant to subsection (d) of this section, if a
7629 program component provider recommends such additional treatment

7630 and the division deems it appropriate, pursuant to subdivision (3) of
7631 subsection (h) of this section, or the court orders the additional
7632 treatment.

7633 (c) (1) The court, after consideration of the recommendation of the
7634 state's attorney, assistant state's attorney or deputy assistant state's
7635 attorney in charge of the case, may, in its discretion, grant the
7636 application for, and place the applicant in, the pretrial drug intervention
7637 and community service program for a period of one year, subject to
7638 confirmation of the applicant's eligibility to participate in the program.

7639 (2) If the court grants the application and places the applicant in the
7640 program, the court shall refer the person placed in the program to the
7641 Court Support Services Division for confirmation of eligibility to
7642 participate in the program, and:

7643 (A) If the division confirms that such person is eligible for the
7644 program:

7645 (i) Direct the division to refer the applicant to the Department of
7646 Mental Health and Addiction Services for evaluation and determination
7647 of the appropriate drug education or substance use treatment
7648 component of the program, if the court has granted the applicant's
7649 participation in the program established under the provisions of this
7650 section or the community service labor program established under
7651 section 53a-39c of the general statutes for the first or second time;

7652 (ii) Direct the division to refer the applicant to a state-licensed
7653 substance use treatment provider for evaluation and determination of
7654 the appropriate substance use treatment component of the program, if
7655 the court has granted the applicant's participation in the program
7656 established under the provisions of this section or the community
7657 service labor program established under section 53a-39c of the general
7658 statutes for the third time; or

7659 (iii) If the applicant is a veteran, may direct the division to refer the

7660 applicant to the Department of Veterans Affairs or the United States
7661 Department of Veterans Affairs for evaluation and determination of the
7662 appropriate drug education or substance use treatment component of
7663 the program; or

7664 (B) If the division determines that such person is not eligible for the
7665 program, to inform the court of such determination and return such
7666 person's case to court for further proceedings.

7667 (3) When granting an application and placing an applicant in the
7668 program:

7669 (A) For the first time, the court shall order the applicant to participate
7670 in (i) either the drug education or substance use treatment component
7671 of the program recommended by the evaluation conducted pursuant to
7672 subparagraph (A)(i) of subdivision (2) of this subsection; and (ii) the
7673 community service component of the program for a period of five days;

7674 (B) For the second time, the court shall order the applicant to
7675 participate in (i) either the drug education or substance use treatment
7676 component of the program recommended by the evaluation conducted
7677 pursuant to subparagraph (A) of subdivision (2) of this subsection; and
7678 (ii) the community service component of the program for a period of
7679 fifteen days; or

7680 (C) For the third time, the court shall order the applicant to
7681 participate in (i) the substance use treatment component recommended
7682 by the evaluation conducted pursuant to subparagraph (A) of
7683 subdivision (2) of this subsection; and (ii) the community service
7684 component of the program for a period of thirty days.

7685 (d) (1) Except as provided in subdivisions (2) and (4) of this
7686 subsection, upon receipt of the evaluation of any person placed in the
7687 program conducted pursuant to subparagraph (A) of subdivision (2) of
7688 subsection (c) of this section, the Court Support Services Division shall
7689 (A) refer such person to the Department of Mental Health and Addiction

7690 Services or to a state-licensed substance use treatment provider with
7691 facilities that are in compliance with all state standards governing the
7692 operation of such facilities, as appropriate, for the purpose of receiving
7693 the drug education or substance use treatment component services
7694 recommended by such evaluation; and (B) direct such person to attend
7695 the recommended drug education or substance use treatment
7696 component within ninety days after referral unless the division
7697 determines that a later start date is appropriate.

7698 (2) If any person placed in the program is a veteran, the division (A)
7699 may refer such person to the Department of Veterans Affairs or the
7700 United States Department of Veterans Affairs for the applicable drug
7701 education or substance use treatment component recommended by the
7702 evaluation conducted pursuant to subparagraph (A) of subdivision (2)
7703 of subsection (c) of this section if: (i) the division determines that
7704 services for such component will be provided in a timely manner under
7705 standards substantially similar to, or higher than, the standards for
7706 services provided by the Department of Mental Health and Addiction
7707 Services or a state-licensed substance use treatment provider, and (ii)
7708 the applicable department agrees to submit timely component
7709 participation and completion reports to the division in the manner
7710 required by the division; and (B) shall direct such person to attend the
7711 recommended drug education or substance use treatment component
7712 within ninety days unless the division determines that a later start date
7713 is appropriate.

7714 (3) The division shall direct such person to attend the applicable
7715 community service component ordered by the court, and shall supervise
7716 such person's participation in such community service component.

7717 (4) The division may allow any person placed in the program whose
7718 employment, residence or education makes it unreasonable to
7719 participate in any component of the program ordered by the court in
7720 this state to participate in the applicable program components in
7721 another state if:

7722 (A) The out-of-state component provider has standards substantially
7723 similar to, or higher than, those of this state;

7724 (B) For any substance use treatment component, the out-of-state
7725 substance use treatment provider is licensed by the state in which
7726 treatment will be provided; and

7727 (C) The person allowed to participate in any of the components of the
7728 program in another state pays the applicable program fee and
7729 participation costs provided in this section.

7730 (5) If the division determines that any person placed in the program
7731 has either failed to comply with the requirements of any component of
7732 the program in which the court has ordered such person to participate,
7733 or engaged in any conduct that constitutes a violation of section 21a-257
7734 of the general statutes, 21a-267 of the general statutes, 21a-279 of the
7735 general statutes or 21a-279a of the general statutes, the division shall
7736 inform the court and return such person's case to court for further
7737 proceedings.

7738 (e) (1) At the time that the Court Support Services Division directs
7739 any person to attend any component of the program, such person shall
7740 (A) if directed to attend the drug education component, pay to the court
7741 a nonrefundable program fee of four hundred dollars, or (B) if directed
7742 to attend the substance use treatment component, pay to the court a
7743 nonrefundable program fee of one hundred dollars and pay to the
7744 treatment provider any costs associated with such treatment. All
7745 program fees shall be credited to the pretrial account established under
7746 section 54-56k of the general statutes.

7747 (2) (A) No person may be excluded from any component of the
7748 program because such person is indigent and unable to pay the
7749 associated fee or costs, provided (i) such person files with the court an
7750 affidavit of indigency and the court enters a finding of such indigency,
7751 or (ii) such person has been determined indigent and eligible for
7752 representation by a public defender who has been appointed on behalf

7753 of such person pursuant to section 51-296 of the general statutes. The
7754 court shall not require a person to perform community service in lieu of
7755 payment of any fee or cost, if such fee or cost is waived.

7756 (B) If the court finds that a person is indigent and unable to pay for
7757 the program application or the evaluation fee for the program, the court
7758 may waive all or any portion of these fees.

7759 (C) If the court finds that a person is indigent and unable to pay for
7760 the drug education component of the program, the court may waive all
7761 or any portion of the program fee for that component, provided that
7762 such person participates in such drug education services offered by a
7763 provider located in this state.

7764 (D) If the court finds that a person is indigent and unable to pay for
7765 the substance use treatment component of the program, the court may
7766 waive all or any portion of the program fee for that component and the
7767 costs of such treatment, provided that such person participates in such
7768 treatment at a substance use treatment provider licensed by and located
7769 in this state. Any costs waived under this subparagraph shall be paid by
7770 the Department of Mental Health and Addiction Services.

7771 (E) Notwithstanding any provision of this section, in no event shall
7772 the Department of Mental Health and Addiction Services pay any costs
7773 associated with education or substance use treatment provided outside
7774 of this state.

7775 (f) (1) If the Court Support Services Division returns to court the case
7776 of any person placed in the program whom the division has determined
7777 is not eligible for the program, and the court finds that such person is
7778 not eligible to participate in the program, the court shall revoke such
7779 person's placement in the program.

7780 (2) If the Court Support Services Division returns to court the case of
7781 any person placed in the program whom the division has learned has
7782 failed to comply with requirements of any component of the program in

7783 which the court has ordered such person to participate, or engaged in
7784 any conduct that constitutes a violation of section 21a-257 of the general
7785 statutes, 21a-267 of the general statutes, 21a-279 of the general statutes
7786 or 21a-279a of the general statutes, and the court finds that such person
7787 is no longer eligible to continue participating in the program, the court
7788 shall terminate such person's participation in the program.

7789 (3) If the court revokes any person's placement in the program or
7790 terminates any person's participation in the program, the court shall
7791 order the court file to be unsealed, enter a plea of not guilty for such
7792 person, and immediately place the case on the trial list, unless such
7793 person is eligible for, such person requests and the court grants such
7794 person reinstatement into the program pursuant to subsection (k) of this
7795 section.

7796 (4) (A) If the court revokes any person's placement in the program,
7797 such person shall not be required to pay any program fee or
7798 participation costs specified in subsection (e) of this section.

7799 (B) If the court terminates any person's participation in the program,
7800 no program fees or substance use treatment costs imposed pursuant to
7801 subsection (e) of this section shall be refunded.

7802 (g) The Department of Mental Health and Addiction Services shall
7803 administer the drug education component of the program and shall
7804 adopt regulations, in accordance with the provisions of chapter 54 of the
7805 general statutes, to establish standards for such drug education
7806 component. The department may contract with service providers to
7807 provide the appropriate drug education component in accordance with
7808 the provisions of this section. The department may combine the services
7809 for the drug education component of the program under the provisions
7810 of this section with the services for the alcohol education component of
7811 the impaired driving intervention program under the provisions of
7812 section 167 of this act, if necessary to ensure the appropriate and timely
7813 access to court ordered education components. Participation by a person

7814 in any combined drug and alcohol education services provided by the
7815 department for the drug education component of the program under the
7816 provisions of this section shall not be deemed participation in, nor shall
7817 affect such person's eligibility for, the impaired driving intervention
7818 program under the provisions of section 167 of this act.

