



General Assembly

January Session, 2011

Amendment

LCO No. 6219

SB0106506219SR0

Offered by:
SEN. MCKINNEY, 28th Dist.

To: Subst. Senate Bill No. 1065 File No. 336 Cal. No. 223

"AN ACT CONCERNING FEAR OF RETALIATION TRAINING IN NURSING HOME FACILITIES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (d) of section 53a-59a of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2011*):

6 (d) [Assault] (1) Except as provided in subdivision (2) of this
7 subsection, assault of an elderly, blind, disabled, pregnant or mentally
8 retarded person in the first degree is a class B felony and any person
9 found guilty under this section shall be sentenced to a term of
10 imprisonment of which five years of the sentence imposed may not be
11 suspended or reduced by the court.

12 (2) Assault of an elderly, blind, disabled, pregnant or mentally
13 retarded person in the first degree is a class B felony and any person
14 found guilty under this section shall be sentenced to a term of

15 imprisonment of which seven years of the sentence imposed may not
16 be suspended or reduced by the court if the actor is an employee of a
17 nursing home facility, as defined in section 19a-521, or a home health
18 care agency, as defined in section 19a-490, and the victim of such
19 assault has attained at least sixty years of age and is being cared for by
20 such employee.

21 Sec. 502. Subsection (d) of section 53a-60b of the general statutes is
22 repealed and the following is substituted in lieu thereof (*Effective*
23 *October 1, 2011*):

24 (d) [Assault] (1) Except as provided in subdivision (2) of this
25 subsection, assault of an elderly, blind, disabled, pregnant or mentally
26 retarded person in the second degree is a class D felony and any
27 person found guilty under this section shall be sentenced to a term of
28 imprisonment of which two years of the sentence imposed may not be
29 suspended or reduced by the court.

30 (2) Assault of an elderly, blind, disabled, pregnant or mentally
31 retarded person in the second degree is a class C felony if the actor is
32 an employee of a nursing home facility, as defined in section 19a-521,
33 or a home health care agency, as defined in section 19a-490, and the
34 victim of such assault has attained at least sixty years of age and is
35 being cared for by such employee.

36 Sec. 503. Subsection (d) of section 53a-61a of the general statutes is
37 repealed and the following is substituted in lieu thereof (*Effective*
38 *October 1, 2011*):

39 (d) [Assault] (1) Except as provided in subdivision (2) of this
40 subsection, assault of an elderly, blind, disabled, pregnant or mentally
41 retarded person in the third degree is a class A misdemeanor and any
42 person found guilty under this section shall be sentenced to a term of
43 imprisonment of one year which shall not be suspended or reduced.

44 (2) Assault of an elderly, blind, disabled, pregnant or mentally
45 retarded person in the third degree is a class D felony if the actor is an

46 employee of a nursing home facility, as defined in section 19a-521, or a
47 home health care agency, as defined in section 19a-490, and the victim
48 of such assault has attained at least sixty years of age and is being
49 cared for by such employee."