

DEPARTMENT OF EMERGENCY SERVICES AND
PUBLIC PROTECTION



2019 PUBLIC ACTS

Preparer's note: This document contains summaries of public acts impacting DESPP or of interest to DESPP. If you have questions or require assistance, please contact Scott DeVico at scott.devico@ct.gov. The full text of these public acts can be accessed at www.cga.ct.gov.

PA-19-3- AN ACT CONCERNING A PILOT PROGRAM FOR HEMP PRODUCTION

Effective Date: Upon passage

This act requires the state Department of Agriculture (DoAg) commissioner to establish and operate a hemp research pilot program in Connecticut. Until he adopts related regulations, the commissioner must use procedures and guidance policies that meet specified minimum standards and are consistent with federal law.

The act also requires the DoAg commissioner to prepare a hemp production state plan in accordance with federal law for approval by the governor and attorney general. He must do this in consultation with the office of the chief state's attorney. (The act does not specify a deadline for doing this.) Once approved, the commissioner must submit the plan to the U.S. Department of Agriculture (USDA) secretary for approval.

The act establishes licensing requirements, qualifications, and fees for hemp growers, processors, and manufacturers. It requires DoAg to license and regulate growers and processors and the Department of Consumer Protection (DCP) to

license and regulate manufacturers. (A manufacturer is one who converts hemp into a product intended for human consumption (i.e., “consumable”).)

The act also establishes inspection and testing requirements for growers and processors, as well as independent testing requirements for manufacturers, to ensure that hemp plants and products comply with state and federal requirements. It imposes penalties for violations.

Under the act and federal law, “hemp” means the plant *Cannabis sativa* L. and any part of the plant, including seeds and derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis.

The act specifies that its hemp production and manufacturer provisions do not apply to palliative (i.e., medical) marijuana licensees.

Additionally, the act requires the DoAg and DCP commissioners to report to the Environment Committee by February 1, 2020, on the status of the pilot program, the state plan, and regulations. The report must also provide any legislative recommendations, including any for requiring the registration of consumables offered for sale in the state.

Lastly, the act makes minor and conforming changes to indicate that hemp is not a controlled substance, instead of industrial hemp, as under current law.

PA-19-5-AN ACT CONCERNING THE SAFE STORAGE OF FIREARMS IN THE HOME AND FIREARM SAFETY PROGRAMS IN PUBLIC SCHOOLS

Effective Date: October 1, 2019

This act expands the firearm safe storage laws. Under current law, the legal duty to securely store a firearm applies when the weapon is loaded and the person in control of the premises knows or reasonably should know that a minor under age 16 is likely to gain access to it without his or her parent's or guardian's permission. The act applies the storage requirement to unloaded firearms and increases the age of a minor for these purposes to under age 18. As under existing law:

1. the safe storage requirements also apply if a resident of the home is either ineligible to possess a firearm under state or federal law or poses a risk of personal harm or harm to others and
2. a person who fails to securely store a firearm is strictly liable for damages, regardless of intent.

By law, criminally negligent storage of a firearm is a class D felony, punishable by up to a \$5,000 fine, up to five years in prison, or both.

The act specifies that the safe storage law applies to sawed-off shotguns, machine guns, rifles, shotguns, pistols, revolvers, or other weapons, whether loaded or unloaded from which a shot may be discharged.

The act also makes changes to the laws related to firearm safety programs for school children, including by expanding the age range for which schools may offer such programs to kindergarten through grade twelve instead of kindergarten through grade eight as under current law.

PA-19-6- AN ACT CONCERNING GHOST GUNS

***Effective Date:* October 1, 2019, except the provisions (1) requiring DESPP to establish a system for generating serial numbers or identification marks and (2) related to unfinished frames and lower receivers are effective upon passage.**

This act generally prohibits anyone from completing the manufacture of a firearm without subsequently obtaining and engraving or permanently affixing on it a unique serial number or other identification mark from the Department of Emergency Services and Public Protection (DESPP) (i.e., creating a “ghost gun”). The mark or number must be engraved or affixed in a way that conforms to the serial number requirements federal law and associated regulations impose on licensed firearm importers and manufacturers. This requirement does not apply if the frame or lower receiver of the firearm has such a serial number or identification mark. The act requires DESPP to develop and maintain a system to distribute such serial numbers or identification marks.

The act also prohibits:

1. manufacturing a firearm from polymer plastic that is less detectible by a walk-through metal detector than a security exemplar (i.e., an object used to test and calibrate metal detectors);
2. transferring the above “ghost guns,” except to law enforcement;
3. facilitating, aiding, or abetting the manufacture of a firearm (a) by or for an individual who is otherwise lawfully prohibited from owning or possessing a firearm or (b) that a person is otherwise prohibited by law from purchasing or possessing;
4. purchasing, receiving, selling, delivering, or transferring an unfinished frame or lower receiver without an identification mark or unique serial number or satisfying certain other requirements; and
5. possessing an unfinished frame or lower receiver if the person is ineligible to possess a firearm under state or federal law.

The act allows the court to suspend the criminal proceedings for the above violations under certain circumstances. During the suspension, the individual must comply with certain court-ordered conditions while in Court Support Services

Division (CSSD) custody (i.e., on probation). The act allows the court to dismiss the charges if the individual complies with the court order and successfully completes probation.

The act additionally specifies that an individual may not remove, deface, alter, or obliterate a firearm's unique serial number. Existing law, unchanged by the bill, prohibits taking any such action to the maker or model name or the maker's number or identification mark on any firearm. The act extends existing law's penalties for such actions to the bill's prohibition about unique serial numbers.

For the act's purposes, a "firearm" is a sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver or other weapon, whether loaded or unloaded, from which a shot may be discharged.

PA-19-7-AN ACT CONCERNING THE STORAGE OF A PISTOL OR REVOLVER IN A MOTOR VEHICLE

Effective Date: October 1, 2019

This act prohibits storing or keeping a pistol or revolver (i.e., a handgun) in an unattended motor vehicle if the firearm is not in the trunk, a locked safe, or a locked glove box. A first offense is a class A misdemeanor, punishable by up to one year in prison, up to a \$2,000 fine, or both. Any subsequent offense is a class D felony, punishable by up to five years in prison, up to a \$5,000 fine, or both. For the bill's purposes, a motor vehicle is unattended if no one who is at least age 21 and who is the owner, operator, or a passenger of the vehicle is inside the vehicle or in close enough proximity to prevent unauthorized access to the vehicle.

