



General Assembly

Substitute Bill No. 1046

January Session, 2001

**AN ACT CONCERNING THE REVISOR'S CORRECTIONS TO THE
GENERAL STATUTES AND CERTAIN PUBLIC ACTS.**

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

1 Section 1. Subsection (a) of section 1-83 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (a) (1) All state-wide elected officers, members of the General
4 Assembly, department heads and their deputies, members of the
5 Gaming Policy Board, the executive director of the Division of Special
6 Revenue within the Department of Revenue Services, members or
7 directors of each quasi-public agency, members of the Investment
8 Advisory Council, state [marshal] marshals and such members of the
9 Executive Department and such employees of quasi-public agencies as
10 the Governor shall require, shall file, under penalty of false statement,
11 a statement of financial interests for the preceding calendar year with
12 the commission on or before the May first next in any year in which
13 they hold such a position. Any such individual who leaves his or her
14 office or position shall file a statement of financial interests covering
15 that portion of the year during which such individual held his or her
16 office or position. The commission shall notify such individuals of the
17 requirements of this subsection within thirty days after their departure
18 from such office or position. Such individuals shall file such statement
19 within sixty days after receipt of the notification.

20 (2) Each state agency, department, board and commission shall
21 develop and implement, in cooperation with the Ethics Commission,
22 an ethics statement as it relates to the mission of the agency,
23 department, board or commission. The executive head of each such
24 agency, department, board or commission shall be directly responsible
25 for the development and enforcement of such ethics statement and
26 shall file a copy of such ethics statement with the Department of
27 Administrative Services and the Ethics Commission.

28 Sec. 2. Subsection (b) of section 1-83 of the general statutes is
29 repealed and the following is substituted in lieu thereof:

30 (b) (1) The statement of financial interests, except as provided in
31 subdivision (2) of this subsection, shall include the following
32 information for the preceding calendar year in regard to the individual
33 required to file the statement and the individual's spouse and
34 dependent children residing in the individual's household: (A) The
35 names of all businesses with which associated; (B) the category or type
36 of all sources of income in excess of one thousand dollars, without
37 specifying amounts of income; (C) the name of securities in excess of
38 five thousand dollars at fair market value owned by such individual,
39 spouse or dependent children or held in the name of a corporation,
40 partnership or trust for the benefit of such individual, spouse or
41 dependent children; (D) the existence of any known blind trust and the
42 names of the trustees; (E) all real property and its location, whether
43 owned by such individual, spouse or dependent children or held in the
44 name of a corporation, partnership or trust for the benefit of such
45 individual, spouse or dependent children; (F) the names and addresses
46 of creditors to whom the individual, the individual's spouse or
47 dependent children, individually, owed debts of more than ten
48 thousand dollars; and (G) any leases or contracts with the state held or
49 entered into by the individual or a business with which he or she was
50 associated. (2) The statement of financial interests filed by state
51 marshals shall include only amounts and sources of income earned in
52 their capacity as state marshals.

53 Sec. 3. Section 1-102 of the general statutes is repealed and the
54 following is substituted in lieu thereof:

55 No person, committee, association, organization or corporation shall
56 employ any salaried commissioner or deputy commissioner of this
57 state, or any person receiving a salary or pay from the state for services
58 rendered and performed at Hartford, or shall give to any such person
59 any advantage, aid, emolument, entertainment, money or other
60 valuable thing for appearing for, in behalf of or in opposition to, any
61 measure, bill, resolution or petition pending before the General
62 Assembly or any committee thereof, or for advancing, supporting,
63 advocating, or seeking to secure the passage, defeat or amendment of
64 any such measure, bill, resolution or petition pending in or before the
65 General Assembly or any committee thereof; nor shall any such
66 salaried commissioner, deputy commissioner or other person
67 described in this section accept any such employment or perform any
68 such service for another, or accept aid, emolument, entertainment,
69 money, advantage or other valuable thing for or in consideration of
70 any such service. Any person, committee, association, organization or
71 corporation, or any such salaried commissioner, deputy commissioner
72 or person receiving a salary or pay from the state for services rendered
73 and performed at Hartford, who violates any of the provisions of this
74 section, shall be fined not less than one hundred nor more than one
75 thousand dollars. All complaints for the violation of this section shall
76 be made to the state's attorney for the judicial district of New Britain,
77 and [he] said state's attorney shall, upon proof of probable guilt being
78 shown, cause the arrest of any such offender and present [him] such
79 offender or cause [him] such offender to be presented for trial before
80 the superior court for the judicial district of New Britain.

81 Sec. 4. Subsection (d) of section 4-151 of the general statutes is
82 repealed and the following is substituted in lieu thereof:

83 (d) If any person fails to respond to a subpoena, the Claims
84 Commissioner may issue a capias, directed to a state marshal to arrest
85 such person and bring [him] such person before the Claims

86 Commissioner to testify.

87 Sec. 5. Section 5-198 of the general statutes is repealed and the
88 following is substituted in lieu thereof:

89 The offices and positions filled by the following-described
90 incumbents shall be exempt from the classified service:

91 (a) All officers and employees of the Judicial Department;

92 (b) All officers and employees of the Legislative Department;

93 (c) All officers elected by popular vote;

94 (d) All agency heads, members of boards and commissions and
95 other officers appointed by the Governor;

96 (e) All persons designated by name in any special act to hold any
97 state office;

98 (f) All officers, noncommissioned officers and enlisted men in the
99 military or naval service of the state and under military or naval
100 discipline and control;

101 (g) All superintendents or wardens of state institutions, the State
102 Librarian, the president of The University of Connecticut and any
103 other commissioner or administrative head of a state department or
104 institution who is appointed by a board or commission responsible by
105 statute for the administration of such department or institution;

106 (h) The State Historian appointed by the State Library Board;

107 (i) Deputies to the administrative head of each department or
108 institution designated by statute to act for and perform all of the duties
109 of such administrative head during his absence or incapacity;

110 (j) Executive assistants to each state elective officer and each
111 department head, as defined in section 4-5, provided each position of
112 executive assistant shall have been created in accordance with section

113 5-214;

114 (k) One personal secretary to the administrative head and to each
115 undersecretary or deputy to such head of each department or
116 institution provided any classified employee whose position is affected
117 by this subsection shall retain classified status in such position;

118 (l) All members of the professional and technical staffs of the
119 constituent units of the state system of higher education as defined in
120 section 10a-1, of all other state institutions of learning, of the
121 Department of Higher Education, and of the agricultural experiment
122 station at New Haven, professional employees of the State Board of
123 Education and teachers certified by the State Board of Education and
124 employed in teaching positions at state institutions;

125 (m) Physicians, dentists, student nurses in institutions and other
126 professional specialists who are employed on a part-time basis;

127 (n) Persons employed to make or conduct a special inquiry,
128 investigation, examination or installation;

129 (o) Students in educational institutions who are employed on a part-
130 time basis;

131 (p) Forest fire wardens provided for by section 23-36;

132 (q) Patients or inmates of state institutions who receive
133 compensation for services rendered therein;

134 (r) Employees of the Governor including employees working at the
135 executive office, official executive residence at 990 Prospect Avenue,
136 Hartford and the Washington D.C. office;

137 (s) Persons filling positions expressly exempted by statute from the
138 classified service;

139 (t) Librarians employed by the State Board of Education or any
140 constituent unit of the state system of higher education;

- 141 (u) Employees in the senior executive service;
- 142 (v) All officers and employees of the Division of Criminal Justice;
- 143 (w) One executive assistant to the chairman of the Office of Health
144 Care Access, provided such position shall have been created in
145 accordance with section 5-214;
- 146 (x) Professional employees of the Bureau of Rehabilitation Services
147 in the Department of Social Services;
- 148 (y) Lieutenant colonels in the Division of State Police within the
149 Department of Public Safety appointed on or after June 6, 1990, and
150 majors in the Division of State Police within the Department of Public
151 Safety appointed on or after July 1, 1999;
- 152 (z) The Deputy State Fire Marshal in the Division of Fire,
153 Emergency and Building Services within the Department of Public
154 Safety;
- 155 (aa) The chief administrative officer of the Workers' Compensation
156 Commission; and
- 157 (bb) Employees in the education professions bargaining unit.]; and
- 158 (cc) Special deputy sheriffs.]

159 Sec. 6. Subdivision (1) of subsection (l) of section 5-259 of the general
160 statutes is repealed and the following is substituted in lieu thereof:

161 (l) (1) Effective July 1, 1996, any deputies or special deputies
162 appointed pursuant to section 6-37 of the general statutes, revision
163 1958, revised to 1999, or section 6-43, shall be allowed to participate in
164 the plan or plans procured by the Comptroller pursuant to subsection
165 (a) of this section. Such participation shall be voluntary and the
166 participant shall pay the full cost of the coverage under such plan.

167 Sec. 7. Section 6-30a of the general statutes is repealed and the
168 following is substituted in lieu thereof:

169 On and after December 1, 2000, each state marshal shall be required
170 to carry personal liability insurance for damages caused by reason of
171 [his] such marshal's tortious acts in not less than the following
172 amounts: For damages caused to any one person or to the property of
173 any one person, one hundred thousand dollars and for damages
174 caused to more than one person or to the property of more than one
175 person, three hundred thousand dollars. For the purpose of this
176 section "tortious act" means negligent acts, errors or omissions for
177 which such state marshal may become legally obligated to any
178 damages for false arrest, erroneous service of civil papers, false
179 imprisonment, malicious prosecution, libel, slander, defamation of
180 character, violation of property rights or assault and battery if
181 committed while making or attempting to make an arrest or against a
182 person under arrest; provided, it shall not include any such act unless
183 committed in the performance of the official duties of such state
184 marshal.

185 Sec. 8. Section 6-32 of the general statutes is repealed and the
186 following is substituted in lieu thereof:

187 Each state marshal shall receive each process directed to [him] such
188 marshal when tendered, execute it promptly and make true return
189 thereof; and shall, without any fee, give receipts when demanded for
190 all civil process delivered to [him] such marshal to be served,
191 specifying the names of the parties, the date of the writ, the time of
192 delivery and the sum or thing in demand. If any state marshal does not
193 duly and promptly execute and return any such process or makes a
194 false or illegal return thereof, [he] such marshal shall be liable to pay
195 double the amount of all damages to the party aggrieved.

196 Sec. 9. Subsection (c) of section 6-32d of the general statutes is
197 repealed and the following is substituted in lieu thereof:

198 (c) The Judicial Department may enter into an agreement with state
199 agencies for the management, training or coordination, or any
200 combination thereof, of courthouse security and prisoner custody and

201 transportation functions.

202 Sec. 10. Section 6-32e of the general statutes is repealed and the
203 following is substituted in lieu thereof:

204 Sections 46a-79 to 46a-81, inclusive, shall not be applicable to the
205 prisoner transportation and courthouse security system, [as
206 established under section 6-32a,] provided nothing herein shall be
207 construed to preclude the prisoner transportation and courthouse
208 security system [, as established under section 6-32a, in its discretion]
209 from adopting the policy set forth in said sections.

210 Sec. 11. Subsection (b) of section 6-38l of the general statutes is
211 repealed and the following is substituted in lieu thereof:

212 (b) No high sheriff may, directly or indirectly, solicit a contribution
213 or an expenditure from a deputy sheriff, a special deputy sheriff, an
214 employee of the high sheriff, a member of the immediate family of a
215 deputy sheriff, special deputy sheriff or employee of the high sheriff,
216 or a business client with whom the high sheriff has conducted business
217 in [his] the capacity [as] of high sheriff during the preceding twelve
218 months, for (1) an exploratory committee or a candidate committee
219 established by a high sheriff, (2) a political committee established by a
220 high sheriff or an agent of a high sheriff, (3) the aid or promotion of the
221 success or defeat of a referendum question or (4) any other purpose for
222 which contributions or expenditures may be made under chapter 150.

223 Sec. 12. Section 7-108 of the general statutes is repealed and the
224 following is substituted in lieu thereof:

225 Each city and borough shall be liable for all injuries to person or
226 property, including injuries causing death, when such injuries are
227 caused by an act of violence of any person or persons while a member
228 of, or acting in concert with, any mob, riotous assembly or assembly of
229 persons engaged in disturbing the public peace, if such city or
230 borough, or the police or other proper authorities thereof, have not
231 exercised reasonable care or diligence in the prevention or suppression

232 of such mob, riotous assembly or assembly engaged in disturbing the
233 public peace. Any person claiming damages under this section from
234 any city or borough shall give written notice to the clerk of the city or
235 borough of such claim and of the injury upon which such claim is
236 based, containing a general description of such injury and of the time,
237 place and cause of its occurrence, within thirty days after the
238 occurrence of such injury; and an administrator or executor seeking to
239 recover damages for the death of a decedent whom [he] such
240 administrator or executor represents shall give such written notice
241 within thirty days after his or her appointment; provided such notice
242 shall be given not later than four months after the date of the injury so
243 causing the death of the decedent whom [he] such administrator or
244 executor represents. The expense for which such city or borough is
245 made liable to the state under the provisions of this section shall, if
246 more than one municipal corporation is jointly responsible for the
247 expense aforesaid, be assessed by the Secretary of the Office of Policy
248 and Management, the Attorney General and the Comptroller, acting as
249 a board of assessors. Such board of assessors may apportion such
250 expense among the different municipal corporations so jointly
251 responsible in such manner as to it seems just. An appeal from the
252 action of such board of assessors may be taken to the superior court for
253 the judicial district in which the appellant city or borough is situated,
254 and, if the cities or boroughs concerned are located in different judicial
255 districts, then such appeal may be taken to the superior court for that
256 judicial district in which the city or borough concerned having the
257 largest population according to the last-preceding census is located.
258 The amount of such assessment against any city or borough for which
259 it is liable to the state under the provisions of this section shall be
260 certified to the clerk of such city or borough by the Comptroller as
261 soon as such assessment is made, and the appeal from such assessment
262 provided herein shall be taken by such city or borough within thirty
263 days from the receipt by it of such certificate of assessment by the
264 Comptroller.

265 Sec. 13. Subsection (f) of section 7-294d of the general statutes is

266 repealed and the following is substituted in lieu thereof:

267 (f) The provisions of this section shall not apply to (1) any state
268 police training school or program, (2) any sworn member of the
269 Division of State Police within the Department of Public Safety, (3)
270 Connecticut National Guard security personnel, when acting within
271 the scope of their national guard duties, who have satisfactorily
272 completed a program of police training conducted by the United States
273 Army or Air Force, (4) employees of the Judicial Department, [(5)
274 sheriffs or deputy sheriffs trained by the Sheriffs' Advisory Board
275 pursuant to section 6-32b, (6)] (5) municipal animal control officers
276 appointed pursuant to section 22-331, or [(7)] (6) fire police appointed
277 pursuant to section 7-313a. The provisions of this section with respect
278 to renewal of certification upon satisfactory completion of review
279 training programs shall not apply to any chief inspector or inspector in
280 the Division of Criminal Justice who has satisfactorily completed a
281 program of police training conducted by the division.

282 Sec. 14. Section 8-26h of the general statutes is repealed and the
283 following is substituted in lieu thereof:

284 No use or occupancy of or the presence of any building or other
285 structure erected on a lot or lots either shown on a filed or recorded
286 map or plan of subdivision or located in a subdivision created by the
287 physical division of land into three or more parcels shall be deemed
288 illegal or invalid because the lot or lots on which any building or other
289 structure is located [is] are not shown on an approved plan of
290 subdivision or because the filed or recorded map or plan of
291 subdivision fails in any manner to comply with any requirement of
292 any general or special law, ordinance or regulation.

293 Sec. 15. Subdivision (2) of subsection (a) of section 9-7b of the
294 general statutes is repealed and the following is substituted in lieu
295 thereof:

296 (2) To levy a civil penalty not to exceed (A) two thousand dollars
297 per offense against any person the commission finds to be in violation

298 of any provision of chapter 145, part V of chapter 146, part I of chapter
299 147, chapter 148, section 9-12, subsection (a) of section 9-17, section 9-
300 19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-
301 23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-
302 50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-409, 9-410, 9-412, 9-436, 9-
303 436a, 9-453e to 9-453h, inclusive, 9-453k or 9-453o, or (B) two thousand
304 dollars per offense or twice the amount of any improper payment or
305 contribution, whichever is greater, against any person the commission
306 finds to be in violation of any provision of chapter 150. The
307 commission may levy a civil penalty against any person under
308 subparagraph (A) or (B) of this subdivision only after giving the
309 person an opportunity to be heard at a hearing conducted in
310 accordance with sections 4-176e to 4-184, inclusive. In the case of
311 failure to pay any such penalty levied pursuant to this subsection
312 within thirty days of written notice sent by certified or registered mail
313 to such person, the superior court for the judicial district of Hartford,
314 on application of the commission, may issue an order requiring such
315 person to pay the penalty imposed and such court costs, [sheriff's]
316 state marshal's fees and attorney's fees incurred by the commission as
317 the court may determine. Any civil penalties paid, collected or
318 recovered under subparagraph (B) of this subdivision for a violation of
319 any provision of chapter 150 applying to the office of the Treasurer
320 shall be deposited on a pro rata basis in any trust funds, as defined in
321 section 3-13c, affected by such violation.

322 Sec. 16. Subsection (a) of section 12-135 of the general statutes is
323 repealed and the following is substituted in lieu thereof:

324 (a) Any collector of taxes, and any state marshal or constable [, as he
325 may be] authorized by such collector, shall, during [his term] their
326 respective terms of office, have authority to collect any taxes due the
327 municipality served by such collector for which a proper warrant and
328 a proper alias tax warrant, in the case of the deputized officer, have
329 been issued. Such alias tax warrant may be executed by any officer
330 above named in any part of the state, and the collector in person may
331 demand and collect taxes in any part of the state on a proper warrant.

332 Any such state marshal or constable so authorized who executes such
333 an alias tax warrant outside of [his respective] such marshal's or
334 constable's precinct shall be entitled to collect from the person owing
335 the tax the fees allowed by law, except that the minimum total fees
336 shall be five dollars and the maximum total fees shall be fifteen dollars
337 for each alias tax warrant so executed. Upon the expiration of [his] the
338 collector's term of office [the] said collector shall deliver to his or her
339 immediate successor in office the rate bills not fully collected and such
340 successor shall have authority to collect the taxes due thereon. Any
341 person who fails to deliver such rate bills to [his] such person's
342 immediate successor within ten days from the qualification of such
343 successor shall be fined not more than two hundred dollars or
344 imprisoned not more than six months or both.

345 Sec. 17. Section 12-162 of the general statutes is repealed and the
346 following is substituted in lieu thereof:

347 Any collector of taxes, in the execution of [his] tax warrants, shall
348 have the same authority as state marshals have in executing the duties
349 of their office, and any constable or other officer authorized to serve
350 any civil process may serve a warrant for the collection of any tax
351 assessed, and the officer shall have the same authority as the collector
352 concerning taxes committed to [him] such officer for collection. Upon
353 the nonpayment of any property tax when due, demand having been
354 made therefor as prescribed by law for the collection of such tax, an
355 alias tax warrant may be issued by the tax collector, which may be in
356 the following form:

357 "To a state marshal of the County of, or any constable of the
358 Town of Greeting: By authority of the state of Connecticut you are
359 hereby commanded to collect forthwith from of the sum of
360 dollars, the same being the amount of a tax with interest or penalty
361 and charges which have accumulated thereon, which tax was levied by
362 (insert name of town, city or municipality laying the tax) upon (insert
363 the real estate, personal property, or both, as the case may be,) of said
364 as of the day of (In like manner insert the amount of any other

365 property tax which may have been levied in any other year, including
366 interest or penalty and charges which have accumulated thereon). In
367 default of payment of said amount you are hereby commanded to levy
368 for said tax or taxes, including interest, penalty and charges,
369 hereinafter referred to as the amount due on such execution, upon any
370 goods and chattels of such person and dispose of the same as the law
371 directs, notwithstanding the provisions of subsection (j) of section 52-
372 352b, and, after having satisfied the amount due on such execution,
373 return the surplus, if any, to him; or you are to levy upon the real
374 estate of such person and sell such real property pursuant to the
375 provisions of section 12-157, to pay the amount due on such execution;
376 or you shall make demand upon the main office of any banking
377 institution indebted to such person, subject to the provisions of section
378 52-367a or 52-367b, as if judgment for the amount due on such
379 execution had been entered, for that portion of any type of deposit to
380 the credit of or property held for such person, not exceeding in total
381 value the amount due on such execution; or you are to garnishee the
382 wages due such person from any employer, in the same manner as if a
383 wage execution therefor had been entered, in accordance with section
384 52-361a.

