



General Assembly

January Session, 2007

**Bill No. 7086**

LCO No. 4093

\*04093 \_\_\_\_\_ \*

Referred to Committee on Judiciary

Introduced by:

REP. CAFERO, 142<sup>nd</sup> Dist.

SEN. DELUCA, 32<sup>nd</sup> Dist.

***AN ACT CONCERNING REGISTRATION OF SEXUAL OFFENDERS.***

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

1 Section 1. Section 54-250 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 For the purposes of sections 54-102g and 54-250 to 54-258a,  
4 inclusive, as amended by this act, and sections 6, 7 and 11 of this act:

5 (1) "Conviction" means a judgment entered by a court upon a plea of  
6 guilty, a plea of nolo contendere or a finding of guilty by a jury or the  
7 court notwithstanding any pending appeal or habeas corpus  
8 proceeding arising from such judgment.

9 (2) "Criminal offense against a victim who is a minor" means (A) a  
10 violation of subdivision (2) of section 53-21 of the general statutes in  
11 effect prior to October 1, 2000, subdivision (2) of subsection (a) of  
12 section 53-21, subdivision (2) of subsection (a) of section 53a-70,  
13 subdivision (1), (4), (8) or (10) or subparagraph (B) of subdivision (9) of  
14 subsection (a) of section 53a-71, subdivision (2) of subsection (a) of

15 section 53a-72a, subdivision (2) of subsection (a) of section 53a-86,  
16 subdivision (2) of subsection (a) of section 53a-87, section 53a-90a, 53a-  
17 196, 53a-196a, 53a-196b, 53a-196c, 53a-196d, 53a-196e or 53a-196f, (B) a  
18 violation of subparagraph (A) of subdivision (9) of subsection (a) of  
19 section 53a-71 or section 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-96  
20 or 53a-186, provided the court makes a finding that, at the time of the  
21 offense, the victim was under eighteen years of age, (C) a violation of  
22 any of the offenses specified in subparagraph (A) or (B) of this  
23 subdivision for which a person is criminally liable under section 53a-8,  
24 53a-48 or 53a-49, or (D) a violation of any predecessor statute to any  
25 offense specified in subparagraph (A), (B) or (C) of this subdivision the  
26 essential elements of which are substantially the same as said offense.

27 (3) "Identifying factors" means fingerprints, a set of palm prints, a  
28 photographic image, a copy of a valid motor vehicle operator's license  
29 or identity card issued by the Department of Motor Vehicles pursuant  
30 to section 1-1k, any scars, marks or tattoos on the registrant's body and  
31 a description of any other identifying characteristics as may be  
32 required by the Commissioner of Public Safety. The commissioner  
33 shall also require a sample of the registrant's blood or other biological  
34 sample be taken for DNA (deoxyribonucleic acid) analysis, unless such  
35 sample has been previously obtained in accordance with section 54-  
36 102g.

37 (4) "Mental abnormality" means a congenital or acquired condition  
38 of a person that affects the emotional or volitional capacity of the  
39 person in a manner that predisposes that person to the commission of  
40 criminal sexual acts to a degree that makes the person a menace to the  
41 health and safety of other persons.

42 (5) "Nonviolent sexual offense" means (A) a violation of section 53a-  
43 73a or subdivision (2) of subsection (a) of section 53a-189a, or (B) a  
44 violation of any of the offenses specified in subparagraph (A) of this  
45 subdivision for which a person is criminally liable under section 53a-8,  
46 53a-48 or 53a-49.

47 (6) "Not guilty by reason of mental disease or defect" means a  
48 finding by a court or jury of not guilty by reason of mental disease or  
49 defect pursuant to section 53a-13 notwithstanding any pending appeal  
50 or habeas corpus proceeding arising from such finding.

51 (7) "Personality disorder" means a condition as defined in the most  
52 recent edition of the Diagnostic and Statistical Manual of Mental  
53 Disorders, published by the American Psychiatric Association.

54 (8) "Registrant" means a person required to register under section  
55 54-251, 54-252, 54-253 or 54-254, as amended by this act, or section 6 or  
56 7 of this act.

57 (9) "Registry" means a central record system in this state, any other  
58 state or the federal government that receives, maintains and  
59 disseminates information on persons convicted or found not guilty by  
60 reason of mental disease or defect of criminal offenses against victims  
61 who are minors, nonviolent sexual offenses, sexually violent offenses,  
62 [and] felonies found by the sentencing court to have been committed  
63 for a sexual purpose, predatory sexual offenses against victims who  
64 are minors and predatory sexual offenses against protected or other  
65 persons.

66 (10) "Release into the community" means, with respect to a  
67 conviction or a finding of not guilty by reason of mental disease or  
68 defect of a criminal offense against a victim who is a minor, a  
69 nonviolent sexual offense, a sexually violent offense or a felony found  
70 by the sentencing court to have been committed for a sexual purpose,  
71 (A) any release by a court after such conviction or finding of not guilty  
72 by reason of mental disease or defect, a sentence of probation or any  
73 other sentence under section 53a-28 that does not result in the  
74 offender's immediate placement in the custody of the Commissioner of  
75 Correction; (B) release from a correctional facility at the discretion of  
76 the Board of Pardons and Paroles, by the Department of Correction to  
77 a program authorized by section 18-100c or upon completion of the  
78 maximum term or terms of the offender's sentence or sentences, or to

79 the supervision of the Court Support Services Division in accordance  
80 with the terms of the offender's sentence; or (C) release from a hospital  
81 for mental illness or a facility for persons with mental retardation by  
82 the Psychiatric Security Review Board on conditional release pursuant  
83 to section 17a-588 or upon termination of commitment to the  
84 Psychiatric Security Review Board.

85 (11) "Sexually violent offense" means (A) a violation of section  
86 53a-70, except subdivision (2) of subsection (a) of said section, 53a-70a,  
87 53a-70b, 53a-71, except subdivision (1), (4), (8) or (10) or subparagraph  
88 (B) of subdivision (9) of subsection (a) of said section or subparagraph  
89 (A) of subdivision (9) of subsection (a) of said section if the court  
90 makes a finding that, at the time of the offense, the victim was under  
91 eighteen years of age, 53a-72a, except subdivision (2) of subsection (a)  
92 of said section, or 53a-72b, or of section 53a-92 or 53a-92a, provided the  
93 court makes a finding that the offense was committed with intent to  
94 sexually violate or abuse the victim, (B) a violation of any of the  
95 offenses specified in subparagraph (A) of this subdivision for which a  
96 person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (C)  
97 a violation of any predecessor statute to any of the offenses specified in  
98 subparagraph (A) or (B) of this subdivision the essential elements of  
99 which are substantially the same as said offense.

100 (12) "Sexual purpose" means that a purpose of the defendant in  
101 committing the felony was to engage in sexual contact or sexual  
102 intercourse with another person without that person's consent. A  
103 sexual purpose need not be the sole purpose of the commission of the  
104 felony. The sexual purpose may arise at any time in the course of the  
105 commission of the felony.

106 (13) "Employed" or "carries on a vocation" means employment that  
107 is full-time or part-time for more than fourteen days, or for a total  
108 period of time of more than thirty days during any calendar year,  
109 whether financially compensated, volunteered or for the purpose of  
110 government or educational benefit.

111 (14) "Student" means a person who is enrolled on a full-time or part-  
112 time basis, in any public or private educational institution, including  
113 any elementary, middle or high school, regional vocational-technical  
114 school, charter school, secondary school, trade or professional  
115 institution or institution of higher learning.

116 (15) "Predatory sexual offense against a victim who is a minor"  
117 means a criminal offense against a victim who is a minor, a nonviolent  
118 sexual offense, a sexually violent offense or a felony that the court  
119 finds was committed for a sexual purpose, as provided in section 54-  
120 254, as amended by this act, where (A) the victim of the offense was  
121 thirteen years of age or younger at the time of the offense, or (B) the  
122 victim was fourteen or fifteen years of age at the time of the offense  
123 and the court has made a finding that the offense or offenses were  
124 committed in a predatory manner.

125 (16) "Predatory sexual offense against a protected or other person"  
126 means a nonviolent sexual offense, a sexually violent offense or a  
127 felony that the court finds was committed for a sexual purpose, as  
128 provided in section 54-254, as amended by this act, where (A) at the  
129 time of the offense, the victim was sixty years of age or older, blind or  
130 physically disabled, as defined in section 1-1f, or pregnant or was a  
131 person with mental retardation, as defined in section 1-1g, and the  
132 actor was not a person with mental retardation, or (B) the court has  
133 made a finding that the offense or offenses were committed in a  
134 predatory manner.

135 (17) "Transient" means a person who has no residence.

136 (18) "Residence" means a place where a person is living or staying  
137 on a regular or temporary basis, such as a shelter or structure that can  
138 be located by a street address, including, but not limited to, a house,  
139 apartment building, motel, hotel, homeless shelter, recreational or  
140 other vehicle and vessel.