7819 (h) (1) All program component providers shall provide the Court
7820 Support Services Division with a certification regarding the
7821 participation of each person referred to such provider pursuant to this
7822 section in the manner required by the division. (A) If such person has
7823 successfully completed the applicable program component, the
7824 certification shall indicate such successful completion and state whether
7825 additional substance use treatment is recommended. (B) If such person
7826 has failed to successfully complete the applicable program component,
7827 the certification shall indicate the reasons for such failure, whether the
7828 person is no longer amenable to education or treatment, and whether
7829 the current referral was an initial referral under subsection (d) of this
7830 section or a reinstatement under subsection (k) of this section for the
7831 program component. The certification of failure shall also, to the extent
7832 practicable, include a recommendation as to whether an alternative
7833 drug education or substance use treatment component would best serve
7834 such person's needs.

7835 (2) Except as provided in subdivision (3) of this subsection, upon
7836 receipt of a participation certification from any program component
7837 provider pursuant to this subsection, the Court Support Services
7838 Division shall provide the court with a final progress report indicating
7839 whether such person has successfully completed any components of the
7840 program ordered by the court, whether the division required such
7841 person to participate in any additional substance use treatment in
7842 accordance with subdivision (3) of this subsection and whether such
7843 person successfully completed any such additional substance use
7844 treatment. The final progress report shall also include any other
7845 information the division obtained during the supervision of such person
7846 relevant to such person's participation in the program, including

7847 whether the results of a criminal history record check, which the
7848 division shall complete prior to the submission of the final progress
7849 report, reveals that such person has engaged in any conduct that
7850 constitutes a violation of section 21a-257 of the general statutes, 21a-267
7851 of the general statutes, 21a-279 of the general statutes or 21a-279a of the
7852 general statutes, during such person's period of participation in the
7853 program.

7854 (3) If a participation certification indicates that a person who was
7855 placed in the program successfully completed the drug education or
7856 substance use treatment component ordered by the court, but the
7857 program component provider recommends additional substance use
7858 treatment for such person, the Court Support Services Division may, if
7859 it deems such additional treatment appropriate, require such person to
7860 participate in the recommended additional substance use treatment in
7861 order to satisfactorily complete the pretrial drug intervention and
7862 community service program. If the division requires such additional
7863 substance use treatment, the division shall provide the court with a final
7864 progress report in accordance with subdivision (2) of this subsection
7865 upon receipt of the participation certification from the substance use
7866 treatment provider for such additional treatment.

7867 (i) (1) If any person successfully completes all components of the
7868 program ordered by the court and any additional substance use
7869 treatment required by the Court Support Services Division, such person
7870 may apply for dismissal of the charges against such person at the
7871 conclusion of such person's period of participation in the program.
7872 Upon application, the court shall review the final progress report
7873 submitted by the division regarding such person and any other relevant
7874 information. If the court finds that such person has satisfactorily
7875 completed the pretrial drug intervention and community service
7876 program, the court shall dismiss the charges.

7877 (2) If any person who has successfully completed all components of
7878 the program ordered by the court and any additional substance use

7879 treatment required by the Court Support Services Division does not
7880 apply for dismissal of the charges against such person at the conclusion
7881 of such person's period of participation in the program, the court may,
7882 upon its own motion, review of the final progress report regarding such
7883 person submitted by the division and any other relevant information. If
7884 the court finds that such person has satisfactorily completed the pretrial
7885 drug intervention and community service program, the court shall
7886 dismiss the charges.

7887 (3) Upon the motion of any person placed in the program and a
7888 showing of good cause, the court may extend the program placement
7889 period for a reasonable period of time to allow such person to complete
7890 the applicable program components.

7891 (j) If, upon review of the final progress report submitted by the Court
7892 Support Services Division or any other relevant information, the court
7893 finds that any person placed in the program has failed to successfully
7894 complete any component of the program ordered by the court, is no
7895 longer amenable to treatment or is otherwise ineligible to continue
7896 participating in the program, the court shall terminate such person's
7897 participation in the program. No program fees or substance use
7898 treatment costs imposed pursuant to subsection (e) of this section shall
7899 be refunded to any person whose participation in the program is
7900 terminated. Unless such person requests, and the court grants,
7901 reinstatement into the program pursuant to subsection (k) of this
7902 section, the court shall order the court file of any person whose
7903 participation in the program is terminated to be unsealed, enter a plea
7904 of not guilty for such person and immediately place the case on the trial
7905 list.

7906 (k) (1) Any person whose participation in the program is terminated
7907 may ask the court to reinstate such person into the program up to two
7908 times. If a person requests reinstatement into the program, the Court
7909 Support Services Division shall verify that such person is eligible for
7910 such reinstatement. If a person requesting reinstatement into the

7911 program is eligible for reinstatement, the court may, in its discretion,
7912 grant such person reinstatement into the program. When granting such
7913 reinstatement, the court shall order the person to participate in an
7914 appropriate drug education, substance use treatment or community
7915 service component of the program.

7916 (2) Any person reinstated into the program shall (A) if ordered to
7917 participate in the drug education component of the program, pay to the
7918 court a nonrefundable program fee of two hundred fifty dollars, which
7919 shall be credited to the pretrial account established under section 54-56k
7920 of the general statutes, or (B) if ordered to participate in the substance
7921 use treatment component of the program, pay the costs of any substance
7922 use treatment. The court shall not waive the program fee or the costs of
7923 substance use treatment associated with reinstatement into the program
7924 unless such person is found eligible to have such fee or costs waived
7925 under subdivision (2) of subsection (e) of this section and such person
7926 participates in the applicable drug education at a service provider
7927 located in this state or substance use treatment at a substance use
7928 treatment provider licensed by and located in this state.

7929 (l) (1) If any person applies for both the pretrial drug intervention and
7930 community service program under the provisions of this section and the
7931 pretrial impaired driving intervention program pursuant to section 167
7932 of this act, for charges arising from the same arrest, and the Department
7933 of Mental Health and Addiction Services has already completed the
7934 required evaluation and determination of the appropriate alcohol
7935 education or substance use treatment component pursuant to section
7936 167 of this act, the court and the Court Support Services Division may
7937 rely on such evaluation and determination for the purposes of ordering
7938 participation and directing attendance in the drug education or
7939 substance use treatment component of the program under the
7940 provisions of this section. If the court and the division rely on such
7941 evaluation and determination, such person shall not be required to pay
7942 the evaluation fee under the provisions of subdivision (2) of subsection
7943 (b) of this section, provided that such person has paid, or the court has

7944 waived, the evaluation fee pursuant to section 167 of this act.

7945 (2) If any person is placed in both the pretrial drug intervention and
7946 community service program under the provisions of this section and the
7947 pretrial impaired driving intervention program under section 167 of this
7948 act, for charges arising from the same arrest, the court may find that:

7949 (A) Such person's successful completion of the alcohol education
7950 component of the pretrial impaired driving intervention program
7951 pursuant to section 167 of this act, satisfies such person's required
7952 participation in the drug education component of the pretrial drug
7953 intervention and community service program under the provisions of
7954 this section; or

7955 (B) Such person's successful completion of the substance use
7956 treatment component of the pretrial impaired driving intervention
7957 program under section 167 of this act, satisfies such person's required
7958 participation in the substance use treatment component of the pretrial
7959 drug intervention and community service program under the
7960 provisions of this section.

7961 (3) Nothing in this subsection shall relieve any person placed in both
7962 the pretrial drug intervention and community service program
7963 pursuant to this section and the pretrial impaired driving intervention
7964 program pursuant to section 167 of this act, for charges arising from the
7965 same arrest, from the requirement to participate in the:

7966 (A) Community service component of the pretrial drug intervention
7967 and community service program under the provisions of this section, in
7968 order to satisfactorily complete the pretrial drug intervention and
7969 community service program, or

7970 (B) Victim impact component of the pretrial impaired driving
7971 intervention program, if ordered by the court pursuant to section 167 of
7972 this act, in order to satisfactorily complete the pretrial impaired driving
7973 intervention program.

7974 (m) The Court Support Services Division shall retain a record of
7975 participation in the pretrial drug intervention and community service
7976 program for a period of ten years from the date the court grants the
7977 application for, and places the applicant in, the program pursuant to the
7978 provisions of this section.

7979 (n) For purposes of this section, "veteran" has the same meaning as
7980 provided in subdivision (2) of subsection (a) of section 27-103 of the
7981 general statutes.

7982 Sec. 167. (NEW) (*Effective April 1, 2022*) (a) (1) There is established a
7983 pretrial impaired driving intervention program for persons charged
7984 with a violation of section 14-227a of the general statutes, section 14-
7985 227g of the general statutes, section 14-227m of the general statutes,
7986 section 14-227n of the general statutes, subsection (d) of section 15-133
7987 of the general statutes or section 15-140n of the general statutes. The
7988 program shall consist of a twelve-session alcohol education component
7989 or a substance use treatment component of not less than fifteen sessions,
7990 and may also include a victim impact component, as ordered by the
7991 court pursuant to subsection (d) of this section.

