



General Assembly

January Session, 2001

**Amendment**

LCO No. 6174

Offered by:

SEN. KISSEL, 7<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1237

File No. 545

Cal. No. 378

**"AN ACT CONCERNING FAMILIES WITH SERVICE NEEDS AND YOUTH IN CRISIS."**

1 After line 192, add section 4, as follows:

2 "Sec. 4. Section 46b-120 of the general statutes is repealed and the  
3 following is substituted in lieu thereof:

4 The terms used in this chapter shall, in its interpretation and in the  
5 interpretation of other statutes, be defined as follows: (1) "Child"  
6 means any person under sixteen years of age and, for purposes of  
7 delinquency matters, "child" means any person (A) under sixteen years  
8 of age or, (B) sixteen years of age or older who, prior to attaining  
9 sixteen years of age, has violated any federal or state law or municipal  
10 or local ordinance, other than an ordinance regulating behavior of a  
11 child in a family with service needs, and, subsequent to attaining  
12 sixteen years of age, violates any order of the Superior Court or any  
13 condition of probation ordered by the Superior Court with respect to  
14 such delinquency proceeding; (2) "youth" means any person sixteen [to  
15 eighteen] or seventeen years of age; (3) "youth in crisis" means any

16 person sixteen [to] or seventeen years of age who, within the last two  
17 years, (A) has without just cause run away from the parental home or  
18 other properly authorized and lawful place of abode; (B) is beyond the  
19 control of parents, guardian or other custodian; or (C) has four  
20 unexcused absences from school in any one month or ten unexcused  
21 absences in any school year; (4) "abused" means that a child or youth  
22 (A) has been inflicted with physical injury or injuries other than by  
23 accidental means, or (B) has injuries which are at variance with the  
24 history given of them, or (C) is in a condition which is the result of  
25 maltreatment such as, but not limited to, malnutrition, sexual  
26 molestation or exploitation, deprivation of necessities, emotional  
27 maltreatment or cruel punishment; (5) a child may be found "mentally  
28 deficient" who, by reason of a deficiency of intelligence, which has  
29 existed from birth or from early age, requires, or will require, for [his]  
30 such child's protection or for the protection of others, special care,  
31 supervision and control; (6) a child may be convicted as "delinquent"  
32 who has violated (A) any federal or state law or municipal or local  
33 ordinance, other than an ordinance regulating behavior of a child in a  
34 family with service needs, (B) any order of the Superior Court, or (C)  
35 conditions of probation as ordered by the court; (7) a child or youth  
36 may be found "dependent" whose home is a suitable one for the child  
37 or youth, save for the financial inability of parents, parent, guardian or  
38 other person maintaining such home, to provide the specialized care  
39 the condition of the child or youth requires; (8) a "family with service  
40 needs" means a family which includes a child who (A) has without just  
41 cause run away from the parental home or other properly authorized  
42 and lawful place of abode; (B) is beyond the control of parent, parents,  
43 guardian or other custodian; (C) has engaged in indecent or immoral  
44 conduct; (D) is a truant or habitual truant or who, while in school, has  
45 been continuously and overtly defiant of school rules and regulations;  
46 or (E) is thirteen years of age or older and has engaged in sexual  
47 intercourse with another person and such other person is thirteen  
48 years of age or older and not more than two years older or younger  
49 than such child; (9) a child or youth may be found "neglected" who (A)  
50 has been abandoned or (B) is being denied proper care and attention,

51 physically, educationally, emotionally or morally or (C) is being  
52 permitted to live under conditions, circumstances or associations  
53 injurious to the well-being of the child or youth or (D) has been  
54 abused; (10) a child or youth may be found "uncared for" who is  
55 homeless or whose home cannot provide the specialized care which  
56 the physical, emotional or mental condition of the child requires. For  
57 the purposes of this section the treatment of any child by an accredited  
58 Christian Science practitioner in lieu of treatment by a licensed  
59 practitioner of the healing arts, shall not of itself constitute neglect or  
60 maltreatment; (11) "delinquent act" means the violation of any federal  
61 or state law or municipal or local ordinance, other than an ordinance  
62 regulating the behavior of a child in a family with service needs, or the  
63 violation of any order of the Superior Court; (12) "serious juvenile  
64 offense" means (A) the violation by a child, including attempt or  
65 conspiracy to violate sections 21a-277, 21a-278, 29-33, 29-34, 29-35,  
66 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to  
67 53a-57, inclusive, 53a-59 to 53a-60c, inclusive, 53a-70 to 53a-71,  
68 inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-101,  
69 53a-102a, 53a-103a, 53a-111 to 53a-113, inclusive, subdivision (1) of  
70 subsection (a) of section 53a-122, subdivision (3) of subsection (a) of  
71 section 53a-123, 53a-134, 53a-135, 53a-136a, 53a-166, 53a-167c,  
72 subsection (a) of section 53a-174, 53a-196a, 53a-211, 53a-212, 53a-216 or  
73 53a-217b, or (B) running away, without just cause, from any secure  
74 placement other than home while referred as a delinquent child to the  
75 Office of Alternative Sanctions or committed as a delinquent child to  
76 the Commissioner of Children and Families for a serious juvenile  
77 offense; (13) "serious juvenile offender" means any child convicted as  
78 delinquent for commission of a serious juvenile offense; (14) "serious  
79 juvenile repeat offender" means any child charged with the  
80 commission of any felony if such child has previously been convicted  
81 delinquent at any age for two violations of any provision of title 21a,  
82 29, 53 or 53a which is designated as a felony; (15) "alcohol-dependent  
83 child" means any child who has a psychoactive substance dependence  
84 on alcohol as that condition is defined in the most recent edition of the  
85 American Psychiatric Association's "Diagnostic and Statistical Manual

86 of Mental Disorders"; (16) "drug-dependent child" means any child  
87 who has a psychoactive substance dependence on drugs as that  
88 condition is defined in the most recent edition of the American  
89 Psychiatric Association's "Diagnostic and Statistical Manual of Mental  
90 Disorders". No child shall be classified as drug dependent who is  
91 dependent (A) upon a morphine-type substance as an incident to  
92 current medical treatment of a demonstrable physical disorder other  
93 than drug dependence, or (B) upon amphetamine-type, ataractic,  
94 barbiturate-type, hallucinogenic or other stimulant and depressant  
95 substances as an incident to current medical treatment of a  
96 demonstrable physical or psychological disorder, or both, other than  
97 drug dependence.

98 Sec. 5. This act shall take effect July 1, 2001, except that sections 1 to  
99 3, inclusive, shall take effect October 1, 2001."