



General Assembly

**Substitute Bill No. 5330**

February Session, 2012

\*        HB05330JUD        040212        \*

**AN ACT CONCERNING SEXUAL OFFENDER REGISTRATION REQUIREMENTS FOR CERTAIN PERSONS GRANTED TEMPORARY LEAVE BY THE PSYCHIATRIC SECURITY REVIEW BOARD AND THE ESTABLISHMENT OF AN ACQUITEE INFORMATION INTERNET WEB SITE.**

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

1       Section 1. Subdivision (10) of section 54-250 of the general statutes is  
2       repealed and the following is substituted in lieu thereof (*Effective*  
3       *October 1, 2012*):

4       (10) "Release into the community" means, with respect to a  
5       conviction or a finding of not guilty by reason of mental disease or  
6       defect of a criminal offense against a victim who is a minor, a  
7       nonviolent sexual offense, a sexually violent offense or a felony found  
8       by the sentencing court to have been committed for a sexual purpose,  
9       (A) any release by a court after such conviction or finding of not guilty  
10      by reason of mental disease or defect, a sentence of probation or any  
11      other sentence under section 53a-28 that does not result in the  
12      offender's immediate placement in the custody of the Commissioner of  
13      Correction; (B) release from a correctional facility at the discretion of  
14      the Board of Pardons and Paroles, by the Department of Correction to  
15      a program authorized by section 18-100c or upon completion of the  
16      maximum term or terms of the offender's sentence or sentences, or to  
17      the supervision of the Court Support Services Division in accordance

18 with the terms of the offender's sentence; or (C) temporary leave to an  
19 approved residence by the Psychiatric Security Review Board pursuant  
20 to section 17a-587, conditional release from a hospital for mental illness  
21 or a facility for persons with intellectual disability by the Psychiatric  
22 Security Review Board [on conditional release] pursuant to section  
23 17a-588<sub>2</sub> or release upon termination of commitment to the Psychiatric  
24 Security Review Board.

25 Sec. 2. Section 17a-580 of the 2012 supplement to the general statutes  
26 is repealed and the following is substituted in lieu thereof (*Effective*  
27 *October 1, 2012*):

28 As used in sections 17a-581 to 17a-602, inclusive, section 3 of this act  
29 and this section:

30 (1) "Acquittee" means any person found not guilty by reason of  
31 mental disease or defect pursuant to section 53a-13;

32 (2) "Board" means the Psychiatric Security Review Board established  
33 pursuant to section 17a-581;

34 (3) "Conditional release" means release subject to the jurisdiction of  
35 the board for supervision and treatment on an outpatient basis and  
36 includes, but is not limited to, the monitoring of mental and physical  
37 health treatment;

38 (4) "Court" means the Superior Court;

39 (5) "Danger to himself or others" includes danger to the property of  
40 others;

41 (6) "Hospital for mental illness" means any public or private  
42 hospital, retreat, institution, house or place in which a person with  
43 psychiatric disabilities or drug-dependent person is received or  
44 detained as a patient, but does not include any correctional institution  
45 of the state;

46 (7) "Mental illness" includes any mental illness in a state of

47 remission when the illness may, with reasonable medical probability,  
48 become active;

49 (8) "Intellectual disability" has the same meaning as provided in  
50 section 1-1g;

51 (9) "Person who should be conditionally released" means an  
52 acquittee who has psychiatric disabilities or has intellectual disability  
53 to the extent that his final discharge would constitute a danger to  
54 himself or others but who can be adequately controlled with available  
55 supervision and treatment on conditional release;

56 (10) "Person who should be confined" means an acquittee who has  
57 psychiatric disabilities or has intellectual disability to the extent that  
58 such acquittee's discharge or conditional release would constitute a  
59 danger to the acquittee or others and who cannot be adequately  
60 controlled with available supervision and treatment on conditional  
61 release;

62 (11) "Person who should be discharged" means an acquittee who  
63 does not have psychiatric disabilities or does not have intellectual  
64 disability to the extent that such acquittee's discharge would constitute  
65 a danger to the acquittee or others;

66 (12) "Psychiatrist" means a physician specializing in psychiatry and  
67 licensed under the provisions of sections 20-9 to 20-12, inclusive;

68 (13) "Psychologist" means a clinical psychologist licensed under the  
69 provisions of sections 20-186 to 20-195, inclusive;

70 (14) "State's attorney" means the state's attorney for the judicial  
71 district wherein the acquittee was found not guilty by reason of mental  
72 disease or defect pursuant to section 53a-13;

73 (15) "Superintendent" means any person, body of persons or  
74 corporation, or the designee of any such person, body of persons or  
75 corporation, which has the immediate supervision, management and  
76 control of a hospital for mental illness and the patients therein.

77       Sec. 3. (NEW) (*Effective October 1, 2012*) The board shall develop an  
78 acquittee information content page for the purpose of providing  
79 information to the public on the board's Internet web site concerning  
80 the status and placement of each acquittee under the jurisdiction of the  
81 board. The board shall update such page to reflect any order of the  
82 board that results in a change in the status or placement of an  
83 acquittee.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	54-250(10)
Sec. 2	<i>October 1, 2012</i>	17a-580
Sec. 3	<i>October 1, 2012</i>	New section

**JUD**       *Joint Favorable Subst.*