



**AN ACT CONCERNING YOUTH IN CRISIS.**

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

1 Section 1. Section 46b-120 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 The terms used in this chapter shall, in its interpretation and in the  
4 interpretation of other statutes, be defined as follows: (1) "Child"  
5 means any person under sixteen years of age and, for purposes of  
6 delinquency matters, "child" means any person (A) under sixteen years  
7 of age or, (B) sixteen years of age or older who, prior to attaining  
8 sixteen years of age, has violated any federal or state law or municipal  
9 or local ordinance, other than an ordinance regulating behavior of a  
10 child in a family with service needs, and, subsequent to attaining  
11 sixteen years of age, violates any order of the Superior Court or any  
12 condition of probation ordered by the Superior Court with respect to  
13 such delinquency proceeding; (2) "youth" means any person sixteen [to  
14 eighteen] or seventeen years of age; (3) "youth in crisis" means any  
15 [person sixteen to seventeen years of age] youth who, within the last  
16 two years, (A) has without just cause run away from the parental home  
17 or other properly authorized and lawful place of abode; (B) is beyond  
18 the control of parents, guardian or other custodian; or (C) has four  
19 unexcused absences from school in any one month or ten unexcused  
20 absences in any school year; (4) "abused" means that a child or youth  
21 (A) has been inflicted with physical injury or injuries other than by

22 accidental means, or (B) has injuries [which] that are at variance with  
23 the history given of them, or (C) is in a condition [which] that is the  
24 result of maltreatment such as, but not limited to, malnutrition, sexual  
25 molestation or exploitation, deprivation of necessities, emotional  
26 maltreatment or cruel punishment; (5) a child may be found "mentally  
27 deficient" who, by reason of a deficiency of intelligence [, which] that  
28 has existed from birth or from early age, requires, or will require, for  
29 his protection or for the protection of others, special care, supervision  
30 and control; (6) a child may be convicted as "delinquent" who has  
31 violated (A) any federal or state law or municipal or local ordinance,  
32 other than an ordinance regulating behavior of a child in a family with  
33 service needs, (B) any order of the Superior Court, or (C) conditions of  
34 probation as ordered by the court; (7) a child or youth may be found  
35 "dependent" whose home is a suitable one for the child or youth, save  
36 for the financial inability of parents, parent, guardian or other person  
37 maintaining such home, to provide the specialized care the condition  
38 of the child or youth requires; (8) a "family with service needs" means a  
39 family [which] that includes a child who (A) has without just cause run  
40 away from the parental home or other properly authorized and lawful  
41 place of abode; (B) is beyond the control of parent, parents, guardian  
42 or other custodian; (C) has engaged in indecent or immoral conduct;  
43 (D) is a truant or habitual truant or who, while in school, has been  
44 continuously and overtly defiant of school rules and regulations; or (E)  
45 is thirteen years of age or older and has engaged in sexual intercourse  
46 with another person and such other person is thirteen years of age or  
47 older and not more than two years older or younger than such child;  
48 (9) a child or youth may be found "neglected" who (A) has been  
49 abandoned or (B) is being denied proper care and attention, physically,  
50 educationally, emotionally or morally or (C) is being permitted to live  
51 under conditions, circumstances or associations injurious to the  
52 well-being of the child or youth or (D) has been abused; (10) a child or  
53 youth may be found "uncared for" who is homeless or whose home  
54 cannot provide the specialized care [which] that the physical,  
55 emotional or mental condition of the child requires. For the purposes  
56 of this section the treatment of any child by an accredited Christian