141 Sec. 2. Section 54-251 of the general statutes is repealed and the

142 following is substituted in lieu thereof (*Effective July 1, 2007*):

143 (a) Any person who has been convicted or found not guilty by  
144 reason of mental disease or defect of a criminal offense against a victim  
145 who is a minor or a nonviolent sexual offense, and is released into the  
146 community on or after October 1, 1998, shall, within three days  
147 following such release or, if such person is in the custody of the  
148 Commissioner of Correction, at such time prior to release as the  
149 commissioner shall direct, and whether or not such person's place of  
150 residence is in this state, register such person's name, including any  
151 alias used by such person, documentation of any court order changing  
152 such person's name, such person's identifying factors, such person's  
153 Social Security number, such person's criminal history record, [and]  
154 such person's residence address, the license plate number and  
155 description of any motor vehicle owned or operated by such person  
156 and the name and address of any place where such person is or will be  
157 employed with the Commissioner of Public Safety, on such forms and  
158 in such locations as the commissioner shall direct, and shall maintain  
159 such registration for ten years except that any person who has one or  
160 more prior convictions of any such offense, who is so ordered by the  
161 court or who is convicted of a violation of subdivision (2) of subsection  
162 (a) of section 53a-70, subdivision (1), (4), (8), (9) or (10) of subsection (a)  
163 of section 53a-71, section 53a-90a, 53a-196, 53a-196a or 53a-196b shall  
164 maintain such registration for life. Prior to accepting a plea of guilty or  
165 nolo contendere from a person with respect to a criminal offense  
166 against a victim who is a minor or a nonviolent sexual offense, the  
167 court shall (1) inform the person that the entry of a finding of guilty  
168 after acceptance of the plea will subject the person to the registration  
169 requirements of this section, and (2) determine that the person fully  
170 understands the consequences of the plea. If any person who is subject  
171 to registration under this section changes such person's name, such  
172 person shall, [without undue delay] within five days, notify the  
173 Commissioner of Public Safety in writing of the new name. If any  
174 person who is subject to registration under this section changes such  
175 person's address, such person shall, [without undue delay] within five

176 days, notify the Commissioner of Public Safety in writing of the new  
177 address and, if the new address is in another state, such person shall  
178 also register with an appropriate agency in that state, provided that  
179 state has a registration requirement for such offenders. If any person  
180 who is subject to registration under this section is employed at, carries  
181 on a vocation at or is a student at a youth camp, as defined in section  
182 19a-420, a provider of child day care services, as defined in section 19a-  
183 77, a public or private educational institution including an elementary,  
184 middle or high school, a regional vocational-technical school, a charter  
185 school or a secondary school, a trade or professional institution or an  
186 institution of higher learning in this state, such person shall, without  
187 undue delay, notify the Commissioner of Public Safety of such status  
188 and of any change in such status. If any person who is subject to  
189 registration under this section is employed in another state, carries on  
190 a vocation in another state or is a student in another state, such person  
191 shall, without undue delay, notify the Commissioner of Public Safety  
192 and shall also register with an appropriate agency in that state  
193 provided that state has a registration requirement for such offenders.  
194 During such period of registration, each registrant shall complete and  
195 return forms mailed to such registrant to verify such registrant's  
196 residence address and shall submit to the retaking of a photographic  
197 image upon request of the Commissioner of Public Safety.

198 (b) Notwithstanding the provisions of subsection (a) of this section,  
199 the court may exempt any person who has been convicted or found  
200 not guilty by reason of mental disease or defect of a violation of  
201 subdivision (1) of subsection (a) of section 53a-71 from the registration  
202 requirements of this section if the court finds that such person was  
203 under nineteen years of age at the time of the offense and that  
204 registration is not required for public safety. If the court orders such an  
205 exemption, it shall forward a copy of such order to the Commissioner  
206 of Public Safety.

207 (c) Notwithstanding the provisions of subsection (a) of this section,  
208 the court may exempt any person who has been convicted or found

209 not guilty by reason of mental disease or defect of a violation of  
210 subdivision (2) of subsection (a) of section 53a-73a or subdivision (2) of  
211 subsection (a) of section 53a-189a, from the registration requirements  
212 of this section if the court finds that registration is not required for  
213 public safety. If the court orders such an exemption, it shall forward a  
214 copy of such order to the Commissioner of Public Safety.

215 (d) Any person who files an application with the court to be  
216 exempted from the registration requirements of this section pursuant  
217 to subsection (b) or (c) of this section shall, pursuant to subsection (b)  
218 of section 54-227, notify the Office of Victim Services and the Victim  
219 Services Unit within the Department of Correction of the filing of such  
220 application. The Office of Victim Services or the Victim Services Unit  
221 within the Department of Correction, or both, shall, pursuant to  
222 section 54-230 or 54-230a, notify any victim who has requested  
223 notification of the filing of such application. Prior to granting or  
224 denying such application, the court shall consider any information or  
225 statement provided by the victim.

226 (e) Any person who is convicted of a violation of any provision of  
227 subsection (a) of this section and has previously been convicted of a  
228 violation of said subsection shall maintain the registration required  
229 under this section for life.

230 ~~[(e)]~~ (f) Any person who violates the provisions of subsection (a) of  
231 this section shall be guilty of a class D felony, except that, if such  
232 person violates the provisions of this section by failing to notify the  
233 Commissioner of Public Safety without undue delay of a change of  
234 name, address or status or another reportable event, such person shall  
235 be subject to such penalty if such failure continues for five business  
236 days.

237 Sec. 3. Subsection (a) of section 54-252 of the general statutes is  
238 repealed and the following is substituted in lieu thereof (*Effective July*  
239 *1, 2007*):

240 (a) Any person who has been convicted or found not guilty by  
241 reason of mental disease or defect of a sexually violent offense, and (1)  
242 is released into the community on or after October 1, 1988, and prior to  
243 October 1, 1998, and resides in this state, shall, on October 1, 1998, or  
244 within three days of residing in this state, whichever is later, or (2) is  
245 released into the community on or after October 1, 1998, shall, within  
246 three days following such release or, if such person is in the custody of  
247 the Commissioner of Correction, at such time prior to release as the  
248 commissioner shall direct, register such person's name, including any  
249 alias used by such person, documentation of any court order changing  
250 such person's name, such person's identifying factors, such person's  
251 Social Security number, such person's criminal history record,  
252 documentation of any treatment received for mental abnormality or  
253 personality disorder, [and] such person's residence address, the license  
254 plate number and description of any motor vehicle owned or operated  
255 by such person and the name and address of any place where such  
256 person is or will be employed with the Commissioner of Public Safety  
257 on such forms and in such locations as said commissioner shall direct,  
258 and shall maintain such registration for life. Prior to accepting a plea of  
259 guilty or nolo contendere from a person with respect to a sexually  
260 violent offense, the court shall (A) inform the person that the entry of a  
261 finding of guilty after acceptance of the plea will subject the person to  
262 the registration requirements of this section, and (B) determine that the  
263 person fully understands the consequences of the plea. If any person  
264 who is subject to registration under this section changes such person's  
265 name, such person shall, [without undue delay] within five days,  
266 notify the Commissioner of Public Safety in writing of the new name.  
267 If any person who is subject to registration under this section changes  
268 such person's address, such person shall, [without undue delay] within  
269 five days, notify the Commissioner of Public Safety in writing of the  
270 new address and, if the new address is in another state, such person  
271 shall also register with an appropriate agency in that state, provided  
272 that state has a registration requirement for such offenders. If any  
273 person who is subject to registration under this section is employed at,

274 carries on a vocation at or is a student at a youth camp, as defined in  
275 section 19a-420, a provider of child day care services, as defined in  
276 section 19a-77, a public or private educational institution including an  
277 elementary, middle or high school, a regional vocational-technical  
278 school, a charter school or a secondary school, a trade or professional  
279 institution or an institution of higher learning in this state, such person  
280 shall, [without undue delay] within five days, notify the Commissioner  
281 of Public Safety of such status and of any change in such status. If any  
282 person who is subject to registration under this section is employed in  
283 another state, carries on a vocation in another state or is a student in  
284 another state, such person shall, without undue delay, notify the  
285 Commissioner of Public Safety and shall also register with an  
286 appropriate agency in that state, provided that state has a registration  
287 requirement for such offenders. During such period of registration,  
288 each registrant shall complete and return forms mailed to such  
289 registrant to verify such registrant's residence address and shall submit  
290 to the retaking of a photographic image upon request of the  
291 Commissioner of Public Safety.

292 Sec. 4. Section 54-253 of the general statutes is repealed and the  
293 following is substituted in lieu thereof (*Effective July 1, 2007*):

294 (a) (1) Any person who has been convicted or found not guilty by  
295 reason of mental disease or defect in any other state, in a federal or  
296 military court or in any foreign jurisdiction of any crime (1) the  
297 essential elements of which are substantially the same as any of the  
298 crimes specified in subdivisions (2), (5) and (11) of section 54-250, or (2)  
299 which requires registration as a sexual offender in such other state or  
300 in the federal or military system, and who resides in this state on and  
301 after October 1, 1998, shall notify the Commissioner of Public Safety, in  
302 writing, not less than forty-eight hours prior to entering this state of  
303 such person's name and date of birth, the state or federal or military  
304 jurisdiction where such person is required to register as a sexual  
305 offender, the location where such person will reside in this state, the  
306 location where such person is an employee or will be an employee and

307 the location where such person is a student or will be a student.