The act specifies numerous law enforcement personnel and other entities to whom the act's provisions do not apply. It also allows the court to suspend the criminal proceedings for violating the bill's storage requirements under certain circumstances. During the suspension, the violator must comply with certain court-ordered conditions while in Court Support Services Division (CSSD) custody (i.e., on probation). The act allows the court to dismiss the charges if he or she complies with the court order and successfully completes probation.

PA-19-11- AN ACT CONCERNING REIMBURSEMENT FOR THE PURCHASE OF BODY-WORN ELECTRONIC RECORDING EQUIPMENT.

Effective Date: July 1, 2019

Existing law requires the Office of Policy and Management (OPM), within available resources, to administer a grant program that reimburses municipalities for purchasing body cameras and other law enforcement recording equipment and services. By law, the program may reimburse up to (1) 100% of the costs for eligible purchases made during FYs 17 and 18 and (2) 50% of the costs for such purchases made in FY 19.

This act allows municipalities that purchased body-worn recording equipment during FYs 17 and 18, but paid for the equipment in the first two months of FY 19 (i.e., by August 31, 2018), to qualify for the reimbursement of up to 100%. As under existing law, the reimbursement must be made within available resources.

PA-19-13- AN ACT PROHIBITING THE SALE OF CIGARETTES, TOBACCO PRODUCTS, ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS TO PERSONS UNDER AGE TWENTY-ONE

Effective Date: October 1, 2019

This act raises, from 18 to 21, the legal age to purchase cigarettes, other tobacco products, and e-cigarettes (i.e., electronic nicotine delivery systems and vapor products). It makes corresponding changes to the laws regarding the sale, giving, and delivery of such products to individuals under the legal age (e.g., updating the age on the required sign that cigarette dealers and distributors must display at the point of sale).

Additionally, the act:

1. requires dealers who sell e-cigarettes and ship them directly to consumers (e.g., through online sales) to obtain the signature of a person aged 21 or older at the shipping address prior to delivery and require the signer to show proof of age;
2. increases, from \$50 to \$200, the annual license fee for cigarette dealers;
3. increases, from \$400 to \$800, the annual registration fee for ecigarette dealers and retains the \$400 fee for dealers with multiple registrations;
4. reduces, from \$400 to \$200, the annual registration fee for ecigarette manufacturers who hold multiple registrations;
5. generally increases certain penalties for cigarette, tobacco product, and e-cigarette sales and purchases involving individuals under the legal age;
6. requires the Department of Mental Health and Addiction Services (DMHAS) commissioner to conduct unannounced compliance checks on e-cigarette dealers and refer noncompliant dealers to the Department of Revenue Services (DRS) commissioner who may impose civil penalties;
7. allows e-cigarette dealers to give promotional samples in connection with the promotion or advertisement of a product in a similar manner as current law allows for cigarettes and tobacco products;

8. bans smoking and e-cigarettes on the grounds of child care centers and schools;
and

9. makes other changes affecting the sale of these products.

Additionally, the act excludes from the definition of “vapor product,” biological products used to prevent, treat, or cure diseases or injuries that are authorized for sale by the federal Food and Drug Administration. It also makes minor changes to other related definitions.

PA-19-14- **AN ACT CONCERNING "UPSKIRTING"**

Effective Date: October 1, 2019

Under current law, the crime of voyeurism includes when someone, intending to arouse or satisfy his or her or someone else's sexual desire, knowingly photographs, films, videotapes, or otherwise records ("records") the victim's genitals, pubic area, buttocks, or undergarments or stockings used to clothe them, when they are not in plain view, and does so without the victim's knowledge and consent. (This conduct is sometimes referred to as "upskirting.")

This act specifies that this crime applies when the victim has a reasonable expectation of privacy, regardless of whether the victim is in a public place.

It also specifies that, for purposes of all conduct constituting voyeurism, a person is not "in plain view" if the view is achieved by photographing or recording under or around a person's clothing.

By law, depending on the circumstances, voyeurism is either a class D or class C felony.

PA-19-16- **AN ACT COMBATTING SEXUAL ASSAULT AND SEXUAL HARASSMENT**

Effective Date: October 1, 2019

This act makes various changes concerning sexual harassment, sexual assault, discrimination complaints filed with the Commission on Human Rights and Opportunities (CHRO), and related matters. The act:

1. expands requirements for employers to train employees on sexual harassment laws;
2. extends the time to file a CHRO complaint alleging employer discrimination, including sexual harassment;
3. allows courts to order punitive damages in discrimination cases released from CHRO jurisdiction;
4. extends the time to file a civil lawsuit related to sexual abuse or related conduct for victims under age 21;and
5. eliminates the criminal statute of limitations for sexual assault crimes against minors and extends it for such crimes against adults.

PA-19-17-AN ACT CONCERNING WORKERS' COMPENSATION BENEFITS FOR CERTAIN MENTAL OR EMOTIONAL IMPAIRMENTS, MENTAL HEALTH CARE FOR POLICE OFFICERS AND WELLNESS TRAINING FOR POLICE OFFICERS, PAROLE OFFICERS AND FIREFIGHTERS

***Effective Date:* July 1, 2019, except the provisions (1) on job protections for police officers, returning work weapons or ammunition, civil liability protections for law enforcement units, and exemptions to the criminal possession law are effective October 1, 2019, and (2) repealing a provision in a separate bill that would allow APRNs to diagnose PTSD in firefighters under certain circumstances is effective June 30, 2019.**

This act allows police officers, parole officers, and firefighters to receive certain workers' compensation benefits for post-traumatic stress disorder (PTSD) caused by their participation in certain "qualifying events." Such events include seeing, while in the line of duty, a deceased minor, someone's death, or a traumatic physical injury that results in the loss of a vital body part. Current law generally does not provide workers' compensation benefits for an employee's mental or emotional injury unless it arises from the employee's physical injury or occupational disease.

More specifically, the act:

1. establishes the eligibility requirements for these officers and firefighters to receive PTSD benefits;
2. limits the benefits' (a) duration to 52 weeks and (b) availability to within four years after the qualifying event;
3. reduces the amount of weekly PTSD benefits an officer or firefighter may receive by the amount of other benefits he or she receives (e.g., from a pension, Social Security, or disability insurance), if the total benefits exceed the officer's or firefighter's average weekly wage; and
4. establishes a process for employers to contest PTSD claims.

