



General Assembly

**Substitute Bill No. 5391**

February Session, 2006

\*           HB05391PRIJUD031006           \*

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS  
COMMITTEE CONCERNING THE CONNECTICUT PROBATE COURT  
SYSTEM.**

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

1       Section 1. (*Effective from passage*) The Probate Court Administrator,  
2 subject to the approval of the Connecticut Probate Assembly, shall  
3 obtain the services of an independent financial advisor, or similar  
4 expert, to develop a proposed mechanism for the compensation of  
5 judges of probate. Such proposed mechanism shall take into account  
6 the health insurance and retirement benefits provided to judges of  
7 probate under current law and the time and skills reasonably  
8 necessary to perform the duties of a judge of probate. The cost of such  
9 services shall be paid from the Probate Court Administration Fund  
10 established under section 45a-82 of the 2006 supplement to the general  
11 statutes, as amended by this act. Not later than September 1, 2006, the  
12 Probate Court Administrator shall submit a report containing such  
13 proposed mechanism and any recommended legislation to the joint  
14 standing committee of the General Assembly having cognizance of  
15 matters relating to the judiciary, in accordance with the provisions of  
16 section 11-4a of the general statutes.

17       Sec. 2. (*Effective from passage*) The Probate Court Administrator shall  
18 prepare a written report detailing the experience of the regional

19 children's probate court established pursuant to subsection (b) of  
20 section 45a-8a of the 2006 supplement to the general statutes. Not later  
21 than May 31, 2006, the Probate Court Administrator shall submit the  
22 report required under this section to the joint standing committees of  
23 the General Assembly having cognizance of matters relating to the  
24 judiciary and human services, in accordance with the provisions of  
25 section 11-4a of the general statutes.

26       Sec. 3. (*Effective from passage*) (a) The Probate Court Administrator,  
27 in consultation with the Commissioner of Children and Families, shall  
28 develop a written implementation plan for the establishment of  
29 additional regional children's probate courts pursuant to subsection (c)  
30 of section 45a-8a of the 2006 supplement to the general statutes. The  
31 implementation plan shall, at a minimum: (1) Identify the regions, and  
32 the probate districts located in such regions, that may be designated  
33 for the establishment of such courts; (2) describe the selection process  
34 for towns and cities that may participate in the establishment of such  
35 courts, including the method of determining the willingness of such  
36 towns and cities to participate; (3) outline the anticipated costs of  
37 establishing such courts based on the experience of any regional  
38 children's probate courts established prior to the effective date of this  
39 section; and (4) describe the roles of any state agencies that may  
40 participate in such courts, including, but not limited to, the  
41 Department of Children and Families and the Department of Mental  
42 Health and Addiction Services, and address whether such agencies  
43 should provide financial contributions to the operation of such courts  
44 for services provided to clients of such agencies.

45       (b) Not later than May 31, 2006, the Probate Court Administrator  
46 shall submit the implementation plan required under this section to  
47 the joint standing committees of the General Assembly having  
48 cognizance of matters relating to the judiciary and human services, in  
49 accordance with the provisions of section 11-4a of the general statutes.

50       (c) Notwithstanding the provisions of subsection (c) of section 45a-  
51 8a of the 2006 supplement to the general statutes, except for the

52 regional children's probate courts in New Haven, Meriden-  
53 Wallingford and New London, no additional regional children's  
54 probate courts may be established pursuant to said subsection. Not  
55 more than seven hundred fifty thousand dollars, annually, may be  
56 expended from the Probate Court Administration Fund for the  
57 regional children's probate courts, unless additional funds for such  
58 courts are approved by the Connecticut Probate Assembly.

59       Sec. 4. (*Effective from passage*) The Probate Court Administrator, in  
60 conjunction with the Connecticut Probate Assembly, shall study the  
61 adequacy of the Probate Court Administrator's enforcement authority  
62 with respect to a judge of probate in any situation involving  
63 noncompliance or other conduct of such judge that does not warrant  
64 the filing of a complaint with the Council on Probate Judicial Conduct  
65 pursuant to section 45a-63 of the general statutes. The study shall  
66 include, but not be limited to, a consideration of the imposition of  
67 monetary sanctions in appropriate situations. Not later than September  
68 1, 2006, the Probate Court Administrator shall submit a report  
69 containing the Probate Court Administrator's findings and  
70 recommendations, including any recommended legislation, to the  
71 Chief Justice of the Supreme Court and the joint standing committee of  
72 the General Assembly having cognizance of matters relating to the  
73 judiciary, in accordance with the provisions of section 11-4a of the  
74 general statutes.

75       Sec. 5. (*Effective from passage*) The Probate Court Administrator, in  
76 conjunction with the Connecticut Probate Assembly, shall prepare a  
77 report identifying potential opportunities for the voluntary  
78 consolidation of existing probate districts to achieve a minimum  
79 weighted-workload in each probate district. The report shall take into  
80 consideration: (1) The adequacy of existing court facilities; (2) the  
81 potential expense of expanded court facilities; (3) any reasonable  
82 impact of consolidation on travel to and from consolidated court  
83 locations; and (4) the impact of any anticipated increase in the number  
84 of regional children's probate courts, pursuant to subsection (c) of  
85 section 45a-8a of the 2006 supplement to the general statutes, on the

86 existing workload of other probate courts. Not later than September 1,  
87 2006, the Probate Court Administrator and the Connecticut Probate  
88 Assembly shall jointly submit an initial report under this section to the  
89 chief elected official of each town and city affected by any such  
90 consolidation, for comment. Not later than December 31, 2006, the  
91 Probate Court Administrator and the Connecticut Probate Assembly  
92 shall jointly submit the final report under this section, including any  
93 comments made by any such chief elected official, to the Chief Justice  
94 of the Supreme Court and the joint standing committee of the General  
95 Assembly having cognizance of matters relating to the judiciary, in  
96 accordance with the provisions of section 11-4a of the general statutes.

97 Sec. 6. Section 45a-27 of the general statutes is repealed and the  
98 following is substituted in lieu thereof (*Effective October 1, 2006*):

99 (a) Each person who is elected to a first term as a judge of probate  
100 after [October 1, 1993,] the effective date of this section shall complete  
101 the training program established pursuant to subsection (b) of this  
102 section and pass the examination required pursuant to subsection (d)  
103 of this section.

104 (b) The Probate Court Administrator, subject to the approval of the  
105 Connecticut Probate Assembly, shall establish, supervise and fund a  
106 program of training for newly-elected probate judges that shall  
107 include: (1) A course [to be taken between the date of election and the  
108 date of assuming office] concerning the rules of judicial conduct for a  
109 judge of probate, the ethical considerations arising in that office, the  
110 operation of a probate court, and the availability of assistance for a  
111 judge in the operation of a probate court; and (2) courses [to be taken  
112 within six months after the date of assuming office] that provide  
113 fundamental training in (A) civil procedure, including constitutional  
114 issues, due process, and evidentiary considerations, (B) property law,  
115 including conveyancing and title considerations, (C) the law of wills  
116 and trusts, and (D) family law in the context of the probate courts. The  
117 courses required by this subsection shall be taken between the date of  
118 election and the date of assuming office.

119 (c) The curriculum for the courses required by subsection (b) of this  
120 section shall be established by the Probate Court Administrator,  
121 subject to the approval of the Connecticut Probate Assembly, and shall  
122 be designed to establish a minimum level of proficiency by judges of  
123 probate. The courses shall be given by qualified instructors approved  
124 by the Probate Court Administrator. The Probate Court Administrator  
125 may waive completion of a course required by subdivision (2) of  
126 subsection (b) on demonstration by a probate judge of proficiency in  
127 the subject matter. The Probate Court Administrator may, for good  
128 cause, allow a probate judge to satisfy a requirement of subsection (b)  
129 of this section by auditing, at the office of the Probate Court  
130 Administrator or at such other place as the Probate Court  
131 Administrator may designate, instructional tapes approved by the  
132 Probate Court Administrator. [The Probate Court Administrator shall  
133 adopt appropriate time requirements for training of a probate judge  
134 elected in a special election and may modify other requirements of this  
135 section as circumstances may require.]

136 (d) Upon completion of the courses required by subsection (b) of  
137 this section, and prior to the date of assuming office, each newly-  
138 elected probate judge shall demonstrate competency in the subject  
139 matters set forth in said subsection by achieving a passing grade on an  
140 examination given by the Probate Court Administrator. Such  
141 examination shall be developed by the Probate Court Administrator,  
142 subject to the approval of the Connecticut Probate Assembly.

143 (e) The Probate Court Administrator shall adopt appropriate time  
144 requirements for the training and examination of a probate judge  
145 elected in a special election and may modify the requirements of this  
146 section as circumstances may require.

147 Sec. 7. Section 45a-27a of the general statutes is repealed and the  
148 following is substituted in lieu thereof (*Effective October 1, 2006*):

149 (a) If a probate judge is unable to complete the training or  
150 examination required pursuant to section 45a-27, as amended by this

151 act, within the time required, such judge may request an extension of  
152 time for completion of the training or examination from the continuing  
153 education committee of the Connecticut Probate Assembly. The  
154 committee may, for cause shown, grant the requested extension of  
155 time.

156 (b) If a probate judge fails to complete the training required  
157 pursuant to section 45a-27, as amended by this act, or to take or pass  
158 the examination required pursuant to said section 45a-27, within the  
159 time required, or within any extension of time granted pursuant to  
160 subsection (a) of this section, such judge shall be disqualified to hear  
161 any matter as a judge of probate until such time as the judge satisfies  
162 the requirements of section 45a-27, as amended by this act, and the  
163 Probate Court Administrator may refer the judge to the Council on  
164 Probate Judicial Conduct for failure to maintain professional  
165 competence as a judge of probate by so failing to complete [the  
166 training program pursuant to section 45a-27] such training or to take  
167 or pass such examination.

