



General Assembly

Substitute Bill No. 5530

January Session, 2003

AN ACT CONCERNING ANIMAL CRUELTY PREVENTION AND EDUCATION.

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

1 Section 1. Subsection (a) of section 53a-30 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2003*):

4 (a) When imposing sentence of probation or conditional discharge,
5 the court may, as a condition of the sentence, order that the defendant:
6 (1) Work faithfully at a suitable employment or faithfully pursue a
7 course of study or of vocational training that will equip the defendant
8 for suitable employment; (2) undergo medical or psychiatric treatment
9 and remain in a specified institution, when required for that purpose;
10 (3) support the defendant's dependents and meet other family
11 obligations; (4) make restitution of the fruits of the defendant's offense
12 or make restitution, in an amount the defendant can afford to pay or
13 provide in a suitable manner, for the loss or damage caused thereby
14 and the court may fix the amount thereof and the manner of
15 performance; (5) if a minor, (A) reside with the minor's parents or in a
16 suitable foster home, (B) attend school, and (C) contribute to the
17 minor's own support in any home or foster home; (6) post a bond or
18 other security for the performance of any or all conditions imposed; (7)
19 refrain from violating any criminal law of the United States, this state
20 or any other state; (8) if convicted of a misdemeanor or a felony, other

21 than a capital felony, a class A felony or a violation of section 21a-278,
22 21a-278a, 53a-55, 53a-56, 53a-56b, 53a-57, 53a-58 or 53a-70b or any
23 offense for which there is a mandatory minimum sentence which may
24 not be suspended or reduced by the court, and any sentence of
25 imprisonment is suspended, participate in an alternate incarceration
26 program; (9) reside in a residential community center or halfway
27 house approved by the Commissioner of Correction, and contribute to
28 the cost incident to such residence; (10) participate in a program of
29 community service labor in accordance with section 53a-39c; (11)
30 participate in a program of community service in accordance with
31 section 51-181c; (12) if convicted of a violation of subdivision (2) of
32 subsection (a) of section 53-21, section 53a-70, 53a-70a, 53a-70b, 53a-71,
33 53a-72a or 53a-72b, undergo specialized sexual offender treatment; (13)
34 if convicted of a criminal offense against a victim who is a minor, a
35 nonviolent sexual offense or a sexually violent offense, as defined in
36 section 54-250, or of a felony that the court finds was committed for a
37 sexual purpose, as provided in section 54-254, register such person's
38 identifying factors, as defined in section 54-250, with the
39 Commissioner of Public Safety when required pursuant to section 54-
40 251, 54-252 or 54-253, as the case may be; (14) be subject to electronic
41 monitoring; (15) if convicted of a violation of section 46a-58, 53-37a,
42 53a-181j, 53a-181k or 53a-181l, participate in an anti-bias crime
43 education program; (16) if convicted of a violation of section 53-247,
44 undergo psychiatric or psychological counseling or participate in an
45 animal cruelty prevention and education program; or (17) satisfy any
46 other conditions reasonably related to the defendant's rehabilitation.
47 The court shall cause a copy of any such order to be delivered to the
48 defendant and to the probation officer, if any.

49 Sec. 2. Subsection (d) of section 54-56e of the general statutes is
50 repealed and the following is substituted in lieu thereof (*Effective*
51 *October 1, 2003*):

52 (d) Except as provided in subsection (e) of this section, any
53 defendant who enters such program shall pay to the court a
54 participation fee of one hundred dollars. Any defendant who enters

55 such program shall agree to the tolling of any statute of limitations
56 with respect to such crime and to a waiver of the right to a speedy trial.
57 Any such defendant shall appear in court and shall, under such
58 conditions as the court shall order, be released to the custody of the
59 Court Support Services Division, except that, if a criminal docket for
60 drug-dependent persons has been established pursuant to section
61 51-181b in the judicial district, such defendant may be transferred,
62 under such conditions as the court shall order, to the court handling
63 such docket for supervision by such court. If the defendant refuses to
64 accept, or, having accepted, violates such conditions, the defendant's
65 case shall be brought to trial. The period of such probation or
66 supervision, or both, shall not exceed two years. The court may order
67 that as a condition of such probation the defendant participate in the
68 zero-tolerance drug supervision program established pursuant to
69 section 53a-39d. If the defendant has reached the age of sixteen years
70 but has not reached the age of eighteen years, the court may order that
71 as a condition of such probation the defendant be referred for services
72 to a youth service bureau established pursuant to section 17a-39,
73 provided the court finds, through an assessment by a youth service
74 bureau or its designee, that the defendant is in need of and likely to
75 benefit from such services. When determining any conditions of
76 probation to order for a person entering such program who was
77 charged with a misdemeanor that did not involve the use, attempted
78 use or threatened use of physical force against another person or a
79 motor vehicle violation, the court shall consider ordering the person to
80 perform community service in the community in which the offense or
81 violation occurred. If the court determines that community service is
82 appropriate, such community service may be implemented by a
83 community court established in accordance with section 51-181c if the
84 offense or violation occurred within the jurisdiction of a community
85 court established by said section. If the defendant is charged with a
86 violation of section 46a-58, 53-37a, 53a-181j, 53a-181k or 53a-181l, the
87 court may order that as a condition of such probation the defendant
88 participate in a hate crimes diversion program as provided in
89 subsection (e) of this section. If a defendant is charged with a violation

