



General Assembly

Amendment

January Session, 2009

LCO No. 8555

HB0671008555HDO

Offered by:

REP. LAWLOR, 99th Dist.

REP. FOX, 146th Dist.

To: Subst. House Bill No. 6710

File No. 728

Cal. No. 489

"AN ACT CONCERNING COURT OPERATIONS."

1 In line 56, strike "two million" and substitute "five hundred
2 thousand" in lieu thereof

3 Strike section 21 in its entirety and substitute the following in lieu
4 thereof:

5 "Sec. 21. (NEW) (*Effective July 1, 2009*) (a) Notwithstanding the
6 provisions of section 4-77 of the general statutes, the administrative
7 head of the judicial branch shall prepare a budget request using a
8 program-based budgeting system developed by the judicial branch
9 and shall submit such budget request to the Secretary of the Office of
10 Policy and Management and to the joint standing committee of the
11 General Assembly having cognizance of matters relating to
12 appropriations and the budgets of state agencies, through the Office of
13 Fiscal Analysis, and the joint standing committee having cognizance of
14 matters relating to the judicial branch, in accordance with subsection
15 (a) of section 4-77 of the general statutes, as modified by procedures

16 developed by the judicial branch and approved by said secretary. The
17 budget request shall set forth a proposed expenditure plan that
18 includes: (1) The total amount requested for appropriation to the
19 judicial branch from the General Fund; and (2) the amount to be paid
20 from other revenues.

21 (b) The General Assembly shall make a block grant appropriation to
22 the judicial branch based on such budget request. The judicial branch
23 shall allocate such block grant appropriation with due consideration to
24 the programs for which the appropriation was approved by the
25 General Assembly, or as otherwise specified in the appropriation.
26 Allotment reductions made pursuant to the provisions of subsections
27 (b), (c) and (f) of section 4-85 of the general statutes shall apply to the
28 total amount of the block grant appropriated to the judicial branch.
29 The judicial branch shall apply such reductions, after consultation with
30 the Secretary of the Office of Policy and Management and the joint
31 standing committee of the General Assembly having cognizance of
32 matters relating to appropriations and the budgets of state agencies.
33 Any reductions of more than five per cent of the total block grant
34 appropriation shall be submitted to the joint standing committee of the
35 General Assembly having cognizance of matters relating to
36 appropriations and the budgets of state agencies, which shall, not later
37 than ten days after receiving such submission, approve or reject such
38 reduction. If said committee fails to act on such submission within
39 such ten-day period, the allotment reductions shall be deemed
40 approved.

41 After the last section, add the following and renumber sections and
42 internal references accordingly:

43 "Sec. 501. Subsection (b) of section 46b-15 of the general statutes is
44 repealed and the following is substituted in lieu thereof (*Effective*
45 *October 1, 2009, and applicable to any application pending on or filed on or*
46 *after said date*):

47 (b) The application form shall allow the applicant, at the applicant's

48 option, to indicate whether the respondent holds a permit to carry a
49 pistol or revolver or possesses one or more firearms. The application
50 shall be accompanied by an affidavit made under oath which includes
51 a brief statement of the conditions from which relief is sought. Upon
52 receipt of the application the court shall order that a hearing on the
53 application be held not later than fourteen days from the date of the
54 order. The court, in its discretion, may make such orders as it deems
55 appropriate for the protection of the applicant and such dependent
56 children or other persons as the court sees fit. In making such orders,
57 the court may consider relevant court records if the records are
58 available to the public from a clerk of the Superior Court or on the
59 Judicial Branch's Internet web site. Such [order] orders may include
60 temporary child custody or visitation rights and such relief may
61 include but is not limited to an order enjoining the respondent from (1)
62 imposing any restraint upon the person or liberty of the applicant; (2)
63 threatening, harassing, assaulting, molesting, sexually assaulting or
64 attacking the applicant; or (3) entering the family dwelling or the
65 dwelling of the applicant. The court, in its discretion, may make such
66 orders as it deems appropriate for the protection of any animal owned
67 or kept by the applicant including, but not limited to, an order
68 enjoining the respondent from injuring or threatening to injure such
69 animal. If an applicant alleges an immediate and present physical
70 danger to the applicant, the court may issue an ex parte order granting
71 such relief as it deems appropriate. If a postponement of a hearing on
72 the application is requested by either party and granted, the order
73 shall not be continued except upon agreement of the parties or by
74 order of the court for good cause shown."