385 Dated at this day of A.D. 20.., Tax Collector."

386 Any officer serving such warrant shall make return to the collector
387 of [his doings] such officer's actions thereon within ten days of the
388 completion of such service and shall be entitled to collect from such
389 person the fees allowed by law for serving executions issued by any
390 court. Notwithstanding the provisions of section 52-261, any state
391 marshal or constable, authorized as provided in this section, who
392 executes such warrant and collects any delinquent municipal taxes as a
393 result thereof shall receive in addition to expenses otherwise allowed,
394 an amount equal to ten per cent of the taxes collected pursuant to such
395 warrant. The minimum fee for such service shall be twenty dollars.
396 Any officer unable to serve such warrant shall, within sixty days after
397 the date of issuance, return such warrant to the collector and in writing
398 state the reason it was not served.

399 Sec. 18. Subsection (b) of section 14-12h of the general statutes is
400 repealed and the following is substituted in lieu thereof:

401 (b) (1) If any police officer observes a motor vehicle being operated
402 upon the public highway, and such motor vehicle is displaying
403 registration number plates identified as cancelled on the list made
404 available by the commissioner, such police officer may (A) stop or
405 detain such vehicle and its occupants, (B) issue to the operator an
406 infractions complaint for operating an unregistered motor vehicle, or
407 expired registration if the vehicle is not being operated, in violation of
408 section 14-12, and (C) remove the registration number plates from the
409 vehicle and return them to any branch office of the Department of
410 Motor Vehicles. If any police officer, motor vehicle inspector or
411 constable observes a motor vehicle parked in any parking area, as
412 defined in section 14-212, and such motor vehicle is displaying
413 registration number plates identified as cancelled on the list made
414 available by the commissioner, such police officer, motor vehicle
415 inspector or constable is authorized to remove the registration number
416 plates from the vehicle and to return them to any branch office of the
417 Department of Motor Vehicles. If a number plate is identified as
418 cancelled on the list provided by the commissioner and such
419 identification is in error, the state shall indemnify any police officer,
420 motor vehicle inspector or constable for any claim for damages made
421 against that individual as a result of [his] such individual's good faith
422 reliance on the accuracy of the list provided by the commissioner
423 regarding the confiscation of number plates.

424 (2) If any police officer observes a motor vehicle being operated
425 upon the public highway or parked in any parking area, as defined in
426 section 14-212, displaying registration number plates identified on the
427 list made available by the commissioner as being cancelled, such police
428 officer may seize and impound the vehicle. If a police officer seizes and
429 impounds a vehicle pursuant to this subdivision, [he] such officer shall
430 give notice to the commissioner in such form as the commissioner may
431 require. The police officer shall give such notice not later than three
432 days after seizing and impounding the vehicle.

433 Sec. 19. Subsection (a) of section 15-76 of the general statutes is
434 repealed and the following is substituted in lieu thereof:

435 (a) The commissioner, any employee of the department, any officer
436 attached to an organized police department, any state police officer or
437 any constable, within his or her precinct, upon discovery of any
438 aircraft apparently abandoned, whether situated within or without any
439 airport or landing field in this state, shall take such aircraft into [his]
440 custody and may cause the same to be taken to and stored in a suitable
441 place. All charges necessarily incurred by such person in the
442 performance of such duty shall be a lien upon such aircraft. The owner
443 or keeper of any hangar or other place where such aircraft is stored
444 shall have a lien upon the same for [his] storage charges. If such
445 aircraft has been so stored for a period of ninety days, such owner or
446 keeper may sell the same at public auction for cash, at [his] such
447 owner's or keeper's place of business, and apply the avails of such sale
448 toward the payment of [his] such owner's or keeper's charges and the
449 payment of any debt or obligation incurred by the person who placed
450 the same in storage, provided such sale shall be advertised three times
451 in a newspaper published or having a circulation in the town where
452 such hangar or other place is located, such advertisement to commence
453 at least five days before such sale; and, if the last place of abode of the
454 owner of such aircraft is known to or may be ascertained by such
455 hangar owner or keeper by the exercise of reasonable diligence, notice
456 of the time and place of sale shall be given such owner by mailing such
457 notice to [him] the owner in a registered or certified letter, postage
458 paid, at such last usual place of abode, at least five days before the time
459 of sale. The proceeds of such sale, after deducting the amount due such
460 hangar owner or keeper and all expenses connected with such sale,
461 including the expenses of the officer who placed such aircraft in
462 storage, shall be paid to the owner of such aircraft or [his] the owner's
463 legal representatives, if claimed by [him] such owner or [them]
464 representatives, at any time within one year from the date of such sale.
465 If such balance is not claimed within said period, it shall escheat to the
466 state.

467 Sec. 20. Section 17a-110a of the general statutes is repealed and the
468 following is substituted in lieu thereof:

469 (a) In order to achieve early permanency for children, decrease
470 children's length of stay in foster care and reduce the number of moves
471 children experience in foster care, the Commissioner of Children and
472 Families shall establish a program for concurrent permanency
473 planning.

474 (b) Concurrent permanency planning involves a planning process to
475 identify permanent placements and prospective adoptive parents so
476 that when termination of parental rights [are] is granted by the court
477 pursuant to section 17a-112 or section 45a-717, permanent placement
478 or adoption proceedings may commence immediately.

479 (c) The commissioner shall establish guidelines and protocols for
480 child-placing agencies involved in concurrent permanency planning,
481 including criteria for conducting concurrent permanency planning
482 based on relevant factors such as: (1) [Age] The age of the child and
483 duration of out-of-home placement; (2) the prognosis for successful
484 reunification with parents; (3) the availability of relatives and other
485 concerned individuals to provide support or a permanent placement
486 for the child; (4) special needs of the child; and (5) other factors
487 affecting the child's best interests, goals of concurrent permanency
488 planning, support services that are available for families, permanency
489 options, and the consequences of not complying with case plans.

490 (d) Within six months of out-of-home placement, the Department of
491 Children and Families shall complete an assessment of the likelihood
492 of the child's being reunited with either or both birth parents, based on
493 progress made to date. The Department of Children and Families shall
494 develop a concurrent permanency plan for families with poor
495 prognosis for reunification within such time period. Such assessment
496 and concurrent permanency plan shall be filed with the court.

497 (e) Concurrent permanency planning programs must include
498 involvement of parents and full disclosure of their rights and

499 responsibilities.

500 (f) The commissioner shall provide ongoing technical assistance,
501 support, and training for local child-placing agencies and other
502 individuals and agencies involved in concurrent permanency
503 planning.

504 Sec. 21. Subsection (e) of section 17a-112 of the general statutes is
505 repealed and the following is substituted in lieu thereof:

506 (e) The terms of a cooperative postadoption agreement may include
507 the following: (1) Provision for communication between the child and
508 either or both birth parents; (2) provision for future contact between
509 either or both birth parents and the child or an adoptive parent; and (3)
510 maintenance of medical history of either or both birth parents who [is a
511 party] are parties to the agreement.

512 Sec. 22. Subsection (o) of section 17a-112 of the general statutes is
513 repealed and the following is substituted in lieu thereof:

514 (o) In the case where termination of parental rights is granted, the
515 guardian of the person or statutory parent shall report to the court
516 within thirty days of the date judgment is entered on a case plan, as
517 defined by the federal Adoption Assistance and Child Welfare Act of
518 1980, for the child which shall include measurable objectives and time
519 schedules. At least every six months thereafter, such guardian or
520 statutory parent shall make a report to the court on the progress made
521 on implementation of the plan. The court shall convene a hearing for
522 the purpose of reviewing the plan for the child no more than twelve
523 months from the date judgment is entered and at least once a year
524 thereafter until the court determines that the adoption plan has
525 become finalized. For children where the commissioner has
526 determined that adoption is appropriate, the report on the
527 implementation of the plan shall include a description of the
528 reasonable efforts the department is taking to promote and expedite
529 the adoptive placement and to finalize the adoption of the child,
530 including documentation of child specific recruitment efforts. If the

531 court determines that the department has not made reasonable efforts
532 to place a child in an adoptive placement or that reasonable efforts
533 have not resulted in the placement of the child, the court may order the
534 Department of Children and Families, within available appropriations,
535 to contract with a child-placing agency to arrange for the adoption of
536 the child. The department, as statutory parent, shall continue to
537 provide [such] care and services for the child while a child-placing
538 agency is arranging for the adoption of the child.

539 Sec. 23. Subsection (b) of section 20-325e of the general statutes is
540 repealed and the following is substituted in lieu thereof:

541 (b) The application, order and summons shall be substantially in the
542 following form:

543 APPLICATION FOR DISCHARGE OR
544 REDUCTION OF REAL PROPERTY
545 CLAIM FOR LIEN

546 To the Court of

547 The undersigned represents:

548 1. That is the owner of the real estate described in Schedule A
549 attached hereto.

550 2. That the names and addresses of all other owners of record of
551 such real estate are as follows:

552 3. That on or about, (date), (name of lienor) of (address of
553 lienor) placed a real property claim for lien on such real estate and
554 gave notice thereof.

555 4. That there is not probable cause to sustain the validity of such
556 claim for lien (or: That such claim for lien is excessive).

557 5. That the applicant seeks an order for discharge (or reduction) of

558 such claim for lien.

559 Name of Applicant

560 By

561 [His] Attorney

562 ORDER

563 The above application having been presented to the court, it is hereby
564 ordered, that a hearing be held thereon at a.m. and that the
565 applicant give notice to the following persons: (Names and addresses
566 of persons entitled to notice) of the pendency of said application and of
567 the time when it will be heard by causing a true and attested copy of
568 the application, and of this order to be served upon such persons by
569 some proper officer or indifferent person on or before and that due
570 return of such notice be made to this court.

571 Dated at this day of 20...

572 SUMMONS

573 To the state marshal of the county of or either constable of the
574 town of, in said county,

575 Greeting:

576 By authority of the state of Connecticut, you are hereby commanded
577 to serve a true and attested copy of the above application and order
578 upon, of ... by leaving the same in [his] such person's hands or at
579 [his] such person's usual place of abode (or such other notice as
580 ordered by the court) on or before

581 Hereof fail not but due service and return make.

582 Dated at this day of 20...

583 Commissioner of the Superior Court

584 (1) The clerk upon receipt of all the documents in duplicate, if [he]
585 the clerk finds them to be in proper form, shall fix a date for a hearing
586 on the application and sign the order of hearing and notice. An entry
587 fee of twenty dollars shall then be collected and a copy of the original
588 document shall be placed in the court file.

589 (2) The clerk shall deliver to the applicant's attorney the original of
590 the documents for service. Service having been made, the original
591 documents shall be returned to the court with the endorsement by the
592 officer of [his doings] such officer's actions.

593 Sec. 24. Subsection (b) of section 36b-21 of the general statutes is
594 repealed and the following is substituted in lieu thereof:

595 (b) The following transactions are exempted from sections 36b-16
596 and 36b-22: (1) Any isolated nonissuer transaction, whether effected
597 through a broker-dealer or not; (2) any nonissuer transaction by a
598 registered agent of a registered broker-dealer in a security of a class
599 that has been outstanding in the hands of the public for at least ninety
600 days provided, at the time of the transaction: (A) The security is sold at
601 a price reasonably related to the current market price of the security;
602 (B) the security does not constitute the whole or part of an unsold
603 allotment to, or a subscription or participation by, the broker-dealer as
604 an underwriter of the security; (C) a nationally recognized securities
605 manual contains (i) a description of the business and operations of the
606 issuer; (ii) the names of the issuer's officers and directors or, in the case
607 of a non-United-States issuer, the corporate equivalents of such
608 persons in the issuer's country of domicile; (iii) an audited balance
609 sheet of the issuer as of a date within eighteen months, or in the case of
610 a reorganization or merger where the parties to the reorganization or
611 merger had such audited balance sheet, a pro forma balance sheet; and
612 (iv) an audited income statement for each of the issuer's immediately
613 preceding two fiscal years, or for the period of existence of the issuer, if
614 in existence for less than two years, or in the case of a reorganization or
615 merger where the parties to the reorganization or merger had such
616 audited income statement, a pro forma income statement; and (D) the

617 issuer of the security has a class of equity securities listed on a national
618 securities exchange registered under the Securities Exchange Act of
619 1934, or designated for trading on the National Association of
620 Securities Dealers Automated Quotation System, unless the issuer,
621 including any predecessors of the issuer (i) has been engaged in
622 continuous business for at least three years or (ii) has total assets of at
623 least two million dollars based on an audited balance sheet of the
624 issuer as of a date within eighteen months, or in the case of a
625 reorganization or merger where the parties to the reorganization or
626 merger had such audited balance sheet, a pro forma balance sheet.
627 The exemption in this subdivision shall not be available for any
628 distribution of securities issued by a blank check company, shell
629 company, dormant company or any issuer that has been merged or
630 consolidated with or has bought out a blank check company, shell
631 company or dormant company unless the issuer or any predecessor
632 has continuously operated its business for at least the preceding five
633 years and has had gross operating revenue in each of the preceding
634 five years, including gross operating revenue of at least five hundred
635 thousand dollars per year in three of the preceding five years; (3) any
636 nonissuer distribution of an outstanding security if the security has a
637 fixed maturity or a fixed interest or dividend provision and there has
638 been no default during the current fiscal year or within the three
639 preceding fiscal years, or during the existence of the issuer and any
640 predecessors if less than three years, in the payment of principal,
641 interest or dividends on the security; (4) any nonissuer transaction
642 effected by or through a registered broker-dealer pursuant to an
643 unsolicited order or offer to buy; but the commissioner may by
644 regulation require that the customer acknowledge upon a specified
645 form that the sale was unsolicited, and that a signed copy of each such
646 form be preserved by the broker-dealer for a specified period or that
647 the confirmation delivered to the purchaser or a memorandum
648 delivered in connection therewith shall confirm that such purchase
649 was unsolicited by the broker-dealer or any agent of the broker-dealer;
650 (5) any transaction between the issuer or other person on whose behalf
651 the offering is made and an underwriter, or among underwriters; (6)

652 any transaction in a bond or other evidence of indebtedness secured by
653 a real or chattel mortgage or deed of trust or by an agreement for the
654 sale of real estate or chattels, if the entire mortgage, deed of trust or
655 agreement, together with all the bonds or other evidences of
656 indebtedness secured thereby, is offered and sold as a unit; (7) any
657 transaction by an executor, administrator, state marshal, marshal,
658 receiver, trustee in bankruptcy, creditors' committee in a proceeding
659 under the Bankruptcy Act, guardian or conservator; (8) any transaction
660 executed by a bona fide pledgee without any purpose of evading
661 sections 36b-2 to 36b-33, inclusive; (9) any offer or sale to a bank and
662 trust company, a national banking association, a savings bank, a
663 savings and loan association, a federal savings and loan association, a
664 credit union, a federal credit union, trust company, insurance
665 company, investment company as defined in the Investment Company
666 Act of 1940, pension or profit-sharing trust, or other financial
667 institution or institutional buyer, or to a broker-dealer, whether the
668 purchaser is acting for itself or in some fiduciary capacity; (10) (A)
669 subject to the provisions of this subdivision, any transaction not
670 involving a public offering within the meaning of Section 4(2) of the
671 Securities Act of 1933, but not including any transaction specified in
672 the rules and regulations thereunder. [;] (B) [subject] Subject to the
673 provisions of this subdivision, any transaction made in accordance
674 with the uniform exemption from registration for small issuers
675 authorized in Section 19(c)(3)(C) of the Securities Act of 1933. (C) The
676 exemptions set forth in subparagraphs (A) and (B) of this subdivision
677 shall not be available for transactions in securities issued by any blank
678 check company, shell company or dormant company. (D) The
679 exemptions set forth in subparagraphs (A) and (B) of this subdivision
680 may, with respect to any security or transaction or any type of security
681 or transaction, be modified, withdrawn, further conditioned or waived
682 as to conditions, in whole or in part, conditionally or unconditionally,
683 by the commissioner, acting by regulation, rule or order, on a finding
684 that such regulation, rule or order is necessary or appropriate in the
685 public interest or for the protection of investors. (E) A fee of one
686 hundred fifty dollars shall accompany any filing made with the

687 commissioner pursuant to this subdivision; (11) any offer or sale of a
688 preorganization certificate or subscription if (A) no commission or
689 other remuneration is paid or given directly or indirectly for soliciting
690 any prospective subscriber, (B) the number of subscribers does not
691 exceed ten, and (C) no payment is made by any subscriber; (12) any
692 transaction pursuant to an offer to existing security holders of the
693 issuer, including persons who at the time of the transaction are holders
694 of convertible securities, nontransferable warrants or transferable
695 warrants exercisable within not more than ninety days of their
696 issuance, if (A) no commission or other remuneration other than a
697 standby commission is paid or given directly or indirectly for soliciting
698 any security holder in this state, or (B) the issuer first files a notice, in
699 such form and containing such information as the commissioner may
700 by regulation prescribe, specifying the terms of the offer and the
701 commissioner does not by order disallow the exemption within the
702 next ten full business days; (13) any offer, but not a sale, of a security
703 for which registration statements have been filed under both sections
704 36b-2 to 36b-33, inclusive, and the Securities Act of 1933, if no stop
705 order or refusal order is in effect and no public proceeding or
706 examination looking toward such an order is pending under either
707 said sections or the Securities Act of 1933; (14) any transaction exempt
708 under Section 4(6) of the Securities Act of 1933, and the rules and
709 regulations thereunder. The issuer shall, prior to the first sale, file with
710 the commissioner a notice, in such form and containing such
711 information as the commissioner may by regulation, rule or order
712 prescribe. A fee of one hundred fifty dollars shall accompany any such
713 filing made pursuant to this subdivision; (15) any transaction if all the
714 following conditions are satisfied: (A) The offer and sale is effectuated
715 by the issuer of the security; (B) the total number of purchasers of all
716 securities of the issuer does not exceed ten. A subsequent sale of
717 securities that (i) is registered under sections 36b-2 to 36b-33, inclusive,
718 (ii) is sold pursuant to an exemption under said sections other than this
719 subdivision, or (iii) involves covered securities, shall not be integrated
720 with a sale pursuant to this exemption in computing the number of
721 purchasers hereunder. For the purpose of this subdivision, each of the

722 following is deemed to be a single purchaser of a security: A husband
723 and wife, a child and [his] the parent or guardian of such child when
724 the parent or guardian holds the security for the benefit of the child, a
725 corporation, a partnership, an association or other unincorporated
726 entity, a joint stock company or a trust, but only if the corporation,
727 partnership, association, unincorporated entity, joint stock company or
728 trust was not formed for the purpose of purchasing the security; (C) no
729 advertisement, article, notice or other communication published in any
730 newspaper, magazine or similar medium, or broadcast over television
731 or radio, or any other general solicitation is used in connection with
732 the sale; and (D) no commission, discount or other remuneration is
733 paid or given directly or indirectly in connection with the offer and
734 sale, and the total expenses, excluding legal and accounting fees, in
735 connection with the offer and sale do not exceed one per cent of the
736 total sales price of the securities. For purposes of this subdivision, a
737 difference in the purchase price among the purchasers shall not, in and
738 of itself, be deemed to constitute indirect remuneration; (16) any
739 transaction exempt under Rule 701, 17 CFR Section 230.701
740 promulgated under Section 3(b) of the Securities Act of 1933; (17) any
741 other transaction that the commissioner may exempt, conditionally or
742 unconditionally, on a finding that registration is not necessary or
743 appropriate in the public interest or for the protection of investors.

