



General Assembly

**Amendment**

January Session, 2021

LCO No. 9325



Offered by:

SEN. KELLY, 21<sup>st</sup> Dist.  
SEN. FORMICA, 20<sup>th</sup> Dist.  
SEN. KISSEL, 7<sup>th</sup> Dist.

To: Subst. House Bill No. 6355

File No. 689

Cal. No. 441

**"AN ACT CONCERNING RISK PROTECTION ORDERS OR WARRANTS AND DISQUALIFIERS FOR FIREARM PERMITS AND ELIGIBILITY CERTIFICATES."**

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

3 "Section 1. Section 7-294aaa of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2021*):

5 (a) The legislative body of a town may, by ordinance, establish a  
6 civilian police review board. The ordinance shall, at a minimum,  
7 prescribe: (1) The scope of authority of the civilian police review board;  
8 (2) the number of members of the civilian police review board; (3) the  
9 process for the selection of board members, whether elected or  
10 appointed; (4) the term of office for board members; and (5) the  
11 procedure for filling any vacancy in the membership of the civilian  
12 police review board.

13 (b) Any civilian police review board established pursuant to  
14 subsection (a) of this section may be vested with the authority to: (1)  
15 Issue subpoenas to compel the attendance of witnesses before such  
16 board; and (2) require the production for examination of any books and  
17 papers that such board deems relevant to any matter under  
18 investigation or in question.

19 (c) (1) The person to whom such subpoena is issued may, not later  
20 than fifteen days after service of such subpoena, or on or before the time  
21 specified in the subpoena for compliance if such time is less than fifteen  
22 days after service, serve upon the board written objection to the  
23 subpoena and file such objection in the Superior Court which shall  
24 adjudicate such objection in accordance with the rules of the court.

25 (2) If the person to whom such subpoena is issued fails to appear or  
26 if having appeared refuses to testify or produce the evidence required  
27 by such subpoena, the Superior Court, upon application of such board,  
28 shall have jurisdiction to order such person to appear or to give  
29 testimony or produce such evidence, as the case may be.

30 ~~[(c)] (d)~~ The provisions of this section shall not be construed to affect  
31 the operation of, or impose any limitation upon, a civilian police review  
32 board established prior to July 31, 2020.

33 ~~[(d)] (e)~~ Upon receipt of a written request from the Office of the  
34 Inspector General, established pursuant to section 51-277e, a civilian  
35 police review board shall stay and take no further action in connection  
36 with any proceeding that is the subject of an investigation or criminal  
37 prosecution that is being conducted pursuant to said section or section  
38 51-277a. Any stay of proceedings imposed pursuant to this subsection  
39 shall not exceed six months from the date on which the civilian police  
40 review board receives such written request from the Office of the  
41 Inspector General, and such stay of proceedings may be terminated  
42 sooner if the Office of the Inspector General provides written  
43 notification to the civilian police review board that a stay of proceedings  
44 is no longer required.

45 Sec. 2. Subsection (f) of section 29-6d of the general statutes is  
46 repealed and the following is substituted in lieu thereof (*Effective October*  
47 *1, 2021*):

48 (f) ~~(1)~~ If a police officer is giving a formal statement about the use of  
49 force or if a police officer is the subject of a disciplinary investigation in  
50 which a recording from body-worn recording equipment or a  
51 dashboard camera with a remote recorder, as defined in subsection (c)  
52 of section 7-277b, is being considered as part of a review of an incident,  
53 the officer shall ~~[(1)]~~ have the right to review (A) such recording in the  
54 presence of the officer's attorney or labor representative, and ~~[(2)~~ have  
55 the right to review] (B) recordings from other body-worn recording  
56 equipment capturing the officer's image or voice during the incident.  
57 Not later than forty-eight hours following an officer's review of a  
58 recording under subparagraph (A) of this subdivision, ~~[(1) of this~~  
59 ~~subsection,]~~ or if the officer does not review the recording, not later than  
60 ninety-six hours following the ~~[recorded incident]~~ initiation of such  
61 disciplinary investigation, whichever is earlier, such recording shall be  
62 disclosed, upon request, to the public, subject to the provisions of  
63 subsection (g) of this section.

