



Senate

General Assembly

File No. 605

January Session, 2013

Senate Bill No. 828

Senate, April 24, 2013

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING SEXUAL OFFENDER REGISTRATION REQUIREMENTS FOR CERTAIN PERSONS GRANTED TEMPORARY LEAVE BY THE PSYCHIATRIC SECURITY REVIEW BOARD.

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

1 Section 1. Subdivision (10) of section 54-250 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2013*):

4 (10) "Release into the community" means, with respect to a
5 conviction or a finding of not guilty by reason of mental disease or
6 defect of a criminal offense against a victim who is a minor, a
7 nonviolent sexual offense, a sexually violent offense or a felony found
8 by the sentencing court to have been committed for a sexual purpose,
9 (A) any release by a court after such conviction or finding of not guilty
10 by reason of mental disease or defect, a sentence of probation or any
11 other sentence under section 53a-28 that does not result in the
12 offender's immediate placement in the custody of the Commissioner of
13 Correction; (B) release from a correctional facility at the discretion of

14 the Board of Pardons and Paroles, by the Department of Correction to
15 a program authorized by section 18-100c or upon completion of the
16 maximum term or terms of the offender's sentence or sentences, or to
17 the supervision of the Court Support Services Division in accordance
18 with the terms of the offender's sentence; or (C) temporary leave to an
19 approved residence by the Psychiatric Security Review Board pursuant
20 to section 17a-587, conditional release from a hospital for mental illness
21 or a facility for persons with intellectual disability by the Psychiatric
22 Security Review Board [on conditional release] pursuant to section
23 17a-588, or release upon termination of commitment to the Psychiatric
24 Security Review Board.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	54-250(10)

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which modifies the definition of "release into the community" as it relates to the registration of sexual offenders, has no fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**SB 828*****AN ACT CONCERNING SEXUAL OFFENDER REGISTRATION REQUIREMENTS FOR CERTAIN PERSONS GRANTED TEMPORARY LEAVE BY THE PSYCHIATRIC SECURITY REVIEW BOARD.*****SUMMARY:**

This bill expands the list of people who must register as sex offenders with the emergency services and public protection commissioner by including those the Psychiatric Security Review Board releases into the community on a temporary leave to a residence it approves.

By law, the board may grant temporary leave to people who were (1) found not guilty by reason of mental disease or defect and (2) confined to a hospital for psychiatric disabilities or placed with the developmental services commissioner. The board may grant such leave when the hospital's superintendent or commissioner requests it.

Under the bill, the people the board approves for temporary release must register as sex offenders within three days of their release if they were found not guilty by reason of mental disease or defect for:

1. a criminal offense against a minor,
2. a nonviolent sexual offense,
3. a sexually violent offense, or
4. a felony found by the sentencing court to have been committed for sexual purposes.

Under current law, people convicted or found not guilty by reason of mental disease or defect for these offenses may be released into the

community under specified conditions.

EFFECTIVE DATE: July 1, 2013

EXTENDED SEXUAL OFFENDER REGISTRATION REQUIREMENT

The bill extends the sexual offender registration requirement to people the Psychiatric Security Review Board approves, by law, for temporary leave from a hospital for psychiatric disabilities or placed with the developmental services commissioner. Under current law, the registration requirement applies when the board conditionally releases a person convicted or found not guilty of specified offenses from a hospital for mental illness or a facility for people with intellectual disabilities. It also applies when these people complete the term of their confinement.

By law, the registration requirement also applies to people released:

1. by a court after the conviction or finding of not guilty by reason of mental disease or defect, a sentence of probation or any other authorized sentences that does not result in the offender's immediate placement in the custody of the corrections commissioner or
2. from a correctional facility at the discretion of the Board of Pardons and Paroles, by the Correction Department to a halfway house, group home, mental health facility, or other approved community correction program or upon completion of the maximum term or terms of the offender's sentence or sentences, or to the supervision of the Court Support Services Division in accordance with the terms of the offender's sentence.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 44 Nay 0 (04/12/2013)