

**STATE OF CONNECTICUT
AGENCY LEGISLATIVE PROPOSAL
2010 SESSION**

Document Name (e.g., OPM051.doc; OPM052.doc)	
Agency DEPARTMENT OF PUBLIC SAFETY	Agency Priority (necessary)
Contact Person	Telephone
Email Address	
Title of Proposal 53-206d. Carrying of firearm while under the influence of intoxicating liquor or drug prohibited: Hunting while under the influence of intoxicating liquor or drug or while impaired by the consumption of intoxicating liquor prohibited	Statutory Reference Proposal Type New <input checked="" type="checkbox"/> Resubmittal
ATTACH COPY OF FULLY DRAFTED BILL (Required for review)	
APPROVAL OF OTHER AFFECTED AGENCY (Attach additional approvals if necessary)	
Agency N/A	Agency Contact (Name and Title)
Attach Summary of Agency Comments	Contact Date
Summary of Proposal (Include Background information) Changes would provide consistency between this statute and similar legal limits for determining intoxication within Section 14-227a.	
Reason for Proposal (Include significant policy and programmatic impacts) DPS is requesting technical changes to existing statute, Section 53-206d, "Carrying of firearm while under the influence of intoxicating liquor or drug prohibited: Hunting while under the influence of intoxicating liquor or drug or while impaired by the consumption of intoxicating liquor prohibited." The changes would reduce the current ratio of alcohol in blood of ten-hundredths of one percent or more of alcohol, to eight-hundredths of one percent or more of alcohol, by weight. Such changes would provide consistency between this statute and similar legal limits for determining intoxication with section 14-227a, which was amended under Public Act 02-1 and took effect July 1, 2002.	
Significant Fiscal Impacts Municipal: None Federal: None State: None	

Sec. 4. Section 53-206d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) (1) No person shall carry a pistol, revolver, machine gun, shotgun, rifle or other firearm, which is loaded and from which a shot may be discharged, upon his person (A) while under the influence of intoxicating liquor or any drug, or both, or (B) while the ratio of alcohol in the blood of such person is [ten-hundredths] eight-hundredths of one per cent or more of alcohol, by weight.

(2) Any person who violates any provision of this subsection shall be guilty of a class B misdemeanor.

(b) (1) No person shall engage in hunting while under the influence of intoxicating liquor or any drug, or both, or while impaired by the consumption of intoxicating liquor. A person shall be deemed under the influence when at the time of the alleged offense the person (A) is under the influence of intoxicating liquor or any drug, or both, or (B) has an elevated blood alcohol content. For the purposes of this subdivision, "elevated blood alcohol content" means (i) a ratio of alcohol in the blood of such person that is [ten-hundredths] eight-hundredths of one per cent or more of alcohol, by weight, or (ii) if such person has been convicted of a violation of this subsection, a ratio of alcohol in the blood of such person that is seven-hundredths of one per cent or more of alcohol, by weight. A person shall be deemed impaired when at the time of the alleged offense the ratio of alcohol in the blood of such person was more than seven-hundredths of one per cent of alcohol, by weight, but less than [ten-hundredths] eight-hundredths of one per cent of alcohol, by weight.

(2) Any person who violates any provision of this subsection shall be guilty of a class A misdemeanor.

(3) Enforcement officers of the Department of Environmental Protection are empowered to arrest for a violation of the provisions of this subsection.