



**Substitute House Bill No. 5033**

**Public Act No. 08-54**

**AN ACT CONCERNING SEXUAL OFFENDER NAME CHANGES.**

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

Section 1. Section 45a-99 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The courts of probate shall have concurrent jurisdiction with the Superior Court, as provided in section 52-11, as amended by this act, to grant a change of name, except a change of name granted in accordance with subsection (a) of section 46b-63, except that no court of probate may issue an order or otherwise allow for the change of name of a person who is required to register with the Commissioner of Public Safety as a sexual offender unless such person complies with the requirements of subdivision (1) of subsection (b) of this section.

(b) (1) Any person who is required to register with the Commissioner of Public Safety as a sexual offender who files an application with the Court of Probate for a change of name shall (A) prior to filing such application, notify the Commissioner of Public Safety, on such form as the commissioner may prescribe, that the person intends to file an application for a change of name, indicating the change of name sought, and (B) include with such application a sworn statement that such change of name is not being sought for the

**Substitute House Bill No. 5033**

purpose of avoiding the legal consequences of a criminal conviction, including, but not limited to, a criminal conviction that requires such person to register as a sexual offender.

(2) The Commissioner of Public Safety shall have standing to challenge such person's application for a change of name in the court of probate where such change of name is sought. The commissioner shall challenge the change of name through the Attorney General. The court of probate may deny such person's application for a change of name if the court finds, by a preponderance of the evidence, that the person is applying for such change of name for the purpose of avoiding the legal consequences of a criminal conviction.

~~[(b)]~~ (c) Whenever the court, pursuant to this section, orders a change of name of a person, the court shall notify the Commissioner of Public Safety of the issuance of such order if the court finds that such person is listed in the registry established and maintained pursuant to section 54-257.

Sec. 2. Section 52-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The superior court in each judicial district shall have jurisdiction of complaints praying for a change of name, brought by any person residing in the judicial district, and may change the name of the complainant, who shall thereafter be known by the name prescribed by said court in its decree, except that no superior court may issue an order or otherwise allow for the change of name of a person who is required to register with the Commissioner of Public Safety as a sexual offender unless such person complies with the requirements of subdivision (1) of subsection (b) of this section.

(b) (1) Any person who is required to register with the Commissioner of Public Safety as a sexual offender who files an

***Substitute House Bill No. 5033***

application with the Superior Court for a change of name shall (A) prior to filing such application, notify the Commissioner of Public Safety, on such form as the commissioner may prescribe, that the person intends to file an application for a change of name, indicating the change of name sought, and (B) include with such application a sworn statement that such change of name is not being sought for the purpose of avoiding the legal consequences of a criminal conviction, including, but not limited to, a criminal conviction that requires such person to register as a sexual offender.

(2) The Commissioner of Public Safety shall have standing to challenge such person's application for a change of name in the superior court where such change of name is sought. The commissioner shall challenge the change of name through the Attorney General. The superior court may deny such person's application for a change of name if the court finds, by a preponderance of the evidence, that the person is applying for such change of name for the purpose of avoiding the legal consequences of a criminal conviction.

[(b)] (c) Whenever the court, pursuant to this section, orders a change of name of a person, the clerk of the court shall notify the Commissioner of Public Safety of the issuance of such order if the clerk finds that such person is listed in the registry established and maintained pursuant to section 54-257.

Approved May 12, 2008