7992 (2) The provisions of this section shall not apply to any person:

7993 (A) Who has been placed in the pretrial impaired driving intervention
7994 program under this section or the pretrial alcohol education program
7995 established under section 54-56g of the general statutes, within ten years
7996 immediately preceding the application;

7997 (B) Who has been convicted of a violation of section 14-227a of the
7998 general statutes, section 14-227g of the general statutes, section 14-227m
7999 of the general statutes, section 14-227n of the general statutes, section
8000 15-132a of the general statutes, subsection (d) of section 15-133 of the
8001 general statutes, section 15-140l of the general statutes, section 15-140n
8002 of the general statutes, section 53a-56b of the general statutes or section
8003 53a-60d of the general statutes;

8004 (C) Who has been convicted in any other state at any time of an
8005 offense the essential elements of which are substantially the same as any
8006 statutory provision set forth in subparagraph (B) of this subdivision;

8007 (D) Who is charged with a violation of section 14-227a of the general
8008 statutes, 14-227g of the general statutes, 14-227m of the general statutes
8009 or 14-227n of the general statutes (i) and held a commercial driver's
8010 license or commercial driver's instruction permit at the time of the
8011 violation; or (ii) while operating a commercial motor vehicle, as defined
8012 in section 14-1 of the general statutes; or

8013 (3) Whose alleged violation caused the serious physical injury, as
8014 defined in section 53a-3 of the general statutes, of another person, unless
8015 good cause is shown.

8016 (b) Upon application for participation in the program:

8017 (1) The court shall, but only as to the public, order the court file
8018 sealed;

8019 (2) The applicant shall pay to the court a nonrefundable application
8020 fee of one hundred dollars, which shall be credited to the Criminal
8021 Injuries Compensation Fund established under section 54-215 of the
8022 general statutes, and a nonrefundable evaluation fee of one hundred
8023 fifty dollars, which shall be credited to the pretrial account established
8024 under section 54-56k of the general statutes;

8025 (3) The applicant shall agree that, if the court grants the application
8026 and places the applicant in the program:

8027 (A) The statute of limitations for any alleged violations for which the
8028 court grants the application for the program shall be tolled;

8029 (B) The applicant waives the right to a speedy trial;

8030 (C) The applicant will begin participation in the components of the
8031 program ordered by the court not later than ninety days after the date

8032 that the Court Support Services Division directs the applicant to attend
8033 such components pursuant to subsection (e) of this section, unless the
8034 applicant requests a later start date and the division determines that a
8035 later start date is appropriate;

8036 (D) The applicant will successfully complete any components of the
8037 program ordered by the court;

8038 (E) The applicant will not engage in any conduct that would
8039 constitute a violation of (i) any statutory provision set forth in
8040 subparagraph (B) of subdivision (2) of subsection (a) of this section; or
8041 (ii) any statutory provision in any other state the essential elements of
8042 which are substantially the same as any statutory provision set forth in
8043 subparagraph (B) of subdivision (2) of subsection (a) of this section;

8044 (F) To satisfactorily complete the program, the applicant may be
8045 required to participate in additional substance use treatment after
8046 completing the alcohol education or substance use treatment
8047 component of the program that the Court Support Services Division
8048 directs the applicant to attend pursuant to subsection (e) of this section,
8049 if a program component provider recommends such additional
8050 treatment and the division deems it appropriate pursuant to subdivision
8051 (3) of subsection (j) of this section, or the court orders the additional
8052 treatment.

8053 (c) (1) Immediately following application, the applicant shall send
8054 notice, by registered or certified mail on a form prescribed by the Office
8055 of the Chief Court Administrator, to any victim who sustained a serious
8056 physical injury, as defined in section 53a-3 of the general statutes, as a
8057 result of the applicant's alleged violation. The notice shall inform each
8058 such victim that the applicant has applied to participate in the pretrial
8059 impaired driving intervention program and that the victim has an
8060 opportunity to be heard by the court on the application. The court shall
8061 provide each such victim an opportunity to be heard prior to granting
8062 an application under this section.

8063 (2) If the court determines that any person not entitled to notice
8064 pursuant to subdivision (1) of this subsection should be provided an
8065 opportunity to be heard on the application, the court may also require
8066 the defendant or the state's attorney, assistant state's attorney or deputy
8067 assistant state's attorney in charge of the case to send notice of the
8068 application to any such person.

8069 (d) (1) The court, after consideration of the recommendation of the
8070 state's attorney, assistant state's attorney or deputy assistant state's
8071 attorney in charge of the case, and the statement of any victim and any
8072 other person required to be notified pursuant to subsection (c) of this
8073 section, may, in its discretion, grant the application for, and place the
8074 applicant in, the pretrial impaired driving intervention program for a
8075 period of one year, subject to confirmation of the applicant's eligibility
8076 to participate in the program.

8077 (2) If the court grants the application and places the applicant in the
8078 program, the court shall: (A) Refer the person placed in the program to
8079 the Court Support Services Division for confirmation of eligibility to
8080 participate in the program; and (B) direct the division, (i) if it confirms
8081 that such person is eligible for the program, to refer such person to the
8082 Department of Mental Health and Addiction Services for evaluation and
8083 determination of the appropriate alcohol education or substance use
8084 treatment component of the program; or (ii) if it determines that such
8085 person is not eligible for the program, to inform the court of such
8086 determination and return such person's case to the court for further
8087 proceedings.

8088 (3) When granting an application and placing an applicant in the
8089 program, the court (A) shall order the applicant to participate in the
8090 alcohol education or substance use treatment component of the program
8091 recommended by the evaluation conducted pursuant to subparagraph
8092 (B)(i) of subdivision (2) of this subsection, and (B) may also order the
8093 applicant to participate in a victim impact component for which the
8094 applicant must attend a victim impact panel provided by an

8095 organization approved by the Court Support Services Division pursuant
8096 to subsection (h) of this section.

8097 (e) (1) Except as provided in subdivision (3) of this subsection, upon
8098 receipt of the evaluation of any person placed in the program conducted
8099 pursuant to subparagraph (B)(i) of subdivision (2) of subsection (d) of
8100 this section, the Court Support Services Division shall (A) refer such
8101 person to the Department of Mental Health and Addiction Services or
8102 to a state-licensed substance use treatment provider with facilities that
8103 are in compliance with all state standards governing the operation of
8104 such facilities, as appropriate, for the purpose of receiving the alcohol
8105 education or substance use treatment component services
8106 recommended by such evaluation; and (B) direct such person to attend
8107 the recommended alcohol education or substance use treatment
8108 component within ninety days unless the division determines that a
8109 later start date is appropriate. In making the determination of whether
8110 a later start date is appropriate, the division may consider any relevant
8111 factors, including, but not limited to, the date upon which the
8112 suspension of such person's motor vehicle operator's license pursuant
8113 to section 14-227b of the general statutes will expire.

8114 (2) If the court has ordered any person placed in the program to
8115 participate in a victim impact component, the division shall (A) refer
8116 such person to an organization approved to conduct victim impact
8117 panels in accordance with subsection (h) of this section; and (B) direct
8118 such person to attend an appropriate victim impact panel.

8119 (3) The division may allow any person placed in the program whose
8120 employment, residence, or education makes it unreasonable to
8121 participate in any component of the program ordered by the court in
8122 this state to participate in the applicable program components in
8123 another state if:

8124 (A) The out-of-state component provider has standards substantially
8125 similar to, or higher than, those of this state;

8126 (B) For any substance use treatment component, the out-of-state
8127 substance use treatment provider is licensed by the state in which
8128 treatment will be provided; and

8129 (C) The person allowed to participate in any components of the
8130 program in another state pays the applicable program fee and
8131 participation costs provided in this section.

8132 (4) If the division determines that any person placed in the program
8133 has either failed to comply with requirements of any component of the
8134 program in which the court has ordered such person to participate, or
8135 engaged in any conduct that constitutes a violation of (A) any statutory
8136 provision set forth in subparagraph (B) of subdivision (2) of subsection
8137 (a) of this section; or (B) any statutory provision in any other state the
8138 essential elements of which are substantially the same as any statutory
8139 provision set forth in subparagraph (B) of subdivision (2) of subsection
8140 (a) of this section, the division shall inform the court and return such
8141 person's case to court for further proceedings.

8142 (f) (1) At the time that the Court Support Services Division directs any
8143 person to attend any component of the program, such person shall (A)
8144 if directed to attend the alcohol education component, pay to the court
8145 a nonrefundable program fee of four hundred dollars, or (B) if directed
8146 to attend the substance use treatment component, pay to the court a
8147 nonrefundable program fee of one hundred dollars and pay to the
8148 treatment provider any costs associated with such treatment. All
8149 program fees shall be credited to the pretrial account established under
8150 section 54-56k of the general statutes.

8151 (2) Any person directed to attend the victim impact component shall,
8152 at the time such person attends the victim impact panel, pay the
8153 organization conducting the victim impact panel the participation fee
8154 required by such organization.

8155 (3) (A) No person may be excluded from any component of the
8156 program because such person is indigent and unable to pay the

8157 associated fee or costs, provided (i) such person files with the court an
8158 affidavit of indigency and the court enters a finding of such indigency,
8159 or (ii) such person has been determined indigent and eligible for
8160 representation by a public defender who has been appointed on behalf
8161 of such person pursuant to section 51-296 of the general statutes. The
8162 court shall not require a person to perform community service in lieu of
8163 payment of any fee or cost, if such fee or cost is waived.

8164 (B) If the court finds that a person is indigent and unable to pay for
8165 the program application or evaluation fee for the program, the court
8166 may waive all or any portion of these fees.

8167 (C) If the court finds that a person is indigent and unable to pay for
8168 the alcohol education component of the program, the court may waive
8169 all or any portion of the program fee for that component, provided that
8170 such person participates in alcohol education services offered by a
8171 provider located in this state.

8172 (D) If the court finds that a person is indigent and unable to pay for
8173 the substance use treatment component of the program, the court may
8174 waive all or any portion of the program fee for that component and the
8175 costs of such treatment, provided that such person participates in such
8176 treatment at a substance use treatment provider licensed by and located
8177 in this state. Any costs waived under this subparagraph shall be paid by
8178 the Department of Mental Health and Addiction Services.

