



General Assembly

Amendment

February Session, 2026

LCO No. 3854



Offered by:
REP. PARKER, 101st Dist.

To: Subst. House Bill No. 5333

File No. 382

Cal. No. 268

"AN ACT CONCERNING THE REGULATION OF STRIPED BASS FISHING IN THE STATE."

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

3 "Section 1. (NEW) (*Effective from passage*) Notwithstanding any
4 provision of title 26 of the general statutes, any person who violates any
5 regulation concerning the taking of striped bass, whether in the marine
6 or inland waters of the state, shall have committed an infraction and
7 shall pay a fine of one hundred fifty dollars for a first offense, three
8 hundred fifty dollars for a second offense and five hundred dollars for
9 a third or any such subsequent offense, by mail, or plead not guilty in
10 accordance with the provisions of section 51-164n of the general statutes,
11 provided for any infraction imposed pursuant to this section that occurs
12 in the towns of Derby, Shelton, Orange, Milford or Stratford, the amount
13 of such fine shall be paid to the respective municipality where the
14 infraction occurred if a municipal law enforcement officer issued such
15 infraction.

16 Sec. 2. (NEW) (*Effective October 1, 2026*) Notwithstanding any
17 provision of title 26 of the general statutes, for the period commencing
18 December first of each year and ending March thirty-first of the
19 following year, all fishing for striped bass shall be catch and release. For
20 the purposes of this section, "catch and release" means the immediate
21 return of a caught fish, without avoidable injury, to the waters from
22 which such fish was taken.

23 Sec. 3. Subsection (b) of section 26-107f of the general statutes is
24 repealed and the following is substituted in lieu thereof (*Effective October*
25 *1, 2026*):

26 (b) The Commissioner of Energy and Environmental Protection shall
27 establish a conservation program for species not traditionally harvested,
28 which shall include, but not be limited to, provisions for the following:
29 [Resource] Facilitation of the implementation of the most recent
30 federally approved state of Connecticut wildlife action plan, resource
31 inventory, habitat conservation, wildlife health, monitoring of
32 environmental and climate change impacts, conservation of endangered
33 and threatened species, conservation of biodiversity, wildlife recreation
34 management, wildlife conservation education, private landowner
35 assistance, urban wildlife conservation, problem animal management
36 and scientific research, planning, administration and development.

37 Sec. 4. Section 26-107h of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective July 1, 2026*):

39 [On or before February first, annually, the Commissioner of Energy
40 and Environmental Protection shall submit to the joint standing
41 committee of the General Assembly having cognizance of matters
42 relating to the environment a report on the progress of the program
43 established under section 26-107f, the purposes for which any funds
44 allocated to said program were expended and the future of the
45 program.]

46 (a) There is established a working group within the legislature to

47 identify how the conservation program established in section 26-107f, as
48 amended by this act, should be funded and implemented.

49 (b) Not later than thirty days after the effective date of this section,
50 the cochairpersons of the joint standing committee of the General
51 Assembly having cognizance of matters relating to the environment, in
52 consultation with the ranking members of said committee, and the
53 Commissioner of Energy and Environmental Protection shall jointly
54 select two cochairpersons for such working group. Not later than forty-
55 five days after the effective date of this section, the cochairpersons of
56 such working group shall select the membership of such working
57 group, which shall include, but not be limited to: (1) One representative
58 of the Department of Energy and Environmental Protection, the
59 Department of Transportation and the Office of Policy and
60 Management, (2) three representatives of conservation advocacy
61 organizations that work on wildlife-related issues, one of whom shall
62 have fisheries aquatic expertise and one of whom shall have avian
63 expertise, (3) one representative of a land conservation organization, (4)
64 two members of the faculty of a state college or university, as
65 recommended by the Commissioner of Energy and Environmental
66 Protection, (5) one representative from a council of governments, (6) a
67 representative of the water utilities, (7) a representative of an
68 organization that represents recreational businesses in the state, (8) a
69 representative of the Connecticut Farm Bureau, or its designee, and (9)
70 a certified forester in this state.