It also requires the Labor and Public Employees Committee to examine the feasibility of expanding the bill's PTSD benefits to emergency medical services (EMS) personnel and Department of Correction (DOC) employees.

The act generally prohibits a law enforcement unit from disciplining police officers solely because they seek or receive mental health care services or surrender their work weapons or ammunition. It also requires law enforcement units to request that officers seek a mental health examination before returning their weapons or ammunition. Additionally, it provides civil liability protection to law enforcement units for an officer's actions with a personal firearm under certain conditions.

The act allows officers who were voluntarily admitted to a psychiatric hospital for psychiatric treatment to use their work weapons or ammunition within six months of being admitted and not be guilty of criminal possession of a handgun or firearm, ammunition, or an electronic weapon.

The act requires (1) the development and adoption of a model critical incident and peer support policy and (2) resilience and self-care technique training for police officers, parole officers, and firefighters.

PA-19-19- **AN ACT CONCERNING EPINEPHRINE AUTO INJECTORS**

Effective Date: Upon Passage

This act allows an authorized entity (e.g., for-profit or non-profit entity) to acquire and maintain a supply of epinephrine auto-injectors (e.g., EpiPens) from a wholesaler and provide or administer them to a person experiencing an anaphylactic reaction. To do this, the authorized entity must (1) establish a medical protocol with a prescribing practitioner and (2) have at least one employee or agent trained in recognizing the signs and symptoms of anaphylaxis, administering the medication, and following emergency protocol.

The act establishes related training, storage, and medication administration requirements.

The act also generally grants immunity from civil and criminal liability to (1) prescribing practitioners who establish medical protocols with authorized entities and (2) authorized entities, the state or its political subdivisions, or their trained employees who provide or administer epinephrine auto-injectors to someone experiencing anaphylaxis.

PA-19-20- **AN ACT CONCERNING THE TRUST ACT**

Effective Date: October 1, 2019

This act makes several changes to the state's civil immigration detainer law. Among other things, the act:

1. expands the definition of a civil immigration detainer and prohibits law enforcement officers from arresting or detaining someone pursuant to such a detainer unless it is accompanied by a judicial warrant (i.e., one signed by any state or federal judge or federal magistrate judge, but not an immigration judge);
2. establishes new procedures that law enforcement officers must follow when responding to these detainees, placing additional restrictions on the actions they may take and eliminating current law's requirement that they consider specific public safety and risk factors;
3. limits the circumstances under which law enforcement officers may disclose an individual's confidential information to a federal immigration authority;
4. deems law enforcement agency records relating to U.S. Immigration and Customs Enforcement (ICE) access as public under the Freedom of Information Act (FOIA); and
5. applies certain of its provisions to school police or security department employees at public higher education or K-12 schools, bail commissioners, and adult probation officers.

The act also requires (1) municipalities to report specified information monthly to the Office of Policy and Management (OPM), if their law enforcement agency provided ICE access and (2) OPM to ensure that the law enforcement agencies and school police or security departments receive appropriate training.

It specifies that its provisions must not be construed to provide, expand, or ratify the legal authority of any law enforcement agency to detain an individual based on a civil immigration detainer request.

The act prohibits law enforcement officers (including bail commissioners and adult probation officers) and school police or security department employees from:

1. arresting or detaining an individual pursuant to a civil immigration detainer unless the detainer is accompanied by a warrant issued or signed by a judicial officer (i.e., any state or federal judge or federal magistrate judge, but not an immigration judge);
2. expending or using time or resources to communicate with a federal immigration authority, including regarding the custody status or release of an individual targeted by a civil immigration detainer, except if the law enforcement agency notifies the affected individuals, in writing, of its intent to comply with the detainer and the reason for doing so;
3. arresting or detaining an individual based on an administrative warrant (i.e., a non-judicial warrant, removal order, or similar document issued by a federal immigration enforcement agent).
4. giving a federal immigration authority access to interview an individual who is in a law enforcement agency's custody; or
5. performing any formal or informal function of a federal immigration authority.

The act does not prohibit law enforcement officers from (1) submitting an arrested individual's fingerprints to the AFI system or (2) accessing an arrested individual's information from NCIC

Under the act, upon receiving a civil immigration detainer, a law enforcement agency must provide a copy of the detainer to the affected individual who is the subject of the detainer and inform the individual whether the agency intends to comply with the detainer.

The act also requires a law enforcement agency that provides ICE with notification that an individual is being, or will be, released on a certain date, to promptly provide to the individual and to the individual's attorney or one other person the individual designates, a copy of the notification and the reason, in writing, that the agency is complying with the detainer.

Under the act, before responding to a request for notification of an individual's release from the agency's custody, a law enforcement officer must first forward any such request to the head of the law enforcement agency.

The act also eliminates current law's requirement that law enforcement officers, upon determining whether to detain or release someone, immediately notify ICE that the person will be held for up to 48 hours (excluding Saturdays, Sundays, and federal holidays).

PA-19-23-AN ACT CONCERNING AMENDMENTS TO THE TRUST ACT

Effective Date: October 1, 2019

This bill makes several changes to the state's civil immigration detainer law as amended by Senate Bill 992.

Among other things, Senate Bill 992 prohibits law enforcement officers (including bail commissioners and adult probation officers) and school police or security department employees from arresting or detaining someone pursuant to a civil immigration detainer unless it is accompanied by a judicial warrant.

This act:

1. applies the prohibition to judicial branch intake, assessment, and referral specialists;
2. continues to subject bail commissioners to the prohibition, but no longer classifies them as law enforcement officers;
3. allows an individual to be arrested and detained pursuant to such an immigration detainer without a judicial warrant if the individual (a) has been convicted of a class A or B felony or (b) is identified as a possible match in the federal Terrorist Screening Database or similar database;
4. allows such state and local officials to give a federal immigration authority access to interview an individual in custody under the circumstances described above in addition to when the individual is the subject of certain U.S. district court orders;
5. requires a law enforcement agency that provided Immigration and Customs Enforcement (ICE) with information on an individual's release, to make a good faith attempt to contact the person the individual designates to be notified of such;
6. specifies that its disclosure-related provisions must not be construed to require disclosure of any record that is exempt under the Freedom of Information Act (FOIA); and

7. requires municipalities to report specified information every six months, instead of monthly, to the Office of Policy and Management (OPM), if their law enforcement agency provided ICE access.

