



General Assembly

January Session, 2003

Raised Bill No. 953

LCO No. 3323

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE IMMIGRATION CONSEQUENCES OF
PLEAS OF GUILTY OR NOLO CONTENDERE.***

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

1 Section 1. Section 54-1j of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) The court shall not accept a plea of guilty or nolo contendere
4 from any defendant in any criminal proceeding unless the court
5 [advises him of the following: "If you are not a citizen of the United
6 States, you are hereby advised that conviction of the offense for which
7 you have been charged may have the consequences of deportation,
8 exclusion from admission to the United States, or denial of
9 naturalization, pursuant to the laws of the United States."] first
10 addresses the defendant personally and determines that the defendant
11 fully understands that if the defendant is not a citizen of the United
12 States, conviction of the offense for which the defendant has been
13 charged may have the consequences of deportation or removal from
14 the United States, exclusion from readmission to the United States or
15 denial of naturalization, pursuant to the laws of the United States. If
16 the defendant has not discussed these possible consequences with the

17 defendant's attorney, the court shall permit the defendant to do so
18 prior to accepting the defendant's plea.

19 (b) The defendant shall not be required at the time of the plea to
20 disclose [his] the defendant's legal status in the United States to the
21 court.

22 (c) If the court fails to [advise a defendant] address the defendant
23 personally and determine that the defendant fully understands the
24 possible consequences of the defendant's plea, as required in
25 subsection (a) of this section, and the defendant not later than three
26 years after the acceptance of the plea shows that [his] the defendant's
27 plea and conviction may have one of the enumerated consequences,
28 the court, on the defendant's motion, shall vacate the judgment, and
29 permit the defendant to withdraw the plea of guilty or nolo
30 contendere, and enter a plea of not guilty.

This act shall take effect as follows:	
Section 1	October 1, 2003

Statement of Purpose:

To require a court to determine that a defendant understands the possible immigration consequences of a plea of guilty or nolo contendere.

[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.]