71 (c) The cochairpersons of such working group shall convene such
72 working group not later than sixty days after the effective date of this
73 section. The administrative staff of the joint standing committee of the
74 General Assembly having cognizance of matters relating to the
75 environment shall serve as administrative staff of the working group.
76 Not later than January 15, 2027, the working group shall submit a report
77 on its findings and recommendations, including any proposed
78 legislative proposals, to the joint standing committee of the General
79 Assembly having cognizance of matters relating to the environment, in

80 accordance with the provisions of section 11-4a. The working group
81 shall terminate on the date that it submits such report or January 15,
82 2027, whichever is later.

83 Sec. 5. Section 26-107i of the general statutes is repealed and the
84 following is substituted in lieu thereof (*Effective October 1, 2026*):

85 The Commissioner of Energy and Environmental Protection may
86 establish a program for the sale of wildlife stamps, prints, posters,
87 calendars, publications or other items. Any revenue received from the
88 sale of such goods or materials and any funds donated to the state for
89 the purpose of the program established under section 26-107f, as
90 amended by this act, shall be deposited in the General Fund and
91 allocated to the program established under section 26-107f, as amended
92 by this act.

93 Sec. 6. Section 26-136 of the general statutes is repealed and the
94 following is substituted in lieu thereof (*Effective from passage*):

95 [(a) Upon petition of ten or more persons owning property above any
96 dam or artificial obstruction existing on October 1, 1982, built upon any
97 stream, the commissioner shall determine whether such dam or artificial
98 obstruction shall be provided by the person, firm, corporation or
99 municipality or political subdivision thereof, owning or controlling the
100 dam or obstruction with a suitable fishway for the passage of fish. Upon
101 receipt of an application for a permit to construct, rebuild or
102 substantially repair a dam or artificial obstruction built upon any
103 stream, the commissioner shall require the dam or artificial obstruction
104 be provided with a fishway if such a facility is necessary to protect
105 fisheries resources by providing access to natural spawning or nursery
106 areas or to protect the public interest by preventing the loss of a fishery
107 from the area of the dam or artificial obstruction. For the purposes of
108 this section, "rebuild" or "substantially repair" means any action altering
109 the structure of the dam or artificial obstruction, changing the use of the
110 dam or artificial obstruction or impeding the available free passage of
111 fish.

112 (b) Within thirty days from the receipt of such petition or application,
113 the commissioner shall set a time and place for a hearing thereon, if in
114 the opinion of the commissioner a hearing is reasonable or necessary.

115 (c) Upon determination that a fishway is necessary, the commissioner
116 shall issue an order to the person, firm, corporation or municipality or
117 political subdivision thereof owning or controlling the dam or
118 obstruction to construct a fishway in the form, material, capacity, at such
119 location and within such time as the commissioner establishes. The
120 commissioner shall cause a copy of the order to be served on the person,
121 firm, corporation or municipality or political subdivision thereof. Such
122 fishway shall be constructed and maintained subject to the approval of
123 the commissioner, and shall be kept open and free for the passage of
124 such fish in such manner and during such period as the commissioner
125 requires. If no such period is specified by the commissioner, it shall be
126 kept open and free from April first to November first in each year.]

127 (a) Any person may submit a petition to the Commissioner of Energy
128 and Environmental Protection for a safe, timely and effective fish
129 passage for any hydroelectric dam that is not subject to the jurisdiction
130 of the Federal Energy Regulatory Commission. Upon the submittal of
131 such a petition, the commissioner shall determine whether there is a
132 safe, timely and effective fish passage for migratory fish at all life stages
133 upstream and downstream of such dam and associated reservoir. For
134 purposes of this section, a fish passage is deemed safe, timely and
135 effective if it meets or exceeds the Connecticut River Migratory Fish
136 Restoration Cooperative's fish passage standards developed by the
137 Connecticut River Atlantic Salmon Commission.

