



General Assembly

February Session, 2012

Raised Bill No. 5365

LCO No. 1341

01341_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING COURT OPERATIONS AND VICTIM SERVICES.

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

1 Section 1. Section 2-40a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2012*):

3 Notwithstanding the provisions of subsection (b) of section 1-210
4 and chapter 55, (1) any performance evaluation of any judge or judge
5 trial referee made by the Judicial Department shall be made available
6 to the members of the joint standing committee on judiciary prior to
7 any public hearing on the nomination of any such judge or judge trial
8 referee, and (2) any performance evaluation of any judge by the
9 Judicial Department shall be made available to the members of the
10 Judicial Selection Commission in the performance of their duties as set
11 forth in section 51-44a. Any information disclosed to such members
12 shall be used by such members only for the purpose for which it was
13 given and shall not be disclosed to any other person.

14 Sec. 2. Subsection (c) of section 6-32d of the general statutes is
15 repealed and the following is substituted in lieu thereof (*Effective*

16 October 1, 2012):

17 (c) The Judicial Department may enter into an agreement with [state
18 agencies] any appropriate agency for the management, training or
19 coordination [, or any combination thereof,] of courthouse security and
20 prisoner custody and transportation functions, or any other matter
21 relating to security.

22 Sec. 3. Section 14-140 of the general statutes, as amended by section
23 21 of public act 09-177 and section 6 of public act 10-54, is repealed and
24 the following is substituted in lieu thereof (*Effective January 1, 2013*):

25 (a) Any person who has been arrested by an officer for a violation of
26 any provision of any statute relating to motor vehicles may be
27 released, upon his own recognizance, by such officer in his discretion,
28 unless such violation is of a provision relating to driving while under
29 the influence of intoxicating liquor or drugs or using a motor vehicle
30 without permission of the owner or evading responsibility for personal
31 injury or property damage or involves the death or serious injury of
32 another, in which cases such person shall not be released on his own
33 recognizance.

34 (b) If any person so arrested or summoned wilfully fails to appear
35 for any scheduled court appearance at the time and place assigned, or
36 if any person charged with an infraction involving the use of a motor
37 vehicle, or with a motor vehicle violation specified in section 51-164n,
38 as amended by this act, fails to pay the fine and any additional fee
39 imposed or send in his plea of not guilty by the answer date or wilfully
40 fails to appear for any scheduled court appearance which may be
41 required, or if any person fails to pay any surcharge imposed under
42 section 13b-70, any fee imposed under section 51-56a or any cost
43 imposed under section 54-143 or 54-143a, a report of such failure shall
44 be sent to the commissioner by the court having jurisdiction. The
45 provisions of this section shall be extended to any nonresident owner
46 or operator of a motor vehicle residing in any state, the proper
47 authorities of which agree with the commissioner to revoke, until

48 personal appearance to answer the charge against him, his motor
49 vehicle registration certificate or operator's license, upon his failure to
50 appear for any scheduled court appearance. Any infractions or
51 violations, for which a report of failure to appear has been sent to the
52 commissioner under this subsection, that have not otherwise been
53 disposed of shall be dismissed by operation of law seven years after
54 such report was sent.

55 (c) The commissioner may enter into reciprocal agreements with the
56 proper authorities of other states, which agreements may include
57 provisions for the suspension or revocation of licenses and
58 registrations of residents and nonresidents who fail to appear for trial
59 at the time and place assigned.

60 (d) Any judgment under this section shall be opened upon the
61 payment to the clerk of the Superior Court of a fee of forty dollars.
62 Such filing fee may be waived by the court.

63 (e) The provisions of subsections (b) and (d) of this section shall
64 apply to any person who fails to pay a fee imposed under subsection
65 (e) of section 17a-696, subsection (i) of section 46b-38c, subsection (c) of
66 section 53a-29, as amended by this act, and section 53a-39c, 54-56e, 54-
67 56g or 54-56i, or any cost imposed under section 21a-283.

68 [(e)] (f) In addition, the provisions of subsection (b) of this section
69 shall apply to sections 29-322, 29-349 and 29-351.

70 Sec. 4. Subsection (j) of section 14-296aa of the 2012 supplement to
71 the general statutes is repealed and the following is substituted in lieu
72 thereof (*Effective October 1, 2012*):

73 (j) The state shall remit to a municipality twenty-five per cent of the
74 amount received for a violation of this section with respect to each
75 summons issued by such municipality. [for a violation of this section.]
76 Each clerk of the Superior Court or the Chief Court Administrator, or
77 any other official of the Superior Court designated by the Chief Court

78 Administrator, shall, on or before the thirtieth day of January, April,
79 July and October in each year, certify to the Comptroller the amount
80 due for the previous quarter under this subsection to each
81 municipality served by the office of the clerk or official.

82 Sec. 5. Subsection (b) of section 21-80 of the general statutes is
83 repealed and the following is substituted in lieu thereof (*Effective*
84 *October 1, 2012*):

85 (b) (1) Notwithstanding the provisions of section 47a-23, an owner
86 may terminate a rental agreement or maintain a summary process
87 action against a resident who owns a mobile manufactured home only
88 for one or more of the following reasons:

89 (A) Nonpayment of rent, utility charges or reasonable incidental
90 services charges;

91 (B) Material noncompliance by the resident with any statute or
92 regulation materially affecting the health and safety of other residents
93 or materially affecting the physical condition of the park;

94 (C) Material noncompliance by the resident with the rental
95 agreement or with rules or regulations adopted under section 21-70;

96 (D) Failure by the resident to agree to a proposed rent increase,
97 provided the owner has complied with all provisions of subdivision (5)
98 of this subsection; or

99 (E) A change in the use of the land on which such mobile
100 manufactured home is located, provided all of the affected residents
101 receive written notice (i) at least three hundred sixty-five days before
102 the time specified in the notice for the resident to quit possession of the
103 mobile manufactured home or occupancy of the lot if such notice is
104 given before June 23, 1999, or (ii) at least five hundred forty-five days
105 before the time specified in the notice for the resident to quit
106 possession of the mobile manufactured home or occupancy of the lot if
107 such notice is given on or after June 23, 1999, regardless of whether

108 any other notice under this section or section 21-70 has been given
109 before June 23, 1999; provided nothing in subsection (f) of section 21-
110 70, section 21-70a, subsection (a) of this section, this subdivision and
111 section 21-80b shall be construed to invalidate the effectiveness of or
112 require the reissuance of any valid notice given before June 23, 1999.

113 (2) An owner may not maintain a summary process action under
114 subparagraph (B), (C) or (D) of subdivision (1) of this subsection,
115 except a summary process action based upon conduct which
116 constitutes a serious nuisance or a violation of subdivision (9) of
117 subsection (b) of section 21-82, prior to delivering a written notice to
118 the resident specifying the acts or omissions constituting the breach
119 and that the rental agreement shall terminate upon a date not less than
120 [thirty] fifteen days after receipt of the notice. If such breach can be
121 remedied by repair by the resident or payment of damages by the
122 resident to the owner and such breach is not so remedied within
123 [twenty-one] fifteen days, the rental agreement shall terminate except
124 that (A) if the breach is remediable by repairs or the payment of
125 damages and the resident adequately remedies the breach within said
126 [twenty-one-day] fifteen-day period, the rental agreement shall not
127 terminate, or (B) if substantially the same act or omission for which
128 notice was given recurs within six months, the owner may terminate
129 the rental agreement in accordance with the provisions of sections 47a-
130 23 to 47a-23b, inclusive, as amended by this act. For the purposes of
131 this subdivision, "serious nuisance" means (i) inflicting bodily harm
132 upon another resident or the owner or threatening to inflict such harm
133 with the present ability to effect the harm and under circumstances
134 which would lead a reasonable person to believe that such threat will
135 be carried out, (ii) substantial and wilful destruction of part of the
136 premises, (iii) conduct which presents an immediate and serious
137 danger to the safety of other residents or the owner, or (iv) using the
138 premises for prostitution or the illegal sale of drugs. If the owner elects
139 to evict based upon an allegation, pursuant to subdivision (8) of
140 subsection (b) of section 21-82, that the resident failed to require other
141 persons on the premises with the resident's consent to conduct

142 themselves in a manner that will not constitute a serious nuisance, and
143 the resident claims to have had no knowledge of such conduct, then, if
144 the owner establishes that the premises have been used for the illegal
145 sale of drugs, the burden shall be on the resident to show that the
146 resident had no knowledge of the creation of the serious nuisance.

147 (3) Notwithstanding the provisions of section 47a-23, termination of
148 any tenancy in a mobile manufactured home park shall be effective
149 only if made in the following manner:

150 (A) By the resident giving at least thirty days' notice to the owner;

151 (B) By the owner giving the resident at least sixty days' written
152 notice, which shall state the reason or reasons for such termination,
153 except that, when termination is based upon subparagraph (A) of
154 subdivision (1) of this subsection, the owner need give the resident
155 only thirty days' written notice, which notice shall state the total
156 arrearage due provided, the owner shall not maintain or proceed with
157 a summary process action against a resident who tenders the total
158 arrearage due to the owner within such thirty days and who has not so
159 tendered an arrearage under this subparagraph during the preceding
160 twelve months.

161 (4) Except as otherwise specified, proceedings under this section
162 shall be as prescribed by chapter 832.

163 (5) Nothing in this subsection shall prohibit an owner from
164 increasing the rent at the termination of the rental agreement if (A) the
165 owner delivers a written notice of the proposed rent increase to the
166 resident at least thirty days before the start of a new rental agreement;
167 (B) the proposed rent is consistent with rents for comparable lots in the
168 same park; and (C) the rent is not increased in order to defeat the
169 purpose of this subsection.

170 Sec. 6. Subsection (a) of section 47a-23a of the general statutes is
171 repealed and the following is substituted in lieu thereof (*Effective*

172 October 1, 2012):

173 (a) If, at the expiration of the three days prescribed in section 47a-23,
174 the lessee or occupant neglects or refuses to quit possession or
175 occupancy of the premises, any commissioner of the Superior Court
176 may issue a writ, summons and complaint which shall be in the form
177 and nature of an ordinary writ, summons and complaint in a civil
178 process, but which shall set forth facts justifying a judgment for
179 immediate possession or occupancy of the premises and make a claim
180 for possession or occupancy of the premises. If the claim is for the
181 possession or occupancy of nonresidential property, the writ,
182 summons and complaint [may] shall also make a claim for the
183 forfeiture to the plaintiff of the possessions and personal effects of the
184 defendant in accordance with section 47a-42a. If the plaintiff has
185 properly issued a notice to quit possession to an occupant by alias, if
186 permitted to do so by section 47a-23, and has no further identifying
187 information at the time of service of the writ, summons and complaint,
188 such writ, summons and complaint may also name and serve such
189 occupant or occupants as defendants. In any case in which service is to
190 be made upon an occupant or occupants identified by alias, the
191 complaint shall contain an allegation that the plaintiff does not know
192 the name of such occupant or occupants. Such complaint shall be
193 returnable to the Superior Court. Such complaint may be made
194 returnable six days, inclusive, after service upon the defendant and
195 shall be returned to court at least three days before the return day.
196 Such complaint may be served on any day of the week.
197 Notwithstanding the provisions of section 52-185 no recognizance shall
198 be required of a complainant appearing pro se.