308 (2) Upon residing in this state, such person shall, without undue  
309 delay, [upon residing in this state,] register with the Commissioner of  
310 Public Safety in the same manner as if such person had been convicted  
311 or found not guilty by reason of mental disease or defect of such crime  
312 in this state, except that the commissioner shall maintain such  
313 registration until such person is released from the registration  
314 requirement in such other state, federal or military system or foreign  
315 jurisdiction. A person who registers under this section shall provide  
316 the commissioner with such person's name, including any alias used  
317 by such person, documentation of any court order changing such  
318 person's name, such person's Social Security number, the license plate  
319 number and description of any motor vehicle owned or operated by  
320 such person and the name and address of any place where such person  
321 is or will be employed.

322 (b) If any person who is subject to registration under this section  
323 changes such person's name, such person shall, [without undue delay]  
324 within five days, notify the Commissioner of Public Safety in writing  
325 of the new name. If any person who is subject to registration under this  
326 section changes such person's address, such person shall, [without  
327 undue delay] within five days, notify the Commissioner of Public  
328 Safety in writing of the new address and, if the new address is in  
329 another state, such person shall also register with an appropriate  
330 agency in that state, provided that state has a registration requirement  
331 for such offenders. If any person who is subject to registration under  
332 this section is employed at, carries on a vocation at or is a student at a  
333 youth camp, as defined in section 19a-420, a provider of child day care  
334 services, as defined in section 19a-77, a public or private educational  
335 institution including an elementary, middle or high school, a regional  
336 vocational-technical school, a charter school or a secondary school, a  
337 trade or professional institution or an institution of higher learning in  
338 this state, such person shall, [without undue delay] within five days,  
339 notify the Commissioner of Public Safety of such status and of any

340 change in such status. If any person who is subject to registration  
341 under this section is employed in another state, carries on a vocation in  
342 another state or is a student in another state, such person shall, without  
343 undue delay, notify the Commissioner of Public Safety and shall also  
344 register with an appropriate agency in that state, provided that state  
345 has a registration requirement for such offenders. During such period  
346 of registration, each registrant shall complete and return forms mailed  
347 to such registrant to verify such registrant's residence address and  
348 shall submit to the retaking of a photographic image upon request of  
349 the Commissioner of Public Safety.

350 (c) Any person not a resident of this state who is required to be  
351 registered as a sexual offender under the laws of any other state and  
352 who is employed in this state, carries on a vocation in this state or is a  
353 student in this state, shall notify the Commissioner of Public Safety, in  
354 writing, not less than forty-eight hours prior to entering this state of  
355 such person's name and date of birth, the state or federal or military  
356 jurisdiction where such person is required to register as a sexual  
357 offender, and the locations where such person will be employed or be  
358 a student in this state and shall, without undue delay after the  
359 commencement of such employment, vocation or education in this  
360 state, register such person's name, any alias used by such person,  
361 documentation of any court order changing such person's name, such  
362 person's identifying factors, such person's Social Security number, such  
363 person's criminal history record, the license plate number and  
364 description of any motor vehicle owned or operated by such person,  
365 the name and address of any place where such person is or will be  
366 employed in this state, locations visited on a recurring basis or  
367 residence address, if any, in this state, and residence address in such  
368 person's home state with the Commissioner of Public Safety on such  
369 forms and in such locations as said commissioner shall direct and shall  
370 maintain such registration until such employment, vocation or  
371 education terminates or until such person is released from registration  
372 as a sexual offender in such other state. If such person terminates such  
373 person's employment, vocation or education in this state or changes

374 such person's address in this state such person shall, without undue  
375 delay, notify the Commissioner of Public Safety in writing of such  
376 termination or new address.

377 (d) Any person not a resident of this state who is registered as a  
378 sexual offender under the laws of any other state and who [travels in  
379 this state on a recurring basis for periods of less than five days] will be  
380 entering this state shall notify the Commissioner of Public Safety [of] in  
381 writing, not less than forty-eight hours prior to entering this state, of  
382 such person's name and date of birth, the state where such person is  
383 required to register as a sexual offender, the locations where such  
384 person will be employed or be a student in this state, such person's  
385 temporary residence in this state, the dates when and locations where  
386 such person will be traveling to in this state and [of] a telephone  
387 number at which such person may be contacted.

388 (e) Any person who is convicted of a violation of any provision of  
389 subsection (a), (b) or (c) of this section and who has previously been  
390 convicted of a violation of any of said subsections shall maintain the  
391 registration required under this section for life.

392 (f) Any person who violates subdivision (1) of subsection (a) of this  
393 section shall be guilty of a class D felony and subject to immediate  
394 arrest.

395 ~~[(e)]~~ (g) Any person who violates the provisions of this section shall  
396 be guilty of a class D felony, except that, if such person violates the  
397 provisions of this section by failing to register with the Commissioner  
398 of Public Safety without undue delay or notify the Commissioner of  
399 Public Safety without undue delay of a change of name, address or  
400 status or another reportable event, such person shall be subject to such  
401 penalty if such failure continues for five business days.

402 Sec. 5. Section 54-254 of the general statutes is repealed and the  
403 following is substituted in lieu thereof (*Effective July 1, 2007*):

404 (a) Any person who has been convicted or found not guilty by  
405 reason of mental disease or defect in this state on or after October 1,  
406 1998, of any felony that the court finds was committed for a sexual  
407 purpose, may be required by the court upon release into the  
408 community or, if such person is in the custody of the Commissioner of  
409 Correction, at such time prior to release as the commissioner shall  
410 direct to register such person's name, including any alias used by such  
411 person, documentation of any court order changing such person's  
412 name, such person's identifying factors, such person's Social Security  
413 number, such person's criminal history record, [and] such person's  
414 residence address, the license plate number and description of any  
415 motor vehicle owned or operated by such person and the name and  
416 address of any place where such person is employed or will be  
417 employed with the Commissioner of Public Safety, on such forms and  
418 in such locations as the commissioner shall direct, and to maintain  
419 such registration for ten years. If the court finds that a person has  
420 committed a felony for a sexual purpose and intends to require such  
421 person to register under this section, prior to accepting a plea of guilty  
422 or nolo contendere from such person with respect to such felony, the  
423 court shall (1) inform the person that the entry of a finding of guilty  
424 after acceptance of the plea will subject the person to the registration  
425 requirements of this section, and (2) determine that the person fully  
426 understands the consequences of the plea. If any person who is subject  
427 to registration under this section changes such person's name, such  
428 person shall, [without undue delay] within five days, notify the  
429 Commissioner of Public Safety in writing of the new name. If any  
430 person who is subject to registration under this section changes such  
431 person's address, such person shall, [without undue delay] within five  
432 days, notify the Commissioner of Public Safety in writing of the new  
433 address and, if the new address is in another state, such person shall  
434 also register with an appropriate agency in that state, provided that  
435 state has a registration requirement for such offenders. If any person  
436 who is subject to registration under this section is employed at, carries  
437 on a vocation at or is a student at a youth camp, as defined in section

438 19a-420, a provider of child day care services, as defined in section 19a-  
439 77, a public or private educational institution including an elementary,  
440 middle or high school, a regional vocational-technical school, a charter  
441 school or a secondary school, a trade or professional institution or an  
442 institution of higher learning in this state, such person shall, [without  
443 undue delay] within five days, notify the Commissioner of Public  
444 Safety of such status and of any change in such status. If any person  
445 who is subject to registration under this section is employed in another  
446 state, carries on a vocation in another state or is a student in another  
447 state, such person shall, without undue delay, notify the  
448 Commissioner of Public Safety and shall also register with an  
449 appropriate agency in that state, provided that state has a registration  
450 requirement for such offenders. During such period of registration,  
451 each registrant shall complete and return forms mailed to such  
452 registrant to verify such registrant's residence address and shall submit  
453 to the retaking of a photographic image upon request of the  
454 Commissioner of Public Safety.

455 (b) Any person who is convicted of a violation of subsection (a) of  
456 this section and has previously been convicted of a violation of said  
457 subsection (a) shall maintain the registration required under this  
458 section for life.

459 ~~[(b)]~~ (c) Any person who violates the provisions of this section shall  
460 be guilty of a class D felony, except that, if such person violates the  
461 provisions of this section by failing to notify the Commissioner of  
462 Public Safety without undue delay of a change of name, address or  
463 status or another reportable event, such person shall be subject to such  
464 penalty if such failure continues for five business days.