744 Sec. 25. Subsection (b) of section 45a-488 of the general statutes is
745 repealed and the following is substituted in lieu thereof:

746 (b) Before the date of the division, the trustee or any beneficiary of a
747 trust that is to be divided under subsection (a) of this section or the
748 guardian or guardian ad litem, if any, of each such beneficiary may
749 seek approval of the division, or any beneficiary of a trust that is to be
750 so divided or the guardian or guardian ad litem, if any, of each such
751 beneficiary may object to the division, by petitioning (1) the court of
752 probate having jurisdiction over the estate of the settlor, or [,] (2) in the
753 case of an inter vivos trust, the court of probate having jurisdiction
754 under subsection (c) of this section.

755 Sec. 26. Subdivision (4) of subsection (e) of section 45a-579 of the
756 general statutes is repealed and the following is substituted in lieu
757 thereof:

758 (4) Any future interest that takes effect in possession or enjoyment
759 at or after the termination, whether by death or otherwise, of the
760 interest disclaimed shall, unless otherwise provided in the will, take
761 effect, (A) in the case of a disclaimer by or on behalf of a natural
762 person, as if the disclaimant or the person on whose behalf the
763 disclaimer is made had predeceased the deceased owner or the donee
764 of the power, as the case may be, or [] (B) in the case of a disclaimer on
765 behalf of a trust, estate, corporation, partnership, limited liability
766 company, foundation, or other entity, as if the disposition to such
767 entity were ineffective.

768 Sec. 27. Subsection (d) of section 45a-583 of the general statutes is
769 repealed and the following is substituted in lieu thereof:

770 (d) A disclaimer under this section shall be effective if made in the
771 following manner: (1) A disclaimer of a present interest shall be
772 delivered not later than the date which is nine months after the later of
773 (A) the effective date of the nontestamentary instrument, or [] (B) if
774 the disclaimer is made by or on behalf of a natural person, the day on
775 which such person attains the age of eighteen years or, if such person
776 does not survive to the age of eighteen years, the day on which such
777 person dies. (2) A disclaimer of a future interest shall be delivered not
778 later than the date which is nine months after the later of (A) the event
779 determining that the taker of the interest is finally ascertained and
780 such interest is indefeasibly vested or (B) if the disclaimer is made by
781 or on behalf of a natural person, the day on which such person attains
782 the age of eighteen years or, if such person does not survive to the age
783 of eighteen years, the day on which such person dies. (3) If the
784 disclaimant, or the person on whose behalf the disclaimer is made,
785 does not have actual knowledge of the existence of the interest, the
786 disclaimer shall be delivered not later than the date which is nine
787 months after the later of (A) the date on which the disclaimant, or the

788 person on whose behalf the disclaimer is made, first has actual
789 knowledge of the existence of the interest or (B) if the disclaimer is
790 made by or on behalf of a natural person, the day on which such
791 person attains the age of eighteen years or, if such person does not
792 survive to the age of eighteen years, the day on which such person
793 dies. (4) The disclaimer shall be delivered to the transferor of the
794 interest, [his] the transferor's legal representative or the holder of the
795 legal title to the property to which such interest relates. (5) If an
796 interest in real property is disclaimed, a copy of such disclaimer shall
797 also be recorded in the office of the town clerk in which the real
798 property is situated within such nine-month period, and if a copy of
799 such disclaimer is not so recorded, it shall be ineffective against any
800 person other than the disclaimant, or the person on whose behalf such
801 disclaimer is made, but only as to such real property interest. For the
802 purposes of this section, the effective date of a nontestamentary
803 instrument is the date on which the maker no longer has power to
804 revoke it or to transfer to the maker or another the entire legal and
805 equitable ownership of the interest.

806 Sec. 28. Section 45a-610 of the general statutes is repealed and the
807 following is substituted in lieu thereof:

808 If the Court of Probate finds that notice has been given or a waiver
809 has been filed, as provided in section 45a-609, it may remove a parent
810 as guardian, if the court finds by clear and convincing evidence one of
811 the following: (1) The parent consents to his or her removal as
812 guardian; or (2) the minor child has been abandoned by the parent in
813 the sense that the parent has failed to maintain a reasonable degree of
814 interest, concern or responsibility for the minor's welfare; or (3) the
815 minor child has been denied the care, guidance or control necessary for
816 his or her physical, educational, moral or emotional well-being, as a
817 result of acts of parental commission or omission, whether the acts are
818 the result of the physical or mental incapability of the parent or
819 conditions attributable to parental habits, misconduct or neglect, and
820 the parental acts or deficiencies support the conclusion that the parent
821 cannot exercise, or should not in the best interests of the minor child be

822 permitted to exercise, parental rights and duties at [this] the time; or
823 (4) the minor child has had physical injury or injuries inflicted upon
824 the minor child by a person responsible for such child's health, welfare
825 or care, or by a person given access to such child by such responsible
826 person, other than by accidental means, or has injuries which are at
827 variance with the history given of them or is in a condition which is
828 the result of maltreatment such as, but not limited to, malnutrition,
829 sexual molestation, deprivation of necessities, emotional maltreatment
830 or cruel punishment; or (5) the minor child has been found to be
831 neglected or uncared for, as defined in section 46b-120. If, after
832 removal of a parent as guardian under this section, the child has no
833 guardian of his or her person, such a guardian may be appointed
834 under the provisions of section 45a-616.

835 Sec. 29. Section 45a-693 of the general statutes is repealed and the
836 following is substituted in lieu thereof:

837 Upon such application for a determination of ability to give
838 informed consent, such court shall assign a time, not later than thirty
839 days thereafter, and a place for hearing such application. Any hearing
840 held under this section shall be pursuant to sections 51-72 and 51-73.
841 Notwithstanding the provisions of section 45a-7, the court may hold
842 the hearing on said application at a place within the state other than
843 the usual courtroom if it would facilitate the presence of the
844 respondent. Such court shall cause a citation and notice to be served on
845 the following parties at least seven days prior to such hearing date. (1)
846 The court shall direct personal service be made by a state marshal,
847 constable or indifferent person upon the respondent and if the
848 respondent is in [the] a hospital, nursing home, state school or some
849 other institution, in addition to the respondent, upon the chief
850 executive, officer or administrator in such hospital, nursing home, state
851 school or other institution. (2) The court shall order such notice as it
852 directs to the following: (A) The parents of the respondent, if any, (B)
853 the spouse of the respondent, if any, (C) the siblings of such applicant,
854 if any, if the respondent has no living parents, (D) the [office of
855 protection and advocacy] Office of Protection and Advocacy for

856 Persons with Disabilities, and (E) such other persons as the court may
857 determine have interest in the respondent.

858 Sec. 30. Section 45a-694 of the general statutes is repealed and the
859 following is substituted in lieu thereof:

860 Upon [such] the filing of an application for a determination of an
861 individual's ability to give informed consent to sterilization, [being
862 filed,] the court shall appoint legal counsel to represent any
863 respondent who has not selected a counsel to represent such
864 respondent in response to the application. Such legal counsel shall be
865 from a panel of attorneys admitted to practice in this state provided by
866 the Probate Court Administrator in accordance with regulations
867 promulgated by the Probate Court Administrator in accordance with
868 section 45a-77. In establishing such panel, the Probate Court
869 Administrator shall seek recommendations from the Office of
870 Protection and Advocacy for Persons with Disabilities, which may be
871 included in such panel. The reasonable compensation of an appointed
872 legal counsel shall be established by the court. Such compensation
873 shall be charged to the respondent provided, if the court finds such
874 respondent is unable to pay such compensation, it shall be paid from
875 the Probate Court Administration Fund.

876 Sec. 31. Section 45a-695 of the general statutes is repealed and the
877 following is substituted in lieu thereof:

878 At any hearing upon such application, the court shall receive
879 evidence concerning the respondent's ability to give informed consent.
880 Such evidence shall include, but shall not be limited to, reports in
881 writing signed under penalty of false statement from an
882 interdisciplinary team of at least three impartial panel members
883 appointed by the court from a panel of physicians, psychologists,
884 educators [,] and social and residential workers who have personally
885 observed, examined or worked with such respondent at some time
886 during the twelve months preceding such hearing. Such appointments
887 shall be made in accordance with regulations to be promulgated by the

888 Probate Court Administrator in accordance with section 45a-77. The
889 reasonable compensation of such appointed panel members shall be
890 established by the court. Such compensation shall be charged to the
891 respondent provided, if the court finds such respondent is unable to
892 pay such compensation, it shall be paid from the Probate Court
893 Administration Fund. Each such appointed panel member shall make
894 his or her written report under penalty of false statement on a separate
895 form provided for that purpose by the court and shall answer such
896 questions as may be set forth on such form as fully and completely as
897 reasonably possible. The reports shall contain specific information
898 regarding the respondent's ability to give informed consent and shall
899 indicate the specific aspects of informed consent which the respondent
900 lacks. Each such appointed panel member shall state upon the forms
901 the reasons for his or her opinion. Such respondent or his or her
902 counsel shall have the right to present evidence and cross-examine
903 witnesses who testify at any hearing on the application. If such
904 respondent or his or her counsel notifies the court not less than three
905 days before the hearing that he or she wishes to cross-examine the
906 appointed panel members, the court shall order such members to
907 appear.

908 Sec. 32. Section 45a-731 of the general statutes is repealed and the
909 following is substituted in lieu thereof:

910 A final decree of adoption, whether issued by a court of this state or
911 a court of any other jurisdiction, shall have the following effect in this
912 state:

913 (1) All rights, duties and other legal consequences of the biological
914 relation of child and parent shall thereafter exist between the adopted
915 person and the adopting parent and the relatives of such adopting
916 parent. Such adopted person shall be treated as if such adopted person
917 were the biological child of the adopting parent, for all purposes
918 including the applicability of statutes which do not expressly exclude
919 an adopted person in their operation or effect;

920 (2) The adopting parent and the adopted person shall have rights of
921 inheritance from and through each other and the biological and
922 adopted relatives of the adopting parent. The right of inheritance of an
923 adopted person extends to the heirs of such adopted person, and such
924 heirs shall be the same as if such adopted person were the biological
925 child of the adopting parent;

926 (3) The adopted person and the biological children and other
927 adopted children of the adopting parent shall be treated, unless
928 otherwise provided by statute, as siblings, having rights of inheritance
929 from and through each other. Such rights of inheritance extend to the
930 heirs of such adopted person and of the biological children and other
931 adopted children, and such heirs shall be the same as if each such
932 adopted person were the biological child of the adopting parent;

933 (4) The adopted person shall, except as hereinafter provided, be
934 treated as if such adopted person were the biological child of the
935 adopting parent for purposes of the applicability of all documents and
936 instruments, whether executed before or after the adoption decree is
937 issued, which do not expressly exclude an adopted person in their
938 operation or effect. The words "child", "children", "issue", "descendant",
939 "descendants", "heir", "heirs", "lawful heirs", "grandchild" and
940 "grandchildren", when used in any will or trust instrument shall
941 include legally adopted persons unless such document clearly
942 indicates a contrary intention. Nothing in this section shall be
943 construed to alter or modify the provisions of section 45a-257
944 concerning revocation of a will when a child is born as the result of
945 artificial insemination;

946 (5) Except in the case of an adoption as provided in subdivision (2)
947 or (3) of subsection (a) of section 45a-724, the legal relationship
948 between the adopted person and the adopted person's biological
949 parent or parents and the relatives of such biological parent or parents
950 is terminated for all purposes, including the applicability of statutes
951 which do not expressly include such an adopted person in their
952 operation and effect. The biological parent or parents of the adopted

953 person [is] are relieved of all parental rights and responsibilities;

954 (6) Except in the case of an adoption as provided in subdivision (2)
955 or (3) of subsection (a) of section 45a-724, the biological parent or
956 parents and their relatives shall have no rights of inheritance from or
957 through the adopted person, nor shall the adopted person have any
958 rights of inheritance from or through the biological parent or parents
959 of the adopted person and the relatives of such biological parent or
960 parents, except as provided in this section;

961 (7) Except in the case of an adoption as provided in subdivision (2)
962 or (3) of subsection (a) of section 45a-724, the legal relationship
963 between the adopted person and the adopted person's biological
964 parent or parents and the relatives of such biological parent or parents
965 is terminated for purposes of the construction of documents and
966 instruments, whether executed before or after the adoption decree is
967 issued, which do not expressly include the individual by name or by
968 some designation not based on a parent and child or blood
969 relationship, except as provided in this section;

970 (8) Notwithstanding the provisions of subdivisions (1) to (7),
971 inclusive, of this section, when one of the biological parents of a minor
972 child has died and the surviving parent has remarried subsequent to
973 such parent's death, adoption of such child by the person with whom
974 such remarriage is contracted shall not affect the rights of such child to
975 inherit from or through the deceased parent and the deceased parent's
976 relatives;

977 (9) Nothing in this section shall deprive an adopted person who is
978 the biological child of a veteran who served in time of war as defined
979 in section 27-103 of aid under the provisions of section 27-140 or
980 deprive a child receiving benefits under the Social Security Act, 42
981 USC Sec. 301 et seq., as amended from time to time, from continued
982 receipt of benefits authorized under said act;

983 (10) Except as provided in subdivision (11) of this section, the
984 provisions of law in force prior to October 1, 1959, affected by the

985 provisions of this section shall apply to the estates or wills of persons
986 dying prior to said date and to inter vivos instruments executed prior
987 to said date and which on said date were not subject to the grantor's
988 power to revoke or amend;

989 (11) The provisions of subdivisions (1) to (9), inclusive, of this
990 section shall apply to the estate or wills of persons dying prior to
991 October 1, 1959, and to inter vivos instruments executed prior to said
992 date and which on said date were not subject to the grantor's power to
993 revoke or amend, unless (A) a contrary intention of the testator or
994 grantor is demonstrated by clear and convincing evidence, or (B)
995 distribution of the estate or under the will or under the inter vivos
996 instrument has been or will be made pursuant to court order entered
997 prior to October 1, 1991;

998 (12) No fiduciary, distributee of the estate [,] or person to whom a
999 legacy has been paid shall be liable to any other person for any action
1000 taken or benefit received prior to October 1, 1991, provided any such
1001 action was taken or benefit was received in good faith by such
1002 fiduciary, distributee or legatee with respect to the applicability of
1003 statutes concerning the rights of inheritance or rights to take of
1004 adopted persons under any instrument executed prior to October 1,
1005 1959;

1006 (13) No fiduciary shall have the obligation to determine the rights of
1007 inheritance or rights to take of an adopted person under an instrument
1008 executed prior to October 1, 1959, unless the fiduciary receives a
1009 written claim for benefits by or on behalf of such adopted person.

1010 Sec. 33. Subsection (a) of section 46a-13d of the general statutes is
1011 repealed and the following is substituted in lieu thereof:

1012 (a) All state, local and private agencies shall have a duty to
1013 cooperate with any investigation conducted by the Office of the Victim
1014 Advocate. Consistent with the provisions of the general statutes
1015 concerning the confidentiality of records and information, the Victim
1016 Advocate shall have access to, including the right to inspect and copy,

1017 any records necessary to carry out the responsibilities of the Victim
1018 Advocate as provided in section 46a-13c. Nothing contained in this
1019 subsection shall be construed to waive a victim's right to
1020 confidentiality of [communication] communications or records as
1021 protected by [and provisions] any provision of the general statutes or
1022 common law.

1023 Sec. 34. Subsection (a) of section 46a-13k of the general statutes is
1024 repealed and the following is substituted in lieu thereof:

1025 (a) There is established an Office of the Child Advocate. The
1026 Governor, with the approval of the General Assembly, shall appoint a
1027 person with knowledge of the child welfare system and the legal
1028 system to fill the Office of the Child Advocate. Such person shall be
1029 qualified by training and experience to perform the duties of the office
1030 as set forth in section 46a-13l. The appointment shall be made from a
1031 list of at least three persons prepared and submitted by the advisory
1032 committee established pursuant to section 46a-13q. Upon any vacancy
1033 in the position of Child Advocate, the advisory committee shall meet
1034 to consider and interview successor candidates and shall submit to the
1035 Governor a list of no less than five and no more than seven of the most
1036 outstanding candidates, [on or before] not later than sixty days after
1037 the occurrence of said vacancy. Such list shall rank the candidates in
1038 the order of committee preference. Upon receipt of the list of
1039 candidates from the advisory committee, the Governor shall designate
1040 a candidate for Child Advocate from among the choices within eight
1041 weeks of receipt of such list. If at any time any of the candidates
1042 withdraw from consideration prior to confirmation by the General
1043 Assembly, the designation shall be made from the remaining
1044 candidates on the list submitted to the Governor. If a candidate has not
1045 been designated by the Governor within the eight-week time period,
1046 the candidate ranked first shall receive the designation and be referred
1047 to the General Assembly for confirmation. If the General Assembly is
1048 not in session, the designated candidate shall serve as acting Child
1049 Advocate [,] and be entitled to the compensation, privileges and
1050 powers of the Child Advocate until the General Assembly meets to

1051 take action on said appointment. The person appointed Child
1052 Advocate shall serve for a term of four years and may be reappointed
1053 or shall continue to hold office until such person's successor is
1054 appointed and qualified. Upon any vacancy in the position of Child
1055 Advocate and until such time as a candidate has been confirmed by the
1056 General Assembly or, if the General Assembly is not in session, has
1057 been designated by the Governor, the Associate Child Advocate shall
1058 serve as the acting Child Advocate and be entitled to the
1059 compensation, privileges and powers of the Child Advocate.

1060 Sec. 35. Subsection (b) of section 46b-37 of the general statutes is
1061 repealed and the following is substituted in lieu thereof:

1062 (b) Notwithstanding the provisions of subsection (a) of this section,
1063 it shall be the joint duty of each spouse to support his or her family,
1064 and both shall be liable for: (1) The reasonable and necessary services
1065 of a physician or dentist; (2) hospital expenses rendered the husband
1066 or wife or minor child while residing in the family of [its] his or her
1067 parents; (3) the rental of any dwelling unit actually occupied by the
1068 husband and wife as a residence and reasonably necessary to them for
1069 that purpose; and (4) any article purchased by either which has in fact
1070 gone to the support of the family, or for the joint benefit of both.

1071 Sec. 36. Subsection (b) of section 46b-125 of the general statutes is
1072 repealed and the following is substituted in lieu thereof:

1073 (b) Probation officers shall make such investigations and reports as
1074 the court directs or the law requires. They shall execute the orders of
1075 the court; and, for that purpose, such probation officers, and any other
1076 employees specifically designated by the court to assist the probation
1077 officers in the enforcement of such orders, shall have the authority of a
1078 state marshal. They shall preserve a record of all cases investigated or
1079 coming under their care, and shall keep informed concerning the
1080 conduct and condition of each person under supervision and report
1081 thereon to the court as it may direct. Any juvenile probation officer or
1082 juvenile matters investigator, authorized by the Office of the Chief

1083 Court Administrator, may arrest any juvenile on probation without a
1084 warrant or may deputize any other officer with power to arrest to do
1085 so by giving [him] such officer a written statement setting forth that
1086 the juvenile has, in the judgment of the juvenile probation officer or
1087 juvenile matters investigator, violated the conditions of [his] probation.
1088 When executing such orders of the court, except when using deadly
1089 physical force, juvenile probation officers and juvenile matters
1090 investigators shall be deemed to be acting in the capacity of a peace
1091 officer, as defined in subdivision (9) of section 53a-3.