57 Science practitioner in lieu of treatment by a licensed practitioner of  
58 the healing arts, shall not of itself constitute neglect or maltreatment;  
59 (11) "delinquent act" means the violation of any federal or state law or  
60 municipal or local ordinance, other than an ordinance regulating the  
61 behavior of a child in a family with service needs, or the violation of  
62 any order of the Superior Court; (12) "serious juvenile offense" means  
63 (A) the violation by a child, including attempt or conspiracy to violate  
64 sections 21a-277, 21a-278, as amended, 29-33, 29-34, 29-35, as amended,  
65 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to  
66 53a-57, inclusive, 53a-59 to 53a-60c, inclusive, 53a-70 to 53a-71,  
67 inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-101,  
68 53a-102a, 53a-103a, 53a-111 to 53a-113, inclusive, subdivision (1) of  
69 subsection (a) of section 53a-122, subdivision (3) of subsection (a) of  
70 section 53a-123, 53a-134, 53a-135, 53a-136a, 53a-166, 53a-167c, as  
71 amended, subdivision (a) of section 53a-174, 53a-196a, 53a-211, 53a-212,  
72 53a-216 or 53a-217b, as amended, or (B) running away, without just  
73 cause, from any secure placement other than home while referred as a  
74 delinquent child to the Office of Alternative Sanctions or committed as  
75 a delinquent child to the Commissioner of Children and Families for a  
76 serious juvenile offense; (13) "serious juvenile offender" means any  
77 child convicted as delinquent for commission of a serious juvenile  
78 offense; (14) "serious juvenile repeat offender" means any child  
79 charged with the commission of any felony if such child has  
80 previously been convicted delinquent at any age for two violations of  
81 any provision of title 21a, 29, 53 or 53a [which] that is designated as a  
82 felony; (15) "alcohol-dependent child" means any child who has a  
83 psychoactive substance dependence on alcohol as that condition is  
84 defined in the most recent edition of the American Psychiatric  
85 Association's "Diagnostic and Statistical Manual of Mental Disorders";  
86 (16) "drug-dependent child" means any child who has a psychoactive  
87 substance dependence on drugs as that condition is defined in the  
88 most recent edition of the American Psychiatric Association's  
89 "Diagnostic and Statistical Manual of Mental Disorders". No child shall  
90 be classified as drug dependent who is dependent (A) upon a  
91 morphine-type substance as an incident to current medical treatment

92 of a demonstrable physical disorder other than drug dependence, or  
93 (B) upon amphetamine-type, ataractic, barbiturate-type, hallucinogenic  
94 or other stimulant and depressant substances as an incident to current  
95 medical treatment of a demonstrable physical or psychological  
96 disorder, or both, other than drug dependence.

97 Sec. 2. Section 46b-150d of the general statutes is repealed and the  
98 following is substituted in lieu thereof (*Effective from passage*):

99 An order that a minor is emancipated shall have the following  
100 effects: (a) The minor may consent to medical, dental or psychiatric  
101 care, without parental consent, knowledge or liability; (b) the minor  
102 may enter into a binding contract; (c) the minor may sue and be sued  
103 in his own name; (d) the minor shall be entitled to his own earnings  
104 and shall be free of control by his parents or guardian; (e) the minor  
105 may establish his own residence; (f) the minor may buy and sell real  
106 and personal property; (g) the minor may not thereafter be the subject  
107 of a petition under section [46b-120] 46b-129, as amended, as an  
108 abused, dependent, neglected or uncared for child or youth; (h) the  
109 minor may enroll in any school or college, without parental consent; (i)  
110 the minor shall be deemed to be over eighteen years of age for  
111 purposes of securing an operator's license under section 14-36 and a  
112 marriage license under subsection (b) of section 46b-30 without  
113 parental consent; (j) the minor shall be deemed to be over eighteen  
114 years of age for purposes of registering a motor vehicle under section  
115 14-12, as amended; (k) the parents of the minor shall no longer be the  
116 guardians of the minor under section 45a-606; (l) the parents of a minor  
117 shall be relieved of any obligations respecting his school attendance  
118 under section 10-184; (m) the parents shall be relieved of all obligation  
119 to support the minor; (n) the minor shall be emancipated for the  
120 purposes of parental liability for his acts under section 52-572; (o) the  
121 minor may execute releases in his own name under section 14-118; and  
122 (p) the minor may enlist in the armed forces of the United States  
123 without parental consent.

124 Sec. 3. Section 17a-1 of the general statutes, as amended by section

125 42 of public act 01-2 of the June special session and section 129 of  
126 public act 01-9 of the June special session, is repealed and the following  
127 is substituted in lieu thereof (*Effective from passage*):

128 As used in sections 17a-1 to 17a-26, inclusive, as amended, 17a-28 to  
129 17a-49, inclusive, as amended, 17a-127, as amended, and 46b-120, as  
130 amended by this act, unless otherwise provided in said sections:

131 (1) "Commissioner" means the Commissioner of Children and  
132 Families;

133 (2) "Council" means the State Advisory Council on Children and  
134 Families;

135 (3) "Advisory committee" means the Children's Behavioral Health  
136 Advisory Committee to the council;

137 (4) "Department" means the Department of Children and Families;

138 (5) "Child" means any person under sixteen years of age;