465 Sec. 6. (NEW) (*Effective July 1, 2007*) (a) Any person who has been  
466 convicted or found not guilty by reason of mental disease or defect of a  
467 predatory sexual offense against a victim who is a minor, and is  
468 released into the community on or after July 1, 2007, shall, not later  
469 than three days after such release or, if such person is in the custody of

470 the Commissioner of Correction, at such time prior to release as the  
471 commissioner shall direct, register such person's name, residence  
472 address, identifying factors and criminal history record, the license  
473 plate number and description of any vehicle owned or operated by  
474 such person and information concerning any treatment received by  
475 such person for a mental abnormality or personality disorder with the  
476 Commissioner of Public Safety on such forms and in such locations as  
477 said commissioner shall direct, and shall maintain such registration for  
478 life. Prior to accepting a plea of guilty or nolo contendere from a  
479 person with respect to a predatory sexual offense against a victim who  
480 is a minor, the court shall (1) inform the person that the entry of a  
481 finding of guilty after acceptance of the plea will subject the person to  
482 the registration requirements of this section, and (2) determine that the  
483 person fully understands the consequences of the plea. If such person  
484 changes such person's name, a motor vehicle owned or operated by  
485 such person or the license plate number of any such motor vehicle,  
486 such person shall, within five days, register the new name, motor  
487 vehicle information or license plate number, in writing, with the  
488 Commissioner of Public Safety. If such person changes such person's  
489 address, such person shall, within five days, register the new address,  
490 in writing, with the Commissioner of Public Safety and, if the new  
491 address is in another state, such person shall also register with an  
492 appropriate agency in that state. If any person who is subject to  
493 registration under this section is employed in this or another state,  
494 carries on a vocation in this or another state or is a student in this or  
495 another state, such person shall notify the Commissioner of Public  
496 Safety, in writing, of such status and, if such person is employed,  
497 carries on a vocation or is a student in another state, shall also register  
498 with an appropriate agency in that state. During such period of  
499 registration, each registrant shall complete and return forms mailed to  
500 such registrant to verify such registrant's residence address and shall  
501 submit to the retaking of a photographic image upon request of the  
502 Commissioner of Public Safety. If any person who is subject to  
503 registration under this section is employed at, carries on a vocation at

504 or is a student at a youth camp, as defined in section 19a-420 of the  
505 general statutes, a provider of child day care services, as defined in  
506 section 19a-77 of the general statutes, a public or private educational  
507 institution including an elementary, middle or high school, a regional  
508 vocational-technical school, a charter school, a secondary school, a  
509 trade or professional institution or an institution of higher learning in  
510 this state, such person shall notify the Commissioner of Public Safety,  
511 in writing, of such status prior to the commencement of such status  
512 and shall notify the Commissioner of Public Safety, in writing, of any  
513 change in such status.

514 (b) Any person who violates the provisions of this section shall be  
515 guilty of a class D felony.

516 Sec. 7. (NEW) (*Effective July 1, 2007*) (a) Any person who has been  
517 convicted or found not guilty by reason of mental disease or defect of a  
518 predatory sexual offense against a protected or other person, and is  
519 released into the community on or after July 1, 2007, shall, not later  
520 than three days after such release or, if such person is in the custody of  
521 the Commissioner of Correction, at such time prior to release as the  
522 commissioner shall direct, register such person's name, residence  
523 address, identifying factors and criminal history record, the license  
524 plate number and description of any vehicle owned or operated by  
525 such person and information concerning any treatment received by  
526 such person for a mental abnormality or personality disorder with the  
527 Commissioner of Public Safety on such forms and in such locations as  
528 said commissioner shall direct, and shall maintain such registration for  
529 life. Prior to accepting a plea of guilty or nolo contendere from a  
530 person with respect to a predatory sexual offense against a protected  
531 or other person, the court shall (1) inform the person that the entry of a  
532 finding of guilty after acceptance of the plea will subject the person to  
533 the registration requirements of this section, and (2) determine that the  
534 person fully understands the consequences of the plea. If such person  
535 changes such person's name, a motor vehicle owned or operated by  
536 such person or the license plate number of any such motor vehicle,

537 such person shall, within five days, register the new name, motor  
538 vehicle information or license plate number, in writing, with the  
539 Commissioner of Public Safety. If such person changes such person's  
540 address, such person shall, within five days, register the new address,  
541 in writing, with the Commissioner of Public Safety and, if the new  
542 address is in another state, such person shall also register with an  
543 appropriate agency in that state. If any person who is subject to  
544 registration under this section is employed in this or another state,  
545 carries on a vocation in this or another state or is a student in this or  
546 another state, such person shall notify the Commissioner of Public  
547 Safety, in writing, of such status and, if such person is employed,  
548 carries on a vocation or is a student in another state, shall also register  
549 with an appropriate agency in that state. During such period of  
550 registration, each registrant shall complete and return forms mailed to  
551 such registrant to verify such registrant's residence address and shall  
552 submit to the retaking of a photographic image upon request of the  
553 Commissioner of Public Safety. If any person who is subject to  
554 registration under this section is employed at, carries on a vocation at  
555 or is a student at a youth camp, as defined in section 19a-420 of the  
556 general statutes, a provider of child day care services, as defined in  
557 section 19a-77 of the general statutes, a public or private educational  
558 institution including an elementary, middle or high school, a regional  
559 vocational-technical school, a charter school, a secondary school, a  
560 trade or professional institution or an institution of higher learning in  
561 this state, such person shall notify the Commissioner of Public Safety,  
562 in writing, of such status prior to the commencement of such status  
563 and shall notify the Commissioner of Public Safety, in writing, of any  
564 change in such status.

565 (b) Any person who violates the provisions of this section shall be  
566 guilty of a class D felony.

567 Sec. 8. Section 54-255 of the general statutes is repealed and the  
568 following is substituted in lieu thereof (*Effective July 1, 2007*):

569 (a) Upon the conviction or finding of not guilty by reason of mental  
570 disease or defect of any person for a violation of section 53a-70b, the  
571 court may order the Department of Public Safety to restrict the  
572 dissemination of the registration information to law enforcement  
573 purposes only and to not make such information available for public  
574 access, provided the court finds that dissemination of the registration  
575 information is not required for public safety and that publication of the  
576 registration information would be likely to reveal the identity of the  
577 victim within the community where the victim resides. The court shall  
578 remove the restriction on the dissemination of such registration  
579 information if, at any time, the court finds that public safety requires  
580 that such person's registration information be made available to the  
581 public or that a change of circumstances makes publication of such  
582 registration information no longer likely to reveal the identity of the  
583 victim within the community where the victim resides. Prior to  
584 ordering or removing the restriction on the dissemination of such  
585 person's registration information, the court shall consider any  
586 information or statements provided by the victim.

587 (b) Upon the conviction or finding of not guilty by reason of mental  
588 disease or defect of any person of a criminal offense against a victim  
589 who is a minor, a nonviolent sexual offense, [or] a sexually violent  
590 offense, a predatory sexual offense against a victim who is a minor or a  
591 predatory sexual offense against a protected or other person, where the  
592 victim of such offense was, at the time of the offense, under eighteen  
593 years of age and related to such person within any of the degrees of  
594 kindred specified in section 46b-21, the court may order the  
595 Department of Public Safety to restrict the dissemination of the  
596 registration information to law enforcement purposes only and to not  
597 make such information available for public access, provided the court  
598 finds that dissemination of the registration information is not required  
599 for public safety and that publication of the registration information  
600 would be likely to reveal the identity of the victim within the  
601 community where the victim resides. The court shall remove the  
602 restriction on the dissemination of such registration information if, at

603 any time, it finds that public safety requires that such person's  
604 registration information be made available to the public or that a  
605 change in circumstances makes publication of the registration  
606 information no longer likely to reveal the identity of the victim within  
607 the community where the victim resides.

608 (c) Any person who: (1) Has been convicted or found not guilty by  
609 reason of mental disease or defect of a violation of subdivision (1) of  
610 subsection (a) of section 53a-71 between October 1, 1988, and June 30,  
611 1999, and was under nineteen years of age at the time of the offense; (2)  
612 has been convicted or found not guilty by reason of mental disease or  
613 defect of a violation of subdivision (2) of subsection (a) of section 53a-  
614 73a between October 1, 1988, and June 30, 1999; (3) has been convicted  
615 or found not guilty by reason of mental disease or defect of a criminal  
616 offense against a victim who is a minor, a nonviolent sexual offense or  
617 a sexually violent offense, between October 1, 1988, and June 30, 1999,  
618 where the victim of such offense was, at the time of the offense, under  
619 eighteen years of age and related to such person within any of the  
620 degrees of kindred specified in section 46b-21; (4) has been convicted  
621 or found not guilty by reason of mental disease or defect of a violation  
622 of section 53a-70b between October 1, 1988, and June 30, 1999; or (5)  
623 has been convicted or found not guilty by reason of mental disease or  
624 defect of any crime between October 1, 1988, and September 30, 1998,  
625 which requires registration under sections 54-250 to 54-258a, inclusive,  
626 and (A) served no jail or prison time as a result of such conviction or  
627 finding of not guilty by reason of mental disease or defect, (B) has not  
628 been subsequently convicted or found not guilty by reason of mental  
629 disease or defect of any crime which would require registration under  
630 sections 54-250 to 54-258a, inclusive, and (C) has registered with the  
631 Department of Public Safety in accordance with sections 54-250 to 54-  
632 258a, inclusive; may petition the court to order the Department of  
633 Public Safety to restrict the dissemination of the registration  
634 information to law enforcement purposes only and to not make such  
635 information available for public access. Any person who files such a  
636 petition shall, pursuant to subsection (b) of section 54-227, notify the

637 Office of Victim Services and the Victim Services Unit within the  
638 Department of Correction of the filing of such petition. The Office of  
639 Victim Services or the Victim Services Unit within the Department of  
640 Correction, or both, shall, pursuant to section 54-230 or 54-230a, notify  
641 any victim who has requested notification pursuant to subsection (b) of  
642 section 54-228 of the filing of such petition. Prior to granting or  
643 denying such petition, the court shall consider any information or  
644 statements provided by the victim. The court may order the  
645 Department of Public Safety to restrict the dissemination of the  
646 registration information to law enforcement purposes only and to not  
647 make such information available for public access, provided the court  
648 finds that dissemination of the registration information is not required  
649 for public safety.

