



General Assembly

**Amendment**

January Session, 2005

LCO No. 6418

\*SB0003406418SD0\*

Offered by:  
SEN. DEFRONZO, 6<sup>th</sup> Dist.

To: Subst. Senate Bill No. 34                      File No. 562                      Cal. No. 405

**"AN ACT AUTHORIZING THE ISSUANCE OF PROTECTIVE  
ORDERS IN HARASSMENT CASES."**

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

3            "Sec. 501. Subsection (a) of section 53a-107 of the general statutes is  
4            repealed and the following is substituted in lieu thereof (*Effective*  
5            *October 1, 2005*):

6            (a) A person is guilty of criminal trespass in the first degree when:  
7            (1) Knowing that such person is not licensed or privileged to do so,  
8            such person enters or remains in a building or any other premises after  
9            an order to leave or not to enter personally communicated to such  
10           person by the owner of the premises or other authorized person; or (2)  
11           such person enters or remains in a building or any other premises in  
12           violation of a restraining order issued pursuant to section 46b-15 or a  
13           protective order issued pursuant to section 46b-38c, 54-1k or 54-82r by  
14           the Superior Court; or (3) such person enters or remains in a building  
15           or any other premises in violation of a foreign order of protection, as

16 defined in section 46b-15a, that has been issued against such person [,  
17 after notice and an opportunity to be heard has been provided to such  
18 person,] in a case involving the use, attempted use or threatened use of  
19 physical force against another person.

20 Sec. 502. Subsection (a) of section 53a-217 of the general statutes is  
21 repealed and the following is substituted in lieu thereof (*Effective*  
22 *October 1, 2005*):

23 (a) A person is guilty of criminal possession of a firearm or  
24 electronic defense weapon when such person possesses a firearm or  
25 electronic defense weapon and (1) has been convicted of a felony, (2)  
26 has been convicted as delinquent for the commission of a serious  
27 juvenile offense, as defined in section 46b-120, (3) knows that such  
28 person is subject to (A) a restraining or protective order of a court of  
29 this state that has been issued against such person, after notice and an  
30 opportunity to be heard has been provided to such person, in a case  
31 involving the use, attempted use or threatened use of physical force  
32 against another person, or [to] (B) a foreign order of protection, as  
33 defined in section 46b-15a, that has been issued against such person [,  
34 after notice and an opportunity to be heard has been provided to such  
35 person,] in a case involving the use, attempted use or threatened use of  
36 physical force against another person, or (4) knows that such person is  
37 subject to a firearms seizure order issued pursuant to subsection (d) of  
38 section 29-38c after notice and an opportunity to be heard has been  
39 provided to such person. For the purposes of this section, "convicted"  
40 means having a judgment of conviction entered by a court of  
41 competent jurisdiction.

42 Sec. 503. Subsection (a) of section 53a-217c of the general statutes is  
43 repealed and the following is substituted in lieu thereof (*Effective*  
44 *October 1, 2005*):

45 (a) A person is guilty of criminal possession of a pistol or revolver  
46 when such person possesses a pistol or revolver, as defined in section  
47 29-27, and (1) has been convicted of a felony or of a violation of

48 subsection (c) of section 21a-279 or section 53a-58, 53a-61, 53a-61a, 53a-  
49 62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d, (2) has been  
50 convicted as delinquent for the commission of a serious juvenile  
51 offense, as defined in section 46b-120, (3) has been discharged from  
52 custody within the preceding twenty years after having been found  
53 not guilty of a crime by reason of mental disease or defect pursuant to  
54 section 53a-13, (4) has been confined in a hospital for persons with  
55 psychiatric disabilities, as defined in section 17a-495, within the  
56 preceding twelve months by order of a probate court, (5) knows that  
57 such person is subject to (A) a restraining or protective order of a court  
58 of this state that has been issued against such person, after notice and  
59 an opportunity to be heard has been provided to such person, in a case  
60 involving the use, attempted use or threatened use of physical force  
61 against another person, or [to] (B) a foreign order of protection, as  
62 defined in section 46b-15a, that has been issued against such person [,  
63 after notice and an opportunity to be heard has been provided to such  
64 person,] in a case involving the use, attempted use or threatened use of  
65 physical force against another person, (6) knows that such person is  
66 subject to a firearms seizure order issued pursuant to subsection (d) of  
67 section 29-38c after notice and an opportunity to be heard has been  
68 provided to such person, or (7) is an alien illegally or unlawfully in the  
69 United States. For the purposes of this section, "convicted" means  
70 having a judgment of conviction entered by a court of competent  
71 jurisdiction.

72 Sec. 504. Subsection (a) of section 53a-223b of the general statutes is  
73 repealed and the following is substituted in lieu thereof (*Effective*  
74 *October 1, 2005*):

75 (a) A person is guilty of criminal violation of a restraining order  
76 when (1) (A) a restraining order has been issued against such person  
77 pursuant to section 46b-15, or (B) a foreign order of protection, as  
78 defined in section 46b-15a, has been issued against such person [, after  
79 notice and an opportunity to be heard has been provided to such  
80 person,] in a case involving the use, attempted use or threatened use of  
81 physical force against another, and (2) such person, having knowledge

82 of the terms of the order, (A) does not stay away from a person or  
83 place in violation of the order, (B) contacts a person in violation of the  
84 order, (C) imposes any restraint upon the person or liberty of a person  
85 in violation of the order, or (D) threatens, harasses, assaults, molests,  
86 sexually assaults or attacks a person in violation of the order."