8179 (E) Notwithstanding any provision of this section, in no event shall
8180 the Department of Mental Health and Addiction Services pay any fees
8181 or costs associated with education or substance use treatment provided
8182 outside of this state.

8183 (g) (1) If the Court Support Services Division returns to court the case
8184 of any person placed in the program whom the division has determined
8185 is not eligible for the program, and the court finds that such person is
8186 not eligible to participate in the program, the court shall revoke such
8187 person's placement in the program.

8188 (2) If the Court Support Services Division returns to court the case of
8189 any person placed in the program whom the division has learned has
8190 failed to comply with requirements of any component of the program in
8191 which the court has ordered such person to participate, or engaged in
8192 any conduct that constitutes a violation of (A) any statutory provision
8193 set forth in subparagraph (B) of subdivision (2) of subsection (a) of this
8194 section; or (B) any statutory provision in any other state the essential
8195 elements of which are substantially the same as any statutory provision
8196 set forth in subparagraph (B) of subdivision (2) of subsection (a) of this
8197 section, and the court finds that such person is no longer eligible to
8198 continue participating in the program, the court shall terminate such
8199 person's participation in the program.

8200 (3) If the court revokes any person's placement in the program or
8201 terminates any person's participation in the program, the court shall
8202 order the court file to be unsealed, enter a plea of not guilty for such
8203 person, and immediately place the case on the trial list unless such
8204 person is eligible for, such person requests and the court grants such
8205 person reinstatement into the program pursuant to subsection (m) of
8206 this section.

8207 (4) (A) If the court revokes any person's placement in the program,
8208 such person shall not be required to pay any program fee or
8209 participation costs specified in subsection (f) of this section.

8210 (B) If the court terminates any person's participation in the program,
8211 no program fees or substance use treatment costs imposed pursuant to
8212 subsection (f) of this section shall be refunded.

8213 (h) The Court Support Services Division shall approve a nonprofit
8214 organization that advocates on behalf of victims of accidents caused by
8215 persons who operated a motor vehicle while under the influence of
8216 intoxicating liquor or drugs, or both, to provide victim impact panels for
8217 the victim impact component of the program. Victim impact panels shall
8218 provide a non-confrontational forum for the victims of alcohol-related

8219 or drug-related offenses and offenders to share experiences of the
8220 impact of alcohol-related or drug-related incidents in their lives. Such
8221 organization may assess a participation fee of not more than seventy-
8222 five dollars per panel on any person ordered to participate in the victim
8223 impact component of the program, provided that such organization
8224 offers a hardship waiver of the participation fee when it determines that
8225 the imposition of the fee would pose an economic hardship for such
8226 person.

8227 (i) The Department of Mental Health and Addiction Services shall
8228 administer the alcohol education component of the program and shall
8229 adopt regulations, in accordance with chapter 54 of the general statutes,
8230 to establish standards for such alcohol education component. The
8231 department may contract with service providers to provide the
8232 appropriate alcohol education component in accordance with the
8233 provisions of this section. The department may combine the services for
8234 the alcohol education component of the program under the provisions
8235 of this section with the services for the drug education component of the
8236 drug intervention and community service program under section 166 of
8237 this act, if necessary to ensure the appropriate and timely access to court
8238 ordered education components. Participation by a person in any
8239 combined alcohol and drug education services provided by the
8240 department for the alcohol education component of the program under
8241 the provisions of this section shall not be deemed participation in, nor
8242 shall affect such person's eligibility for, the drug intervention and
8243 community service program under the provisions of section 166 of this
8244 act.

8245 (j) (1) All program component providers shall provide the Court
8246 Support Services Division with a certification regarding the
8247 participation of each person referred to such provider pursuant to this
8248 section in the manner required by the division. (A) If such person has
8249 successfully completed the applicable program component, the
8250 certification shall indicate such successful completion and state whether
8251 additional substance use treatment is recommended. (B) If such person

8252 has failed to successfully complete the applicable program component,
8253 the certification shall indicate the reasons for such failure, whether the
8254 person is no longer amenable to education or treatment and whether the
8255 current referral was an initial referral under subsection (e) of this section
8256 or a reinstatement under subsection (m) of this section for the program
8257 component. The certification of failure shall also, to the extent
8258 practicable, include a recommendation as to whether an alternative
8259 alcohol education or substance use treatment component would best
8260 serve such person's needs.

8261 (2) Except as provided in subdivision (3) of this subsection, upon
8262 receipt of a participation certification from any program component
8263 provider pursuant to this subsection, the Court Support Services
8264 Division shall provide the court with a final progress report indicating
8265 whether such person has successfully completed any components of the
8266 program ordered by the court, whether the division required such
8267 person to participate in any additional substance use treatment in
8268 accordance with subdivision (3) of this subsection and whether such
8269 person successfully completed any such additional substance use
8270 treatment. The final progress report shall also include any other
8271 information the division obtained during the supervision of such person
8272 relevant to such person's participation in the program, including
8273 whether the results of a criminal history record check, which the
8274 division shall complete prior to the submission of the final progress
8275 report, reveals that such person has engaged in any conduct that
8276 constitutes a violation of (A) any statutory provision set forth in
8277 subparagraph (B) of subdivision (2) of subsection (a) of this section; or
8278 (B) any statutory provision in any other state the essential elements of
8279 which are substantially the same as any statutory provision set forth in
8280 subparagraph (B) of subdivision (2) of subsection (a) of this section,
8281 during such person's period of participation in the program.

8282 (3) If a participation certification indicates that a person who was
8283 placed in the program successfully completed the alcohol education or
8284 substance use treatment component ordered by the court, but the

8285 program component provider recommends additional substance use
8286 treatment for such person, the Court Support Services Division may, if
8287 it deems such additional treatment appropriate, require such person to
8288 participate in the recommended additional substance use treatment in
8289 order to satisfactorily complete the pretrial impaired driving
8290 intervention program. If the division requires such additional substance
8291 use treatment, the division shall provide the court with a final progress
8292 report in accordance with subdivision (2) of this subsection upon receipt
8293 of the participation certification from the substance use treatment
8294 provider for such additional treatment.

8295 (k) (1) If any person successfully completes all components of the
8296 program ordered by the court and any additional substance use
8297 treatment required by the Court Support Services Division, such person
8298 may apply for dismissal of the charges against such person at the
8299 conclusion of such person's period of participation in the program.
8300 Upon application, the court shall review the final progress report
8301 submitted by the division regarding such person and any other relevant
8302 information. If the court finds that such person has satisfactorily
8303 completed the pretrial impaired driving intervention program, the court
8304 shall dismiss the charges.

8305 (2) If any person who has successfully completed all components of
8306 the program ordered by the court and any additional substance use
8307 treatment required by the Court Support Services Division does not
8308 apply for dismissal of the charges against such person at the conclusion
8309 of such person's period of participation in the program, the court may,
8310 upon its own motion, review the final progress report regarding such
8311 person submitted by the division and any other relevant information. If
8312 the court finds that such person has satisfactorily completed the pretrial
8313 impaired driving intervention program, the court shall dismiss the
8314 charges.

8315 (3) Upon the motion of any person placed in the program and a
8316 showing of good cause, the court may extend the program placement

8317 period for a reasonable period of time to allow such person to complete
8318 the applicable program components.

8319 (l) If, upon review of the final progress report submitted by the Court
8320 Support Services Division or any other relevant information, the court
8321 finds that any person placed in the program has failed to successfully
8322 complete any component of the program ordered by the court, is no
8323 longer amenable to treatment or is otherwise ineligible to continue
8324 participating in the program, the court shall terminate such person's
8325 participation in the program. No program fees or substance use
8326 treatment costs imposed pursuant to subsection (f) of this section shall
8327 be refunded to any person whose participation in the program is
8328 terminated. Unless such person requests, and the court grants,
8329 reinstatement into the program pursuant to subsection (m) of this
8330 section, the court shall order the court file of any person whose
8331 participation in the program is terminated to be unsealed, enter a plea
8332 of not guilty for such person and immediately place the case on the trial
8333 list.

8334 (m) (1) Any person whose participation in the program is terminated
8335 may ask the court to reinstate such person into the program up to two
8336 times. If a person requests reinstatement into the program, the Court
8337 Support Services Division shall verify that such person is eligible for
8338 such reinstatement. If a person requesting reinstatement into the
8339 program is eligible for reinstatement, the court may, in its discretion,
8340 grant such person reinstatement into the program. When granting such
8341 reinstatement, the court shall order the defendant to participate in an
8342 appropriate alcohol education, substance use treatment or victim impact
8343 component of the program.

8344 (2) Any person reinstated into the program shall: (A) If ordered to
8345 participate in the alcohol education component of the program, pay to
8346 the court a nonrefundable program fee of two hundred fifty dollars,
8347 which shall be credited to the pretrial account established under section
8348 54-56k of the general statutes, or (B) if ordered to participate in the

8349 substance use treatment component of the program, pay the costs of any
8350 substance use treatment. The court shall not waive the program fee or
8351 the costs of substance use treatment associated with reinstatement into
8352 the program unless such person is found eligible to have such fee or cost
8353 waived under subdivision (3) of subsection (f) of this section and such
8354 person participates in the applicable alcohol education at a service
8355 provider located in this state or substance use treatment at a substance
8356 use treatment provider licensed by and located in this state.

