

General Assembly

Raised Bill No. 5393

February Session, 2022

LCO No. 2827



Referred to Committee on JUDICIARY

Introduced by: (JUD)

AN ACT CONCERNING COURT OPERATIONS.

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

- 1 Section 1. Subsection (a) of section 4b-51 of the general statutes is
- 2 repealed and the following is substituted in lieu thereof (*Effective from*
- 3 passage):
- 4 (a) The Commissioner of Administrative Services shall have charge
- 5 and supervision of the remodeling, alteration, repair or enlargement of
- 6 any real asset, except any dam, flood or erosion control system,
- 7 highway, bridge or any mass transit, marine or aviation transportation
- 8 facility, a facility of the Connecticut Marketing Authority, an asset of the
- 9 Department of Agriculture program established pursuant to section 26-
- 10 237a, or any building under the supervision and control of the Joint
- 11 Committee on Legislative Management, involving an expenditure in
- 12 excess of five hundred thousand dollars, and except that (1) the Judicial
- 13 Branch may have charge and supervision of the remodeling, alteration,
- 14 repair, construction or enlargement of any real asset involving an
- 15 expenditure of not more than [one million two hundred fifty thousand]
- 16 two million dollars, (2) each constituent unit of the state system of

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- 17 higher education may have charge and supervision of the remodeling,
- 18 alteration, repair, construction or enlargement of any real asset
- 19 involving an expenditure of not more than two million dollars, (3) The
- 20 University of Connecticut shall have charge and supervision of the
- 21 remodeling, alteration, repair, construction, or enlargement of any
- 22 project, as defined in subdivision (16) of section 10a-109c,
- 23 notwithstanding the amount of the expenditure involved, and (4) the
- 24 Military Department may have charge and supervision of the
- 25 remodeling, alteration, repair, construction or enlargement of any real
- asset involving an expenditure of not more than two million dollars. In
- 27 any decision to remodel, alter, repair or enlarge any real asset, the
- 28 commissioner shall consider the capability of the real asset to facilitate
- 29 recycling programs.
- 30 Sec. 2. Section 17a-692 of the general statutes is repealed and the
- 31 following is substituted in lieu thereof (*Effective from passage*):
- 32 (a) The Court Support Services Division shall [have custody of]
- 33 <u>supervise</u> (1) any person charged with a crime for whom the court,
- pursuant to the provisions of section 17a-696, as amended by this act,
- 35 has suspended prosecution and ordered treated for alcohol or drug
- dependency, and (2) any person convicted of a crime whom the court,
- pursuant to the provisions of section 17a-699, has sentenced to a period
- of probation and ordered treated for alcohol or drug dependency.
- 39 (b) The Court Support Services Division may (1) coordinate, pursuant
- 40 to the provisions of section 17a-694, the examination of any person in its
- 41 custody, (2) coordinate the placement of such person for treatment for
- 42 alcohol or drug dependency, and (3) monitor the progress and behavior
- 43 of such person in the treatment program.
- 44 (c) The Court Support Services Division may transfer any person in a
- 45 treatment program to another treatment program with the agreement of
- 46 the director of the program to which the person is proposed to be
- 47 transferred.

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(d) Any person [in the custody] <u>under the supervision</u> of the Court

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- 49 Support Services Division under the provisions of section 17a-696, as
- 50 <u>amended by this act</u>, or 17a-699 may, without any notice, be tested for
- 51 use of alcohol or drugs.

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- Sec. 3. Subsection (c) of section 17a-696 of the 2022 supplement to the
- 53 general statutes is repealed and the following is substituted in lieu
- 54 thereof (*Effective from passage*):
- 55 (c) A suspension of prosecution ordered under the provisions of 56 subsection (b) of this section may be for a period not exceeding two 57 years. During the period of suspension, an accused person shall be 58 placed [in the custody] under the supervision of the Court Support 59 Services Division for treatment for alcohol or drug dependency. The 60 court or the Court Support Services Division may require that the 61 person (1) comply with any of the conditions specified in subsections (a) 62 and (b) of section 53a-30, and (2) be tested for use of alcohol or drugs 63 during the period of suspension. The accused person shall, unless 64 indigent, pay the cost of treatment ordered under this section.
- Sec. 4. Subsection (h) of section 29-33 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (h) If the court finds that a violation of this section is not of a serious nature and that the person charged with such violation (1) will probably not offend in the future, (2) has not previously been convicted of a violation of this section, and (3) has not previously had a prosecution under this section suspended pursuant to this subsection, the court may order suspension of prosecution. The court shall not order suspension of prosecution unless the accused person has acknowledged that he understands the consequences of the suspension of prosecution. Any person for whom prosecution is suspended shall agree to the tolling of any statute of limitations with respect to such violation and to a waiver of his right to a speedy trial. Such person shall appear in court and shall be released to the [custody] <u>supervision</u> of the Court Support Services Division for such period, not exceeding two years, and under such

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conditions as the court shall order. If the person refuses to accept, or, having accepted, violates such conditions, the court shall terminate the suspension of prosecution and the case shall be brought to trial. If such person satisfactorily completes his period of probation, he may apply for dismissal of the charges against him and the court, on finding such satisfactory completion, shall dismiss such charges. If the person does not apply for dismissal of the charges against him after satisfactorily completing his period of probation, the court, upon receipt of a report submitted by the Court Support Services Division that the person satisfactorily completed his period of probation, may on its own motion make a finding of such satisfactory completion and dismiss such charges. Upon dismissal, all records of such charges shall be erased pursuant to section 54-142a, as amended by this act. An order of the court denying a motion to dismiss the charges against a person who has completed his period of probation or terminating the participation of a defendant in such program shall be a final judgment for purposes of appeal.

Sec. 5. Subsection (g) of section 29-36a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) If the court finds that a violation of this section is not of a serious nature and that the person charged with such violation (1) will probably not offend in the future, (2) has not previously been convicted of a violation of this section, and (3) has not previously had a prosecution under this section suspended pursuant to this subsection, the court may order suspension of prosecution. The court shall not order suspension of prosecution unless the accused person has acknowledged that he or she understands the consequences of the suspension of prosecution. Any person for whom prosecution is suspended shall agree to the tolling of any statute of limitations with respect to such violation and to a waiver of his or her right to a speedy trial. Such person shall appear in court and shall be released to the [custody] supervision of the Court Support Services Division for such period, not exceeding two years, and under such conditions as the court shall order. If the person refuses to

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accept, or, having accepted, violates such conditions, the court shall terminate the suspension of prosecution and the case shall be brought to trial. If such person satisfactorily completes such person's period of probation, he or she may apply for dismissal of the charges against such person and the court, on finding such satisfactory completion, shall dismiss such charges. If the person does not apply for dismissal of the charges against such person after satisfactorily completing such person's period of probation, the court, upon receipt of a report submitted by the Court Support Services Division that the person satisfactorily completed such person's period of probation, may on its own motion make a finding of such satisfactory completion and dismiss such charges. Upon dismissal, all records of such charges shall be erased pursuant to section 54-142a, as amended by this act. An order of the court denying a motion to dismiss the charges against a person who has completed such person's period of probation or terminating the participation of a defendant in such program shall be a final judgment for purposes of appeal.

Sec. 6. Subsection (i) of section 29-37a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(i) If the court finds that a violation of this section is not of a serious nature and that the person charged with such violation (1) will probably not offend in the future, (2) has not previously been convicted of a violation of this section, and (3) has not previously had a prosecution under this section suspended pursuant to this subsection, it may order suspension of prosecution. The court shall not order suspension of prosecution unless the accused person has acknowledged that he understands the consequences of the suspension of prosecution. Any person for whom prosecution is suspended shall agree to the tolling of any statute of limitations with respect to such violation and to a waiver of his right to a speedy trial. Such person shall appear in court and shall be released to the [custody] <u>supervision</u> of the Court Support Services Division for such period, not exceeding two years, and under such conditions as the court shall order. If the person refuses to accept, or,

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having accepted, violates such conditions, the court shall terminate the suspension of prosecution and the case shall be brought to trial. If such person satisfactorily completes his period of probation, he may apply for dismissal of the charges against him and the court, on finding such satisfactory completion, shall dismiss such charges. If the person does not apply for dismissal of the charges against him after satisfactorily completing his period of probation, the court, upon receipt of a report submitted by the Court Support Services Division that the person satisfactorily completed his period of probation, may on its own motion make a finding of such satisfactory completion and dismiss such charges. Upon dismissal, all records of such charges shall be erased pursuant to section 54-142a, as amended by this act. An order of the court denying a motion to dismiss the charges against a person who has completed his period of probation or terminating the participation of a defendant in such program shall be a final judgment for purposes of appeal.

Sec. 7. Subsection (c) of section 29-38g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The court may order suspension of prosecution if the court finds that a violation of this section is not of a serious nature and that the person charged with such violation (1) (A) will probably not offend in the future, (B) has not previously been convicted of a violation of this section, and (C) has not previously had a prosecution under this section suspended pursuant to this subsection, or (2) was charged with such violation because of facts or circumstances accurately reported by such person to an organized local police department concerning a lost or stolen firearm in accordance with the provisions of section 53-202g. The court shall not order suspension of prosecution unless the accused person has acknowledged that he or she understands the consequences of the suspension of prosecution. Any person for whom prosecution is suspended shall agree to the tolling of any statute of limitations with respect to such violation and to a waiver of his or her right to a speedy trial. Such person shall appear in court and shall be released to the

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[custody] supervision of the Court Support Services Division for such period, not exceeding two years, and under such conditions as the court shall order. If the person refuses to accept, or, having accepted, violates such conditions, the court shall terminate the suspension of prosecution and the case shall be brought to trial. If such person satisfactorily completes such person's period of probation, he or she may apply for dismissal of the charges against such person and the court, on finding such satisfactory completion, shall dismiss such charges. If the person does not apply for dismissal of the charges against such person after satisfactorily completing such person's period of probation, the court, upon receipt of a report submitted by the Court Support Services Division that the person satisfactorily completed such person's period of probation, may on its own motion make a finding of such satisfactory completion and dismiss such charges. Upon dismissal, all records of such charges shall be erased pursuant to section 54-142a, as amended by this act. An order of the court denying a motion to dismiss the charges against a person who has completed such person's period of probation or terminating the participation of a defendant in such program shall be a final judgment for purposes of appeal.

