



General Assembly

**Amendment**

January Session, 2013

LCO No. 7775

**\*HB0670207775HDO\***

Offered by:

REP. FOX, 146<sup>th</sup> Dist.

REP. FLEXER, 44<sup>th</sup> Dist.

To: Subst. House Bill No. 6702

File No. 744

Cal. No. 523

**"AN ACT CONCERNING DOMESTIC VIOLENCE AND SEXUAL ASSAULT."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 53a-32 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2013*):

6 (a) At any time during the period of probation or conditional  
7 discharge, the court or any judge thereof may issue a warrant for the  
8 arrest of a defendant for violation of any of the conditions of probation  
9 or conditional discharge, or may issue a notice to appear to answer to a  
10 charge of such violation, which notice shall be personally served upon  
11 the defendant. Any such warrant shall authorize all officers named  
12 therein to return the defendant to the custody of the court or to any  
13 suitable detention facility designated by the court. Whenever a  
14 probation officer has probable cause to believe that a person has

15 violated a condition of such person's probation, such probation officer  
16 may notify any police officer that such person has, in such officer's  
17 judgment, violated the conditions of such person's probation and such  
18 notice shall be sufficient warrant for the police officer to arrest such  
19 person and return such person to the custody of the court or to any  
20 suitable detention facility designated by the court. Whenever a  
21 probation officer so notifies a police officer, the probation officer shall  
22 notify the victim of the offense for which such person is on probation,  
23 and any victim advocate assigned to assist the victim, provided the  
24 probation officer has been provided with the name and contact  
25 information for such victim or victim advocate. Any probation officer  
26 may arrest any defendant on probation without a warrant or may  
27 deputize any other officer with power to arrest to do so by giving such  
28 other officer a written statement setting forth that the defendant has, in  
29 the judgment of the probation officer, violated the conditions of the  
30 defendant's probation. Such written statement, delivered with the  
31 defendant by the arresting officer to the official in charge of any  
32 correctional center or other place of detention, shall be sufficient  
33 warrant for the detention of the defendant. After making such an  
34 arrest, such probation officer shall present to the detaining authorities  
35 a similar statement of the circumstances of violation. Provisions  
36 regarding release on bail of persons charged with a crime shall be  
37 applicable to any defendant arrested under the provisions of this  
38 section. Upon such arrest and detention, the probation officer shall  
39 immediately so notify the court or any judge thereof.

40 Sec. 2. Subparagraph (K) of subdivision (7) of subsection (b) of  
41 section 54-203 of the general statutes is repealed and the following is  
42 substituted in lieu thereof (*Effective October 1, 2013*):

43 (K) Subject to the provisions of section 53a-32, as amended by this  
44 act, the victim and any victim advocate assigned to assist the victim  
45 may receive notification from a probation officer whenever the officer  
46 has notified a police officer that the probation officer has probable  
47 cause to believe that the offender has violated a condition of such  
48 offender's probation.

49 Sec. 3. Subsection (j) of section 46b-38c of the general statutes is  
50 repealed and the following is substituted in lieu thereof (*Effective*  
51 *October 1, 2013*):

52 (j) The Judicial Department shall establish an ongoing training  
53 program for judges, Court Support Services Division personnel,  
54 guardians ad litem and clerks to inform them about the policies and  
55 procedures of sections 46b-1, 46b-15, 46b-38a to 46b-38f, inclusive, and  
56 54-1g, including, but not limited to, the function of the family violence  
57 intervention units and the use of restraining and protective orders.

58 Sec. 4. Section 47a-11e of the general statutes is repealed and the  
59 following is substituted in lieu thereof (*Effective October 1, 2013*):

60 (a) Notwithstanding the provisions of this chapter and chapter 831,  
61 for rental agreements entered into or renewed on or after January 1,  
62 2011, any tenant who (1) is a victim of family violence, as defined in  
63 section 46b-38a, and (2) reasonably believes it is necessary to vacate the  
64 dwelling unit due to fear of imminent harm to the tenant or a  
65 dependent of the tenant because of family violence, may terminate his  
66 or her rental agreement with the landlord for the dwelling unit that the  
67 tenant occupies without penalty or liability for the remaining term of  
68 the rental agreement by giving written notice to the landlord at least  
69 thirty days prior to the date the tenant intends to terminate the rental  
70 agreement. Notwithstanding the provisions of this chapter and chapter  
71 831, for rental agreements entered into or renewed on or after January  
72 1, 2014, any tenant who (A) is a victim of sexual assault under any  
73 provision of section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b  
74 or 53a-73a, or is the parent or guardian with physical custody of a  
75 dependent who is the victim of sexual assault under section 53a-70c,  
76 and (B) reasonably believes it is necessary to vacate the dwelling unit  
77 due to fear of imminent harm to the tenant or a dependent of the  
78 tenant because of such sexual assault, may terminate his or her rental  
79 agreement with the landlord for the dwelling unit that the tenant  
80 occupies without penalty or liability for the remaining term of the  
81 rental agreement by giving written notice to the landlord at least thirty

82 days prior to the date the tenant intends to terminate the rental  
83 agreement.

