



Senate

General Assembly

File No. 589

January Session, 2007

Substitute Senate Bill No. 902

Senate, April 26, 2007

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING YOUTH WHO RUN AWAY.

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

1 Section 1. Section 46b-150f of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) Any selectman, town manager, police officer or welfare
4 department of any town, city or borough, any probation officer, any
5 superintendent of schools, any child-caring institution or agency
6 approved or licensed by the Commissioner of Children and Families,
7 any youth service bureau, a parent, [or] guardian, foster parent or
8 other custodian of a youth, or a representative of a youth, who believes
9 that the acts or omissions of a youth are such that such youth is a
10 youth in crisis may file a written complaint setting forth those facts
11 with the Superior Court which has venue over the matter.

12 (b) A petition alleging that a youth is a youth in crisis shall be
13 verified and filed with the Superior Court which has venue over the
14 matter. The petition shall set forth plainly: (1) The facts which bring

15 the youth within the jurisdiction of the court; (2) the name, date of
16 birth, sex and residence of the youth; (3) the name and residence of the
17 parent or parents, guardian, foster parent, other custodian or other
18 person having control of the youth; and (4) a prayer for appropriate
19 action by the court in conformity with the provisions of this section.

20 (c) Upon determination that a youth is a youth in crisis in
21 accordance with policies established by the Chief Court Administrator,
22 the court may make and enforce orders, including, but not limited to,
23 orders: (1) Directing the Commissioner of Motor Vehicles to suspend
24 the motor vehicle operator's license of the youth in crisis for a period of
25 time, as directed by the court, but not to exceed one year; (2) requiring
26 work or specified community service; (3) mandating that the youth in
27 crisis attend an educational program in the local community approved
28 by the court; (4) requiring mental health services; (5) referring the
29 youth in crisis to a youth service bureau, provided one exists in the
30 local community; and (6) reviewing the option of emancipation,
31 pursuant to section 46b-150, of the youth in crisis or the parent, [or]
32 guardian, foster parent or other custodian of such youth in crisis. Upon
33 determination that a youth is a youth in crisis because the youth has
34 without just cause run away from the parental home or other properly
35 authorized and lawful place of abode, the court may, prior to July 1,
36 2009, order the youth in crisis to be subject to the control of the youth's
37 parent or parents, guardian, foster parent or other custodian, except as
38 required under any other provision of law, for a period of time, as
39 directed by the court, but not beyond the date the youth attains the age
40 of eighteen. A youth in crisis found to be in violation of any order
41 under this section shall not be considered to be delinquent and shall
42 not be punished by the court by incarceration in any state-operated
43 detention facility or correctional facility.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	46b-150f

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill clarifies the authority of the court when making orders concerning a youth in crisis who runs away. It also makes minor and technical changes.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 902*****AN ACT CONCERNING YOUTH WHO RUN AWAY.*****SUMMARY:**

Until July 1, 2009, this bill allows juvenile court judges to order that 16- and 17-year-old runaways be subject to their parent's, guardian's, foster parent's, or other custodian's control. The court must find that the youth meets the legal criteria under the existing youth in crisis law (e.g., that the reason for running away was not justified).

The order cannot override any other law or extend beyond the youth's 18th birthday. As with other court orders directed at youth in crisis, violations are not delinquent acts and cannot subject the youth to detention or imprisonment.

The bill also allows foster parents and custodians to initiate youth-in-crisis proceedings. Current law requires that the caregiver be a parent or guardian.

EFFECTIVE DATE: October 1, 2007

BACKGROUND***Youth in Crisis Law***

The law covers 16- and 17- year- olds who are beyond their parents' control, run away from home, or fail to go to school. Juvenile courts can make and enforce orders directed at youth in crisis, including suspending driver's licenses, and requiring school attendance, mental health or substance abuse treatment, employment, or community service. The court can also consider whether a youth in crisis may be eligible for emancipation (i.e., be declared a legal adult).

Related Bills

sHB 6285 and sSB 1196, favorably reported by the Judiciary Committee, repeal the youth in crisis law on July 1, 2009.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 40 Nay 0 (04/13/2007)