1092 Sec. 37. Subsection (a) of section 46b-129 of the general statutes is
1093 repealed and the following is substituted in lieu thereof:

1094 (a) Any selectman, town manager, or town, city, or borough welfare
1095 department, any probation officer, or the Commissioner of Social
1096 Services, the Commissioner of Children and Families or any child-
1097 caring institution or agency approved by the Commissioner of
1098 Children and Families, a child or [his] such child's representative or
1099 attorney or a foster parent of a child, having information that a child or
1100 youth is neglected, uncared-for or dependent, may file with the
1101 Superior Court which has venue over such matter a verified petition
1102 plainly stating such facts as bring the child or youth within the
1103 jurisdiction of the court as neglected, uncared-for, or dependent,
1104 within the meaning of section 46b-120, the name, date of birth, sex, and
1105 residence of the child or youth, the name and residence of [his] such
1106 child's parents or guardian, and praying for appropriate action by the
1107 court in conformity with the provisions of this chapter. Upon the filing
1108 of such a petition, except as otherwise provided in subsection (k) of
1109 section 17a-112, the court shall cause a summons to be issued requiring
1110 the parent or parents or the guardian of the child or youth to appear in
1111 court at the time and place named, which summons shall be served not
1112 less than fourteen days before the date of the hearing in the manner
1113 prescribed by section 46b-128, and said court shall further give notice
1114 to the petitioner and to the Commissioner of Children and Families of
1115 the time and place when the petition is to be heard not less than
1116 fourteen days prior to the hearing in question.

1117 Sec. 38. Subsection (k) of section 46b-129 of the general statutes is
1118 repealed and the following is substituted in lieu thereof:

1119 (k) (1) Ten months after the adjudication of neglect of the child or
1120 youth or twelve months after the vesting of temporary care and
1121 custody pursuant to subsection (b) of this section, whichever is earlier,
1122 the commissioner shall file a motion for review of a permanency plan
1123 and to extend or revoke the commitment. Ten months after a
1124 permanency plan has been approved by the court pursuant to this
1125 subsection, unless the court has approved placement in long-term
1126 foster care with an identified person or an independent living
1127 program, or the commissioner has filed a petition for termination of
1128 parental rights or motion to transfer guardianship, the commissioner
1129 shall file a motion for review of the permanency plan to extend or
1130 revoke the commitment. A hearing on any such motion shall be held
1131 within sixty days of the filing. The court shall provide notice to the
1132 child or youth, and [his] such child's or youth's parent or guardian of
1133 the time and place of the court hearing on any such motion not less
1134 than fourteen days prior to such hearing.

1135 (2) At such hearing, the court shall determine whether it is
1136 appropriate to continue to make reasonable efforts to reunify the child
1137 or youth with the parent. In making this determination, the court shall
1138 consider the best interests of the child, including the child's need for
1139 permanency. If the court finds that further efforts are not appropriate,
1140 the commissioner has no duty to make further efforts to reunify the
1141 child or youth with the parent. If the court finds that further efforts are
1142 appropriate, such efforts shall ensure that the child or youth's health
1143 and safety are protected and such efforts shall be specified by the
1144 court, including the services to be provided to the parent, what steps
1145 the parent may take to address the problem that prevents the child or
1146 youth from safely reuniting with the parent and a time period, not
1147 longer than six months, for such steps to be accomplished.

1148 (3) At such hearing, the court shall approve a permanency plan that
1149 is in the best interests of the child or youth and takes into

1150 consideration the child or youth's need for permanency. Such
1151 permanency plan may include (A) revocation of commitment and
1152 placement of the child or youth with the parent or guardian, with or
1153 without protective supervision; (B) placing the child or youth in an
1154 independent living program; (C) transfer of guardianship; (D)
1155 approval of long-term foster care with an identified foster parent; (E)
1156 filing of termination of parental rights; (F) if the permanency plan
1157 identifies adoption as an option, a thorough adoption assessment and
1158 child specific recruitment. As used in this subdivision, "thorough
1159 adoption assessment" means conducting and documenting face-to-face
1160 interviews with the child, foster care providers [,] and other significant
1161 parties, and "child specific recruitment" means recruiting an adoptive
1162 placement targeted to meet the individual needs of the specific child,
1163 including, but not limited to, use of the media, use of photo-listing
1164 services and any other in-state or out-of-state resources that may be
1165 used to meet the specific needs of the child, unless there are
1166 extenuating circumstances that indicate that these efforts are not in the
1167 best interest of the child; or (G) such other appropriate action ordered
1168 by the court. At the permanency plan hearing, the court shall review
1169 the status of the child, the progress being made to implement the
1170 permanency plan and determine a timetable for attaining the
1171 permanency prescribed by the plan. The court shall extend
1172 commitment if extension is in the best interests of the child or youth
1173 for a period of twelve months. The court shall revoke commitment if a
1174 cause for commitment no longer exists and it is in the best interests of
1175 the child or youth.

1176 Sec. 39. Section 46b-144 of the general statutes is repealed and the
1177 following is substituted in lieu thereof:

1178 In committing a child or youth to a custodial agency, other than [its]
1179 such child's or youth's natural guardians, the court shall, as far as
1180 practicable, select as such agency some person of like faith to that of
1181 the parent or parents of the child or youth or some agency or
1182 institution governed by persons of such faith, unless such agency or
1183 institution is a state or municipal agency or institution. In the order of

1184 committal, the court shall designate some indifferent person to serve
1185 the commitment process, and such indifferent person may be
1186 accompanied by any suitable relative or friend of such child or youth.
1187 If the person designated to serve such commitment process is an
1188 officer, such officer shall not serve such commitment process while
1189 dressed in the uniform of any police officer, and no such officer shall,
1190 while serving any such commitment process, wear plainly displayed
1191 any police officer's badge.

1192 Sec. 40. Section 46b-150 of the general statutes is repealed and the
1193 following is substituted in lieu thereof:

1194 Any minor who has reached his or her sixteenth birthday and is
1195 residing in this state, or any parent or guardian of such minor, may
1196 petition the superior court for juvenile matters or the probate court for
1197 the district in which either the minor or [his] such minor's parents or
1198 guardian resides for a determination that the minor named in the
1199 petition be emancipated. The petition shall be verified and shall state
1200 plainly: (1) The facts which bring the minor within the jurisdiction of
1201 the court, (2) the name, date of birth, sex and residence of the minor,
1202 (3) the name and residence of [his] such minor's parent, parents or
1203 guardian, and (4) the name of the petitioner and [his] the petitioner's
1204 relationship to the minor. Upon the filing of the petition in the
1205 Superior Court, the court shall cause a summons to be issued to the
1206 minor and [his] such minor's parent, parents or guardian, in the
1207 manner provided in section 46b-128. Upon the filing of the petition in
1208 the Probate Court, the court shall assign a time, not later than thirty
1209 days thereafter, and a place for hearing such petition. The court shall
1210 cause a citation and notice to be served on the minor and [his] the
1211 minor's parent, if the parent is not the petitioner, at least seven days
1212 prior to the hearing date, by a state marshal, constable or indifferent
1213 person. The court shall direct notice by certified mail to the parent, if
1214 the parent is the petitioner. The court shall order such notice as it
1215 directs to the Commissioner of Children and Families, and other
1216 persons having an interest in the minor.

1217 Sec. 41. Subsection (a) of section 46b-160 of the general statutes is
1218 repealed and the following is substituted in lieu thereof:

1219 (a) Proceedings to establish paternity of a child born or conceived
1220 out of lawful wedlock, including one born to, or conceived by, a
1221 married woman but begotten by a man other than her husband, shall
1222 be commenced by the service on the putative father of a verified
1223 petition of the mother or expectant mother. The verified petition,
1224 summons and order shall be filed in the superior court for the judicial
1225 district in which either she or the putative father resides, except that in
1226 IV-D support cases, as defined in subdivision (13) of subsection (b) of
1227 section 46b-231 and in petitions brought under sections 46b-212 to 46b-
1228 213v, inclusive, such petition shall be filed with the clerk for the Family
1229 Support Magistrate Division serving the judicial district where either
1230 she or the putative father resides. In cases involving public assistance
1231 recipients the petition shall also be served upon the Attorney General
1232 who shall be and remain a party to any paternity proceeding and to
1233 any proceedings after judgment in such action. The court or any judge,
1234 or family support magistrate, assigned to said court shall cause a
1235 summons, signed by [him] such judge or magistrate, by the clerk of
1236 said court, or by a commissioner of the Superior Court to be issued,
1237 requiring the putative father to appear in court at a time and place as
1238 determined by the clerk but not more than ninety days after the
1239 issuance of the summons to show cause [, if any he has,] why the
1240 request for relief in such petition should not be granted. A state
1241 marshal, proper officer or investigator shall make due returns of
1242 process to the court not less than twenty-one days before the date
1243 assigned for hearing. Such petition, summons and order shall be on
1244 forms prescribed by the Office of the Chief Court Administrator. In the
1245 case of a child or expectant mother being supported wholly or in part
1246 by the state, service of such petition may be made by any investigator
1247 employed by the Department of Social Services and any proper officer
1248 authorized by law. Such petition may be brought at any time prior to
1249 the child's eighteenth birthday, provided liability for past support shall
1250 be limited to the three years next preceding the date of the filing of any

1251 such petition. If the putative father fails to appear in court at such time
1252 and place, the court or family support magistrate shall hear the
1253 petitioner and, upon a finding that process was served on the putative
1254 father, shall enter a default judgment of paternity against such father
1255 and such other orders as the facts may warrant. Such court or family
1256 support magistrate may order continuance of such hearing; and if such
1257 mother or expectant mother continues constant in her accusation, it
1258 shall be evidence that the respondent is the father of such child. The
1259 court or family support magistrate shall, upon motion by a party, issue
1260 an order for temporary support of the child by the respondent pending
1261 a final judgment of the issue of paternity if such court or magistrate
1262 finds that there is clear and convincing evidence of paternity which
1263 evidence shall include, but not be limited to, genetic test results
1264 indicating a ninety-nine per cent or greater probability that such
1265 respondent is the father of the child.

1266 Sec. 42. Subsection (c) of section 46b-172 of the general statutes is
1267 repealed and the following is substituted in lieu thereof:

1268 (c) At any time after the signing of any acknowledgment of
1269 paternity, upon the application of any interested party, the court or
1270 any judge thereof or any family support magistrate in IV-D support
1271 cases and in matters brought under sections 46b-212 to 46b-213v,
1272 inclusive, shall cause a summons, signed by [him] such judge or
1273 magistrate, by the clerk of said court or by a commissioner of the
1274 Superior Court, to be issued, requiring the acknowledged father to
1275 appear in court at a time and place as determined by the clerk but not
1276 more than ninety days after the issuance of the summons, to show
1277 cause [, if any he has,] why the court or the family support magistrate
1278 assigned to the judicial district in IV-D support cases should not enter
1279 judgment for support of the child by payment of a periodic sum until
1280 the child attains the age of eighteen years, together with provision for
1281 reimbursement for past due support based upon ability to pay in
1282 accordance with the provisions of section 17b-81, 17b-223, subsection
1283 (b) of section 17b-179, section 17a-90, 46b-129 or 46b-130, a provision
1284 for health coverage of the child as required by section 46b-215, and

1285 reasonable expense of the action under this subsection. Such court or
1286 family support magistrate, in IV-D cases, shall also have the authority
1287 to order the acknowledged father who is subject to a plan for
1288 reimbursement of past-due support and is not incapacitated, to
1289 participate in work activities which may include, but shall not be
1290 limited to, job search, training, work experience and participation in
1291 the job training and retraining program established by the Labor
1292 Commissioner pursuant to section 31-3t. The application, summons
1293 and order shall be on forms prescribed by the Office of the Chief Court
1294 Administrator. Proceedings to obtain such orders of support shall be
1295 commenced by the service of such summons on the acknowledged
1296 father. A state marshal or proper officer shall make due return of
1297 process to the court not less than twenty-one days before the date
1298 assigned for hearing. The prior judgment as to paternity shall be res
1299 judicata as to that issue for all paternity acknowledgments filed with
1300 the court on or after March 1, 1981, but before July 1, 1997, and shall
1301 not be reconsidered by the court unless the person seeking review of
1302 the acknowledgment petitions the superior court for the judicial
1303 district having venue for a hearing on the issue of paternity within
1304 three years of such judgment. In addition to such review, if the
1305 acknowledgment of paternity was filed prior to March 1, 1981, the
1306 acknowledgment of paternity may be reviewed by denying the
1307 allegation of paternity in response to the initial petition for support,
1308 whenever it is filed. All such payments shall be made to the petitioner,
1309 except that in IV-D support cases, as defined in subsection (b) of
1310 section 46b-231, payments shall be made to the state, acting by and
1311 through the IV-D agency.

1312 Sec. 43. Subdivision (9) of subsection (b) of section 47-36aa of the
1313 general statutes is repealed and the following is substituted in lieu
1314 thereof:

1315 (9) In the case of a conveyance by a corporation, limited liability
1316 company, partnership, limited partnership or limited liability
1317 partnership, or by any other entity authorized to hold and convey title
1318 to real property within this state, the instrument [designated]

1319 designates such entity as the grantor but fails to disclose the authority
1320 of the individual who executes and acknowledges the instrument.

1321 Sec. 44. Subsection (a) of section 47a-42 of the general statutes is
1322 repealed and the following is substituted in lieu thereof:

1323 (a) Whenever a judgment is entered against a defendant pursuant to
1324 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the recovery of
1325 possession or occupancy of residential property, such defendant and
1326 any other occupant bound by the judgment by subsection (a) of section
1327 47a-26h shall forthwith remove himself [, his] or herself, such
1328 defendant's or occupant's possessions and all personal effects unless
1329 execution has been stayed pursuant to sections 47a-35 to 47a-41,
1330 inclusive. If execution has been stayed, such defendant or occupant
1331 shall forthwith remove himself [, his] or herself, such defendant's or
1332 occupant's possessions and all personal effects upon the expiration of
1333 any stay of execution. If the defendant or occupant has not so removed
1334 himself or herself upon entry of a judgment pursuant to section 47a-26,
1335 47a-26a, 47a-26b or 47a-26d, and upon expiration of any stay of
1336 execution, the plaintiff may obtain an execution upon such summary
1337 process judgment, and the defendant or other occupant bound by the
1338 judgment by subsection (a) of section 47a-26h and the possessions and
1339 personal effects of such defendant or other occupant may be removed
1340 by a state marshal, pursuant to such execution, and such possessions
1341 and personal effects may be set out on the adjacent sidewalk, street or
1342 highway.

1343 Sec. 45. Section 47a-42a of the general statutes is repealed and the
1344 following is substituted in lieu thereof:

1345 (a) Whenever a judgment is entered against a defendant pursuant to
1346 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the possession or
1347 occupancy of nonresidential property, such defendant and any other
1348 occupant bound by the judgment by subsection (a) of section 47a-26h
1349 shall forthwith remove himself [, his] or herself, such defendant's or
1350 occupant's possessions and all personal effects unless execution has

1351 been stayed pursuant to sections 47a-35 to 47a-41, inclusive. If
1352 execution has been stayed, such defendant or occupant shall forthwith
1353 remove himself [, his] or herself, such defendant's or occupant's
1354 possessions and all personal effects upon the expiration of any stay of
1355 execution. If the defendant or occupant has not so removed himself or
1356 herself upon entry of a judgment pursuant to section 47a-26, 47a-26a,
1357 47a-26b or 47a-26d, and upon expiration of any stay of execution, the
1358 plaintiff may obtain an execution upon such summary process
1359 judgment, and the defendant or other occupant bound by the
1360 judgment by subsection (a) of section 47a-26h and the possessions and
1361 personal effects of such defendant or other occupant may be removed
1362 as provided in this section.

1363 (b) The state marshal charged with executing upon any such
1364 summary process judgment shall, at least twenty-four hours prior to
1365 the date and time of the eviction, use reasonable efforts to locate and
1366 notify the defendant or occupant of the date and time such eviction is
1367 to take place. Such notice shall include service upon each defendant
1368 and upon any other person in occupancy, either personally or at the
1369 premises, of a true copy of the summary process execution. Such
1370 execution shall be on a form prescribed by the Judicial Department,
1371 shall be in clear and simple language and in readable format, and shall
1372 contain, in addition to other notices given to the defendant or occupant
1373 in the execution, a conspicuous notice, in large boldface type, that a
1374 person who claims to have a right to continue to occupy the premises
1375 should immediately contact an attorney. Such execution shall contain a
1376 notice advising the defendant or occupant that if he or she does not
1377 remove [his] such defendant's or occupant's possessions and personal
1378 effects from the premises by the date and time set for the eviction and
1379 thereafter fails to claim such possessions and personal effects from the
1380 landlord and pay any removal and storage costs within fifteen days
1381 after the date of such eviction, such possessions and personal effects
1382 will be forfeited to the landlord.

1383 (c) The state marshal who served the execution upon the defendant
1384 or occupant as provided in subsection (b) of this section shall return to

1385 the premises at the date and time such eviction is to take place. If the
1386 defendant or occupant has not removed himself or herself from the
1387 premises, the state marshal shall remove such defendant or occupant.
1388 If the defendant or occupant has not removed [his] such defendant's or
1389 occupant's possessions and personal effects from the premises, the
1390 plaintiff, in the presence of the state marshal, shall prepare an
1391 inventory of such possessions and personal effects and provide a copy
1392 of such inventory to the state marshal. The plaintiff shall remove and
1393 store such possessions or personal effects or shall store the same in the
1394 premises. Such removal and storage or storage in the premises shall be
1395 at the expense of the defendant. If such possessions and effects are not
1396 called for by the defendant or occupant and the expense of such
1397 removal and storage or storage in the premises is not paid to the
1398 plaintiff within fifteen days after such eviction, the defendant or
1399 occupant shall forfeit such possessions and personal effects to the
1400 plaintiff and the plaintiff may dispose of them as [he] the plaintiff
1401 deems appropriate.

1402 Sec. 46. Subsection (a) of section 49-35 of the general statutes is
1403 repealed and the following is substituted in lieu thereof:

1404 (a) No person other than the original contractor for the construction,
1405 raising, removal or repairing of the building, or the development of
1406 any lot, or the site development or subdivision of any plot of land or a
1407 subcontractor whose contract with the original contractor is in writing
1408 and has been assented to in writing by the other party to the original
1409 contract, is entitled to claim any such mechanic's lien, unless, after
1410 commencing, and not later than ninety days after ceasing, to furnish
1411 materials or render services for such construction, raising, removal or
1412 repairing, [he] such person gives written notice to the owner of the
1413 building, lot or plot of land and to the original contractor that he or she
1414 has furnished or commenced to furnish materials, or rendered or
1415 commenced to render services, and intends to claim a lien therefor on
1416 the building, lot or plot of land; provided an original contractor shall
1417 not be entitled to such notice, unless, not later than fifteen days after
1418 commencing the construction, raising, removal or repairing of the

1419 building, or the development of any lot, or the site development or
1420 subdivision of any plot of land, such original contractor lodges with
1421 the town clerk of the town in which the building, lot or plot of land is
1422 situated an affidavit in writing, which shall be recorded by the town
1423 clerk with deeds of land, (1) stating the name under which such
1424 original contractor conducts business, (2) stating [his] the original
1425 contractor's business address, and (3) describing the building, lot or
1426 plot of land. The right of any person to claim a lien under this section
1427 shall not be affected by the failure of such affidavit to conform to the
1428 requirements of this section. The notice shall be served upon the owner
1429 or original contractor, if such owner or original contractor resides in
1430 the same town in which the building is being erected, raised, removed
1431 or repaired or the lot is being improved, or the plot of land is being
1432 improved or subdivided, by any indifferent person, state marshal or
1433 other proper officer, by leaving with such owner or original contractor
1434 or at [his] such owner's or the original contractor's usual place of abode
1435 a true and attested copy thereof. If the owner or original contractor
1436 does not reside in such town, but has a known agent therein, the notice
1437 may be so served upon the agent, otherwise it may be served by any
1438 indifferent person, state marshal or other proper officer, by mailing a
1439 true and attested copy of the notice by registered or certified mail to
1440 the owner or original contractor at the place where [he] such owner or
1441 the original contractor resides. If such copy is returned unclaimed,
1442 notice to such owner or original contractor shall be given by
1443 publication in accordance with the provisions of section 1-2. When
1444 there are two or more owners, or two or more original contractors, the
1445 notice shall be so served on each owner and on each original
1446 contractor. The notice, with the return of the person who served it
1447 endorsed thereon, shall be returned to the original maker of the notice
1448 within said period of ninety days.