168 Sec. 8. Section 45a-77 of the general statutes is repealed and the  
169 following is substituted in lieu thereof (*Effective October 1, 2006*):

170 (a) The Probate Court Administrator may attend to any matters  
171 [which] that the Probate Court Administrator deems necessary for the  
172 efficient operation of courts of probate and for the expeditious  
173 dispatch and proper conduct of the business of [those] such courts. The  
174 Probate Court Administrator or the Connecticut Probate Assembly  
175 may make recommendations to the General Assembly for legislation  
176 for the improvement of the administration of the courts of probate.

177 (b) (1) The Probate Court Administrator may issue regulations,  
178 provided such regulations are approved in accordance with this  
179 subsection. Such regulations shall be binding on all courts of probate  
180 and shall concern [the] auditing, accounting, statistical, billing,  
181 recording, filing and other court procedures. (2) The Probate Court  
182 Administrator may adopt regulations, in accordance with chapter 54,

183 provided such regulations are approved in accordance with this  
184 subsection. Such regulations shall be binding on all courts of probate  
185 and shall concern the availability of judges, court facilities, [court  
186 personnel and records, hours of court operation] court records and  
187 telephone service. (3) Either the Probate Court Administrator or the  
188 [executive committee of the] Connecticut Probate Assembly may  
189 propose such regulations. Any regulation proposed by the Probate  
190 Court Administrator under this subsection shall be submitted to the  
191 [executive committee of the] Connecticut Probate Assembly for  
192 approval. Any regulation proposed by the [executive committee of the]  
193 Connecticut Probate Assembly under this subsection shall be  
194 submitted to the Probate Court Administrator for approval. If either  
195 the Probate Court Administrator or the [executive committee of the]  
196 Connecticut Probate Assembly fails to approve a proposed regulation  
197 under this subsection, such proposed regulation may be submitted to a  
198 panel of three Superior Court judges appointed by the Chief Justice of  
199 the Supreme Court. The panel of judges, after consideration of the  
200 positions of the Probate Court Administrator and the [executive  
201 committee of the] Connecticut Probate Assembly, shall either approve  
202 the proposed regulation or reject the proposed regulation.

203 (c) The Probate Court Administrator shall issue regulations,  
204 provided such regulations are approved in accordance with this  
205 subsection. Such regulations shall be binding on all courts of probate  
206 and shall establish minimum standards for (1) hours of court  
207 operation, (2) court staffing, taking into consideration the need for  
208 adequate coverage for employee absence due to the use of vacation  
209 time, sick time and personal leave days, and (3) the allowable  
210 workload per full-time court employee. Any regulation proposed by  
211 the Probate Court Administrator under this subsection shall be  
212 submitted to the Connecticut Probate Assembly for approval. If the  
213 Connecticut Probate Assembly fails to approve a proposed regulation  
214 under this subsection, such proposed regulation may be submitted to a  
215 panel of three Superior Court judges appointed by the Chief Justice of  
216 the Supreme Court. The panel of judges, after consideration of the

217 positions of the Probate Court Administrator and the Connecticut  
218 Probate Assembly, shall either approve the proposed regulation or  
219 reject the proposed regulation.

220 [(c)] (d) The Probate Court Administrator shall regularly review the  
221 auditing, accounting, statistical, billing, recording, filing and other  
222 procedures, the hours of operation and the staffing of the several  
223 courts of probate.

224 [(d)] (e) The Probate Court Administrator shall, personally, or by an  
225 authorized designee of the Probate Court Administrator who has been  
226 admitted to the practice of law in this state for at least five years, visit  
227 each court of probate at least once during each two-year period to  
228 examine the records and files of such court in the presence of the judge  
229 of the court or the judge's authorized designee. The Probate Court  
230 Administrator shall make [whatever] such additional inquiries [are  
231 deemed] as the Probate Court Administrator deems appropriate, to  
232 ascertain whether the business of the court, including the charging of  
233 costs and payments to the State Treasurer, has been conducted in  
234 accordance with law, rules of the courts of probate and the canons of  
235 judicial ethics, and to obtain information concerning the business of  
236 the courts of probate [which] that is necessary for the [administrator]  
237 Probate Court Administrator to perform properly the duties of the  
238 office.

239 Sec. 9. Subsection (i) of section 45a-82 of the 2006 supplement to the  
240 general statutes is repealed and the following is substituted in lieu  
241 thereof (*Effective July 1, 2006*):

242 (i) The State Treasurer shall, on or before October first, annually,  
243 give an accounting of the Probate Court Administration Fund,  
244 showing the receipts and disbursements and the balance or condition  
245 thereof, as of the preceding June thirtieth, to the Connecticut Probate  
246 Assembly and to the joint standing committee of the General Assembly  
247 having cognizance of matters relating to the judiciary. Such accounting  
248 shall include an independent audit of said fund.

249 Sec. 10. Subsection (a) of section 45a-84 of the general statutes is  
250 repealed and the following is substituted in lieu thereof (*Effective July*  
251 *1, 2006*):

252 (a) On or before April first of each year, the Probate Court  
253 Administrator shall prepare a proposed budget for the next succeeding  
254 fiscal year beginning July first, for the appropriate expenditures of  
255 funds from the Probate Court Administration Fund to carry out the  
256 statutory duties of the Probate Court Administrator. The Probate Court  
257 Administrator shall submit the proposed budget to the [executive  
258 committee of the] Connecticut Probate Assembly for [review]  
259 approval. The [executive committee] Connecticut Probate Assembly  
260 shall return the [proposed] approved budget to the Probate Court  
261 Administrator no later than May first, together with its comments [and  
262 recommendations] concerning the proposed expenditures. The Probate  
263 Court Administrator shall thereafter prepare a proposed final budget,  
264 including [such changes recommended by the executive committee as  
265 the Probate Court Administrator deems appropriate] any changes  
266 made by the Connecticut Probate Assembly. On or before May  
267 fifteenth, the Probate Court Administrator shall transmit the proposed  
268 final budget to the Chief Court Administrator for approval. [, together  
269 with the comments and recommendations of the executive committee  
270 of the Probate Assembly.] On or before June fifteenth of that year, the  
271 Chief Court Administrator shall take such action on the budget, or any  
272 portion thereof, as the Chief Court Administrator deems appropriate.  
273 If the Chief Court Administrator fails to act on the proposed budget on  
274 or before June fifteenth, the budget shall be deemed approved as  
275 proposed. For the budget prepared and approved under this  
276 subsection for the fiscal year ending June 30, 2007, and for each fiscal  
277 year thereafter, the percentage of any increase in the total amount of  
278 such budget over the total amount of the budget for the immediately  
279 preceding fiscal year shall not exceed the percentage of the estimated  
280 increase in the Probate Court Administration Fund for the  
281 immediately preceding fiscal year.

282 Sec. 11. Subsection (c) of section 45a-111 of the general statutes is

283 repealed and the following is substituted in lieu thereof (*Effective July*  
284 *1, 2006*):

285 (c) If a petitioner or applicant to a court of probate claims that unless  
286 his or her obligation to pay the fees and the necessary costs of the  
287 action, including the cost of service of process, is waived, such  
288 petitioner or applicant will be deprived by reason of his or her  
289 indigency of his or her right to bring a petition or application to such  
290 court or that he or she is otherwise unable to pay the fees and  
291 necessary costs of the action, he or she may file with the clerk of such  
292 court of probate an application for waiver of payment of such fees and  
293 necessary costs. Such application shall be signed under penalty of false  
294 statement, shall state the applicant's financial circumstances, and shall  
295 identify the fees and costs sought to be waived and the approximate  
296 amount of each. If the court finds that the applicant is unable to pay  
297 such fees and costs, [it] the court shall order such fees and costs  
298 waived. If such costs include the cost of service of process, the court, in  
299 its order, shall indicate the method of service authorized and the cost  
300 of such service shall be paid from funds appropriated to the Judicial  
301 Department. [, however, if funds have not been included in the budget  
302 of the Judicial Department for such costs, such costs shall be paid from  
303 the Probate Court Administration Fund.] Any fee waived under this  
304 section shall be reimbursed to the court of probate from the funds  
305 appropriated to the Judicial Department. [, however, if funds have not  
306 been included in the budget of the Judicial Department for such  
307 purposes, such payment shall be made from the Probate Court  
308 Administration Fund pursuant to rules and regulations established by  
309 the Probate Court Administrator.]

310 Sec. 12. Section 4a-15 of the general statutes is repealed and the  
311 following is substituted in lieu thereof (*Effective October 1, 2006*):

312 The estate administrator may act as guardian, conservator,  
313 administrator or trustee, or in any other fiduciary capacity under the  
314 jurisdiction and appointment of the [probate] courts of this state or  
315 [like] the courts of any other state or of the United States, or any

316 instrumentality of any other state or of the United States qualified to  
317 appoint fiduciaries, only in connection with property of any minor,  
318 incapable, incompetent or deceased person who is or has been  
319 receiving financial aid from the state. In the case of any person  
320 receiving public or medical assistance from the state, the estate  
321 administrator shall apply toward the cost of care of such person any  
322 assets exceeding limits on assets set by statute or regulations adopted  
323 by the Commissioner of Social Services. The estate administrator shall  
324 have the same rights and powers and be subject to the same duties and  
325 obligations as are possessed by and imposed upon guardians,  
326 conservators, administrators and other fiduciaries, and such courts or  
327 instrumentalities are authorized to appoint the estate administrator,  
328 trustee or other fiduciary in connection with property of any such  
329 minor, incapable, incompetent or deceased person. The authority of  
330 the estate administrator to act and of the court or instrumentality to  
331 appoint such estate administrator shall be limited to cases in which the  
332 estate consists of personal property only, and the amount of personal  
333 property involved, or the annual income other than state benefits, does  
334 not exceed fifty thousand dollars in value. The estate administrator  
335 shall be excused from giving any bond in any court proceeding, and  
336 shall not be allowed a fee for services.

