AN ACT CONCERNING THE RECOMMENDATIONS OF THE
CONNECTICUT SENTENCING COMMISSION PROVIDING JUDICIAL
DISCRETION FOR CERTAIN MOTOR VEHICLE OFFENSES WITH
MANDATORY MINIMUM SENTENCES.

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

Section 1. Subsection (i) of section 14-36 of the general statutes is
repealed and the following is substituted in lieu thereof (Effective October
1, 2023):

(i) Penalties. (1) Any person who violates any provision of this section
shall, for a first offense, be deemed to have committed an infraction and
be fined not less than seventy-five dollars or more than ninety dollars
and, for any subsequent offense, shall be fined not less than two
hundred fifty dollars or more than three hundred fifty dollars or be
imprisoned not more than thirty days, or both.

(2) In addition to the penalty prescribed under subdivision (1) of this
subsection, any person who violates any provision of this section who
(A) has, prior to the commission of the present violation, committed a
violation of this section or subsection (a) of section 14-215, shall be fined
not more than five hundred dollars or sentenced to perform not more
than one hundred hours of community service, or (B) has, prior to the
commission of the present violation, committed two or more violations
of this section or subsection (a) of section 14-215, or any combination
thereof, shall be sentenced to a term of imprisonment of one year, and,
in the absence of any mitigating circumstances as determined by the court, ninety days of [which may] the sentence imposed may not be suspended or reduced in any manner.

Sec. 2. Subsection (b) of section 14-215 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2023):

(b) (1) Except as provided in subsection (c) of this section, any person who violates any provision of subsection (a) of this section shall, for a first offense, be fined not less than one hundred fifty dollars or more than two hundred dollars or imprisoned not more than three months, or be both fined and imprisoned, and, for any subsequent offense, be fined not less than two hundred dollars or more than six hundred dollars or imprisoned not more than one year, or be both fined and imprisoned.

(2) Except as provided in subsection (c) of this section, in addition to the penalty prescribed under subdivision (1) of this subsection, any person who violates any provision of subsection (a) of this section who (A) has, prior to the commission of the present violation, committed a violation of subsection (a) of this section or section 14-36 shall be fined not more than five hundred dollars or sentenced to perform not more than one hundred hours of community service, or (B) has, prior to the commission of the present violation, committed two or more violations of subsection (a) of this section or section 14-36, or any combination thereof, shall be sentenced to a term of imprisonment of one year, and, in the absence of any mitigating circumstances as determined by the court, ninety days of [which] the sentence may not be suspended or reduced in any manner.

Statement of Purpose:
To allow a judge to depart from certain motor vehicle mandatory minimum sentences after considering mitigating circumstances in the same manner as permitted for certain other motor vehicle offenses.

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