



General Assembly

Amendment

February Session, 2012

LCO No. 4508

SB0031104508SD0

Offered by:

SEN. COLEMAN, 2nd Dist.

REP. FOX, 146th Dist.

To: Subst. Senate Bill No. 311

File No. 535

Cal. No. 380

"AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES."

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

3 "Sec. 501. Subdivision (1) of subsection (b) of section 38a-316a of the
4 general statutes, as amended by section 1 of substitute house bill 5230
5 of the current session and House Amendment Schedule "A", is
6 repealed and the following is substituted in lieu thereof (*Effective*
7 *October 1, 2012*):

8 (b) (1) For a (A) personal risk insurance policy, as defined in section
9 38a-663, other than a private passenger nonfleet automobile insurance
10 policy, (B) condominium association master policy under section 47-83,
11 or (C) unit owners' association property insurance policy under section
12 47-255, issued or renewed on or after [July] October 1, 2012, an insurer
13 may impose a hurricane deductible in such policy in lieu of an overall
14 policy deductible during the period commencing with the issuance of

15 a hurricane warning by the National Hurricane Center of the National
16 Weather Service in any part of the state if such hurricane results in a
17 maximum sustained surface wind of seventy-four miles per hour or
18 more for any part of this state.

19 Sec. 502. Subsection (a) of section 46b-140a of the general statutes is
20 repealed and the following is substituted in lieu thereof (*Effective*
21 *October 1, 2012*):

22 (a) At any time during the period of probation or suspended
23 commitment, after hearing and for good cause shown, the court may
24 modify or enlarge the conditions, whether originally imposed by the
25 court under this section or otherwise, and may extend the period as
26 deemed appropriate by the court. The court shall cause a copy of any
27 such order to be delivered to the child or youth and to such [child]
28 child's or youth's parent or guardian and probation officer.

29 Sec. 503. Subsection (a) of section 52-557b of the general statutes is
30 repealed and the following is substituted in lieu thereof (*Effective from*
31 *passage*):

32 (a) A person licensed to practice medicine and surgery under the
33 provisions of chapter 370 or dentistry under the provisions of section
34 20-106 or members of the same professions licensed to practice in any
35 other state of the United States, a person licensed as a registered nurse
36 under section 20-93 or 20-94 or certified as a licensed practical nurse
37 under section 20-96 or 20-97, a medical technician or any person
38 operating a cardiopulmonary resuscitator or a person trained in
39 cardiopulmonary resuscitation in accordance with the [standards]
40 guidelines set forth by the American Red Cross or American Heart
41 Association, or a person operating an automatic external defibrillator,
42 who, voluntarily and gratuitously and other than in the ordinary
43 course of such person's employment or practice, renders emergency
44 medical or professional assistance to a person in need thereof, shall not
45 be liable to such person assisted for civil damages for any personal
46 injuries which result from acts or omissions by such person in

47 rendering the emergency care, which may constitute ordinary
48 negligence. A person or entity that provides or maintains an automatic
49 external defibrillator shall not be liable for the acts or omissions of the
50 person or entity in providing or maintaining the automatic external
51 defibrillator, which may constitute ordinary negligence. The immunity
52 provided in this subsection does not apply to acts or omissions
53 constituting gross, wilful or wanton negligence. With respect to the use
54 of an automatic external defibrillator, the immunity provided in this
55 subsection shall only apply to acts or omissions involving the use of an
56 automatic external defibrillator in the rendering of emergency care.
57 Nothing in this subsection shall be construed to exempt paid or
58 volunteer firefighters, police officers or emergency medical services
59 personnel from completing training in cardiopulmonary resuscitation
60 or in the use of an automatic external defibrillator in accordance with
61 the [standard] guidelines set forth by the American Red Cross or
62 American Heart Association. For the purposes of this subsection,
63 "automatic external defibrillator" means a device that: (1) Is used to
64 administer an electric shock through the chest wall to the heart; (2)
65 contains internal decision-making electronics, microcomputers or
66 special software that allows it to interpret physiologic signals, make
67 medical diagnosis and, if necessary, apply therapy; (3) guides the user
68 through the process of using the device by audible or visual prompts;
69 and (4) does not require the user to employ any discretion or judgment
70 in its use.

71 Sec. 504. Section 53a-73a of the 2012 supplement to the general
72 statutes is repealed and the following is substituted in lieu thereof
73 (*Effective October 1, 2012*):

74 (a) A person is guilty of sexual assault in the fourth degree when: (1)
75 Such person [intentionally] subjects another person to sexual contact
76 who is (A) under thirteen years of age and the actor is more than two
77 years older than such other person, or (B) thirteen years of age or older
78 but under fifteen years of age and the actor is more than three years
79 older than such other person, or (C) mentally defective or mentally
80 incapacitated to the extent that such other person is unable to consent

81 to such sexual contact, or (D) physically helpless, or (E) less than
82 eighteen years old and the actor is such other person's guardian or
83 otherwise responsible for the general supervision of such other
84 person's welfare, or (F) in custody of law or detained in a hospital or
85 other institution and the actor has supervisory or disciplinary
86 authority over such other person; or (2) such person subjects another
87 person to sexual contact without such other person's consent; or (3)
88 such person engages in sexual contact with an animal or dead body; or
89 (4) such person is a psychotherapist and subjects another person to
90 sexual contact who is (A) a patient of the actor and the sexual contact
91 occurs during the psychotherapy session, or (B) a patient or former
92 patient of the actor and such patient or former patient is emotionally
93 dependent upon the actor, or (C) a patient or former patient of the
94 actor and the sexual contact occurs by means of therapeutic deception;
95 or (5) such person subjects another person to sexual contact and
96 accomplishes the sexual contact by means of false representation that
97 the sexual contact is for a bona fide medical purpose by a health care
98 professional; or (6) such person is a school employee and subjects
99 another person to sexual contact who is a student enrolled in a school
100 in which the actor works or a school under the jurisdiction of the local
101 or regional board of education which employs the actor; or (7) such
102 person is a coach in an athletic activity or a person who provides
103 intensive, ongoing instruction and subjects another person to sexual
104 contact who is a recipient of coaching or instruction from the actor and
105 (A) is a secondary school student and receives such coaching or
106 instruction in a secondary school setting, or (B) is under eighteen years
107 of age; or (8) such person subjects another person to sexual contact and
108 (A) the actor is twenty years of age or older and stands in a position of
109 power, authority or supervision over such other person by virtue of
110 the actor's professional, legal, occupational or volunteer status and
111 such other person's participation in a program or activity, and (B) such
112 other person is under eighteen years of age; or (9) such person subjects
113 another person to sexual contact who is placed or receiving services
114 under the direction of the Commissioner of Developmental Services in
115 any public or private facility or program and the actor has supervisory

116 or disciplinary authority over such other person.

117 (b) Sexual assault in the fourth degree is a class A misdemeanor or,
118 if the victim of the offense is under sixteen years of age, a class D
119 felony."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>October 1, 2012</i>	38a-316a(b)(1)
Sec. 502	<i>October 1, 2012</i>	46b-140a(a)
Sec. 503	<i>from passage</i>	52-557b(a)
Sec. 504	<i>October 1, 2012</i>	53a-73a