PA-19-30-AN ACT CONCERNING THE TRANSFER OF LAW ENFORCEMENT AGENCY RECORDS BETWEEN AGENCIES

Effective Date: July 1, 2019

This act exempts from liability a law enforcement agency that discloses certain criminal investigation records to another law enforcement agency that is authorized to receive them, if the receiving agency further discloses the records.

The act applies to records that law enforcement agencies compile in connection with the detection or investigation of a crime, and that the Freedom of Information Act exempts from mandatory disclosure when disclosure is not in the public interest because it would reveal:

1. the identity of informants or witnesses not otherwise known whose safety would be endangered or who would be subject to threat or intimidation if their identity was made known;
2. the identity of witnesses who are minors;
3. witnesses' signed statements;
4. information to be used in a prospective law enforcement action if prejudicial to the action;
5. investigatory techniques not otherwise known to the general public;
6. juvenile arrest records, including any associated investigatory files;
7. the name and address of the victim of (a) sexual assault, (b) voyeurism, or (c) injury as a child, or of an attempt thereof; or uncorroborated allegations in records subject to destruction.

PA-19-36- AN ACT INCREASING THE PROPERTY TAX ABATEMENT FOR CERTAIN FIRST RESPONDERS

Effective Date: July 1, 2019

This act increases the maximum property tax abatement municipalities may, by ordinance, provide to certain active and retired volunteer emergency personnel from \$1,000 to \$1,500 for FYs 20 and 21, and from \$1,500 to \$2,000 for FY 22 and thereafter.

By law, a municipality may provide tax relief to qualifying volunteer emergency personnel in the form of either an abatement or an exemption. An abatement is a reduction in the amount of taxes owed; an exemption is a reduction in the property's assessed value for tax purposes.

Under current law, either form may reduce the amount a qualifying taxpayer owes by up to \$1,000. The act increases the amount of such relief a municipality may provide via abatements but not exemptions.

PA-19-38-**AN ACT INCREASING THE PENALTIES FOR THE SALE OF FENTANYL**

Effective Date: October 1, 2019

The act codifies the classification of fentanyl (a synthetic opioid analgesic) as a narcotic substance. The act also provides that a “narcotic substance” includes (1) fentanyl or (2) any salt, compound, derivative, or preparation of fentanyl, which is a controlled substance unless modified, and that (a) is similar to it in chemical structure or in physiological effect and (b) shows a similar potential for abuse. It also includes any salt, compound, isomer, derivative, or preparation of any substance that is chemically equivalent or identical to fentanyl.

PA-19-43- AN ACT CONCERNING THE CONFIDENTIALITY OF LAW ENFORCEMENT RECORDS CONCERNING VICTIMS OF SEXUAL ASSAULT AND FAMILY VIOLENCE

Effective Date: October 1, 2019

This act makes certain victims' identifying information included in law enforcement investigation and arrest records exempt from the Freedom of Information Act (FOIA) public disclosure requirements. Current law exempts a law enforcement agency from disclosing a victim's name and address in any detection or investigation records of the following crimes or attempted crimes: (1) sexual assault; (2) voyeurism; and (3) injury, risk of injury, or impairing morals. The bill expands this disclosure exemption to include victims of family violence or attempted family violence.

Current law limits law enforcement agencies' redaction of certain arrest records to witnesses' identities and any information about a crime's commission deemed prejudicial or sealed by court-order. The act further allows agencies to redact from arrest records the name, address, or other identifying information of any victim of the following crimes or attempted crimes: (1) sexual assault; (2) voyeurism; (3) injury, risk of injury, or impairing of morals; and (4) family violence.

PA-19-52- **AN ACT CONCERNING SCHOOL SECURITY**

***Effective Date:* Upon passage, except the requirements concerning the school security consultants registry are effective October 1, 2019.**

This act requires the Department of Emergency Services and Public Protection (DESPP) to (1) update state school security and safety plan standards, (2) simplify certain school security reporting requirements and school security infrastructure grant applications, and (3) develop criteria to identify qualified school security consultants and limit the existing registry to such individuals only. It also adds related duties for the State Department of Education (SDE) and the School Safety Infrastructure Council.

PA-19-53- AN ACT CONCERNING NEGLIGENT HOMICIDE WITH A MOTOR VEHICLE AND ILLEGAL RACING

Effective Date: October 1, 2019

This act increases the maximum fine and prison sentence for causing someone else's death through the negligent operation of a motor vehicle, regardless of the type of vehicle. Under current law, such negligent operation of a (1) motor vehicle, other than a commercial vehicle, is punishable by a fine of up to \$1,000, up to six months in prison, or both or (2) commercial motor vehicle is punishable by a fine of up to \$2,500, up to six months in prison, or both. Under the act, such negligent operation of any motor vehicle is punishable by a fine of up to \$3,500, up to three years in prison, or both.

The act also increases the penalties for driving a motor vehicle on a public road for purposes of betting, racing, or making a speed record. Under current law, a first offense is punishable by a fine of \$75 to \$600, up to one year in prison, or both; and any subsequent offense is punishable by a fine of \$100 to \$1,000, up to one year in prison, or both.

Under the act:

1. the minimum fine is raised to \$150 for a first offense and \$300 for any subsequent offense and
2. the Department of Motor Vehicles (DMV) commissioner must require anyone convicted of such driving to attend an operator's retraining program.

PA-19-59-AN ACT INCREASING FAIRNESS AND TRANSPARENCY IN THE CRIMINAL JUSTICE SYSTEM

***Effective Date:* July 1, 2019, except the provision on the Criminal Justice Commission's meetings is effective October 1, 2019.**

This act establishes new prosecutorial data collection and reporting requirements for various agencies. Among other things, the act requires the:

1. Division of Criminal Justice, in consultation with various state entities, to (a) collect disaggregated, case level data on adult defendants and (b) starting by February 1, 2021, annually provide the data to the Office of Policy and Management (OPM);
2. Board of Pardons and Paroles, starting by January 1, 2021, to annually report to the OPM secretary, and make available online, specified parole-related case level data including parole hearing outcomes and demographic information; and
3. OPM, starting by July 1, 2020, to annually present prosecutorial data to the Criminal Justice Commission, report the presentation to the Judiciary Committee, and make it available on its website.

The act requires OPM to include in any such presentation made on or after July 1, 2021, the case level data it receives from the Division of Criminal Justice as described below.