650 (d) Upon the granting of an order under this section, the court shall  
651 forward a copy of such order to the Department of Public Safety.

652 Sec. 9. Section 54-256 of the general statutes is repealed and the  
653 following is substituted in lieu thereof (*Effective July 1, 2007*):

654 (a) Any court, the Commissioner of Correction or the Psychiatric  
655 Security Review Board, prior to releasing into the community any  
656 person convicted or found not guilty by reason of mental disease or  
657 defect of a criminal offense against a victim who is a minor, a  
658 nonviolent sexual offense, a sexually violent offense, [or] a felony  
659 found by the sentencing court to have been committed for a sexual  
660 purpose, a predatory sexual offense against a victim who is a minor or  
661 a predatory sexual offense against a protected or other person, except a  
662 person being released unconditionally at the conclusion of such  
663 person's sentence or commitment, shall require as a condition of such  
664 release that such person complete the registration procedure  
665 established by the Commissioner of Public Safety under sections  
666 54-251, 54-252 and 54-254, as amended by this act, and sections 6 and 7  
667 of this act. The court, the Commissioner of Correction or the  
668 Psychiatric Security Review Board, as the case may be, shall provide

669 the person with a written summary of the person's obligations under  
670 sections 54-102g and 54-250 to 54-258a, inclusive, as amended by this  
671 act, and sections 6 and 7 of this act, and transmit the completed  
672 registration package to the Commissioner of Public Safety who shall  
673 enter the information into the registry established under section  
674 54-257, as amended by this act. If a court transmits the completed  
675 registration package to the Commissioner of Public Safety with respect  
676 to a person released by the court, such package need not include  
677 identifying factors for such person. In the case of a person being  
678 released unconditionally who declines to complete the registration  
679 package through the court or the releasing agency, the court or agency  
680 shall: (1) Except with respect to information that is not available to the  
681 public pursuant to court order, rule of court or any provision of the  
682 general statutes, provide to the Commissioner of Public Safety the  
683 person's name, date of release into the community, anticipated  
684 residence address, if known, criminal history record, any known  
685 treatment history and any other relevant information; (2) inform the  
686 person that such person has an obligation to register within three days  
687 with the Commissioner of Public Safety for a period of ten years  
688 following the date of such person's release or for life, as the case may  
689 be, and that if such person changes such person's address such person  
690 shall within five days register the new address in writing with the  
691 Commissioner of Public Safety and, if the new address is in another  
692 state or if such person is employed in another state, carries on a  
693 vocation in another state or is a student in another state, such person  
694 shall also register with an appropriate agency in that state; [ provided  
695 that state has a registration requirement for such offenders;] (3)  
696 provide the person with a written summary of the person's obligations  
697 under sections 54-102g and 54-250 to 54-258a, inclusive, as amended by  
698 this act, and sections 6 and 7 of this act, as explained to the person  
699 under subdivision (2) of this subsection; and (4) make a specific  
700 notation on the record maintained by that agency with respect to such  
701 person that the registration requirements were explained to such  
702 person and that such person was provided with a written summary of

703 such person's obligations under sections 54-102g and 54-250 to 54-258a,  
704 inclusive, as amended by this act, and sections 6 and 7 of this act.

705 (b) Whenever a person is convicted or found not guilty by reason of  
706 mental disease or defect of an offense that will require such person to  
707 register under section 54-251, 54-252 or 54-254, as amended by this act,  
708 and sections 6 and 7 of this act, the court shall provide to the  
709 Department of Public Safety a written summary of the offense that  
710 includes the age and sex of any victim of the offense and a specific  
711 description of the offense. Such summary shall be added to the registry  
712 information made available to the public through the Internet.

713 Sec. 10. Section 54-257 of the general statutes is repealed and the  
714 following is substituted in lieu thereof (*Effective July 1, 2007*):

715 (a) The Department of Public Safety shall, not later than January 1,  
716 1999, establish and maintain a registry of all persons required to  
717 register under sections 54-251, 54-252, 54-253 and 54-254, as amended  
718 by this act, and sections 6 and 7 of this act. The department shall, in  
719 cooperation with the Office of the Chief Court Administrator, the  
720 Department of Correction and the Psychiatric Security Review Board,  
721 develop appropriate forms for use by agencies and individuals to  
722 report registration information, including changes of address. Upon  
723 receipt of registration information, the department shall enter the  
724 information into the registry and notify the local police department or  
725 state police troop having jurisdiction where the registrant resides or  
726 plans to reside. If a registrant notifies the Department of Public Safety  
727 that such registrant is employed at, carries on a vocation at or is a  
728 student at a trade or professional institution or institution of higher  
729 learning in this state, the department shall notify the law enforcement  
730 agency with jurisdiction over such institution. If a registrant reports a  
731 residence in another state, the department shall notify the state police  
732 agency of that state or such other agency in that state that maintains  
733 registry information, if known. The department shall also transmit all  
734 registration information, conviction data, photographic images and

735 fingerprints to the Federal Bureau of Investigation in such form as said  
736 bureau shall require for inclusion in a national registry.

737 (b) The Department of Public Safety may suspend the registration of  
738 any person registered under section 54-251, 54-252, 54-253 or 54-254, as  
739 amended by this act, and sections 6 and 7 of this act, while such person  
740 is incarcerated, under civil commitment or residing outside this state.  
741 During the period that such registration is under suspension, the  
742 department is not required to verify the address of the registrant  
743 pursuant to subsection (c) of this section and may withdraw the  
744 registration information from public access. Upon the release of the  
745 registrant from incarceration or civil commitment or resumption of  
746 residency in this state by the registrant, the department shall reinstate  
747 the registration, redistribute the registration information in accordance  
748 with subsection (a) of this section and resume verifying the address of  
749 the registrant in accordance with subsection (c) of this section.  
750 Suspension of registration shall not affect the date of expiration of the  
751 registration obligation of the registrant under section 54-251, 54-252 or  
752 54-253, as amended by this act, or section 6 or 7 of this act. The period  
753 during which registration is suspended under this subsection shall be  
754 excluded from the period that a registrant is required to maintain his  
755 or her registration.

756 (c) Except as provided in subsection (b) of this section, the  
757 Department of Public Safety shall verify the address of each registrant  
758 by mailing by first class mail a nonforwardable verification form to the  
759 registrant at the registrant's last reported address. Such form shall  
760 require the registrant to sign a statement that the registrant continues  
761 to reside at the registrant's last reported address and return the form  
762 by mail by a date which is ten days after the date such form was  
763 mailed to the registrant. The form shall contain a statement that failure  
764 to return the form or providing false information is a violation of  
765 section 54-251, 54-252, 54-253 or 54-254, as amended by this act, or  
766 section 6 or 7 of this act, as the case may be. Each person required to  
767 register under section 54-251, 54-252, 54-253 or 54-254, as amended by

768 this act, or section 6 or 7 of this act, shall have such person's address  
769 verified in such manner every ninety days after such person's initial  
770 registration date, except that any registrant claiming to be transient  
771 shall verify such person's transient status thirty calendar days after the  
772 date such registrant's initial written notice claiming to be transient was  
773 received by the Department of Public Safety, and every thirty days  
774 thereafter. Any registrant claiming to be transient shall mail a letter  
775 containing the registrant's name and date of birth and a statement that  
776 the registrant continues to be transient within a particular town in this  
777 state and lists the locations, including the specific town, where the  
778 registrant sleeps, eats, works, frequents and engages in leisure  
779 activities. If such transient person changes such person's address or  
780 transient locations, including changing or adding towns, such person  
781 shall, within five days, register the new address or transient location,  
782 in writing, with the Department of Public Safety and, if the new  
783 address or transient location is in another state, such person shall also  
784 register with an appropriate agency in that state. Any person who has  
785 reported being transient to the Department of Public Safety who  
786 moves to a residence shall notify the department within five days of  
787 such change of address. Any registrant residing at an address who  
788 becomes transient shall notify the Department of Public Safety, in  
789 writing, within five days of commencing such transient status. In the  
790 event that a registrant fails to return the address verification form, or  
791 fails to verify the registrant's transient status, the Department of Public  
792 Safety shall notify the local police department or the state police troop  
793 having jurisdiction over the registrant's last reported address or  
794 transient location, and that agency shall apply for a warrant to be  
795 issued for the registrant's arrest under section 54-251, 54-252, 54-253 or  
796 54-254, as amended by this act, or section 6 or 7 of this act, as the case  
797 may be. The Department of Public Safety shall not verify the address of  
798 registrants whose last reported address was outside this state.  
799 Whenever mail is not delivered to a registrant's residence address due  
800 to a restriction of the United States Postal Service, the Commissioner of  
801 Public Safety may develop and implement procedures to verify the

802 address of such registrant.