337       Sec. 13. Subsection (b) of section 9-159s of the general statutes is  
338 repealed and the following is substituted in lieu thereof (*Effective*  
339 *October 1, 2006*):

340       (b) Any such notice shall indicate that the resident is entitled to vote  
341 or register to vote unless the resident is determined incompetent to do  
342 so by a [probate] court, or unless the registrars of voters or their  
343 designees jointly conclude at a supervised voting session that the  
344 resident declines to vote the ballot or they are unable to determine how  
345 the resident desires to vote the ballot, as provided in subsection (g) of  
346 section 9-159q, as amended. The notice shall also specify that a resident  
347 who requires assistance to vote in accordance with section 9-264 by  
348 reason of blindness, disability or inability to read or write may receive  
349 assistance from a person of the resident's choosing.

350 Sec. 14. Subsection (c) of section 17a-506 of the general statutes is  
351 repealed and the following is substituted in lieu thereof (*Effective*  
352 *October 1, 2006*):

353 (c) Any person for whom a conservator of the person has been  
354 appointed in accordance with sections 45a-644 to 45a-662, inclusive, as  
355 amended, may request admission to a hospital for psychiatric  
356 disabilities and such hospital may admit such person. The hospital  
357 shall notify the conservator and the [probate] court which appointed  
358 the conservator of the admission within five business days of such  
359 admission. The [probate] court shall, within ten business days after  
360 such notice, appoint a physician who is a psychiatrist from the panel  
361 provided by the Commissioner of Mental Health and Addiction  
362 Services as set forth in subsection (c) of section 17a-498. The physician  
363 shall examine the patient within ten business days of [his] the  
364 physician's appointment to determine if the patient has given informed  
365 consent to his or her hospitalization. The physician shall make a report  
366 forthwith to the court. If the court concludes that the patient did not  
367 give informed consent to the hospitalization, the court, on its own  
368 motion, may proceed in the manner provided in subsections (a), (b), (c)  
369 and (f) of section 17a-498. All costs and expenses, including [Probate  
370 Court] court entry fees, shall be paid by the patient or, if [he] the  
371 patient has a conservator of the estate, by such conservator.

372 Sec. 15. Subsection (e) of section 17a-543 of the general statutes is  
373 repealed and the following is substituted in lieu thereof (*Effective*  
374 *October 1, 2006*):

375 (e) (1) If it is determined by the head of the hospital and two  
376 qualified physicians that a patient is incapable of giving informed  
377 consent to medication for the treatment of such patient's psychiatric  
378 disabilities and such medication is deemed to be necessary for such  
379 patient's treatment, a facility may utilize the procedures established in  
380 subsection (d) of this section and may apply to the Probate Court for  
381 appointment of a conservator of the person with specific authority to  
382 consent to the administration of medication or, in a case where a

383 conservator of the person has previously been appointed under section  
384 45a-650, as amended by this act, the facility or the conservator may  
385 petition the [Probate Court] court which appointed the conservator to  
386 grant such specific authority to the conservator. The conservator shall  
387 meet with the patient and the physician, review the patient's written  
388 record and consider the risks and benefits from the medication, the  
389 likelihood and seriousness of adverse side effects, the preferences of  
390 the patient, the patient's religious views, and the prognosis with and  
391 without medication. After consideration of such information, the  
392 conservator shall either consent to the patient receiving medication for  
393 the treatment of the patient's psychiatric disabilities or refuse to  
394 consent to the patient receiving such medication.

395 (2) The authority of a conservator to consent to the administration of  
396 medication under subdivision (1) of this subsection shall be effective  
397 for not more than one hundred twenty days. In the case of continuous  
398 hospitalization of the patient beyond such one hundred twenty days, if  
399 the head of the hospital and two qualified physicians determine that  
400 the patient continues to be incapable of giving informed consent to  
401 medication for the treatment of such patient's psychiatric disabilities  
402 and such medication is deemed to be necessary for such patient's  
403 treatment, the authority of the conservator to consent to the  
404 administration of medication may be extended for a period not to  
405 exceed one hundred twenty days by order of the [Probate Court] court  
406 without a hearing upon application by the head of the hospital.  
407 Prompt notice of the order shall be given to the patient, conservator  
408 and facility.

409 Sec. 16. Subsection (a) of section 17b-453 of the general statutes is  
410 repealed and the following is substituted in lieu thereof (*Effective*  
411 *October 1, 2006*):

412 (a) If it is determined that an elderly person is in need of protective  
413 services, services shall be initiated, provided the elderly person  
414 consents. If the elderly person fails to consent and the protective  
415 services staff of the Department of Social Services has reason to believe

416 that such elderly person is incapable of managing his or her personal  
417 or financial affairs, the protective services staff shall provide protective  
418 services to the extent possible and may apply to the Superior Court or  
419 the Probate Court for the appointment of a conservator of the person  
420 or a conservator of the estate, as appropriate.

421 Sec. 17. Section 17b-456 of the general statutes is repealed and the  
422 following is substituted in lieu thereof (*Effective October 1, 2006*):

423 (a) If the Commissioner of Social Services finds that an elderly  
424 person is being abused, neglected, exploited or abandoned and lacks  
425 capacity to consent to reasonable and necessary protective services,  
426 [he] the commissioner may petition the Superior Court or the Probate  
427 Court for appointment of a conservator of the elderly person pursuant  
428 to the provisions of sections 45a-644 to 45a-662, inclusive, as amended,  
429 in order to obtain such consent.

430 (b) Such elderly person or the individual, agency or organization  
431 designated to be responsible for the personal welfare of the elderly  
432 person shall have the right to bring a motion in the cause for review of  
433 the [Probate Court's] court's determination regarding the elderly  
434 person's capacity or an order issued pursuant to sections 17b-450 to  
435 17b-461, inclusive.

436 (c) The Superior Court or the Probate Court may appoint, if [it] the  
437 court deems appropriate, the Commissioner of Social Services to be the  
438 conservator of the person of such elderly person.

439 (d) In any proceeding [in Probate Court] pursuant to the provisions  
440 of sections 17b-450 to 17b-461, inclusive, the [Probate Court] court shall  
441 appoint an attorney to represent the elderly person if he or she is  
442 without other legal representation.

443 Sec. 18. Subsection (b) of section 45a-98 of the general statutes is  
444 repealed and the following is substituted in lieu thereof (*Effective*  
445 *October 1, 2006*):

446 (b) The jurisdiction of courts of probate to determine title or rights  
447 or to construe instruments or to apply the doctrine of cy pres or  
448 approximation pursuant to subsection (a) of this section, or to appoint  
449 or hear and decide matters concerning conservators of the person or  
450 conservators of the estate, or both, pursuant to sections 45a-644 to 45a-  
451 662, inclusive, as amended, is concurrent with the jurisdiction of the  
452 Superior Court and does not affect the power of the Superior Court as  
453 a court of general jurisdiction.

454 Sec. 19. Subsection (a) of section 45a-98a of the general statutes is  
455 repealed and the following is substituted in lieu thereof (*Effective*  
456 *October 1, 2006*):

457 (a) The Probate Court shall have jurisdiction under subdivision (3),  
458 (4) or (5) of subsection (a) of section 45a-98, or under sections 45a-644  
459 to 45a-662, inclusive, as amended, only if (1) the matter in dispute is  
460 not pending in another court of competent jurisdiction, and (2) the  
461 Probate Court does not decline jurisdiction. Before the initial hearing  
462 on the merits of a matter in dispute in which jurisdiction is based on  
463 subdivision (3), (4) or (5) of subsection (a) of section 45a-98, or sections  
464 45a-644 to 45a-662, inclusive, as amended, the Probate Court may, on  
465 its own motion, decline to take jurisdiction of the matter in dispute.  
466 Before the initial hearing on the merits of such a matter, any interested  
467 person may file an affidavit that such person is entitled and intends  
468 under section 52-215 to claim a trial of the matter by jury. In [that] such  
469 case, the Probate Court shall allow the person filing the affidavit a  
470 period of sixty days within which to bring an appropriate civil action  
471 in the Superior Court to resolve the matter in dispute. If such an action  
472 is brought in the Superior Court, the matter, after determination by the  
473 Superior Court, shall be returned to the Probate Court for completion  
474 of the Probate Court proceedings.

475 Sec. 20. Subsection (a) of section 45a-151 of the general statutes is  
476 repealed and the following is substituted in lieu thereof (*Effective*  
477 *October 1, 2006*):

478 (a) Upon application by executors, guardians, conservators,  
479 administrators and trustees appointed, or whose appointment has  
480 been approved, by the Court of Probate, or by conservators appointed,  
481 or whose appointment has been approved, by the Superior Court, the  
482 court having jurisdiction may, after such notice as the court shall direct  
483 and hearing, authorize such fiduciaries to compromise and settle any  
484 doubtful or disputed claims or actions, or any appeal from probate in  
485 favor of or against the estates or persons represented by them.

486 Sec. 21. Section 45a-152 of the general statutes is repealed and the  
487 following is substituted in lieu thereof (*Effective October 1, 2006*):

488 When any guardian, conservator or testamentary or other trustee  
489 required to account in a court of probate, or any conservator required  
490 to account in the Superior Court, is unable to settle or adjust any claim  
491 against him or her as such, or when any such guardian, conservator or  
492 trustee and a claimant against [him] such guardian, conservator or  
493 trustee are unable to agree concerning the amount or validity of such  
494 claim, such guardian, conservator or trustee may give written notice to  
495 such claimant of the disallowance of [his] such claim, wholly or in part.  
496 Unless such claimant commences a suit against such guardian,  
497 conservator or trustee within four months after such notice has been  
498 given, such claimant shall be barred of [his] such claimant's claim  
499 against such guardian, conservator or trustee, except such part as has  
500 been allowed, and of any such claim against the estate or trust; but, if  
501 such [creditor] claimant dies within such four months and before suit  
502 has been brought, a period of four months from [his] such claimant's  
503 death shall be allowed to [his] such claimant's executor or  
504 administrator within which to commence such suit.