90 of section 53-247, the court may order that as a condition of such
91 probation the defendant undergo psychiatric or psychological
92 counseling or participate in an animal cruelty prevention and
93 education program.

94 Sec. 3. Subsection (c) of section 46b-140 of the general statutes is
95 repealed and the following is substituted in lieu thereof (*Effective*
96 *October 1, 2003*):

97 (c) The court may order, as a condition of probation, that the child
98 (1) reside with a parent, relative or guardian or in a suitable foster
99 home or other residence approved by the court, (2) attend school and
100 class on a regular basis and comply with school policies on student
101 conduct and discipline, (3) refrain from violating any federal or state
102 law or municipal or local ordinance, (4) undergo any medical or
103 psychiatric evaluation or treatment deemed necessary by the court, (5)
104 submit to random drug or alcohol testing, or both, (6) participate in a
105 program of alcohol or drug treatment, or both, (7) make restitution to
106 the victim of the offense in accordance with subsection (d) of this
107 section, (8) participate in an alternative incarceration program or other
108 program established through the Court Support Services Division, (9)
109 participate in a program of community service, and (10) satisfy any
110 other conditions deemed appropriate by the court. The court shall
111 cause a copy of any such order to be delivered to the child, the child's
112 parents or guardian and the child's probation officer. If the child is
113 convicted as delinquent for a violation of section 53-247, the court may
114 order, as a condition of probation, that the child undergo psychiatric or
115 psychological counseling or participate in an animal cruelty
116 prevention and education program.

117 Sec. 4. Subsection (b) of section 54-76j of the general statutes is
118 repealed and the following is substituted in lieu thereof (*Effective*
119 *October 1, 2003*):

120 (b) If execution of the sentence is suspended under subdivision (6)
121 of subsection (a) of this section, the defendant may be placed on

122 probation or conditional discharge for a period not to exceed three
123 years, provided the court in its discretion may from time to time, while
124 such probation is in force, extend such probation for a period not to
125 exceed five years, including the original probationary period. If the
126 court places the person adjudicated to be a youthful offender on
127 probation, the court may order that as a condition of such probation
128 the person be referred for services to a youth service bureau
129 established pursuant to section 17a-39, provided the court finds,
130 through an assessment by a youth service bureau or its designee, that
131 the person is in need of and likely to benefit from such services. If the
132 court places a person adjudicated as a youthful offender on probation,
133 the court may order that as a condition of such probation the person
134 participate in the zero-tolerance drug supervision program established
135 pursuant to section 53a-39d. If the court places a youthful offender on
136 probation, school and class attendance on a regular basis and
137 satisfactory compliance with school policies on student conduct and
138 discipline may be a condition of such probation and, in such a case,
139 failure to so attend or comply shall be a violation of probation. If the
140 court has reason to believe that the person adjudicated to be a youthful
141 offender is or has been an unlawful user of narcotic drugs as defined in
142 section 21a-240, and the court places such youthful offender on
143 probation, the conditions of probation, among other things, shall
144 include a requirement that such person shall submit to periodic tests to
145 determine, by the use of "synthetic opiate antinarcotic in action",
146 nalline test or other detection tests, at a hospital or other facility,
147 equipped to make such tests, whether such person is using narcotic
148 drugs. A failure to report for such tests or a determination that such
149 person is unlawfully using narcotic drugs shall constitute a violation of
150 probation. If the court places a person adjudicated as a youthful
151 offender for a violation of section 53-247 on probation, the court may
152 order that as a condition of such probation the person undergo
153 psychiatric or psychological counseling or participate in an animal
154 cruelty prevention and education program.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>
Sec. 4	<i>October 1, 2003</i>

JUD *Joint Favorable Subst.*

APP *Joint Favorable*

HS *Joint Favorable*