



General Assembly

Substitute Bill No. 5722

February Session, 2008

* HB05722APP 040108 *

AN ACT CONCERNING PROTECTIVE ORDERS.

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

1 Section 1. Section 54-1k of the 2008 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2008*):

4 (a) Upon the arrest of a person for a violation of subdivision (1) or
5 (2) of subsection (a) of section 53-21 of the 2008 supplement to the
6 general statutes, section 53a-70, 53a-70a, 53a-70c of the 2008
7 supplement to the general statutes, 53a-71 of the 2008 supplement to
8 the general statutes, 53a-72a, 53a-72b, or 53a-73a of the 2008
9 supplement to the general statutes, or any attempt thereof, or section
10 53a-181c, 53a-181d or 53a-181e, the court may issue a protective order
11 pursuant to this section. Upon the arrest of a person for a violation of
12 section 53a-182b or 53a-183, the court may issue a protective order
13 pursuant to this section if it finds that such violation caused the victim
14 to reasonably fear for his or her physical safety. Such order shall be an
15 order of the court, and the clerk of the court shall cause a certified copy
16 of such order to be sent to the victim, and a copy of such order, or the
17 information contained in such order, to be sent by facsimile or other
18 means within forty-eight hours of its issuance to the appropriate law
19 enforcement agency.

20 (b) A protective order issued under this section may include
21 provisions necessary to protect the victim from threats, harassment,

22 injury or intimidation by the defendant, including but not limited to,
23 an order enjoining the defendant from (1) imposing any restraint upon
24 the person or liberty of the victim, (2) threatening, harassing,
25 assaulting, molesting or sexually assaulting the victim, or (3) entering
26 the dwelling of the victim. A protective order issued under this section
27 may include provisions necessary to protect any animal owned or kept
28 by the victim including, but not limited to, an order enjoining the
29 defendant from injuring or threatening to injure such animal. Such
30 order shall be made a condition of the bail or release of the defendant
31 and shall contain the following language: "In accordance with section
32 53a-223 of the Connecticut general statutes, any violation of this order
33 constitutes criminal violation of a protective order which is punishable
34 by a term of imprisonment of not more than five years, a fine of not
35 more than five thousand dollars, or both. Additionally, in accordance
36 with section 53a-107 of the Connecticut general statutes, entering or
37 remaining in a building or any other premises in violation of this order
38 constitutes criminal trespass in the first degree which is punishable by
39 a term of imprisonment of not more than one year, a fine of not more
40 than two thousand dollars, or both. Violation of this order also violates
41 a condition of your bail or release and may result in raising the amount
42 of bail or revoking release."

43 (c) The information contained in and concerning the issuance of any
44 protective order issued under this section shall be entered in the
45 registry of protective orders pursuant to section 51-5c.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	54-1k

JUD *Joint Favorable Subst. C/R* APP
APP *Joint Favorable Subst.*