505 Sec. 22. Subsection (a) of section 45a-153 of the general statutes is  
506 repealed and the following is substituted in lieu thereof (*Effective*  
507 *October 1, 2006*):

508 (a) An executor, administrator, conservator, guardian, trustee in  
509 insolvency or trustee appointed, or whose appointment has been

510 approved, by a court of probate, or a conservator appointed, or whose  
511 appointment has been approved, by the Superior Court, may apply in  
512 writing to the court [of probate] having jurisdiction [of his trust] for an  
513 order authorizing him or her to submit the matter in controversy to the  
514 arbitration of persons who are mutually agreed upon by the applicant  
515 and the other party to any matter in controversy which is described in  
516 [subsections (a) and (b) of] this section, if: (1) He or she has any claim  
517 in his or her capacity as such fiduciary, or on behalf of the interest  
518 which he or she represents, against any person or to any property; or  
519 (2) any person has any claim against or to any property which is in his  
520 or her control in his or her capacity as such fiduciary.

521 Sec. 23. Subsection (a) of section 45a-175 of the general statutes is  
522 repealed and the following is substituted in lieu thereof (*Effective*  
523 *October 1, 2006*):

524 (a) Courts of probate shall have jurisdiction of the interim and final  
525 accounts of testamentary trustees, trustees appointed by the courts of  
526 probate, conservators appointed by the courts of probate, guardians,  
527 persons appointed by probate courts to sell the land of minors,  
528 executors, administrators and trustees in insolvency, and, to the extent  
529 provided for in this section, shall have jurisdiction of accounts of the  
530 actions of trustees of inter vivos trusts and attorneys-in-fact acting  
531 under powers of attorney.

532 Sec. 24. Subsection (a) of section 45a-177 of the general statutes is  
533 repealed and the following is substituted in lieu thereof (*Effective*  
534 *October 1, 2006*):

535 (a) All conservators appointed by the Court of Probate, guardians,  
536 persons appointed by the Court of Probate to sell land of minors and  
537 trustees, including those entrusted with testamentary trusts unless  
538 excused by the will creating the trust, shall render periodic accounts of  
539 their trusts signed under penalty of false statement to the Court of  
540 Probate having jurisdiction for allowance, at least once during each  
541 three-year period and more frequently if required to do so by the will

542 or trust instrument creating the trust. Periodic accounts for filing only  
543 may be submitted to the court at any time during each three-year  
544 period. Upon receipt of a periodic account, the court shall cause notice  
545 of it and of its availability for examination at the court to be given in  
546 such manner and to such parties as [it] the court deems reasonable.  
547 Any such party may apply to the court for a hearing on the account. If  
548 an application for such a hearing is not received by the court from a  
549 party in interest within the time stated in the notice, the periodic  
550 account will be filed without hearing thereon and without allowance  
551 or disallowance thereof, and shall not be recorded. At the end of each  
552 three-year period from the date of the last allowance of a periodic  
553 account, or upon the earlier receipt of a final account, there shall be a  
554 hearing on all periodic accounts not previously allowed, and the final  
555 account, if any, in accordance with sections 45a-178 and 45a-179.

556 Sec. 25. Section 45a-204 of the general statutes is repealed and the  
557 following is substituted in lieu thereof (*Effective October 1, 2006*):

558 Trust funds received by executors, trustees, guardians or  
559 conservators may be kept invested in the securities received by them,  
560 unless it is otherwise ordered by the [Court of Probate] court or unless  
561 the instrument under which such trust was created directs that a  
562 change of investments shall be made, and the fiduciaries thereof shall  
563 not be liable for any loss that may occur by depreciation of such  
564 securities.

565 Sec. 26. Subsection (c) of section 45a-436 of the general statutes is  
566 repealed and the following is substituted in lieu thereof (*Effective*  
567 *October 1, 2006*):

568 (c) The surviving spouse, or the conservator or guardian of the  
569 estate of the surviving spouse, with the approval, after notice and  
570 hearing, of the court [of probate] by which such conservator or  
571 guardian was appointed, shall, not later than one hundred fifty days  
572 from the date of the appointment of the first fiduciary, as defined in  
573 section 45a-353, file a notice, in writing, of his or her intention to take

574 the statutory share with the court of probate before which the estate is  
575 in settlement, and if such notice is not so filed, the surviving spouse  
576 shall be barred of such statutory share.

577 Sec. 27. Subsection (b) of section 45a-594 of the general statutes is  
578 repealed and the following is substituted in lieu thereof (*Effective*  
579 *October 1, 2006*):

580 (b) Compensation payable to the conservator or guardian of any  
581 veteran or other beneficiary of the Veterans' Administration for  
582 administering moneys paid by the United States through the Veterans'  
583 Administration, or revenue or profit from any property wholly or  
584 partially acquired therewith, shall be based upon services rendered  
585 and shall not exceed five per cent of the amount of moneys received  
586 during the period covered by the account. If extraordinary services are  
587 rendered by any conservator or guardian, the [Court of Probate] court  
588 having jurisdiction, upon petition and hearing, may authorize  
589 reasonable additional compensation. A copy of the petition and notice  
590 of hearing shall be given to the proper office of the Veterans'  
591 Administration in the manner provided for hearing on other petitions  
592 or pleadings filed by such conservators or guardians. No commission  
593 or compensation shall be allowed on the moneys or other assets  
594 received from a prior guardian [nor upon] or on the amount received  
595 from liquidation of loans or other investments.

596 Sec. 28. Section 45a-595 of the general statutes is repealed and the  
597 following is substituted in lieu thereof (*Effective October 1, 2006*):

598 Upon application of a conservator or the guardian of the estate of a  
599 ward, the [Court of Probate] court having jurisdiction may authorize  
600 the conservator or guardian to invest income or principal of the estate,  
601 to the extent found reasonable by the court under all the  
602 circumstances, in one or more policies of life or endowment insurance  
603 or one or more annuity contracts issued by a life insurance company  
604 authorized to conduct business in this state, on the life of the ward or  
605 incapable person, or on the life of a person in whose life the ward or

606 incapable person has an insurable interest. Any such policy or contract  
607 shall be the sole property of the ward or incapable person whose funds  
608 are invested in it.

609       Sec. 29. Section 45a-598 of the general statutes is repealed and the  
610 following is substituted in lieu thereof (*Effective October 1, 2006*):

611       Any person who is the parent of an adult person with mental  
612 retardation or a mental disability for whom a conservator of the person  
613 or guardian has been appointed may file a motion with the [probate]  
614 court having jurisdiction over the conservatorship or guardianship  
615 seeking an order of visitation with such adult person. After notice and  
616 hearing, the court may grant the order, which shall set forth the terms  
617 and conditions of visitation including, but not limited to, the schedule  
618 of visitation, including the dates or days, time and place or places in  
619 which the visitation can occur, whether overnight visitation will be  
620 allowed and any other terms and conditions which the [judge] court  
621 determines should be incorporated into the order of visitation which  
622 are in the best interest of the person with whom visitation is sought.

623       Sec. 30. Section 45a-644 of the 2006 supplement to the general  
624 statutes is repealed and the following is substituted in lieu thereof  
625 (*Effective October 1, 2006*):

626       For the purposes of sections 45a-644 to 45a-662, inclusive, as  
627 amended, the following terms shall have the following meanings:

628       (a) "Conservator of the estate" means a person, a municipal or state  
629 official, or a private profit or nonprofit corporation except a hospital or  
630 nursing home, as defined in section 19a-521, appointed by the Superior  
631 Court or the Court of Probate under the provisions of sections 45a-644  
632 to 45a-662, inclusive, as amended, to supervise the financial affairs of a  
633 person found to be incapable of managing his or her own affairs or of a  
634 person who voluntarily asks the Superior Court or the Court of  
635 Probate for the appointment of a conservator of the estate, and  
636 includes a temporary conservator of the estate appointed under the  
637 provisions of section 45a-654, as amended by this act.

638 (b) "Conservator of the person" means a person, a municipal or state  
639 official, or a private profit or nonprofit corporation, except a hospital  
640 or nursing home, as defined in section 19a-521, appointed by the  
641 Superior Court or the Court of Probate [Court] under the provisions of  
642 sections 45a-644 to 45a-662, inclusive, as amended, to supervise the  
643 personal affairs of a person found to be incapable of caring for himself  
644 or herself or of a person who voluntarily asks the Superior Court or the  
645 Court of Probate for the appointment of a conservator of the person,  
646 and includes a temporary conservator of the person appointed under  
647 the provisions of section 45a-654, as amended by this act.

648 (c) "Incapable of caring for one's self" or "incapable of caring for  
649 himself or herself" means a mental, emotional or physical condition  
650 resulting from mental illness, mental deficiency, physical illness or  
651 disability, chronic use of drugs or alcohol, or confinement, which  
652 results in the person's inability to provide medical care for physical  
653 and mental health needs, nutritious meals, clothing, safe and  
654 adequately heated and ventilated shelter, personal hygiene and  
655 protection from physical abuse or harm and which results in  
656 endangerment to such person's health.

657 (d) "Incapable of managing his or her affairs" means that a person  
658 has a mental, emotional or physical condition resulting from mental  
659 illness, mental deficiency, physical illness or disability, chronic use of  
660 drugs or alcohol, or confinement, which prevents [that] such person  
661 from performing the functions inherent in managing his or her affairs,  
662 and the person has property which will be wasted or dissipated unless  
663 proper management is provided, or that funds are needed for the  
664 support, care or welfare of the person or those entitled to be supported  
665 by [that] such person and that the person is unable to take the  
666 necessary steps to obtain or provide funds which are needed for the  
667 support, care or welfare of the person or those entitled to be supported  
668 by such person.