8357 (n) (1) If any person applies for both the pretrial impaired driving
8358 intervention program under the provisions of this section and the
8359 pretrial drug intervention and community service program pursuant to
8360 section 166 of this act, for charges arising from the same arrest, and the
8361 Department of Mental Health and Addiction Services, a licensed
8362 substance use treatment provider, the Department of Veterans Affairs
8363 or the United States Department of Veterans Affairs has already
8364 completed the required evaluation and determination of the
8365 appropriate drug education or substance use treatment component
8366 pursuant to section 166 of this act, the court and the Court Support
8367 Services Division may rely on such evaluation and determination for the
8368 purposes of ordering participation and directing attendance in the
8369 alcohol education or substance use treatment component of the program
8370 under the provisions of this section. If the court and the division rely on
8371 such evaluation and determination, such person shall not be required to
8372 pay the evaluation fee under the provisions of subdivision (2) of
8373 subsection (b) of this section, provided that such person has paid, or the
8374 court has waived, the evaluation fee pursuant to section 166 of this act.

8375 (2) If any person is placed in both the pretrial impaired driving
8376 intervention program under the provisions of this section and the
8377 pretrial drug intervention and community service program pursuant to
8378 section 166 of this act, for charges arising from the same arrest, the court
8379 may find that (A) such person's successful completion of the drug
8380 education component of the pretrial drug intervention and community
8381 service program pursuant to section 166 of this act, satisfies such

8382 person's required participation in the alcohol education component of
8383 the pretrial impaired driving intervention program under the
8384 provisions of this section; or (B) such person's successful completion of
8385 the substance use treatment component of the pretrial drug intervention
8386 and community service program pursuant to section 166 of this act,
8387 satisfies such person's required participation in the substance use
8388 treatment component of the pretrial impaired driving intervention
8389 program under the provisions of this section.

8390 (3) Nothing in this subsection shall relieve any person placed in both
8391 the pretrial impaired driving intervention program pursuant to this
8392 section and the pretrial drug intervention and community service
8393 program pursuant to section 166 of this act, for charges arising from the
8394 same arrest, from the requirement to participate in the:

8395 (A) Victim impact component of the pretrial impaired driving
8396 intervention program, if ordered by the court under the provisions of
8397 this section, in order to satisfactorily complete the pretrial impaired
8398 driving intervention program, or

8399 (B) Community service component of the pretrial drug intervention
8400 and community service program pursuant to section 166 of this act, in
8401 order to satisfactorily complete the pretrial drug intervention and
8402 community service program.

8403 (o) (1) The Court Support Services Division shall retain a record of
8404 participation in the pretrial impaired driving intervention program for
8405 a period of ten years from the date the court grants the application for,
8406 and places the applicant in, the program pursuant to the provisions of
8407 this section.

8408 (2) For any person charged with a violation of section 14-227a of the
8409 general statutes, section 14-227g of the general statutes, section 14-227m
8410 of the general statutes or section 14-227n of the general statutes whose
8411 charges were dismissed pursuant to the provisions of this section, the
8412 division shall transmit to the Department of Motor Vehicles the record

8413 of such person's participation in the program. The Department of Motor
8414 Vehicles shall maintain the record of any person's participation in such
8415 program as part of such person's driving record for a period of ten years.

8416 (3) For any person charged with a violation of subsection (d) of
8417 section 15-133 of the general statutes or section 15-140n of the general
8418 statutes whose charges were dismissed pursuant to the provisions of
8419 this section, the division shall transmit to the Department of Energy and
8420 Environmental Protection the record of such person's participation in
8421 the program. The Department of Energy and Environmental Protection
8422 shall maintain the record of any person's participation in such program
8423 as a part of such person's boater certification record for a period of ten
8424 years.

8425 Sec. 168. Section 54-56g of the general statutes is repealed and the
8426 following is substituted in lieu thereof (*Effective from passage*):

8427 (a) (1) There shall be a pretrial alcohol education program for persons
8428 charged with a violation of section 14-227a, 14-227g or 14-227m,
8429 subdivision (1) or (2) of subsection (a) of section 14-227n or section 15-
8430 133 or 15-140n. Upon application by any such person for participation
8431 in such program, the court shall, but only as to the public, order the
8432 court file sealed, and such person shall pay to the court an application
8433 fee of one hundred dollars and a nonrefundable evaluation fee of one
8434 hundred dollars, and such person shall state under oath, in open court
8435 or before any person designated by the clerk and duly authorized to
8436 administer oaths, under penalties of perjury that: (A) If such person is
8437 charged with a violation of section 14-227a, 14-227g or 14-227m,
8438 subdivision (1) or (2) of subsection (a) of section 14-227n, subsection (d)
8439 of section 15-133 or section 15-140n, such person has not had such
8440 program invoked in such person's behalf within the preceding ten years
8441 for a violation of section 14-227a, 14-227g or 14-227m, subdivision (1) or
8442 (2) of subsection (a) of section 14-227n, subsection (d) of section 15-133
8443 or section 15-140n, (B) such person has not been convicted of a violation
8444 of section 53a-56b or 53a-60d, a violation of subsection (a) of section 14-

8445 227a before, on or after October 1, 1981, a violation of subdivision (1) or
8446 (2) of subsection (a) of section 14-227a on or after October 1, 1985, a
8447 violation of section 14-227g, a violation of section 14-227m or a violation
8448 of subdivision (1) or (2) of subsection (a) of section 14-227n, (C) such
8449 person has not been convicted of a violation of section 15-132a,
8450 subsection (d) of section 15-133, section 15-140l or section 15-140n, (D)
8451 such person has not been convicted in any other state at any time of an
8452 offense the essential elements of which are substantially the same as
8453 section 53a-56b, 53a-60d, 15-132a, 15-140l or 15-140n, subdivision (1) or
8454 (2) of subsection (a) of section 14-227a, section 14-227m, subdivision (1)
8455 or (2) of subsection (a) of section 14-227n or subsection (d) of section 15-
8456 133, and (E) notice has been given by such person, by registered or
8457 certified mail on a form prescribed by the Office of the Chief Court
8458 Administrator, to each victim who sustained a serious physical injury,
8459 as defined in section 53a-3, which was caused by such person's alleged
8460 violation, that such person has applied to participate in the pretrial
8461 alcohol education program and that such victim has an opportunity to
8462 be heard by the court on the application.

8463 (2) The court shall provide each such victim who sustained a serious
8464 physical injury an opportunity to be heard prior to granting an
8465 application under this section. Unless good cause is shown, a person
8466 shall be ineligible for participation in such pretrial alcohol education
8467 program if such person's alleged violation of section 14-227a, 14-227g or
8468 14-227m, subdivision (1) or (2) of subsection (a) of section 14-227n or
8469 subsection (d) of section 15-133 caused the serious physical injury, as
8470 defined in section 53a-3, of another person.

8471 (3) The application fee imposed under this subsection shall be
8472 credited to the Criminal Injuries Compensation Fund established under
8473 section 54-215. The evaluation fee imposed under this subsection shall
8474 be credited to the pretrial account established under section 54-56k.

8475 (b) The court, after consideration of the recommendation of the state's
8476 attorney, assistant state's attorney or deputy assistant state's attorney in

8477 charge of the case, may, in its discretion, grant such application. If the
8478 court grants such application, the court shall refer such person to the
8479 Court Support Services Division for assessment and confirmation of the
8480 eligibility of the applicant and to the Department of Mental Health and
8481 Addiction Services for evaluation. The Court Support Services Division,
8482 in making its assessment and confirmation, may rely on the
8483 representations made by the applicant under oath in open court with
8484 respect to convictions in other states of offenses specified in subsection
8485 (a) of this section. Upon confirmation of eligibility and receipt of the
8486 evaluation report, the defendant shall be referred to the Department of
8487 Mental Health and Addiction Services by the Court Support Services
8488 Division for placement in an appropriate alcohol intervention program
8489 for one year, or be placed in a state-licensed substance abuse treatment
8490 program. The alcohol intervention program shall include a ten-session
8491 intervention program and a fifteen-session intervention program. Any
8492 person who enters the pretrial alcohol education program shall agree:
8493 (1) To the tolling of the statute of limitations with respect to such crime,
8494 (2) to a waiver of such person's right to a speedy trial, (3) to complete
8495 ten or fifteen counseling sessions in an alcohol intervention program or
8496 successfully complete a substance abuse treatment program of not less
8497 than twelve sessions pursuant to this section dependent upon the
8498 evaluation report and the court order, (4) to commence participation in
8499 an alcohol intervention program or substance abuse treatment program
8500 not later than ninety days after the date of entry of the court order unless
8501 granted a delayed entry into a program by the court, (5) upon
8502 completion of participation in the alcohol intervention program, to
8503 accept placement in a substance abuse treatment program upon the
8504 recommendation of a provider under contract with the Department of
8505 Mental Health and Addiction Services pursuant to subsection (f) of this
8506 section or placement in a state-licensed substance abuse treatment
8507 program which meets standards established by the Department of
8508 Mental Health and Addiction Services, if the Court Support Services
8509 Division deems it appropriate, and (6) if ordered by the court, to
8510 participate in at least one victim impact panel. The suspension of the

8511 motor vehicle operator's license of any such person pursuant to section
8512 14-227b shall be effective during the period such person is participating
8513 in the pretrial alcohol education program, provided such person shall
8514 have the option of not commencing the participation in such program
8515 until the period of such suspension is completed. If the Court Support
8516 Services Division informs the court that the defendant is ineligible for
8517 such program and the court makes a determination of ineligibility or if
8518 the program provider certifies to the court that the defendant did not
8519 successfully complete the assigned program or is no longer amenable to
8520 treatment and such person does not request, or the court denies,
8521 program reinstatement under subsection (e) of this section, the court
8522 shall order the court file to be unsealed, enter a plea of not guilty for
8523 such defendant and immediately place the case on the trial list. If such
8524 defendant satisfactorily completes the assigned program, such
8525 defendant may apply for dismissal of the charges against such
8526 defendant and the court, on reviewing the record of the defendant's
8527 participation in such program submitted by the Court Support Services
8528 Division and on finding such satisfactory completion, shall dismiss the
8529 charges. If the defendant does not apply for dismissal of the charges
8530 against such defendant after satisfactorily completing the assigned
8531 program the court, upon receipt of the record of the defendant's
8532 participation in such program submitted by the Court Support Services
8533 Division, may on its own motion make a finding of such satisfactory
8534 completion and dismiss the charges. Upon motion of the defendant and
8535 a showing of good cause, the court may extend the one-year placement
8536 period for a reasonable period for the defendant to complete the
8537 assigned program. A record of participation in such program shall be
8538 retained by the Court Support Services Division for a period of ten years
8539 from the date the court grants the application for participation in such
8540 program. The Court Support Services Division shall transmit to the
8541 Department of Motor Vehicles a record of participation in such program
8542 for each person who satisfactorily completes such program. The
8543 Department of Motor Vehicles shall maintain for a period of ten years
8544 the record of a person's participation in such program as part of such

8545 person's driving record. The Court Support Services Division shall
8546 transmit to the Department of Energy and Environmental Protection the
8547 record of participation of any person who satisfactorily completes such
8548 program who has been charged with a violation of the provisions of
8549 subsection (d) of section 15-133 or section 15-140n. The Department of
8550 Energy and Environmental Protection shall maintain for a period of ten
8551 years the record of a person's participation in such program as a part of
8552 such person's boater certification record.