1449 Sec. 47. Subsection (b) of section 49-35a of the general statutes is
1450 repealed and the following is substituted in lieu thereof:

1451 (b) The application, order and summons shall be substantially in the
1452 following form:

1453 APPLICATION FOR DISCHARGE OR

1454 REDUCTION OF MECHANIC'S LIEN

1455 To the Court of

1456 The undersigned represents:

1457 1. That is the owner of the real estate described in Schedule A
1458 attached hereto.

1459 2. That the names and addresses of all other owners of record of
1460 such real estate are as follows:

1461 3. That on or about ..., (date) ..., (name of lienor) of (address of
1462 lienor) placed a mechanic's lien on such real estate and gave notice
1463 thereof.

1464 4. That there is not probable cause to sustain the validity of such lien
1465 (or: That such lien is excessive).

1466 5. That the applicant seeks an order for discharge (or reduction) of
1467 such lien.

1468 Name of Applicant

1469 By

1470 [His] Applicant's Attorney

1471 ORDER

1472 The above application having been presented to the court, it is
1473 hereby ordered, that a hearing be held thereon at a.m. and that the
1474 applicant give notice to the following persons: (Names and addresses
1475 of persons entitled to notice) of the pendency of said application and of
1476 the time when it will be heard by causing a true and attested copy of
1477 the application, and of this order to be served upon such persons by
1478 some proper officer or indifferent person on or before and that due

1479 return of such notice be made to this court.

1480 Dated at this day of 20...

1481 SUMMONS

1482 To a state marshal of the county of, or either constable of the
1483 town of, in said county,

1484 Greeting:

1485 By authority of the state of Connecticut, you are hereby commanded
1486 to serve a true and attested copy of the above application and order
1487 upon, of by leaving the same in [his] such person's hands or at
1488 [his] such person's usual place of abode (or such other notice as
1489 ordered by the court) on or before

1490 Hereof fail not but due service and return make.

1491 Dated at this day of 20...

1492

1493 Commissioner of the Superior Court

1494 (1) [The] If the clerk upon receipt of all the documents in duplicate,
1495 [if he] finds them to be in proper form, the clerk shall fix a date for a
1496 hearing on the application and sign the order of hearing and notice. An
1497 entry fee of twenty dollars shall then be collected and a copy of the
1498 original document shall be placed in the court file.

1499 (2) The clerk shall deliver to the applicant's attorney the original of
1500 the documents for service. Service having been made, the original
1501 documents shall be returned to the court with the endorsement by the
1502 officer of [his doings] such officer's actions.

1503 Sec. 48. Section 49-42 of the general statutes is repealed and the
1504 following is substituted in lieu thereof:

1505 (a) Any person who performed work or supplied materials for
1506 which a requisition was submitted to, or for which an estimate was
1507 prepared by, the awarding authority and who does not receive full
1508 payment for such work or materials within sixty days of the applicable
1509 payment date provided for in subsection (a) of section 49-41a, or any
1510 person who supplied materials or performed subcontracting work not
1511 included on a requisition or estimate who has not received full
1512 payment for such materials or work within sixty days after the date
1513 such materials were supplied or such work was performed, may
1514 enforce [his] such person's right to payment under the bond by serving
1515 a notice of claim on the surety that issued the bond and a copy of such
1516 notice to the contractor named as principal in the bond within one
1517 hundred eighty days of the applicable payment date provided for in
1518 subsection (a) of section 49-41a, or, in the case of a person supplying
1519 materials or performing subcontracting work not included on a
1520 requisition or estimate, within one hundred eighty days after the date
1521 such materials were supplied or such work was performed. The notice
1522 of claim shall state with substantial accuracy the amount claimed and
1523 the name of the party for whom the work was performed or to whom
1524 the materials were supplied, and shall provide a detailed description
1525 of the bonded project for which the work or materials were provided.
1526 If the content of a notice prepared in accordance with subsection (b) of
1527 section 49-41a complies with the requirements of this section, a copy of
1528 such notice, served within one hundred eighty days of the payment
1529 date provided for in subsection (a) of section 49-41a upon the surety
1530 that issued the bond and upon the contractor named as principal in the
1531 bond, shall satisfy the notice requirements of this section. Within
1532 ninety days after service of the notice of claim, the surety shall make
1533 payment under the bond and satisfy the claim, or any portion of the
1534 claim which is not subject to a good faith dispute, and shall serve a
1535 notice on the claimant denying liability for any unpaid portion of the
1536 claim. The notices required under this section shall be served by
1537 registered or certified mail, postage prepaid in envelopes addressed to
1538 any office at which the surety, principal or claimant conducts [his]
1539 business, or in any manner in which civil process may be served. If the

1540 surety denies liability on the claim, or any portion thereof, the claimant
1541 may bring action upon the payment bond in the Superior Court for
1542 such sums and prosecute the action to final execution and judgment.
1543 An action to recover on a payment bond under this section shall be
1544 privileged with respect to assignment for trial. The court shall not
1545 consolidate for trial any action brought under this section with any
1546 other action brought on the same bond unless the court finds that a
1547 substantial portion of the evidence to be adduced, other than the fact
1548 that the claims sought to be consolidated arise under the same general
1549 contract, is common to such actions and that consolidation will not
1550 result in excessive delays to any claimant whose action was instituted
1551 at a time significantly prior to the motion to consolidate. In any such
1552 proceeding, the court judgment shall award the prevailing party the
1553 costs for bringing such proceeding and allow interest at the rate of
1554 interest specified in the labor or materials contract under which the
1555 claim arises or, if no such interest rate is specified, at the rate of interest
1556 as provided in section 37-3a upon the amount recovered, computed
1557 from the date of service of the notice of claim, provided, for any
1558 portion of the claim which the court finds was due and payable after
1559 the date of service of the notice of claim, such interest shall be
1560 computed from the date such portion became due and payable. The
1561 court judgment may award reasonable attorneys fees to either party if
1562 upon reviewing the entire record, it appears that either the original
1563 claim, the surety's denial of liability, or the defense interposed to the
1564 claim is without substantial basis in fact or law. Any person having
1565 direct contractual relationship with a subcontractor but no contractual
1566 relationship express or implied with the contractor furnishing the
1567 payment bond shall have a right of action upon the payment bond
1568 upon giving written notice of claim as provided in this section.

1569 (b) Every suit instituted under this section shall be brought in the
1570 name of the person suing, in the superior court for the judicial district
1571 where the contract was to be performed, irrespective of the amount in
1572 controversy in the suit, but no such suit may be commenced after the
1573 expiration of one year after the applicable payment date provided for

1574 in subsection (a) of section 49-41a, or, in the case of a person supplying
1575 materials or performing subcontracting work not included on a
1576 requisition or estimate, no such suit may be commenced after the
1577 expiration of one year after the date such materials were supplied or
1578 such work was performed.

1579 (c) The word "material" as used in sections 49-33 to 49-43, inclusive,
1580 shall include construction equipment and machinery that is rented or
1581 leased for use (1) in the prosecution of work provided for in the
1582 contract within the meaning of sections 49-33 to 49-43, inclusive, or (2)
1583 in the construction, raising [] or removal of any building or
1584 improvement of any lot or in the site development or subdivision of
1585 any plot of land within the meaning of sections 49-33 to 49-39,
1586 inclusive.

1587 Sec. 49. Section 49-55d of the general statutes is repealed and the
1588 following is substituted in lieu thereof:

1589 (a) If the lienor does not have possession of the vessel, [he] the
1590 lienor may bring a complaint, setting forth the reasons for the lien and
1591 demanding the sale of the vessel, returnable in the [Superior Court]
1592 superior court, within whose jurisdiction the vessel is located or where
1593 the services for which the lien is claimed were performed. The lienor
1594 may cause to be issued a writ of attachment against the vessel directed
1595 to a state marshal or other proper officer who shall take possession of
1596 the vessel and continue in possession of the same where located, or
1597 elsewhere as deemed expedient by the officer.

1598 (b) A copy of the complaint shall be personally served by a state
1599 marshal or other proper officer upon the owner of the vessel or left at
1600 [his] the owner's usual place of abode if the owner is a resident of this
1601 state. If the owner is not a resident of this state, then a copy of the
1602 complaint shall be served upon such person as may be in charge of the
1603 vessel and the state marshal shall send a notice of the complaint and
1604 the attachment of the vessel to the owner by certified mail at [his] such
1605 owner's last-known residence.

1606 (c) The owner or [his] the owner's representative shall have thirty
1607 days next succeeding the date the complaint is returnable to the proper
1608 court to file an affidavit with the court controverting any material
1609 allegations contained in the complaint and an affidavit that [he] the
1610 owner has a valid defense. The issues so raised shall be tried as all
1611 other issues in the court. If the owner or [his] the owner's legal
1612 representative does not file the necessary affidavits, the lienor may
1613 make a motion for judgment and order of sale which shall be heard on
1614 short calendar by the court having jurisdiction, which motion the court
1615 shall have the power to grant and the court shall order the sale of the
1616 vessel by the state marshal or other proper officer at public auction,
1617 subject to all prior encumbrances on file with the Secretary of the State,
1618 provided at least seven days prior to the sale, a notice of the time, place
1619 [] and purpose of the sale be published in a newspaper having general
1620 circulation where the vessel was located at the time of the attachment,
1621 and notice of same shall be sent by certified mail to the owner of the
1622 vessel at [his] such owner's last-known place of residence and to all
1623 other holders of valid security interests on file with the office of said
1624 secretary. The proceeds of the sale, after payment of all expenses
1625 connected with the sale and payment of any balance due on any valid
1626 security interest perfected before the vessel lien was filed, and
1627 satisfaction of the vessel lien and satisfaction of any valid security
1628 interest subsequent to the vessel lien presented for payment, shall be
1629 paid to the owner. If the amount due the owner is not claimed within
1630 one year from the date of such sale, it shall escheat to the state.

1631 Sec. 50. Subsection (d) of section 51-15 of the general statutes is
1632 repealed and the following is substituted in lieu thereof:

1633 (d) The procedure for the hearing and determination of small claims
1634 as the same may be prescribed, from time to time, by the judges of the
1635 Superior Court shall be used in all small claims sessions of the court.
1636 The small claims procedure shall be applicable to all actions, except
1637 actions of libel and slander, claiming money damages not in excess of
1638 three thousand five hundred dollars, and to no other actions. If an
1639 action is brought in the small claims session by a tenant pursuant to

1640 subsection (g) of section 47a-21 to reclaim any part of a security deposit
1641 which may be due, the judicial authority hearing the action may award
1642 to the tenant the damages authorized by subsection (d) of said section
1643 and, if authorized by the rental agreement or any provision of the
1644 general statutes, costs, notwithstanding that the amount of such
1645 damages and costs, in the aggregate, exceeds the jurisdictional
1646 monetary limit established by this subsection. If a motion is filed to
1647 transfer a small claims matter to the regular docket in the court, the
1648 moving party shall pay the fee prescribed by section 52-259. The
1649 Attorney General or an assistant attorney general, or the head of any
1650 state agency or his or her authorized representative, while acting in his
1651 or her official capacity shall not be required to pay any small claims
1652 court fee. There shall be no charge for copies of service on defendants
1653 in small claims matters.

1654 Sec. 51. Subsection (a) of section 51-30 of the general statutes is
1655 repealed and the following is substituted in lieu thereof:

1656 (a) The Superior Court or family support magistrate, when
1657 transacting business, shall be attended by such judicial marshals or by
1658 such constables, and by such messengers as the Chief Court
1659 Administrator or [his] said administrator's designee may authorize.

1660 Sec. 52. Subsection (h) of section 51-44a of the general statutes is
1661 repealed and the following is substituted in lieu thereof:

1662 (h) (1) Judges of all courts, except those courts to which judges are
1663 elected, shall be nominated by the Governor exclusively from the list of
1664 candidates or incumbent judges submitted by the Judicial Selection
1665 Commission. Any candidate or incumbent judge who is nominated
1666 from such list by the Governor to be Chief Justice of the Supreme
1667 Court, and who is appointed Chief Justice by the General Assembly,
1668 shall serve a term of eight years from the date of appointment. The
1669 Governor shall nominate a candidate for a vacancy in a judicial
1670 position within forty-five days of the date [he] the Governor receives
1671 the recommendations of the commission. When considering the

1672 nomination of an incumbent judge for reappointment to the same
1673 court, the Governor may nominate the incumbent judge if the
1674 commission did not deny recommendation for reappointment.
1675 Whenever an incumbent judge is denied recommendation for
1676 reappointment to the same court by the commission or is
1677 recommended by the commission but not nominated by the Governor
1678 for reappointment to the same court, or whenever a vacancy in a
1679 judicial position occurs or is anticipated, the Governor shall choose a
1680 nominee from the list of candidates compiled pursuant to subsection
1681 (f) of this section. (2) Notwithstanding the provisions of subdivision (1)
1682 of this subsection and subsection (f) of this section, the Governor may
1683 nominate an associate judge of the Supreme Court to be Chief Justice
1684 of the Supreme Court without such judge being investigated and
1685 interviewed by the commission and being on the list of qualified
1686 candidates compiled and submitted to the Governor by the
1687 commission. An associate judge of the Supreme Court who has been
1688 nominated by the Governor to be Chief Justice of the Supreme Court in
1689 accordance with this subdivision, and who is appointed Chief Justice
1690 by the General Assembly, shall serve an initial term as Chief Justice
1691 equal to the remainder of such judge's term as an associate judge of the
1692 Supreme Court.

1693 Sec. 53. Subsection (b) of section 51-198 of the general statutes is
1694 repealed and the following is substituted in lieu thereof:

1695 (b) In addition thereto, each Chief Justice or associate judge of the
1696 Supreme Court who elects to retain [his] office but to retire from full-
1697 time active service shall continue to be a member of the Supreme Court
1698 during the remainder of his or her term of office and during the term
1699 of any reappointment under section 51-50i, until he or she attains the
1700 age of seventy years. He or she shall be entitled to participate in the
1701 meetings of the judges of the Supreme Court and to vote as a member
1702 thereof.

1703 Sec. 54. Section 51-206 of the general statutes is repealed and the
1704 following is substituted in lieu thereof:

1705 An adjournment of any term or session of the Supreme Court may
1706 be made, at any time when no judge of the court is present, by judicial
1707 marshals, upon a written order from the Chief Justice of said court or,
1708 in [his] the Chief Justice's absence or inability to act, from the senior
1709 associate judge of said court, directing such adjournment and the time
1710 to which it shall be made; but, when any judge or judges of said court
1711 are present, such judge or judges may make such adjournment;
1712 provided any adjournment made upon such written order or by any
1713 judge or judges less than a quorum shall not be made to a time beyond
1714 one month from the day of adjournment.

1715 Sec. 55. Subsection (c) of section 51-217 of the general statutes is
1716 repealed and the following is substituted in lieu thereof:

1717 (c) The Jury Administrator shall have the authority to establish and
1718 maintain a list of persons to be excluded from the summoning process,
1719 which shall consist of (1) persons who are disqualified from serving on
1720 jury duty on a permanent basis due to a disability for which a licensed
1721 physician has submitted a letter stating the physician's opinion that
1722 such disability permanently prevents the person from rendering
1723 satisfactory jury service, (2) persons seventy years of age or older who
1724 have requested not to be summoned, and (3) elected officials
1725 enumerated in subdivision (4) of subsection (a) of this section and
1726 judges enumerated in subdivision (5) of subsection (a) of this section
1727 during their term of office. Persons requesting to be excluded pursuant
1728 to subdivisions (1) and (2) of this subsection must provide the Jury
1729 Administrator with their [name, address, date] names, addresses, dates
1730 of birth and federal Social Security [number] numbers for use in
1731 matching. The request to be excluded may be rescinded at any time
1732 with written notice to the Jury Administrator.

1733 Sec. 56. Section 51-222a of the general statutes is repealed and the
1734 following is substituted in lieu thereof:

1735 (a) Annually, upon the request of the Jury Administrator, the
1736 Commissioner of Motor Vehicles shall supply the Jury Administrator

1737 with the latest updated file of licensed motor vehicle operators for the
1738 state. Upon the request of the Jury Administrator, the Commissioner of
1739 Revenue Services shall supply the Jury Administrator with the most
1740 recent updated list of residents of this state who have a permanent
1741 place of abode in this state and who filed a return on personal income
1742 under chapter 229 in the last tax year, and the Labor Commissioner
1743 shall supply the Jury Administrator with the most recent updated list
1744 of residents of this state who are recipients of unemployment
1745 compensation under chapter 567. In addition, upon the request of the
1746 Jury Administrator, the registrars of voters of each town shall supply a
1747 list of all electors from their town, except that in lieu of such list from
1748 the registrars of voters, the Jury Administrator may obtain the list of all
1749 electors from a central repository, or if such list is not available, may
1750 contract for the creation and purchase of such list. The registrars of
1751 voters shall provide lists of electors to the contractor at the request of
1752 the Jury Administrator. Annually, upon the request of the Jury
1753 Administrator, the Commissioner of Public Health shall supply the
1754 Jury Administrator with the most recent updated list of deceased
1755 persons. The lists supplied to the Jury Administrator under this
1756 subsection shall be in the format prescribed by the Jury Administrator
1757 and shall include, at a minimum, the name, address and, if available,
1758 date of birth of each person on such list or the reason for the
1759 unavailability. The lists supplied by the Commissioner of Motor
1760 Vehicles, the Commissioner of Revenue Services, the Commissioner of
1761 Public Health and the Labor Commissioner to the Jury Administrator
1762 under this subsection shall also include the federal Social Security
1763 number of each person on such list or the reason for the unavailability.
1764 The lists of electors supplied to the Jury Administrator by registrars of
1765 voters or the Secretary of the State under this subsection shall not
1766 include federal Social Security numbers of persons on such lists.

1767 (b) The Jury Administrator shall compile a list of names of electors,
1768 residents of this state appearing on the most recent updated list of
1769 operators of motor vehicles licensed pursuant to chapter 246, residents
1770 who filed a return on personal income under chapter 229 in the last tax

1771 year and recipients of unemployment compensation under chapter
1772 567.

1773 (c) Annually the Jury Administrator shall combine the names from
1774 the lists compiled under subsection (b) of this section. The Jury
1775 Administrator shall delete, where possible, duplicate names in order to
1776 insure that names occurring on any list are given only a single chance
1777 to be selected and shall delete, where possible, the names of persons
1778 who may be excluded from the list compiled pursuant to subsection (c)
1779 of section 51-217 and the names appearing on the list of deceased
1780 persons supplied by the Commissioner of Public Health.

1781 (d) The Jury Administrator shall select, [by] at random from the list
1782 compiled as provided in subsection (c) of this section, the number of
1783 names required by section 51-220. These names for each town in the
1784 state and the names of persons whose jury service was continued from
1785 the previous jury year shall constitute such town's final list of
1786 prospective jurors for service starting the next succeeding September.
1787 The final list for each town shall contain the name and street address of
1788 each prospective juror. In the event that a new master file is
1789 unavailable or defective, the Chief Court Administrator may authorize
1790 the Jury Administrator to continue to summon jurors from the list
1791 compiled pursuant to subsection (c) of this section during the previous
1792 year.

1793 (e) If the Jury Administrator determines at any time that there is a
1794 need to supplement the number of names on the final list of jurors for
1795 each town within a judicial district, the Jury Administrator, so far as he
1796 or she is able, shall select in proportion to the population of each town,
1797 [by] at random, from the names not selected pursuant to subsection (d)
1798 of this section such number of prospective jurors as the Jury
1799 Administrator determines is necessary.

1800 Sec. 57. Subsection (e) of section 52-50 of the general statutes is
1801 repealed and the following is substituted in lieu thereof:

1802 (e) Borough bailiffs may, within their respective boroughs, execute

1803 all legal process which [sheriffs] state marshals or constables may
1804 execute.

1805 Sec. 58. Section 52-53 of the general statutes is repealed and the
1806 following is substituted in lieu thereof:

1807 A state marshal may, on any special occasion, depute, in writing on
1808 the back of the process, any proper person to serve it. After serving the
1809 process, such person shall make oath before a justice of the peace that
1810 he or she faithfully served the process according to [his] such person's
1811 endorsement thereon and did not fill out the process or direct any
1812 person to fill it out; and, if such justice of the peace certifies on the
1813 process that [he] such justice of the peace administered such oath, the
1814 service shall be valid.