669 (e) "Involuntary representation" means the appointment of a  
670 conservator of the person or a conservator of the estate, or both, after a

671 finding by the Superior Court or the Court of Probate that the  
672 respondent is incapable of managing his or her affairs or incapable of  
673 caring for himself or herself.

674 (f) "Respondent" means an adult person for whom an application for  
675 involuntary representation has been filed or an adult person who has  
676 requested voluntary representation.

677 (g) "Voluntary representation" means the appointment of a  
678 conservator of the person or a conservator of the estate, or both, upon  
679 request of the respondent, without a finding that the respondent is  
680 incapable of managing his or her affairs or incapable of caring for  
681 himself or herself.

682 (h) "Ward" means a person for whom involuntary representation is  
683 granted under sections 45a-644 to 45a-662, inclusive, as amended.

684 Sec. 31. Subsection (c) of section 45a-645 of the general statutes is  
685 repealed and the following is substituted in lieu thereof (*Effective*  
686 *October 1, 2006*):

687 (c) Such written instrument may excuse the person or persons so  
688 designated from giving the [probate] bond required under the  
689 provisions of section 45a-650, as amended by this act, if appointed  
690 thereafter as a conservator.

691 Sec. 32. Section 45a-646 of the general statutes is repealed and the  
692 following is substituted in lieu thereof (*Effective October 1, 2006*):

693 (a) Any person may make application to the superior court for the  
694 judicial district, or the court of probate [in] for the probate district, in  
695 which [he resides or has his domicile] such person resides or is  
696 domiciled for voluntary representation either for the appointment of a  
697 conservator of the person or a conservator of the estate, or both. If the  
698 application excuses bond, no bond shall be required by the court  
699 unless later requested by the respondent or unless facts are brought to  
700 the attention of the court that a bond is necessary for the protection of

701 the respondent. Upon receipt of the application, the court shall set a  
702 time and place for hearing and shall give such notice as [it] the court  
703 may direct to the petitioner, the petitioner's spouse, if any, the  
704 Commissioner of Administrative Services, if the respondent is  
705 receiving aid or care from the state, and to other interested parties, if  
706 any. After seeing the respondent in person and hearing his or her  
707 reasons for the application and after explaining to the respondent that  
708 granting the petition will subject the respondent or respondent's  
709 property, as the case may be, to the authority of the conservator, the  
710 court may grant voluntary representation and thereupon shall appoint  
711 a conservator of the person or a conservator of the estate, or both, and  
712 shall not make a finding that the petitioner is incapable. The  
713 conservator of the person or the conservator of the estate, or both, shall  
714 have all the powers and duties of a conservator of the person or a  
715 conservator of the estate of an incapable person appointed pursuant to  
716 section 45a-650, as amended by this act. If the respondent subsequently  
717 becomes disabled or incapable, the authority of the conservator shall  
718 not be revoked as a result of such disability or incapacity.

719 (b) Any application filed with a court of probate under subsection  
720 (a) of this section shall be transferred from the court of probate to the  
721 superior court of appropriate venue upon motion of any party except  
722 the petitioner. The motion for such transfer shall be filed with the court  
723 of probate prior to the beginning of any hearing on the merits. The  
724 moving party shall send copies of such motion to all parties of record.  
725 The court of probate shall grant such motion the next business day  
726 after its receipt by the court. Immediately upon granting the motion,  
727 the clerk of the court shall transmit by certified mail the original file  
728 and papers to the superior court having jurisdiction. All parties to the  
729 proceeding shall be notified of the date on which the file and papers  
730 were transferred. Any appointment of an attorney to represent the  
731 respondent that is made by the court of probate shall remain in full  
732 force and effect notwithstanding the fact that the matter has been  
733 transferred to the superior court.

734 Sec. 33. Section 45a-647 of the general statutes is repealed and the

735 following is substituted in lieu thereof (*Effective October 1, 2006*):

736 Any person who is under voluntary representation as provided by  
737 section 45a-646, as amended by this act, shall be released from  
738 voluntary representation upon giving thirty days' written notice to the  
739 [Court of Probate] court.

740 Sec. 34. Section 45a-648 of the general statutes is repealed and the  
741 following is substituted in lieu thereof (*Effective October 1, 2006*):

742 (a) An application for involuntary representation may be filed by  
743 any person alleging that a respondent is incapable of managing his or  
744 her affairs or incapable of caring for himself or herself and stating the  
745 reasons for the alleged incapability. The application shall be filed in the  
746 superior court for the judicial district, or the court of probate [in] for  
747 the probate district, in which the respondent resides or [has his  
748 domicile] is domiciled.

749 (b) Any application filed with a court of probate under subsection  
750 (a) of this section shall be transferred from the court of probate to the  
751 superior court of appropriate venue upon motion of any party except  
752 the applicant. The motion for such transfer shall be filed with the court  
753 of probate prior to the beginning of any hearing on the merits. The  
754 moving party shall send copies of such motion to all parties of record.  
755 The court of probate shall grant such motion the next business day  
756 after its receipt by the court. Immediately upon granting the motion,  
757 the clerk of the court shall transmit by certified mail the original file  
758 and papers to the superior court having jurisdiction. All parties to the  
759 proceeding shall be notified of the date on which the file and papers  
760 were transferred. Any appointment of an attorney to represent the  
761 respondent that is made by the court of probate shall remain in full  
762 force and effect notwithstanding the fact that the matter has been  
763 transferred to the superior court.

764 [(b)] (c) Any person who wilfully files a fraudulent or malicious  
765 application for involuntary representation or appointment of a  
766 temporary conservator or any person who conspires with another

767 person to file or cause to be filed such an application or any person  
768 who wilfully testifies either in court or by report to the court falsely to  
769 the incapacity of any person in any proceeding provided for in sections  
770 45a-644 to 45a-662, inclusive, as amended, shall be fined not more than  
771 one thousand dollars or imprisoned not more than one year, or both.

772 Sec. 35. Section 45a-649 of the general statutes is repealed and the  
773 following is substituted in lieu thereof (*Effective October 1, 2006*):

774 (a) Upon an application for involuntary representation, the court  
775 shall issue a citation to the following enumerated parties to appear  
776 before [it] the court at a time and place named in the citation, which  
777 shall be served on the parties at least seven days before the hearing  
778 date, which date shall not be more than thirty days after the receipt of  
779 the application by the [Court of Probate] court, unless continued for  
780 cause shown. Notice of the hearing shall be sent within thirty days  
781 after receipt of the application. (1) The court shall direct that personal  
782 service be made, by a state marshal, constable or an indifferent person,  
783 upon the following: (A) The respondent, except that if the court finds  
784 personal service on the respondent would be detrimental to the health  
785 or welfare of the respondent, the court may order that such service be  
786 made upon counsel for the respondent, if any, and if none, upon the  
787 attorney appointed under subsection (b) of this section; (B) the  
788 respondent's spouse, if any, if the spouse is not the applicant, except  
789 that in cases where the application is for involuntary representation  
790 pursuant to section 17b-456, as amended by this act, and there is no  
791 spouse, the court shall order notice by certified mail to the children of  
792 the respondent and if none, the parents of the respondent and if none,  
793 the brothers and sisters of the respondent or their representatives, and  
794 if none, the next of kin of such respondent. (2) The court shall order  
795 such notice as [it] the court directs to the following: (A) The applicant;  
796 (B) the person in charge of welfare in the town where the respondent is  
797 domiciled or resident and if there is no such person, the first selectman  
798 or chief executive officer of the town if the respondent is receiving  
799 assistance from the town; (C) the Commissioner of Social Services, if  
800 the respondent is in a state-operated institution or receiving aid, care

801 or assistance from the state; (D) the Commissioner of Veterans' Affairs  
802 if the respondent is receiving veterans' benefits or the Veterans' Home,  
803 or both, if the respondent is receiving aid or care from such home, or  
804 both; (E) the Commissioner of Administrative Services, if the  
805 respondent is receiving aid or care from the state; (F) the children of  
806 the respondent and if none, the parents of the respondent and if none,  
807 the brothers and sisters of the respondent or their representatives; (G)  
808 the person in charge of the hospital, nursing home or [some] other  
809 institution, if the respondent is in a hospital, nursing home or [some]  
810 other institution. (3) The court, in its discretion, may order such notice  
811 as [it] the court directs to other persons having an interest in the  
812 respondent and to such persons that the respondent requests to be  
813 notified.

814 (b) (1) The notice required by subdivision (1) of subsection (a) of this  
815 section shall specify (A) the nature of involuntary representation  
816 sought and the legal consequences thereof, (B) the facts alleged in the  
817 application, and (C) the time and place of the hearing. (2) The notice  
818 shall further state that the respondent has a right to be present at the  
819 hearing and has a right to be represented by an attorney at his or her  
820 own expense. If the respondent is unable to request or obtain counsel  
821 for any reason, the court shall appoint an attorney to represent the  
822 respondent in any proceeding under this title involving the  
823 respondent. If the respondent is unable to pay for the services of such  
824 attorney, the reasonable compensation for such attorney shall be  
825 established by, and paid from funds appropriated to, the Judicial  
826 Department. [, however, if funds have not been included in the budget  
827 of the Judicial Department for such purposes, such compensation shall  
828 be established by the Probate Court Administrator and paid from the  
829 Probate Court Administration Fund.] If the respondent notifies the  
830 court in any manner that he or she wants to attend the hearing on the  
831 application but is unable to do so because of physical incapacity, the  
832 court shall schedule the hearing on the application at a place which  
833 would facilitate attendance by the respondent, but if not practical, then  
834 the judge shall visit the respondent, if [he or she] the respondent is in

835 the state of Connecticut, before the hearing. Notice to all other persons  
836 required by this section shall state only the nature of involuntary  
837 representation sought, the legal consequences thereof and the time and  
838 place of the hearing.