8553 (c) At the time the court grants the application for participation in the
8554 pretrial alcohol education program, such person shall also pay to the
8555 court a nonrefundable program fee of three hundred fifty dollars if such
8556 person is ordered to participate in the ten-session intervention program
8557 and a nonrefundable program fee of five hundred dollars if such person
8558 is ordered to participate in the fifteen-session intervention program. If
8559 the court grants the application for participation in the pretrial alcohol
8560 education program and such person is ordered to participate in a
8561 substance abuse treatment program, such person shall be responsible
8562 for the costs associated with participation in such program. No person
8563 may be excluded from either program for inability to pay such fee or
8564 cost, provided (1) such person files with the court an affidavit of
8565 indigency or inability to pay, (2) such indigency or inability to pay is
8566 confirmed by the Court Support Services Division, and (3) the court
8567 enters a finding thereof. If the court finds that a person is indigent or
8568 unable to pay for a treatment program, the costs of such program shall
8569 be paid from the pretrial account established under section 54-56k. If the
8570 court finds that a person is indigent or unable to pay for an intervention
8571 program, the court may waive all or any portion of the fee for such
8572 intervention program. If the court denies the application, such person
8573 shall not be required to pay the program fee. If the court grants the
8574 application and such person is later determined to be ineligible for
8575 participation in such pretrial alcohol education program or fails to
8576 complete the assigned program, the program fee shall not be refunded.
8577 All program fees shall be credited to the pretrial account established

8578 under section 54-56k.

8579 (d) If a person returns to court with certification from a program
8580 provider that such person did not successfully complete the assigned
8581 program or is no longer amenable to treatment, the provider, to the
8582 extent practicable, shall include a recommendation to the court as to
8583 whether a ten-session intervention program, a fifteen-session
8584 intervention program or placement in a state-licensed substance abuse
8585 treatment program would best serve such person's needs. The provider
8586 shall also indicate whether the current program referral was an initial
8587 referral or a reinstatement to the program.

8588 (e) When a person subsequently requests reinstatement into an
8589 alcohol intervention program or a substance abuse treatment program
8590 and the Court Support Services Division verifies that such person is
8591 eligible for reinstatement into such program and thereafter the court
8592 favorably acts on such request, such person shall pay a nonrefundable
8593 program fee of one hundred seventy-five dollars if ordered to complete
8594 a ten-session intervention program or two hundred fifty dollars if
8595 ordered to complete a fifteen-session intervention program, as the case
8596 may be. Unless good cause is shown, such fees shall not be waived. If
8597 the court grants a person's request to be reinstated into a treatment
8598 program, such person shall be responsible for the costs, if any,
8599 associated with being reinstated into the treatment program. All
8600 program fees collected in connection with a reinstatement to an
8601 intervention program shall be credited to the pretrial account
8602 established under section 54-56k. No person shall be permitted more
8603 than two program reinstatements pursuant to this subsection.

8604 (f) The Department of Mental Health and Addiction Services shall
8605 contract with service providers, develop standards and oversee
8606 appropriate alcohol programs to meet the requirements of this section.
8607 Said department shall adopt regulations, in accordance with chapter 54,
8608 to establish standards for such alcohol programs. Any person ordered
8609 to participate in a treatment program shall do so at a state-licensed

8610 treatment program which meets the standards established by said
8611 department. Any defendant whose employment or residence makes it
8612 unreasonable to attend an alcohol intervention program or a substance
8613 abuse treatment program in this state may attend a program in another
8614 state which has standards substantially similar to, or higher than, those
8615 of this state, subject to the approval of the court and payment of the
8616 application, evaluation and program fees and treatment costs, as
8617 appropriate, as provided in this section.

8618 (g) The court may, as a condition of granting such application, require
8619 that such person participate in a victim impact panel program approved
8620 by the Court Support Services Division of the Judicial Department. Such
8621 victim impact panel program shall provide a nonconfrontational forum
8622 for the victims of alcohol-related or drug-related offenses and offenders
8623 to share experiences on the impact of alcohol-related or drug-related
8624 incidents in their lives. Such victim impact panel program shall be
8625 conducted by a nonprofit organization that advocates on behalf of
8626 victims of accidents caused by persons who operated a motor vehicle
8627 while under the influence of intoxicating liquor or any drug, or both.
8628 Such organization may assess a participation fee of not more than
8629 seventy-five dollars on any person required by the court to participate
8630 in such program, provided such organization shall offer a hardship
8631 waiver when it has determined that the imposition of a fee would pose
8632 an economic hardship for such person.

8633 (h) The provisions of this section shall not be applicable in the case of
8634 any person charged with a violation of section 14-227a or 14-227m or
8635 subdivision (1) or (2) of subsection (a) of section 14-227n (1) while
8636 operating a commercial motor vehicle, as defined in section 14-1, or (2)
8637 who holds a commercial driver's license or commercial driver's
8638 instruction permit at the time of the violation.

8639 (i) A court may not grant an application to participate in the pretrial
8640 alcohol education program under this section on or after April 1, 2022.
8641 Anyone participating in the program on April 1, 2022, may continue

8642 such participation until successful completion of the program or
8643 termination of participation in the program after any possible
8644 reinstatements in the program.

8645 Sec. 169. Section 54-56i of the general statutes is repealed and the
8646 following is substituted in lieu thereof (*Effective from passage*):

8647 (a) There is established a pretrial drug education and community
8648 service program for persons charged with a violation of section 21a-267,
8649 21a-279 or 21a-279a. The pretrial drug education and community service
8650 program shall include a fifteen-session drug education program and a
8651 substance abuse treatment program of not less than fifteen sessions, and
8652 the performance of community service.

8653 (b) Upon application by any such person for participation in such
8654 program, the court shall, but only as to the public, order the court file
8655 sealed, and such person shall pay to the court of an application fee of
8656 one hundred dollars and a nonrefundable evaluation fee of one hundred
8657 fifty dollars. A person shall be ineligible for participation in such pretrial
8658 drug education and community service program if such person has
8659 twice previously participated in (1) the pretrial drug education program
8660 established under the provisions of this section in effect prior to October
8661 1, 2013, (2) the community service labor program established under
8662 section 53a-39c, (3) the pretrial drug education and community service
8663 program established under this section, or (4) any of such programs,
8664 except that the court may allow a person who has twice previously
8665 participated in such programs to participate in the pretrial drug
8666 education and community service program one additional time, for
8667 good cause shown. The evaluation and application fee imposed under
8668 this subsection shall be credited to the pretrial account established
8669 under section 54-56k.

8670 (c) The court, after consideration of the recommendation of the state's
8671 attorney, assistant state's attorney or deputy assistant state's attorney in
8672 charge of the case, may, in its discretion, grant such application. If the

8673 court grants such application, the court shall refer such person (1) to the
8674 Court Support Services Division for confirmation of the eligibility of the
8675 applicant, (2) to the Department of Mental Health and Addiction
8676 Services for evaluation and determination of an appropriate drug
8677 education or substance abuse treatment program for the first or second
8678 time such application is granted, and (3) to a state-licensed substance
8679 abuse treatment program for evaluation and determination of an
8680 appropriate substance abuse treatment program for the third time such
8681 application is granted, except that, if such person is a veteran, the court
8682 may refer such person to the Department of Veterans Affairs or the
8683 United States Department of Veterans Affairs, as applicable, for any
8684 such evaluation and determination. For the purposes of this subsection
8685 and subsection (d) of this section, "veteran" means any person who was
8686 discharged or released under conditions other than dishonorable from
8687 active service in the armed forces as defined in section 27-103.

8688 (d) (1) (A) Upon confirmation of eligibility and receipt of the
8689 evaluation and determination required under subsection (c) of this
8690 section, such person shall be placed in the pretrial drug education and
8691 community service program and referred by the Court Support Services
8692 Division for the purpose of receiving appropriate drug education
8693 services or substance abuse treatment program services, as
8694 recommended by the evaluation conducted pursuant to subsection (c)
8695 of this section and ordered by the court, to the Department of Mental
8696 Health and Addiction Services or to a state-licensed substance abuse
8697 treatment program for placement in the appropriate drug education or
8698 substance abuse treatment program, except that, if such person is a
8699 veteran, the division may refer such person to the Department of
8700 Veterans Affairs or the United States Department of Veterans Affairs,
8701 subject to the provisions of subdivision (2) of this subsection.