1815 Sec. 59. Section 52-127 of the general statutes is repealed and the
1816 following is substituted in lieu thereof:

1817 Any process or complaint drawn or filled out by a state marshal or
1818 constable, except in [his] such marshal's or constable's own cause, shall
1819 abate; but process shall not abate on account of any alteration between
1820 the time of signing and of serving it.

1821 Sec. 60. Section 52-293 of the general statutes is repealed and the
1822 following is substituted in lieu thereof:

1823 When any livestock, or other personal property in its nature
1824 perishable or liable to depreciation, or the custody and proper
1825 preservation of which would be difficult or expensive, is attached,
1826 either party to the suit may apply to any judge of the court to which
1827 such process is returnable for an order to sell the same, and thereupon,
1828 after such reasonable notice to the adverse party as such judge directs,
1829 and upon satisfactory proof that such sale is necessary and proper, and
1830 payment of [his] the judge's fees by the party making such application,
1831 [he] such judge may order such property to be sold by the officer who
1832 attached the same, or, in case of [his] such officer's inability, by a state
1833 marshal, or any indifferent person requested in writing to do so by

1834 such attaching officer, at public auction, at such time and place, and
1835 upon such notice, as such judge deems reasonable; and [he] such judge
1836 may, at [his] such judge's discretion, order the officer making such sale
1837 to deposit the avails with the clerk of such court.

1838 Sec. 61. Subsection (b) of section 52-321a of the general statutes is
1839 repealed and the following is substituted in lieu thereof:

1840 (b) Nothing in this section shall impair the rights of an alternate
1841 payee under a qualified domestic relations order, as defined in Section
1842 414(p) of the Internal Revenue Code of 1986, or any subsequent
1843 corresponding internal revenue code of the United States, as from time
1844 to time amended. Nothing in this section [nor] or in subsection (m) of
1845 section 52-352b shall impair the rights of the state to proceed under
1846 section 52-361a to recover the costs of incarceration from any federal,
1847 state or municipal pension, annuity or insurance contract or similar
1848 arrangement described in subdivision (5) of subsection (a) of this
1849 section, provided the rights of an alternate payee under a qualified
1850 domestic relations order, as defined in Section 414(p) of the Internal
1851 Revenue Code of 1986, or any subsequent corresponding internal
1852 revenue code of the United States, as from time to time amended, shall
1853 take precedence over any such recovery. Nothing in this section nor in
1854 subsection (m) of section 52-352b shall impair the rights of a victim of
1855 crime to proceed under section 52-361a to recover damages awarded
1856 by a court of competent jurisdiction from any federal, state or
1857 municipal pension, annuity or insurance contract or similar
1858 arrangement described in subdivision (5) of subsection (a) of this
1859 section when such damages are the result of a crime committed by a
1860 participant or beneficiary of such pension, annuity or insurance
1861 contract or similar arrangement; provided the rights of an alternate
1862 payee under a qualified domestic relations order, as defined in Section
1863 414(p) of the Internal Revenue Code of 1986, or any subsequent
1864 corresponding internal revenue code of the United States, as from time
1865 to time amended, shall take precedence over any such recovery.

1866 Sec. 62. Subdivision (12) of section 52-350a of the general statutes is

1867 repealed and the following is substituted in lieu thereof:

1868 (12) "Levying officer" means a state marshal or constable acting
1869 within [his] such marshal's or constable's geographical jurisdiction or
1870 in IV-D cases, any investigator employed by the Commissioner of
1871 Social Services.

1872 Sec. 63. Subdivision (4) of subsection (a) of section 52-434 of the
1873 general statutes is repealed and the following is substituted in lieu
1874 thereof:

1875 (4) In addition to the judge trial referees who are appointed
1876 pursuant to subdivision (1), (2) or (3) of this subsection, the Chief
1877 Justice may appoint, from qualified members of the bar of the state,
1878 who are electors and residents of this state, as many state referees as
1879 [he] the Chief Justice may from time to time deem advisable or
1880 necessary. No appointment of a member of the bar may be for a term
1881 of more than three years. Notwithstanding the provisions of subsection
1882 (f) of this section, state referees appointed by the Chief Justice from
1883 members of the bar shall receive such reasonable compensation and
1884 expenses as may be determined by the Chief Justice. The Superior
1885 Court may appoint a state referee pursuant to this subdivision to take
1886 such evidence as it directs in any civil, nonjury case including, but not
1887 limited to, appeals under section 8-8. Any such state referee shall
1888 report on such evidence to the court with any findings of fact. The
1889 report shall constitute a part of the proceeding upon which the
1890 determination of the court shall be made.

1891 Sec. 64. Subsection (d) of section 52-434 of the general statutes is
1892 repealed and the following is substituted in lieu thereof:

1893 (d) Each judge trial referee may have the attendance of a judicial
1894 marshal at any hearing before [him] such referee. The judicial marshal
1895 shall receive the same compensation provided for attendance at
1896 regular sessions of the court from which the case was referred and
1897 such compensation shall be taxed by the state referee in the same
1898 manner as similar costs are taxed by the judges of the court.

1899 Sec. 65. Subsection (a) of section 52-549d of the general statutes is
1900 repealed and the following is substituted in lieu thereof:

1901 (a) Any commissioner of the Superior Court, admitted to practice in
1902 this state for at least two years, who is able and willing to hear small
1903 claims, may submit his or her name to the clerk of the superior court
1904 for any small claims area in which the commissioner may have a law
1905 office or in which [he] such commissioner is convenient and available
1906 to the litigants and counsel of the small claims area. The name shall be
1907 submitted to the Chief Court Administrator for approval to be placed
1908 on a list of available commissioners in any small claims area for
1909 hearing of small claims. The approved name shall thereupon be
1910 returned to the clerk who shall maintain a list of all approved names.

1911 Sec. 66. Section 52-593a of the general statutes is repealed and the
1912 following is substituted in lieu thereof:

1913 (a) Except in the case of an appeal from an administrative agency
1914 governed by section 4-183, a cause or right of action shall not be lost
1915 because of the passage of the time limited by law within which the
1916 action may be brought, if the process to be served is personally
1917 delivered to a state marshal authorized to serve the process and the
1918 process is served, as provided by law, within fifteen days of the
1919 delivery.

1920 (b) In any such case the [officer] state marshal making service shall
1921 endorse under oath on such [officer's] state marshal's return the date of
1922 delivery of the process to such [officer] state marshal for service in
1923 accordance with this section.

1924 Sec. 67. Subsection (c) of section 52-605 of the general statutes is
1925 repealed and the following is substituted in lieu thereof:

1926 (c) Within thirty days after the filing of the judgment and the
1927 certificate, the judgment creditor shall mail notice of filing of the
1928 foreign judgment by registered or certified mail, return receipt
1929 requested, to the judgment debtor at [his] such judgment debtor's last-

1930 known address. The proceeds of an execution shall not be distributed
1931 to the judgment creditor earlier than thirty days after filing of proof of
1932 service with the clerk of the court in which enforcement of such
1933 judgment is sought.

1934 Sec. 68. Section 53-164 of the general statutes is repealed and the
1935 following is substituted in lieu thereof:

1936 Any person who aids or abets any inmate in escaping from Long
1937 Lane School, the Connecticut School for Boys* or The Southbury
1938 Training School or who knowingly harbors any such inmate, or aids in
1939 abducting any such inmate who has been paroled from the person or
1940 persons to whose care and service such inmate has been legally
1941 committed, shall be fined not more than five hundred dollars or
1942 imprisoned not more than three months or both. Any constable or
1943 officer of state or local police, and any officer or employee of any of
1944 said institutions, is authorized and directed to arrest any person who
1945 has escaped therefrom and return [him] such person thereto.

1946 Sec. 69. Subsection (f) of section 53-202 of the general statutes is
1947 repealed and the following is substituted in lieu thereof:

1948 (f) Each manufacturer shall keep a register of all machine guns
1949 manufactured or handled by [him] the manufacturer. Such register
1950 shall show the model and serial number, and the date of manufacture,
1951 sale, loan, gift, delivery or receipt, of each machine gun, the name,
1952 address and occupation of the person to whom the machine gun was
1953 sold, loaned, given or delivered, or from whom it was received and the
1954 purpose for which it was acquired by the person to whom the machine
1955 gun was sold, loaned, given or delivered. Upon demand, any
1956 manufacturer shall permit any marshal [,] or police officer to inspect
1957 [his] such manufacturer's entire stock of machine guns, and parts and
1958 supplies therefor, and shall produce the register, herein required, for
1959 inspection. Any person who violates any provision of this subsection
1960 shall be fined not more than two thousand dollars.

1961 Sec. 70. Subsection (a) of section 54-1f of the general statutes is

1962 repealed and the following is substituted in lieu thereof:

1963 (a) For purposes of this section, the respective precinct or
1964 jurisdiction of a state marshal or judicial marshal shall be wherever
1965 [he] such marshal is required to perform [his] duties. Peace officers, as
1966 defined in subdivision (9) of section 53a-3, in their respective precincts,
1967 shall arrest, without previous complaint and warrant, any person for
1968 any offense in their jurisdiction, when the person is taken or
1969 apprehended in the act or on the speedy information of others,
1970 provided that no constable elected pursuant to the provisions of
1971 section 9-200 shall be considered a peace officer for the purposes of this
1972 subsection, unless the town in which such constable holds office
1973 provides, by ordinance, that constables shall be considered peace
1974 officers for the purposes of this subsection.

1975 Sec. 71. Section 54-98 of the general statutes is repealed and the
1976 following is substituted in lieu thereof:

1977 The Chief Court Administrator or the administrator's designee shall
1978 execute each mittimus for the commitment of convicts to the
1979 Connecticut Correctional Institution, Somers, by delivering such
1980 convicts to the warden of said institution or [his] such warden's agent
1981 at said institution.

1982 Sec. 72. Section 54-101 of the general statutes is repealed and the
1983 following is substituted in lieu thereof:

1984 When any person detained at the Connecticut Correctional
1985 Institution, Somers, awaiting execution of a sentence of death appears
1986 to the warden thereof to be insane, the warden may make application
1987 to the superior court for the judicial district of Tolland having either
1988 civil or criminal jurisdiction or, if said court is not in session, to any
1989 judge of the Superior Court, and, after hearing upon such application,
1990 notice thereof having been given to the state's attorney for the judicial
1991 district wherein such person was convicted, said court or such judge
1992 may, if it appears advisable, appoint three reputable physicians to
1993 examine as to the mental condition of the person so committed. Upon

1994 return to said court or such judge of a certificate by such physicians, or
1995 a majority of them, stating that such person is insane, said court or
1996 such judge shall order the sentence of execution to be stayed and such
1997 person to be transferred to any state hospital for mental illness for
1998 confinement, support and treatment until [he] such person recovers
1999 [his] sanity, and shall cause a mittimus to be issued to the Department
2000 of Correction for such commitment. If, at any time thereafter, the
2001 superintendent of the state hospital to which such person has been
2002 committed is of the opinion that [he] such person has recovered [his]
2003 sanity, [he] the superintendent shall so report to the state's attorney for
2004 the judicial district wherein the conviction was had and such attorney
2005 shall thereupon make application to the superior court for such judicial
2006 district having criminal jurisdiction, for the issuance of a warrant of
2007 execution for such sentence, and, if said court finds that such person
2008 has recovered [his] sanity, it shall cause a mittimus to be issued for
2009 [his] such person's return to the Connecticut Correctional Institution,
2010 Somers, there to be received and kept until a day designated in the
2011 mittimus for the infliction of the death penalty, and thereupon said
2012 penalty shall be inflicted, in accordance with the provisions of the
2013 statutes.

2014 Sec. 73. Subsection (b) of section 2-71c of the general statutes is
2015 repealed and the following is substituted in lieu thereof:

2016 (b) The legislative Office of Legislative Research shall assist the
2017 General Assembly and the Legislative Department, legislative
2018 commissions and legislative committees in a research and advisory
2019 capacity as follows: (1) [~~Assist~~] Assisting the development of
2020 legislative programs; (2) analyzing the long-range implications of the
2021 several alternative programs; (3) preparing abstracts, summaries,
2022 explanations of state executive agency and federal government reports;
2023 (4) informing the legislative leaders of action taken by the federal
2024 government with regard to problems of their particular concern and
2025 federal law; (5) assisting in the research and writing of interim reports;
2026 (6) preparing bill analyses and summaries; (7) assisting in hearings by
2027 preparing agendas, contacting potential witnesses, scheduling their

2028 appearances and analyzing testimonies; and (8) performing such other
2029 research and analysis services as may be determined by the Joint
2030 Committee on Legislative Management.

2031 Sec. 74. Section 4-169 of the general statutes is repealed and the
2032 following is substituted in lieu thereof:

2033 No adoption, amendment or repeal of any regulation, except a
2034 regulation issued pursuant to subsection (f) of section 4-168, shall be
2035 effective until the original of the proposed regulation has been
2036 submitted by the agency proposing such regulation, to the Attorney
2037 General and approved by [him] the Attorney General, or by some
2038 other person designated by [him] the Attorney General for such
2039 purpose. The review of such regulations by the Attorney General shall
2040 be limited to a determination of the legal sufficiency of the proposed
2041 regulation. If the Attorney General or [his] the Attorney General's
2042 designated representative fails to give notice to the agency of any legal
2043 insufficiency within thirty days of the receipt of the proposed
2044 regulation, [he] the Attorney General shall be deemed to have
2045 approved the proposed regulation for purposes of this section. The
2046 approval of the Attorney General shall be indicated on the original of
2047 the proposed regulation which shall be submitted to the joint standing
2048 legislative regulation review committee. As used in this section "legal
2049 sufficiency" means (1) the absence of conflict with any general statute
2050 or regulation, federal law or regulation or the Constitution of this state
2051 or of the United States and (2) compliance with the notice and hearing
2052 requirements of section 4-168.

2053 Sec. 75. Subsection (f) of section 4-170 of the general statutes is
2054 repealed and the following is substituted in lieu thereof:

2055 (f) If an agency fails to file any regulation approved in whole or in
2056 part by the standing legislative regulation review committee in the
2057 office of the Secretary of the State as provided in section 4-172, within
2058 fourteen days after the date of approval, the agency shall notify the
2059 committee, within five days after such fourteen-day period, of its

2060 reasons for not so filing. If any agency fails to comply with the time
2061 limits established under subsection (b) of section 4-168 or under
2062 subsection (e) of this section, the administrative head of such agency
2063 shall submit to the committee a written explanation of the reasons for
2064 such noncompliance. The committee, upon the affirmative vote of two-
2065 thirds of its members, may grant an extension of the time limits
2066 established under subsection (b) of section 4-168 and under subsection
2067 (e) of this section. If no such extension is granted, the administrative
2068 head of the agency shall personally appear before the standing
2069 legislative regulation review committee, at a time prescribed by the
2070 committee, to explain such failure to comply. After any such
2071 appearance, the committee may, upon the affirmative vote of two-
2072 thirds of its members, report such noncompliance to the Governor.
2073 Within fourteen days thereafter the Governor shall report to the
2074 committee concerning the action [he] the Governor has taken to ensure
2075 compliance with the provisions of section 4-168 and with the
2076 provisions of this section.

2077 Sec. 76. Subdivision (2) of subsection (a) of section 10a-77a of the
2078 general statutes is repealed and the following is substituted in lieu
2079 thereof:

2080 (2) For each of the fiscal years ending June 30, 2000, to June 30, 2009,
2081 inclusive, as part of the state contract with donors of endowment fund
2082 eligible gifts, the Department of Higher Education, in accordance with
2083 section 10a-8b, shall deposit in the endowment fund for the
2084 Community-Technical College System a grant in an amount equal to
2085 half of the total amount of endowment fund eligible gifts received by
2086 or for the benefit of the community-technical college system as a whole
2087 and each regional community-technical college for the calendar year
2088 ending the December thirty-first preceding the commencement of such
2089 fiscal year, as certified by the chairperson of the board of trustees by
2090 February fifteenth to (A) the Secretary of the Office of Policy and
2091 Management, (B) the joint standing committee of the General
2092 Assembly having cognizance of matters relating to appropriations and
2093 the budgets of state agencies, and (C) the Commissioner of Higher

2094 Education, provided such sums do not exceed the endowment fund
2095 state grant maximum commitment for the fiscal year in which the
2096 grant is made. In any such fiscal year in which the total of the eligible
2097 gifts received by the community-technical colleges exceeds the
2098 endowment fund state grant maximum commitment for such fiscal
2099 year the amount in excess of such endowment fund state grant
2100 maximum commitment shall be carried forward and be eligible for a
2101 matching state grant in any succeeding fiscal year from the fiscal year
2102 ending June 30, 2000, to the fiscal year ending June 30, 2009, inclusive,
2103 subject to the endowment fund state grant maximum commitment.
2104 Any endowment fund eligible gifts that are not included in the total
2105 amount of endowment fund eligible gifts certified by the chairperson
2106 of the board of trustees pursuant to this subdivision may be carried
2107 forward and be eligible for a matching state grant in any succeeding
2108 fiscal year from the fiscal year ending June 30, 2000, to the fiscal year
2109 ending June [20] 30, 2009, inclusive, subject to the endowment fund
2110 state matching grant commitment for such fiscal year.

2111 Sec. 77. Section 10-200 of the general statutes is repealed and the
2112 following is substituted in lieu thereof:

2113 Each city and town may adopt ordinances concerning habitual
2114 truants from school and children between the ages of five and sixteen*
2115 years wandering about its streets or public places, having no lawful
2116 occupation and not attending school, [;] and may make such
2117 ordinances respecting such children as shall conduce to their welfare
2118 and to public order, imposing penalties, not exceeding twenty dollars,
2119 for any one breach thereof. The police in any town, city or borough,
2120 bailiffs and constables in their respective precincts shall arrest all such
2121 children found anywhere beyond the proper control of their parents or
2122 guardians, during the usual school hours of the school terms, and may
2123 stop any child under sixteen* years of age during such hours and
2124 ascertain whether such child is a truant from school, and, if such child
2125 is, shall send such child to school. For purposes of this section,
2126 "habitual truant" means a child age five to sixteen*, inclusive, who is
2127 enrolled in a public or private school [who] and has twenty unexcused

2128 absences within a school year.

2129 Sec. 78. Section 17b-114o of the general statutes is repealed and the
2130 following is substituted in lieu thereof:

2131 The expenditure report relative to the temporary assistance for
2132 needy families block grant required to be submitted by the
2133 Commissioner of Social Services to the federal Department of Health
2134 and Human Services shall be transmitted to the joint standing
2135 committees of the General Assembly having cognizance of matters
2136 relating to human services and appropriations and the budgets of state
2137 agencies within forty-five days of the date of such submission. Such
2138 report for the last quarter of the fiscal year shall include the
2139 identification of unliquidated obligations either identified in previous
2140 quarterly reports for the same fiscal year and claimed before the prior
2141 quarterly report or those not yet claimed by the commissioner for the
2142 purposes of receiving federal reimbursement. In the event that such
2143 report identifies any unliquidated obligations, the commissioner shall
2144 notify said committees of the commissioner's intention concerning the
2145 disposition of such unliquidated obligations, which may include []
2146 establishing or contributing to a reserve account to meet future needs
2147 in the temporary family assistance program.

2148 Sec. 79. Subsection (a) of section 17a-219a of the general statutes is
2149 repealed and the following is substituted in lieu thereof:

2150 (a) "Children with disabilities" means any child with a physical,
2151 emotional or mental impairment under the age of eighteen years who
2152 (1) if under the age of five, has a severe disability and substantial
2153 developmental delay, or a specific diagnosed condition with a high
2154 probability of resulting in a developmental delay, or (2) has a
2155 moderate, severe or profound educational disability, or (3) otherwise
2156 meets the definition of developmental disabilities in the federal
2157 Developmental Disabilities Act, Section 102(5) as codified in [24] 42
2158 USC Section [6001(5)] 6001(8).

