



General Assembly

Substitute Bill No. 5033

February Session, 2008

* _____ HB05033JUD__032408_____ *

AN ACT CONCERNING SEXUAL OFFENDER NAME CHANGES.

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

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 Section 45a-99 of the general statutes is repealed and the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

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

11 (b) (1) Any person who is required to register with the
12 Commissioner of Public Safety as a sexual offender who files an
13 application with the Court of Probate for a change of name shall (A)
14 prior to filing such application, notify the Commissioner of Public
15 Safety, on such form as the commissioner may prescribe, that the
16 person intends to file an application for a change of name, indicating
17 the change of name sought, and (B) include with such application a
18 sworn statement that such change of name is not being sought for the
19 purpose of avoiding the legal consequences of a criminal conviction,
20 including, but not limited to, a criminal conviction that requires such

21 person to register as a sexual offender.

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

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

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

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

46 (b) (1) Any person who is required to register with the
47 Commissioner of Public Safety as a sexual offender who files an
48 application with the Superior Court for a change of name shall (A)
49 prior to filing such application, notify the Commissioner of Public
50 Safety, on such form as the commissioner may prescribe, that the
51 person intends to file an application for a change of name, indicating
52 the change of name sought, and (B) include with such application a

53 sworn statement that such change of name is not being sought for the
54 purpose of avoiding the legal consequences of a criminal conviction,
55 including, but not limited to, a criminal conviction that requires such
56 person to register as a sexual offender.

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	45a-99
Sec. 2	<i>from passage</i>	52-11

JUD *Joint Favorable Subst.*