8702 (B) Persons who have been granted entry into the pretrial drug
8703 education and community service program for the first time shall
8704 participate in either a fifteen-session drug education program or a
8705 substance abuse treatment program of not less than fifteen sessions, as

8706 ordered by the court on the basis of the evaluation and determination
8707 required under subsection (c) of this section. Persons who have been
8708 granted entry into the pretrial drug education and community service
8709 program for the second time shall participate in either a fifteen-session
8710 drug education program or a substance abuse treatment program of not
8711 less than fifteen sessions, as ordered by the court based on the
8712 evaluation and determination required under subsection (c) of this
8713 section. Persons who have been granted entry into the pretrial drug
8714 education and community service program for a third time shall be
8715 referred to a state-licensed substance abuse program for evaluation and
8716 participation in a course of treatment as ordered by the court based on
8717 the evaluation and determination required under subsection (c) of this
8718 section.

8719 (C) Persons who have been granted entry into the pretrial drug
8720 education and community service program shall also participate in a
8721 community service program administered by the Court Support
8722 Services Division pursuant to section 53a-39c. Persons who have been
8723 granted entry into the pretrial drug education and community service
8724 program for the first time shall participate in the community service
8725 program for a period of five days. Persons who have been granted entry
8726 into the pretrial drug education and community service program for the
8727 second time shall participate in the community service program for a
8728 period of fifteen days. Persons who have been granted entry into the
8729 pretrial drug education and community service program for a third or
8730 additional time shall participate in the community service program for
8731 a period of thirty days.

8732 (D) Placement in the pretrial drug education and community service
8733 program pursuant to this section shall not exceed one year. Persons
8734 receiving substance abuse treatment program services in accordance
8735 with the provisions of this section shall only receive such services at
8736 state-licensed substance abuse treatment program facilities that are in
8737 compliance with all state standards governing the operation of such
8738 facilities, except that, if such person is a veteran, such person may

8739 receive services from facilities under the supervision of the Department
8740 of Veterans Affairs or the United States Department of Veterans Affairs,
8741 subject to the provisions of subdivision (2) of this subsection.

8742 (E) Any person who enters the pretrial drug education and
8743 community service program shall agree: (i) To the tolling of the statute
8744 of limitations with respect to such crime; (ii) to a waiver of such person's
8745 right to a speedy trial; (iii) to complete participation in the pretrial drug
8746 education and community service program, as ordered by the court; (iv)
8747 to commence participation in the pretrial drug education and
8748 community service program not later than ninety days after the date of
8749 entry of the court order unless granted a delayed entry into the program
8750 by the court; and (v) upon completion of participation in the pretrial
8751 drug education and community service program, to accept (I) placement
8752 in a treatment program upon the recommendation of a provider under
8753 contract with the Department of Mental Health and Addiction Services
8754 or a provider under the supervision of the Department of Veterans
8755 Affairs or the United States Department of Veterans Affairs, or (II)
8756 placement in a treatment program that has standards substantially
8757 similar to, or higher than, a program of a provider under contract with
8758 the Department of Mental Health and Addiction Services, if the Court
8759 Support Services Division deems it appropriate.

8760 (2) The Court Support Services Division may only refer a veteran to
8761 the Department of Veterans Affairs or the United States Department of
8762 Veterans Affairs for the receipt of services under the program if (A) the
8763 division determines that such services will be provided in a timely
8764 manner under standards substantially similar to, or higher than,
8765 standards for services provided by the Department of Mental Health
8766 and Addiction Services under the program, and (B) the applicable
8767 department agrees to submit timely program participation and
8768 completion reports to the division in the manner required by the
8769 division.

8770 (e) If the Court Support Services Division informs the court that such

8771 person is ineligible for the program and the court makes a determination
8772 of ineligibility or if the program provider certifies to the court that such
8773 person did not successfully complete the assigned program and such
8774 person did not request, or the court denied, reinstatement in the
8775 program under subsection (i) of this section, the court shall order the
8776 court file to be unsealed, enter a plea of not guilty for such person and
8777 immediately place the case on the trial list.

8778 (f) If such person satisfactorily completes the assigned program, such
8779 person may apply for dismissal of the charges against such person and
8780 the court, on reviewing the record of such person's participation in such
8781 program submitted by the Court Support Services Division and on
8782 finding such satisfactory completion, shall dismiss the charges. If such
8783 person does not apply for dismissal of the charges against such person
8784 after satisfactorily completing the assigned program, the court, upon
8785 receipt of the record of such person's participation in such program
8786 submitted by the Court Support Services Division, may on its own
8787 motion make a finding of such satisfactory completion and dismiss the
8788 charges. Upon motion of such person and a showing of good cause, the
8789 court may extend the placement period for a reasonable period of time
8790 to allow such person to complete the assigned program. A record of
8791 participation in such program shall be retained by the Court Support
8792 Services Division for a period of ten years from the date the court grants
8793 the application for participation in the program.

8794 (g) At the time the court grants the application for participation in the
8795 pretrial drug education and community service program, any person
8796 ordered to participate in such drug education program shall pay to the
8797 court a nonrefundable program fee of six hundred dollars. If the court
8798 orders participation in a substance abuse treatment program, such
8799 person shall pay to the court a nonrefundable program fee of one
8800 hundred dollars and shall be responsible for the costs associated with
8801 such program. No person may be excluded from any such program for
8802 inability to pay such fee or cost, provided (1) such person files with the
8803 court an affidavit of indigency or inability to pay, (2) such indigency or

8804 inability to pay is confirmed by the Court Support Services Division,
8805 and (3) the court enters a finding thereof. The court may waive all or any
8806 portion of such fee depending on such person's ability to pay. If the
8807 court finds that a person is indigent or unable to pay for a substance
8808 abuse treatment program, the costs of such program shall be paid from
8809 the pretrial account established under section 54-56k. If the court denies
8810 the application, such person shall not be required to pay the program
8811 fee. If the court grants the application, and such person is later
8812 determined to be ineligible for participation in such pretrial drug
8813 education and community service program or fails to complete the
8814 assigned program, the program fee shall not be refunded. All program
8815 fees shall be credited to the pretrial account established under section
8816 54-56k.

8817 (h) If a person returns to court with certification from a program
8818 provider that such person did not successfully complete the assigned
8819 program or is no longer amenable to treatment, the provider, to the
8820 extent practicable, shall include a recommendation to the court as to
8821 whether placement in a drug education program or placement in a
8822 substance abuse treatment program would best serve such person's
8823 needs. The provider shall also indicate whether the current program
8824 referral was an initial referral or a reinstatement to the program.

8825 (i) When a person subsequently requests reinstatement into a drug
8826 education program or a substance abuse treatment program and the
8827 Court Support Services Division verifies that such person is eligible for
8828 reinstatement into such program and thereafter the court favorably acts
8829 on such request, any person reinstated into such drug education
8830 program shall pay a nonrefundable program fee of two hundred fifty
8831 dollars, and any person reinstated into a substance abuse treatment
8832 program shall be responsible for the costs, if any, associated with being
8833 reinstated into the treatment program. Unless good cause is shown,
8834 such program fee shall not be waived. All program fees collected in
8835 connection with a reinstatement to a drug education program shall be
8836 credited to the pretrial account established under section 54-56k. No

8837 person shall be permitted more than two program reinstatements
8838 pursuant to this subsection.

8839 (j) The Department of Mental Health and Addiction Services shall
8840 develop standards and oversee appropriate drug education programs
8841 that it administers to meet the requirements of this section and may
8842 contract with service providers to provide such programs. The
8843 department shall adopt regulations, in accordance with chapter 54, to
8844 establish standards for such drug education programs.

8845 (k) Any person whose employment or residence or schooling makes
8846 it unreasonable to attend a drug education program or substance abuse
8847 treatment program in this state may attend a program in another state
8848 that has standards similar to, or higher than, those of this state, subject
8849 to the approval of the court and payment of the program fee or costs as
8850 provided in this section.

8851 (l) A court may not grant an application to participate in the pretrial
8852 drug education and community service program under this section on
8853 or after April 1, 2022. Anyone participating in the program on April 1,
8854 2022, may continue such participation until successful completion of the
8855 program or termination of participation in the program after any
8856 possible reinstatements in the program.

8857 Sec. 170. Subsection (b) of section 14-227j of the general statutes is
8858 repealed and the following is substituted in lieu thereof (*Effective April*
8859 *1, 2022*):

8860 (b) Any person who has been arrested for a violation of section 14-
8861 227a or 14-227m, subdivision (1) or (2) of subsection (a) of section 14-
8862 227n or section 53a-56b or 53a-60d, may be ordered by the court not to
8863 operate any motor vehicle unless such motor vehicle is equipped with
8864 an ignition interlock device. Any such order may be made as a condition
8865 of such person's release on bail, as a condition of probation or as a
8866 condition of granting such person's application for participation in the
8867 pretrial alcohol education program under section 54-56g or the pretrial

8868 impaired driving intervention program under section 167 of this act and
8869 may include any other terms and conditions as to duration, use, proof
8870 of installation or any other matter that the court determines to be
8871 appropriate or necessary.