839 Sec. 36. Subsection (c) of section 45a-650 of the general statutes is  
840 repealed and the following is substituted in lieu thereof (*Effective*  
841 *October 1, 2006*):

842 (c) [Notwithstanding the provisions of section 45a-7, the] The court  
843 may hold the hearing on the application at a place within the state  
844 other than its usual courtroom if it would facilitate attendance by the  
845 respondent.

846 Sec. 37. Subsection (g) of section 45a-650 of the general statutes is  
847 repealed and the following is substituted in lieu thereof (*Effective*  
848 *October 1, 2006*):

849 (g) If the court appoints a conservator of the estate of the  
850 respondent, [it] the court shall require a [probate] bond. The court  
851 may, if [it] the court deems it necessary for the protection of the  
852 respondent, require a bond of any conservator of the person appointed  
853 under this section.

854 Sec. 38. Subsection (d) of section 45a-651 of the general statutes is  
855 repealed and the following is substituted in lieu thereof (*Effective*  
856 *October 1, 2006*):

857 (d) During the term of appointment of the Commissioner of Social  
858 Services as conservator, if a suitable person or legally qualified person,  
859 corporation or municipal or state official is found to replace [such] the  
860 commissioner as conservator, such person, corporation or official may  
861 be appointed as successor conservator, subject to the approval of the  
862 court. [of probate.]

863 Sec. 39. Subsection (c) of section 45a-653 of the general statutes is  
864 repealed and the following is substituted in lieu thereof (*Effective*

865 *October 1, 2006*):

866 (c) A notice recorded or lodged pursuant to this section shall state  
867 that an application for appointment of a conservator is pending and  
868 shall include the name of the alleged incapable person, the name of the  
869 applicant, the judicial district or probate district, as applicable, in  
870 which the application is pending, and the date of the application. The  
871 notice shall be signed and acknowledged by the applicant. The notice  
872 shall not include the allegation of facts on which the application is  
873 based.

874 Sec. 40. Section 45a-654 of the 2006 supplement to the general  
875 statutes is repealed and the following is substituted in lieu thereof  
876 (*Effective October 1, 2006*):

877 (a) Upon written application for appointment of a temporary  
878 conservator brought by any person deemed by the court to have  
879 sufficient interest in the welfare of the respondent, including, but not  
880 limited to, the spouse or any relative of the respondent, the first  
881 selectman, chief executive officer or head of the department of welfare  
882 of the town of residence or domicile of any respondent, the  
883 Commissioner of Social Services, the board of directors of any  
884 charitable organization, as defined in section 21a-190a, or the chief  
885 administrative officer of any nonprofit hospital or such officer's  
886 designee, the Superior Court or the Court of Probate may appoint a  
887 temporary conservator if the court finds that: (1) The respondent is  
888 incapable of managing his or her affairs or incapable of caring for  
889 himself or herself, and (2) immediate and irreparable injury to the  
890 mental or physical health or financial or legal affairs of the respondent  
891 will result if a temporary conservator is not appointed pursuant to this  
892 section. The court may, in its discretion, require the temporary  
893 conservator to give a [probate] bond. The court shall limit the duties,  
894 responsibilities and powers of the temporary conservator to the  
895 circumstances that gave rise to the application and shall make specific  
896 findings to justify such limitation. In making such findings, the court  
897 shall consider the present and previously expressed wishes of the

898 respondent, the abilities of the respondent, any prior appointment of  
899 an attorney-in-fact, health care agent, trustee or other fiduciary acting  
900 on behalf of the respondent, any support service otherwise available to  
901 the respondent and any other relevant evidence. The temporary  
902 conservator shall have charge of the property or of the person of the  
903 respondent, or both, for such period of time or for such specific  
904 occasion as the court finds to be necessary, provided a temporary  
905 appointment shall not be valid for more than thirty days, unless at any  
906 time while the appointment of a temporary conservator is in effect, an  
907 application is filed for appointment of a conservator of the person or a  
908 conservator of the estate under section 45a-650, as amended by this act.  
909 The court may (A) extend the appointment of the temporary  
910 conservator until the disposition of such application under section 45a-  
911 650, as amended by this act, or for an additional thirty days, whichever  
912 occurs first, or (B) terminate the appointment of a temporary  
913 conservator upon a showing that the circumstances that gave rise to  
914 the application for appointment of a temporary conservator no longer  
915 exist.

916 (b) Except as provided in subsection (e) of this section, an  
917 appointment of a temporary conservator shall not be made unless a  
918 report is presented to the [judge] court, signed by a physician licensed  
919 to practice medicine or surgery in this state, stating: (1) That the  
920 physician has examined the respondent and the date of such  
921 examination, which shall not be more than three days prior to the date  
922 of presentation to the [judge] court; (2) that it is the opinion of the  
923 physician that the respondent is incapable of managing his or her  
924 affairs or incapable of caring for himself or herself; and (3) the reasons  
925 for such opinion. Any physician's report filed with the court pursuant  
926 to this subsection shall be confidential. The court may issue an order  
927 for the disclosure of the medical information required pursuant to this  
928 subsection.

929 (c) (1) If the court determines that the delay resulting from giving  
930 notice and appointing an attorney to represent the respondent as  
931 required in subsection (d) of this section would cause immediate and

932 irreparable injury to the mental or physical health or financial or legal  
933 affairs of the respondent, the court may, ex parte and without prior  
934 notice to the respondent, appoint a temporary conservator upon  
935 making the findings required in subsection (a) of this section, provided  
936 the court makes a specific finding in any decree issued on the  
937 application stating the immediate or irreparable injury that formed the  
938 basis for the court's determination and why such hearing and  
939 appointment was not required.

940 (2) After making such ex parte appointment, the court shall  
941 immediately: (A) Appoint an attorney to represent the respondent,  
942 provided if the respondent is unable to pay for the services of such  
943 attorney, the reasonable compensation for such attorney shall be  
944 established by, and paid from funds appropriated to, the Judicial  
945 Department; [ except that if funds have not been included in the  
946 budget of the Judicial Department for such purposes, such  
947 compensation shall be established by the Probate Court Administrator  
948 and paid from the Probate Court Administration Fund;] (B) schedule  
949 the date, place and time of a hearing to be held not later than seventy-  
950 two hours after the issuance of the court's decree, excluding Saturdays,  
951 Sundays and holidays; and (C) give notice by mail, or such other notice  
952 as the court deems appropriate, to the respondent, the respondent's  
953 next of kin and such attorney, which notice shall include: (i) A copy of  
954 the application for appointment of temporary conservator and the  
955 accompanying physician's report; (ii) a copy of the decree appointing a  
956 temporary conservator; and (iii) the date, place and time of the hearing  
957 scheduled pursuant to subparagraph (B) of this subdivision, except  
958 that if the court determines that notice to the respondent under this  
959 subdivision would be detrimental to the health or welfare of the  
960 respondent, the court may give such notice only to the respondent's  
961 next of kin and the respondent's attorney.

962 (3) After such hearing, the court shall confirm or revoke the  
963 appointment of the temporary conservator or may modify the duties,  
964 responsibilities or powers assigned under such appointment.

965 (d) If the court determines that an ex parte appointment of a  
966 temporary conservator pursuant to subsection (c) of this section is not  
967 appropriate but finds substantial evidence that appointment of a  
968 temporary conservator may be necessary, the court shall hold a  
969 hearing on the application. Unless continued by the court for cause,  
970 such hearing shall be held not later than seventy-two hours after  
971 receipt of the application, excluding Saturdays, Sundays and holidays.  
972 Prior to such hearing, the court shall appoint an attorney to represent  
973 the respondent in accordance with subsection (c) of this section and  
974 shall give such notice as [it] the court deems appropriate to the  
975 respondent, the respondent's next of kin and such attorney, which  
976 notice shall include a copy of the application for appointment of a  
977 temporary conservator and the accompanying physician's report. After  
978 hearing and upon making the findings required in subsection (a) of  
979 this section, the court may appoint a temporary conservator.

980 (e) The court may waive the medical evidence requirement under  
981 subsection (b) of this section if the court finds that the evidence is  
982 impossible to obtain because of the refusal of the respondent to be  
983 examined by a physician. In any such case, the court may, in lieu of  
984 medical evidence, accept other competent evidence. In any case in  
985 which the court waives the requirement of medical evidence as  
986 provided in this subsection, the court shall (1) make a specific finding  
987 in any decree issued on the application stating why medical evidence  
988 was not required, and (2) schedule a hearing in accordance with  
989 subsection (c) or (d) of this section, which hearing shall take place not  
990 later than seventy-two hours after the issuance of the court's decree.

991 (f) Except as provided in subsection (g) of this section, a temporary  
992 conservator may not change the respondent's residence unless [a] the  
993 court specifically finds, after a hearing, that such change is necessary.

994 (g) (1) If the temporary conservator determines that it is necessary to  
995 cause the respondent to be placed in an institution for long-term care,  
996 the temporary conservator may make such placement after the  
997 temporary conservator files a report of such intended placement with

998 the [probate] court that appointed the temporary conservator, except  
999 that if the placement results from the respondent's discharge from a  
1000 hospital or if irreparable injury to the mental or physical health or  
1001 financial or legal affairs of the respondent would result from filing the  
1002 report before making such placement, the temporary conservator shall  
1003 make the placement before filing the report, provided the temporary  
1004 conservator (A) files the report not later than five days after making  
1005 such placement, and (B) includes in the report a statement as to the  
1006 hospital discharge or a description of the irreparable injury that the  
1007 placement averted.

1008 (2) The report shall set forth the basis for the temporary  
1009 conservator's determination, what community resources have been  
1010 considered to avoid the placement, and the reasons why the  
1011 respondent's physical, mental and psychosocial needs cannot be met in  
1012 a less restrictive and more integrated setting. Such community  
1013 resources include, but are not limited to, resources provided by the  
1014 area agencies on aging, the Department of Social Services, the Office of  
1015 Protection and Advocacy for Persons with Disabilities, the Department  
1016 of Mental Health and Addiction Services, the Department of Mental  
1017 Retardation, any center for independent living, as defined in section  
1018 17b-613, any residential care home or any congregate or subsidized  
1019 housing. The temporary conservator shall give notice of the placement  
1020 and a copy of such report to the respondent and any other interested  
1021 parties as determined by the court.