It also requires the state's chief public defender, within available appropriations, to establish a pilot program to provide representation to persons at parole revocation hearings. Starting by January 1, 2021, she must annually report to the OPM secretary specified information on cases served as part of the program during the prior calendar year. Under the bill, the report must include aggregate information on (1) how many public defenders the pilot program funds, (2) how many preliminary hearings and final hearings the public defenders served, and (3) the hearings' outcomes.

The act also requires the Criminal Justice Commission to (1) post notices of its meetings on the commission's website and (2) hold any meetings to appoint, reappoint, remove, or otherwise discipline the chief state's attorney, a deputy

state's attorney, or a state's attorney in the Legislative Office Building with an opportunity for public testimony.

PA-19-79- AN ACT CONCERNING FUNDING FOR PUBLIC SAFETY ANSWERING POINTS AND INCENTIVES FOR REGIONALIZATION AND CONSOLIDATION THEREOF

EFFECTIVE DATE: Upon passage

This act (1) temporarily modifies the enhanced subsidy payment calculation for regional public safety answering points (PSAPs) serving at least one large municipality and (2) requires the Department of Emergency Services and Public Protection (DESPP) to amend its PSAP subsidy regulations to adopt a formula substantially similar to the one the act establishes (but does not provide a date by which it must do so). The act also modifies certain responsibilities of the Division of State-Wide Emergency Telecommunication (DSET), within DESPP, related to DSET's statewide emergency service telecommunications policy.

Under existing law, DSET must administer subsidies to PSAPs, including enhanced subsidies for PSAPs serving municipalities with populations of 40,000 or more. PSAPs are 24-hour facilities that receive 9-1-1 calls and dispatch emergency response services (e.g., fire and police) or transfer the calls to other public safety agencies.

The act establishes, for a limited time, a modified enhanced subsidy formula for regional PSAPs (defined under existing regulations as those serving three or more municipalities) that serve at least one municipality with a population of at least 100,000 as of July 1, 2016. It also specifies that the subsidies to other PSAPs cannot be reduced as a result of the modified formula.

The act also requires DSET to examine the use of a cost-of-living adjustment in the formula and report its findings and any recommendations for legislative action to the Public Safety Committee by February 15, 2020, unless it adopts regulations before then.

PA-19-90- AN ACT CONCERNING THE USE OF FORCE AND PURSUITS BY POLICE AND INCREASING POLICE ACCOUNTABILITY AND TRANSPARENCY

***Effective Date:* October 1, 2019, except the provisions on the task force and POST studies are effective upon passage.**

This act makes various changes to (1) law enforcement's use of force, (2) body-worn and dashboard camera recording disclosures, and (3) police pursuits.

Under the act, each law enforcement unit must prepare and submit a use of force report for the preceding calendar year to the Office of Policy and Management (OPM). It also requires OPM to:

1. complete a preliminary status report whenever a peace officer uses physical force on another person and such person dies as a result and to submit the report to the legislature within five business days after the cause of death is available and
2. make the report it is required to provide at the end of its investigation available to the public on its website within 48 hours after the copies are provided to certain local and state officials.

The act also (1) makes certain body-worn or dashboard camera recordings disclosable to the public within 96 hours after the incident, (2) narrows the instances deadly force is justified, and (3) generally prohibits a police officer engaged in a pursuit from discharging a firearm into or at a fleeing motor vehicle.

Lastly, the act (1) establishes a task force to study police transparency and accountability and (2) requires the Police Officer Standards and Training Council (POST) to study and review police officers using firearms during a pursuit.

PA-19-93- **AN ACT CONCERNING SEXUAL HARASSMENT AND SEXUAL ASSAULT**

***Effective Date:* October 1, 2019, except a provision on the civil statute of limitations task force is effective upon passage.**

Senate Bill 3, as amended by the Senate and passed by both chambers, made various changes to laws on sexual harassment, sexual assault, discrimination complaints filed with the Commission on Human Rights and Opportunities (CHRO), and related matters.

This act makes various changes to Senate Bill 3 as amended, such as (1) placing limits on when CHRO designated representatives can enter businesses to ensure compliance with specified laws; (2) reducing certain fine increases; (3) allowing, rather than requiring, CHRO presiding officers to order specified relief after finding a discriminatory employment practice; and (4) adding provisions on magistrates presiding over CHRO hearings in certain situations.

PA-19-108-AN ACT CONCERNING MOTOR VEHICLE INSPECTORS AS PEACE OFFICERS

Effective Date: October 1, 2019

The act expands a statutory definition of peace officer to include motor vehicle inspectors in the Department of Motor Vehicles who have received Police Officer Standards and Training Council (POST) certification. Under current law, motor vehicle inspectors have many, but not all, of the powers and protections afforded to these peace officers.

By law, motor vehicle inspectors have, when on duty, the same authority to enforce motor vehicle laws as police have in their respective jurisdictions, including making arrests or issuing citations for violations. Under the act, POST-certified motor vehicle inspectors, as peace officers, are specifically allowed to, among other things:

1. be considered peace officers for purposes of the state's Blue Alert system, which can be used to apprehend anyone suspected of killing or seriously injuring a peace officer or locate any officer who is missing;
2. obtain a motor vehicle's event data recorder pursuant to a search warrant, which the law generally limits to the vehicle's owner; and
3. be considered peace officers subjected to a substantial risk of bodily injury at the scene of first degree arson.

PA-19-110-AN ACT CONCERNING THE SUSPENSION OF DELINQUENCY PROCEEDINGS FOR TREATMENT OR OTHER SERVICES IN MOTOR VEHICLE THEFT OR MISUSE CASES AND CONCERNING DETENTION OF JUVENILES

***Effective Date:* October 1, 2019, except the section on determining when a child poses a risk to public safety is effective July 1, 2019.**

This act allows a child charged with a delinquency offense involving a motor vehicle to request a suspension of the delinquency proceedings for up to six months, during which time the child must participate in services to address any condition or behavior directly related to the offense.

The court may grant the request if, after considering the information before it, it finds (1) the child is likely to benefit from supervision and participation in the recommended services and (2) the suspension advances the interests of justice.

Under the act, a child is ineligible for this opportunity if (1) he or she was previously granted a suspended prosecution under the bill or (2) he or she is charged with a serious juvenile offense.