199 Sec. 7. Subsection (c) of section 47a-26h of the general statutes is
200 repealed and the following is substituted in lieu thereof (*Effective*
201 *October 1, 2012*):

202 (c) Any occupant not named in the action who claims not to be
203 subject to the summary process action because his occupancy

204 commenced prior to service of the notice to quit or his occupancy
205 commenced or continued with the consent of the plaintiff or under a
206 right to occupy equal or superior to the rights of the plaintiff may, at
207 any time before or after judgment but prior to issuance of an execution,
208 file under oath a claim of exemption from such action. The Office of
209 the Chief Court Administrator shall prescribe a form upon which such
210 claim can be made, which form shall be in clear and simple language
211 and in readable format. Upon the filing of such a claim, the clerk shall
212 schedule a hearing, which shall be held not more than seven days after
213 the date of filing. Execution shall not issue until the court renders its
214 decision on the claim. The claimant shall have the burden of proof to
215 show that his occupancy commenced prior to service of the notice to
216 quit or that his occupancy was commenced or continued with the
217 consent of the plaintiff or under a right to occupy equal or superior to
218 the rights of the plaintiff. The burden of proof shall be upon the
219 plaintiff to show that he did not know of the presence of the occupant
220 or the name of the occupant, as the case may be. For purposes of this
221 chapter, if rent or use and occupancy payments have been made to the
222 plaintiff or his agent by the occupant, the plaintiff shall be deemed to
223 have known of the presence and the name of the occupant. The court
224 shall determine whether the claimant is bound by the action and, if the
225 court finds that the claimant is not bound, it shall declare the claimant
226 to be exempt from the action. In order to obtain a judgment for
227 possession of the premises as part of such action the plaintiff shall
228 serve the previously exempt occupant with a notice to quit possession
229 pursuant to section 47a-23. If the occupant is still in possession after
230 the date to quit possession has passed, the plaintiff shall serve the
231 occupant with an amended writ, summons and complaint adding the
232 occupant as a party defendant to such action of summary process. Any
233 occupant not exempt from the action shall have the same rights and
234 obligations as a named defendant and shall be bound by any
235 judgment. Notwithstanding the provisions of [section 47a-42] sections
236 47a-42 and 47a-42a, no summary process execution shall be issued or
237 enforced unless valid execution has been issued against all occupants

238 of the premises, except that such execution may be issued and
239 enforced, without issuing or enforcing execution against other
240 occupants, upon a person against whom a judgment has been entered
241 based upon that person's having conducted himself in a manner which
242 constitutes a serious nuisance by using the premises or any area within
243 fifteen hundred feet of any housing authority property in which such
244 person resides for the illegal sale of drugs, as defined in subparagraph
245 (D) of section 47a-15.

246 Sec. 8. Section 51-53 of the general statutes is repealed and the
247 following is substituted in lieu thereof (*Effective October 1, 2012*):

248 (a) Whenever any court, including a court of probate, or the judge of
249 any such court acting in any matter coming before him as a judge,
250 makes or renders any decision, order, decree, denial or ruling, unless it
251 is made or rendered in the presence of counsel in the matter, the clerk
252 of the court shall immediately notify counsel and any appearing party,
253 in writing by mail or electronic delivery, of the decision, order, decree,
254 denial or ruling. Electronic delivery may be by computer or facsimile
255 transmission or by employing other technology in accordance with
256 procedures and technical standards established by the Office of the
257 Chief Court Administrator or the Probate Court Administrator, as the
258 case may be. Notice delivered electronically shall have the same
259 validity and status as notice delivered by mail.

260 (b) The time limited by law for commencing appellate proceedings
261 on the decision, order, decree, denial or ruling shall date from the time
262 when such notice is issued by the clerk.

263 Sec. 9. Section 51-94a of the general statutes is repealed and the
264 following is substituted in lieu thereof (*Effective October 1, 2012*):

265 No attorney appointed by the court pursuant to rules of the
266 Superior Court to inventory the files of an inactive, suspended,
267 disbarred or resigned attorney and to take necessary action to protect
268 the interests of the inactive, suspended, disbarred or resigned

269 attorney's clients shall be liable for damage or injury, not wanton,
270 reckless or malicious, caused in the discharge of the appointed
271 attorney's duties in connection with such inventory and action. Any
272 attorney so appointed by the court shall be deemed to be a state officer
273 or employee for purposes of indemnification and defense under
274 section 5-141d.

275 Sec. 10. Section 51-164n of the 2012 supplement to the general
276 statutes is repealed and the following is substituted in lieu thereof
277 (*Effective October 1, 2012*):

278 (a) There shall be a Centralized Infractions Bureau of the Superior
279 Court to handle payments or pleas of not guilty with respect to the
280 commission of infractions and violations under subsection (b) of this
281 section. Except as provided in section 51-164o, any person who is
282 alleged to have committed an infraction or a violation under
283 subsection (b) of this section may plead not guilty or pay the
284 established fine and any additional fee or cost for the infraction or such
285 violation.

286 (b) Notwithstanding any provision of the general statutes, any
287 person who is alleged to have committed (1) a violation under the
288 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
289 283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-198,
290 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 or 12-326g, subdivision
291 (4) of section 12-408, subdivision (3), (5) or (6) of section 12-411, section
292 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-
293 115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247 or
294 13a-253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-
295 292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,
296 subsection (a), (b) or (c) of section 13b-412, section 13b-414, subsection
297 (d) of section 14-12, section 14-20a or 14-27a, subsection (e) of section
298 14-34a, subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or
299 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b or 14-67a,
300 subsection (g) of section 14-80, subsection (f) of section 14-80h, section

301 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-
302 163b, a first violation as specified in subsection (f) of section 14-164i,
303 section 14-219 as specified in subsection (e) of said section, subdivision
304 (1) of section 14-223a, section 14-240, 14-249, 14-250 or 14-253a,
305 subsection (a) of section 14-261a, section 14-262, 14-264, 14-267a, 14-
306 269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) of section 14-283,
307 section 14-291, 14-293b, 14-296aa, as amended by this act, 14-319, 14-
308 320, 14-321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3)
309 of section 14-386a, section 15-33, subsection (a) of section 15-115,
310 section 16-256, 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section
311 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17a-642,
312 17b-124, 17b-131, 17b-137 or 17b-734, subsection (b) of section 17b-736,
313 section 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-
314 87a, section 19a-91, 19a-105, 19a-107, 19a-215, 19a-219, 19a-222, 19a-224,
315 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,
316 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-257,
317 20-265 or 20-324e, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38,
318 21-39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-
319 30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or
320 21a-77, subsection (b) of section 21a-79, section 21a-85, 21a-154 or 21a-
321 159, subsection (a) of section 21a-279a, section 22-13, 22-14, 22-15, 22-
322 16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-
323 39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-
324 111o, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-342,
325 subsection (b), (e) or (f) of section 22-344, section 22-359, 22-366, 22-391,
326 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of section 22a-
327 250, subsection (e) of section 22a-256h, section 22a-381d, 22a-449, 22a-
328 461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or (b) of section 23-65,
329 section 25-37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-
330 59, 26-61, 26-64, 26-79, 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-
331 132, 26-138, 26-141, 26-207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-
332 13, 29-6a, 29-109, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e) or
333 (g) of section 29-161q, section 29-161y, 29-161z, 29-198, 29-210, 29-243,
334 29-277, subsection (c) of section 29-291c, section 29-316, 29-318, 29-381,

335 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18,
336 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47,
337 31-48, 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c) of
338 section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-
339 134, subsection (i) of section 31-273, section 31-288, 36a-787, 42-230,
340 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,
341 section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16 or 53-
342 133, or section 53-212a, 53-249a, 53-252, 53-264, 53-302a, 53-303e, 53-
343 311a, 53-321, 53-322, 53-323, 53-331, 53-344 or 53-450, or (2) a violation
344 under the provisions of chapter 268, or (3) a violation of any regulation
345 adopted in accordance with the provisions of section 12-484, 12-487 or
346 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any
347 town, city or borough, except violations of building codes and the
348 health code, for which the penalty exceeds ninety dollars but does not
349 exceed two hundred fifty dollars, unless such town, city or borough
350 has established a payment and hearing procedure for such violation
351 pursuant to section 7-152c, shall follow the procedures set forth in this
352 section.

353 (c) If any person who is alleged to have committed an infraction or
354 any violation specified in subsection (b) of this section elects to pay the
355 fine and any additional fees or costs established for such infraction or
356 violation, he shall send payment, by mail or otherwise, to the
357 Centralized Infractions Bureau, made payable to the "clerk of the
358 Superior Court". Such payment shall be considered a plea of nolo
359 contendere and shall be inadmissible in any proceeding, civil or
360 criminal, to establish the conduct of the person, provided the
361 provisions of this section and section 51-164m shall not affect the
362 application of any administrative sanctions by either the
363 Commissioner of Energy and Environmental Protection authorized
364 under title 26 or the Commissioner of Motor Vehicles authorized
365 under title 14, except that no points shall be assessed by the
366 Commissioner of Motor Vehicles against the operator's license of such
367 person for such infraction or violation. The Judicial Department shall
368 provide notice of the provisions of this subsection to law enforcement

369 agencies and direct each law enforcement agency issuing a complaint
370 to provide such notice to any person who is alleged to have committed
371 a motor vehicle infraction or violation at the time a complaint alleging
372 such conduct is issued to such person.

373 (d) If the person elects to plead not guilty, he shall send the plea of
374 not guilty to the Centralized Infractions Bureau. The bureau shall send
375 such plea and request for trial to the clerk of the geographical area
376 where the trial is to be conducted. Such clerk shall advise such person
377 of a date certain for a hearing.

378 (e) A summons for the commission of an infraction or of a violation
379 specified in subsection (b) of this section shall not be deemed to be an
380 arrest and the commission of an infraction or of any such violation
381 shall not be deemed to be an offense within the meaning of section 53a-
382 24.

383 (f) The provisions of this section shall apply to the alleged
384 commission of an infraction or a violation specified in subsection (b) of
385 this section by a minor but, in a case involving a minor, a parent or
386 guardian shall sign any plea of nolo contendere or of not guilty on any
387 summons form issued in connection with the matter.

388 (g) If a person elects to plead not guilty and send the plea of not
389 guilty to the Centralized Infractions Bureau in accordance with
390 subsection (d) of this section, such person may subsequently, at a
391 proceeding at Superior Court, reach an agreement with the
392 prosecutorial official as to the amount of the fine to be paid and elect to
393 pay such fine without appearing before a judicial authority. The
394 amount of the fine agreed upon shall not exceed the amount of the fine
395 established for such infraction or violation. Any person who pays a
396 fine pursuant to this subsection shall also pay any additional fees or
397 costs established for such infraction or violation. Such person shall
398 make such payment to the clerk of the Superior Court and such
399 payment shall be considered a plea of nolo contendere and shall be
400 inadmissible in any proceeding, civil or criminal, to establish the

401 conduct of such person, provided the provisions of this section and
402 section 51-164m shall not affect the application of any administrative
403 sanctions by either the Commissioner of Energy and Environmental
404 Protection authorized under title 26 or the Commissioner of Motor
405 Vehicles authorized under title 14. A plea of nolo contendere pursuant
406 to this subsection does not have to be submitted in writing. Nothing in
407 this subsection shall affect the right of a person who is alleged to have
408 committed an infraction or any violation specified in subsection (b) of
409 this section to plead not guilty and request a trial before a judicial
410 authority.

411 [(g)] (h) In any trial for the alleged commission of an infraction, the
412 practice, procedure, rules of evidence and burden of proof applicable
413 in criminal proceedings shall apply, except that in any trial for the
414 alleged commission of an infraction under subsection (d) of section
415 21a-267, the burden of proof shall be by the preponderance of the
416 evidence. Any person found guilty at the trial or upon a plea shall be
417 guilty of the commission of an infraction and shall be fined not less
418 than thirty-five dollars or more than ninety dollars or, if the infraction
419 is for a violation of any provision of title 14, not less than fifty dollars
420 or more than ninety dollars.

421 [(h)] (i) In any trial for the alleged commission of a violation
422 specified in subsection (b) of this section, the practice, procedure, rules
423 of evidence and burden of proof applicable in criminal proceedings
424 shall apply, except that in any trial for the alleged commission of a
425 violation under subsection (a) of section 21a-279a, the burden of proof
426 shall be by the preponderance of the evidence. Any person found
427 guilty at the trial or upon a plea shall be guilty of the commission of a
428 violation and shall be fined not more than the statutory amount
429 applicable to such violation.