2159 Sec. 80. Subsection (e) of section 20-281g of the general statutes is

2160 repealed and the following is substituted in lieu thereof:

2161 (e) No firm shall assume or use the title or designation "certified
2162 public accountant", or the abbreviation "CPA", or any other title,
2163 designation, words, letters, abbreviation, sign, card or device tending
2164 to indicate that such firm is composed of certified public accountants,
2165 unless (1) the firm holds a valid permit issued under section 20-281e,
2166 [and] (2) all proprietors, partners and shareholders practicing public
2167 accountancy in this state hold valid certificates and licenses issued
2168 under section 20-281d₂ and (3) all proprietors, officers and
2169 shareholders of the firm hold licenses.

2170 Sec. 81. Subsection (c) of section 20-281l of the general statutes is
2171 repealed and the following is substituted in lieu thereof:

2172 (c) A licensee shall not perform services for a client for a
2173 commission and shall not accept a commission from a client during the
2174 period that the licensee is performing for such client any of the
2175 following services or during the period that is covered by any
2176 historical financial statements that are involved in any of the following
2177 services: (1) An audit or review of a financial statement; (2) a
2178 compilation of a financial statement if the licensee expects or has
2179 reasonable cause to expect that a third party will use the financial
2180 statement [,] and the compilation report does not disclose a lack of
2181 independence; or (3) an examination of prospective financial
2182 information.

2183 Sec. 82. Subsection (b) of section 20-368 of the general statutes is
2184 repealed and the following is substituted in lieu thereof:

2185 (b) The Commissioner of Consumer Protection shall adopt
2186 regulations, in accordance with the provisions of chapter 54,
2187 concerning eligibility for landscape architectural licensing
2188 examinations, appeals of examination grades, reciprocal licensing and
2189 such other matters as [it] the commissioner deems necessary to effect
2190 the purposes of this chapter.

2191 Sec. 83. Subdivision (6) of section 20-417a of the general statutes is
2192 repealed and the following is substituted in lieu thereof:

2193 (6) "New home" means any newly constructed (A) single family
2194 dwelling unit, (B) dwelling consisting of not more than two units, or
2195 (C) [a] unit, common element or limited common element in a
2196 condominium, as defined in section 47-68a, or in a common interest
2197 community, as defined in section 47-202;

2198 Sec. 84. Section 20-417b of the general statutes is repealed and the
2199 following is substituted in lieu thereof:

2200 (a) No person shall engage in the business of new home
2201 construction or hold [oneself] himself or herself out as a new home
2202 construction contractor unless such person has been issued a certificate
2203 of registration by the commissioner in accordance with the provisions
2204 of sections 20-417a to 20-417i, inclusive, and subsection (b) of section
2205 20-421. No new home construction contractor shall be relieved of
2206 responsibility for the conduct and acts of its agents, employees or
2207 officers by reason of such new home construction contractor's
2208 compliance with the provisions of sections 20-417a to 20-417i,
2209 inclusive, and subsection (b) of section 20-421.

2210 (b) Any person seeking a certificate of registration shall apply to the
2211 commissioner, in writing, on a form provided by the commissioner.
2212 The application shall include (1) the applicant's name, business street
2213 address, business telephone number, (2) the identity of the insurer that
2214 provides the applicant with insurance coverage for liability, (3) if such
2215 applicant is required by any provision of the general statutes to have
2216 workers' compensation coverage, the identity of the insurer that
2217 provides the applicant with such workers' compensation coverage, and
2218 (4) if such applicant is required by any provision of the general statutes
2219 to have an agent for service of process, the name and address of such
2220 agent. Each such application shall be accompanied by a fee of one
2221 hundred twenty dollars, except that no such application fee shall be
2222 required if such person has paid the registration fee required under

2223 section 20-421 during any year in which such person's registration as a
2224 new home construction contractor would be valid.

2225 (c) Certificates issued to new home construction contractors shall
2226 not be transferable or assignable.

2227 (d) All certificates issued under the provisions of sections 20-417a to
2228 20-417i, inclusive, and subsection (b) of section 20-421 shall expire
2229 biennially. The fee for renewal of a certificate shall be the same as the
2230 fee charged for an original application, except as provided in
2231 subsection (c) of section 20-417i, and except that no renewal fee is due
2232 if a person seeking renewal of a certificate has paid the registration fee
2233 under section 20-427 during any year in which such person's
2234 registration as a new home construction contractor would be valid.

2235 (e) A certificate shall not be restored unless it is renewed not later
2236 than one year after its expiration.

2237 (f) Failure to receive a notice of expiration or a renewal application
2238 shall not exempt a contractor from the obligation to renew.

2239 Sec. 85. Subsection (d) of section 21-417d of the general statutes is
2240 repealed and the following is substituted in lieu thereof:

2241 (d) No person shall: (1) Present, or attempt to present as such
2242 person's own, the certificate of another; (2) knowingly give false
2243 evidence of a material nature to the commissioner for the purpose of
2244 procuring a certificate; (3) represent such person falsely as, or
2245 impersonate, a registered new home construction contractor; (4) use or
2246 attempt to use a certificate which has expired or which has been
2247 suspended or revoked; (5) engage in the business of a new home
2248 construction contractor or hold [oneself] himself or herself out as a
2249 new home construction contractor without having a current certificate
2250 of registration under sections 20-417a to 20-417i, inclusive, and
2251 subsection (b) of section 20-421; (6) represent in any manner that such
2252 person's registration constitutes an endorsement of the quality of such
2253 person's work or of such person's competency by the commissioner; or

2254 (7) fail to refund a deposit paid to a new home construction contractor
2255 not later than ten days after a written request mailed or delivered to
2256 the new home construction contractor's last known address, if (A) the
2257 consumer has complied with the terms of the written contract up to the
2258 time of the request, (B) no substantial portion of the contracted work
2259 has been performed at the time of the request, (C) more than thirty
2260 days has elapsed since the starting date specified in the written
2261 contract or more than thirty days has elapsed since the date of the
2262 contract if such contract does not specify a starting date, and (D) the
2263 new home construction contractor has failed to provide a reasonable
2264 explanation to the consumer concerning such contractor's failure to
2265 perform a substantial portion of the contracted work. For purposes of
2266 this subdivision, "substantial portion of the contracted work" includes,
2267 but is not limited to, work performed by the new home construction
2268 contractor to (i) secure permits and approvals, (ii) redraft plans or
2269 obtain engineer, architect, surveyor or other approvals for changes
2270 requested by the consumer or made necessary by site conditions
2271 discovered after the contract is executed, (iii) [scheduling] schedule site
2272 work or [arranging] arrange for other contractors to perform services
2273 related to the construction of the consumer's new home, and (iv) do
2274 any other work referred to in the contract as a "substantial portion of
2275 the contracted work".

2276 Sec. 86. Subdivision (5) of subsection (f) of section 21-70 of the
2277 general statutes is repealed and the following is substituted in lieu
2278 thereof:

2279 (5) In any case in which a mobile manufactured home park with two
2280 hundred or more units in which a majority of residents have been
2281 given written notice, prior to June 10, 1999, of the intended
2282 discontinuance of the use of the land as a mobile manufactured home
2283 park, regardless [if] of whether one or more of such notices or the
2284 service of such notices is subsequently deemed invalid or ineffective,
2285 (A) any subsequent notice of such intended discontinuance that is
2286 given or required to be given after June 23, 1999, by the owner
2287 pursuant to this subsection, and (B) any notice given or action taken

2288 pursuant to this subsection after June 23, 1999, by any association
2289 representing twenty-five per cent or more of the units in the park shall
2290 be subject to the time limitations contained in this subsection that were
2291 in effect immediately prior to June 23, 1999.

2292 Sec. 87. Section 21-70a of the general statutes is repealed and the
2293 following is substituted in lieu thereof:

2294 (a) A mobile manufactured home park resident who owns a mobile
2295 manufactured home and is required to remove the home from the park
2296 because of a change in use of the land on which said mobile
2297 manufactured home is located shall be entitled to receive from the
2298 mobile manufactured home park owner (1) relocation expenses to a
2299 mobile manufactured home park satisfactory to the resident within
2300 one hundred miles of the existing park site up to a maximum of (A)
2301 seven thousand dollars if the notice given pursuant to subdivision (3)
2302 of subsection (a) of section 21-80 or subparagraph (E) of subdivision (1)
2303 of subsection (b) of section 21-80 expires before October 1, 2000,
2304 regardless [if] of whether such notice was given before or after June 23,
2305 1999, or (B) subject to the provisions of subsection (b) of this section,
2306 ten thousand dollars if the notice given pursuant to subdivision (3) of
2307 subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) of
2308 subsection (b) of section 21-80 expires on or after October 1, 2000,
2309 regardless [if] of whether such notice was given before or after June 23,
2310 1999, or (2) in the event a satisfactory site is not available onto which
2311 the mobile manufactured home may be relocated, the sum of (A) seven
2312 thousand dollars if the notice given pursuant to subdivision (3) of
2313 subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) of
2314 subsection (b) of section 21-80 expires before October 1, 2000,
2315 regardless [if] of whether such notice was given before or after June 23,
2316 1999, or (B) subject to the provisions of subsection (b) of this section,
2317 ten thousand dollars if the notice given pursuant to subdivision (3) of
2318 subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) of
2319 subsection (b) of section 21-80 expires on or after October 1, 2000,
2320 regardless [if] of whether such notice was given before or after June 23,
2321 1999.

2322 (b) Notwithstanding the provisions of subsection (a) of this section,
2323 in any case in which a mobile manufactured home park containing two
2324 hundred or more units in which a majority of residents have been
2325 given written notice, prior to June 23, 1999, pursuant to subdivision (3)
2326 of subsection (a) of section 21-80 or subparagraph (E) of subdivision (1)
2327 of subsection (b) of section 21-80, regardless [if] of whether one or
2328 more of such notices or the service of such notices is subsequently
2329 deemed invalid or ineffective, the amount of the relocation or
2330 compensatory payments required to be paid to such resident under the
2331 provisions of this section shall not exceed seven thousand dollars,
2332 regardless [if] of whether a subsequent valid notice or notices are
2333 properly served subsequent to June 23, 1999, and such subsequent
2334 notice or notices expire on or after October 1, 2000.

2335 (c) The owner of a mobile manufactured home park, who intends to
2336 close the park, shall notify, in writing, the Commissioner of Consumer
2337 Protection, the Commissioner of Economic and Community
2338 Development and the chief elected official in the town in which the
2339 park is located at least ninety days prior to refusing to renew any
2340 leases because of the impending closing, or on any earlier date the
2341 owner gives any notice of the closing of the park as may be required by
2342 the general statutes.

2343 Sec. 88. Section 21-80 of the general statutes is repealed and the
2344 following is substituted in lieu thereof:

2345 (a) An action for summary process may be maintained by the owner
2346 of a mobile manufactured home park against a mobile manufactured
2347 home resident who rents a mobile manufactured home from such
2348 owner for the following reasons, which shall be in addition to other
2349 reasons allowed under chapter 832 and, except as otherwise specified,
2350 proceedings under this subsection shall be as prescribed in chapter 832
2351 and sections 47a-15, 47a-20 and 47a-20a:

2352 (1) A conviction of the resident of a violation of a federal or state
2353 law or local ordinance which the court finds to be detrimental to the

2354 health, safety and welfare of other residents in the park but no notice
2355 to quit possession shall be required;

2356 (2) The continued violation of any reasonable rule established by the
2357 owner, provided a copy of such rule has been delivered by the owner
2358 to the resident prior to entering into a rental agreement and a copy of
2359 such rule has been posted in a conspicuous place in the park and,
2360 provided further the resident receives written notice of the specific rule
2361 or rules being violated at least thirty days before the time specified in
2362 the notice for the resident to quit possession of the mobile
2363 manufactured home or occupancy of the space or lot; or

2364 (3) A change in use of the land on which such mobile manufactured
2365 home is located, provided all the residents affected are given written
2366 notice (A) at least three hundred sixty-five days before the time
2367 specified in the notice for the resident to quit possession of the mobile
2368 manufactured home or occupancy of the lot if such notice is given
2369 before June 23, 1999, or (B) at least five hundred forty-five days before
2370 the time specified in the notice for the resident to quit possession of the
2371 mobile manufactured home or occupancy of the lot if such notice is
2372 given on or after June 23, 1999, regardless [if] of whether any other
2373 notice under this section or section 21-70 has been given before June
2374 23, 1999; provided nothing in subsection (f) of section 21-70, section 21-
2375 70a, this subsection, subdivision (1) of subsection (b) of this section or
2376 section 21-80b shall be construed to invalidate the effectiveness of or
2377 require the reissuance of any valid notice given before June 23, 1999.

2378 (b) (1) Notwithstanding the provisions of section 47a-23, an owner
2379 may terminate a rental agreement or maintain a summary process
2380 action against a resident who owns a mobile manufactured home only
2381 for one or more of the following reasons:

2382 (A) Nonpayment of rent, utility charges or reasonable incidental
2383 services charges;

2384 (B) Material noncompliance by the resident with any statute or
2385 regulation materially affecting the health and safety of other residents

2386 or materially affecting the physical condition of the park;

2387 (C) Material noncompliance by the resident with the rental
2388 agreement or with rules or regulations adopted under section 21-70;

2389 (D) Failure by the resident to agree to a proposed rent increase,
2390 provided the owner has complied with all provisions of subdivision (5)
2391 of this subsection; or

2392 (E) A change in the use of the land on which such mobile
2393 manufactured home is located, provided all of the affected residents
2394 receive written notice (i) at least three hundred sixty-five days before
2395 the time specified in the notice for the resident to quit possession of the
2396 mobile manufactured home or occupancy of the lot if such notice is
2397 given before June 23, 1999, or (ii) at least five hundred forty-five days
2398 before the time specified in the notice for the resident to quit
2399 possession of the mobile manufactured home or occupancy of the lot if
2400 such notice is given on or after June 23, 1999, regardless [if] of whether
2401 any other notice under this section or section 21-70 has been given
2402 before June 23, 1999; provided nothing in subsection (f) of section 21-
2403 70, section 21-70a, subsection (a) of this section, this subdivision and
2404 section 21-80b shall be construed to invalidate the effectiveness of or
2405 require the reissuance of any valid notice given before June 23, 1999.

2406 (2) An owner may not maintain a summary process action under
2407 subparagraph (B), (C) or (D) of subdivision (1) of this subsection,
2408 except a summary process action based upon conduct which
2409 constitutes a serious nuisance or a violation of subdivision (9) of
2410 subsection (b) of section 21-82, prior to delivering a written notice to
2411 the resident specifying the acts or omissions constituting the breach
2412 and that the rental agreement shall terminate upon a date not less than
2413 thirty days after receipt of the notice. If such breach can be remedied
2414 by repair by the resident or payment of damages by the resident to the
2415 owner and such breach is not so remedied within twenty-one days, the
2416 rental agreement shall terminate except that (i) if the breach is
2417 remediable by repairs or the payment of damages and the resident

2418 adequately remedies the breach within said twenty-one-day period,
2419 the rental agreement shall not terminate, or (ii) if substantially the
2420 same act or omission for which notice was given recurs within six
2421 months, the owner may terminate the rental agreement in accordance
2422 with the provisions of sections 47a-23 to 47a-23b, inclusive. For the
2423 purposes of this subdivision, "serious nuisance" means (A) inflicting
2424 bodily harm upon another resident or the owner or threatening to
2425 inflict such harm with the present ability to effect the harm and under
2426 circumstances which would lead a reasonable person to believe that
2427 such threat will be carried out, (B) substantial and wilful destruction of
2428 part of the premises, (C) conduct which presents an immediate and
2429 serious danger to the safety of other residents or the owner, or (D)
2430 using the premises for prostitution or the illegal sale of drugs. If the
2431 owner elects to evict based upon an allegation, pursuant to subdivision
2432 (8) of subsection (b) of section 21-82, that the resident failed to require
2433 other persons on the premises with [his] the resident's consent to
2434 conduct themselves in a manner that will not constitute a serious
2435 nuisance, and the resident claims to have had no knowledge of such
2436 conduct, then, if the owner establishes that the premises have been
2437 used for the illegal sale of drugs, the burden shall be on the resident to
2438 show that [he] the resident had no knowledge of the creation of the
2439 serious nuisance.

2440 (3) Notwithstanding the provisions of section 47a-23, termination of
2441 any tenancy in a mobile manufactured home park shall be effective
2442 only if made in the following manner:

2443 (A) By the resident giving at least thirty days' notice to the owner;

2444 (B) By the owner giving the resident at least sixty days' written
2445 notice, which shall state the reason or reasons for such termination,
2446 except that, when termination is based upon subparagraph (A) of
2447 subdivision (1) of this subsection, the owner need give the resident
2448 only thirty days' written notice, which notice shall state the total
2449 arrearage due provided, the owner shall not maintain or proceed with
2450 a summary process action against a resident who tenders the total

2451 arrearage due to the owner within such thirty days and who has not so
2452 tendered an arrearage under this subparagraph during the preceding
2453 twelve months.

2454 (4) Except as otherwise specified, proceedings under this section
2455 shall be as prescribed by chapter 832.

2456 (5) Nothing in this subsection shall prohibit an owner from
2457 increasing the rent at the termination of the rental agreement if (A) the
2458 owner delivers a written notice of the proposed rent increase to the
2459 resident at least thirty days before the start of a new rental agreement;
2460 (B) the proposed rent is consistent with rents for comparable lots in the
2461 same park; and (C) the rent is not increased in order to defeat the
2462 purpose of this subsection.

2463 (c) Notwithstanding the provisions of sections 47a-35 and 47a-36, if
2464 judgment is entered in a summary process action against a mobile
2465 manufactured home owner and resident based upon subparagraph (D)
2466 of subdivision (1) of subsection (b) of this section, execution shall not
2467 issue until six months from the date of such judgment. The court shall
2468 condition such stay of execution upon a requirement that the mobile
2469 manufactured home owner and resident make payments to the
2470 plaintiff in the summary process action in such installments as the
2471 court may direct for the use and occupancy of the premises during the
2472 period of such stay at the rate for which such mobile manufactured
2473 home owner and resident was most recently liable as rent or in such
2474 other sum as is reasonable.

2475 (d) Notwithstanding the provisions of sections 47a-35 and 47a-36, if
2476 judgment is entered in a summary process action against a resident
2477 who owns [his] the mobile manufactured home, the resident may,
2478 prior to the expiration of the automatic stay of execution provided in
2479 section 47a-35 or 47a-36, as applicable, move for permission to exercise
2480 in good faith [his] the resident's right to sell the mobile manufactured
2481 home in place in the mobile manufactured home park, subject to the
2482 provisions of section 21-79, and the court may stay execution upon

2483 such judgment pending sale of the home. Such stay may be ordered for
2484 a period or periods in an aggregate not to exceed twelve months from
2485 the date of the judgment in the summary process action, except that
2486 any such stay or stays extending beyond six months from the date of
2487 the judgment in the summary process action shall be reviewed every
2488 two months to determine that the resident is making a good faith effort
2489 to sell the home. The court shall condition such stay of execution upon
2490 a requirement that the resident make payments to the plaintiff in the
2491 summary process action in such installments as the court may direct
2492 for the use and occupancy of the premises during the period of such
2493 stay at the rate for which such resident was most recently liable as rent
2494 or in such other amount as is reasonable and may, in addition, impose
2495 other reasonable terms and conditions on the stay. If there is a rental
2496 arrearage at the time of the entry of the order, the court shall order that
2497 it be paid out of the proceeds of the sale, except that the court, upon
2498 finding that the resident has the present ability to pay the arrearage,
2499 may require that all or part of such arrearage be paid as a condition of
2500 the stay.

2501 (e) (1) If (A) a judgment for possession has been entered against the
2502 resident and all occupants of a mobile manufactured home pursuant to
2503 chapter 832 and this section; (B) no rent or other payment has been
2504 received for the use and occupancy of the lot upon which the mobile
2505 manufactured home is situated for at least four months; (C) at least
2506 sixty days have passed since the expiration of the last stay of execution
2507 pursuant to chapter 832 and this section; and (D) notwithstanding the
2508 provisions of section 47a-42, the mobile manufactured home remains
2509 upon the lot, the owner of the mobile manufactured home park may
2510 initiate a petition to the Superior Court pursuant to this section. Such
2511 petition may be brought as a supplemental proceeding in the summary
2512 process action, in which case no additional entry fee shall be required.