64 (2) If a request is made for public disclosure of a recording from body-  
65 worn recording equipment or a dashboard camera of an incident about  
66 which (A) a police officer has not been asked to give a formal statement  
67 about the alleged use of force, or (B) a disciplinary investigation has not  
68 been initiated, any police officer whose image or voice is captured on  
69 the recording shall have the right to review such recording in the  
70 presence of the officer's attorney or labor representative. Not later than  
71 forty-eight hours following an officer's review of a recording under this  
72 subdivision, or if the officer does not review the recording, not later than  
73 ninety-six hours following the request for disclosure, whichever is  
74 earlier, such recording shall be disclosed to the public, subject to the  
75 provisions of subsection (g) of this section.

76 Sec. 3. Subsection (f) of section 29-6d of the general statutes, as  
77 amended by section 19 of public act 20-1 of the July special session, is

78 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
79 *2022*):

80 (f) (1) If a police officer is giving a formal statement about the use of  
81 force or if a police officer is the subject of a disciplinary investigation in  
82 which a recording from body-worn recording equipment or a  
83 dashboard camera is being considered as part of a review of an incident,  
84 the officer shall [(1)] have the right to review (A) such recording in the  
85 presence of the officer's attorney or labor representative, and [(2)] have  
86 the right to review (B) recordings from other body-worn recording  
87 equipment capturing the officer's image or voice during the incident.  
88 Not later than forty-eight hours following an officer's review of a  
89 recording under subparagraph (A) of this subdivision, [(1) of this  
90 subsection,] or if the officer does not review the recording, not later than  
91 ninety-six hours following the [recorded incident] initiation of such  
92 disciplinary investigation, whichever is earlier, such recording shall be  
93 disclosed, upon request, to the public, subject to the provisions of  
94 subsection (g) of this section.

95 (2) If a request is made for public disclosure of a recording from body-  
96 worn recording equipment or a dashboard camera of an incident about  
97 which (A) a police officer has not been asked to give a formal statement  
98 about the alleged use of force, or (B) a disciplinary investigation has not  
99 been initiated, any police officer whose image or voice is captured on  
100 the recording shall have the right to review such recording in the  
101 presence of the officer's attorney or labor representative. Not later than  
102 forty-eight hours following an officer's review of a recording under this  
103 subdivision, or if the officer does not review the recording, not later than  
104 ninety-six hours following the request for disclosure, whichever is  
105 earlier, such recording shall be disclosed to the public, subject to the  
106 provisions of subsection (g) of this section.

107 Sec. 4. Subsection (c) of section 29-161h of the general statutes is  
108 repealed and the following is substituted in lieu thereof (*Effective October*  
109 *1, 2021*):

110 (c) No license shall be issued to any person who has been (1)  
111 convicted of any felony, (2) convicted of any misdemeanor under  
112 section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175,  
113 53a-176, 53a-178 or 53a-181d, or equivalent conviction in another  
114 jurisdiction, within the past seven years, (3) convicted of any offense  
115 involving moral turpitude, (4) discharged from military service under  
116 conditions that demonstrate questionable moral character, or (5)  
117 decertified as a police officer or otherwise had his or her certification  
118 canceled, revoked or refused renewal pursuant to subsection (c) of  
119 section 7-294d, or under the laws of any other jurisdiction.

120 Sec. 5. Section 29-161q of the general statutes is repealed and the  
121 following is substituted in lieu thereof (*Effective October 1, 2021*):

122 (a) Any security service or business may employ as many security  
123 officers as such security service or business deems necessary for the  
124 conduct of the business, provided such security officers are of good  
125 moral character and at least eighteen years of age.