1022 (3) Upon the request of the respondent or such interested party, the  
1023 court shall hold a hearing on the report and placement not later than  
1024 thirty days after the date of the request. The court may also, in its  
1025 discretion, hold a hearing on the report and placement in any case  
1026 where no request is made for a hearing. If the court, after such hearing,  
1027 determines that the respondent's physical, mental and psychosocial  
1028 needs can be met in a less restrictive and more integrated setting  
1029 within the limitations of the resources available to the respondent,  
1030 either through the respondent's own estate or through private or  
1031 public assistance, the court shall order that the respondent be placed

1032 and maintained in such setting.

1033 (4) For the purposes of this subsection, [an] "institution for long-  
1034 term care" means a facility that has been federally certified as a skilled  
1035 nursing facility or intermediate care facility.

1036 (h) Upon the termination of the temporary conservatorship, the  
1037 temporary conservator shall file a written report with the court of his  
1038 or her actions as temporary conservator.

1039 Sec. 41. Subsections (a) and (b) of section 45a-655 of the general  
1040 statutes is repealed and the following is substituted in lieu thereof  
1041 (*Effective October 1, 2006*):

1042 (a) A conservator of the estate appointed under section 45a-646,  
1043 45a-650 or 45a-654, as amended by this act, shall, within two months  
1044 after the date of his or her appointment, make and file in the [Court of  
1045 Probate] court, an inventory under penalty of false statement of the  
1046 estate of his or her ward, with the properties thereof appraised or  
1047 caused to be appraised, by such conservator, at fair market value as of  
1048 the date of his or her appointment. Such inventory shall include the  
1049 value of the ward's interest in all property in which the ward has a  
1050 legal or equitable present interest, including, but not limited to, the  
1051 ward's interest in any joint bank accounts or other jointly held  
1052 property. The conservator shall manage all the estate and apply so  
1053 much of the net income thereof, and, if necessary, any part of the  
1054 principal of the property, which is required to support the ward and  
1055 those members of the ward's family whom he or she has the legal duty  
1056 to support and to pay the ward's debts, and may sue for and collect all  
1057 debts due the ward.

1058 (b) Any conservator of the estate of a married person may apply  
1059 such portion of the property of the ward to the support, maintenance  
1060 and medical treatment of the ward's spouse which the [Court of  
1061 Probate] court, upon hearing after notice, decides to be proper under  
1062 the circumstances of the case.

1063 Sec. 42. Section 45a-656 of the 2006 supplement to the general  
1064 statutes is repealed and the following is substituted in lieu thereof  
1065 (*Effective October 1, 2006*):

1066 (a) The conservator of the person shall have: (1) The duty and  
1067 responsibility for the general custody of the respondent; (2) the power  
1068 to establish his or her place of abode within the state; (3) the power to  
1069 give consent for his or her medical or other professional care, counsel,  
1070 treatment or service; (4) the duty to provide for the care, comfort and  
1071 maintenance of the ward; (5) the duty to take reasonable care of the  
1072 respondent's personal effects; and (6) the duty to report at least  
1073 annually to the [probate] court which appointed the conservator  
1074 regarding the condition of the respondent. The preceding duties,  
1075 responsibilities and powers shall be carried out within the limitations  
1076 of the resources available to the ward, either through the ward's own  
1077 estate or through private or public assistance.

1078 (b) The conservator of the person shall not have the power or  
1079 authority to cause the respondent to be committed to any institution  
1080 for the treatment of the mentally ill, except under the provisions of  
1081 sections 17a-75 to 17a-83, inclusive, 17a-456 to 17a-484, inclusive, 17a-  
1082 495 to 17a-528, inclusive, 17a-540 to 17a-550, inclusive, 17a-560 to 17a-  
1083 576, inclusive, 17a-615 to 17a-618, inclusive, and 17a-621 to 17a-664,  
1084 inclusive, and chapter 359.

1085 (c) (1) If the conservator of the person determines that it is necessary  
1086 to cause the ward to be placed in an institution for long-term care, the  
1087 conservator may make such placement after the conservator files a  
1088 report of such intended placement with the [probate] court that  
1089 appointed the conservator, except that if the placement results from  
1090 the ward's discharge from a hospital or if irreparable injury to the  
1091 mental or physical health or financial or legal affairs of the ward  
1092 would result from filing the report before making such placement, the  
1093 conservator shall make the placement before filing the report,  
1094 provided the conservator (A) files the report not later than five days  
1095 after making such placement, and (B) includes in the report a

1096 statement as to the hospital discharge or a description of the  
1097 irreparable injury that the placement averted.

1098 (2) The report shall set forth the basis for the conservator's  
1099 determination, what community resources have been considered to  
1100 avoid the placement, and the reasons why the ward's physical, mental  
1101 and psychosocial needs cannot be met in a less restrictive and more  
1102 integrated setting. Such community resources include, but are not  
1103 limited to, resources provided by the area agencies on aging, the  
1104 Department of Social Services, the Office of Protection and Advocacy  
1105 for Persons with Disabilities, the Department of Mental Health and  
1106 Addiction Services, the Department of Mental Retardation, any center  
1107 for independent living, as defined in section 17b-613, any residential  
1108 care home or any congregate or subsidized housing. The conservator  
1109 shall give notice of the placement and a copy of such report to the  
1110 ward and any other interested parties as determined by the court.

1111 (3) Upon the request of the ward or such interested party, the court  
1112 shall hold a hearing on the report and placement not later than thirty  
1113 days after the date of the request. The court may also, in its discretion,  
1114 hold a hearing on the report and placement in any case where no  
1115 request is made for a hearing. If the court, after such hearing,  
1116 determines that the ward's physical, mental and psychosocial needs  
1117 can be met in a less restrictive and more integrated setting within the  
1118 limitations of the resources available to the ward, either through the  
1119 ward's own estate or through private or public assistance, the court  
1120 shall order that the ward be placed and maintained in such setting.

1121 (4) For the purposes of this subsection, [an] "institution for long-  
1122 term care" means a facility that has been federally certified as a skilled  
1123 nursing facility or intermediate care facility.

1124 Sec. 43. Subsection (b) of section 45a-656a of the general statutes is  
1125 repealed and the following is substituted in lieu thereof (*Effective*  
1126 *October 1, 2006*):

1127 (b) If any such conservator neglects to forward payment to the

1128 operator of the home within ten business days as required under  
1129 subsection (a) of this section for two consecutive months, the operator  
1130 of the home may petition the court [of probate] having jurisdiction for  
1131 removal of the conservator. The court may, after notice and a hearing,  
1132 remove such conservator.

1133 Sec. 44. Section 45a-657 of the general statutes is repealed and the  
1134 following is substituted in lieu thereof (*Effective October 1, 2006*):

1135 If a person has both a conservator of the person and a conservator of  
1136 the estate who are not the same person and a conflict arises between  
1137 the two concerning the duties and responsibilities or authority of  
1138 either, the matter shall be submitted to the court [of probate] which  
1139 appointed the conservators. Upon hearing, the court shall order the  
1140 course of action which in the court's discretion is in the best interests of  
1141 the person under conservatorship. If one of such conservators was  
1142 appointed by the superior court and the other of such conservators  
1143 was appointed by the court of probate, such matter shall be heard and  
1144 such order shall be issued by the superior court having jurisdiction.

1145 Sec. 45. Section 45a-660 of the general statutes is repealed and the  
1146 following is substituted in lieu thereof (*Effective October 1, 2006*):

1147 (a) (1) If the court [of probate] having jurisdiction finds a ward to be  
1148 capable of caring for himself or herself, the court shall, upon hearing  
1149 and after notice, order that the conservatorship of the person be  
1150 terminated. If the court finds, upon hearing and after notice which the  
1151 court prescribes, that a ward is capable of managing his or her own  
1152 affairs, the court shall order that the conservatorship of the estate be  
1153 terminated and that the remaining portion of his or her property be  
1154 restored to the ward. (2) If the court finds, upon hearing and after  
1155 notice which the court prescribes, that a ward has no assets of any kind  
1156 remaining except for that amount allowed by subsection (c) of section  
1157 17b-80, the court may order that the conservatorship of the estate be  
1158 terminated. The court shall thereupon order distribution of the  
1159 remaining assets to the conservator of the person or, if there is no

1160 conservator or the conservator declines or is unable to accept or the  
1161 conservator is the Commissioner of Social Services, to some suitable  
1162 person, to be determined by the court, to hold for the benefit of the  
1163 ward, upon such conservator or person giving such [probate] bond, if  
1164 any, as the court orders. (3) If any ward having a conservator dies, his  
1165 or her property, other than property which has accrued from the sale  
1166 of his or her real property, shall be delivered to his or her executor or  
1167 administrator. The unexpended proceeds of his or her real property  
1168 sold as aforesaid shall go into the hands of the executor or  
1169 administrator, to be distributed as such real property would have  
1170 been.

1171 (b) (1) In any case under subsection (a) of this section, the  
1172 conservator shall file in the court his or her final account, and the court  
1173 shall audit the account and allow the account if it is found to be  
1174 correct. If the ward is living, the ward and his or her attorney, if any,  
1175 shall be entitled to notice by regular mail of any hearing held on the  
1176 final account. (2) The court [of probate] having jurisdiction shall send  
1177 written notice annually to the ward and his or her attorney that the  
1178 ward has a right to a hearing under this section. Upon receipt of  
1179 request for such hearing, the court shall set a time and date for the  
1180 hearing, which date shall not be more than thirty days from the receipt  
1181 of the application unless continued for cause shown.