430 Sec. 11. Subsection (a) of section 51-181c of the general statutes is
431 repealed and the following is substituted in lieu thereof (*Effective*
432 *October 1, 2012*):

433 (a) The Chief Court Administrator shall designate one court location
434 in which a community court [pilot program] is to be established where
435 there shall be a docket separate from other criminal matters for the
436 hearing of (1) criminal matters which are misdemeanor cases, (2)
437 misdemeanor cases transferred by the housing session of the Superior
438 Court, and (3) violations of municipal ordinances referred by
439 municipalities, in accordance with policies and procedures established
440 by the Chief Court Administrator.

441 Sec. 12. Subsection (j) of section 4b-55 of the general statutes is
442 repealed and the following is substituted in lieu thereof (*Effective*
443 *October 1, 2012*):

444 (j) "Community court project" means (1) any project to renovate and
445 improve a facility designated for the community court [pilot program]
446 established pursuant to section 51-181c, as amended by this act, and (2)
447 the renovation and improvement of other state facilities required for
448 the relocation of any state agency resulting from the placement of the
449 community court;

450 Sec. 13. Section 51-197f of the general statutes is repealed and the
451 following is substituted in lieu thereof (*Effective July 1, 2012*):

452 Upon final determination of any appeal by the Appellate Court,
453 there shall be no right to further review except the Supreme Court
454 shall have the power to certify cases for its review upon petition by an
455 aggrieved party or by the appellate panel which heard the matter. [and
456 upon the vote of three justices of the Supreme Court so to certify and]
457 A vote of three judges of the Supreme Court shall be required to certify
458 a case for review by the Supreme Court, except that if fewer than six
459 judges of said court are available to consider a petition, a vote of two
460 judges of said court shall be required to certify a case, under such other
461 rules as the justices of [the Supreme Court] said court shall establish.
462 The procedure on appeal from the Appellate Court to the Supreme
463 Court shall, except as otherwise provided, be in accordance with the
464 procedure provided by rule or law for the appeal of judgments

465 rendered by the Superior Court, unless modified by rule of the justices
466 of the Supreme Court.

467 Sec. 14. Section 51-198 of the general statutes is repealed and the
468 following is substituted in lieu thereof (*Effective July 1, 2012*):

469 (a) The Supreme Court shall consist of one Chief Justice and six
470 associate judges, who shall, at the time of their appointment, also be
471 appointed judges of the Superior Court.

472 (b) In addition thereto, each Chief Justice or associate judge of the
473 Supreme Court who elects to retain office but to retire from full-time
474 active service shall continue to be a member of the Supreme Court
475 during the remainder of his or her term of office and during the term
476 of any reappointment under section 51-50i, until he or she attains the
477 age of seventy years. He or she shall be entitled to participate in the
478 meetings of the judges of the Supreme Court and vote as a member
479 thereof. [, but only with respect to matters for which he or she has been
480 summoned pursuant to subsection (b) of section 51-207.]

481 (c) A judge of the Supreme Court who has attained the age of
482 seventy years may continue to deliberate and participate in all matters
483 concerning the disposition of any case which the judge heard prior to
484 attaining said age, until such time as the decision in any such case is
485 officially released. The judge may also participate in the deliberation of
486 a motion for reconsideration in such case if such motion is filed within
487 ten days of the official release of such decision.

488 Sec. 15. Section 51-201 of the general statutes is repealed and the
489 following is substituted in lieu thereof (*Effective July 1, 2012*):

490 The [justices] judges of the Supreme Court shall appoint a chief
491 clerk of the Supreme Court who shall not be a chief clerk of any
492 judicial district. The chief clerk of the Supreme Court shall also be the
493 chief clerk of the Appellate Court.

494 Sec. 16. Section 51-207 of the general statutes is repealed and the

495 following is substituted in lieu thereof (*Effective July 1, 2012*):

496 (a) The Supreme Court shall sit in panels of five, six or seven judges,
497 pursuant to rules adopted by said court.

498 ~~[(a)]~~ (b) Each party in any case before the Supreme Court has a right
499 to be heard by a panel consisting of at least five associate judges or the
500 Chief Justice and four associate judges. Any senior judge of the
501 Supreme Court, pursuant to subsection (b) of section 51-198, as
502 amended by this act, may participate in any panel where the Chief
503 Justice or at least one associate judge is disabled or disqualified or if
504 the business of the court requires it.

505 ~~[(b) If any judge is disabled or if any judge is disqualified and the~~
506 ~~disqualification is not waived or if the business before the court~~
507 ~~requires it, the Chief Justice or, in the case of his or her disability or~~
508 ~~disqualification, the most senior associate judge qualified may~~
509 ~~summon the sixth or seventh member, or both, of the Supreme Court~~
510 ~~to constitute a panel.]~~

511 (c) If a panel cannot be constituted from the seven members of the
512 Supreme Court and any senior judges of the Supreme Court due to the
513 disability or disqualification of one or more members, or if the
514 business of the court requires it, the Chief Justice or, in the case of his
515 or her disability or disqualification, the most senior associate judge
516 qualified may summon one or more judges of the Superior Court,
517 [including senior judges of the Supreme Court and] judges and senior
518 judges of the Appellate Court [,] to constitute a panel, who shall attend
519 and act as judges of the Supreme Court for the time being.

520 ~~[(c)]~~ (d) The Chief Justice or any judge shall not sit to review a
521 decision he or she made below.

522 Sec. 17. Subsection (a) of section 51-222a of the general statutes is
523 repealed and the following is substituted in lieu thereof (*Effective*
524 *October 1, 2012*):

525 (a) Annually, upon the request of the Jury Administrator, the
526 Commissioner of Motor Vehicles shall supply the Jury Administrator
527 with the latest updated file of licensed motor vehicle operators for the
528 state and with the latest updated file of holders of identity cards issued
529 under section 1-1h. Upon the request of the Jury Administrator, the
530 Commissioner of Revenue Services shall supply the Jury
531 Administrator with the most recent updated list of residents of this
532 state who have a permanent place of abode in this state and who filed
533 a return on personal income under chapter 229 in the last tax year, and
534 the Labor Commissioner shall supply the Jury Administrator with the
535 most recent updated list of residents of this state who are recipients of
536 unemployment compensation under chapter 567. In addition, upon the
537 request of the Jury Administrator, the registrars of voters of each town
538 shall supply a list of all electors from their town, except that in lieu of
539 such list from the registrars of voters, the Jury Administrator may
540 obtain the list of all electors from a central repository, or if such list is
541 not available, may contract for the creation and purchase of such list.
542 The registrars of voters shall provide lists of electors to the contractor
543 at the request of the Jury Administrator. Annually, upon the request of
544 the Jury Administrator, the Commissioner of Public Health shall
545 supply the Jury Administrator with the most recent updated list of
546 deceased persons. The lists supplied to the Jury Administrator under
547 this subsection shall be in the format prescribed by the Jury
548 Administrator and shall include, at a minimum, the name, address
549 and, if available, date of birth of each person on such list or the reason
550 for the unavailability. The lists supplied by the Commissioner of Motor
551 Vehicles, the Commissioner of Revenue Services, the Commissioner of
552 Public Health and the Labor Commissioner to the Jury Administrator
553 under this subsection shall also include the [federal] Social Security
554 number of each person on such list or the reason for the unavailability.
555 The lists of electors supplied to the Jury Administrator by registrars of
556 voters or the Secretary of the State under this subsection shall not
557 include [federal] Social Security numbers of persons on such lists.

558 Sec. 18. Subsections (d) and (e) of section 51-243 of the general

559 statutes are repealed and the following is substituted in lieu thereof
560 (*Effective October 1, 2012*):

561 (d) If, at any time, any juror shall, for any reason, become unable to
562 further perform his or her duty, the court may excuse [him] such juror.
563 If any juror is so excused or dies, the court may order that an alternate
564 juror who is designated by lot to be drawn by the clerk, shall become a
565 part of the regular panel and the trial shall then proceed as though the
566 alternate juror had been a member of the regular panel from the time
567 when the trial was begun. If a juror becomes a member of the regular
568 panel after deliberations have begun, the jury shall be instructed by the
569 court that deliberations by the jury shall begin anew.

570 (e) A juror selected to serve as an alternate shall not be segregated
571 from the regular panel except when the case is given to the regular
572 panel for deliberation at which time [he] such alternate juror shall be
573 dismissed from further service on the case or may remain in service
574 under the direction of the court.

575 Sec. 19. Section 52-72 of the general statutes is repealed and the
576 following is substituted in lieu thereof (*Effective October 1, 2012*):

577 (a) [Any] Upon payment of taxable costs, any court shall allow a
578 proper amendment to civil process which [has been made returnable
579 to the wrong return day or is for any other reason defective, upon
580 payment of costs taxable upon sustaining a plea in abatement] is for
581 any reason defective.

582 (b) Such amended process shall be served in the same manner as
583 other civil process and shall have the same effect, from the date of the
584 service, as if originally proper in form.

585 (c) If the court, on motion and after hearing, finds that the parties
586 had notice of the pendency of the action and their rights have not been
587 prejudiced or affected by reason of the defect, any attachment made by
588 the original service and the rights under any *lis pendens* shall be

589 preserved and continued from the date of service of the original
590 process as though the original process had been in proper form. A
591 certified copy of the finding shall be attached to and served with the
592 amended process.

593 Sec. 20. Section 53a-29 of the general statutes is amended by adding
594 subsection (h) as follows (*Effective October 1, 2012*):

595 (NEW) (h) For the purposes of this section, a motor vehicle violation
596 for which a sentence to a term of imprisonment of more than one year
597 may be imposed shall be deemed an unclassified felony.

598 Sec. 21. Subsection (a) of section 53a-217 of the general statutes is
599 repealed and the following is substituted in lieu thereof (*Effective*
600 *October 1, 2012*):

601 (a) A person is guilty of criminal possession of a firearm or
602 electronic defense weapon when such person possesses a firearm or
603 electronic defense weapon and (1) has been convicted of a felony, (2)
604 has been convicted as delinquent for the commission of a serious
605 juvenile offense, as defined in section 46b-120, (3) knows that such
606 person is subject to (A) a restraining or protective order of a court of
607 this state that has been issued against such person, after notice and an
608 opportunity to be heard has been provided to such person, in a case
609 involving the use, attempted use or threatened use of physical force
610 against another person, or (B) a foreign order of protection, as defined
611 in section 46b-15a, that has been issued against such person in a case
612 involving the use, attempted use or threatened use of physical force
613 against another person, (4) knows that such person is subject to a
614 firearms seizure order issued pursuant to subsection (d) of section 29-
615 38c after notice and an opportunity to be heard has been provided to
616 such person, or (5) is prohibited from shipping, transporting,
617 possessing or receiving a firearm pursuant to 18 USC 922(g)(4). For the
618 purposes of this section, "convicted" means having a judgment of
619 conviction entered by a court of competent jurisdiction, and a motor
620 vehicle violation for which a sentence to a term of imprisonment of

621 more than one year may be imposed shall be deemed an unclassified
622 felony.

623 Sec. 22. Section 54-102g of the 2012 supplement to the general
624 statutes is amended by adding subsection (j) as follows (*Effective*
625 *October 1, 2012*):

626 (NEW) (j) For the purposes of this section, a motor vehicle violation
627 for which a sentence to a term of imprisonment of more than one year
628 may be imposed shall be deemed an unclassified felony.

629 Sec. 23. (NEW) (*Effective October 1, 2012*) For the purposes of section
630 54-133 of the general statutes, a motor vehicle violation for which a
631 sentence to a term of imprisonment of more than one year may be
632 imposed shall be deemed a criminal offense.