803 (d) The Department of Public Safety shall include in the registry the  
804 most recent photographic image of each registrant taken by the  
805 department, the Department of Correction, a law enforcement agency  
806 or the Court Support Services Division of the Judicial Department and  
807 shall retake the photographic image of each registrant at least once  
808 every five years, except that the department shall retake the  
809 photographic image of a registrant who registered under section 6 or 7  
810 of this act at least once each year.

811 (e) Whenever the Commissioner of Public Safety receives notice  
812 from a superior court pursuant to section 52-11 or a probate court  
813 pursuant to section 45a-99 that such court has ordered the change of  
814 name of a person, and the department determines that such person is  
815 listed in the registry, the department shall revise such person's  
816 registration information accordingly.

817 (f) The Commissioner of Public Safety shall develop a protocol for  
818 the notification of other state agencies, the Judicial Department and  
819 local police departments whenever a person listed in the registry  
820 changes such person's name and notifies the commissioner of the new  
821 name pursuant to section 54-251, 54-252, 54-253 or 54-254, as amended  
822 by this act, or section 6 or 7 of this act, or whenever the commissioner  
823 determines pursuant to subsection (e) of this section that a person  
824 listed in the registry has changed such person's name.

825 Sec. 11. (NEW) (*Effective July 1, 2007*) (a) A person is guilty of aiding  
826 a registrant in violation of registration requirements when such  
827 person, having reasonable grounds to believe that a registrant, as  
828 defined in section 54-250 of the general statutes, as amended by this  
829 act, is in violation of the registration requirements under section 54-  
830 251, 54-252, 54-253 or 54-254 of the general statutes, as amended by this  
831 act, or section 6 or 7 of this act, and with intent to assist the registrant  
832 in eluding a law enforcement officer in the investigation or  
833 enforcement of such violation: (1) Withholds information from, or does

834 not notify, the law enforcement officer about the registrant's  
835 noncompliance with the requirements of said sections and, if known,  
836 the whereabouts of the registrant; (2) harbors, or attempts to harbor, or  
837 assists another person in harboring or attempting to harbor, the  
838 registrant; (3) conceals or attempts to conceal, or assists another person  
839 in concealing or attempting to conceal, the registrant; (4) provides false  
840 information, which such person knows not to be true, regarding the  
841 registrant; (5) obstructs or hinders the law enforcement officer in the  
842 performance of such officer's official duties relative to the investigation  
843 or enforcement of such violation; or (6) falsely represents the registrant  
844 by signing address verification forms or other official documentation  
845 relative to the registration of sexual offenders.

846 (b) Aiding a registrant in violation of registration requirements is a  
847 class D felony.

848 Sec. 12. Section 53-21 of the general statutes is repealed and the  
849 following is substituted in lieu thereof (*Effective July 1, 2007*):

850 (a) Any person who (1) wilfully or unlawfully causes or permits any  
851 child under the age of sixteen years to be placed in such a situation  
852 that the life or limb of such child is endangered, the health of such  
853 child is likely to be injured or the morals of such child are likely to be  
854 impaired, or does any act likely to impair the health or morals of any  
855 such child, or (2) has contact with the intimate parts, as defined in  
856 section 53a-65, of a child under the age of sixteen years or subjects a  
857 child under sixteen years of age to contact with the intimate parts of  
858 such person, in a sexual and indecent manner likely to impair the  
859 health or morals of such child, or (3) permanently transfers the legal or  
860 physical custody of a child under the age of sixteen years to another  
861 person for money or other valuable consideration or acquires or  
862 receives the legal or physical custody of a child under the age of  
863 sixteen years from another person upon payment of money or other  
864 valuable consideration to such other person or a third person, except in  
865 connection with an adoption proceeding that complies with the

866 provisions of chapter 803, shall be guilty of a class C felony for a  
867 violation of subdivision (1) or (3) of this subsection and a class B felony  
868 for a violation of subdivision (2) of this subsection, except that, if the  
869 violation is of subdivision (2) of this subsection and the victim of the  
870 offense is under thirteen years of age, such person shall be guilty of a  
871 class A felony and sentenced to a term of imprisonment of twenty-five  
872 years which may not be suspended or reduced by the court.

873 (b) The act of a parent or agent leaving an infant thirty days or  
874 younger with a designated employee pursuant to section 17a-58 shall  
875 not constitute a violation of this section.

876 Sec. 13. Section 53a-70 of the general statutes is repealed and the  
877 following is substituted in lieu thereof (*Effective July 1, 2007*):

878 (a) A person is guilty of sexual assault in the first degree when such  
879 person (1) compels another person to engage in sexual intercourse by  
880 the use of force against such other person or a third person, or by the  
881 threat of use of force against such other person or against a third  
882 person which reasonably causes such person to fear physical injury to  
883 such person or a third person, or (2) engages in sexual intercourse with  
884 another person and such other person is under thirteen years of age  
885 and the actor is more than two years older than such person, or (3)  
886 commits sexual assault in the second degree as provided in section  
887 53a-71 and in the commission of such offense is aided by two or more  
888 other persons actually present, or (4) engages in sexual intercourse  
889 with another person and such other person is mentally incapacitated to  
890 the extent that such other person is unable to consent to such sexual  
891 intercourse.

892 (b) (1) Except as provided in subdivision (2) of this subsection,  
893 sexual assault in the first degree is a class B felony for which two years  
894 of the sentence imposed may not be suspended or reduced by the  
895 court. [or, if the victim of the offense is under ten years of age, for  
896 which ten years of the sentence imposed may not be suspended or  
897 reduced by the court.]

898 (2) Sexual assault in the first degree is a class A felony if the [offense  
899 is a violation of subdivision (1) of subsection (a) of this section and the  
900 victim of the offense is under sixteen years of age or the offense is a  
901 violation of subdivision (2) of subsection (a) of this section. Any person  
902 found guilty under said subdivision (1) or (2) shall be sentenced to a  
903 term of imprisonment of which ten years of the sentence imposed may  
904 not be suspended or reduced by the court if the victim is under ten  
905 years of age or of which five years of the sentence imposed may not be  
906 suspended or reduced by the court if the victim is under sixteen years  
907 of age] victim of the offense is under sixteen years of age and any  
908 person found guilty of such class A felony shall be sentenced to a term  
909 of imprisonment of which five years of the sentence imposed may not  
910 be suspended or reduced by the court, except that, if the victim of the  
911 offense is under thirteen years of age, such person shall be sentenced  
912 to a term of imprisonment of twenty-five years which may not be  
913 suspended or reduced by the court.

914 (3) [Any] Except as provided in subdivision (2) of this subsection,  
915 any person found guilty under this section shall be sentenced to a term  
916 of imprisonment and a period of special parole pursuant to subsection  
917 (b) of section 53a-28 which together constitute a sentence of at least ten  
918 years.

919 Sec. 14. Section 53a-70a of the general statutes is repealed and the  
920 following is substituted in lieu thereof (*Effective July 1, 2007*):

921 (a) A person is guilty of aggravated sexual assault in the first degree  
922 when such person commits sexual assault in the first degree as  
923 provided in section 53a-70, and in the commission of such offense (1)  
924 such person uses or is armed with and threatens the use of or displays  
925 or represents by such person's words or conduct that such person  
926 possesses a deadly weapon, (2) with intent to disfigure the victim  
927 seriously and permanently, or to destroy, amputate or disable  
928 permanently a member or organ of the victim's body, such person  
929 causes such injury to such victim, (3) under circumstances evincing an

930 extreme indifference to human life such person recklessly engages in  
931 conduct which creates a risk of death to the victim, and thereby causes  
932 serious physical injury to such victim, or (4) such person is aided by  
933 two or more other persons actually present. No person shall be  
934 convicted of sexual assault in the first degree and aggravated sexual  
935 assault in the first degree upon the same transaction but such person  
936 may be charged and prosecuted for both such offenses upon the same  
937 information.

938 (b) Aggravated sexual assault in the first degree is a class B felony  
939 or, if the victim of the offense is under sixteen years of age, a class A  
940 felony. Any person found guilty under this section shall be sentenced  
941 to a term of imprisonment of which five years of the sentence imposed  
942 may not be suspended or reduced by the court, except that, if [such  
943 person committed sexual assault in the first degree by violating  
944 subdivision (1) of subsection (a) of section 53a-70, and] (1) the victim of  
945 the offense is under sixteen years of age, such person shall be  
946 sentenced to a term of imprisonment of which twenty years of the  
947 sentence imposed may not be suspended or reduced by the court, or  
948 (2) the victim of the offense is under thirteen years of age, such person  
949 shall be sentenced to a term of imprisonment of twenty-five years  
950 which may not be suspended or reduced by the court. Any person  
951 found guilty under this section shall be sentenced to a period of special  
952 parole pursuant to subsection (b) of section 53a-28 of at least five years.