138 (b) If the commissioner determines that there is not a safe, timely and
139 effective fish passage, the commissioner shall prescribe, by order, issued
140 to the person, firm, corporation or municipality, or political subdivision
141 thereof, that owns or controls such dam, the conditions to ensure such a
142 safe, timely and effective fish passage both upstream of such reservoir
143 and downstream of such dam. Such conditions may include, but shall
144 not be limited to, requirements to (1) construct, rebuild and operate

145 fishways, (2) remove any artificial obstructions, and (3) maintain
146 minimum water flows. If the commissioner determines that any existing
147 fish passage structures are ineffective or harmful to aquatic life, the
148 commissioner shall include conditions to remediate such harm,
149 including, but not limited to, removal or reconstruction of the fish
150 passage structures.

151 (c) Not later than one hundred eighty days after submittal of any such
152 petition, the commissioner shall publish notice of the commissioner's
153 tentative determination as to whether there is a safe, timely and effective
154 fish passage. If the commissioner determines that there is not a safe,
155 timely and effective fish passage, the commissioner shall publish a draft
156 order in the commissioner's notice of tentative determination. Such
157 notice shall be published on the Department of Energy and
158 Environmental Protection's Internet web site. The commissioner shall
159 provide a public comment period on such tentative determination of not
160 less than thirty days following publication of such tentative
161 determination and the Department of Energy and Environmental
162 Protection shall hold a public hearing before making any final
163 determination on such petition. The person, firm, corporation or
164 municipality, or political subdivision thereof, that owns or controls any
165 dam that is the subject of such a public hearing shall be deemed to be a
166 party to such hearing.

167 (d) For any dam or artificial obstruction not subject to the provisions
168 of subsection (a) of this section, the commissioner shall, upon petition of
169 ten or more persons that own property above any such dam or artificial
170 obstruction existing on October 1, 1982, built upon any stream,
171 determine whether such dam or artificial obstruction shall be provided,
172 by the person, firm, corporation or municipality, or political subdivision
173 thereof, that owns or controls such dam or obstruction, with a suitable
174 fishway for the passage of fish.

175 (e) Upon receipt of any application for a permit to construct, rebuild
176 or substantially repair a dam or artificial obstruction built upon any
177 stream, as described in subsection (d) of this section, the commissioner

178 shall require such dam or artificial obstruction be provided with a
 179 fishway if such a facility is necessary to protect fisheries resources by
 180 providing access to natural spawning or nursery areas or to protect the
 181 public interest by preventing the loss of a fishery from the area of the
 182 dam or artificial obstruction. For the purposes of this subsection,
 183 "rebuild" or "substantially repair" means any action altering the
 184 structure of the dam or artificial obstruction, changing the use of the
 185 dam or artificial obstruction or impeding the available free passage of
 186 fish.

187 (f) Not later than thirty days after receipt of such a petition, as
 188 described in subsection (d) of this section, or an application, as described
 189 in subsection (e) of this section, the commissioner shall set a time and
 190 place for a hearing on such petition or application, as applicable, if, in
 191 the opinion of the commissioner, a hearing is reasonable or necessary.

192 (g) Upon a determination that a fishway is necessary pursuant to
 193 subsection (d) or (e) of this section, as applicable, the commissioner shall
 194 issue an order to the person, firm, corporation or municipality, or
 195 political subdivision thereof, that owns or controls such dam or
 196 obstruction to construct a fishway in the form, material, capacity, at such
 197 location and within such time as the commissioner establishes. The
 198 commissioner shall cause a copy of such order to be served on such
 199 person, firm, corporation or municipality, or political subdivision
 200 thereof. Such fishway shall be constructed and maintained subject to the
 201 approval of the commissioner, and shall be kept open and free for the
 202 passage of such fish in such manner and during such period as the
 203 commissioner requires. If no such period is specified by the
 204 commissioner, such fishway shall be kept open and free from April first
 205 to November first in each year."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2026</i>	New section

Sec. 3	<i>October 1, 2026</i>	26-107f(b)
Sec. 4	<i>July 1, 2026</i>	26-107h
Sec. 5	<i>October 1, 2026</i>	26-107i
Sec. 6	<i>from passage</i>	26-136