1182 (c) The court shall review each conservatorship at least every three  
1183 years and shall either continue, modify or terminate the order for  
1184 conservatorship. The court shall receive and review written evidence  
1185 as to the condition of the ward. The conservator, the attorney for the  
1186 ward and a physician licensed to practice medicine in this state shall  
1187 each submit a written report to the court within forty-five days of the  
1188 court's request for such report. If the ward is unable to request or  
1189 obtain an attorney, the court shall appoint an attorney. If the ward is  
1190 unable to pay for the services of the attorney, the reasonable  
1191 compensation of such attorney shall be established by, and paid from  
1192 funds appropriated to, the Judicial Department. [If funds have not  
1193 been included in the budget of the Judicial Department for such

1194 purposes, such compensation shall be established by the Probate Court  
1195 Administrator and paid from the Probate Court Administration Fund.]  
1196 The physician shall examine the ward within the forty-five-day period  
1197 preceding the date of submission of the physician's report. Any  
1198 physician's report filed with the court pursuant to this subsection shall  
1199 be confidential. The court may issue an order for the disclosure of  
1200 medical information required pursuant to this subsection.

1201 (d) If the court determines, after receipt of the reports from the  
1202 attorney for the ward, the physician and the conservator, that there has  
1203 been no change in the condition of the ward since the last preceding  
1204 review by the court, a hearing on the condition of the ward shall not be  
1205 required, but the court, in its discretion, may hold such hearing. If the  
1206 attorney for the ward, the physician or conservator requests a hearing,  
1207 the court shall hold a hearing within thirty days of such request.

1208 Sec. 46. Section 45a-661 of the 2006 supplement to the general  
1209 statutes is repealed and the following is substituted in lieu thereof  
1210 (*Effective October 1, 2006*):

1211 When any person under voluntary or involuntary representation  
1212 becomes a settled inhabitant of any town in the state in a judicial  
1213 district or a probate district other than the one in which a conservator  
1214 was appointed, and is an actual resident in such district, the court [of  
1215 probate] in which the conservator was appointed shall, upon motion of  
1216 the conservator, the person under conservatorship, the first selectman  
1217 or the chief executive officer of the town in which the person under  
1218 conservatorship resides or the husband or wife or a relative of the  
1219 person under conservatorship, transfer the file to the superior court for  
1220 the judicial district in which the person under conservatorship resides  
1221 at the time of the application, if the conservator was appointed by the  
1222 superior court, or to the court of probate for the probate district in  
1223 which the person under conservatorship resides at the time of the  
1224 application, if the conservator was appointed by the court of probate.  
1225 A transfer of the file shall be accomplished by the [probate] court in  
1226 which the conservator was originally appointed by making copies of

1227 all recorded documents in the court and certifying each of them and  
1228 then causing them to be delivered to the court for the district in which  
1229 the person under conservatorship resides. When the transfer is made,  
1230 the court [of probate] for the district in which the person under  
1231 conservatorship resides at the time of transfer shall thereupon assume  
1232 jurisdiction over the conservatorship and all further accounts shall be  
1233 filed with such court.

1234 Sec. 47. Section 45a-662 of the general statutes is repealed and the  
1235 following is substituted in lieu thereof (*Effective October 1, 2006*):

1236 The court [of probate] in which the conservator of any incapable  
1237 person has been appointed may [, concurrently with courts of equity,]  
1238 order such conservator to convey the interest of his or her ward in any  
1239 real property which ought in equity to be conveyed to another person.

1240 Sec. 48. Section 45a-679 of the general statutes is repealed and the  
1241 following is substituted in lieu thereof (*Effective October 1, 2006*):

1242 If a ward has both a plenary guardian or limited guardian of the  
1243 person with mental retardation and a conservator of the estate or a  
1244 conservator of the person or a temporary conservator who are not the  
1245 same person and a conflict arises between the two concerning the  
1246 duties and responsibilities or authority of either, the matter shall be  
1247 submitted to the court [of probate] making the appointment of such  
1248 guardian or conservator and such court shall, after a hearing, order the  
1249 course of action which in its discretion is in the best interest of the  
1250 ward, provided, if such conservator was appointed by the superior  
1251 court, such matter shall be heard and such order shall be issued by the  
1252 superior court having jurisdiction.

1253 Sec. 49. Section 47-360 of the general statutes is repealed and the  
1254 following is substituted in lieu thereof (*Effective October 1, 2006*):

1255 A deed following the form entitled "Conservator's Deed", when  
1256 duly executed, has the force and effect of conveying to the grantee the  
1257 fee simple title of an incapable person or such conservator upon an

1258 order of a court [of probate] authorizing and directing the conservator  
 1259 to sell at private sale the real estate owned by the incapable person,  
 1260 with covenants that (1) the conservator has full power and authority as  
 1261 such conservator to sell and convey the same to the grantee, and (2) he  
 1262 and his successors shall warrant and defend the granted premises  
 1263 against all claims and demands of any person or persons claiming by  
 1264 or under such conservator.

1265 Sec. 50. Subdivision (4) of section 52-146f of the general statutes is  
 1266 repealed and the following is substituted in lieu thereof (*Effective*  
 1267 *October 1, 2006*):

1268 (4) Communications made to or records made by a psychiatrist in  
 1269 the course of a psychiatric examination ordered by a court or made in  
 1270 connection with the application for the appointment of a conservator  
 1271 by the Superior Court or the Probate Court for good cause shown may  
 1272 be disclosed at judicial or administrative proceedings in which the  
 1273 patient is a party, or in which the question of [his] the patient's  
 1274 incompetence because of mental illness is an issue, or in appropriate  
 1275 pretrial proceedings, provided the court finds that the patient has been  
 1276 informed before making the communications that any communications  
 1277 will not be confidential and provided the communications shall be  
 1278 admissible only on issues involving the patient's mental condition.

|   |                        |             |
|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                        |             |
| Section 1   | <i>from passage</i>    | New section |
| Sec. 2  | <i>from passage</i>    | New section |
| Sec. 3  | <i>from passage</i>    | New section |
| Sec. 4  | <i>from passage</i>    | New section |
| Sec. 5  | <i>from passage</i>    | New section |
| Sec. 6  | <i>October 1, 2006</i> | 45a-27      |
| Sec. 7  | <i>October 1, 2006</i> | 45a-27a     |
| Sec. 8  | <i>October 1, 2006</i> | 45a-77      |
| Sec. 9  | <i>July 1, 2006</i>    | 45a-82(i)   |
| Sec. 10   | <i>July 1, 2006</i>    | 45a-84(a)   |
| Sec. 11   | <i>July 1, 2006</i>    | 45a-111(c)  |

|         |                        |                    |
|---------|------------------------|--------------------|
| Sec. 12 | <i>October 1, 2006</i> | 4a-15              |
| Sec. 13 | <i>October 1, 2006</i> | 9-159s(b)          |
| Sec. 14 | <i>October 1, 2006</i> | 17a-506(c)         |
| Sec. 15 | <i>October 1, 2006</i> | 17a-543(e)         |
| Sec. 16 | <i>October 1, 2006</i> | 17b-453(a)         |
| Sec. 17 | <i>October 1, 2006</i> | 17b-456            |
| Sec. 18 | <i>October 1, 2006</i> | 45a-98(b)          |
| Sec. 19 | <i>October 1, 2006</i> | 45a-98a(a)         |
| Sec. 20 | <i>October 1, 2006</i> | 45a-151(a)         |
| Sec. 21 | <i>October 1, 2006</i> | 45a-152            |
| Sec. 22 | <i>October 1, 2006</i> | 45a-153(a)         |
| Sec. 23 | <i>October 1, 2006</i> | 45a-175(a)         |
| Sec. 24 | <i>October 1, 2006</i> | 45a-177(a)         |
| Sec. 25 | <i>October 1, 2006</i> | 45a-204            |
| Sec. 26 | <i>October 1, 2006</i> | 45a-436(c)         |
| Sec. 27 | <i>October 1, 2006</i> | 45a-594(b)         |
| Sec. 28 | <i>October 1, 2006</i> | 45a-595            |
| Sec. 29 | <i>October 1, 2006</i> | 45a-598            |
| Sec. 30 | <i>October 1, 2006</i> | 45a-644            |
| Sec. 31 | <i>October 1, 2006</i> | 45a-645(c)         |
| Sec. 32 | <i>October 1, 2006</i> | 45a-646            |
| Sec. 33 | <i>October 1, 2006</i> | 45a-647            |
| Sec. 34 | <i>October 1, 2006</i> | 45a-648            |
| Sec. 35 | <i>October 1, 2006</i> | 45a-649            |
| Sec. 36 | <i>October 1, 2006</i> | 45a-650(c)         |
| Sec. 37 | <i>October 1, 2006</i> | 45a-650(g)         |
| Sec. 38 | <i>October 1, 2006</i> | 45a-651(d)         |
| Sec. 39 | <i>October 1, 2006</i> | 45a-653(c)         |
| Sec. 40 | <i>October 1, 2006</i> | 45a-654            |
| Sec. 41 | <i>October 1, 2006</i> | 45a-655(a) and (b) |
| Sec. 42 | <i>October 1, 2006</i> | 45a-656            |
| Sec. 43 | <i>October 1, 2006</i> | 45a-656a(b)        |
| Sec. 44 | <i>October 1, 2006</i> | 45a-657            |
| Sec. 45 | <i>October 1, 2006</i> | 45a-660            |
| Sec. 46 | <i>October 1, 2006</i> | 45a-661            |
| Sec. 47 | <i>October 1, 2006</i> | 45a-662            |
| Sec. 48 | <i>October 1, 2006</i> | 45a-679            |
| Sec. 49 | <i>October 1, 2006</i> | 47-36o             |
| Sec. 50 | <i>October 1, 2006</i> | 52-146f(4)         |

**PRI**

*Joint Favorable Subst. C/R*

JUD