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Sec. 8. Section 46b-65 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

- (a) If the parties to a decree of legal separation at any time [resume marital relations and] file [their] <u>a</u> written declaration [of resumption,] stating that they no longer wish to be legally separated and the <u>declaration is</u> signed, acknowledged and witnessed, <u>and filed</u> with the clerk of the superior court for the judicial district in which the separation was decreed, the declaration shall be entered upon the docket, under the entries relating to the complaint, and the decree shall be vacated and the complaint shall be deemed dismissed.
- (b) [If no declaration has been filed under subsection (a) of this section, then at] At any time after the entry of a decree of legal separation, either party may petition the superior court for the judicial

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district in which the decree was entered for a decree dissolving the marriage. The court may enter the decree in the presence of the party seeking the dissolution or, if a party attests that no restraining order issued pursuant to section 46b-15 or protective order issued pursuant to section 46b-38c, between the parties is in effect or pending before the court, the court may enter the decree without requiring the presence of either party.

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- Sec. 9. Subsection (d) of section 46b-124 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (d) Records of cases of juvenile matters involving delinquency proceedings shall be available to (1) Judicial Branch employees who, in the performance of their duties, require access to such records, (2) judges and employees of the Probate Court who, in the performance of their duties, require access to such records, and (3) employees and authorized agents of state or federal agencies involved in (A) the delinquency proceedings, (B) the provision of services directly to the child, or (C) the delivery of court diversionary programs. Such employees and authorized agents include, but are not limited to, law enforcement officials, community-based youth service bureau officials, state and federal prosecutorial officials, school officials in accordance with section 10-233h, court officials including officials of both the regular criminal docket and the docket for juvenile matters and officials of the Division of Criminal Justice, the Division of Public Defender Services, the Department of Children and Families, if the child is committed pursuant to section 46b-129, provided such disclosure shall be limited to (i) information that identifies the child as the subject of the delinquency petition, or (ii) the records of the delinquency proceedings, when the juvenile court orders the department to provide services to said child, the Court Support Services Division and agencies under contract with the Judicial Branch. Such records shall also be available to (I) the attorney representing the child, including the Division of Public Defender Services, in any proceeding in which such records are relevant, (II) the parents or guardian of the child, until such time as the

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subject of the record reaches the age of majority, (III) the subject of the record, upon submission of satisfactory proof of the subject's identity, pursuant to guidelines prescribed by the Office of the Chief Court Administrator, provided the subject has reached the age of majority, (IV) law enforcement officials and prosecutorial officials conducting legitimate criminal investigations or seeking an order to detain pursuant to section 46b-133, as amended by this act, (V) a state or federal agency providing services related to the collection of moneys due or funding to support the service needs of eligible juveniles, provided such disclosure shall be limited to that information necessary for the collection of and application for such moneys, (VI) members and employees of the Board of Pardons and Paroles and employees of the Department of Correction who, in the performance of their duties, require access to such records, provided the subject of the record has been convicted of a crime in the regular criminal docket of the Superior Court and such records are relevant to the performance of a risk and needs assessment of such person while such person is incarcerated, the determination of such person's suitability for release from incarceration or for a pardon, or the determination of the supervision and treatment needs of such person while on parole or other supervised release, and (VII) members and employees of the Judicial Review Council who, in the performance of their duties related to said council, require access to such records. Records disclosed pursuant to this subsection shall not be further disclosed, except that information contained in such records may be disclosed in connection with bail or sentencing reports in open court during criminal proceedings involving the subject of such information, or as otherwise provided by law.

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Sec. 10. Subsection (c) of 46b-127 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(c) (1) (A) Any proceeding of any case transferred to the regular criminal docket pursuant to this section shall be (i) private, except that any victim and the victim's next of kin shall not be excluded from such proceeding, and (ii) conducted in such parts of the courthouse or the

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building in which the court is located that are separate and apart from the other parts of the court which are then being used for proceedings pertaining to adults charged with crimes. Any records of such proceedings shall be confidential in the same manner as records of cases of juvenile matters are confidential in accordance with the provisions of section 46b-124, except as provided in subparagraph (B) of this subdivision, unless and until the court or jury renders a verdict or a guilty plea is entered in such case on the regular criminal docket. For the purposes of this subparagraph, (I) "victim" means the victim of the crime, a parent or guardian of such person, the legal representative of such person, or a victim advocate for such person under section 54-220, or a person designated by a victim in accordance with section 1-56r, and (II) "next of kin" means a spouse, an adult child, a parent, an adult sibling, an aunt, an uncle or a grandparent.

(B) Records of any child whose case is transferred to the regular criminal docket under this section, or any part of such records, shall be available to the victim of the crime committed by the child to the same extent as the records of the case of a defendant in a criminal proceeding in the regular criminal docket of the Superior Court is available to a victim of the crime committed by such defendant. The court shall designate an official from whom the victim may request such records. Records disclosed pursuant to this subparagraph shall not be further disclosed.]

[(2)] (c) If a case is transferred to the regular criminal docket pursuant to subdivision (3) of subsection (a) of this section or subsection (b) of this section, or if a case is transferred to the regular criminal docket pursuant to subdivision (1) of subsection (a) of this section and the charge in such case is subsequently reduced to that of the commission of an offense for which a case may be transferred pursuant to subdivision (2) or (3) of subsection (a) of this section or subsection (b) of this section, the court sitting for the regular criminal docket may return the case to the docket for juvenile matters at any time prior to the court or jury rendering a verdict or the entry of a guilty plea for good cause shown for proceedings in accordance with the provisions of this chapter.

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Sec. 11. Subsection (d) of section 46b-133 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

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(d) When a child is arrested for the commission of a delinquent act and the child is not placed in a juvenile residential center or referred to a diversionary program, an officer shall serve a written complaint and summons on the child and the child's parent, guardian or some other suitable person or agency. If such child is released to the child's own custody, the officer shall make reasonable efforts to notify, and to provide a copy of a written complaint and summons to, the parent or guardian or some other suitable person or agency prior to the court date on the summons. If a child is arrested for a firearms offense or a motor vehicle offense, the court date shall be scheduled for the next business day following the date of the child's arrest for such offense. If any person so summoned wilfully fails to appear in court at the time and place so specified, the court may issue a warrant for the child's arrest or a capias to assure the appearance in court of such parent, guardian or other person. If a child wilfully fails to appear in response to such a summons, the court may order such child taken into custody and such child may be charged with the delinquent act of wilful failure to appear under section 46b-120. The court may punish for contempt, as provided in section 46b-121, any parent, guardian or other person so summoned who wilfully fails to appear in court at the time and place so specified.

Sec. 12. Section 46b-133*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[Not later than August 1, 2020, and monthly thereafter, the] The Commissioner of Correction and the executive director of the Court Support Services Division of the Judicial Department shall report to the Juvenile Justice Policy and Oversight Committee established pursuant to section 46b-121n each instance [, if any,] of use of chemical agents or prone restraints on any person ages seventeen years of age or younger detained in any facility operated or overseen by said commissioner or executive director not later than thirty days after the date of such

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- Sec. 13. Subdivision (5) of subsection (m) of section 46b-231 of the 2022 supplement to the general statutes is repealed and the following is
- 354 substituted in lieu thereof (*Effective from passage*):
- (5) Venue for proceedings to establish parentage in IV-D support cases shall be in accordance with the provisions of subsection [(d)] (e) of section 46b-461. The matter shall be heard and determined by a family support magistrate in accordance with the provisions of chapter 815y.
- Sec. 14. Section 51-1d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 361 (a) There is established a Court Support Services Division within the 362 Judicial Branch consisting of [the Office of Adult Probation, the Office 363 of Alternative Sanctions, the Office of the Bail Commission, the Family 364 Division and the Juvenile Detention Services Division] Adult Probation 365 Services, Family Services, Pretrial Services, Juvenile Services and <u>Juv</u>enile 366 Clinical, Educational and Residential Services. 367 Notwithstanding any provision of the general statutes, the duties of the 368 various offices, divisions and personnel which comprise the Court Support Services Division are transferred to the Court Support Services 369 370 Division, and the Office of Adult Probation, Office of Alternative 371 Sanctions, Office of the Bail Commission, Family Division and Juvenile 372 Detention Services Division are dissolved. The Judicial Branch shall 373 establish such job titles and assign the units and functions formerly 374 assigned to the offices, divisions and personnel which comprise the 375 Court Support Services Division in order to efficiently and effectively 376 carry out the duties of the Court Support Services Division.
 - (b) Except as provided in subsection (c) of this section or otherwise by the laws of this state or rules of the court, all information provided to and contained in the files and reports held by the Court Support Services Division shall be for the sole purpose of fulfilling the statutory functions and responsibilities of the Court Support Services Division and shall otherwise be confidential and not subject to subpoena or other

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- 383 court process for use in any other proceeding or for any other purpose.
- 384 (c) The Chief Court Administrator, or the Chief Court
- 385 Administrator's designee, shall establish written policies and
- 386 procedures for the release of information contained in reports and files
- of the Court Support Services Division.
- Sec. 15. Subsection (a) of section 51-60 of the 2022 supplement to the
- 389 general statutes is repealed and the following is substituted in lieu
- 390 thereof (*Effective from passage*):
- 391 (a) As used in this chapter:
- 392 (1) "State's attorney" means a state's attorney, assistant state's
- 393 attorney, deputy assistant state's attorney and special deputy assistant
- 394 state's attorney;
- 395 (2) "Public defender" means a public defender, assistant public
- 396 defender, deputy assistant public defender and Division of Public
- 397 Defender Services assigned counsel;
- 398 (3) "Public official" means any official of (A) the state, (B) any state
- agency, board or commission, or (C) a municipality of the state acting in
- 400 an official capacity;
- 401 (4) "Transcript" means the official written record of a proceeding, or
- any part thereof, including, but not limited to, testimony and arguments
- of counsel, produced in the Superior, Appellate or Supreme Court, by
- an official court reporter, a court recording monitor or any other entity
- 405 designated by the Chief Court Administrator; and
- 406 (5) "Transcript page" means a page consisting of twenty-seven
- double-spaced lines on paper eight and one-half by eleven inches in size,
- 408 if printed, with sixty spaces available per line, on paper or stored in an
- 409 electronic medium that is retrievable in a perceivable form.
- Sec. 16. Subsection (a) of section 51-63 of the 2022 supplement to the
- 411 general statutes is repealed and the following is substituted in lieu

