



Senate

General Assembly

File No. 736

January Session, 2011

Substitute Senate Bill No. 1227

Senate, May 3, 2011

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE PREVENTION OF URBAN YOUTH DELINQUENCY AND VIOLENCE AND THE CRIMINAL LIABILITY OF PARENTS OR GUARDIANS OF CHILDREN WHO ILLEGALLY POSSESS FIREARMS.

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

1 Section 1. (*Effective from passage*) The Court Support Services
2 Division within the Judicial Branch shall collaborate, within available
3 resources, with one or more private providers in the city of Hartford
4 that provide community-based services for children and families, in
5 order to (1) inventory programs and services within the city of
6 Hartford designed to promote positive youth development and reduce
7 the number of youth who come into contact with the juvenile justice
8 system, and (2) design a process for identifying at-risk youth for
9 referral to such programs. Such inventory shall indicate the types of
10 services provided in such programs, including, but not limited to,
11 screening and assessment, crisis intervention, family mediation,
12 educational evaluations and advocacy, mental health treatment and
13 services, including gender specific trauma treatment and services,

14 resiliency skills building, access to positive social activities, short-term
15 respite care and access to services available to children in the juvenile
16 justice system. Such private provider may be a community-based
17 service center that provides services for children and families pursuant
18 to section 46b-149e of the general statutes. Not later than February 1,
19 2012, the Chief Court Administrator shall submit a report, in
20 accordance with section 11-4a of the general statutes, to the joint
21 standing committee of the General Assembly having cognizance of
22 matters relating to the judiciary, specifying the programs inventoried
23 and the process designed under this section.

24 Sec. 2. (NEW) (*Effective October 1, 2011*) Any parent or guardian of a
25 minor child who, knowing that such child possesses a firearm, as
26 defined in section 53a-3 of the general statutes, and is ineligible to
27 possess such firearm, fails to cause such child to relinquish such
28 firearm shall be fined not more than two thousand dollars or
29 imprisoned not more than one year, or both, except that, if such child
30 causes the injury or death of another person with such firearm, such
31 parent or guardian shall be fined not more than five thousand dollars
32 or imprisoned not more than three years, or both.

33 Sec. 3. (*Effective July 1, 2011*) (a) For the purposes described in
34 subsection (b) of this section, the State Bond Commission shall have
35 the power from time to time to authorize the issuance of bonds of the
36 state in one or more series and in principal amounts not exceeding in
37 the aggregate one million five hundred thousand dollars.

38 (b) The proceeds of the sale of said bonds, to the extent of the
39 amount stated in subsection (a) of this section and to the extent
40 hereinafter stated, shall be used by the Department of Economic and
41 Community Development for the following purposes:

42 (1) Grants-in-aid to the Metropolitan Economic Development
43 Commission for construction, improvements, repairs, renovations and
44 land acquisition for the purpose of creating elderly housing, not
45 exceeding five hundred thousand dollars;

46 (2) Grants-in-aid to the John E. Rogers African American Cultural
47 Center for construction, improvements, repairs, renovations and land
48 acquisition for the purpose of converting the former Northwest-Jones
49 School to a cultural center, not exceeding five hundred thousand
50 dollars; and

51 (3) Grants-in-aid to Catholic Charities of Hartford for construction,
52 improvements, repairs and renovations for the purpose of creating
53 affordable housing with supportive services, not exceeding five
54 hundred thousand dollars.

55 (c) All provisions of section 3-20 of the general statutes, or the
56 exercise of any right or power granted thereby, which are not
57 inconsistent with the provisions of this section are hereby adopted and
58 shall apply to all bonds authorized by the State Bond Commission
59 pursuant to this section, and temporary notes in anticipation of the
60 money to be derived from the sale of any such bonds so authorized
61 may be issued in accordance with said section 3-20 and from time to
62 time renewed. Such bonds shall mature at such time or times not
63 exceeding twenty years from their respective dates as may be provided
64 in or pursuant to the resolution or resolutions of the State Bond
65 Commission authorizing such bonds. None of said bonds shall be
66 authorized except upon a finding by the State Bond Commission that
67 there has been filed with it a request for such authorization which is
68 signed by or on behalf of the Secretary of the Office of Policy and
69 Management and states such terms and conditions as said commission,
70 in its discretion, may require. Said bonds issued pursuant to this
71 section shall be general obligations of the state and the full faith and
72 credit of the state of Connecticut are pledged for the payment of the
73 principal of and interest on said bonds as the same become due, and
74 accordingly and as part of the contract of the state with the holders of
75 said bonds, appropriation of all amounts necessary for punctual
76 payment of such principal and interest is hereby made, and the State
77 Treasurer shall pay such principal and interest as the same become
78 due.