633 Sec. 24. Section 54-66a of the general statutes is repealed and the
634 following is substituted in lieu thereof (*Effective October 1, 2012*):

635 Any bail bond posted in any criminal proceeding in this state shall
636 be automatically terminated and released whenever the defendant: (1)
637 Is granted accelerated rehabilitation pursuant to section 54-56e; (2) is
638 granted admission to the pretrial alcohol education program pursuant
639 to section 54-56g; (3) is granted admission to the pretrial family
640 violence education program pursuant to section 46b-38c, as amended
641 by this act; (4) is granted admission to the community service labor
642 program pursuant to section 53a-39c; (5) is granted admission to the
643 pretrial drug education program pursuant to section 54-56i; (6) has the
644 complaint or information filed against such defendant dismissed; (7) is
645 acquitted; (8) is sentenced by the court; (9) is granted admission to the
646 pretrial school violence prevention program pursuant to section 54-56j;
647 [or] (10) is charged with a violation of section 29-33 and prosecution
648 has been suspended pursuant to subsection (h) of section 29-33; or (11)
649 is granted admission to the supervised diversionary program for
650 persons with psychiatric disabilities pursuant to section 54-56l.

651 Sec. 25. Subsection (c) of section 54-142a of the general statutes is
652 repealed and the following is substituted in lieu thereof (*Effective*
653 *October 1, 2012*):

654 (c) (1) Whenever any charge in a criminal case has been nolleed in the
655 Superior Court, or in the Court of Common Pleas, if at least thirteen
656 months have elapsed since such nolle, all police and court records and
657 records of the state's or prosecuting attorney or the prosecuting grand
658 juror pertaining to such charge shall be erased, except that in cases of
659 nolles entered in the Superior Court, Court of Common Pleas, Circuit
660 Court, municipal court or by a justice of the peace prior to April 1,
661 1972, such records shall be deemed erased by operation of law and the
662 clerk or the person charged with the retention and control of such
663 records shall not disclose to anyone their existence or any information
664 pertaining to any charge so erased, provided nothing in this subsection
665 shall prohibit the arrested person or any one of his heirs from filing a
666 petition to the court or to the records center of the Judicial Department,
667 as the case may be, to have such records erased, in which case such
668 records shall be erased.

669 (2) Whenever any charge in a criminal case has been continued at
670 the request of the prosecuting attorney, and a period of thirteen
671 months has elapsed since the granting of such continuance during
672 which period there has been no prosecution or other disposition of the
673 matter, the charge shall be [construed to have been nolleed as of the
674 date of termination of such thirteen-month period] nolleed upon motion
675 of the arrested person and such erasure may thereafter be effected or a
676 petition filed therefor, as the case may be, as provided in this
677 subsection for nolleed cases.

678 Sec. 26. Section 54-143b of the general statutes is repealed and the
679 following is substituted in lieu thereof (*Effective October 1, 2012*):

680 The total amount of any forfeited bond for a motor vehicle violation,
681 when such bond is composed in part of an additional fee established
682 under subsection (c) or (d) of section 51-56a, any cost established under

683 subsection (b) of section 54-143 or any cost established under section
684 54-143a, shall be deposited in the General Fund as one undifferentiated
685 lump sum amount or deposited in the Special Transportation Fund as
686 one undifferentiated lump sum amount as may be required by statute.

687 Sec. 27. Section 54-203 of the general statutes is repealed and the
688 following is substituted in lieu thereof (*Effective October 1, 2012*):

689 (a) There is established an Office of Victim Services within the
690 Judicial Department.

691 (b) The Office of Victim Services shall have the following powers
692 and duties:

693 (1) To direct each hospital, whether public or private, to display
694 prominently in its emergency room posters giving notice of the
695 availability of compensation and assistance to victims of crime or their
696 dependents pursuant to sections 54-201 to 54-233, inclusive, as
697 amended by this act, and to direct every law enforcement agency of
698 the state to inform victims of crime or their dependents of their rights
699 pursuant to sections 54-201 to 54-233, inclusive, as amended by this
700 act;

701 (2) To request from the office of the state's attorney, state police,
702 local police departments or any law enforcement agency such
703 investigation and data as will enable the Office of Victim Services to
704 determine if in fact the applicant was a victim of a crime or attempted
705 crime and the extent, if any, to which the victim or claimant was
706 responsible for his own injury;

707 (3) To request from the Department of Correction, other units of the
708 Judicial Department and the Board of Pardons and Paroles such
709 information as will enable the Office of Victim Services to determine if
710 in fact a person who has requested notification pursuant to section 54-
711 228 was a victim of a crime;

712 (4) To direct medical examination of victims as a requirement for

713 payment under sections 54-201 to 54-233, inclusive, as amended by this
714 act;

715 (5) To take or cause to be taken affidavits or depositions within or
716 without the state;

717 (6) To apply for, receive, allocate, disburse and account for grants of
718 funds made available by the United States, by the state, foundations,
719 corporations and other businesses, agencies or individuals to
720 implement a program for victim services which shall assist witnesses
721 and victims of crimes as the Office of Victim Services deems
722 appropriate within the resources available and to coordinate services
723 to victims by state and community-based agencies, with priority given
724 to victims of violent crimes, by (A) assigning, in consultation with the
725 Division of Criminal Justice, such victim advocates as are necessary to
726 provide assistance; (B) administering victim service programs; and (C)
727 awarding grants or purchase of service contracts [in accordance with
728 the plan developed under subdivision (15) of this subsection] to
729 private nonprofit organizations or local units of government for the
730 direct delivery of services, except that the provision of training and
731 technical assistance of victim service providers and the development
732 and implementation of public education campaigns may be provided
733 by private nonprofit or for-profit organizations or local units of
734 government. Such grants and contracts shall be the predominant
735 method by which the Office of Victim Services shall develop,
736 implement and operate direct service programs and provide training
737 and technical assistance to victim service providers;

738 (7) To provide each person who applies for compensation pursuant
739 to section 54-204, within ten days of the date of receipt of such
740 application, with a written list of rights of victims of crime involving
741 personal injury and the programs available in this state to assist such
742 victims. The Office of Victim Services, the state or any agent, employee
743 or officer thereof shall not be liable for the failure to supply such list or
744 any alleged inadequacies of such list. Such list shall include, but not be

745 limited to:

746 (A) Subject to the provisions of sections 18-81e and 51-286e, the
747 victim shall have the right to be informed concerning the status of his
748 or her case and to be informed of the release from custody of the
749 defendant;

750 (B) Subject to the provisions of section 54-91c, the victim shall have
751 the right to present a statement of his or her losses, injuries and wishes
752 to the prosecutor and the court prior to the acceptance by the court of a
753 plea of guilty or nolo contendere made pursuant to a plea agreement
754 with the state wherein the defendant pleads to a lesser offense than the
755 offense with which the defendant was originally charged;

756 (C) Subject to the provisions of section 54-91c, prior to the
757 imposition of sentence upon the defendant, the victim shall have the
758 right to submit a statement to the prosecutor as to the extent of any
759 injuries, financial losses and loss of earnings directly resulting from the
760 crime;

761 (D) Subject to the provisions of section 54-126a, the victim shall have
762 the right to appear before a panel of the Board of Pardons and Paroles
763 and make a statement as to whether the defendant should be released
764 on parole and any terms or conditions to be imposed upon any such
765 release;

766 (E) Subject to the provisions of section 54-36a, the victim shall have
767 the right to have any property the victim owns which was seized by
768 police in connection with an arrest to be returned;

769 (F) Subject to the provisions of sections 54-56e and 54-142c, the
770 victim shall have the right to be notified of the application by the
771 defendant for the pretrial program for accelerated rehabilitation and to
772 obtain from the court information as to whether the criminal
773 prosecution in the case has been dismissed;

774 (G) Subject to the provisions of section 54-85b, the victim cannot be

775 fired, harassed or otherwise retaliated against by an employer for
776 appearing under a subpoena as a witness in any criminal prosecution;

777 (H) Subject to the provisions of section 54-86g, the parent or legal
778 guardian of a child twelve years of age or younger who is a victim of
779 child abuse or sexual assault may request special procedural
780 considerations to be taken during the testimony of the child;

781 (I) Subject to the provisions of section 46b-15, the victim of assault
782 by a spouse or former spouse, family or household member has the
783 right to request the arrest of the offender, request a protective order
784 and apply for a restraining order;

785 (J) Subject to the provisions of sections 52-146k, 54-86e and 54-86f,
786 the victim of sexual assault or domestic violence can expect certain
787 records to remain confidential;

788 (8) Within available appropriations, to establish a victim's assistance
789 center which shall provide a victims' rights information clearinghouse
790 which shall be a central repository of information regarding rights of
791 victims of crime and services available to such victims and shall collect
792 and disseminate such information to assist victims;

793 (9) To provide [, not later than January 1, 1994,] a victims'
794 notification clearinghouse which shall be a central repository for
795 requests for notification filed pursuant to sections 54-228 and 54-229,
796 and to notify [, on and after January 1, 1994,] persons who have filed
797 such a request whenever an inmate has applied for release from a
798 correctional institution or reduction of sentence or review of sentence
799 pursuant to section 54-227 or whenever an inmate is scheduled to be
800 released from a correctional institution and [, on and after January 1,
801 1994,] to provide victims of family violence crimes, upon request,
802 information concerning any modification or termination of criminal
803 orders of protection;

804 (10) To provide a telephone [hotline] helpline that shall provide

805 information on referrals for various services for victims of crime and
806 their families;

807 (11) To provide staff services to a state advisory council. The council
808 shall consist of not more than fifteen members to be appointed by the
809 Chief Justice and shall include the Chief Victim Compensation
810 Commissioner and members who represent victim populations,
811 including but not limited to, homicide survivors, family violence
812 victims, sexual assault victims, victims of drunk drivers, and assault
813 and robbery victims, and members who represent the judicial branch
814 and executive branch agencies involved with victims of crime. The
815 members shall serve for terms of four years. Any vacancy in the
816 membership shall be filled by the appointing authority for the balance
817 of the unexpired term. The members shall receive no compensation for
818 their services. The council shall meet at least six times a year. The
819 council shall recommend to the Office of Victim Services program,
820 legislative or other matters which would improve services to victims of
821 crime and develop and coordinate needs assessments for both court-
822 based and community-based victim services. The Chief Justice shall
823 appoint two members to serve as cochairmen. Not later than December
824 fifteenth of each year, the council shall report the results of its findings
825 and activities to the Chief Court Administrator;

826 (12) To utilize such voluntary and uncompensated services of
827 private individuals, agencies and organizations as may from time to
828 time be offered and needed;

829 (13) To recommend policies and make recommendations to agencies
830 and officers of the state and local subdivisions of government relative
831 to victims of crime;

832 (14) To provide support and assistance to state-wide victim services
833 coalitions and groups;

834 [(15) To develop, in coordination with the Department of Social
835 Services, the Department of Public Health, the Office of Policy and

836 Management, the Department of Children and Families and the
837 Division of Criminal Justice, a comprehensive plan to more effectively
838 administer crime victims' compensation and coordinate the delivery of
839 services to crime victims, including the funding of such services. Such
840 plan shall be submitted to the Governor and the General Assembly not
841 later than January 1, 1994;]

842 [(16)] (15) Within available appropriations to establish a crime
843 victims' information clearinghouse which shall be a central repository
844 for information collected pursuant to subdivision (9) of this subsection
845 and information made available through the criminal justice
846 information system, to provide a toll-free telephone number for access
847 to such information and to develop a plan, in consultation with all
848 agencies required to provide notification to victims, outlining any
849 needed statutory changes, resources and working agreements
850 necessary to make the Office of Victim Services the lead agency for
851 notification of victims, which plan shall be submitted to the General
852 Assembly not later than February 15, 2000;

853 [(17)] (16) To provide a training program for judges, prosecutors,
854 police, probation and parole personnel, bail commissioners, officers
855 from the Department of Correction and judicial marshals to inform
856 them of victims' rights and available services;

857 [(18)] (17) To establish a sexual assault forensic examiners program
858 that will train and make available sexual assault forensic examiners to
859 adolescent and adult victims of sexual assault who are patients at
860 participating acute care hospitals. In order to establish and implement
861 such program, the Office of Victim Services may apply for, receive,
862 allocate, disburse and account for grants of funds made available by
863 the United States, the state, foundations, corporations and other
864 businesses, agencies or individuals; and

865 [(19)] (18) To submit to the joint standing committee of the General
866 Assembly having cognizance of matters relating to victim services, in
867 accordance with the provisions of section 11-4a, on or before January

868 15, 2000, and biennially thereafter a report of its activities under
869 sections 54-201 to 54-233, inclusive, as amended by this act, including,
870 but not limited to, implementation of training activities and mandates.
871 Such report shall include the types of training provided, entities
872 providing training and recipients of training.