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412 thereof (*Effective from passage*):

- (a) (1) In addition to a salary, an official court reporter and a court recording monitor shall be entitled to charge an individual, who is not a public official, three dollars for each transcript page which is ordered and transcribed from the original record as provided by law, provided such rate may only be charged once. Any subsequent charge for a transcript page previously produced for an individual who is not a public official shall be one dollar and seventy-five cents.
- (2) In addition to a salary, an official court reporter and a court recording monitor shall be entitled to charge any public official, other than a judicial officer or employee of the Judicial Branch, two dollars for each transcript page which is ordered and transcribed from the official record as provided by law, provided such rate may only be charged once. The charge to any public official, other than a judicial officer or employee of the Judicial Branch, shall be seventy-five cents for each transcript page previously produced, except (A) there shall be no charge to the state's attorney for a transcript provided pursuant to subsection (d) of section 51-61, and (B) there shall be no charge to the court for a transcript provided pursuant to subsection (f) of section 51-61.
- Sec. 17. Section 51-94a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No attorney appointed by the court pursuant to rules of the Superior Court, or pursuant to the court's inherent authority to regulate attorney conduct, to inventory the files of an inactive, suspended, disbarred, deceased or resigned attorney and to take necessary action to protect the interests of the inactive, suspended, disbarred, deceased or resigned attorney's clients shall be liable for damage or injury, not wanton, reckless or malicious, caused in the discharge of the appointed attorney's duties in connection with such inventory and action. Any attorney so appointed by the court shall be deemed to be a state officer or employee for purposes of indemnification and defense under section 5-141d.

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Sec. 18. Subsection (b) of section 51-164n of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

447 (b) Notwithstanding any provision of the general statutes, any person 448 who is alleged to have committed (1) a violation under the provisions of 449 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 [,] or 7-41, subsection 450 (c) of section 7-66, subsection (b) of section 7-72, section 7-83, 7-174h, 7-451 148, 7-148f, 7-148o, 7-283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-296, 9-305, 452 9-322, 9-350, 10-184, 10-193, 10-197, 10-198, 10-230, 10-233j, 10-251, 10-453 254, 10-300a, 10a-35, 12-52, 12-54, 12-55, 12-129b or 12-170aa, subdivision 454 (3) of subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 455 12-326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of 456 section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c or 12-487, 457 subdivision (1) of subsection (i) of section 12-493, section 13a-71, 13a-458 107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-459 140, 13a-143b, 13a-247, 13a-253, [or] 13a-263 [,] or 13b-39f, subsection (f) 460 of section 13b-42, section 13b-90, 13b-100, subsection (a) of section 13b-461 108, section 13b-221 [,] or 13b-292, subsection (a) or (b) of section 13b-462 324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4, 463 464 subdivision (2) of subsection (a) of section 14-12, subsection (f) of section 465 14-12a, section 14-13, subsection (a) of section 14-15a, subsection (d) of 466 section 14-12, section 14-16c, 14-20a or 14-27a, subsection (f) of section 467 14-34a, subsection (d) of section 14-35, section 14-43, 14-49, 14-50a, [or] 468 14-58, 14-60, 14-62, 14-62a or 14-65j, subsection (b) of section 14-66, 469 section 14-66a or 14-67a, subsection (g) of section 14-80, subsection (f) or 470 (i) of section 14-80h, section 14-97a [,] or 14-98, subsection (a) or (b) of 471 section 14-100a, section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a or 14-472 146, subsection (b) of section 14-147, section 14-152, 14-153, 14-161 or 14-473 163b, [a first violation as specified in] subsection (f) of section 14-164i, 474 section 14-213b, section 14-219, [as specified in subsection (e) of said 475 section, subdivision (1) of section 14-223a, subsection (d) of section 14-476 224, section 14-240, 14-250, [or] 14-253a, [subsection (a) of section] 14-477 261a, [section] 14-262, 14-264, 14-266, 14-267a, 14-269, 14-270, 14-272b,

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478 14-274, 14-275 or 14-275a, subsection (c) of section 14-275c, section 14-479 276, subsection (a) or (b) of section 14-277, section 14-278, [or] 14-279 or 480 14-280, subsection (b), (e) or (h) of section 14-283, subsection (b) of section 14-283b, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-481 482 293b, 14-296aa, 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 483 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of section 484 14-386a, section 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, 485 subsection (a) of section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-486 278, 16a-15, 16a-21 or 16a-22, subsection (a) or (b) of section 16a-22h, 487 section 16a-106, 17a-24, 17a-145, 17a-149 [,] or 17a-152, subsection (b) of 488 section 17a-227, section 17a-465 [,] or 17a-465a, subsection (c) of section 489 17a-488, 17b-124, 17b-131, 17b-137, 17b-407, 17b-451, 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 490 19a-102b, 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 491 492 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 493 19a-338, 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 20-7a, 20-14, 20-494 153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c, 20-495 329g or 20-333, subsection (b) of section 20-334, section 20-341*l*, 20-366, 496 20-482, 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-497 48 [,] or 21-63, subsection (d) of section 21-71, [or] section 21-76a [,] or 498 21-100, subsection (c) of section 21a-2, subdivision (1) of section 21a-19, 499 section 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-500 25, section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-501 502 79, section 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 503 21a-159, section 21a-278b, subsection (c), (d) or (e) of section 21a-279a, 504 subsection (a) of section 21a-430, section 21a-421eee, 21a-421fff, 22-12b, 505 22-13, 22-14, 22-15, 22-16, 22-26g, [22-29,]22-30, 22-34, 22-35, 22-36, 22-506 38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l, subdivision (1) of 507 subsection (n) of section 22-61l, subsection (f) of section 22-61m, 508 subdivision (1) of subsection (f) of section 22-61m, [subsection (d) of] 509 section 22-84, [section] 22-89, 22-90, 22-96, 22-98, 22-99, 22-100 [,] or 22-510 1110, subsection (d) of section 22-118l, section 22-167, subsection (c) of 511 section 22-277, section 22-278, 22-279, 22-280a, 22-318a, 22-320h, 22-324a 512 [,] or 22-326, subsection (b), subdivision (1) or (2) of subsection (e) or

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513 subsection (g) of section 22-344, [subdivision (2) of] subsection (a) or (b) 514 of section 22-344b, [subsection (d) of] section 22-344c, subsection (d) of 515 section 22-344d, section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22-415c, 22a-66a or 22a-246, subsection (a) of 516 section 22a-250, section 22a-256g, subsection (e) of section 22a-256h, 517 518 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e, 519 section 22a-449, 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b, 520 subsection (a) or subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-521 522 18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-523 56, 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-61, 524 section 26-64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117, 26-128, 525 26-128a, 26-131, 26-132, 26-138, 26-139 or 26-141, subdivision (1) of 526 527 section 26-186, section 26-207, 26-215 [,] or 26-217, [or] subdivision (1) of 528 section 26-186, section 26-224a, subdivision (1) of section 26-226, section 529 26-227, 26-230, 26-231, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-530 284, 26-285, 26-286, 26-287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-531 107, 28-13, 29-6a, 29-16, 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e), [or] (g) or (h) of section 29-161q, section 29-161v 532 533 or 29-161z, subdivision (1) of section 29-198, section 29-210, 29-243 or 29-534 277, subsection (c) of section 29-291c, section 29-316 [,] or 29-318, 535 subsection (b) of section 29-335a, section 29-381, 30-19f, 30-48a [,] or 30-536 86a, subsection (b) of section 30-89, subsection (c) or (d) of section 30-537 117, section 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-538 23, 31-24, 31-25, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47 [,] or 31-539 48, subsection (b) of section 31-48b, section 31-51, 31-51g, 31-51k, 31-52, 540 31-52a, 31-53 or 31-54, subsection (a) or (c) of section 31-69, section 31-541 70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 542 31-273, section 31-288, 31-348, 33-264, 33-1017, 34-13d, 34-108 or 34-412, subdivision (1) of section 35-20, subsection (a) of section 36a-57, 543 subsection (b) of section 36a-665, section 36a-787, 36a-699, 36a-739, 38a-544 545 2, 38a-140 or 38a-271, subsection (b) of section 38a-278, section 38a-546 479qq, 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-660a, 38a-680, 38a-713, 547 38a-733, 38a-764, 38a-786, 38a-828, 38a-829, 38a-885, 42-100b, 42-100c, 42-

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548 133h, 42-230, 42-470 or 42-480, subsection (a) or (c) of section 43-16q, 549 section 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of 550 section 46a-54, section 46a-59, <u>46a-81b</u>, 46b-22, 46b-24, 46b-34, <u>46b-38d</u>, 551 46b-148, 47-34a, 47-47 [,] or 47-53, subsection (i) of section 47a-21, 552 subdivision (1) of subsection (k) of section 47aa-21, section 49-2a, 49-8a, 553 49-16, 52-143 or 52-289, subsection (j) of section 52-362, section 53-34b, 554 53-133 [,] or 53-199, subsection (a) or (b) of section 53-211, section 53-555 212a, 53-249a, 53-252, 53-264, 53-280, 53-290a, 53-302a, 53-303e, 53-311a, 556 53-314, 53-321, 53-322, 53-323 [,] or 53-331, [or] subsection (b) of section 557 53-343a, section 53-344, subsection (b) or (c) of section 53-344b, 558 subsection (b) of section 53-345a, [or] section 53-377, 53-420 or 53-450 [,] 559 or subsection (i) of section 54-36a, or (2) a violation under the provisions 560 of chapter 268, or (3) a violation of any regulation adopted in accordance with the provisions of section 12-484, 12-487 or 13b-410, or (4) a violation 561 562 of any ordinance, regulation or bylaw of any town, city or borough, 563 except violations of building codes and the health code, for which the 564 penalty exceeds ninety dollars but does not exceed two hundred fifty 565 dollars, unless such town, city or borough has established a payment 566 and hearing procedure for such violation pursuant to section 7-152c, 567 shall follow the procedures set forth in this section.