79 Sec. 4. (NEW) (*Effective January 1, 2012*) (a) The Commissioner of
80 Economic and Community Development shall, within available
81 appropriations, establish a Connecticut Young Adult Conservation
82 Corps program, similar to the former federal Young Adult
83 Conservation Corps program (29 USC 991 et seq.), for the purpose of
84 employing youth and young adults at facilities described in subsection
85 (b) of section 3 of this act that are operational and that have received
86 proceeds from bonds pursuant to section 3 of this act. Under the
87 program, the head of the organization that operates such facility shall
88 set aside at least ten per cent of all employment positions at such
89 facility for employable youth and young adults. Such set-aside shall
90 commence in the fiscal year after the fiscal year when such proceeds
91 are first received by the organization pursuant to section 3 of this act,
92 and shall continue each fiscal year thereafter for a total of five fiscal
93 years, except that the commissioner may grant an extension of time for
94 the organization to comply with the requirements of this section, for
95 good cause shown.

96 (b) The Commissioner of Economic and Community Development
97 may conduct an audit of the financial, corporate and business records
98 of such organization and conduct an investigation of such organization
99 for the purpose of determining compliance with the requirements of
100 this section.

101 (c) The commissioner, through the Attorney General, may bring an
102 action on behalf of the state against any organization that fails to set
103 aside employment positions in accordance with this section to seek
104 compliance with this section or recovery of the reasonable amount of
105 wages that would have been paid to employable youths and young
106 adults by the organization had the organization complied with the
107 requirements of this section.

108 (d) For the purposes of this section, "youth" has the meaning set
109 forth in section 46b-120 of the general statutes, and "young adult"
110 means an individual eighteen to twenty-five years of age, inclusive.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2011</i>	New section
Sec. 3	<i>July 1, 2011</i>	New section
Sec. 4	<i>January 1, 2012</i>	New section

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Treasurer, Debt Serv.	GF - Cost	See Below	See Below
Judicial Dept.	GF - Cost	Up to 50,000	None
Department of Economic & Community Development	GF - Cost	Up to 60,000	Up to 60,000
Judicial Dept.	GF - Potential Revenue Gain	Up to 50,000	Up to 50,000

Note: GF=General Fund

Municipal Impact: None

Explanation

Section 1 of the bill requires the Court Support Services Division (CSSD) of the Judicial Department to develop an inventory of programs and services within Hartford that promote positive youth development, design a process for identifying at-risk youth for referral to such programs and create a report that is to be submitted to the General Assembly no later than February 1, 2012. The bill specifies that CSSD implement these provisions of the bill within available appropriations. However, if the bill were to be implemented, a one-time cost of up to \$50,000 in FY 12 to the Judicial Department would result. These costs are associated with workload demands placed on CSSD in order to comply with the provisions of the bill.

Section 2 of the bill establishes a fine of up to \$2,000 and/or imprisonment of up to one year for gun possession by a minor, which will result in a potential revenue gain of up to \$50,000. The estimate assumes that the establishment of a fine and/or imprisonment for this offense will increase the likelihood that an estimated 25 offenders annually would be prosecuted and receive harsher penalties than

under current law.¹

Section 3 of the bill authorizes a total of \$1.5 million in General Obligation (GO) bonds to the Department of Economic and Community Development. The total General Fund debt service cost of \$1.5 million over 20 years, assuming a 5% interest rate, is \$2.3 million (\$0.8 million in interest and \$1.5 million in principal). The first year that the state will experience costs associated with the bonds depends on when they are allocated through the State Bond Commission and when the funds are expended.

Section 4 of the bill requires the Department of Economic and Community Development (DECD) to establish a Connecticut Young Adult Conservation Corps program. The bill specifies that DECD implement this provision of the bill within available appropriations. However, if the bill were to be implemented, a cost up to \$60,000 in FY 12 and FY 13 to DECD would result. This cost is associated with providing employment services to an estimated 40 youth per year.