84 (b) Such notice shall include: (1) A statement made under oath or  
85 affirmation that (A) the tenant or a dependent of the tenant is a victim  
86 of family violence or sexual assault, as the case may be; (B) the tenant  
87 intends to terminate the rental agreement and the date of such  
88 intended termination; and (C) the tenant has vacated the premises and  
89 removed all of his or her possessions and personal effects or, prior to  
90 the date of such termination, will vacate the premises and remove all  
91 of his or her possessions and personal effects and, if such possessions  
92 and personal effects have not been removed by the date of such  
93 termination, has abandoned such possessions and personal effects; and  
94 (2) (A) a copy of a police or court record detailing an act of family  
95 violence or sexual assault against the tenant or the tenant's dependent  
96 that is dated not more than ninety days prior to the date of the tenant's  
97 notice, or (B) a signed written statement from an employee of the  
98 Office of Victim Services within the Judicial Department or the Office  
99 of Victim Advocate detailing an act of family violence or sexual assault  
100 against the tenant or the tenant's dependent that is dated not more  
101 than thirty days prior to the date of the tenant's notice.

102 (c) The tenant's termination of his or her rental agreement with the  
103 landlord pursuant to this section shall not relieve (1) the tenant from  
104 liability to the landlord for any rent arrearage incurred prior to such  
105 termination of the rental agreement or from liability to the landlord for  
106 property damage caused by the tenant, or (2) any other tenant from  
107 liability to the landlord under the rental agreement.

108 (d) If the tenant terminates his or her rental agreement with the  
109 landlord pursuant to this section, any occupant without the right or  
110 privilege to occupy such dwelling unit shall vacate the premises prior  
111 to the date of such termination.

112 (e) If such tenant or occupant fails to vacate the premises as of the  
113 date of such termination, the landlord may bring an action pursuant to

114 chapter 832.

115 (f) The landlord may bring an action in the housing session of the  
116 Superior Court for injunctive relief to prevent the termination of the  
117 rental agreement if the requirements set forth in this section for such  
118 termination have not been satisfied.

119 Sec. 5. Subsection (a) of section 8-357 of the general statutes is  
120 repealed and the following is substituted in lieu thereof (*Effective*  
121 *October 1, 2013*):

122 (a) The state, acting by and in the discretion of the Commissioner of  
123 Economic and Community Development, may enter into a contract  
124 with a community housing development corporation, a municipal  
125 developer or a nonprofit corporation for state financial assistance in  
126 the form of a state grant-in-aid, loan, deferred loan, loan guarantee or  
127 interest subsidy for the cost of acquisition, construction, rehabilitation  
128 or renovation of multifamily dwellings for persons and families whose  
129 adjusted monthly income does not exceed fifty per cent of the median  
130 household income, as determined by the commissioner, for the area in  
131 which they reside and who have received emergency shelter services  
132 or shelter services for [battered women] victims of domestic violence  
133 and are in need of transitional housing and support services for a  
134 period of six to twenty-four months. Such housing and services shall  
135 be designed to enable such persons to maintain their current jobs,  
136 improve their employment skills, retrain for different occupations or  
137 continue their education. Such services may include, without  
138 limitation, information and referral; counseling and support groups;  
139 aid in finding vocational training, education or employment; health,  
140 nutrition, fitness and recreation programs; child care; transportation;  
141 legal aid; and financial counseling. In the case of a deferred loan, the  
142 contract shall require that payments on interest are due immediately  
143 but that payments on principal may be made at a later time.