Sec. 19. Subsection (a) of section 51-217 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) All jurors shall be electors, individuals lawfully admitted for permanent residence, as defined in 8 USC 1101(a)(20), as amended from time to time, or citizens of the United States, who are residents of this state having a permanent place of abode in this state and appear on the list compiled by the Jury Administrator under subsection (b) of section 51-222a, who have reached the age of eighteen. A person shall be disqualified to serve as a juror if such person: (1) Is found by a judge of the Superior Court to exhibit any quality which will impair the capacity of such person to serve as a juror, except that no person shall be disqualified because the person is deaf or hard of hearing; (2) has been convicted of a felony within the past three years or is a defendant in a

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pending felony case or is in the custody of the Commissioner of Correction; (3) is not able to speak and understand the English language; (4) is the Governor, Lieutenant Governor, Secretary of the State, Treasurer, Comptroller or Attorney General; (5) is a judge of the Probate Court, Superior Court, Appellate Court or Supreme Court, is a state referee, is a family support magistrate or is a federal court judge; (6) is a member of the General Assembly, provided such disqualification shall apply only while the General Assembly is in session; (7) is a registrar of voters or deputy registrar of voters of a municipality, provided such disqualification shall apply only during the period from twenty-one days before the date of a federal, state or municipal election, primary or referendum to twenty-one days after the date of such election, primary or referendum, inclusive; (8) is seventy-five years of age or older and chooses not to perform juror service; (9) is incapable, by reason of a physical or mental disability, of rendering satisfactory juror service; or (10) for the jury year commencing on September 1, 2017, and each jury year thereafter, has served in the United States District Court for the District of Connecticut as (A) a federal juror on a matter that has been tried to a jury during the last three preceding jury years, or (B) a federal grand juror during the last three preceding jury years. Any person claiming a disqualification under subdivision (9) of this subsection shall submit to the Jury Administrator a letter from a licensed health care provider stating the health care provider's opinion that such disability prevents the person from rendering satisfactory juror service. In reaching such opinion, the health care provider shall apply the following guideline: A person shall be capable of rendering satisfactory juror service if such person is able to perform a sedentary job requiring close attention for six hours per day, with short work breaks in the morning and afternoon sessions, for at least three consecutive business days. Any person claiming a disqualification under subdivision (10) of this subsection shall supply proof of federal jury service satisfactory to the Jury Administrator.

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Sec. 20. Section 51-220 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

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616 passage):

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[The number of jurors to be chosen from each town shall be equal to a percentage of the town's population rounded off to the nearest whole number, such percentage to be determined by the Jury Administrator. Such population figures shall derive from the last published census of the United States government.]

(a) Prior to January 1, 2024, the number of jurors to be chosen from each town shall be equal to a percentage of the town's population rounded off to the nearest whole number, such percentage to be determined by the Jury Administrator in accordance with the provisions of this section and section 51-220a. The number of jurors chosen from each town shall reflect the proportional representation of the population of each town within the judicial district. The Jury Administrator shall calculate such percentage by determining each town's proportional share of the population of the judicial district and dividing that proportional share by the town's yield ratio. A town's yield ratio shall be calculated by dividing the number of jurors from such town who, when summoned during the 2019 court year, complied with the summons to appear for jury service, by the product that results when the town's proportional share of the population of the judicial district is multiplied by the total number of jurors summoned in the judicial district in the 2019 court year. As used in this subsection and subsection (b) of this section, "court year" means a one-year period beginning on September first and ending on August thirty-first of the following year.

(b) On and after January 1, 2024, the number of jurors to be chosen from each town shall be equal to a percentage of the town's population rounded off to the nearest whole number, such percentage to be determined by the Jury Administrator in accordance with the provisions of this section and section 51-220a. The number of jurors chosen from each town shall reflect the proportional representation of the population of each town within the judicial district. The Jury Administrator shall calculate such percentage by determining each town's proportional share of the population of the judicial district and dividing that

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- proportional share by the town's yield ratio. A town's yield ratio shall
- be calculated by dividing the number of jurors from such town who,
- when summoned during the previous court year, complied with the
- 652 <u>summons to appear for jury service, by the product that results when</u>
- 653 the town's proportional share of the population of the judicial district is
- 654 <u>multiplied by the total number of jurors summoned in the judicial</u>
- 655 <u>district in the previous court year.</u>
- 656 (c) The Jury Administrator shall derive population figures from the 657 most recent decennial census.
- Sec. 21. Section 51-232 of the 2022 supplement to the general statutes,
- as amended by section 4 of public act 21-170, is repealed and the
- 660 following is substituted in lieu thereof (*Effective July 1, 2022*):
- (a) The Jury Administrator shall send to each juror drawn, by first class mail, a notice stating the place where and the time when he or she is to appear and such notice shall constitute a sufficient summons unless a judge of said court directs that jurors be summoned in some other
- 665 manner.

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- (b) Such summons or notice shall also state the fact that a juror has a right to one postponement of the juror's term of juror service for not more than ten months and may contain any other information and instructions deemed appropriate by the Jury Administrator. If the date to which the juror has postponed jury service is improper, unavailable or inconvenient for the court, the Jury Administrator shall assign a date of service which, if possible, is reasonably close to the postponement date selected by the juror. Such notice or summons shall be made available to any party or to the attorney for such party in an action to be tried to a jury. The Jury Administrator may grant additional postponements within or beyond said ten months but not beyond one year from the original summons date.
 - (c) The Jury Administrator shall send to a prospective juror a juror confirmation form and a confidential juror questionnaire. Such questionnaire shall include questions eliciting the juror's name, age, race

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and ethnicity, occupation, education and information usually raised in voir dire examination. The questionnaire shall inform the prospective juror that information concerning race and ethnicity is required solely to enforce nondiscrimination in jury selection, that the furnishing of such information is not a prerequisite to being qualified for jury service and that such information need not be furnished if the prospective juror finds it objectionable to do so. Such juror confirmation form and confidential juror questionnaire shall be signed by the prospective juror under penalty of false statement. Copies of the completed questionnaires shall be provided to the judge and counsel for use during voir dire or in preparation therefor. Counsel shall be required to return such copies to the clerk of the court upon completion of the voir dire. Except for disclosure made during voir dire or unless the court orders otherwise, information inserted by jurors shall be held in confidence by the court, the parties, counsel and their authorized agents. Such completed questionnaires shall not constitute a public record.

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- (d) The number of jurors in a panel may be reduced when, in the opinion of the court, such number of jurors is in excess of reasonable requirements. Such reduction by the clerk shall be accomplished by lot to the extent authorized by the court and the jurors released shall be subject to recall for jury duty only if and when required.
- (e) In each judicial district, the Chief Court Administrator shall designate one or more courthouses to be the courthouse to which jurors originally shall be summoned. The court may assign any jurors of a jury pool to attend any courtroom within the judicial district.
- [(f) On and after July 1, 2022, and until June 30, 2023, for each jury summons the Jury Administrator finds to be undeliverable, the Jury Administrator shall cause an additional randomly generated jury summons to be sent to a juror having a zip code that is the same as to which the undeliverable summons was sent.]
- Sec. 22. Section 52-259b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1*, 2022):

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(a) In any civil or criminal matter, if the court finds that a party is indigent and unable to pay a fee or fees payable to the court or to pay the cost of service of process, the court shall waive such fee or fees and the cost of service of process shall be paid by the state.

- (b) There shall be a rebuttable presumption that a person is indigent and unable to pay a fee or fees or the cost of service of process if (1) such person receives public assistance, or (2) such person's income after taxes, mandatory wage deductions and child care expenses is one hundred twenty-five per cent or less of the federal poverty level. For purposes of this subsection, "public assistance" includes, but is not limited to, state-administered general assistance, temporary family assistance, aid to the aged, blind and disabled, supplemental nutrition assistance and Supplemental Security Income.
- (c) Nothing in this section shall preclude the court from (1) finding that a person whose income does not meet the criteria of subsection (b) of this section is indigent and unable to pay a fee or fees or the cost of service of process, or (2) denying an application for the waiver of the payment of a fee or fees or the cost of service of process when the court finds that (A) the applicant has repeatedly filed actions with respect to the same or similar matters, (B) such filings establish an extended pattern of frivolous filings that have been without merit, (C) the application sought is in connection with an action before the court that is consistent with the applicant's previous pattern of frivolous filings, and (D) the granting of such application would constitute a flagrant misuse of Judicial Branch resources. If an application for the waiver of the payment of a fee or fees or the cost of service of process is denied, the court clerk shall, upon the request of the applicant, schedule a hearing on the application. Nothing in this section shall affect the inherent authority of the court to manage its docket.
- (d) Any person aggrieved by a decision, after hearing, denying an application for the waiver of the payment of a fee for the cost of commencing a civil action or habeas action in the Superior Court or the cost of service of process for commencing such an action in the Superior

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- Court may file a petition to the Appellate Court for review of such order.
- 747 There shall be no fee required for the filing of such a petition.
- Sec. 23. Subdivision (2) of subsection (c) of section 52-367b of the 2022 supplement to the general statutes is repealed and the following is
- 750 substituted in lieu thereof (*Effective October 1, 2022*):

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- (2) Notwithstanding the provisions of subdivision (1) of this subsection, the financial institution shall leave in the judgment debtor's account (A) the full amount of electronic direct deposits that are readily identifiable as exempt federal veterans' benefits, Social Security benefits, including, but not limited to, retirement, survivors' and disability benefits, supplemental security income benefits, exempt benefits paid by the federal Railroad Retirement Board or the federal Office of Personnel Management, unemployment compensation benefits exempt under section 52-352b, and child support payments processed and received pursuant to Title IV-D of the Social Security Act, and (B) the amount of electronic direct deposits, not to exceed one thousand dollars, that are readily identifiable as wages, provided such deposits were made to the judgment debtor's account during the look-back period of two months preceding the date that the execution was served on the financial institution, or, with regard to federal benefits, such greater period as required by federal law. If no such deposits have been made to the judgment debtor's account during the look-back period, or if such readily identifiable funds are less than one thousand dollars, the financial institution shall leave in the judgment debtor's account as exempt pursuant to [subsection (r)] subdivision (18) of section 52-352b the lesser of the account balance or one thousand dollars in the aggregate. To the extent that such funds are left in the judgment debtor's account as exempt pursuant to [subsection (r)] subdivision (18) of section 52-352b, the provisions of said subsection shall not be the basis for a claim of exemption pursuant to this subsection in response to a levy of execution.
 - Sec. 24. Subsection (b) of section 53-206i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October*

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(b) If the court finds that a violation of this section is not of a serious nature and that the person charged with such violation (1) will probably not offend in the future, (2) has not previously been convicted of a violation of this section, and (3) has not previously had a prosecution under this section suspended pursuant to this subsection, the court may order suspension of prosecution. The court shall not order suspension of prosecution unless the accused person has acknowledged that he or she understands the consequences of the suspension of prosecution. Any person for whom prosecution is suspended shall agree to the tolling of any statute of limitations with respect to such violation and to a waiver of his or her right to a speedy trial. Such person shall appear in court and shall be released to the [custody] supervision of the Court Support Services Division for such period, not exceeding two years, and under such conditions as the court shall order. If the person refuses to accept, or, having accepted, violates such conditions, the court shall terminate the suspension of prosecution and the case shall be brought to trial. If such person satisfactorily completes such person's period of probation, he or she may apply for dismissal of the charges against such person and the court, on finding such satisfactory completion, shall dismiss such charges. If the person does not apply for dismissal of the charges against such person after satisfactorily completing such person's period of probation, the court, upon receipt of a report submitted by the Court Support Services Division that the person satisfactorily completed such person's period of probation, may on its own motion make a finding of such satisfactory completion and dismiss such charges. Upon dismissal, all records of such charges shall be erased pursuant to section 54-142a, as amended by this act. An order of the court denying a motion to dismiss the charges against a person who has completed such person's period of probation or terminating the participation of a defendant in such program shall be a final judgment for purposes of appeal.

