



General Assembly

February Session, 2002

Raised Bill No. 5679

LCO No. 2263

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING CREDIT AGAINST UNPAID FINES FOR TIME SPENT IN CONFINEMENT OR PERFORMING COMMUNITY SERVICE.

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

1 Section 1. Section 18-50 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 (a) [Each] (1) Except as provided in subdivision (2) of this
4 subsection, each person committed to any community correctional
5 center upon conviction of any criminal offense, and held therein only
6 for the payment of a fine, shall be discharged from confinement when
7 the time served by such person at the rate of [ten] fifty dollars a day
8 amounts to such fine or the balance thereof remaining unpaid. [; but
9 such a] Such person shall earn an additional credit of [ten] fifty dollars
10 toward such fine or balance [of fine] thereof remaining unpaid for each
11 day [he] such person is employed at productive or maintenance work
12 and has established a satisfactory work record. In computing the
13 number of days to be served, credit shall be given for Sundays,
14 holidays and the day of admission. Each person so committed shall be
15 released during the day following that which completes the time to be
16 served when computed in accordance [herewith] with this subdivision,

17 or immediately upon payment of the fine in full.

18 (2) Each person committed to any community correctional center
19 upon conviction of any criminal offense, and held therein only for the
20 payment of a fine, may be discharged from confinement and placed in
21 the custody of the Court Support Services Division subject to the
22 requirement that such person perform community service under the
23 supervision of the division until the period of community service
24 performed by such person at the rate of fifty dollars a day amounts to
25 such fine or the balance thereof remaining unpaid. Such person shall
26 be released from the custody of the division when such person
27 completes the period of community service required to be performed
28 when computed in accordance with this subdivision or immediately
29 upon payment of the fine in full.

30 (3) Payments of fines after commitment shall be made to the clerk of
31 the court which imposed the sentence, and such clerk shall thereupon
32 issue a certificate, which shall be delivered to the Community
33 Correctional Center Administrator as evidence of such payment and
34 shall be attached to and retained with the mittimus or other
35 commitment process, except that, if payment is made at any time when
36 the office of such clerk is not open, such payment shall be made to any
37 person designated by the Community Correctional Center
38 Administrator at the community correctional center where such person
39 is confined, and such person so designated shall transmit the payment
40 to the clerk of the court on the first court day thereafter. No person
41 shall be held in confinement for failure to pay a fine after such a
42 certificate showing that such fine has been fully paid has been
43 delivered to the Community Correctional Center Administrator;
44 provided, if a fine is paid to a person designated to accept it when the
45 office of the clerk is not open, the person confined to the community
46 correctional center shall immediately be released without requiring the
47 prior issuance of such certificate.

48 (b) Payments by persons committed to community correctional

49 centers of fees imposed under the provisions of section 51-56a or costs
50 imposed under the provisions of section 54-143 or 54-143a shall be
51 made to the clerk of the court location which imposed the sentence,
52 except that if payment is made at any time when the office of such
53 clerk is not open, such payment shall be made to any official at the
54 correctional center where such person is confined and such official
55 shall transmit the payment to the clerk of the court on the first court
56 day thereafter.

57 Sec. 2. Section 18-98d of the general statutes, as amended by public
58 act 01-78, is repealed and the following is substituted in lieu thereof
59 (*Effective October 1, 2002*):

60 (a) (1) Any person who is confined to a community correctional
61 center or a correctional institution for an offense committed on or after
62 July 1, 1981, under a mittimus or because such person is unable to
63 obtain bail or is denied bail shall, if subsequently imprisoned, earn a
64 reduction of such person's sentence equal to the number of days which
65 such person spent in such facility from the time such person was
66 placed in presentence confinement to the time such person began
67 serving the term of imprisonment imposed; provided (A) each day of
68 presentence confinement shall be counted only once for the purpose of
69 reducing all sentences imposed after such presentence confinement;
70 and (B) the provisions of this section shall only apply to a person for
71 whom the existence of a mittimus, an inability to obtain bail or the
72 denial of bail is the sole reason for such person's presentence
73 confinement, except that if a person is serving a term of imprisonment
74 at the same time such person is in presentence confinement on another
75 charge and the conviction for such imprisonment is reversed on
76 appeal, such person shall be entitled, in any sentence subsequently
77 imposed, to a reduction based on such presentence confinement in
78 accordance with the provisions of this section. In the case of a fine,
79 each day spent in such confinement prior to sentencing shall be
80 credited against the sentence at the rate of [ten] fifty dollars.

81 (2) (A) Any person convicted of any offense and sentenced on or
82 after October 1, 2001, to a term of imprisonment who was confined to a
83 police station or courthouse lockup in connection with such offense
84 because such person was unable to obtain bail or was denied bail shall,
85 if subsequently imprisoned, earn a reduction of such person's sentence
86 in accordance with subdivision (1) of this subsection equal to the
87 number of days which such person spent in such lockup, provided
88 such person at the time of sentencing requests credit for such
89 presentence confinement. Upon such request, the court shall indicate
90 on the judgment mittimus the number of days such person spent in
91 such presentence confinement.

92 (B) Any person convicted of any offense and sentenced prior to
93 October 1, 2001, to a term of imprisonment, who was confined in a
94 correctional facility for such offense on October 1, 2001, shall be
95 presumed to have been confined to a police station or courthouse
96 lockup in connection with such offense because such person was
97 unable to obtain bail or was denied bail and shall, unless otherwise
98 ordered by a court, earn a reduction of such person's sentence in
99 accordance with the provisions of subdivision (1) of this subsection of
100 one day.

101 (C) The provisions of this subdivision shall not be applied so as to
102 negate the requirement that a person convicted of a first violation of
103 subsection (a) of section 14-227a and sentenced pursuant to
104 subparagraph (B)(i) of subdivision (1) of subsection (h) of said section
105 serve a term of imprisonment of at least forty-eight consecutive hours.

106 (b) In addition to any reduction allowed under subsection (a) of this
107 section, if such person obeys the rules of the facility such person may
108 receive a good conduct reduction of any portion of a fine not remitted
109 or sentence not suspended at the rate of ten days or [one hundred] one
110 thousand dollars, as the case may be, for each thirty days of
111 presentence confinement; provided any day spent in presentence
112 confinement by a person who has more than one information pending

113 against such person may not be counted more than once in computing
114 a good conduct reduction under this subsection.

115 (c) The Commissioner of Correction shall be responsible for
116 ensuring that each person to whom the provisions of this section apply
117 receives the correct reduction in such person's sentence; provided in no
118 event shall credit be allowed under subsection (a) of this section in
119 excess of the sentence actually imposed.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

Statement of Purpose:

To increase the amount that is credited against a fine imposed against a person for each day such person spends in confinement prior to sentencing or after conviction and to enable a person to be discharged from confinement in order to pay off such person's fine by performing community service.

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