873 Sec. 28. Section 54-209 of the general statutes is repealed and the
874 following is substituted in lieu thereof (*Effective October 1, 2012*):

875 (a) The Office of Victim Services or, on review, a victim
876 compensation commissioner may order the payment of compensation
877 in accordance with the provisions of sections 54-201 to 54-233,
878 inclusive, as amended by this act, for personal injury or death which
879 resulted from: (1) An attempt to prevent the commission of crime or to
880 apprehend a suspected criminal or in aiding or attempting to aid a
881 police officer so to do, (2) the commission or attempt to commit by
882 another of any crime as provided in section 53a-24, (3) [the operation
883 of a motor vehicle by another person who was subsequently convicted
884 with respect to such operation for a violation of subsection (a) of
885 section 14-224 or of section 14-227a, 53a-56b or 53a-60d, or (4)] any
886 crime involving international terrorism as defined in Section 2331 of
887 Title 18 of the United States Code.

888 [(b) In the absence of conviction, as provided in subdivision (3) of
889 subsection (a) of this section, the Office of Victim Services or, on
890 review, a victim compensation commissioner may order payment of
891 compensation under this section if, upon consideration of all
892 circumstances determined to be relevant, the Office of Victim Services
893 or a victim compensation commissioner, as the case may be,
894 reasonably concludes that another person has operated a motor vehicle
895 in violation of subsection (a) of section 14-224 or of section 14-227a,
896 53a-56b or 53a-60d.]

897 (b) The Office of Victim Services or, on review, a victim
898 compensation commissioner may also order the payment of
899 compensation in accordance with the provisions of sections 54-201 to

900 54-233, inclusive, as amended by this act, for personal injury or death
901 that resulted from the operation of a motor vehicle by another person
902 who was subsequently convicted with respect to such operation for a
903 violation of subsection (a) of section 14-224 or section 14-227a, 53a-56b
904 or 53a-60d. In the absence of a conviction, the Office of Victim Services
905 or, on review, a victim compensation commissioner may order
906 payment of compensation under this section if, upon consideration of
907 all circumstances determined to be relevant, the office or
908 commissioner, as the case may be, reasonably concludes that another
909 person has operated a motor vehicle in violation of subsection (a) of
910 section 14-224 or section 14-227a, 53a-56b or 53a-60d.

911 (c) Except as provided [in subdivision (3) of subsection (a) and]
912 subsection (b) of this section, no act involving the operation of a motor
913 vehicle which results in injury shall constitute a crime for the purposes
914 of sections 54-201 to 54-233, inclusive, as amended by this act, unless
915 the injuries were intentionally inflicted through the use of the vehicle.

916 (d) In instances where a violation of section 53-21, 53a-70, 53a-70a,
917 53a-70b, 53a-70c, 53a-71, 53a-72a, 53a-72b or 53a-73a has been alleged,
918 the Office of Victim Services or, on review, a victim compensation
919 commissioner may order compensation be paid if (1) the personal
920 injury has been disclosed to: (A) A physician or surgeon licensed
921 under chapter 370; (B) a resident physician or intern in any hospital in
922 this state, whether or not licensed; (C) a physician assistant licensed
923 under chapter 370; (D) an advanced practice registered nurse,
924 registered nurse or practical nurse licensed under chapter 378; (E) a
925 psychologist licensed under chapter 383; (F) a police officer; (G) a
926 mental health professional; (H) an emergency medical services
927 provider licensed or certified under chapter 368d; (I) an alcohol and
928 drug counselor licensed or certified under chapter 376b; (J) a marital
929 and family therapist licensed under chapter 383a; (K) a sexual assault
930 counselor or battered women's counselor as defined in section 52-146k;
931 (L) a professional counselor licensed under chapter 383c; (M) a clinical
932 social worker licensed under chapter 383b; or (N) an employee of the

933 Department of Children and Families; and (2) the office or
934 commissioner, as the case may be, reasonably concludes that a
935 violation of any of said sections has occurred.

936 [(d)] (e) Evidence of an order for the payment of compensation by
937 the Office of Victim Services or a victim compensation commissioner in
938 accordance with the provisions of sections 54-201 to 54-233, inclusive,
939 as amended by this act, shall not be admissible in any civil proceeding
940 to prove the liability of any person for such personal injury or death or
941 in any criminal proceeding to prove the guilt or innocence of any
942 person for any crime.

943 Sec. 29. Subsection (a) of section 54-210 of the general statutes is
944 repealed and the following is substituted in lieu thereof (*Effective*
945 *October 1, 2012*):

946 (a) The Office of Victim Services or a victim compensation
947 commissioner may order the payment of compensation under sections
948 54-201 to 54-233, inclusive, as amended by this act, for: (1) Expenses
949 actually and reasonably incurred as a result of the personal injury or
950 death of the victim, provided coverage for the cost of medical care and
951 treatment of a crime victim who does not have medical insurance or
952 who has exhausted coverage under applicable health insurance
953 policies or Medicaid shall be ordered; (2) loss of earning power as a
954 result of total or partial incapacity of such victim; (3) pecuniary loss to
955 the spouse or dependents of the deceased victim, provided the family
956 qualifies for compensation as a result of murder or manslaughter of
957 the victim; (4) pecuniary loss to the relatives or dependents of a
958 deceased victim for attendance at court proceedings with respect to the
959 criminal case of the person or persons charged with committing the
960 crime that resulted in the death of the victim; and (5) any other loss,
961 except as set forth in section 54-211, as amended by this act, resulting
962 from the personal injury or death of the victim which the Office of
963 Victim Services or a victim compensation commissioner, as the case
964 may be, determines to be reasonable. [At the discretion of said office or

965 victim compensation commissioner, there shall be one hundred dollars
966 deductible from the total amount determined by said office or victim
967 compensation commissioner.]

968 Sec. 30. Subsections (d) and (e) of section 54-211 of the general
969 statutes are repealed and the following is substituted in lieu thereof
970 (*Effective October 1, 2012*):

971 (d) (1) No compensation [shall be awarded for the first hundred
972 dollars of injury sustained and no such compensation] shall be in an
973 amount in excess of fifteen thousand dollars except that [such]
974 compensation to or for the benefit of the dependents of a homicide
975 victim shall be in an amount not to exceed twenty-five thousand
976 dollars. The claims of the dependents of a deceased victim, as provided
977 in section 54-208, shall be considered derivative of the claim of such
978 victim and the total compensation paid for all claims arising from the
979 death of such victim shall not exceed a maximum of twenty-five
980 thousand dollars.

981 (2) Notwithstanding the provisions of subdivision (1) of this
982 subsection, the Office of Victim Services or a victim compensation
983 commissioner may, for good cause shown and upon a finding of
984 compelling equitable circumstances, award compensation in an
985 amount in excess of the maximum amounts set forth in said
986 subdivision.

987 (e) Orders for payment of compensation pursuant to sections 54-201
988 to 54-233, inclusive, as amended by this act, may be made only as to
989 injuries or death resulting from incidents or offenses arising on and
990 after January 1, 1979, except that orders for payment of compensation
991 pursuant to [subdivision (3) of subsection (a)] subsection (b) of section
992 54-209, as amended by this act, may be made only as to injuries or
993 death resulting from incidents or offenses arising on and after July 1,
994 1985.

995 Sec. 31. Subsection (b) of section 54-212 of the general statutes is

996 repealed and the following is substituted in lieu thereof (*Effective*
997 *October 1, 2012*):

998 (b) If the applicant brings an action against the person or persons
999 responsible for such injury or death to recover damages arising out of
1000 the crime for which an award has been granted, or, if the applicant
1001 recovers money from any other source or sources including, but not
1002 limited to, payments from state or municipal agencies, insurance
1003 benefits or workers' compensation awards as a result of the incident or
1004 offense giving rise to the application, the Office of Victim Services shall
1005 have a lien on the applicant's recovery for the amount to which the
1006 office is entitled to reimbursement. [The] If an action is brought by the
1007 applicant against the person or persons responsible for the injury or
1008 death, the applicant shall notify the Office of Victim Services of the
1009 filing of such complaint within thirty days of the filing of the
1010 complaint in court. Whenever an applicant recovers damages, whether
1011 by judgment, settlement or compromise settlement before or after
1012 judgment, from the person or persons responsible for such injury, and
1013 whenever an applicant recovers money from any other source or
1014 sources including, but not limited to, payments from state or
1015 municipal agencies, insurance benefits or workers' compensation
1016 awards as a result of the incident or offense giving rise to the
1017 application, the Office of Victim Services is entitled to reimbursement
1018 from the applicant for two-thirds of the amount paid pursuant to any
1019 order for the payment of compensation for personal injury or death or
1020 for the provision of restitution services.

1021 Sec. 32. Subsection (b) of section 19a-112f of the general statutes is
1022 repealed and the following is substituted in lieu thereof (*Effective*
1023 *October 1, 2012*):

1024 (b) The committee shall advise the Office of Victim Services on the
1025 establishment and implementation of the sexual assault forensic
1026 examiners program pursuant to subdivision [(18)] (17) of subsection
1027 (b) of section 54-203, as amended by this act, and section 19a-112g. The

1028 committee shall make specific recommendations concerning: (1) The
1029 recruitment of registered nurses, advanced practice registered nurses
1030 and physicians to participate in such program; (2) the development of
1031 a specialized training course concerning such program for registered
1032 nurses, advanced practice registered nurses and physicians who
1033 participate in the program; (3) the development of agreements between
1034 the Judicial Branch, the Department of Public Health and acute care
1035 hospitals relating to the scope of services offered under the program
1036 and hospital standards governing the provision of such services; (4)
1037 individual case tracking mechanisms; (5) utilization of medically
1038 accepted best practices; and (6) the development of quality assurance
1039 measures.

1040 Sec. 33. (NEW) (*Effective July 1, 2012*) Two persons who are parties to
1041 a valid civil union performed in a foreign jurisdiction may bring an
1042 action for dissolution, annulment or legal separation of the civil union
1043 in this state, and the Superior Court may enter an order of dissolution,
1044 annulment or legal separation of the civil union.

1045 Sec. 34. Section 46b-1 of the general statutes is repealed and the
1046 following is substituted in lieu thereof (*Effective July 1, 2012*):

1047 Matters within the jurisdiction of the Superior Court deemed to be
1048 family relations matters shall be matters affecting or involving: (1)
1049 Dissolution of marriage, contested and uncontested, except dissolution
1050 upon conviction of crime as provided in section 46b-47; (2) legal
1051 separation; (3) annulment of marriage; (4) alimony, support, custody
1052 and change of name incident to dissolution of marriage, legal
1053 separation and annulment; (5) actions brought under section 46b-15;
1054 (6) complaints for change of name; (7) civil support obligations; (8)
1055 habeas corpus and other proceedings to determine the custody and
1056 visitation of children; (9) habeas corpus brought by or on behalf of any
1057 mentally ill person except a person charged with a criminal offense;
1058 (10) appointment of a commission to inquire whether a person is
1059 wrongfully confined as provided by section 17a-523; (11) juvenile

1060 matters as provided in section 46b-121; (12) all rights and remedies
1061 provided for in chapter 815j; (13) the establishing of paternity; (14)
1062 appeals from probate concerning: (A) Adoption or termination of
1063 parental rights; (B) appointment and removal of guardians; (C)
1064 custody of a minor child; (D) appointment and removal of
1065 conservators; (E) orders for custody of any child; and (F) orders of
1066 commitment of persons to public and private institutions and to other
1067 appropriate facilities as provided by statute; (15) actions related to
1068 prenuptial and separation agreements and to matrimonial and civil
1069 union decrees of a foreign jurisdiction; (16) custody proceeding
1070 brought under the provisions of chapter 815p; and (17) all such other
1071 matters within the jurisdiction of the Superior Court concerning
1072 children or family relations as may be determined by the judges of said
1073 court.