Sec. 25. Subsection (g) of section 53-206j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October*

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(g) If the court finds that a violation of this section is not of a serious nature and that the person charged with such violation (1) will probably not offend in the future, (2) has not previously been convicted of a violation of this section, and (3) has not previously had a prosecution under this section suspended pursuant to this subsection, the court may order suspension of prosecution. The court shall not order suspension of prosecution unless the accused person has acknowledged that he or she understands the consequences of the suspension of prosecution. Any person for whom prosecution is suspended shall agree to the tolling of any statute of limitations with respect to such violation and to a waiver of his or her right to a speedy trial. Such person shall appear in court and shall be released to the [custody] supervision of the Court Support Services Division for such period, not exceeding two years, and under such conditions as the court shall order. If the person refuses to accept, or, having accepted, violates such conditions, the court shall terminate the suspension of prosecution and the case shall be brought to trial. If such person satisfactorily completes such person's period of probation, he or she may apply for dismissal of the charges against such person and the court, on finding such satisfactory completion, shall dismiss such charges. If the person does not apply for dismissal of the charges against such person after satisfactorily completing such person's period of probation, the court, upon receipt of a report submitted by the Court Support Services Division that the person satisfactorily completed such person's period of probation, may on its own motion make a finding of such satisfactory completion and dismiss such charges. Upon dismissal, all records of such charges shall be erased pursuant to section 54-142a, as amended by this act. An order of the court denying a motion to dismiss the charges against a person who has completed such person's period of probation or terminating the participation of a defendant in such program shall be a final judgment for purposes of appeal.

Sec. 26. Subsection (b) of section 53a-39c of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu

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thereof (Effective July 1, 2022):

- (b) Any person who enters such program shall pay to the court a participation fee of two hundred five dollars, except that no person may be excluded from such program for inability to pay such fee, provided such person: (1) [such person files] Files with the court an affidavit of indigency or inability to pay, [such indigency is confirmed] assisted by the Court Support Services Division to the extent requested by such person, and the court enters a finding [thereof] of inability to pay, or (2) [the person] has been determined indigent and eligible for representation by a public defender who has been appointed on behalf of such person pursuant to section 51-296. The court shall not require a person to perform community service in lieu of payment of such fee, if such fee is waived. All program fees collected under this subsection shall be deposited into the alternative incarceration program account.
- Sec. 27. Section 54-56e of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2022):
 - (a) There shall be a pretrial program for accelerated rehabilitation of persons accused of a crime or crimes or a motor vehicle violation or violations for which a sentence to a term of imprisonment may be imposed, which crimes or violations are not of a serious nature. Upon application by any such person for participation in the program, the court shall, but only as to the public, order the court file sealed.
 - (b) The court may, in its discretion, invoke such program on motion of the defendant or on motion of a state's attorney or prosecuting attorney with respect to a defendant (1) who, the court believes, will probably not offend in the future, (2) who has no previous record of conviction of a crime or of a violation of section 14-196, subsection (c) of section 14-215, section 14-222a, subsection (a) or subdivision (1) of subsection (b) of section 14-224, section 14-227a or 14-227m or subdivision (1) or (2) of subsection (a) of section 14-227n, and (3) who states under oath, in open court or before any person designated by the

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clerk and duly authorized to administer oaths, under the penalties of perjury, (A) that the defendant has never had such program invoked on the defendant's behalf or that the defendant was charged with a misdemeanor or a motor vehicle violation for which a term of imprisonment of one year or less may be imposed and ten or more years have passed since the date that any charge or charges for which the program was invoked on the defendant's behalf were dismissed by the court, or (B) with respect to a defendant who is a veteran, that the defendant has not had such program invoked in the defendant's behalf more than once previously, provided the defendant shall agree thereto and provided notice has been given by the defendant, on a form prescribed by the Office of the Chief Court Administrator, to the victim or victims of such crime or motor vehicle violation, if any, by registered or certified mail and such victim or victims have an opportunity to be heard thereon. Any defendant who makes application for participation in such program shall pay to the court an application fee of thirty-five dollars, except as provided in subsection (g) of this section. No defendant shall be allowed to participate in the pretrial program for accelerated rehabilitation more than two times. For the purposes of this section, "veteran" has the same meaning as provided in section 27-103.

(c) This section shall not be applicable: (1) To any person charged with (A) a class A felony, (B) a class B felony, except a violation of subdivision (1), (2) or (3) of subsection (a) of section 53a-122 that does not involve the use, attempted use or threatened use of physical force against another person, or a violation of subdivision (4) of subsection (a) of section 53a-122 that does not involve the use, attempted use or threatened use of physical force against another person and does not involve a violation by a person who is a public official, as defined in section 1-110, or (C) a violation of section 53a-70b of the general statutes, revision of 1958, revised to January 1, 2019, or section 14-227a, subdivision (2) of subsection (a) of section 53-21 or section 53a-56b, 53a-60d, 53a-70, 53a-70a, 53a-71, except as provided in subdivision (5) of this subsection, 53a-

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72a, 53a-72b, 53a-90a, 53a-196e or 53a-196f, (2) to any person charged with a crime or motor vehicle violation who, as a result of the commission of such crime or motor vehicle violation, causes the death of another person, (3) to any person accused of a family violence crime as defined in section 46b-38a who (A) is eligible for the pretrial family violence education program established under section 46b-38c, or (B) has previously had the pretrial family violence education program invoked in such person's behalf, (4) to any person charged with a violation of section 21a-267, 21a-279 or 21a-279a, who (A) is eligible for the pretrial drug education and community service program established under section 54-56i or the pretrial drug intervention and community service program established under section 54-56q, as amended by this act, or (B) has previously had (i) the pretrial drug education program (ii) the pretrial drug education and community service program established under the provisions of section 54-56i, or (iii) the pretrial drug intervention and community service program established under section 54-56g, as amended by this act, invoked on such person's behalf, (5) unless good cause is shown, to (A) any person charged with a class C felony, or (B) any person charged with committing a violation of subdivision (1) of subsection (a) of section 53a-71 while such person was less than four years older than the other person, (6) to any person charged with a violation of section 9-359 or 9-359a, (7) to any person charged with a motor vehicle violation (A) while operating a commercial motor vehicle, as defined in section 14-1, or (B) who holds a commercial driver's license or commercial driver's instruction permit at the time of the violation, (8) to any person charged with a violation of subdivision (6) of subsection (a) of section 53a-60, or (9) to a health care provider or vendor participating in the state's Medicaid program charged with a violation of section 53a-122 or subdivision (4) of subsection (a) of section 53a-123.

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(d) Except as provided in subsection (g) of this section, any defendant who enters such program shall pay to the court a participation fee of one hundred dollars. Any defendant who enters such program shall agree to the tolling of any statute of limitations with respect to such crime and

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to a waiver of the right to a speedy trial. Any such defendant shall appear in court and shall, under such conditions as the court shall order, be released to the [custody] <u>supervision</u> of the Court Support Services Division, except that, if a criminal docket for drug-dependent persons has been established pursuant to section 51-181b in the judicial district, such defendant may be transferred, under such conditions as the court shall order, to the court handling such docket for supervision by such court. If the defendant refuses to accept, or, having accepted, violates such conditions, the defendant's case shall be brought to trial. The period of such probation or supervision, or both, shall not exceed two years. If the defendant has reached the age of sixteen years but has not reached the age of eighteen years, the court may order that as a condition of such probation the defendant be referred for services to a youth service bureau established pursuant to section 10-19m, provided the court finds, through an assessment by a youth service bureau or its designee, that the defendant is in need of and likely to benefit from such services. When determining any conditions of probation to order for a person entering such program who was charged with a misdemeanor that did not involve the use, attempted use or threatened use of physical force against another person or a motor vehicle violation, the court shall consider ordering the person to perform community service in the community in which the offense or violation occurred. If the court determines that community service is appropriate, such community service may be implemented by a community court established in accordance with section 51-181c if the offense or violation occurred within the jurisdiction of a community court established by said section. If the defendant is charged with a violation of section 46a-58, 53-37a, 53a-181j, 53a-181k or 53a-181l, the court may order that as a condition of such probation the defendant participate in a hate crimes diversion program as provided in subsection (e) of this section. If a defendant is charged with a violation of section 53-247, the court may order that as a condition of such probation the defendant undergo psychiatric or psychological counseling or participate in an animal cruelty prevention and education program provided such a program exists and is available to the defendant.

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(e) If the court orders the defendant to participate in a hate crimes diversion program as a condition of probation, the defendant shall pay to the court a participation fee of four hundred twenty-five dollars, except as provided in subsection (g) of this section. The Judicial Department shall contract with service providers, develop standards and oversee appropriate hate crimes diversion programs to meet the requirements of this section. Any defendant whose employment or residence makes it unreasonable to attend a hate crimes diversion program in this state may attend a program in another state which has standards substantially similar to, or higher than, those of this state, subject to the approval of the court and payment of the application and program fees as provided in this section. The hate crimes diversion program shall consist of an educational program and supervised community service.

