



General Assembly

January Session, 2007

Raised Bill No. 7237

LCO No. 4586

04586_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING SPECIAL PAROLE.

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

1 Section 1. Subsection (b) of section 54-125e of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2007*):

4 (b) When sentencing a person to a period of special parole, the court
5 may, as a condition of the sentence, order such person to comply with
6 any or all of the requirements of subsection (a) of section 53a-30. The
7 court shall cause a copy of any such order to be delivered to such
8 person and to the Department of Correction. The Board of Pardons and
9 Paroles may require that such person comply with any or all of the
10 requirements of subsection (a) of section 53a-30 which the court could
11 have imposed and which are not inconsistent with any condition
12 actually imposed by the court. Any person sentenced to a period of
13 special parole shall also be subject to such rules and conditions as may
14 be established by the Board of Pardons and Paroles or its chairperson
15 pursuant to section 54-126.

16 Sec. 2. Subsection (b) of section 53a-28 of the general statutes is

17 repealed and the following is substituted in lieu thereof (*Effective*
18 *October 1, 2007*):

19 (b) Except as provided in section 53a-46a, when a person is
20 convicted of an offense, the court shall impose one of the following
21 sentences: (1) A term of imprisonment; or (2) a sentence authorized by
22 section 18-65a or 18-73; or (3) a fine; or (4) a term of imprisonment and
23 a fine; or (5) a term of imprisonment, with the execution of such
24 sentence of imprisonment suspended, entirely or after a period set by
25 the court, and a period of probation or a period of conditional
26 discharge; or (6) a term of imprisonment, with the execution of such
27 sentence of imprisonment suspended, entirely or after a period set by
28 the court, and a fine and a period of probation or a period of
29 conditional discharge; or (7) a fine and a sentence authorized by
30 section 18-65a or 18-73; or (8) a sentence of unconditional discharge; or
31 (9) a term of imprisonment and a period of special parole as provided
32 in section 54-125e, as amended by this act; or (10) a term of
33 imprisonment, with the execution of such sentence of imprisonment
34 suspended after both a period of imprisonment set by the court and a
35 period of special parole set by the court as provided in section 54-125e,
36 as amended by this act, and a period of probation or a period of
37 conditional discharge.

38 Sec. 3. Subsection (b) of section 53a-70a of the general statutes is
39 repealed and the following is substituted in lieu thereof (*Effective*
40 *October 1, 2007*):

41 (b) Aggravated sexual assault in the first degree is a class B felony
42 or, if the victim of the offense is under sixteen years of age, a class A
43 felony. Any person found guilty under this section shall be sentenced
44 to a term of imprisonment of which five years of the sentence imposed
45 may not be suspended or reduced by the court, except that, if such
46 person committed sexual assault in the first degree by violating
47 subdivision (1) of subsection (a) of section 53a-70, and the victim of the
48 offense is under sixteen years of age, twenty years of the sentence

49 imposed may not be suspended or reduced by the court. Any person
50 found guilty under this section shall be sentenced to a term of
51 imprisonment and a period of special parole pursuant to subsection (b)
52 of section 53a-28, [of at least five years] as amended by this act, which
53 together constitute a sentence of at least ten years, except that, if such
54 person committed sexual assault in the first degree by violating
55 subdivision (1) of subsection (a) of section 53a-70 and the victim of the
56 offense is under sixteen years of age, any person found guilty under
57 this section shall be sentenced to a term of imprisonment and a period
58 of special parole pursuant to subsection (b) of section 53a-28, as
59 amended by this act, which together constitute a sentence of at least
60 twenty-five years.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	54-125e(b)
Sec. 2	<i>October 1, 2007</i>	53a-28(b)
Sec. 3	<i>October 1, 2007</i>	53a-70a(b)

Statement of Purpose:

To revise provisions concerning the imposition of a sentence of special parole and conditions thereof, and to reconcile sentencing provisions for the crime of aggravated sexual assault in the first degree with recent court decisions.

[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.]