1074 Sec. 35. Section 54-108e of the 2012 supplement to the general
1075 statutes is repealed and the following is substituted in lieu thereof
1076 (*Effective October 1, 2012*):

1077 (a) Probation officers shall provide intensive pretrial supervision
1078 services, in accordance with guidelines developed by the Court
1079 Support Services Division, whenever ordered to do so by the court.

1080 (b) Probation officers shall complete alternative sentencing plans, in
1081 accordance with guidelines developed by the Court Support Services
1082 Division, for persons who have entered into a stated plea agreement
1083 that includes a term of imprisonment of two years or less, whenever
1084 ordered to do so by the court.

1085 (c) Probation officers may evaluate persons sentenced to a term of
1086 imprisonment of two years or less who have been confined under such
1087 sentence for at least ninety days and have complied with institutional
1088 rules and necessary treatment programs of the Department of
1089 Correction, and may develop a community release plan for such
1090 persons in accordance with guidelines developed by the Court Support
1091 Services Division. If a probation officer develops a community release

1092 plan, the probation officer shall apply for a sentence modification
1093 hearing under section 53a-39.

1094 (d) Information contained in an alternative sentencing plan or a
1095 community release plan shall be available only to: (1) Employees of the
1096 Judicial Branch who in the performance of their duties require access
1097 to the information contained in such plan; (2) employees and
1098 authorized agents of state or federal agencies involved in the design
1099 and delivery of treatment services to the person who is the subject of
1100 such plan; (3) employees of state or community-based agencies
1101 providing services directly to the person who is the subject of such
1102 plan; and (4) an attorney representing a person who is the subject of
1103 such plan in any proceeding in which such plan is relevant.

1104 Sec. 36. Subsection (d) of section 46b-124 of the 2012 supplement to
1105 the general statutes is repealed and the following is substituted in lieu
1106 thereof (*Effective October 1, 2012*):

1107 (d) Records of cases of juvenile matters involving delinquency
1108 proceedings shall be available to (1) Judicial Branch employees who, in
1109 the performance of their duties, require access to such records, and (2)
1110 employees and authorized agents of state or federal agencies involved
1111 in (A) the delinquency proceedings, (B) the provision of services
1112 directly to the child, [or] (C) the design and delivery of treatment
1113 programs pursuant to section 46b-121j, or (D) the delivery of court
1114 diversionary programs. Such employees and authorized agents
1115 include, but are not limited to, law enforcement officials, community-
1116 based youth service bureau officials, state and federal prosecutorial
1117 officials, school officials in accordance with section 10-233h, court
1118 officials including officials of both the regular criminal docket and the
1119 docket for juvenile matters and officials of the Division of Criminal
1120 Justice, the Division of Public Defender Services, the Department of
1121 Children and Families, the Court Support Services Division and
1122 agencies under contract with the Judicial Branch. Such records shall
1123 also be available to (i) the attorney representing the child, including

1124 the Division of Public Defender Services, in any proceeding in which
1125 such records are relevant, (ii) the parents or guardian of the child, until
1126 such time as the subject of the record reaches the age of majority, (iii)
1127 the subject of the record, upon submission of satisfactory proof of the
1128 subject's identity, pursuant to guidelines prescribed by the Office of
1129 the Chief Court Administrator, provided the subject has reached the
1130 age of majority, (iv) law enforcement officials and prosecutorial
1131 officials conducting legitimate criminal investigations, (v) a state or
1132 federal agency providing services related to the collection of moneys
1133 due or funding to support the service needs of eligible juveniles,
1134 provided such disclosure shall be limited to that information necessary
1135 for the collection of and application for such moneys, and (vi)
1136 members and employees of the Board of Pardons and Paroles and
1137 employees of the Department of Correction who, in the performance of
1138 their duties, require access to such records, provided the subject of the
1139 record has been convicted of a crime in the regular criminal docket of
1140 the Superior Court and such records are relevant to the performance of
1141 a risk and needs assessment of such person while such person is
1142 incarcerated, the determination of such person's suitability for release
1143 from incarceration or for a pardon, or the determination of the
1144 supervision and treatment needs of such person while on parole or
1145 other supervised release. Records disclosed pursuant to this subsection
1146 shall not be further disclosed, except that information contained in
1147 such records may be disclosed in connection with bail or sentencing
1148 reports in open court during criminal proceedings involving the
1149 subject of such information.

1150 Sec. 37. Subsection (a) of section 54-63b of the general statutes is
1151 repealed and the following is substituted in lieu thereof (*Effective*
1152 *October 1, 2012*):

1153 (a) The duties of the Court Support Services Division shall include:
1154 (1) To promptly interview, prior to arraignment, any person referred
1155 by the police pursuant to section 54-63c, as amended by this act, or by
1156 a judge. Such interview shall include, but not be limited to,

1157 information concerning the accused person, his or her family,
1158 community ties, prior criminal record and physical and mental
1159 condition. Any interview of a person held at a police station may be
1160 conducted by videoconference; (2) to seek independent verification of
1161 information obtained during the interview, if practicable; (3) to
1162 determine, as provided in section 54-63d, as amended by this act, or to
1163 make recommendations on request of any judge, concerning the terms
1164 and conditions of the release of arrested persons from custody pending
1165 final disposition of their cases; (4) to prepare a written report on all
1166 persons interviewed and, upon request and pursuant to the
1167 procedures established under subsection (f) of section 54-63d, as
1168 amended by this act, provide copies of the report to the court, defense
1169 counsel and state's attorney. Such report shall contain the information
1170 obtained during the interview and verification process, the person's
1171 prior criminal record, where possible, and the determination or
1172 recommendation of the commissioner pursuant to section 54-63d, as
1173 amended by this act, concerning the terms and conditions of the
1174 release of the persons so interviewed; (5) to give prior notice of each
1175 required court appearance to each person released following an
1176 interview by a bail commissioner or an intake, assessment and referral
1177 specialist; (6) to supervise pursuant to the direction of the court those
1178 persons released on nonfinancial conditions; (7) to inform the court
1179 and the state's attorney of any failure to comply with terms and
1180 conditions of release, including the arrest of persons released under its
1181 supervision; (8) to monitor, evaluate and provide information
1182 concerning terms and conditions of release and the release criteria
1183 established under subdivision (2) of subsection (c) of this section, to
1184 prepare periodic reports on its activities, and to provide such other
1185 information as is needed to assist in the improvement of the pretrial
1186 release process; (9) to perform such other functions as the Chief Court
1187 Administrator may, from time to time, assign.

1188 Sec. 38. Section 54-63c of the general statutes is repealed and the
1189 following is substituted in lieu thereof (*Effective October 1, 2012*):

1190 (a) Except in cases of arrest pursuant to a bench warrant of arrest in
1191 which the court or a judge thereof has indicated that bail should be
1192 denied or ordered that the officer or indifferent person making such
1193 arrest shall, without undue delay, bring such person before the clerk or
1194 assistant clerk of the superior court for the geographical area under
1195 section 54-2a, when any person is arrested for a bailable offense, the
1196 chief of police, or the chief's authorized designee, of the police
1197 department having custody of the arrested person shall promptly
1198 advise such person of the person's rights under section 54-1b, and of
1199 the person's right to be interviewed concerning the terms and
1200 conditions of release. Unless the arrested person waives or refuses
1201 such interview, the police officer shall promptly interview the arrested
1202 person to obtain information relevant to the terms and conditions of
1203 the person's release from custody, and shall seek independent
1204 verification of such information where necessary. At the request of the
1205 arrested person, the person's counsel may be present during the
1206 interview. No statement made by the arrested person in response to
1207 any question during the interview related to the terms and conditions
1208 of release shall be admissible as evidence against the arrested person in
1209 any proceeding arising from the incident for which the conditions of
1210 release were set. After such a waiver, refusal or interview, the police
1211 officer shall promptly order release of the arrested person upon the
1212 execution of a written promise to appear or the posting of such bond as
1213 may be set by the police officer, except that no condition of release set
1214 by the court or a judge thereof may be modified by such officer and no
1215 person shall be released upon the execution of a written promise to
1216 appear or the posting of a bond without surety if the person is charged
1217 with the commission of a family violence crime, as defined in section
1218 46b-38a, and in the commission of such crime the person used or
1219 threatened the use of a firearm.

1220 (b) If the person is charged with the commission of a family violence
1221 crime, as defined in section 46b-38a, and the police officer does not
1222 intend to impose nonfinancial conditions of release pursuant to this
1223 subsection, the police officer shall, pursuant to the procedure set forth

1224 in subsection (a) of this section, promptly order the release of such
1225 person upon the execution of a written promise to appear or the
1226 posting of such bond as may be set by the police officer. If such person
1227 is not so released, the police officer shall make reasonable efforts to
1228 immediately contact a bail commissioner or an intake, assessment and
1229 referral specialist to set the conditions of such person's release
1230 pursuant to section 54-63d, as amended by this act. If, after making
1231 such reasonable efforts, the police officer is unable to contact a bail
1232 commissioner or an intake, assessment and referral specialist or
1233 contacts a bail commissioner or an intake, assessment and referral
1234 specialist but such bail commissioner or intake, assessment and
1235 referral specialist is unavailable to promptly perform such bail
1236 commissioner's or intake, assessment and referral specialist's duties
1237 pursuant to section 54-63d, as amended by this act, the police officer
1238 shall, pursuant to the procedure set forth in subsection (a) of this
1239 section, order the release of such person upon the execution of a
1240 written promise to appear or the posting of such bond as may be set by
1241 the police officer and may impose nonfinancial conditions of release
1242 which may require that the arrested person do one or more of the
1243 following: (1) Avoid all contact with the alleged victim of the crime, (2)
1244 comply with specified restrictions on the person's travel, association or
1245 place of abode that are directly related to the protection of the alleged
1246 victim of the crime, or (3) not use or possess a dangerous weapon,
1247 intoxicant or controlled substance. Any such nonfinancial conditions of
1248 release shall be indicated on a form prescribed by the Judicial Branch
1249 and sworn to by the police officer. Such form shall articulate (A) the
1250 efforts that were made to contact a bail commissioner or an intake,
1251 assessment and referral specialist, (B) the specific factual basis relied
1252 upon by the police officer to impose the nonfinancial conditions of
1253 release, and (C) if the arrested person was non-English-speaking, that
1254 the services of a translation service or interpreter were used. A copy of
1255 that portion of the form that indicates the nonfinancial conditions of
1256 release shall immediately be provided to the arrested person. A copy
1257 of the entire form shall be provided to counsel for the arrested person

1258 at arraignment. Any nonfinancial conditions of release imposed
1259 pursuant to this subsection shall remain in effect until the arrested
1260 person is presented before the Superior Court pursuant to subsection
1261 (a) of section 54-1g. On such date, the court shall conduct a hearing
1262 pursuant to section 46b-38c at which the defendant is entitled to be
1263 heard with respect to the issuance of a protective order.

1264 (c) When cash bail in excess of ten thousand dollars is received for a
1265 detained person accused of a felony, where the underlying facts and
1266 circumstances of the felony involve the use, attempted use or
1267 threatened use of physical force against another person, the police
1268 officer shall prepare a report that contains (1) the name, address and
1269 taxpayer identification number of the accused person, (2) the name,
1270 address and taxpayer identification number of each person offering the
1271 cash bail, other than a person licensed as a professional bondsman
1272 under chapter 533 or a surety bail bond agent under chapter 700f, (3)
1273 the amount of cash received, and (4) the date the cash was received.
1274 Not later than fifteen days after receipt of such cash bail, the police
1275 officer shall file the report with the Department of Revenue Services
1276 and mail a copy of the report to the state's attorney for the judicial
1277 district in which the alleged offense was committed and to each person
1278 offering the cash bail.

