



General Assembly

Substitute Bill No. 1130

January Session, 2003

AN ACT CONCERNING TRUANCY.

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

1 Section 1. Subsection (c) of section 10-198a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2003*):

4 (c) If the parent or other person having control of a child who is a
5 truant fails to attend the meeting held pursuant to subdivision (1) of
6 subsection (b) of this section or if such parent or other person
7 otherwise fails to cooperate with the school in attempting to solve the
8 truancy problem, such policies and procedures shall require the
9 superintendent of schools to file for each such truant enrolled in the
10 schools under his jurisdiction a written complaint with the Superior
11 Court pursuant to section 46b-149 alleging the belief that the acts or
12 omissions of the child are such that his family is a family with service
13 needs not later than ten days after such parent or other person having
14 control of a child who is a truant fails to attend the meeting or
15 otherwise fails to cooperate with the school in attempting to solve the
16 truancy problem.

17 Sec. 2. Subsection (h) of section 46b-149 of the general statutes is
18 repealed and the following is substituted in lieu thereof (*Effective July*
19 *1, 2003*):

20 (h) If the court finds, based on clear and convincing evidence, that
21 the family of a child is a family with service needs, the court may, in
22 addition to issuing any orders under section 46b-121, (1) refer the child
23 to the Department of Children and Families for any voluntary services
24 provided by said department or, if the family is a family with service
25 needs solely as a result of a finding that a child is a truant or habitual
26 truant, to the authorities of the local or regional school district or
27 private school for services provided by such school district or such
28 school, which services may include summer school, or to community
29 agencies providing child and family services; (2) commit [that] the
30 child to the care and custody of the Commissioner of Children and
31 Families for an indefinite period not to exceed eighteen months; (3)
32 order the child to remain in his own home or in the custody of a
33 relative or any other suitable person (A) subject to the supervision of a
34 probation officer, or (B) in the case of a family which is a family with
35 service needs solely as a result of a finding that a child is a truant or
36 habitual truant, subject to the supervision of a probation officer and
37 the authorities of the local or regional school district or private school;
38 [or] (4) if the family is a family with service needs as a result of the
39 child engaging in sexual intercourse with another person and such
40 other person is thirteen years of age or older and not more than two
41 years older or younger than such child, (A) refer the child to a youth
42 service bureau or other appropriate service agency for participation in
43 a program such as a teen pregnancy program or a sexually transmitted
44 disease program, and (B) require such child to perform community
45 service such as service in a hospital, an AIDS prevention program or
46 an obstetrical and gynecological program; or (5) if the family is a
47 family with service needs solely as a result of a finding that a child is a
48 truant or habitual truant, (A) report such finding to the Commissioner
49 of Motor Vehicles who shall suspend the motor vehicle operator's
50 license of such truant child or youth, (B) order the parent, or other
51 person having control of the truant child or youth to perform
52 community service for a number of hours as determined by the court,
53 or (C) impose a civil penalty on such parent or other person having
54 control of the truant child or youth in a dollar amount as determined

55 by the court. If the court issues any order which regulates future
56 conduct of the child, parent or guardian, the child, parent or guardian,
57 shall receive adequate and fair warning of the consequences of
58 violation of the order at the time it is issued, and such warning shall be
59 provided to the child, parent or guardian, to his attorney and to his
60 legal guardian in writing and shall be reflected in the court record and
61 proceedings.

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

ED

Joint Favorable Subst. C/R

JUD