953 Sec. 15. Section 53a-71 of the general statutes is repealed and the  
954 following is substituted in lieu thereof (*Effective July 1, 2007*):

955 (a) A person is guilty of sexual assault in the second degree when  
956 such person engages in sexual intercourse with another person and: (1)  
957 Such other person is thirteen years of age or older but under sixteen  
958 years of age and the actor is more than two years older than such  
959 person; or (2) such other person is mentally defective to the extent that  
960 such other person is unable to consent to such sexual intercourse; or (3)  
961 such other person is physically helpless; or (4) such other person is less

962 than eighteen years old and the actor is such person's guardian or  
963 otherwise responsible for the general supervision of such person's  
964 welfare; or (5) such other person is in custody of law or detained in a  
965 hospital or other institution and the actor has supervisory or  
966 disciplinary authority over such other person; or (6) the actor is a  
967 psychotherapist and such other person is (A) a patient of the actor and  
968 the sexual intercourse occurs during the psychotherapy session, (B) a  
969 patient or former patient of the actor and such patient or former  
970 patient is emotionally dependent upon the actor, or (C) a patient or  
971 former patient of the actor and the sexual intercourse occurs by means  
972 of therapeutic deception; or (7) the actor accomplishes the sexual  
973 intercourse by means of false representation that the sexual intercourse  
974 is for a bona fide medical purpose by a health care professional; or (8)  
975 the actor is a school employee and such other person is a student  
976 enrolled in a school in which the actor works or a school under the  
977 jurisdiction of the local or regional board of education which employs  
978 the actor; or (9) the actor is a coach in an athletic activity or a person  
979 who provides intensive, ongoing instruction and such other person is a  
980 recipient of coaching or instruction from the actor and (A) is a  
981 secondary school student and receives such coaching or instruction in  
982 a secondary school setting, or (B) is under eighteen years of age; or (10)  
983 the actor is twenty years of age or older and stands in a position of  
984 power, authority or supervision over such other person by virtue of  
985 the actor's professional, legal, occupational or volunteer status and  
986 such other person's participation in a program or activity, and such  
987 other person is under eighteen years of age.

988 (b) [Sexual] (1) Except as provided in subdivisions (2) and (3) of this  
989 subsection, sexual assault in the second degree is a class C felony [or,]  
990 and any person found guilty of such class C felony shall be sentenced  
991 to a term of imprisonment of which nine months of the sentence  
992 imposed may not be suspended or reduced by the court.

993 (2) Sexual assault in the second degree is a class B felony if the  
994 victim of the offense is thirteen years of age or older but under sixteen

995 years of age, [a class B felony,] and any person found guilty [under this  
996 section] of such class B felony shall be sentenced to a term of  
997 imprisonment of which nine months of the sentence imposed may not  
998 be suspended or reduced by the court.

999 (3) Sexual assault in the second degree is a class A felony if the  
1000 victim of the offense is under thirteen years of age, and any person  
1001 found guilty of such class A felony shall be sentenced to a term of  
1002 imprisonment of twenty-five years which may not be suspended or  
1003 reduced by the court.

1004 Sec. 16. Section 53a-72a of the general statutes is repealed and the  
1005 following is substituted in lieu thereof (*Effective July 1, 2007*):

1006 (a) A person is guilty of sexual assault in the third degree when  
1007 such person (1) compels another person to submit to sexual contact (A)  
1008 by the use of force against such other person or a third person, or (B)  
1009 by the threat of use of force against such other person or against a third  
1010 person, which reasonably causes such other person to fear physical  
1011 injury to himself or herself or a third person, or (2) engages in sexual  
1012 intercourse with another person whom the actor knows to be related to  
1013 him or her within any of the degrees of kindred specified in section  
1014 46b-21.

1015 (b) [Sexual] (1) Except as provided in subdivisions (2) and (3) of this  
1016 subsection, sexual assault in the third degree is a class D felony. [or,]

1017 (2) Sexual assault in the third degree is a class C felony if the victim  
1018 of the offense is thirteen years of age or older but under sixteen years  
1019 of age. [, a class C felony.]

1020 (3) Sexual assault in the third degree is a class A felony if the victim  
1021 of the offense is under thirteen years of age and any person found  
1022 guilty of such class A felony shall be sentenced to a term of  
1023 imprisonment of twenty-five years which may not be suspended or  
1024 reduced by the court.

1025 Sec. 17. Section 53a-86 of the general statutes is repealed and the  
1026 following is substituted in lieu thereof (*Effective July 1, 2007*):

1027 (a) A person is guilty of promoting prostitution in the first degree  
1028 when [he] such person knowingly: (1) Advances prostitution by  
1029 compelling a person by force or intimidation to engage in prostitution,  
1030 or profits from coercive conduct by another; or (2) advances or profits  
1031 from prostitution of a person less than sixteen years old.

1032 (b) [Promoting] (1) Except as provided in subdivision (2) of this  
1033 subsection, promoting prostitution in the first degree is a class B  
1034 felony.

1035 (2) Promoting prostitution in the first degree is a class A felony if  
1036 the victim of the offense is under thirteen years of age and any person  
1037 found guilty of such class A felony shall be sentenced to a term of  
1038 imprisonment of twenty-five years which may not be suspended or  
1039 reduced by the court.

1040 Sec. 18. Section 53a-87 of the general statutes is repealed and the  
1041 following is substituted in lieu thereof (*Effective July 1, 2007*):

1042 (a) A person is guilty of promoting prostitution in the second degree  
1043 when [he] such person knowingly: (1) Advances or profits from  
1044 prostitution by managing, supervising, controlling or owning, either  
1045 alone or in association with others, a house of prostitution or a  
1046 prostitution business or enterprise involving prostitution activity by  
1047 two or more prostitutes; or (2) advances or profits from prostitution of  
1048 a person less than eighteen years old.

1049 (b) [Promoting] (1) Except as provided in subdivision (2) of this  
1050 subsection, promoting prostitution in the second degree is a class C  
1051 felony.

1052 (2) Promoting prostitution in the second degree is a class A felony if  
1053 the victim of the offense is under thirteen years of age and any person  
1054 found guilty of such class A felony shall be sentenced to a term of

1055 imprisonment of twenty-five years which may not be suspended or  
1056 reduced by the court.

1057 Sec. 19. Section 53a-90a of the general statutes is repealed and the  
1058 following is substituted in lieu thereof (*Effective July 1, 2007*):

1059 (a) A person is guilty of enticing a minor when such person uses an  
1060 interactive computer service to knowingly persuade, induce, entice or  
1061 coerce any person under sixteen years of age to engage in prostitution  
1062 or sexual activity for which the actor may be charged with a criminal  
1063 offense. For purposes of this section, "interactive computer service"  
1064 means any information service, system or access software provider  
1065 that provides or enables computer access by multiple users to a  
1066 computer server, including specifically a service or system that  
1067 provides access to the Internet and such systems operated or services  
1068 offered by libraries or educational institutions.

1069 (b) [Enticing] (1) Except as provided in subdivision (2) of this  
1070 subsection, enticing a minor is a class D felony for a first offense, a  
1071 class C felony for a second offense and a class B felony for any  
1072 subsequent offense.

1073 (2) Enticing a minor is a class A felony if the victim of the offense is  
1074 under thirteen years of age and any person found guilty of such class  
1075 A felony shall be sentenced to a term of imprisonment of twenty-five  
1076 years which may not be suspended or reduced by the court.

1077 Sec. 20. Section 53a-196 of the general statutes is repealed and the  
1078 following is substituted in lieu thereof (*Effective July 1, 2007*):

1079 (a) A person is guilty of obscenity as to minors when [he] such  
1080 person knowingly promotes to a minor, for monetary consideration,  
1081 any material or performance which is obscene as to minors.

1082 (b) For purposes of this section, "knowingly" means having general  
1083 knowledge of or reason to know or a belief or ground for belief which  
1084 warrants further inspection or inquiry as to (1) the character and

1085 content of any material or performance which is reasonably susceptible  
1086 of examination by such person and (2) the age of the minor.

1087 (c) In any prosecution for obscenity as to minors, it shall be an  
1088 affirmative defense that the defendant made (1) a reasonable mistake  
1089 as to age, and (2) a reasonable bona fide attempt to ascertain the true  
1090 age of such minor, by examining a draft card, driver's license, birth  
1091 certificate or other official or apparently official document, exhibited  
1092 by such minor, purporting to establish that such minor was seventeen  
1093 years of age or older.

1094 (d) [Obscenity] (1) Except as provided in subdivision (2) of this  
1095 subsection, obscenity as to minors is a class D felony.

1096 (2) Obscenity as to minors is a class A felony if the victim of the  
1097 offense is under thirteen years of age and any person found guilty of  
1098 such class A felony shall be sentenced to a term of imprisonment of  
1099 twenty-five years which may not be suspended or reduced by the  
1100 court.

