



General Assembly

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Amendment

LCO No. 6434

HB0550406434HD0

Offered by:

REP. MUSHINSKY, 85th Dist.

REP. TYMNIAK, 133rd Dist.

REP. THOMPSON, 13th Dist.

REP. HAMM, 34th Dist.

SEN. COOK, 18th Dist.

To: Subst. House Bill No. 5504

File No. 615

Cal. No. 419

"AN ACT ESTABLISHING THE NORTHWEST CORNER PROBATE DISTRICT AND A BLUE RIBBON COMMISSION ON THE PROBATE COURT SYSTEM."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 46b-150g of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2003*):

5 (a) Any police officer who receives a report from the parent or
6 guardian of a youth in crisis [, as defined in section 46b-120, may] shall
7 attempt to locate the youth in crisis. If the officer locates such youth in
8 crisis, such officer [may] shall report the location of the youth to the
9 parent or guardian in accordance with the provisions of federal and
10 state law after such officer determines that such report does not place

11 the youth in any physical or emotional harm. In addition, the police
12 officer [may] shall respond in one of the following ways: (1) Transport
13 the youth in crisis to the home of the child's parent or guardian or [any
14 other person] a suitable and worthy adult; (2) refer the youth in crisis
15 to the superior court for juvenile matters or the probate court in the
16 district where the youth in crisis is located, provided the probate judge
17 for such probate court is willing to accept the referral; (3) hold the
18 youth in crisis in protective custody for a maximum period of twelve
19 hours until the officer can determine a more suitable disposition of the
20 matter, provided (A) the youth in crisis is not held in any cell designed
21 or used for adults, and (B) the officer [may] does not release the youth
22 in crisis [at any time without taking further action] to the parent or
23 guardian of the youth in crisis during such twelve-hour period; or (4)
24 transport or refer a youth in crisis to any public or private agency
25 serving children, with or without the agreement of the youth in crisis.
26 If a youth in crisis is transported or referred to an agency pursuant to
27 this section, such agency shall provide temporary services to the youth
28 in crisis unless or until the parent or guardian of the youth in crisis at
29 any time refuses to agree to those services.

30 (b) Any police officer acting accordance with the provisions of this
31 section shall be deemed to be acting in the course of the police officer's
32 official duties.

33 Sec. 502. Section 46b-149b of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective October 1, 2003*):

35 (a) Any police officer or any official of a municipal or community
36 agency, who in the course of [his] such police officer's or official's
37 employment under subsection (d) of section 17a-15 or section 46b-120,
38 46b-121, 46b-149, 46b-149a, 46b-150f, as amended by this act, or 46b-
39 150g, as amended by this act, provides assistance to a child or a family
40 in need thereof, shall not be liable to such child or such family for civil
41 damages for any personal injuries which result from the voluntary
42 termination of service by the child or the family.

43 (b) Each municipal police department and the Division of State
44 Police within the Department of Public Safety shall implement a
45 uniform protocol for providing intervention and assistance in matters
46 involving children thirteen years of age or older who are members of
47 families with service needs. Such uniform protocol shall be developed
48 by the Police Officer Standards and Training Council established
49 under section 7-294b.

50 Sec. 503. Section 46b-150f of the general statutes is repealed and the
51 following is substituted in lieu thereof (*Effective October 1, 2003*):

52 (a) Any selectman, town manager, police officer or welfare
53 department of any town, city or borough, any probation officer, any
54 superintendent of schools, any child-caring institution or agency
55 approved or licensed by the Commissioner of Children and Families,
56 any youth service bureau, a parent or foster parent of a youth, or a
57 youth or the attorney or other representative of such youth, who
58 believes that the acts or omissions of a youth are such that such youth
59 is a youth in crisis may file a written complaint setting forth those facts
60 with the Superior Court which has venue over [that] the matter.

61 (b) A petition alleging that a youth is a youth in crisis shall be
62 verified and filed with the Superior Court which has venue over the
63 matter. The petition shall set forth plainly: (1) The facts which bring
64 the youth within the jurisdiction of the court; (2) the name, date of
65 birth, sex and residence of the youth; (3) the name and residence of the
66 parent or parents, guardian or other person having control of the
67 youth; and (4) a prayer for appropriate action by the court in
68 conformity with the provisions of this section.

69 (c) Upon determination that a youth is a youth in crisis in
70 accordance with policies established by the Chief Court Administrator,
71 the court may make and enforce orders, including, but not limited to,
72 orders: [(1) Prohibiting the youth in crisis from driving a motor vehicle
73 for a time determined by the court;] (1) Directing the Commissioner of
74 Motor Vehicles to suspend the motor vehicle operator's license of the

75 youth in crisis for a period of time specified in the regulations adopted
76 pursuant to section 504 of this act; (2) requiring work or specified
77 community service; (3) mandating that the youth in crisis attend an
78 educational program in the local community approved by the court;
79 [and] (4) requiring mental health services; (5) placing the youth in
80 crisis on probation; (6) prohibiting the youth in crisis from being
81 eligible for adjudication as a youthful offender pursuant to sections 54-
82 76b to 54-76o, inclusive; and (7) prohibiting the youth in crisis from
83 being eligible for participation in the pretrial program for accelerated
84 rehabilitation under section 54-56e. A youth in crisis found to be in
85 violation of any order under this section shall not be considered to be
86 delinquent and shall not be punished by the court by incarceration in
87 any state-operated detention facility or correctional facility.

88 (d) The Judicial Department may use any funds appropriated for
89 purposes of this chapter for costs incurred by the department or the
90 court pursuant to this section.

91 Sec. 504. (NEW) (*Effective October 1, 2003*) The Commissioner of
92 Motor Vehicles shall adopt regulations, in accordance with the
93 provisions of chapter 54 of the general statutes, setting forth the length
94 of suspension and number of points chargeable against the operator's
95 license of a youth in crisis for whom the court has ordered a license
96 suspension under subsection (c) of section 46b-150f of the general
97 statutes, as amended by this act."