



***Substitute House Bill No. 7027***

***Public Act No. 15-216***

***AN ACT CONCERNING RISK REDUCTION CREDITS, CARRY PERMITS AND PAROLE OFFICER ACCESS TO STATE FIREARMS DATABASE.***

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

Section 1. (NEW) (*Effective October 1, 2015*) Not later than January 1, 2016, and quarterly thereafter, the Commissioner of Correction, after consultation with the Criminal Justice Policy and Planning Division within the Office of Policy and Management, shall, in accordance with the provisions of section 11-4a of the general statutes, report to the General Assembly details about earned risk reduction credits awarded to reduce an inmate's sentence pursuant to section 18-98e of the general statutes, as amended by this act. Such report shall include: (1) The number of inmates released overall and the number of inmates released early as a result of the award of such credit; (2) the crimes for which such released inmates were convicted; (3) the amount of risk reduction credit earned by inmates released early pursuant to such credit; and (4) any recidivism data regarding inmates who were released early pursuant to such credit, including any data such as rate of reentry into the correctional system, elapsed time between release and such reentry, and the crimes for which such inmates were convicted that resulted in such reentry. Not later than thirty days after submission of the report to the General Assembly, said commissioner

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shall post the report on the Department of Correction's Internet web site.

Sec. 2. Subsection (b) of section 29-35 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(b) The holder of a permit issued pursuant to section 29-28, as amended by this act, shall carry such permit upon one's person while carrying such pistol or revolver. Such holder shall present his or her permit upon the request of a law enforcement officer who has reasonable suspicion of a crime for purposes of verification of the validity of the permit or identification of the holder, provided such holder is carrying a pistol or revolver that is observed by such law enforcement officer.

Sec. 3. Subsection (d) of section 29-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(d) Notwithstanding the provisions of sections 1-210 and 1-211, the name and address of a person issued a permit to sell at retail pistols and revolvers pursuant to subsection (a) of this section or a state or a temporary state permit to carry a pistol or revolver pursuant to subsection (b) of this section, or a local permit to carry pistols and revolvers issued by local authorities prior to October 1, 2001, shall be confidential and shall not be disclosed, except (1) such information may be disclosed to law enforcement officials acting in the performance of their duties, including, but not limited to, employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, (2) the issuing authority may disclose such information to the extent necessary to comply with a request made pursuant to section 29-33, 29-37a or 29-38m for

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verification that such state or temporary state permit is still valid and has not been suspended or revoked, and the local authority may disclose such information to the extent necessary to comply with a request made pursuant to section 29-33, 29-37a or 29-38m for verification that a local permit is still valid and has not been suspended or revoked, and (3) such information may be disclosed to the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of section 17a-500.

Sec. 4. Subsection (e) of section 29-36g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(e) Notwithstanding the provisions of sections 1-210 and 1-211, the name and address of a person issued an eligibility certificate for a pistol or revolver under the provisions of section 29-36f shall be confidential and shall not be disclosed, except (1) such information may be disclosed to law enforcement officials acting in the performance of their duties, including, but not limited to, employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, (2) the Commissioner of Emergency Services and Public Protection may disclose such information to the extent necessary to comply with a request made pursuant to section 29-33, 29-37a or 29-38m for verification that such certificate is still valid and has not been suspended or revoked, and (3) such information may be disclosed to the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of section 17a-500.

Sec. 5. Subdivision (5) of subsection (a) of section 53-202d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(5) The department shall adopt regulations, in accordance with the

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provisions of chapter 54, to establish procedures with respect to the application for and issuance of certificates of possession pursuant to this section. Notwithstanding the provisions of sections 1-210 and 1-211, the name and address of a person issued a certificate of possession shall be confidential and shall not be disclosed, except such records may be disclosed to (A) law enforcement agencies and employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, and (B) the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of section 17a-500.