The Out Years

The annualized ongoing costs identified above would continue into the future subject to inflation and for the term of issuance of the bonds. The annualized ongoing revenue impact identified above would remain constant into the future since fine amounts are set by statute.

Sources: Judicial Department Offenses and Revenue Database

¹ In 2010, there were zero convictions for this offense, as the criminal penalty was not specified in statute.

OLR Bill Analysis**sSB 1227*****AN ACT CONCERNING THE PREVENTION OF URBAN YOUTH DELINQUENCY AND VIOLENCE AND THE CRIMINAL LIABILITY OF PARENTS OR GUARDIANS OF CHILDREN WHO ILLEGALLY POSSESS FIREARMS.*****SUMMARY:**

This bill holds parents criminally liable when they know that their minor child has a firearm and fail to get him or her to give it up. It also

1. authorizes \$1.5 million in bonds for community improvement projects,
2. creates a 10% job set-aside in these community improvement projects for youth and young adults ages 16 to 25, and
3. authorizes Hartford service providers to inventory positive youth development programs and design a process to identify at-risk 16- and 17-year-olds and refer them to the programs.

EFFECTIVE DATE: October 1, 2011, for the firearm possession provision, July 1, 2011 for the bonding authorization; January 1, 2012, for the set-aside program; and upon passage for the program inventory.

GUN POSSESSION BY A MINOR

Under the bill, any parent or guardian who knows that his or her child has a firearm (a sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon from which a shot may be discharged) is subject to a criminal penalty: imprisonment for up to one year, a fine of up to \$2,000, or both.

If the child injures or kills someone with the firearm, parental

liability increases to imprisonment for up to three years, a fine of up to \$5,000, or both.

BONDS

The bill authorizes the State Bond Commission to authorize up to \$1.5 million in bonds for the Department of Economic and Community Development (DECD) to use for grants-in-aid for three community projects to:

1. the Metropolitan Economic Commission, \$500,000 for elderly housing;
2. the John E. Rogers African American Cultural Center, \$500,000 for converting the former Northwest-Jones School to a cultural center; and
3. Catholic Charities in Hartford, \$500,000 for affordable, supportive housing.

CONNECTICUT YOUNG ADULT CONSERVATION CORPS

Within appropriations, the bill requires the DECD commissioner to establish a Connecticut Young Adult Conservation Corps similar to the former federal Young Adult Conservation Corps. The new program must employ youth and young adults at one of the three grants-in-aid projects described above.

Under the program, the head of the organization that operates the facility must set aside 10% of the jobs for employable youth and young adults. The set-aside requirement begins in the fiscal year after the one in which the organization receives the DECD funds. It must continue for a total of five fiscal years.

The DECD commissioner may grant an organization an extension of time to comply with the set-aside requirement for good cause.

INVENTORY OF HARTFORD COMMUNITY-BASED SERVICES

Within available resources, the bill requires the Judicial Branch’s Court Support Services Division to collaborate with one or more

private providers of community-based services for children and families in Hartford. It may be a family support center (i.e., a community-based multi-service center for children in crisis).

The purpose of the collaboration is to:

1. inventory Hartford programs and services that promote positive youth development and reduce the number of youth (16- and 17-year-olds) who come into contact with the juvenile justice system and
2. design a process for identifying at-risk youth to refer to such programs.

Program Types

The inventory must indicate the type of services each program offers, including:

1. screening and assessment;
2. crisis intervention;
3. family mediation;
4. educational evaluations and advocacy;
5. mental health treatment and services, including gender-specific trauma treatment and services;
6. resiliency skill-building;
7. access to positive social activities;
8. short-term respite care; and
9. access to services available to children and youth in the juvenile justice system.

The chief court administrator must submit a report to the Judiciary Committee specifying the inventoried programs and process designed

for identifying and referring at-risk children. The report is due February 1, 2012.

Audits

The bill gives the DECD commissioner authority to audit the financial, corporate, and business records of the three department-funded organizations. She may also conduct an investigation to determine compliance with the bill's requirements.

Attorney General Action

The bill authorizes the attorney general to sue any organization that fails to set aside the jobs. He may either seek compliance or recovery of the wages that would have been paid to the youths and young adults had the organization satisfied its set-aside responsibilities.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 45 Nay 0 (04/15/2011)