1279 (d) No police officer shall set the terms and conditions of a person's
1280 release, set a bond for a person or release a person from custody under
1281 this section unless the police officer has first checked the National
1282 Crime Information Center (NCIC) computerized index of criminal
1283 justice information to determine if such person is listed in such index.

1284 (e) If the arrested person has not posted bail, the police officer shall
1285 immediately notify a bail commissioner or an intake, assessment and
1286 referral specialist.

1287 (f) The chief, acting chief, superintendent of police, the
1288 Commissioner of Emergency Services and Public Protection, any
1289 captain or lieutenant of any local police department or the Division of

1290 State Police within the Department of Emergency Services and Public
1291 Protection or any person lawfully exercising the powers of any such
1292 officer may take a written promise to appear or a bond with or without
1293 surety from an arrested person as provided in subsection (a) of this
1294 section, or as fixed by the court or any judge thereof, may administer
1295 such oaths as are necessary in the taking of promises or bonds and
1296 shall file any report required under subsection (c) of this section.

1297 Sec. 39. Section 54-63d of the general statutes is repealed and the
1298 following is substituted in lieu thereof (*Effective October 1, 2012*):

1299 (a) Upon notification by a police officer pursuant to section 54-63c,
1300 as amended by this act, that an arrested person has not posted bail, a
1301 bail commissioner or an intake, assessment and referral specialist
1302 employed by the Judicial Branch shall promptly conduct an interview
1303 and investigation as specified in subdivisions (1) and (2) of subsection
1304 (a) of section 54-63b, as amended by this act, and, based upon the
1305 criteria established pursuant to subsection (b) of section 54-63b, as
1306 amended by this act, and except as provided in subsection (b) of this
1307 section, the bail commissioner or intake, assessment and referral
1308 specialist shall promptly order release of such person on the first of the
1309 following conditions of release found sufficient to provide reasonable
1310 assurance of the person's appearance in court: (1) Upon the execution
1311 of a written promise to appear without special conditions; (2) upon the
1312 execution of a written promise to appear with any of the nonfinancial
1313 conditions as specified in subsection (c) of this section; (3) upon the
1314 execution of a bond without surety in no greater amount than
1315 necessary; or (4) upon the execution of a bond with surety in no greater
1316 amount than necessary. If the person is unable to meet the conditions
1317 of release ordered by the bail commissioner or intake, assessment and
1318 referral specialist, the bail commissioner or intake, assessment and
1319 referral specialist shall so inform the court in a report prepared
1320 pursuant to subdivision (4) of subsection (a) of section 54-63b, as
1321 amended by this act.

1322 (b) No person shall be released upon the execution of a written
1323 promise to appear or the execution of a bond without surety if the
1324 person is charged with the commission of a family violence crime, as
1325 defined in section 46b-38a, and in the commission of such crime the
1326 person used or threatened the use of a firearm.

1327 (c) In addition to or in conjunction with any of the conditions
1328 enumerated in subdivisions (1) to (4), inclusive, of subsection (a) of this
1329 section, the bail commissioner or intake, assessment and referral
1330 specialist may impose nonfinancial conditions of release, which may
1331 require that the arrested person do any of the following: (1) Remain
1332 under the supervision of a designated person or organization; (2)
1333 comply with specified restrictions on the person's travel, association or
1334 place of abode; (3) not engage in specified activities, including the use
1335 or possession of a dangerous weapon, an intoxicant or controlled
1336 substance; (4) avoid all contact with an alleged victim of the crime and
1337 with a potential witness who may testify concerning the offense; or (5)
1338 satisfy any other condition that is reasonably necessary to assure the
1339 appearance of the person in court. Any of the conditions imposed
1340 under subsection (a) of this section and this subsection by the bail
1341 commissioner or intake, assessment and referral specialist shall be
1342 effective until the appearance of such person in court.

1343 (d) The police department shall promptly comply with the order of
1344 release of the bail commissioner or intake, assessment and referral
1345 specialist, except that if the department objects to the order or any of
1346 its conditions, the department shall promptly so advise a state's
1347 attorney or assistant state's attorney, the bail commissioner or intake,
1348 assessment and referral specialist and the arrested person. The state's
1349 attorney or assistant state's attorney may authorize the police
1350 department to delay release, until a hearing can be had before the
1351 court then sitting for the geographical area which includes the
1352 municipality in which the arrested person is being detained or, if the
1353 court is not then sitting, until the next sitting of said court. When cash
1354 bail in excess of ten thousand dollars is received for a detained person

1355 accused of a felony, where the underlying facts and circumstances of
1356 the felony involve the use, attempted use or threatened use of physical
1357 force against another person, the police department shall prepare a
1358 report that contains (1) the name, address and taxpayer identification
1359 number of the accused person, (2) the name, address and taxpayer
1360 identification number of each person offering the cash bail, other than
1361 a person licensed as a professional bondsman under chapter 533 or a
1362 surety bail bond agent under chapter 700f, (3) the amount of cash
1363 received, and (4) the date the cash was received. Not later than fifteen
1364 days after receipt of such cash bail, the police department shall file the
1365 report with the Department of Revenue Services and mail a copy of the
1366 report to the state's attorney for the judicial district in which the
1367 alleged offense was committed and to each person offering the cash
1368 bail.

1369 (e) Except as provided in subsections (f) and (g) of this section, all
1370 information provided to the Court Support Services Division shall be
1371 for the sole purpose of determining and recommending the conditions
1372 of release, and shall otherwise be confidential and retained in the files
1373 of the Court Support Services Division, and not be subject to subpoena
1374 or other court process for use in any other proceeding or for any other
1375 purpose.

1376 (f) The Court Support Services Division shall establish written
1377 procedures for the release of information contained in reports and files
1378 of the Court Support Services Division, such procedures to be
1379 approved by the executive committee of the judges of the Superior
1380 Court. Such procedures shall allow access to (1) nonidentifying
1381 information by qualified persons for purposes of research related to
1382 the administration of criminal justice; (2) all information provided to
1383 the Court Support Services Division by probation officers for the
1384 purposes of compiling presentence reports; and (3) all information
1385 provided to the Court Support Services Division concerning any
1386 person convicted of a crime and held in custody by the Department of
1387 Correction.

1388 (g) Any files and reports held by the Court Support Services
1389 Division may be accessed and disclosed by employees of the division
1390 in accordance with policies and procedures adopted by the Chief
1391 Court Administrator.

1392 Sec. 40. Subsection (c) of section 54-64a of the general statutes is
1393 repealed and the following is substituted in lieu thereof (*Effective*
1394 *October 1, 2012*):

1395 (c) If the court determines that a nonfinancial condition of release
1396 should be imposed pursuant to subparagraph (B) of subdivision (1) of
1397 subsection (a) or (b) of this section, the court shall order the pretrial
1398 release of the person subject to the least restrictive condition or
1399 combination of conditions that the court determines will reasonably
1400 assure the appearance of the arrested person in court and, with respect
1401 to the release of the person pursuant to subsection (b) of this section,
1402 that the safety of any other person will not be endangered, which
1403 conditions may include an order that the arrested person do one or
1404 more of the following: (1) Remain under the supervision of a
1405 designated person or organization; (2) comply with specified
1406 restrictions on such person's travel, association or place of abode; (3)
1407 not engage in specified activities, including the use or possession of a
1408 dangerous weapon, an intoxicant or a controlled substance; (4) provide
1409 sureties of the peace pursuant to section 54-56f under supervision of a
1410 designated bail commissioner or an intake, assessment and referral
1411 specialist; (5) avoid all contact with an alleged victim of the crime and
1412 with a potential witness who may testify concerning the offense; (6)
1413 maintain employment or, if unemployed, actively seek employment;
1414 (7) maintain or commence an educational program; (8) be subject to
1415 electronic monitoring; or (9) satisfy any other condition that is
1416 reasonably necessary to assure the appearance of the person in court
1417 and that the safety of any other person will not be endangered. The
1418 court shall state on the record its reasons for imposing any such
1419 nonfinancial condition.

1420 Sec. 41. Section 54-69 of the general statutes is repealed and the
1421 following is substituted in lieu thereof (*Effective October 1, 2012*):

1422 (a) Whenever in any criminal prosecution the state's attorney for
1423 any judicial district or the assistant state's attorney is of the opinion
1424 that the bond without or with surety given by any accused person is
1425 excessive or insufficient in amount or security, or that the written
1426 promise of such person to appear is inadequate, or whenever any
1427 accused person alleges that the amount or security of the bond given
1428 by such accused person is excessive, such state's attorney or assistant
1429 state's attorney or the accused person may bring an application to the
1430 court in which the prosecution is pending or to any judge thereof,
1431 alleging such excess, insufficiency, or inadequacy, and, after notice as
1432 hereinafter provided and hearing, such judge shall in bailable offenses
1433 continue, modify or set conditions of release upon the first of the
1434 following conditions of release found sufficient to provide reasonable
1435 assurance of the appearance of the accused in court: (1) Upon such
1436 person's execution of a written promise to appear, (2) upon such
1437 person's execution of a bond without surety in no greater amount than
1438 necessary, (3) upon such person's execution of a bond with surety in no
1439 greater amount than necessary.

1440 (b) No hearing upon any such application shall be had until a copy
1441 of such application, together with a notice of the time and place of
1442 hearing thereon, has been served upon the surety or sureties upon
1443 such bond, if any, and upon the appropriate bail commissioner or
1444 intake, assessment and referral specialist and, in the case of an
1445 application by an accused person, upon any such state's attorney, or, in
1446 the case of the application by any such state's attorney, upon the
1447 accused person.

1448 (c) Notwithstanding the provisions of subsection (b) of this section,
1449 a hearing may be had on an application by any such state's attorney
1450 without a copy of such application and notice of the hearing being
1451 served upon the surety or sureties upon such bond, if any, the

1452 appropriate bail commissioner or intake, assessment and referral
1453 specialist and the accused person if the accused person is charged with
1454 the commission of a family violence crime, as defined in section 46b-
1455 38a, or a violation of section 53a-181c, 53a-181d, 53a-181e, 53a-223 or
1456 53a-223b and is being presented at the next sitting of the Superior
1457 Court as required by section 54-1g.

1458 Sec. 42. Section 54-69a of the general statutes is repealed and the
1459 following is substituted in lieu thereof (*Effective October 1, 2012*):

1460 A bail commissioner or an intake, assessment and referral specialist
1461 who has reason to believe that a person released under any of the
1462 provisions of sections 54-63a to 54-63g, inclusive, 54-64a, as amended
1463 by this act, 54-64b and 54-69, as amended by this act, intends not to
1464 appear in court as required by the conditions of release may apply to a
1465 judge of the court before which the person is required to appear, and
1466 verify by oath or otherwise the reason for his or her belief, and request
1467 that the person be brought before the court in order that the conditions
1468 of [his] such person's release be reviewed. Upon finding reasonable
1469 grounds that the released person intends not to appear, the judge shall
1470 forthwith issue a *capias* directed to a proper officer or indifferent
1471 person, commanding [him] such proper officer or indifferent person
1472 forthwith to arrest and bring the person to the court for a hearing to
1473 review the conditions of release. Such hearing shall be upon due notice
1474 as provided in section 54-69, as amended by this act.

1475 Sec. 43. Section 54-71a of the general statutes is repealed and the
1476 following is substituted in lieu thereof (*Effective October 1, 2012*):

1477 No bail commissioner or intake, assessment and referral specialist,
1478 no employee of any police department, no state's attorney or assistant
1479 state's attorney and no municipality may be held liable in a civil action
1480 for damages on account of the release of any person under any of the
1481 provisions of sections 54-63a to 54-63g, inclusive, 54-64a, as amended
1482 by this act, 54-64b and 54-69, as amended by this act.

