

Referred to Committee on

Introduced by:

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:

1 Section 1. Subsection (i) of section 14-36 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2023*):

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

10 (2) In addition to the penalty prescribed under subdivision (1) of this
11 subsection, any person who violates any provision of this section who
12 (A) has, prior to the commission of the present violation, committed a
13 violation of this section or subsection (a) of section 14-215, shall be fined
14 not more than five hundred dollars or sentenced to perform not more
15 than one hundred hours of community service, or (B) has, prior to the
16 commission of the present violation, committed two or more violations
17 of this section or subsection (a) of section 14-215, or any combination
18 thereof, shall be sentenced to a term of imprisonment of one year, and,

19 in the absence of any mitigating circumstances as determined by the
20 court, ninety days of [which may] the sentence imposed may not be
21 suspended or reduced in any manner.

22 Sec. 2. Subsection (b) of section 14-215 of the general statutes is
23 repealed and the following is substituted in lieu thereof (*Effective October*
24 *1, 2023*):

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

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

46 ***Statement of Purpose:***

47 To allow a judge to depart from certain motor vehicle mandatory
48 minimum sentences after considering mitigating circumstances in the
49 same manner as permitted for certain other motor vehicle offenses.

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