126 (b) No person hired or otherwise engaged to perform work as a  
127 security officer, as defined in section 29-152u, shall perform the duties  
128 of a security officer prior to being licensed as a security officer by the  
129 Commissioner of Emergency Services and Public Protection, except as  
130 provided in subsection (h) of this section. Each applicant for a license  
131 shall complete a minimum of eight hours training in the following areas:  
132 Basic first aid, search and seizure laws and regulations, use of force,  
133 basic criminal justice and public safety issues. The commissioner shall  
134 waive such training for any person who, while serving in the armed  
135 forces or the National Guard, or if such person is a veteran, within two  
136 years of such person's discharge from the armed forces, presents proof  
137 that such person has completed military training that is equivalent to  
138 the training required by this subsection, and, if applicable, such person's  
139 military discharge document or a certified copy thereof. For the  
140 purposes of this subsection, "veteran" means any person who was  
141 discharged or released under conditions other than dishonorable from  
142 active service in the armed forces, "armed forces" has the same meaning

143 as provided in section 27-103, and "military discharge document" has  
144 the same meaning as provided in section 1-219. The training shall be  
145 approved by the commissioner in accordance with regulations adopted  
146 pursuant to section 29-161x. The commissioner may not grant a license  
147 to any person who has been decertified as a police officer or otherwise  
148 had his or her certification canceled, revoked or refused renewal  
149 pursuant to subsection (c) of section 7-294d, or under the laws of any  
150 other jurisdiction.

151 (1) On and after October 1, 2008, no person or employee of an  
152 association, corporation or partnership shall conduct such training  
153 without the approval of the commissioner except as provided in  
154 subdivision (2) of this subsection. Application for such approval shall  
155 be submitted on forms prescribed by the commissioner and  
156 accompanied by a fee of forty dollars. Such application shall be made  
157 under oath and shall contain the applicant's name, address, date and  
158 place of birth, employment for the previous five years, education or  
159 training in the subjects required to be taught under this subsection, any  
160 convictions for violations of the law and such other information as the  
161 commissioner may require by regulation adopted pursuant to section  
162 29-161x to properly investigate the character, competency and integrity  
163 of the applicant. No person shall be approved as an instructor for such  
164 training who has been convicted of a felony, a sexual offense or a crime  
165 of moral turpitude or who has been denied approval as a security  
166 service licensee, a security officer or instructor in the security industry  
167 by any licensing authority, or whose approval has been revoked or  
168 suspended. The term for such approval shall not exceed two years. Not  
169 later than two business days after a change of address, any person  
170 approved as an instructor in accordance with this section shall notify the  
171 commissioner of such change and such notification shall include both  
172 the old and new addresses.

173 (2) If a security officer training course described in this subsection is  
174 approved by the commissioner on or before September 30, 2008, the  
175 instructor of such course shall have until April 1, 2009, to apply for  
176 approval as an instructor in accordance with subdivision (1) of this

177 subsection.

178 (3) Each person approved as an instructor in accordance with this  
179 section may apply for the renewal of such approval on a form approved  
180 by the commissioner, accompanied by a fee of forty dollars. Such form  
181 may require the disclosure of any information necessary for the  
182 commissioner to determine whether the instructor's suitability to serve  
183 as an instructor has changed since the issuance of the prior approval.  
184 The term of such renewed approval shall not exceed two years.

185 (c) Not later than two years after successful completion of the training  
186 required pursuant to subsection (b) of this section, or the waiver of such  
187 training, the applicant may submit an application for a license as a  
188 security officer on forms furnished by the commissioner and, under  
189 oath, shall give the applicant's name, address, date and place of birth,  
190 employment for the previous five years, experience in the position  
191 applied for, including military training and weapons qualifications, any  
192 convictions for violations of the law and such other information as the  
193 commissioner may require, by regulation, to properly investigate the  
194 character, competency and integrity of the applicant. The commissioner  
195 shall require any applicant for a license under this section to submit to  
196 state and national criminal history records checks conducted in  
197 accordance with section 29-17a. Each applicant shall submit with the  
198 application two sets of his or her fingerprints on forms specified and  
199 furnished by the commissioner, two full-face photographs, two inches  
200 wide by two inches high, taken not earlier than six months prior to the  
201 date of application, and a one-hundred-dollar licensing fee, made  
202 payable to the state. Any applicant who received a waiver as provided  
203 in subsection (b) of this section shall be exempt from payment of such  
204 licensing fee. Subject to the provisions of section 46a-80, no person shall  
205 be approved for a license who has been convicted of a felony, any sexual  
206 offense or any crime involving moral turpitude, or who has been  
207 refused a license under the provisions of sections 29-161g to 29-161x,  
208 inclusive, for any reason except minimum experience, or whose license,  
209 having been granted, has been revoked or is under suspension. Upon  
210 being satisfied of the suitability of the applicant for licensure, the