Sec. 6. Subsection (e) of section 29-38n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(e) Notwithstanding the provisions of sections 1-210 and 1-211, the name and address of a person issued an ammunition certificate under this section shall be confidential and shall not be disclosed, except (1) such information may be disclosed to law enforcement officials acting in the performance of their duties, including, but not limited to, employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, (2) the Commissioner of Emergency Services and Public Protection may disclose such information to the extent necessary to comply with a request made pursuant to section 29-38m for verification that such certificate is still valid and has not been suspended or revoked, and (3) such information may be disclosed to the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of section 17a-500.

Sec. 7. Subsection (d) of section 29-37q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective*

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(d) Notwithstanding the provisions of sections 1-210 and 1-211, the name and address of a person issued a long gun eligibility certificate under the provisions of section 29-37p shall be confidential and shall not be disclosed, except (1) such information may be disclosed to law enforcement officials acting in the performance of their duties, including, but not limited to, employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, (2) the Commissioner of Emergency Services and Public Protection may disclose such information to the extent necessary to comply with a request made pursuant to section 29-37a or 29-38m for verification that such certificate is still valid and has not been suspended or revoked, and (3) such information may be disclosed to the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of section 17a-500.

Sec. 8. Subsection (c) of section 53-202x of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(c) The department may adopt regulations, in accordance with the provisions of chapter 54, to establish procedures with respect to applications under this section. Notwithstanding the provisions of sections 1-210 and 1-211, the name and address of a person who has declared possession of a large capacity magazine shall be confidential and shall not be disclosed, except such records may be disclosed to (1) law enforcement agencies and employees of the United States Probation Office acting in the performance of their duties and parole officers within the Department of Correction acting in the performance of their duties, and (2) the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of section 17a-500.

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Sec. 9. Section 18-98e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) Notwithstanding any provision of the general statutes, any person sentenced to a term of imprisonment for a crime committed on or after October 1, 1994, and committed to the custody of the Commissioner of Correction on or after said date, except a person sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d, 53a-55, 53a-55a, 53a-70a, 53a-70c or 53a-100aa, or is a persistent dangerous felony offender or persistent dangerous sexual offender pursuant to section 53a-40, may be eligible to earn risk reduction credit toward a reduction of such person's sentence, in an amount not to exceed five days per month, at the discretion of the Commissioner of Correction for conduct as provided in subsection (b) of this section occurring on or after April 1, 2006.

(b) An inmate may earn risk reduction credit for adherence to the inmate's offender accountability plan, for participation in eligible programs and activities, and for good conduct and obedience to institutional rules as designated by the commissioner, provided (1) good conduct and obedience to institutional rules alone shall not entitle an inmate to such credit, and (2) the commissioner or the commissioner's designee may, in his or her discretion, cause the loss of all or any portion of such earned risk reduction credit for any act of misconduct or insubordination or refusal to conform to recommended programs or activities or institutional rules occurring at any time during the service of the sentence or for other good cause. If an inmate has not earned sufficient risk reduction credit at the time the commissioner or the commissioner's designee orders the loss of all or a portion of earned credit, such loss shall be deducted from any credit earned by such inmate in the future.

(c) The award of risk reduction credit earned for conduct occurring prior to July 1, 2011, shall be phased in consistent with public safety,

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risk reduction, administrative purposes and sound correctional practice, at the discretion of the commissioner, but shall be completed not later than July 1, 2012.

(d) Any credit earned under this section may only be earned during the period of time that the inmate is sentenced to a term of imprisonment and committed to the custody of the commissioner and may not be transferred or applied to a subsequent term of imprisonment. In no event shall any credit earned under this section be applied by the commissioner so as to reduce a mandatory minimum term of imprisonment such inmate is required to serve by statute.

(e) Prior to release of any inmate whose sentence is being reduced due to risk reduction credits earned pursuant to this section, the warden of the correctional facility from which such inmate is to be released shall review such inmate's records and verify that the inmate earned the risk reduction credits being applied to reduce such inmate's sentence.

[(e)] (f) The commissioner shall adopt policies and procedures to determine the amount of credit an inmate may earn toward a reduction in his or her sentence and to phase in the awarding of retroactive credit authorized by subsection (c) of this section.

Approved July 6, 2015