Under existing law, the court may only order a child to be detained after he or she is arrested for an alleged crime on certain grounds, including probable cause to believe that the level of risk that the child poses to public safety if released to the community cannot be managed in a less restrictive setting. The act specifies that a court may determine that a child poses a risk to public safety for these purposes if he or she:

1. has previously been adjudicated delinquent for or convicted of or pled guilty or nolo contendere to two or more felony offenses;
2. has had two or more prior probation dispositions; and
3. is charged with committing 1st, 2nd, or 3rd degree larceny involving a motor vehicle.

As under existing law, in order to detain a child on this basis, the court must additionally find that there is probable cause to believe that the child committed the alleged acts.

The act additionally requires the judicial branch to:

1. collect and annually examine data relating to the suspended delinquency proceedings under the bill;
2. disaggregate the data by the demographics of the children, offense characteristics, and treatment and service outcomes; and
3. report the data (presumably, to anyone who requests it) upon request.

PA-19-114- AN ACT CONCERNING SEXUAL ASSAULT FORENSIC EXAMINERS

Effective Date: July 1, 2019

This act makes various changes to the Office of Victim Services' (OVS) Sexual Assault Forensic Examiner (SAFE) program. Principally, it:

1. reinstates a SAFE Advisory Committee terminated in 2013 and requires the committee to recommend to OVS policies and procedures for the SAFE program;
2. expands the types of health care providers that may become sexual assault forensic examiners and requires them to successfully complete certification requirements implemented by the Chief Court Administrator;
3. prohibits anyone from using the title "sexual assault forensic examiner" without having successfully completed the certification requirements;
4. modifies the types of health care facilities where sexual assault forensic examinations take place;
5. specifies that OVS, and not the Department of Public Health (DPH), trains sexual assault forensic examiners and other health care professionals on collecting evidence from adult and adolescent sexual assault victims, which conforms to current practice; and
6. requires the Chief Court Administrator to prescribe policies and procedures to implement the SAFE program.

PA-19-116- AN ACT CONCERNING REGISTRIES OF PERSONS FOUND RESPONSIBLE FOR ASSAULTS OR OTHER ABUSE, NEGLECT, EXPLOITATION OR ABANDONMENT OF ELDERLY PERSONS OR PERSONS WITH DISABILITIES

EFFECTIVE DATE: October 1, 2019

This act requires the executive director of the Commission on Women, Children, and Seniors to (1) provide a portal on the commission's website that includes links to publicly available background databases and (2) convene a working group to develop strategies to raise public awareness of these databases to people hiring providers to care for adults aged 60 and older, children, or individuals with disabilities.

The act requires the executive director to keep records on the number of times the portal is used and report to the Aging, Children's, Human Services, and Public Health committees by January 1, 2021.

PA-19-119- AN ACT CONCERNING MOTOR VEHICLE REGISTRATION NOTICE, THE INTERNATIONAL REGISTRATION PLAN, CARRIERS, SCHOOL BUSES, THE MEDICAL ADVISORY BOARD, RESERVED PARKING SPACES, AUTONOMOUS VEHICLES AND OTHER MOTOR VEHICLE STATUTES

Effective Date: Various

This bill makes numerous unrelated changes in motor vehicle laws. Among other things, the bill:

1. increases the underlying fines for illegal use of parking reserved for people with disabilities (i.e., accessible parking);
2. restricts use of the cross hatches next to accessible parking to authorized vehicles;
3. allows school bus drivers to have non-emergency communications with school officials and specified medical or emergency professionals while driving under certain conditions;
4. eliminates the requirement that the Department of Motor Vehicles (DMV) ensure that school districts and school bus companies review suspended and revoked driver lists; and
5. establishes a task force to study ways to prevent improper registration of vehicles out-of-state.

PA-19-131- AN ACT CONCERNING THE TESTIMONY OF JAILHOUSE WITNESSES

Effective Date: October 1, 2019

This act allows a criminal defendant, by filing a written request with the court, to ask the prosecutor if he or she intends to introduce the testimony of a jailhouse witness in the prosecution. Under the act, a jailhouse witness is a person who is incarcerated when he or she offers to provide testimony concerning statements a defendant or suspected perpetrator made.

Under the act, the prosecutor must respond promptly but no later than 45 days after the defendant files the motion. If the prosecutor plans to introduce such testimony, he or she must provide certain specified information and materials related to the witness's testimony within that period. The prosecutor may request, and the court may grant, an extension under certain circumstances. If the court finds that the requested disclosure may result in possible bodily harm to the witness, the court may order that the information and materials be viewed only by defense counsel.

The act also requires the court, upon the motion of a defendant facing prosecution for murder or certain other serious felony offenses, to conduct a hearing to decide whether a jailhouse witness's testimony is reliable and admissible. The act specifies the information and materials the court must consider when determining the witness's reliability.

Additionally, the act requires each state's attorney's office to track certain information related to its use of jailhouse witnesses and send the information to the Office of Policy and Management's (OPM) Criminal Justice Policy and Planning Division, which must maintain a statewide record of the materials. The information is confidential and not subject to disclosure under the Freedom of Information Act (FOIA). The act does not specify how frequently the offices must report the information to OPM or a deadline for doing so.

PA-19-132-AN ACT CONCERNING REVISIONS TO VARIOUS STATUTES CONCERNING THE CRIMINAL JUSTICE SYSTEM AND REVISING PROVISIONS CONCERNING JAILHOUSE WITNESSES

Effective Date: October 1, 2019

This act eliminates the statutory process for removing certain town clerks and treasurers (§ 6). It also makes minor revisions and various unrelated changes in laws related to the criminal justice system. The act:

1. changes where complaints may be made about the unlawful employment, to influence legislative action, of anyone who is compensated by the state;
2. extends an exemption that allows certain law enforcement officials to record private telephone conversations to also cover their agents when done for law enforcement purposes;
3. conforms the maximum penalty for 2nd degree assault with a firearm to the maximum penalties for the underlying 2nd degree assault, but with a one year mandatory minimum;
4. extends protections against criminal lockout to commercial lessees; and
5. repeals laws that involve the state's attorney with a (a) town's noncompliance with highway construction orders and (b) railroad company's neglect of a highway or railroad.