139 (6) "Youth" means any person at least sixteen years of age and under  
140 nineteen years of age;

141 (7) "Delinquent child" shall have the meaning ascribed thereto in  
142 section 46b-120, as amended by this act;

143 (8) "Child or youth with behavioral health needs" means a child or  
144 youth who is suffering from one or more mental disorders as defined  
145 in the most recent edition of the American Psychiatric Association's  
146 "Diagnostic and Statistical Manual of Mental Disorders";

147 (9) "Individual service plan" means a written plan to access  
148 specialized, coordinated and integrated care for a child or youth with  
149 complex behavioral health service needs [which shall be] that is  
150 designed to meet the needs of the child or youth and his or her family  
151 and may include, when appropriate (A) an assessment of the  
152 individual needs of the child or youth, (B) an identification of service

153 needs, (C) an identification of services [which] that are currently being  
154 provided, (D) an identification of opportunities for full participation by  
155 parents or emancipated minors, (E) include a reintegration plan when  
156 an out-of-home placement is made or recommended, (F) an  
157 identification of criteria for evaluating the effectiveness and  
158 appropriateness of such plan, and (G) coordination of the individual  
159 service plan with any educational services provided to the child or  
160 youth. The plan shall be subject to review at least every six months or  
161 upon reasonable request by the parent based on a changed  
162 circumstance, and be approved, in writing, by the parents, guardian of  
163 a child or youth and emancipated minors;

164 (10) "Family" means a child or youth with behavioral health needs  
165 [together with] and (A) one or more biological or adoptive parents,  
166 except for a parent whose parental rights have been terminated, (B)  
167 one or more persons to whom legal custody or guardianship has been  
168 given, or (C) one or more adults who have a primary responsibility for  
169 providing continuous care to such child or youth;

170 (11) "Parent" means a biological or adoptive parent, except a parent  
171 whose parental rights have been terminated;

172 (12) "Guardian" means a person who has a judicially created  
173 relationship between a child or youth and such person [which] that is  
174 intended to be permanent and self-sustaining as evidenced by the  
175 transfer to such person of the following parental rights with respect to  
176 the child or youth: (A) The obligation of care and control; (B) the  
177 authority to make major decisions affecting the child's or youth's  
178 welfare, including, but not limited to, consent determinations  
179 regarding marriage, enlistment in the armed forces and major medical,  
180 psychiatric or surgical treatment; (C) the obligation of protection of the  
181 child or youth; (D) the obligation to provide access to education; and  
182 (E) custody of the child or youth;

183 (13) "Serious emotional disturbance" and "seriously emotionally  
184 disturbed" means, with regard to a child or youth, that the child or

185 youth (A) has a range of diagnosable mental, behavioral or emotional  
186 disorders of sufficient duration to meet diagnostic criteria specified in  
187 the most recent edition of the American Psychiatric Association's  
188 "Diagnostic and Statistical Manual of Mental Disorders", and (B)  
189 exhibits behaviors that substantially interfere with or limit the child's  
190 or youth's ability to function in the family, school or community and  
191 are not a temporary response to a stressful situation;

192 (14) "Child or youth with complex behavioral health service needs"  
193 means a child or youth with behavioral health needs who needs  
194 specialized, coordinated behavioral health services;

195 (15) "Transition services" means services in the areas of education,  
196 employment, housing and community living designed to assist a youth  
197 with a serious emotional disturbance who is transitioning into  
198 adulthood; and

199 (16) "Community collaborative" means a local consortium of public  
200 and private health care providers, parents and guardians of children  
201 with behavioral health needs and service and education agencies that  
202 have organized to develop coordinated comprehensive community  
203 resources for children or youth with complex behavioral health service  
204 needs and their families in accordance with principles and goals of  
205 Connecticut Community KidCare.

206 Sec. 4. Section 46b-149b of the general statutes is repealed and the  
207 following is substituted in lieu thereof (*Effective October 1, 2002*):

208 Any police officer or any official of a municipal or community  
209 agency, who in the course of his employment under subsection (d) of  
210 section 17a-15, as amended, or section 46b-120, as amended by this act,  
211 46b-121, 46b-149, [or] 46b-149a, 46b-150f, as amended, or 46b-150g  
212 provides assistance to a child or a family in need thereof, shall not be  
213 liable to such child or such family for civil damages for any personal  
214 injuries which result from the voluntary termination of service by the  
215 child or the family.