1483 Sec. 44. Subsection (c) of section 46b-38c of the 2012 supplement to
1484 the general statutes is repealed and the following is substituted in lieu
1485 thereof (*Effective October 1, 2012*):

1486 (c) Each such local family violence intervention unit shall: (1) Accept
1487 referrals of family violence cases from a judge or prosecutor, (2)
1488 prepare written or oral reports on each case for the court by the next
1489 court date to be presented at any time during the court session on that
1490 date, (3) provide or arrange for services to victims and offenders, (4)
1491 administer contracts to carry out such services, and (5) establish
1492 centralized reporting procedures. All information provided to a family
1493 relations counselor, family relations counselor trainee or family
1494 services supervisor employed by the Judicial Department in a local
1495 family violence intervention unit shall be used solely for the purposes
1496 of preparation of the report and the protective order forms for each
1497 case and recommendation of services and shall otherwise be
1498 confidential and retained in the files of such unit and not be subject to
1499 subpoena or other court process for use in any other proceeding or for
1500 any other purpose, except that a family relations counselor, family
1501 relations counselor trainee or family services supervisor employed by
1502 the Judicial Department:

1503 (A) Shall disclose to the court and the prosecuting authority for
1504 appropriate action information that the victim has indicated that the
1505 defendant holds a permit to carry a pistol or revolver or possesses one
1506 or more firearms;

1507 (B) Shall disclose to an employee of the Department of Children and
1508 Families information that indicates that a defendant poses a danger or
1509 threat to a child or a custodial parent of the child;

1510 (C) May disclose to another family relations counselor, family
1511 relations counselor trainee or family services supervisor information
1512 pursuant to guidelines adopted by the Chief Court Administrator;

1513 (D) May disclose to a bail commissioner or an intake, assessment

1514 and referral specialist employed by the Judicial Department
1515 information regarding a defendant who is on or is being considered for
1516 pretrial release;

1517 (E) May disclose to a law enforcement agency information that
1518 indicates that a defendant poses a danger or threat to another person;

1519 (F) May disclose, after disposition of a family violence case, to a
1520 probation officer or a juvenile probation officer, for purposes of
1521 determining service needs and supervision levels, information
1522 regarding a defendant who has been convicted and sentenced to a
1523 period of probation in the family violence case;

1524 (G) May disclose, after a conviction in a family violence case, to a
1525 probation officer for the purpose of preparing a presentence
1526 investigation report, any information regarding the defendant that has
1527 been provided to the family relations counselor, family relations
1528 counselor trainee or family services supervisor in the case or in any
1529 other case that resulted in the conviction of the defendant;

1530 (H) May disclose to any organization under contract with the
1531 Judicial Department to provide family violence programs and services,
1532 for the purpose of determining program and service needs,
1533 information regarding any defendant who is a client of such
1534 organization, provided no information that personally identifies the
1535 victim may be disclosed to such organization; and

1536 (I) Shall disclose such information as may be necessary to fulfill
1537 such counselor's, trainee's or supervisor's duty as a mandated reporter
1538 under section 17a-101a to report suspected child abuse or neglect.

1539 Sec. 45. Section 1-24 of the 2012 supplement to the general statutes is
1540 repealed and the following is substituted in lieu thereof (*Effective*
1541 *October 1, 2012*):

1542 The following officers may administer oaths: (1) The clerks of the
1543 Senate, the clerks of the House of Representatives and the chairpersons

1544 of committees of the General Assembly or of either branch thereof,
1545 during its session; (2) state officers, as defined in subsection (t) of
1546 section 9-1, judges and clerks of any court, family support magistrates,
1547 judge trial referees, justices of the peace, commissioners of the Superior
1548 Court, notaries public, town clerks and assistant town clerks, in all
1549 cases where an oath may be administered, except in a case where the
1550 law otherwise requires; (3) commissioners on insolvent estates,
1551 auditors, arbitrators and committees, to parties and witnesses, in all
1552 cases tried before them; (4) assessors and boards of assessment
1553 appeals, in cases coming before them; (5) commissioners appointed by
1554 governors of other states to take the acknowledgment of deeds, in the
1555 discharge of their official duty; (6) the moderator of a school district
1556 meeting, in such meeting, to the clerk of such district, as required by
1557 law; (7) the first selectman, in any matter before the board of
1558 selectmen; (8) the Chief Medical Examiner, Deputy Medical Examiner
1559 and assistant medical examiners of the Office of the Medical Examiner,
1560 in any matter before them; (9) registrars of vital statistics, in any matter
1561 before them; (10) any chief inspector or inspector appointed pursuant
1562 to section 51-286; (11) registrars of voters, deputy registrars, assistant
1563 registrars, and moderators, in any matter before them; (12) special
1564 assistant registrars, in matters provided for in subsections (b) and (c) of
1565 section 9-19b and section 9-19c; (13) the Commissioner of Emergency
1566 Services and Public Protection and any sworn member of any local
1567 police department or the Division of State Police within the
1568 Department of Emergency Services and Public Protection, in all
1569 affidavits, statements, depositions, complaints or reports made to or by
1570 any member of any local police department or said Division of State
1571 Police or any constable who is under the supervision of said
1572 commissioner or any of such officers of said Division of State Police
1573 and who is certified under the provisions of sections 7-294a to 7-294e,
1574 inclusive, and performs criminal law enforcement duties; (14) judge
1575 advocates of the United States Army, Navy, Air Force and Marine
1576 Corps, law specialists of the United States Coast Guard, adjutants,
1577 assistant adjutants, acting adjutants and personnel adjutants,

1578 commanding officers, executive officers and officers whose rank is
 1579 lieutenant commander or major, or above, of the armed forces, as
 1580 defined in section 27-103, to persons serving with or in the armed
 1581 forces, as defined in said section, or their spouses; (15) investigators,
 1582 deputy investigators, investigative aides, secretaries, clerical assistants,
 1583 social workers, social worker trainees, paralegals and certified legal
 1584 interns employed by or assigned to the Public Defender Services
 1585 Commission in the performance of their assigned duties; (16) bail
 1586 commissioners and intake, assessment and referral specialists
 1587 employed by the Judicial Department in the performance of their
 1588 assigned duties; (17) juvenile matter investigators employed by the
 1589 Division of Criminal Justice in the performance of their assigned
 1590 duties; (18) the chairperson of the Connecticut Siting Council or the
 1591 chairperson's designee; (19) the presiding officer at an agency hearing
 1592 under section 4-177b; (20) family relations counselors employed by the
 1593 Judicial Department and support enforcement officers and
 1594 investigators employed by the Department of Social Services Bureau of
 1595 Child Support Enforcement and the Judicial Department, in the
 1596 performance of their assigned duties; (21) the chairperson, vice-
 1597 chairperson, members and employees of the Board of Pardons and
 1598 Paroles, in the performance of their assigned duties; (22) the
 1599 Commissioner of Correction or the commissioner's designee; and (23)
 1600 sworn law enforcement officers, appointed under section 26-5, within
 1601 the Department of Energy and Environmental Protection, in all
 1602 affidavits, statements, depositions, complaints or reports made to or by
 1603 any such sworn law enforcement officer.

1604 Sec. 46. Sections 51-75 and 52-92 of the general statutes are repealed.
 1605 *(Effective October 1, 2012)*

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	2-40a
Sec. 2	<i>October 1, 2012</i>	6-32d(c)
Sec. 3	<i>January 1, 2013</i>	14-140

Sec. 4	<i>October 1, 2012</i>	14-296aa(j)
Sec. 5	<i>October 1, 2012</i>	21-80(b)
Sec. 6	<i>October 1, 2012</i>	47a-23a(a)
Sec. 7	<i>October 1, 2012</i>	47a-26h(c)
Sec. 8	<i>October 1, 2012</i>	51-53
Sec. 9	<i>October 1, 2012</i>	51-94a
Sec. 10	<i>October 1, 2012</i>	51-164n
Sec. 11	<i>October 1, 2012</i>	51-181c(a)
Sec. 12	<i>October 1, 2012</i>	4b-55(j)
Sec. 13	<i>July 1, 2012</i>	51-197f
Sec. 14	<i>July 1, 2012</i>	51-198
Sec. 15	<i>July 1, 2012</i>	51-201
Sec. 16	<i>July 1, 2012</i>	51-207
Sec. 17	<i>October 1, 2012</i>	51-222a(a)
Sec. 18	<i>October 1, 2012</i>	51-243(d) and (e)
Sec. 19	<i>October 1, 2012</i>	52-72
Sec. 20	<i>October 1, 2012</i>	53a-29
Sec. 21	<i>October 1, 2012</i>	53a-217(a)
Sec. 22	<i>October 1, 2012</i>	54-102g
Sec. 23	<i>October 1, 2012</i>	New section
Sec. 24	<i>October 1, 2012</i>	54-66a
Sec. 25	<i>October 1, 2012</i>	54-142a(c)
Sec. 26	<i>October 1, 2012</i>	54-143b
Sec. 27	<i>October 1, 2012</i>	54-203
Sec. 28	<i>October 1, 2012</i>	54-209
Sec. 29	<i>October 1, 2012</i>	54-210(a)
Sec. 30	<i>October 1, 2012</i>	54-211(d) and (e)
Sec. 31	<i>October 1, 2012</i>	54-212(b)
Sec. 32	<i>October 1, 2012</i>	19a-112f(b)
Sec. 33	<i>July 1, 2012</i>	New section
Sec. 34	<i>July 1, 2012</i>	46b-1
Sec. 35	<i>October 1, 2012</i>	54-108e
Sec. 36	<i>October 1, 2012</i>	46b-124(d)
Sec. 37	<i>October 1, 2012</i>	54-63b(a)
Sec. 38	<i>October 1, 2012</i>	54-63c
Sec. 39	<i>October 1, 2012</i>	54-63d
Sec. 40	<i>October 1, 2012</i>	54-64a(c)
Sec. 41	<i>October 1, 2012</i>	54-69
Sec. 42	<i>October 1, 2012</i>	54-69a
Sec. 43	<i>October 1, 2012</i>	54-71a

Sec. 44	<i>October 1, 2012</i>	46b-38c(c)
Sec. 45	<i>October 1, 2012</i>	1-24
Sec. 46	<i>October 1, 2012</i>	Repealer section

Statement of Purpose:

To make statutory changes necessitated by the expansion of the judicial performance evaluation program to Judge Trial Referees; allow the Judicial Marshal Academy to provide training to a broader range of security training; provide an enforcement mechanism for the payment of certain fees; clarify that twenty-five per cent of the fine imposed for a cell phone violation is distributed to municipalities; make revisions to various summary process-related statutes; authorize clerks to give notice of court orders and decrees by computer, facsimile or other technology; include trustees appointed by the court within the definition of "state officers and employees" for purposes of representation and indemnification; authorize prosecutors and defendants to reach agreement as to amounts to be paid for infractions and violations and process such payments as "bond forfeitures"; eliminate obsolete references to the Community Court "pilot program"; make minor changes to Supreme Court's procedures; add state identification card holders to the jury pool; conform the provisions regarding dismissal of alternate jurors in civil cases to that in criminal cases; allow any proper amendment upon payment of taxable costs; clarify the application of certain statutes to persons convicted of a motor vehicle violation for which a sentence of at least one year imprisonment may be imposed; add the pretrial supervisory diversionary program for persons with psychiatric disabilities to the bail bond termination statute; require that a motion be filed in order for a nolle to enter when a case has been continued at the request of the prosecutor for thirteen months; add a reference to the municipal fee to enable the Judicial Branch to process that fee uniformly; make technical corrections to the Office of Victim Services' powers and duties; revise victim compensation provisions to include situations where disclosures of sexual assault or risk of injury are made to individuals, but no police report is made; eliminate the \$100 deductible on victim compensation; clarify that Office of Victim Services is entitled to recoument of certain funds paid when the victim subsequently receives compensation from another source for the same incident; clarify the Connecticut courts can enter dissolutions of civil unions that have been entered in other states; to specify persons who may access the information contained in alternative sentencing plans

or community release plans; to clarify the functions performed by intake, assessment and referral specialists employed by the Judicial Branch; and repeal obsolete sections pertaining to Messengers of the Supreme and Appellate Court and the pleading of demurrers.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]