8872 Sec. 171. Section 54-66a of the general statutes is repealed and the
8873 following is substituted in lieu thereof (*Effective April 1, 2022*):

8874 Any bail bond posted in any criminal proceeding in this state shall be
8875 automatically terminated and released whenever the defendant: (1) Is
8876 granted accelerated rehabilitation pursuant to section 54-56e; (2) is
8877 granted admission to the pretrial alcohol education program pursuant
8878 to section 54-56g; (3) is granted admission to the pretrial family violence
8879 education program pursuant to section 46b-38c; (4) is granted admission
8880 to the pretrial drug education and community service program
8881 pursuant to section 54-56i; (5) has the complaint or information filed
8882 against such defendant dismissed; (6) has the prosecution of the
8883 complaint or information filed against such defendant terminated by
8884 entry of a nolle prosequi; (7) is acquitted; (8) is sentenced by the court
8885 and a stay of such sentence, if any, is lifted; (9) is granted admission to
8886 the pretrial school violence prevention program pursuant to section 54-
8887 56j; (10) is charged with a violation of section 29-33, 53-202l or 53-202w,
8888 and prosecution has been suspended pursuant to subsection (h) of
8889 section 29-33; (11) is charged with a violation of section 29-37a and
8890 prosecution has been suspended pursuant to subsection (i) of section 29-
8891 37a; (12) is granted admission to the supervised diversionary program
8892 for persons with psychiatric disabilities, or persons who are veterans,
8893 pursuant to section 54-56l; [or] (13) is granted admission to a
8894 diversionary program for young persons charged with a motor vehicle
8895 violation or an alcohol-related offense pursuant to section 54-56p; (14) is
8896 granted admission to the pretrial drug intervention and community
8897 service program pursuant to section 166 of this act; or (15) is granted
8898 admission to the pretrial impaired driving intervention program
8899 pursuant to section 167 of this act.

8900 Sec. 172. Section 54-56k of the general statutes is repealed and the
8901 following is substituted in lieu thereof (*Effective April 1, 2022*):

8902 (a) There is established an account to be known as the pretrial
8903 account. The account shall contain any moneys required by law to be
8904 deposited in the account and shall be a separate, nonlapsing account of
8905 the General Fund. Investment earnings credited to the account shall
8906 become part of the assets of the account. Any balance remaining in said
8907 account at the end of any fiscal year shall be carried forward in the
8908 account for the next fiscal year.

8909 (b) There shall be deposited in the pretrial account (1) all evaluation
8910 fees collected pursuant to subsection (a) of section 54-56g and subsection
8911 (b) of section 54-56i [and] (2) all program fees collected pursuant to
8912 subsections (c) and (e) of section 54-56g and subsections (g) and (i) of
8913 section 54-56i [and] funds appropriated in subsection (a) of section 47 of
8914 special act 01-1 of the June special session, (3) fees collected pursuant to
8915 subdivision (2) of subsection (b), subdivision (1) of subsection (e) and
8916 subparagraph (A) of subdivision (2) of subsection (k) of section 166 of
8917 this act, and (4) the evaluation fee collected pursuant to subdivision (2)
8918 of subsection (b), and fees collected pursuant to subdivision (1) of
8919 subsection (f) and subparagraph (A) of subdivision (2) of subsection (m)
8920 of section 167 of this act.

8921 (c) Amounts in the pretrial account shall be available to fund the cost
8922 of operating the pretrial alcohol and drug education programs
8923 established under sections 54-56g and 54-56i, the pretrial drug
8924 intervention and community service program established under section
8925 166 of this act and the pretrial impaired driving intervention program
8926 established under section 167 of this act.

8927 Sec. 173. Section 54-56n of the general statutes is repealed and the
8928 following is substituted in lieu thereof (*Effective April 1, 2022*):

8929 (a) The Judicial Branch shall collect data on the number of members
8930 of the armed forces, veterans and nonveterans who, on and after

8931 January 1, 2016, apply for and are granted admission or are denied entry
8932 into (1) the pretrial program for accelerated rehabilitation established
8933 pursuant to section 54-56e, (2) the supervised diversionary program
8934 established pursuant to section 54-56l, [or] (3) the pretrial drug
8935 education and community service program established pursuant to
8936 section 54-56i, (4) the pretrial drug intervention and community service
8937 program established under section 166 of this act, and (5) the pretrial
8938 impaired driving intervention program established under section 167 of
8939 this act. Data compiled pursuant to this section shall be based on
8940 information provided by applicants at the time of application to any
8941 such program. For the purposes of this section, "veteran" means any
8942 person who was discharged or released under conditions other than
8943 dishonorable from active service in the armed forces and "armed forces"
8944 has the same meaning as provided in section 27-103.

8945 (b) Not later than January 15, 2017, and annually thereafter, the
8946 Judicial Branch shall submit a report detailing the data compiled for the
8947 previous calendar year pursuant to subsection (a) of this section to the
8948 joint standing committees of the General Assembly having cognizance
8949 of matters relating to veterans' and military affairs and the judiciary, in
8950 accordance with the provisions of section 11-4a.

8951 Sec. 174. (NEW) (*Effective October 1, 2021*) (a) Not later than November
8952 15, 2021, or at a later date determined by the commissioner, a three-
8953 month application period shall commence where a former backer of a
8954 producer may apply to the department for a provisional cultivator
8955 license and subsequently a final cultivator license without being subject
8956 to a lottery. The commissioner shall establish and post criteria for
8957 granting such an application on the department's Internet web site. Any
8958 cultivation facility of a provisional or final cultivator license obtained
8959 under this section shall be located in a disproportionately impacted
8960 area.

8961 (b) To obtain a provisional cultivator license under this section, the
8962 applicant shall (1) submit to the department an application form

8963 prescribed by the commissioner; (2) submit to and pass a criminal
8964 background check; and (3) pay to the department a fee of three million
8965 dollars, to be deposited in the Social Equity and Innovation Fund,
8966 established under section 128 of this act.

8967 (c) To obtain a final cultivator license under this section, the applicant
8968 shall provide evidence of (1) a contract with an entity providing an
8969 approved electronic tracking system as described in section 56 of this
8970 act; (2) a right to exclusively occupy a location in a disproportionately
8971 impacted area at which the cultivation facility will be located; (3) any
8972 necessary local zoning approval and permits for the cultivation facility;
8973 (4) a business plan; (5) a social equity plan approved by the Social Equity
8974 Council; (6) written policies for preventing diversion and misuse of
8975 cannabis and sales of cannabis to underage persons; (7) blueprints of the
8976 facility and all other security policies required by the department; (8) the
8977 applicant owns one or more approved equity joint ventures as described
8978 in section 27 of this act; (9) an approved business agreement with at least
8979 two social equity partners in accordance with subsection (d) of this
8980 section; and (10) compliance with the labor peace agreement provisions
8981 of section 102 of this act and the project labor agreement provisions of
8982 section 103 of this act.

8983 (d) An applicant for a final license under this section shall enter into
8984 a business agreement with at least one social equity joint venture
8985 described in subsection (e) of this section, and the applicant shall agree
8986 to provide at least one social equity partner with five per cent of the
8987 grow space associated with the final cultivator license for not less than
8988 five years, to establish a social equity business. The applicant shall
8989 provide to the social equity partner, for a period of not less than five
8990 years, mentorship, all overhead costs that are necessary to ensure
8991 success, as determined by the Social Equity Council, and codified in an
8992 agreement between the social equity partner and applicant. The
8993 applicant shall ensure that the social equity partner complies with the
8994 cannabis cultivation, testing, labeling, tracking, reporting and
8995 manufacturing provisions of RERACA as they apply to cultivators. The

8996 Social Equity Council may require evidence of a social equity
8997 partnership that includes, but need not be limited to, evidence of
8998 business formation, ownership allocation, terms of ownership and
8999 financing and proof of social equity applicant involvement. The
9000 applicant or social equity partner shall submit to the Social Equity
9001 Council information including, but not limited to, the organizing
9002 documents of the entity that outline the ownership stake of each backer,
9003 initial backer investment and payout information to enable the council
9004 to determine the terms of ownership. Prior to submitting the agreement
9005 to the department as part of the application for a final license under
9006 subsection (c) of this section, the social equity partner and business
9007 agreement shall be approved by the Social Equity Council.

9008 (e) The equity joint venture shall be in any cannabis establishment
9009 licensed business, other than a cultivator license, provided the social
9010 equity applicant owns at least fifty per cent of such business.

9011 (f) The applicant for a final license under this section or a social equity
9012 applicant of the equity joint venture that is a party to the business
9013 agreement shall submit an application to the Social Equity Council that
9014 may include, but need not be limited to, evidence of business formation,
9015 ownership allocation, terms of ownership and financing and proof of
9016 social equity applicant involvement. Such applicant or such social
9017 equity applicant shall submit to the Social Equity Council information
9018 including, but not limited to, the organizing documents of the entity that
9019 outline the ownership stake of each backer, initial backer investment
9020 and payout information to enable the council to determine the terms of
9021 ownership.

9022 (g) Upon obtaining the written approval of the Social Equity Council
9023 for an equity joint venture, the applicant for a final license or a social
9024 equity applicant of the equity joint venture that is a party to the business
9025 agreement shall apply for a license from the department in the same
9026 form as required by all other licensees of the same license type, except
9027 that such application shall not be subject to the lottery.

9028 (h) A cultivator, including the backer of such producer, shall not
 9029 increase its ownership in an equity joint venture in excess of fifty per
 9030 cent during the seven-year period after a license is issued by the
 9031 department under this section.

9032 (i) Equity joint ventures that share a common cultivator or cultivator
 9033 backer and that are retailers or hybrid retailers shall not be located
 9034 within twenty miles of another commonly owned equity joint venture.

9035 (j) For purposes of this section, "social equity partner" means an
 9036 individual or individuals who control the cannabis establishment and:

9037 (1) Had an average household income of less than three hundred per
 9038 cent of the state median household income over the three tax years
 9039 immediately preceding such individual's application; and

9040 (2) (A) Was a resident of a disproportionately impacted area for not
 9041 less than five of the ten years immediately preceding the date of such
 9042 application; or

9043 (B) Was a resident of a disproportionately impacted area for not less
 9044 than nine years prior to attaining the age of eighteen.

9045 Sec. 175. Sections 12-651 to 12-660, inclusive, and 21a-408n of the
 9046 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>July 1, 2021</i>	New section
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>June 10, 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>April 1, 2022</i>	54-56n
Sec. 174	<i>October 1, 2021</i>	New section
Sec. 175	<i>July 1, 2021</i>	Repealer section