PA-19-135-AN ACT CONCERNING THE SUSPENSION OF DELINQUENCY PROCEEDINGS FOR FIRE STARTING BEHAVIOR TREATMENT

Effective Date: July 1, 2019

The act allows a child charged with a delinquency offense involving an “act of fire starting” to file a motion with the court for an evaluation to determine if he or she would benefit from participating in a fire-starting behavior treatment program. The motion must be filed within 10 days after the child enters a plea unless the court waives the requirement on its own or the parties agree to waive it.

The act defines an “act of fire starting” as (1) conduct that causes an explosion or a fire to start, regardless of whether any person or animal was injured or property was damaged as a result, or (2) planning or preparing to start a fire or cause an explosion.

The act permits the court to suspend the delinquency proceeding so the child may attend the program, and if he or she successfully completes it and complies with the suspension order, the court may dismiss the delinquency charges.

PA-19-140- **AN ACT CONCERNING THE ISSUANCE OF PARKING CITATIONS BY INDEPENDENT INSTITUTIONS OF HIGHER EDUCATION AND PRIVATE SECONDARY SCHOOLS**

Effective Date: Upon Passage

This act lifts the prohibition on independent higher education institutions and private high schools issuing parking citations imposing monetary sanctions, including by written warning, posted signs, or any other means, to owners of vehicles parked on their property. Current law prohibits all private property owners and lessees, or their agents, from issuing these parking citations.

PA-19-142- ACT ESTABLISHING A COUNCIL ON THE COLLATERAL CONSEQUENCES OF A CRIMINAL RECORD

Effective Date: July 1, 2019

This act establishes a 20-member Council on the Collateral Consequences of a Criminal Record within the legislative department. The council must (1) study discrimination faced by people in the state living with a criminal record and (2) develop legislative recommendations to reduce or eliminate discrimination based on a person's criminal history.

The act names the chairpersons of the Labor and Public Employees Committee as the council's chairpersons and requires them to schedule the first meeting within 60 days after the bill becomes effective. After that, the council must meet upon the call of the chairpersons or a majority of the council members. The council must hold at least three public forums in Connecticut communities to allow the public to provide input on the council's focus. The Labor and Public Employees Committee's administrative staff must serve as the council's administrative staff.

The council must submit a report on its legislative recommendations to the Labor and Public Employees Committee by February 1, 2020.

PA-19-147-AN ACT CONCERNING TRAINING FOR CERTAIN PUBLIC SAFETY AND EMERGENCY SERVICES PERSONNEL

***Effective Date:* July 1, 2019, except the provision that makes changes to the police training requirements is effective January 1, 2020**

This act requires the Department of Public Health (DPH), starting by June 30, 2020, and within available appropriations, to annually compile a list of available training programs for certain first responders regarding individuals with autism spectrum disorder (ASD), nonverbal learning disorder (NLD), and cognitive impairment. DPH must make the list available to those first responders annually by July 1. The act permits DPH to accept private donations for these purposes.

The act also requires the UConn Center for Excellence in Developmental Disabilities to develop a communication aid for certain first responders to use to communicate with individuals with ASD, NLD, or cognitive impairment during emergencies when verbal communication may be hindered or impossible. The center must publish the communication aid on its website by December 1, 2019.

Additionally, the act requires the Commission on Fire Prevention and Control to establish an optional fire service training and education program on handling incidents, such as wandering, that involve juveniles and adults with ASD, NLD, or cognitive impairment. The curriculum must be available for free from (1) higher education institutions, health care professionals, or advocacy organizations that are concerned with this population or (2) collaborations of such entities.

Lastly, current law requires the Department of Emergency Services and Public Protection to include, in its training on juvenile matters for state and local police, techniques for handling incidents involving juveniles with ASD or NLD. Starting January 1, 2020, the act expands this training requirement to include techniques for handling incidents involving juveniles and adults with ASD, NLD, or cognitive impairment. As under current law, the training must be provided for free. The act makes corresponding changes to the criteria for the entities that may provide such training.

PA-19-151- AN ACT ESTABLISHING A TASK FORCE TO STUDY THE JUROR SELECTION PROCESS, PROVIDING ACCESS TO CERTAIN RECORDS POSSESSED BY THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES, CONNECTICUT VALLEY HOSPITAL AND THE PSYCHIATRIC SECURITY REVIEW BOARD, AND CONCERNING SENTENCING OF PERSISTENT LARCENY OFFENDERS AND CONFIDENTIALITY UPON APPLICATION TO A DIVERSIONARY PROGRAM

Effective Date: Upon passage, except the provision on persistent larceny offenders take effect October 1, 2019.

This act makes various changes to laws on criminal procedure and related statutes. It:

1. establishes a 15-member task force to study the state's juror selection process;
2. establishes conditions under which the Department of Mental Health and Addiction Services (DMHAS) must provide the attorney for an acquittee (i.e., a person found not guilty of a crime by reason of mental disease or defect) the right to review certain images or recordings of the acquittee;
3. applies the persistent larceny offender law to only those defendants whose two prior convictions are within 10 years of the present conviction, and reduces the possible sentence enhancement under that law; and
4. requires courts to seal the records of defendants when they apply for certain pretrial diversionary programs, rather than later in the process as under current law.

PA-19-161-AN ACT CONCERNING THE OPERATION LIFESAVER PROGRAM, TRANSPORTATION NETWORK COMPANIES, PUBLIC ELECTRIC VEHICLE CHARGING STATIONS, THE USE OF COLORED AND FLASHING LIGHTS, ROAD AND BRIDGE DESIGNATIONS, THE ISSUANCE OF REMOVABLE WINDSHIELD PLACARDS, SNOW REMOVAL SERVICES CONTRACTS, REPORTS BY THE DEPARTMENT OF TRANSPORTATION AND OTHER TRANSPORTATION STATUTES

Effective Date: Upon passage, except that the provisions on seat belts and transportation network drivers are effective October 1, 2019.

This act makes various changes to the transportation statutes, including:

1. requiring all motor vehicle occupants, instead of only drivers and specified passengers, to wear a seat belt while the vehicle is moving;
2. transferring administration of the Operation Lifesaver Program from the Operation Lifesaver Committee to the Department of Transportation (DOT) and expanding the commissioner's related duties;
3. modifying the membership and duties of the Operation Lifesaver Committee;
4. allowing DOT-owned and -operated maintenance vehicles to use green lights, in addition to amber and yellow lights allowed under existing law;
5. requiring transportation network company (TNC) drivers to hold a Connecticut driver's license, instead of a driver's license from any jurisdiction as under current law;
6. establishing a 12-member task force to study the use of red light cameras at intersections;
7. requiring the transportation and energy and environmental protection commissioners to study connecting certain trails and facilitating multimodal access at the Meriden train station; and
8. requiring the DOT commissioner to study alternative funding sources to open and maintain rest areas for 24 hours per day and report the results to the Transportation Committee by January 1, 2020.