211 commissioner may license the applicant as a security officer. Such  
212 license shall be renewed every five years for a one-hundred-dollar fee.  
213 The commissioner shall send a notice of the expiration date of such  
214 license to the holder of such license, by first class mail, not less than  
215 ninety days before such expiration, and shall enclose with such notice  
216 an application for renewal. The security officer license shall be valid for  
217 a period of ninety days after its expiration date unless the license has  
218 been revoked or is under suspension pursuant to section 29-161v. An  
219 application for renewal filed with the commissioner after the expiration  
220 date shall be accompanied by a late fee of twenty-five dollars. The  
221 commissioner shall not renew any license that has been expired for more  
222 than ninety days.

223 (d) Upon the security officer's successful completion of training and  
224 licensing by the commissioner, or immediately upon hiring a licensed  
225 security officer, the security service employing such security officer  
226 shall apply to register such security officer with the commissioner on  
227 forms provided by the commissioner. Such application shall be  
228 accompanied by payment of a forty-dollar application fee payable to the  
229 state. The Division of State Police within the Department of Emergency  
230 Services and Public Protection shall keep on file the completed  
231 registration form and all related material. An identification card with  
232 the name, date of birth, address, full-face photograph, physical  
233 descriptors and signature of the applicant shall be issued to the security  
234 officer, and shall be carried by the security officer at all times while  
235 performing the duties associated with the security officer's employment.  
236 Registered security officers, in the course of performing their duties,  
237 shall present such card for inspection upon the request of a law  
238 enforcement officer.

239 (e) The security service shall notify the commissioner not later than  
240 five days after the termination of employment of any registered  
241 employee.

242 (f) Any fee or portion of a fee paid pursuant to this section shall not  
243 be refundable.



244 (g) No person, firm or corporation shall employ or otherwise engage  
245 any person as a security officer, as defined in section 29-152u, unless  
246 such person (1) is a licensed security officer, or (2) meets the  
247 requirements of subsection (h) of this section.

248 (h) During the time that an application for a license as a security  
249 officer is pending with the commissioner, the applicant may perform the  
250 duties of security officer, provided (1) the security service employing  
251 the applicant conducts, or has a consumer reporting agency regulated  
252 under the federal Fair Credit Reporting Act conduct, a state and national  
253 criminal history records check and determines the applicant meets the  
254 requirements of subsection (c) of this section to be a security officer, (2)  
255 the applicant (A) successfully completed the training required pursuant  
256 to subsection (b) of this section, or obtained a waiver of such training,  
257 and (B) performs the duties of a security officer under the direct on-site  
258 supervision of a licensed security officer with at least one year of  
259 experience as a licensed security officer, and (3) the applicant has not  
260 been decertified as a police officer or otherwise had his or her  
261 certification canceled, revoked or refused renewal pursuant to  
262 subsection (c) of section 7-294d, or under the laws of any other  
263 jurisdiction. The applicant shall not perform such duties at a public or  
264 private preschool, elementary or secondary school or at a facility  
265 licensed and used exclusively as a child care center, as described in  
266 subdivision (1) of subsection (a) of section 19a-77. The applicant shall  
267 cease to perform such duties pursuant to this subsection when the  
268 commissioner grants or denies the pending application for a security  
269 license under this section.

270 (i) Any person, firm or corporation that violates any provision of  
271 subsection (b), (d), (e), (g) or (h) of this section shall be fined seventy-  
272 five dollars for each offense. Each distinct violation of this section shall  
273 be a separate offense and, in the case of a continuing violation, each day  
274 thereof shall be deemed a separate offense.

