



General Assembly

January Session, 2003

Amendment

LCO No. 7341

SB0113007341HDO

Offered by:

REP. MUSHINSKY, 85th Dist.
REP. TYMNIAK, 133rd Dist.
REP. THOMPSON, 13th Dist.
REP. HAMM, 34th Dist.
SEN. COOK, 18th Dist.
REP. ZALASKI, 81st Dist.
REP. NOUJAIM, 74th Dist.
REP. MCMAHON, 15th Dist.
REP. TERCYAK, 26th Dist.
REP. TRUGLIA, 145th Dist.

REP. GREEN, 1st Dist.
REP. WILLIS, 64th Dist.
REP. SHERER, 147th Dist.
REP. SAWYER, 55th Dist.
REP. POWERS, 151st Dist.
REP. STONE, 134th Dist.
REP. WINKLER, 41st Dist.
REP. HOVEY, 112th Dist.
REP. RUWET, 65th Dist.

To: Subst. Senate Bill No. 1130

File No. 608

Cal. No. 498

"AN ACT CONCERNING TRUANCY."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 46b-150g of the general statutes is repealed and
4 the 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] probate court in the district
16 where the youth in crisis is located, provided the probate judge for
17 such probate court is willing to accept the referral; (3) hold the youth
18 in crisis in protective custody for a maximum period of twelve hours
19 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 release the youth in crisis [at
22 any time without taking further action; or] to the parent or guardian of
23 the youth if the officer determines that returning the youth does not
24 place the youth in any physical or emotional harm; (4) transport or
25 refer a youth in crisis to any public or private agency serving children,
26 with or without the agreement of the youth in crisis; or (5) if the police
27 officer is unable to transport, refer or hold the youth in crisis pursuant
28 to subdivisions (1) to (4), inclusive, of this subsection, refer the youth
29 in crisis to the superior court for juvenile matters in the district where
30 the youth in crisis is located. If a youth in crisis is transported or
31 referred to an agency pursuant to this section, such agency shall
32 provide temporary services to the youth in crisis unless or until the
33 parent or guardian of the youth in crisis at any time refuses to agree to
34 those services.

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

38 Sec. 2. Section 46b-149b of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective October 1, 2003*):

40 (a) Any police officer or any official of a municipal or community
41 agency, who in the course of [his] such police officer's or official's

42 employment under subsection (d) of section 17a-15 or section 46b-120,
43 46b-121, 46b-149, 46b-149a, 46b-150f, as amended by this act, or 46b-
44 150g, as amended by this act, provides assistance to a child or a family
45 in need thereof, shall not be liable to such child or such family for civil
46 damages for any personal injuries which result from the voluntary
47 termination of service by the child or the family.

48 (b) Each municipal police department and the Division of State
49 Police within the Department of Public Safety shall implement a
50 uniform protocol for providing intervention and assistance in matters
51 involving youths in crisis. Such uniform protocol shall be developed
52 by the Police Officer Standards and Training Council established
53 under section 7-294b.

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

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

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

73 (c) Upon determination that a youth is a youth in crisis in

74 accordance with policies established by the Chief Court Administrator,
 75 the court may make and enforce orders, including, but not limited to,
 76 orders: [(1) Prohibiting the youth in crisis from driving a motor vehicle
 77 for a time determined by the court;] (1) Directing the Commissioner of
 78 Motor Vehicles to suspend the motor vehicle operator's license of the
 79 youth in crisis for a period of time, as directed by the court, but not to
 80 exceed one year; (2) requiring work or specified community service; (3)
 81 mandating that the youth in crisis attend an educational program in
 82 the local community approved by the court; [and] (4) requiring mental
 83 health services; (5) referring the youth in crisis to a youth service
 84 bureau, provided one exists in the local community; and (6) reviewing
 85 the option of emancipation, pursuant to section 46b-150, of the youth
 86 in crisis or the parent or guardian of such youth in crisis. A youth in
 87 crisis found to be in violation of any order under this section shall not
 88 be considered to be delinquent and shall not be punished by the court
 89 by incarceration in any state-operated detention facility or correctional
 90 facility.

91 (d) The Judicial Department may use any funds appropriated for
 92 purposes of this chapter for costs incurred by the department or the
 93 court pursuant to this section."

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| 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> |