(f) If a defendant released to the [custody] supervision of the Court Support Services Division satisfactorily completes such defendant's period of probation, such defendant may apply for dismissal of the charges against such defendant and the court, on finding such satisfactory completion, shall dismiss such charges. If the defendant does not apply for dismissal of the charges against such defendant after satisfactorily completing such defendant's period of probation, the court, upon receipt of a report submitted by the Court Support Services Division that the defendant satisfactorily completed such defendant's period of probation, may on its own motion make a finding of such satisfactory completion and dismiss such charges. If a defendant transferred to the court handling the criminal docket for drugdependent persons satisfactorily completes such defendant's period of supervision, the court shall release the defendant to the [custody] supervision of the Court Support Services Division under such conditions as the court shall order or shall dismiss such charges. Upon dismissal, all records of such charges shall be erased pursuant to section 54-142a, as amended by this act. An order of the court denying a motion to dismiss the charges against a defendant who has completed such defendant's period of probation or supervision or terminating the

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participation of a defendant in such program shall be a final judgment for purposes of appeal.

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(g) The court shall waive any application or participation fee under this section for any person who (1) files with the court an affidavit of indigency or inability to pay, [has such indigency confirmed] assisted by the Court Support Services Division, to the extent requested by such person, and the court enters a finding [thereof] of inability to pay, or (2) has been determined indigent and eligible for representation by a public defender who has been appointed on behalf of such person pursuant to section 51-296. The court shall not require a person to perform community service in lieu of payment of such fee, if such fee is waived.

Sec. 28. Subsection (a) of section 54-63b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The duties of the Court Support Services Division shall include: (1) To promptly interview, prior to arraignment, any person referred by the police pursuant to section 54-63c or by a judge. Such interview shall include, but not be limited to, information concerning the accused person, his or her family, community ties, prior criminal record and physical and mental condition. Any interview [of a person held at a police station] may be conducted by [video conference] remote technology; (2) to seek independent verification of information obtained during the interview, if practicable; (3) to determine, as provided in section 54-63d, as amended by this act, or to make recommendations on request of any judge, concerning the terms and conditions of the release of arrested persons from custody pending final disposition of their cases; (4) to prepare a written report on all persons interviewed and, upon request and pursuant to the procedures established under [subsection (f) of section 54-63d] section 51-1d, as amended by this act, provide copies of the report to the court, defense counsel and state's attorney. Such report shall contain the information obtained during the interview and verification process, the person's prior criminal record, where possible, and the determination or recommendation of the

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commissioner pursuant to section 54-63d, as amended by this act, concerning the terms and conditions of the release of the persons so interviewed; (5) to give prior notice of each required court appearance to each person released following an interview by a bail commissioner or an intake, assessment and referral specialist employed by the Judicial Branch; (6) to supervise pursuant to the direction of the court those persons released on nonfinancial conditions; (7) to inform the court and the state's attorney of any failure to comply with terms and conditions of release, including the arrest of persons released under its supervision; (8) to monitor, evaluate and provide information concerning terms and conditions of release and the release criteria established under subsection (b) of this section, to prepare periodic reports on its activities, and to provide such other information as is needed to assist in the improvement of the pretrial release process; and (9) to perform such other functions as the Chief Court Administrator may, from time to time, assign.

(c) Except as provided in section 51-1d, as amended by this act, all information provided to the Court Support Services Division for the purpose of the interview and investigation specified in subdivisions (1) and (2) of subsection (a) of this section shall be for the sole purpose of determining and recommending the conditions of release, and shall otherwise be confidential and retained in the files of the Court Support Services Division, and not be subject to subpoena or other court process for use in any other proceeding or for any other purpose.

Sec. 29. Section 54-63d of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Upon notification by a police officer pursuant to section 54-63c that an arrested person has not posted bail, a bail commissioner or an intake, assessment and referral specialist employed by the Judicial Branch shall promptly conduct an interview and investigation as specified in subdivisions (1) and (2) of subsection (a) of section 54-63b, as amended by this act, and, based upon the criteria established

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pursuant to subsection (b) of section 54-63b, as amended by this act, and except as provided in subsection (b) of this section, the bail commissioner or intake, assessment and referral specialist shall promptly order release of such person on the first of the following conditions of release found sufficient to provide reasonable assurance of the person's appearance in court: (1) Upon the execution of a written promise to appear without special conditions; (2) upon the execution of a written promise to appear with any of the nonfinancial conditions as specified in subsection (c) of this section; (3) upon the execution of a bond without surety in no greater amount than necessary; or (4) upon the execution of a bond with surety in no greater amount than necessary. If the person is unable to meet the conditions of release ordered by the bail commissioner or intake, assessment and referral specialist, the bail commissioner or intake, assessment and referral specialist shall so inform the court in a report prepared pursuant to subdivision (4) of subsection (a) of section 54-63b, as amended by this act.

- (b) No person shall be released upon the execution of a written promise to appear or the execution of a bond without surety if the person is charged with the commission of a family violence crime, as defined in section 46b-38a, and in the commission of such crime the person used or threatened the use of a firearm.
- (c) In addition to or in conjunction with any of the conditions enumerated in subdivisions (1) to (4), inclusive, of subsection (a) of this section, the bail commissioner or intake, assessment and referral specialist may impose nonfinancial conditions of release, which may require that the arrested person do any of the following: (1) Remain under the supervision of a designated person or organization; (2) comply with specified restrictions on the person's travel, association or place of abode; (3) not engage in specified activities, including the use or possession of a dangerous weapon, or the unlawful use or possession of an intoxicant or controlled substance; (4) not use classes of intoxicants or controlled substances, if such bail commissioner makes a finding that use of such classes of intoxicants or controlled substances would pose a danger to the arrested person or to the public and includes

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individualized reasons supporting such finding. Such finding shall not consider any prior arrests or convictions for use or possession of cannabis; (5) avoid all contact with an alleged victim of the crime and with a potential witness who may testify concerning the offense; or (6) satisfy any other condition that is reasonably necessary to ensure the appearance of the person in court. Any of the conditions imposed under subsection (a) of this section and this subsection by the bail commissioner or intake, assessment and referral specialist shall be effective until the appearance of such person in court.

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(d) The police department shall promptly comply with the order of release of the bail commissioner or intake, assessment and referral specialist, except that if the department objects to the order or any of its conditions, the department shall promptly so advise a state's attorney or assistant state's attorney, the bail commissioner or intake, assessment and referral specialist and the arrested person. The state's attorney or assistant state's attorney may authorize the police department to delay release, until a hearing can be had before the court then sitting for the geographical area which includes the municipality in which the arrested person is being detained or, if the court is not then sitting, until the next sitting of said court. When cash bail in excess of ten thousand dollars is received for a detained person accused of a felony, where the underlying facts and circumstances of the felony involve the use, attempted use or threatened use of physical force against another person, the police department shall prepare a report that contains (1) the name, address and taxpayer identification number of the accused person, (2) the name, address and taxpayer identification number of each person offering the cash bail, other than a person licensed as a professional bondsman under chapter 533 or a surety bail bond agent under chapter 700f, (3) the amount of cash received, and (4) the date the cash was received. Not later than fifteen days after receipt of such cash bail, the police department shall file the report with the Department of Revenue Services and mail a copy of the report to the state's attorney for the judicial district in which the alleged offense was committed and to each person offering the cash bail.

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[(e) Except as provided in subsections (f) and (g) of this section, all information provided to the Court Support Services Division shall be for the sole purpose of determining and recommending the conditions of release, and shall otherwise be confidential and retained in the files of the Court Support Services Division, and not be subject to subpoena or other court process for use in any other proceeding or for any other purpose.

- (f) The Court Support Services Division shall establish written procedures for the release of information contained in reports and files of the Court Support Services Division, such procedures to be approved by the executive committee of the judges of the Superior Court. Such procedures shall allow access to (1) nonidentifying information by qualified persons for purposes of research related to the administration of criminal justice; (2) all information provided to the Court Support Services Division by probation officers for the purposes of compiling presentence reports; and (3) all information provided to the Court Support Services Division concerning any person convicted of a crime and held in custody by the Department of Correction.
- (g) Any files and reports held by the Court Support Services Division may be accessed and disclosed by employees of the division in accordance with policies and procedures adopted by the Chief Court Administrator.]
- Sec. 30. Subsection (b) of section 54-76l of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):
 - (b) The records of any such youth, or any part thereof, may be disclosed to and between individuals and agencies, and employees of such agencies, providing services directly to the youth, including law enforcement officials, state and federal prosecutorial officials, school officials in accordance with section 10-233h, court officials, the Division of Criminal Justice, the Court Support Services Division and a victim advocate under section 54-220 for a victim of a crime committed by the

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youth. Such records shall also be available to the attorney representing the youth, in any proceedings in which such records are relevant, to the parents or guardian of such youth, until such time as the youth reaches the age of majority or is emancipated, and to the youth upon his or her emancipation or attainment of the age of majority, provided proof of the identity of such youth is submitted in accordance with guidelines prescribed by the Chief Court Administrator. Such records shall also be available to members and employees of the Board of Pardons and Paroles and employees of the Department of Correction who, in the performance of their duties, require access to such records, provided the subject of the record has been adjudged a youthful offender and sentenced to a term of imprisonment or been convicted of a crime in the regular criminal docket of the Superior Court, and such records are relevant to the performance of a risk and needs assessment of such person while such person is incarcerated, the determination of such person's suitability for release from incarceration or for a pardon, or the determination of the supervision and treatment needs of such person while on parole or other supervised release. Such records shall also be available to law enforcement officials and prosecutorial officials conducting legitimate criminal investigations or seeking an order to detain pursuant to section 46b-133, as amended by this act. Such records shall also be available to members and employees of the Judicial Review Council who, in the performance of their duties, require access to such records. Records disclosed pursuant to this subsection shall not be further disclosed.

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Sec. 31. Subsection (e) of section 54-102g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) Any person who has been convicted of a criminal offense against a victim who is a minor, a nonviolent sexual offense or a sexually violent offense, as those terms are defined in section 54-250, or a felony, and is serving a period of probation or parole, and who has not submitted to the taking of a blood or other biological sample pursuant to subsection (a), (b), (c) or (d) of this section, shall, prior to discharge from the

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[custody] <u>supervision</u> of the Court Support Services Division or the custody of the Department of Correction and at such time as said division or department may specify, submit to the taking of a blood or other biological sample of sufficient quality for DNA (deoxyribonucleic acid) analysis to determine identification characteristics specific to the person.

