



House of Representatives

General Assembly

File No. 514

February Session, 2012

House Bill No. 5512

House of Representatives, April 18, 2012

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE REPORTING OF A MISSING CHILD.

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

1 Section 1. Section 53-21a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) Any parent, guardian or person having custody or control, or
4 providing supervision, of any child under the age of twelve years who
5 knowingly leaves such child unsupervised in a place of public
6 accommodation or a motor vehicle for a period of time that presents a
7 substantial risk to the child's health or safety, shall be guilty of a class
8 A misdemeanor.

9 (b) Any parent, guardian or person having custody or control, or
10 providing supervision, of any child under the age of twelve years who
11 knowingly leaves such child unsupervised in a place of public
12 accommodation, which holds a permit issued under chapter 545 for
13 the sale of alcoholic liquor for consumption on the premises, for a
14 period of time that presents a substantial risk to the child's health or

15 safety, shall be guilty of a class D felony.

16 (c) Any parent, guardian or person having custody or control, or
17 providing supervision, of any child under the age of twelve years who
18 knowingly leaves such child unsupervised in a place of public
19 accommodation or a motor vehicle between the hours of eight o'clock
20 p.m. and six o'clock a.m. for a period of time that presents a substantial
21 risk to the child's health or safety, shall be guilty of a class C felony.

22 (d) Any parent, guardian or person having custody or control, or
23 providing supervision, of any child under the age of twelve years who
24 knowingly fails to report the disappearance of such child to an
25 appropriate law enforcement agency shall be guilty of a class A
26 misdemeanor. For the purposes of this subsection, "disappearance of
27 such child" means that the parent, guardian or person does not know
28 the location of the child and has not had contact with the child for a
29 twenty-four-hour period.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	53-21a

JUD *Joint Favorable*

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 13 \$	FY 14 \$
Judicial Dept.	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a potential minimal revenue gain by making it a Class A misdemeanor to knowingly fail to report the disappearance of a child. The full extent of the impact is uncertain as this is a new offense, however it is anticipated that relatively few fines would be imposed on an annual basis. Currently there are stronger penalties for a similar offense and it is likely that offenders of this bill would be charged with the stronger penalty.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of offenders who violated this statute.

OLR Bill Analysis**HB 5512*****AN ACT CONCERNING THE REPORTING OF A MISSING CHILD.*****SUMMARY:**

This bill makes it a class A misdemeanor, punishable by imprisonment for up to one year, a fine of up to \$2,000, or both, to knowingly fail to report the disappearance of a child under age 12. The duty to report applies to any parent, guardian, or person who has custody or control of, or is supervising, the child and who either does not know the child's location or has not had contact with him or her for a 24-hour period.

EFFECTIVE DATE: October 1, 2012

BACKGROUND***Leaving Children Unsupervised in a Place of Public Accommodation***

Under existing law, it a class A misdemeanor for any parent, guardian, or person with custody, control, or supervision of a child under age 12, to knowingly leave him or her unsupervised in a place of public accommodation or a motor vehicle for a period of time that presents a substantial risk to his or her health or safety. It is a class C felony if the child is left between 8 p.m. and 6 a.m., and a class D felony if the public accommodation holds a permit for the sale of alcoholic liquor for on-premise consumption.

By law, a "place of public accommodation" is any establishment that caters or offers its services, facilities, or goods to the general public, including any commercial property or building lot where a commercial building will be constructed or offered for sale or rent.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 42 Nay 0 (04/02/2012)