275 Sec. 6. Section 54-33b of the general statutes is repealed and the  
276 following is substituted in lieu thereof (*Effective October 1, 2021*):

277 (a) [The consent of a person given to a law enforcement official to  
278 conduct a search of such person shall not, absent the existence of  
279 probable cause, constitute justification for such law enforcement official  
280 to conduct such search] A law enforcement official may ask a person if  
281 he or she may conduct a search of their person, provided such law  
282 enforcement official has reasonable and articulable suspicion that  
283 weapons, contraband or other evidence of a crime is contained upon the  
284 person, or that the search is reasonably necessary to further an ongoing  
285 law enforcement investigation. A law enforcement official who solicits  
286 consent to search a person shall, whether or not the consent is granted,  
287 complete a police report documenting the reasonable and articulable  
288 suspicion for the solicitation of consent, or the facts and circumstances  
289 that support the search being reasonably necessary to further an  
290 ongoing law enforcement investigation.

291 (b) A law enforcement official serving a search warrant may, if such  
292 official has reason to believe that any of the property described in the  
293 warrant is concealed in the garments of any person in or upon the place  
294 or thing to be searched, search the person for the purpose of seizing the  
295 same. When the person to be searched is a woman, the search shall be  
296 made by a female law enforcement official or other woman assisting in  
297 the service of the warrant, or by a woman designated by the judge or  
298 judge trial referee issuing the warrant.

299 Sec. 7. Section 54-33o of the general statutes is repealed and the  
300 following is substituted in lieu thereof (*Effective October 1, 2021*):

301 (a) (1) [No] A law enforcement official may ask an operator of a motor  
302 vehicle to conduct a search of a motor vehicle or the contents of the  
303 motor vehicle that is stopped by a law enforcement official, [solely for a  
304 motor vehicle violation] provided such law enforcement official has  
305 reasonable and articulable suspicion that weapons, contraband or other  
306 evidence of a crime is contained within the vehicle. A law enforcement  
307 official who solicits consent to search a motor vehicle shall, whether or  
308 not the consent is granted, complete a police report within forty-eight  
309 hours documenting the reasonable and articulable suspicion for the

310 solicitation of consent.

311 (2) Any search by a law enforcement official of a motor vehicle or the  
312 contents of the motor vehicle that is stopped by a law enforcement  
313 official solely for a motor vehicle violation shall be (A) based on  
314 probable cause, or (B) after having received [the unsolicited] consent to  
315 such search from the operator of the motor vehicle in written form or  
316 recorded by body-worn recording equipment or a dashboard camera,  
317 each as defined in section 29-6d.

318 (b) No law enforcement official may ask an operator of a motor  
319 vehicle to provide any documentation or identification other than an  
320 operator's license, motor vehicle registration, insurance identity card or  
321 other documentation or identification directly related to the stop, when  
322 the motor vehicle has been stopped solely for a motor vehicle violation,  
323 unless there exists probable cause or reasonable and articulable  
324 suspicion to believe that a felony or misdemeanor offense has been  
325 committed or the operator has failed to produce a valid operator's  
326 license.

327 Sec. 8. Section 54-33a of the general statutes is repealed and the  
328 following is substituted in lieu thereof (*Effective October 1, 2021*):

329 (a) As used in sections 54-33a to 54-33g, inclusive, "property"  
330 includes, but is not limited to, documents, books, papers, films,  
331 recordings, records, data and any other tangible thing; and "tracking  
332 device" means an electronic or mechanical device that permits the  
333 tracking of the movement of a person or object.

334 (b) Upon complaint on oath by any state's attorney or assistant state's  
335 attorney or by any two credible persons, to any judge of the Superior  
336 Court or judge trial referee, that such state's attorney or assistant state's  
337 attorney or such persons have probable cause to believe that any  
338 property (1) possessed, controlled, designed or intended for use or  
339 which is or has been used or which may be used as the means of  
340 committing any criminal offense; or (2) which was stolen or embezzled;  
341 or (3) which constitutes evidence of an offense, or which constitutes

342 evidence that a particular person participated in the commission of an  
343 offense, is within or upon any place, thing or person, such judge or judge  
344 trial referee, except as provided in section 54-33j, may issue a warrant  
345 commanding a proper officer to enter into or upon such place or thing,  
346 search such place, thing or person and take into such officer's custody  
347 all such property named in the warrant.

