



General Assembly

**Amendment**

January Session, 2011

LCO No. 8105

**\*SB0106508105SD0\***

Offered by:

SEN. PRAGUE, 19<sup>th</sup> Dist.

SEN. MCKINNEY, 28<sup>th</sup> 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4 repealed and the following is substituted in lieu thereof (*Effective*  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22 repealed and the following is substituted in lieu thereof (*Effective*  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."