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- Sec. 32. Subsection (a) of section 54-108f of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (a) The Court Support Services Division of the Judicial Branch may issue a certificate of rehabilitation to an eligible offender who is under the supervision of the division while on probation or other supervised release at the time of such person's application for such certificate, or may issue a new certificate of rehabilitation to enlarge the relief previously granted under such certificate of rehabilitation or revoke any such certificate of rehabilitation in accordance with the provisions of section 54-130e, as amended by this act, that are applicable to certificates of rehabilitation. If the division issues, enlarges the relief previously granted under a certificate of rehabilitation or revokes a certificate of rehabilitation under this section, the division shall immediately file written notice of such action with the Board of Pardons and Paroles. The division may develop policies and procedures to meet the provisions of this section and section 54-130e, as amended by this act. Nothing in section 54-130e, as amended by this act, shall require the division to continue monitoring the criminal activity of any person to whom the division has issued a certificate of rehabilitation but who is no longer under the supervision of the division.
- Sec. 33. Subsections (a) and (b) of section 54-130e of the 2022 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (a) For the purposes of this section and sections 31-51i, 46a-80, 54-108f, as amended by this act, 54-130a and 54-301:

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(1) "Barrier" means a denial of employment or a license based on an eligible offender's conviction of a crime without due consideration of whether the nature of the crime bears a direct relationship to such employment or license;

- (2) "Direct relationship" means that the nature of criminal conduct for which a person was convicted has a direct bearing on the person's fitness or ability to perform one or more of the duties or responsibilities necessarily related to the applicable employment or license;
- (3) "Certificate of rehabilitation" means a form of relief from barriers or forfeitures to employment or the issuance of licenses, other than a provisional pardon, that is granted to an eligible offender by (A) the Board of Pardons and Paroles pursuant to this section, or (B) the Court Support Services Division of the Judicial Branch pursuant to section 54-108f, as amended by this act;
- (4) "Eligible offender" means a person who has been convicted of a crime or crimes in this state or another jurisdiction and who is a resident of this state and (A) is applying for a provisional pardon or is under the jurisdiction of the Board of Pardons and Paroles, or (B) with respect to a certificate of rehabilitation under section 54-108f, as amended by this act, is under the supervision of the Court Support Services Division of the Judicial Branch at the time of such person's application;
 - (5) "Employment" means any remunerative work, occupation or vocation or any form of vocational training, but does not include employment with a law enforcement agency;
 - (6) "Forfeiture" means a disqualification or ineligibility for employment or a license by reason of law based on an eligible offender's conviction of a crime;
 - (7) "License" means any license, permit, certificate or registration that is required to be issued by the state or any of its agencies to pursue, practice or engage in an occupation, trade, vocation, profession or business; and

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(8) "Provisional pardon" means a form of relief from barriers or forfeitures to employment or the issuance of licenses granted to an eligible offender by the Board of Pardons and Paroles pursuant to subsections (b) to (i), inclusive, of this section.

(b) The Board of Pardons and Paroles may issue a provisional pardon or a certificate of rehabilitation to relieve an eligible offender of barriers or forfeitures by reason of such person's conviction of the crime or crimes specified in such provisional pardon or certificate of rehabilitation. Such provisional pardon or certificate of rehabilitation may be limited to one or more enumerated barriers or forfeitures or may relieve the eligible offender of all barriers and forfeitures. Such certificate of rehabilitation shall be labeled by the board as a "Certificate of Employability" or a "Certificate of Suitability for Licensure", or both, as deemed appropriate by the board. No provisional pardon or certificate of rehabilitation shall apply or be construed to apply to the right of such person to retain or be eligible for public office.

Sec. 34. Subsection (e) of section 54-142a of the 2022 supplement to the general statutes, as amended by section 3 of public act 21-32 and section 10 of public act 21-33, is repealed and the following is substituted in lieu thereof (*Effective January 1*, 2023):

(e) (1) Except as provided in subdivision (2) and subdivision (3) of this subsection, whenever any person has been convicted in any court of this state of a classified or unclassified misdemeanor offense, or a class D or E felony or an unclassified felony offense carrying a term of imprisonment of not more than five years, any police or court record and record of the state's or prosecuting attorney or the prosecuting grand juror pertaining to such conviction, or any record pertaining to court obligations arising from such conviction held by the Board of Pardons and Paroles shall be erased as follows: (A) For any classified or unclassified misdemeanor offense, such records shall be erased seven years from the date on which the court entered the convicted person's most recent judgment of conviction (i) by operation of law, if such offense occurred on or after January 1, 2000, or (ii) upon the filing of a

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- 1312 petition on a form prescribed by the Office of the Chief Court
- 1313 Administrator, if such offense occurred prior to January 1, 2000; and (B)
- for any class D or E felony or an unclassified felony offense carrying a
- term of imprisonment of not more than five years, such records shall be
- erased ten years from the date on which the court entered the convicted
- person's most recent judgment of conviction (i) by operation of law, if
- such offense occurred on or after January 1, 2000, or (ii) upon the filing
- of a petition on a form prescribed by the Office of the Chief Court
- 1320 Administrator, if such offense occurred prior to January 1, 2000.
- (2) Convictions for the following offenses shall not be eligible for
- 1322 erasure pursuant to this subsection:
- 1323 (A) Any conviction designated as a family violence crime, as defined
- 1324 in section 46b-38a;
- 1325 (B) Any conviction for an offense that is a nonviolent sexual offense
- or a sexually violent offense, each as defined in section 54-250;
- 1327 (C) Any conviction for a class D felony offense that is a violation of
- 1328 section 53a-60a, 53a-60b, 53a-60c, 53a-64bb, 53a-72a, 53a-90a, 53a-103a,
- 1329 53a-181c, 53a-191, 53a-196, 53a-196f, 53a-211, 53a-216, 53a-217a, 53a-322,
- 1330 54-251, 54-252, 54-253 or 54-254 or subdivision (1) of subsection (a) of
- 1331 section 53a-189a; <u>or</u>
- 1332 (D) Any conviction for a class A misdemeanor offense that is a
- 1333 violation of section 53a-61a, 53a-64cc or 53a-323; [or]
- 1334 [(E) Any conviction for an offense for which the defendant has not
- 1335 served or completed serving the sentence imposed for such offense,
- 1336 including any period of incarceration, special parole, parole or
- probation, unless and until the applicable time period prescribed in
- subdivision (1) of this subsection has elapsed and the defendant has completed serving such sentence. I (3) The provisions of subdivision (1)
- completed serving such sentence.] (3) The provisions of subdivision (1) of this subsection shall not apply to any conviction for any offense until
- the defendant has completed serving the sentence imposed for any
- offense or offenses for which the defendant has been convicted.

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[(3)] (4) If a person has been convicted of a violation of subsection (c) of section 21a-279 prior to October 1, 2015, such conviction shall not be considered as a most recent offense when evaluating whether a sufficient period of time has elapsed for an offense to qualify for erasure pursuant to this subsection.

- [(4)] (5) Nothing in this subsection shall limit any other procedure for erasure of criminal history record information, as defined in section 54-142g, or prohibit a person from participating in any such procedure, even if such person's criminal history record information has been erased pursuant to this section.
- [(5)] (6) Nothing in this subsection shall be construed to require the Department of Motor Vehicles to erase criminal history record information on an operator's driving record. When applicable, the Department of Motor Vehicles shall make such criminal history record information available through the Commercial Driver's License Information System.
- Sec. 35. Section 54-142c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2023*):
 - (a) The clerk of the court or any person charged with retention and control of erased records by the Chief Court Administrator or any criminal justice agency having information contained in such erased records shall not disclose to anyone the existence of such erased records or information pertaining to any charge erased under any provision of this part, except as otherwise provided in this chapter.
 - (b) Notwithstanding any [other provisions] <u>provision</u> of this chapter, [within two years from the date of disposition of any case] <u>not later than two years from the date on which the records of any case are erased</u>, the clerk of the court or any person charged with retention and control of erased records by the Chief Court Administrator or any criminal justice agency having information contained in such erased records may disclose to the victim of a crime or the victim's legal representative the fact that the case was dismissed. If such disclosure contains information

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from erased records, the identity of the defendant or defendants shall not be released, except that any information contained in such records, including the identity of the person charged may be released to the victim of the crime or the victim's representative upon written application by such victim or representative to the court stating (1) that a civil action has been commenced for loss or damage resulting from such act, [or] (2) the intent to bring a civil action for such loss or damage, (3) that a civil action has been commenced pursuant to section 53a-28a for enforcement of an order of financial restitution, or (4) the intent to bring a civil action pursuant to section 53a-28a for an order of financial restitution. Any person who obtains criminal history record information by falsely representing to be the victim of a crime or the victim's representative shall be guilty of a class D felony.

Sec. 36. Section 54-142d of the 2022 supplement to the general statutes, as amended by section 4 of public act 21-32, is repealed and the following is substituted in lieu thereof (*Effective January 1*, 2023):

Whenever any person has been convicted of an offense in any court in this state and such offense has been decriminalized subsequent to the date of such conviction, such person may file a petition with the superior court at the location in which such conviction was effected, or with the superior court at the location having custody of the records of such conviction if such conviction was in the Court of Common Pleas, Circuit Court, municipal court or by a trial justice, in the Superior Court where venue would currently exist for criminal prosecution, for an order of erasure, and the Superior Court shall immediately direct all police and court records and records of the state's or prosecuting attorney pertaining to such offense to be [physically destroyed] erased. The provisions of this section shall not apply to any police or court records, or the records of any state's attorney, with respect to any information containing more than one count, unless and until all counts in the information are entitled to erasure, except that electronic records or portions of electronic records released to the public that reference a charge that would otherwise be entitled to erasure under this section shall be erased in accordance with the provisions of this section.