1101 Sec. 21. Section 53a-196a of the general statutes is repealed and the  
1102 following is substituted in lieu thereof (*Effective July 1, 2007*):

1103 (a) A person is guilty of employing a minor in an obscene  
1104 performance when (1) [he] such person employs any minor, whether  
1105 or not such minor receives any consideration, for the purpose of  
1106 promoting any material or performance which is obscene as to minors,  
1107 notwithstanding that such material or performance is intended for an  
1108 adult audience, or (2) [he] such person permits any such minor to be  
1109 employed, whether or not such minor receives any consideration, in  
1110 the promotion of any material or performance which is obscene as to  
1111 minors, notwithstanding that such material or performance is intended  
1112 for an adult audience, and [he] such person is the parent or guardian  
1113 of such minor or otherwise responsible for the general supervision of  
1114 such minor's welfare.

1115 (b) Employing a minor in an obscene performance is a class A  
1116 felony, provided, if the victim of the offense is under thirteen years of  
1117 age, any person found guilty under this section shall be sentenced to a  
1118 term of imprisonment of twenty-five years which may not be  
1119 suspended or reduced by the court.

1120 Sec. 22. Section 53a-196b of the general statutes is repealed and the  
1121 following is substituted in lieu thereof (*Effective July 1, 2007*):

1122 (a) A person is guilty of promoting a minor in an obscene  
1123 performance when [he] such person knowingly promotes any material  
1124 or performance in which a minor is employed, whether or not such  
1125 minor receives any consideration, and such material or performance is  
1126 obscene as to minors notwithstanding that such material or  
1127 performance is intended for an adult audience.

1128 (b) For purposes of this section, "knowingly" means having general  
1129 knowledge of or reason to know or a belief or ground for belief which  
1130 warrants further inspection or inquiry as to (1) the character and  
1131 content of any material or performance which is reasonably susceptible  
1132 of examination by such person and (2) the age of the minor employed.

1133 (c) [Promoting] (1) Except as provided in subdivision (2) of this  
1134 subsection, promoting a minor in an obscene performance is a class B  
1135 felony.

1136 (2) Promoting a minor in an obscene performance is a class A felony  
1137 if the victim of the offense is under thirteen years of age and any  
1138 person found guilty of such class A felony shall be sentenced to a term  
1139 of imprisonment of twenty-five years which may not be suspended or  
1140 reduced by the court.

1141 Sec. 23. Section 53a-30 of the general statutes is repealed and the  
1142 following is substituted in lieu thereof (*Effective July 1, 2007*):

1143 (a) When imposing sentence of probation or conditional discharge,  
1144 the court may, as a condition of the sentence, order that the defendant:

1145 (1) Work faithfully at a suitable employment or faithfully pursue a  
1146 course of study or of vocational training that will equip the defendant  
1147 for suitable employment; (2) undergo medical or psychiatric treatment  
1148 and remain in a specified institution, when required for that purpose;  
1149 (3) support the defendant's dependents and meet other family  
1150 obligations; (4) make restitution of the fruits of the defendant's offense  
1151 or make restitution, in an amount the defendant can afford to pay or  
1152 provide in a suitable manner, for the loss or damage caused thereby  
1153 and the court may fix the amount thereof and the manner of  
1154 performance; (5) if a minor, (A) reside with the minor's parents or in a  
1155 suitable foster home, (B) attend school, and (C) contribute to the  
1156 minor's own support in any home or foster home; (6) post a bond or  
1157 other security for the performance of any or all conditions imposed; (7)  
1158 refrain from violating any criminal law of the United States, this state  
1159 or any other state; (8) if convicted of a misdemeanor or a felony, other  
1160 than a capital felony, a class A felony or a violation of section 21a-278,  
1161 21a-278a, 53a-55, 53a-56, 53a-56b, 53a-57, 53a-58 or 53a-70b or any  
1162 offense for which there is a mandatory minimum sentence which may  
1163 not be suspended or reduced by the court, and any sentence of  
1164 imprisonment is suspended, participate in an alternate incarceration  
1165 program; (9) reside in a residential community center or halfway  
1166 house approved by the Commissioner of Correction, and contribute to  
1167 the cost incident to such residence; (10) participate in a program of  
1168 community service labor in accordance with section 53a-39c; (11)  
1169 participate in a program of community service in accordance with  
1170 section 51-181c; (12) if convicted of a violation of subdivision (2) of  
1171 subsection (a) of section 53-21, section 53a-70, 53a-70a, 53a-70b, 53a-71,  
1172 53a-72a or 53a-72b, undergo specialized sexual offender treatment; (13)  
1173 if convicted of a criminal offense against a victim who is a minor, a  
1174 nonviolent sexual offense, [or] a sexually violent offense, a predatory  
1175 sexual offense against a victim who is a minor or a predatory sexual  
1176 offense against a protected or other person, as defined in section 54-  
1177 250, as amended by this act, or of a felony that the court finds was  
1178 committed for a sexual purpose, as provided in section 54-254, as

1179 amended by this act, register such person's identifying factors, as  
1180 defined in section 54-250, as amended by this act, with the  
1181 Commissioner of Public Safety when required pursuant to section 54-  
1182 251, 54-252 or 54-253, as amended by this act, as the case may be; (14)  
1183 be subject to electronic monitoring, which may include the use of a  
1184 global positioning system; (15) if convicted of a violation of section  
1185 46a-58, 53-37a, 53a-181j, 53a-181k or 53a-181l, participate in an anti-bias  
1186 crime education program; (16) if convicted of a violation of section 53-  
1187 247, undergo psychiatric or psychological counseling or participate in  
1188 an animal cruelty prevention and education program provided such a  
1189 program exists and is available to the defendant; or (17) satisfy any  
1190 other conditions reasonably related to the defendant's rehabilitation.  
1191 The court shall cause a copy of any such order to be delivered to the  
1192 defendant and to the probation officer, if any.

1193 (b) Notwithstanding the provisions of subsection (a) of this section,  
1194 when imposing sentence of probation or conditional discharge for any  
1195 violation of section 53a-70, 53a-70a, 53a-71, 53a-90a, 53a-196 or 53a-  
1196 196b, as amended by this act, the court shall, as a condition of the  
1197 sentence, order that the defendant be subject to electronic monitoring  
1198 which shall include the use of a global positioning system.

1199 ~~[(b)]~~ (c) When a defendant has been sentenced to a period of  
1200 probation, the Court Support Services Division may require that the  
1201 defendant comply with any or all conditions which the court could  
1202 have imposed under subsection (a) of this section or was required to  
1203 impose under subsection (b) of this section which are not inconsistent  
1204 with any condition actually imposed by the court.

1205 ~~[(c)]~~ (d) At any time during the period of probation or conditional  
1206 discharge, after hearing and for good cause shown, the court may  
1207 modify or enlarge the conditions, whether originally imposed by the  
1208 court under this section or otherwise, and may extend the period,  
1209 provided the original period with any extensions shall not exceed the  
1210 periods authorized by section 53a-29. The court shall cause a copy of

1211 any such order to be delivered to the defendant and to the probation  
 1212 officer, if any.

1213 [(d)] (e) The period of participation in an alternate incarceration  
 1214 program, unless terminated sooner, shall not exceed the period of  
 1215 probation authorized by section 53a-29 or two years, whichever is less.

1216 [(e)] (f) The court may require that the person subject to electronic  
 1217 monitoring pursuant to subsection (a) or (b) of this section pay directly  
 1218 to the electronic monitoring service provider a fee for the cost of such  
 1219 electronic monitoring services. If the court finds that the person subject  
 1220 to electronic monitoring is indigent and unable to pay the costs of  
 1221 electronic monitoring services, it shall waive such costs. Any contract  
 1222 entered into by the judicial branch and the electronic monitoring  
 1223 service provider shall include a provision stating that the total cost for  
 1224 electronic monitoring services shall not exceed six dollars per day.  
 1225 Such amount shall be indexed annually to reflect the rate of inflation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2007	54-250
Sec. 2	July 1, 2007	54-251
Sec. 3	July 1, 2007	54-252(a)
Sec. 4	July 1, 2007	54-253
Sec. 5	July 1, 2007	54-254
Sec. 6	July 1, 2007	New section
Sec. 7	July 1, 2007	New section
Sec. 8	July 1, 2007	54-255
Sec. 9	July 1, 2007	54-256
Sec. 10	July 1, 2007	54-257
Sec. 11	July 1, 2007	New section
Sec. 12	July 1, 2007	53-21
Sec. 13	July 1, 2007	53a-70
Sec. 14	July 1, 2007	53a-70a
Sec. 15	July 1, 2007	53a-71
Sec. 16	July 1, 2007	53a-72a
Sec. 17	July 1, 2007	53a-86

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Sec. 18	<i>July 1, 2007</i>	53a-87
Sec. 19	<i>July 1, 2007</i>	53a-90a
Sec. 20	<i>July 1, 2007</i>	53a-196
Sec. 21	<i>July 1, 2007</i>	53a-196a
Sec. 22	<i>July 1, 2007</i>	53a-196b
Sec. 23	<i>July 1, 2007</i>	53a-30

**Statement of Purpose:**

To implement the Governor's budget recommendations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*