PA-19-162-**AN ACT REGULATING ELECTRIC FOOT SCOOTERS**

Effective Date: October 1, 2019

This act defines “electric foot scooters” (e-scooters) and generally gives e-scooter riders the same rights, privileges, and duties as existing law provides for bicycle riders. The act also (1) generally allows municipalities to regulate e-scooters, to the extent that state law does not conflict with such regulations, and (2) requires the Office of the State Traffic Administration’s (OSTA) regulations to cover e-scooter operation on highways and roads under its jurisdiction.

The act also expands the state’s vulnerable user law to (1) cover instances when a driver causes “substantial bodily harm” to a vulnerable user and (2) make e-scooter riders vulnerable users under the law.

Lastly, the act (1) requires e-scooter riders under age 16 to wear helmets; (2) expands the acceptable helmet standards for bicyclists, electric bicycle (e-bikes) riders, and others; and (3) makes numerous technical and conforming changes related to e-scooters and e-bikes.

PA-19-169- AN ACT EXTENDING GOOD SAMARITAN PROTECTIONS FOR PERSONS OR ENTITIES THAT INCLUDE AN OPIOID ANTAGONIST WITHIN A CABINET CONTAINING AN AUTOMATIC EXTERNAL DEFIBRILLATOR

Effective Date: October 1, 2019

Under certain conditions, this act grants civil immunity to individuals or entities that provide or maintain an automatic external defibrillator (AED) in a cabinet which also contains an opioid antagonist (e.g.,Narcan) used for drug overdoses. Under the act, they are not liable for ordinary negligence for their acts or omissions in making the opioid antagonist available. The immunity does not apply to gross, willful, or wanton negligence.

Existing law provides civil and criminal immunity related to administering opioid antagonists, including allowing people who are not health professionals to administer them. It also provides civil immunity, under certain conditions, to (1) people or entities who provide or maintain an AED or (2) anyone who operates an AED not in the course of their employment.

PA-19-187-AN ACT CONCERNING CONFIDENTIALITY IN THE CASE OF A DISCRETIONARY TRANSFER OF A JUVENILE'S CASE TO THE REGULAR CRIMINAL DOCKET AND IMPLEMENTING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE

Effective Date: Various

This act makes various changes in the juvenile justice laws:

1. allows the adult court to return an automatically transferred juvenile case back to juvenile court if the charges are reduced;
2. generally makes the proceedings and records of cases transferred from juvenile to adult court confidential;
3. requires the Department of Correction (DOC) commissioner and Court Support Services Division (CSSD) executive director to ensure that independent ombudsperson services are available at their juvenile detention centers or correctional facilities where individuals younger than age 18 are detained and makes these ombudspersons and certain other facility employees mandated reporters of child abuse and neglect;
4. requires the Juvenile Justice Policy and Oversight Council (JJPOC) to (a) review methods other states use to detain and transfer children ages 15 to 17 from juvenile to adult court and (b) devise a plan to implement changes in Connecticut by July 1, 2021;
5. requires the DOC commissioner and CSSD executive director to develop best practices in juvenile detention centers and correctional facilities where individuals age 17 and younger are detained and provide monthly reports to JJPOC on each instance when chemical agents or prone restraints were used on detained children;
6. requires an official from state agencies and municipalities that detain juvenile offenders to certify that they comply with federal Prison Rape Elimination Act (PREA) standards to the Office of Policy and Management's (OPM) Criminal Justice Policy and Planning Division; and

7. postpones by one year, from June 30, 2019, to June 30, 2020, the deadline by which a party (e.g., a parent or police officer) may file a family with service needs (FWSN) petition.

PA-19-188-AN ACT CONCERNING THE PROTECTION OF CONFIDENTIAL COMMUNICATIONS BETWEEN A FIRST RESPONDER AND A PEER SUPPORT TEAM MEMBER

Effective Date: October 1, 2019

This act makes communications between a first responder and a peer support team member confidential with certain exceptions. The confidentiality applies only to communications and records made in the course of a first responder's participation in a peer support program established by his or her employer. The act generally prohibits a peer support team member from disclosing any confidential communications or records unless the first responder waives the privilege.

Under the act, "first responder" means:

1. certain statutorily-defined peace officers and firefighters;
2. privately employed firefighters;
3. ambulance drivers;
4. certified emergency medical responders, emergency medical technicians, or advanced emergency medical technicians;
5. licensed paramedics; and
6. telecommunication operators whose primary responsibilities are to process emergency calls, dispatch emergency services, and disseminate emergency information.

PA-19-189-AN ACT CONCERNING PARITY BETWEEN SEXUAL ASSAULT IN THE CASE OF A SPOUSAL OR COHABITATING RELATIONSHIP AND OTHER CRIMES OF SEXUAL ASSAULT AND CONCERNING THE INVESTIGATION OF A FAMILY VIOLENCE CRIME

***Effective Date:* October 1, 2019, except the provision pertaining to family violence arrests is effective July 1, 2019.**

This act repeals the law that specifically criminalizes sexual assault in a spousal or cohabiting relationship but simultaneously subjects married individuals to penalties for other sexual assault offenses. It does so by repealing exemptions for married individuals from the definitions of “sexual intercourse” and “sexual contact” in the sexual offenses statutes.

Under current law, it is a class B felony, punishable by up to 20 years in prison, up to a \$15,000 fine, or both, for a spouse or cohabitor to compel the other spouse or cohabitor to engage in sexual intercourse by the use of force or threatened use of force that reasonably causes the other person to fear physical injury. Under the act, a spouse may be charged, depending on the circumstances, with first or third degree sexual assault, aggravated first degree sexual assault, second degree sexual assault, or third degree sexual assault with a firearm, for compelling his or her spouse to submit to sexual contact or intercourse by force or threatened force (i.e., the actions for which he or she may be charged with sexual assault in a spousal or cohabiting relationship under current law).

The act also narrows the exceptions to the law that requires a peace officer, in responding to a family violence complaint made by two or more opposing parties, to arrest the person the officer believes is the dominant aggressor.