2513 (2) The petition shall allege the acts specified in subdivision (1) of
2514 this subsection and, in addition, shall allege supporting facts which
2515 demonstrate that the owner of the mobile manufactured home has
2516 failed or refused to make reasonable efforts to remove the home from

2517 the lot or to sell the home in place or that, in spite of reasonable efforts
2518 to locate the owner of the mobile manufactured home or such owner's
2519 representative, the owner of the mobile manufactured home park has
2520 been unable to locate such owner. Reasonable efforts to locate the
2521 owner of the mobile manufactured home shall include, but not be
2522 limited to, reasonable inquiry of relatives or associates of the owner of
2523 the home, if known to the owner of the park, and of other residents of
2524 the park.

2525 (3) A copy of the petition and the notice of the hearing on the
2526 petition shall be given to the owner of the mobile manufactured home,
2527 the municipality and all lienholders who have recorded a lien against
2528 the mobile manufactured home or of whom the owner of the mobile
2529 manufactured home park has actual knowledge. Notice to the
2530 municipality and to lienholders shall be by certified mail. Notice to the
2531 owner of the mobile manufactured home shall be designed to
2532 maximize the likelihood that the owner will receive actual notice of the
2533 petition, without regard to whether the owner appeared in the
2534 summary process action. Such notice to the owner of the mobile
2535 manufactured home shall be conspicuously posted at the entrance to
2536 the mobile manufactured home and also sent by certified or registered
2537 mail, return receipt requested, to the owner of the mobile
2538 manufactured home and to the attorney, if any, who appeared for such
2539 owner in the summary process action. Notice to the owner of the
2540 mobile manufactured home shall be sent to such owner at [his] the
2541 owner's last-known address and also to such owner in care of any
2542 other person reasonably believed to know the location of the owner.
2543 The court may require supplemental notice if it finds that additional
2544 notice is likely to result in actual notice to the owner of the mobile
2545 manufactured home.

2546 (4) At the hearing on the petition, the court shall determine whether
2547 all the requirements of subdivisions (1), (2) and (3) of this subsection
2548 have been satisfied and, if they have, shall also determine whether the
2549 home has been abandoned. If such requirements have been satisfied
2550 and such home has been abandoned, the court shall order the owner of

2551 the mobile manufactured home park to conduct a public sale of the
2552 home. Nothing in this section shall preclude the court from deferring
2553 the entry of an order requiring sale and from issuing other appropriate
2554 orders, if the court finds that, within a reasonable period of time, the
2555 owner of the mobile manufactured home will remove the home from
2556 the lot or dispose of the home by sale or will make other appropriate
2557 arrangements with the park owner. The order directing sale shall
2558 require notice which includes a conspicuous statement that the sale
2559 will extinguish all previous ownership and lien rights. Notice shall be
2560 given by certified or registered mail, return receipt requested, to all
2561 persons entitled to notice of the petition. Notice shall also be posted
2562 conspicuously at the entrance of the home and shall be advertised at
2563 least three times in the real estate section of a daily paper with general
2564 circulation in the area where the park is situated. Any person,
2565 including a lienholder or the owner of the mobile manufactured home
2566 park, may bid at the sale. The proceeds of such sale shall be applied
2567 first to the costs of the sale and then to the payment of lienholders in
2568 the order of the priority of their liens. If proceeds remain thereafter
2569 they shall be paid over to the owner of the mobile manufactured home.
2570 Upon conclusion of the sale, the park owner shall file an affidavit with
2571 the court setting forth the nature of its compliance with the court's
2572 order of sale. The court, upon finding compliance with its order, shall
2573 issue a conveyance of title and release of liens, if any, to the purchaser
2574 for filing in the land records, which shall constitute good title to the
2575 home, and no execution shall issue on the original summary process
2576 action.

2577 Sec. 89. Section 21a-7 of the general statutes is repealed and the
2578 following is substituted in lieu thereof:

2579 Each board or commission transferred to the Department of
2580 Consumer Protection under section 21a-6 shall have the following
2581 powers and duties:

2582 (1) Each board or commission shall exercise its statutory functions,
2583 including licensing, certification, registration, accreditation of schools

2584 and the rendering of findings, orders and adjudications, independently
2585 of the Commissioner of Consumer Protection. The final decision of a
2586 board or commission shall be subject to judicial review as provided in
2587 section 4-183.

2588 (2) Each board or commission may, in its discretion, issue (A) an
2589 appropriate order to any person found to be violating an applicable
2590 statute or regulation providing for the immediate discontinuance of
2591 the violation, (B) an order requiring the violator to make restitution for
2592 any damage caused by the violation, or (C) both. Each board or
2593 commission may, through the Attorney General, petition the superior
2594 court for the [county] judicial district wherein the violation occurred,
2595 or wherein the person committing the violation resides or transacts
2596 business, for the enforcement of any order issued by it and for
2597 appropriate temporary relief or a restraining order and shall certify
2598 and file in the court a transcript of the entire record of the hearing or
2599 hearings, including all testimony upon which such order was made
2600 and the findings and orders made by the board or commission. The
2601 court may grant such relief by injunction or otherwise, including
2602 temporary relief, as it deems equitable and may make and enter a
2603 decree enforcing, modifying and enforcing as so modified, or setting
2604 aside, in whole or in part, any order of a board or commission.

2605 (3) Each board or commission may conduct hearings on any matter
2606 within its statutory jurisdiction. Such hearings shall be conducted in
2607 accordance with chapter 54 and the regulations established pursuant to
2608 subsection (a) of section 21a-9. In connection with any such hearing,
2609 the board or commission may administer oaths, issue subpoenas,
2610 compel testimony and order the production of books, records and
2611 documents. If any person refuses to appear, testify or produce any
2612 book, record or document when so ordered, a judge of the Superior
2613 Court may make such order as may be appropriate to aid in the
2614 enforcement of this section.

2615 (4) Each board or commission may request the Commissioner of
2616 Consumer Protection to conduct an investigation and to make findings

2617 and recommendations regarding any matter within the statutory
2618 jurisdiction of the board or commission.

2619 (5) Each board or commission may recommend rules and
2620 regulations for adoption by the Commissioner of Consumer Protection
2621 and may review and comment upon proposed rules and regulations
2622 prior to their adoption by said commissioner.

2623 (6) Each board or commission shall meet at least once in each
2624 quarter of a calendar year and at such other times as the chairperson
2625 deems necessary or at the request of a majority of the board or
2626 commission members. A majority of the members shall constitute a
2627 quorum. Any member who fails to attend three consecutive meetings
2628 or who fails to attend fifty per cent of all meetings during any calendar
2629 year shall be deemed to have resigned from office. Members of boards
2630 or commissions shall not serve for more than two consecutive full
2631 terms which commence on or after July 1, 1982, except that if no
2632 successor has been appointed or approved, such member shall
2633 continue to serve until a successor is appointed or approved. Members
2634 shall not be compensated for their services but shall be reimbursed for
2635 necessary expenses incurred in the performance of their duties.

2636 (7) In addition to any other action permitted under the general
2637 statutes, each board or commission may upon a finding of any cause
2638 specified in subsection (c) of section 21a-9: Revoke or suspend a
2639 license, registration or certificate; issue a letter of reprimand to a
2640 practitioner and send a copy of such letter to a complainant or to a
2641 state or local official; place a practitioner on probationary status and
2642 require the practitioner to report regularly to the board or commission
2643 on the matter which is the basis for probation, limit [his] the
2644 practitioner's practice to areas prescribed by the board or commission
2645 or, to continue or renew [his] the practitioner's education until [he] the
2646 practitioner has attained a satisfactory level of competence in any area
2647 which is the basis for probation. Each board or commission may
2648 discontinue, suspend or rescind any action taken under this
2649 subsection.

2650 Sec. 90. Subsection (a) of section 21a-190c of the general statutes is
2651 repealed and the following is substituted in lieu thereof:

2652 (a) Every charitable organization required to register pursuant to
2653 section 21a-190b shall annually file with the department a report for its
2654 most recently completed fiscal year, which report shall include a
2655 financial statement and such other information as the commissioner
2656 may require. Such charitable organization shall file such report not
2657 more than five months following the close of its fiscal year, which
2658 report shall be accompanied by a fee of twenty-five dollars and shall be
2659 signed by two authorized officers of the organization, one of whom
2660 shall be the chief fiscal officer of the organization. Such officers shall
2661 certify that such report is true and correct to the best of their
2662 knowledge. The commissioner shall prescribe the form of the report
2663 and may prescribe standards for its completion. The commissioner
2664 may accept, under such conditions as [he] said commissioner may
2665 prescribe, a copy or duplicate original of financial statements, reports
2666 or returns filed by the charitable organization with the Internal
2667 Revenue Service or another state having requirements similar to the
2668 provisions of sections 21a-190a to 21a-190l, inclusive.

2669 Sec. 91. Subsection (a) of section 21a-190l of the general statutes is
2670 repealed and the following is substituted in lieu thereof:

2671 (a) The commissioner may deny, suspend or revoke the registration
2672 of any charitable organization, fund-raising counsel or paid solicitor
2673 which has violated any provision of sections 21a-190a to 21a-190l,
2674 inclusive. The commissioner may accept a written assurance of
2675 compliance when [he] said commissioner determines that a violation
2676 of said sections is not material and that the public interest would not
2677 be served by a denial, suspension or revocation of such registration.

2678 Sec. 92. Section 21a-278 of the general statutes is repealed and the
2679 following is substituted in lieu thereof:

2680 (a) Any person who manufactures, distributes, sells, prescribes,
2681 dispenses, compounds, transports with the intent to sell or dispense,

2682 possesses with the intent to sell or dispense, offers, gives or
2683 administers to another person one or more preparations, compounds,
2684 mixtures or substances containing an aggregate weight of one ounce or
2685 more of heroin, methadone or cocaine or an aggregate weight of one-
2686 half gram or more of cocaine in a free-base form or a substance
2687 containing five milligrams or more of lysergic acid diethylamide,
2688 except as authorized in this chapter, and who is not, at the time of such
2689 action, a drug-dependent person, shall be imprisoned for a minimum
2690 term of not less than five years nor more than twenty years; and, a
2691 maximum term of life imprisonment. The execution of the mandatory
2692 minimum sentence imposed by the provisions of this subsection shall
2693 not be suspended except the court may suspend the execution of such
2694 mandatory minimum sentence if at the time of the commission of the
2695 offense (1) such person was under the age of eighteen years, or [] (2)
2696 such person's mental capacity was significantly impaired but not so
2697 impaired as to constitute a defense to prosecution.

2698 (b) Any person who manufactures, distributes, sells, prescribes,
2699 dispenses, compounds, transports with the intent to sell or dispense,
2700 possesses with the intent to sell or dispense, offers, gives or
2701 administers to another person any narcotic substance, hallucinogenic
2702 substance other than marijuana, amphetamine-type substance, or one
2703 kilogram or more of a cannabis-type substance except as authorized in
2704 this chapter, and who is not at the time of such action a drug-
2705 dependent person, for a first offense shall be imprisoned not less than
2706 five years nor more than twenty years; and for each subsequent offense
2707 shall be imprisoned not less than ten years nor more than twenty-five
2708 years. The execution of the mandatory minimum sentence imposed by
2709 the provisions of this subsection shall not be suspended except the
2710 court may suspend the execution of such mandatory minimum
2711 sentence if at the time of the commission of the offense (1) such person
2712 was under the age of eighteen years, or [] (2) such person's mental
2713 capacity was significantly impaired but not so impaired as to
2714 constitute a defense to prosecution.

2715 Sec. 93. Subsection (a) of section 30-14 of the general statutes is

2716 repealed and the following is substituted in lieu thereof:

2717 (a) A permit shall be a purely personal privilege [.] that expires
2718 annually, except a permit issued under sections 30-25, 30-35, 30-37b,
2719 30-37d, 30-37g and 30-37h, and revocable in the discretion of the
2720 Department of Consumer Protection subject to appeal as provided in
2721 section 30-55. A permit shall not constitute property, nor shall it be
2722 subject to attachment and execution, nor shall it be alienable, except
2723 that it shall descend to the estate of a deceased permittee by the laws of
2724 testate or intestate succession. A railroad permit or an airline permit
2725 shall be granted to the railroad corporation or airline corporation and
2726 not to any person, and the corporation shall be the permittee.

2727 Sec. 94. Section 30-106 of the general statutes is repealed and the
2728 following is substituted in lieu thereof:

2729 Every officer who has a warrant for the arrest of any person charged
2730 with keeping a house of ill-fame, or a house reputed to be a house of
2731 ill-fame, or a house of assignation or a house where lewd, dissolute or
2732 drunken persons resort, or where drinking, carousing, dancing and
2733 fighting are permitted, to the disturbance of the neighbors, or with
2734 violating any law against gaming in the house or rooms occupied by
2735 [him] such person, or with resorting to any house for any of said
2736 purposes, and every officer who has a warrant for the arrest of any
2737 person charged with keeping open any room, place, enclosure,
2738 building or structure, of any kind or description, in which it is reputed
2739 that alcoholic liquor is exposed for sale contrary to law, or with selling
2740 alcoholic liquor [.] in any place contrary to law, or for the seizure of
2741 alcoholic liquor, may, at any time, for the purpose of gaining
2742 admission to such house, room, place, enclosure, building or structure,
2743 or for the purpose of arresting any of the persons aforesaid, make
2744 violent entry into such house, room, place, enclosure, building or
2745 structure, or any part thereof, after demanding admittance and giving
2746 notice that [he] the officer is an officer and has such warrant, and may
2747 arrest any person so charged and take [him] such person before the
2748 proper authority. The Department of Consumer Protection, its agents

2749 and any member of any organized police department in any town, city
2750 or borough, and any state policeman, may, at any time, enter upon the
2751 premises of any permittee to ascertain the manner in which such
2752 person conducts [his] business and to preserve order.

2753 Sec. 95. Subsection (b) of section 42-133mm of the general statutes is
2754 repealed and the following is substituted in lieu thereof:

2755 (b) When a franchisor sells, transfers or assigns the franchisor's
2756 interest in two or more marketing premises marketed as a package to a
2757 successor owner, any change in the terms and conditions of the
2758 franchise agreement in effect at the time of the sale, transfer or
2759 assignment shall be by mutual agreement of the franchisee and the
2760 successor owner. Such successor owner shall, at the expiration of the
2761 franchise agreement in effect at the time of the sale, transfer or
2762 assignment renew the franchise agreement of each franchisee for the
2763 same number of years as the agreement in effect at the time of the sale,
2764 transfer or assignment, provided [,] such renewal shall not exceed five
2765 years. Any changes to the franchise agreement shall be submitted in
2766 good faith by the successor owner [,] and negotiated in good faith by
2767 the successor owner and franchisee. The successor owner shall not
2768 require the franchisee to do the following: (1) Take part in promotional
2769 campaigns of the successor owner's products; (2) meet sales quotas; (3)
2770 sell any product at a price suggested by the successor owner or
2771 supplier; (4) [to] keep the premises open and operating during hours
2772 which are documented by the franchisee to be unprofitable to the
2773 franchisee or during the hours after 10 p.m. and prior to 6 a.m.; or (5)
2774 disclose to the successor owner or supplier financial records of the
2775 operation of the franchise which are not related or necessary to the
2776 franchisee's obligations under the franchise agreement. Nothing in this
2777 subsection shall affect the successor owner's ability to terminate, cancel
2778 or fail to renew a franchise agreement for good cause shown.

2779 Sec. 96. Section 42-158g of the general statutes is repealed and the
2780 following is substituted in lieu thereof:

2781 Prior to a retail lessee signing a lease agreement [,] with a retail
2782 lessor, the retail lessor shall make the disclosures specified in the
2783 Consumer Credit Protection Act (15 USC 1667), as amended from time
2784 to time, and Regulation M, 12 CFR Part 213, as amended from time to
2785 time, promulgated by the Board of Governors of the Federal Reserve
2786 System pursuant to said act, regardless of whether the lease agreement
2787 is subject to said act.

2788 Sec. 97. Subsection (c) of section 42-288a of the general statutes is
2789 repealed and the following is substituted in lieu thereof:

2790 (c) No telephone solicitor may make or cause to be made any
2791 unsolicited telephonic sales call to any consumer (1) if the consumer's
2792 name and telephone number or numbers appear on the then current
2793 quarterly "no sales solicitation calls" listing made available by the
2794 department under subsection (b) of this section, unless (A) such call
2795 was made by a telephone solicitor that first began doing business in
2796 this state on or after January 1, 2000, (B) a period of less than one year
2797 has passed since such telephone solicitor first began doing business in
2798 this state, and (C) the consumer to [which] whom such call was made
2799 had not on a previous occasion stated to such telephone solicitor that
2800 such consumer no longer wishes to receive the telephonic sales calls of
2801 such telephone solicitor, (2) to be received between the hours of nine
2802 o'clock p.m. and nine o'clock a.m., local time, at the consumer's
2803 location, (3) in the form of electronically transmitted facsimiles, or (4)
2804 by use of a recorded message device.

2805 Sec. 98. Subsection (g) of section 45a-715 of the general statutes is
2806 repealed and the following is substituted in lieu thereof:

2807 (g) Before a hearing on the merits in any case in which a petition for
2808 termination of parental rights is contested in a court of probate, the
2809 Court of Probate shall, on the motion of any legal party except the
2810 petitioner or may on its own motion or that of the petitioner, under
2811 rules adopted by the judges of the Supreme Court, transfer the case to
2812 the Superior Court. In addition to the provisions of this section, the

2813 Probate Court may, on the court's own motion or that of any interested
2814 party, transfer the case to another judge of probate, which judge shall
2815 be appointed by the Probate Court Administrator from a panel of
2816 qualified probate judges who specialize in children's matters. Such
2817 panel shall be proposed by the Probate Court Administrator and
2818 approved by the executive committee of the Connecticut Probate
2819 Assembly. The location of the hearing shall be in the original probate
2820 court, except upon agreement of all parties and the Department of
2821 Children and Families, where applicable. If the case is transferred, the
2822 clerk of the Court of Probate shall transmit to the clerk of the Superior
2823 Court or the probate Court to which the case was transferred, the
2824 original files and papers in the case. The Superior Court or the probate
2825 court to which the [matter] case was transferred, upon hearing after
2826 notice as provided in sections 45a-716 and 45a-717, may grant the
2827 petition as provided in section 45a-717.

2828 Sec. 99. Subsection (c) of section 46a-94a of the general statutes is
2829 repealed and the following is substituted in lieu thereof:

2830 (c) The commission on its own motion may, whenever justice so
2831 requires, reopen any matter previously closed by it in accordance with
2832 the provisions of this subsection, provided such matter [had] has not
2833 been appealed to the Superior Court pursuant to section 4-183. Notice
2834 of such reopening shall be given to all parties. A complainant or
2835 respondent may, for good cause shown, in the interest of justice, apply
2836 for the reopening of a previously closed proceeding provided such
2837 application is filed with the commission within six years of the
2838 commission's final decision or by October 1, 2000, whichever comes
2839 first. After October 1, 2000, such application shall be filed within two
2840 years of the commission's final decision.

2841 Sec. 100. Subsection (b) of section 46b-150f of the general statutes is
2842 repealed and the following is substituted in lieu thereof:

2843 (b) A petition alleging that a youth is a youth in crisis shall be
2844 verified and filed with the Superior Court which has venue over the

2845 matter. The petition shall set forth plainly: (1) The facts which bring
2846 the youth within the jurisdiction of the court; (2) the name, date of
2847 birth, sex and residence of the [child] youth; (3) the name and
2848 residence of the parent or parents, guardian or other person having
2849 control of the youth; and (4) a prayer for appropriate action by the
2850 court in conformity with the provisions of this section.

2851 Sec. 101. This act shall take effect from its passage.

JUD *Joint Favorable Subst.*