348 (c) Upon complaint on oath by any state's attorney or assistant state's  
349 attorney or by any two credible persons, to any judge of the Superior  
350 Court or judge trial referee, that such state's attorney or assistant state's  
351 attorney or such persons have probable cause to believe that a criminal  
352 offense has been, is being, or will be committed and that the use of a  
353 tracking device will yield evidence of the commission of that offense,  
354 such judge or judge trial referee may issue a warrant authorizing the  
355 installation and use of a tracking device. The complaint shall identify  
356 the person on which or the property to, in or on which the tracking  
357 device is to be installed, and, if known, the owner of such property.

358 (d) A warrant may issue only on affidavit sworn to by the  
359 complainant or complainants before the judge or judge trial referee and  
360 establishing the grounds for issuing the warrant, which affidavit shall  
361 be part of the arrest file. If the judge or judge trial referee is satisfied that  
362 grounds for the application exist or that there is probable cause to  
363 believe that grounds for the application exist, the judge or judge trial  
364 referee shall issue a warrant identifying the property and naming or  
365 describing the person, place or thing to be searched or authorizing the  
366 installation and use of a tracking device and identifying the person on  
367 which or the property to, in or on which the tracking device is to be  
368 installed. The warrant shall be directed to any police officer of a  
369 regularly organized police department or any state police officer, to an  
370 inspector in the Division of Criminal Justice, to a conservation officer,  
371 special conservation officer or patrolman acting pursuant to section 26-  
372 6 or to a sworn motor vehicle inspector acting under the authority of  
373 section 14-8. Except for a warrant for the installation and use of a  
374 tracking device, the warrant shall state the date and time of its issuance  
375 and the grounds or probable cause for its issuance and shall command

376 the officer to search within a reasonable time the person, place or thing  
377 named, for the property specified. A warrant for the installation and use  
378 of a tracking device shall state the date and time of its issuance and the  
379 grounds or probable cause for its issuance and shall command the  
380 officer to complete the installation of the device within a specified  
381 period not later than ten days after the date of its issuance and authorize  
382 the installation and use of the tracking device, including the collection  
383 of data through such tracking device, for a reasonable period of time not  
384 to exceed thirty days from the date the tracking device is installed. Upon  
385 request and a showing of good cause, a judge or judge trial referee may  
386 authorize the use of the tracking device for an additional period of thirty  
387 days.

388 (e) No police officer of a regularly organized police department or  
389 any state police officer, an inspector in the Division of Criminal Justice,  
390 a conservation officer, special conservation officer or patrolman acting  
391 pursuant to section 26-6 or a sworn motor vehicle inspector acting under  
392 the authority of section 14-8, shall seek, execute or participate in the  
393 execution of a no-knock warrant. A search warrant authorized under  
394 this section shall require that an officer provide notice of such officer's  
395 identity, authority and purpose prior to entering the place to be  
396 searched for the execution of such search warrant. Prior to undertaking  
397 any search or seizure pursuant to the search warrant, the executing  
398 officer shall read and give a copy of the search warrant to the person to  
399 be searched or the owner of the place to be searched or, if the owner is  
400 not present, to any occupant of the place to be searched. If the place to  
401 be searched is unoccupied, the executing officer shall leave a copy of the  
402 search warrant suitably affixed to the place to be searched. For purposes  
403 of this subsection, "no-knock warrant" means a warrant authorizing  
404 police officers to enter certain premises without first knocking and  
405 announcing their presence or purpose prior to entering the place to be  
406 searched.

407 [(e)] (f) A judge or judge trial referee may issue a warrant pursuant to  
408 this section for records or data that are in the actual or constructive  
409 possession of a foreign corporation or business entity that transacts

410 business in this state, including, but not limited to, a foreign corporation  
411 or business entity that provides electronic communication services or  
412 remote computing services to the public. Such a warrant may be served  
413 on an authorized representative of the foreign corporation or business  
414 entity by hand, mail, commercial delivery, facsimile or electronic  
415 transmission, provided proof of delivery can be established. When  
416 properly served with a warrant issued pursuant to this section, the  
417 foreign corporation or business entity shall provide to the applicant all  
418 records or data sought by the warrant within fourteen business days of  
419 being served with the warrant, unless the judge or judge trial referee  
420 determines that a shorter or longer period of time is necessary or  
421 appropriate.