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Sec. 37. Section 54-142e of the 2022 supplement to the general statutes, as amended by section 6 of public act 21-32 and section 10 of public act 21-1 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective January 1*, 2023):

- (a) Notwithstanding the provisions of subsection (g) of section 54-142a, as amended by this act, and section 54-142c, as amended by this act, with respect to any person, including, but not limited to, a consumer reporting agency as defined in subsection (i) of section 31-51i, or a background screening provider or similar data-based service or company, that purchases criminal matters of public record, as defined in said subsection (i), from the Judicial Department or any criminal justice agency pursuant to subsection (b) of section 54-142g, as amended by this act, the department or such criminal justice agency shall make available to such person information concerning such criminal matters of public record that have been erased pursuant to section 54-142a, as amended by this act. Such information may include docket numbers or other information that permits the person to identify and permanently delete records that have been erased pursuant to section 54-142a, as amended by this act.
- (b) Each person, including, but not limited to, a consumer reporting agency or background screening provider or similar data-based service or company, that has purchased records of criminal matters of public record from the Judicial Department or any criminal justice agency shall, prior to disclosing such records, (1) purchase from the Judicial Department or such criminal justice agency, on a monthly basis or on such other schedule as the Judicial Department or such criminal justice agency may establish, any updated criminal matters of public record or information available for the purpose of complying with this section, and (2) update its records of criminal matters of public record to permanently delete such erased records not later than thirty calendar days after receipt of information on the erasure of criminal records pursuant to section 54-142a, as amended by this act. Such person shall not further disclose such erased records.

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1442 Sec. 38. Subsection (c) of section 54-33p of the 2022 supplement to the 1443 general statutes is repealed and the following is substituted in lieu 1444 thereof (*Effective July 1, 2022*): 1445 (c) (1) A law enforcement official may conduct a test for impairment 1446 based on the odor of cannabis or burnt cannabis if such official 1447 reasonably suspects the operator or a passenger of a motor vehicle of 1448 violating section 14-227, 14-227a, 14-227m or 14-227n. 1449 (2) The provisions of this section shall not apply to a probation officer 1450 supervising a probationer who, as a condition of probation, is 1451 prohibited from using or possessing cannabis. 1452 Sec. 39. Subdivision (4) of subsection (d) of section 54-56q of the 2022 1453 supplement to the general statutes is repealed and the following is 1454 substituted in lieu thereof (Effective October 1, 2022): 1455 (4) The division may allow any person placed in the program whose 1456 employment, residence or education makes it unreasonable to 1457 participate in any component of the program ordered by the court in 1458 this state to participate in the applicable program components in 1459 another state if: 1460 (A) The out-of-state component provider has standards substantially 1461 similar to, or higher than, those of this state; 1462 (B) For any substance use treatment component, the out-of-state 1463 substance use treatment provider is licensed by the state in which 1464 treatment will be provided; and 1465 (C) The person allowed to participate in any of the components of the 1466 program in another state pays the applicable program fee and 1467 participation costs [provided in this section] required by the applicable 1468 out-of-state component provider. 1469 Sec. 40. Subsection (e) of section 54-56q of the 2022 supplement to the 1470 general statutes is repealed and the following is substituted in lieu

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thereof (Effective October 1, 2022):

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(e) (1) At the time that the Court Support Services Division directs any person to attend any component of the program, such person shall (A) if directed to attend the drug education component, pay to the court a nonrefundable program fee of four hundred dollars, or (B) if directed to attend the substance use treatment component, pay to the court a nonrefundable program fee of one hundred dollars and pay to the treatment provider any costs associated with such treatment unless the division allows such person to participate in the applicable program component in another state pursuant to subdivision (4) of subsection (d) of this section, in which case such person shall pay the program fee and participation costs required by the out-of-state program component provider. All program fees shall be credited to the pretrial account established under section 54-56k.

- (2) (A) No person may be excluded from any component of the program because such person is indigent and unable to pay the associated fee or costs, provided (i) such person files with the court an affidavit of indigency and the court enters a finding of such indigency, or (ii) such person has been determined indigent and eligible for representation by a public defender who has been appointed on behalf of such person pursuant to section 51-296. The court shall not require a person to perform community service in lieu of payment of any fee or cost, if such fee or cost is waived.
- (B) If the court finds that a person is indigent and unable to pay for the program application or the evaluation fee for the program, the court may waive all or any portion of these fees.
- (C) If the court finds that a person is indigent and unable to pay for the drug education component of the program, the court may waive all or any portion of the program fee for that component, provided that such person participates in such drug education services offered by a provider located in this state.
- (D) If the court finds that a person is indigent and unable to pay for the substance use treatment component of the program, the court may

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- waive all or any portion of the program fee for that component and the costs of such treatment, provided that such person participates in such treatment at a substance use treatment provider licensed by and located in this state. Any costs waived under this subparagraph shall be paid by the Department of Mental Health and Addiction Services.
- (E) Notwithstanding any provision of this section, [in no event shall]
 the court shall not waive any fee or cost required by any out-of-state
 program component provider, and the Department of Mental Health
 and Addiction Services shall not pay any costs associated with
 education or substance use treatment provided outside of this state.
- Sec. 41. Subdivision (3) of subsection (e) of section 54-56r of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

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- (3) The division may allow any person placed in the program whose employment, residence, or education makes it unreasonable to participate in any component of the program ordered by the court in this state to participate in the applicable program components in another state if:
- 1522 (A) The out-of-state component provider has standards substantially similar to, or higher than, those of this state;
- 1524 (B) For any substance use treatment component, the out-of-state substance use treatment provider is licensed by the state in which treatment will be provided; and
- 1527 (C) The person allowed to participate in any components of the 1528 program in another state pays the applicable program fee and 1529 participation costs [provided in this section] <u>required by the applicable</u> 1530 <u>out-of-state program component provider.</u>
- Sec. 42. Subsection (f) of section 54-56r of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

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(f) (1) At the time that the Court Support Services Division directs any person to attend any component of the program, such person shall (A) if directed to attend the alcohol education component, pay to the court a nonrefundable program fee of four hundred dollars, or (B) if directed to attend the substance use treatment component, pay to the court a nonrefundable program fee of one hundred dollars and pay to the treatment provider any costs associated with such treatment, unless the division allows such person to participate in the applicable program component in another state pursuant to subdivision (3) of subsection (e) of this section, in which case such person shall pay the program fee and participation costs required by the out-of-state program component provider. All program fees shall be credited to the pretrial account established under section 54-56k.

- (2) Any person directed to attend the victim impact component shall, at the time such person attends the victim impact panel, pay the organization conducting the victim impact panel the participation fee required by such organization.
- (3) (A) No person may be excluded from any component of the program because such person is indigent and unable to pay the associated fee or costs, provided (i) such person files with the court an affidavit of indigency and the court enters a finding of such indigency, or (ii) such person has been determined indigent and eligible for representation by a public defender who has been appointed on behalf of such person pursuant to section 51-296. The court shall not require a person to perform community service in lieu of payment of any fee or cost, if such fee or cost is waived.
- (B) If the court finds that a person is indigent and unable to pay for the program application or evaluation fee for the program, the court may waive all or any portion of these fees.
- (C) If the court finds that a person is indigent and unable to pay for the alcohol education component of the program, the court may waive all or any portion of the program fee for that component, provided that

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such person participates in alcohol education services offered by a provider located in this state.

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- (D) If the court finds that a person is indigent and unable to pay for the substance use treatment component of the program, the court may waive all or any portion of the program fee for that component and the costs of such treatment, provided that such person participates in such treatment at a substance use treatment provider licensed by and located in this state. Any costs waived under this subparagraph shall be paid by the Department of Mental Health and Addiction Services.
- (E) Notwithstanding any provision of this section, [in no event shall] the court shall not waive any fee or cost required by any out-of-state program component provider, and the Department of Mental Health and Addiction Services shall not pay any fees or costs associated with education or substance use treatment provided outside of this state.
- Sec. 43. Section 52-99 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):
 - Any allegation or denial made without reasonable cause and found untrue shall subject the party pleading the same to the payment of such reasonable expenses, to be taxed by the court, as may have been necessarily incurred by the other party by reason of such untrue pleading; provided no expenses for counsel fees shall be taxed exceeding [ten] <u>five hundred</u> dollars for any one offense.

Sec. 44. Section 2 of public act 21-170 is repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:			
Section 1	from passage	4b-51(a)	
Sec. 2	from passage	17a-692	
Sec. 3	from passage	17a-696(c)	
Sec. 4	from passage	29-33(h)	
Sec. 5	from passage	29-36a(g)	

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Sec. 6	from passage	29-37a(i)
Sec. 7	from passage	29-38g(c)
Sec. 8	October 1, 2022	46b-65
Sec. 9	from passage	46b-124(d)
Sec. 10	from passage	46b-127(c)
Sec. 11	July 1, 2022	46b-133(d)
Sec. 12	from passage	46b-133 <i>l</i>
Sec. 13	from passage	46b-231(m)(5)
Sec. 14	from passage	51-1d
Sec. 15	from passage	51-60(a)
Sec. 16	from passage	51-63(a)
Sec. 17	from passage	51-94a
Sec. 18	October 1, 2022	51-164n(b)
Sec. 19	from passage	51-217(a)
Sec. 20	from passage	51-220
Sec. 21	July 1, 2022	51-232
Sec. 22	October 1, 2022	52-259b
Sec. 23	October 1, 2022	52-367b(c)(2)
Sec. 24	October 1, 2022	53-206i(b)
Sec. 25	October 1, 2022	53-206j(g)
Sec. 26	July 1, 2022	53a-39c(b)
Sec. 27	July 1, 2022	54-56e
Sec. 28	from passage	54-63b(a)
Sec. 29	from passage	54-63d
Sec. 30	July 1, 2022	54-76l(b)
Sec. 31	from passage	54-102g(e)
Sec. 32	from passage	54-108f(a)
Sec. 33	from passage	54-130e(a) and (b)
Sec. 34	January 1, 2023	54-142a(e)
Sec. 35	January 1, 2023	54-142c
Sec. 36	January 1, 2023	54-142d
Sec. 37	January 1, 2023	54-142e
Sec. 38	July 1, 2022	54-33p(c)
Sec. 39	October 1, 2022	54-56q(d)(4)
Sec. 40	October 1, 2022	54-56q(e)
Sec. 41	October 1, 2022	54-56r(e)(3)
Sec. 42	October 1, 2022	54-56r(f)
Sec. 43	October 1, 2022	52-99
Sec. 44	from passage	Repealer section

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Statement of Purpose:

To make various changes to the general statutes affecting both civil and criminal court proceedings.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

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