422 [(f)] (g) The inadvertent failure of the issuing judge or judge trial  
423 referee to state on the warrant the time of its issuance shall not in and of  
424 itself invalidate the warrant.

425 Sec. 9. Section 53a-22 of the general statutes, as amended by section  
426 29 of public act 20-1 of the July special session and public act 21-4, is  
427 amended by adding subsection (h) as follows (*Effective January 1, 2022*):

428 (NEW) (h) In determining whether use of force by a peace officer who  
429 is a police officer, as defined in subsection (a) of section 29-6d, is justified  
430 pursuant to this section, the trier of fact may draw an unfavorable  
431 inference from a police officer's deliberate failure in violation of section  
432 29-6d, as amended by this act, to record such use of physical force.

433 Sec. 10. Section 52-571k of the general statutes is repealed and the  
434 following is substituted in lieu thereof (*Effective July 1, 2021*):

435 (a) As used in this section:

436 (1) "Law enforcement unit" has the same meaning as provided in  
437 section 7-294a; and

438 (2) "Police officer" has the same meaning as provided in section 7-  
439 294a.

440 (b) No police officer, acting alone or in conspiracy with another, shall  
441 deprive any person or class of persons of the equal protection of the laws  
442 of this state, or of the equal privileges and immunities under the laws of  
443 this state, including, without limitation, the protections, privileges and  
444 immunities guaranteed under article first of the Constitution of the  
445 state.

446 (c) Any person aggrieved by a violation of subsection (b) of this  
447 section may bring a civil action for equitable relief or damages in the  
448 Superior Court. A civil action brought for damages shall be triable by  
449 jury.

450 (d) (1) In any civil action brought under this section, governmental  
451 immunity shall only be a defense to a claim for damages when, at the  
452 time of the conduct complained of, the police officer had an objectively  
453 good faith belief that such officer's conduct did not violate the law.  
454 There shall be no interlocutory appeal of a trial court's denial of the  
455 application of the defense of governmental immunity. Governmental  
456 immunity shall not be a defense in a civil action brought solely for  
457 equitable relief.

458 (2) In any civil action brought under this section, the trier of fact may  
459 draw an adverse inference from a police officer's deliberate failure, in  
460 violation of section 29-6d, as amended by this act, to record any event  
461 that is relevant to such action.

462 (e) In an action under this section, each municipality or law  
463 enforcement unit shall protect and save harmless any such police officer  
464 from financial loss and expense, including legal fees and costs, if any,  
465 arising out of any claim, demand or suit instituted against such officer  
466 by reason of any act undertaken by such officer while acting in the  
467 discharge of the officer's duties. In the event such officer has a judgment  
468 entered against him or her for a malicious, wanton or wilful act in a  
469 court of law, such municipality shall be reimbursed by such officer for  
470 expenses it incurred in providing such defense and shall not be held  
471 liable to such officer for any financial loss or expense resulting from such

472 act.

473 (f) In any civil action brought under this section, if the court finds that  
 474 a violation of subsection (b) of this section was deliberate, wilful or  
 475 committed with reckless indifference, the plaintiff may be awarded  
 476 costs and reasonable attorney's fees.

477 (g) A civil action brought pursuant to this section shall be commenced  
 478 not later than one year after the date on which the cause of action  
 479 accrues. Any notice of claim provision set forth in the general statutes,  
 480 including, but not limited to, the provisions of subsection (d) of section  
 481 7-101a and subsection (a) of section 7-465 shall not apply to an action  
 482 brought under this section."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2021</i>	7-294aaa
Sec. 2	<i>October 1, 2021</i>	29-6d(f)
Sec. 3	<i>July 1, 2022</i>	29-6d(f)
Sec. 4	<i>October 1, 2021</i>	29-161h(c)
Sec. 5	<i>October 1, 2021</i>	29-161q
Sec. 6	<i>October 1, 2021</i>	54-33b
Sec. 7	<i>October 1, 2021</i>	54-33o
Sec. 8	<i>October 1, 2021</i>	54-33a
Sec. 9	<i>January 1, 2022</i>	53a-22
Sec. 10	<i>July 1, 2021</i>	52-571k