144 Sec. 6. Subparagraph (B) of subdivision (7) of section 12-81 of the  
145 general statutes is repealed and the following is substituted in lieu

146 thereof (*Effective October 1, 2013*):

147 (B) On and after July 1, 1967, housing subsidized, in whole or in  
148 part, by federal, state or local government and housing for persons or  
149 families of low and moderate income shall not constitute a charitable  
150 purpose under this section. As used in this subdivision, "housing" shall  
151 not include real property used for temporary housing belonging to, or  
152 held in trust for, any corporation organized exclusively for charitable  
153 purposes and exempt from taxation for federal income tax purposes,  
154 the primary use of which property is one or more of the following: (i)  
155 An orphanage; (ii) a drug or alcohol treatment or rehabilitation facility;  
156 (iii) housing for homeless individuals, mentally or physically  
157 handicapped individuals or persons with intellectual disability, or for  
158 [battered or abused women and children] victims of domestic violence;  
159 (iv) housing for ex-offenders or for individuals participating in a  
160 program sponsored by the state Department of Correction or Judicial  
161 Branch; and (v) short-term housing operated by a charitable  
162 organization where the average length of stay is less than six months.  
163 The operation of such housing, including the receipt of any rental  
164 payments, by such charitable organization shall be deemed to be an  
165 exclusively charitable purpose;

166 Sec. 7. Subsection (b) of section 17a-101 of the general statutes is  
167 repealed and the following is substituted in lieu thereof (*Effective*  
168 *October 1, 2013*):

169 (b) The following persons shall be mandated reporters: Any  
170 physician or surgeon licensed under the provisions of chapter 370, any  
171 resident physician or intern in any hospital in this state, whether or not  
172 so licensed, any registered nurse, licensed practical nurse, medical  
173 examiner, dentist, dental hygienist or psychologist, a school employee,  
174 as defined in section 53a-65, social worker, police officer, juvenile or  
175 adult probation officer, juvenile or adult parole officer, member of the  
176 clergy, pharmacist, physical therapist, optometrist, chiropractor,  
177 podiatrist, mental health professional or physician assistant, any  
178 person who is a licensed or certified emergency medical services

179 provider, any person who is a licensed or certified alcohol and drug  
180 counselor, any person who is a licensed marital and family therapist,  
181 any person who is a sexual assault counselor or a [battered women's]  
182 domestic violence counselor, as defined in section 52-146k, as amended  
183 by this act, any person who is a licensed professional counselor, any  
184 person who is a licensed foster parent, any person paid to care for a  
185 child in any public or private facility, child day care center, group day  
186 care home or family day care home licensed by the state, any employee  
187 of the Department of Children and Families, any employee of the  
188 Department of Public Health who is responsible for the licensing of  
189 child day care centers, group day care homes, family day care homes  
190 or youth camps, the Child Advocate and any employee of the Office of  
191 the Child Advocate and any family relations counselor, family  
192 relations counselor trainee or family services supervisor employed by  
193 the Judicial Department.

194 Sec. 8. Subdivision (1) of subsection (a) of section 17b-112a of the  
195 general statutes is repealed and the following is substituted in lieu  
196 thereof (*Effective October 1, 2013*):

197 (1) "Victim of domestic violence" means a person who has been  
198 [battered] abused or subjected to extreme cruelty by: (A) Physical acts  
199 that resulted in or were threatened to result in physical injury; (B)  
200 sexual abuse; (C) sexual activity involving a child in the home; (D)  
201 being forced to participate in nonconsensual sexual acts or activities;  
202 (E) threats of or attempts at physical or sexual abuse; (F) mental abuse;  
203 or (G) neglect or deprivation of medical care; and

204 Sec. 9. Subsection (a) of section 17b-407 of the general statutes is  
205 repealed and the following is substituted in lieu thereof (*Effective*  
206 *October 1, 2013*):

207 (a) Any physician or surgeon licensed under the provisions of  
208 chapter 370, any resident physician or intern in any hospital in this  
209 state, whether or not so licensed, and any registered nurse, licensed  
210 practical nurse, medical examiner, dentist, optometrist, chiropractor,

211 podiatrist, social worker, clergyman, police officer, pharmacist,  
212 physical therapist, long-term care facility administrator, nurse's aide or  
213 orderly in a long-term care facility, any person paid for caring for a  
214 patient in a long-term care facility, any staff person employed by a  
215 long-term care facility and any person who is a sexual assault  
216 counselor or a [battered women's] domestic violence counselor as  
217 defined in section 52-146k, as amended by this act, who has reasonable  
218 cause to suspect or believe that a resident in a long-term care facility  
219 has been abused, neglected, exploited or abandoned, or is in a  
220 condition that is the result of such abuse, neglect, exploitation or  
221 abandonment, shall, not later than seventy-two hours after such  
222 suspicion or belief arose, report such information or cause a report to  
223 be made in any reasonable manner to the Commissioner of Social  
224 Services pursuant to chapter 319dd. Any person required to report  
225 under the provision of this section who fails to make such report  
226 within the prescribed time period shall be fined not more than five  
227 hundred dollars, except that, if such person intentionally fails to make  
228 such report within the prescribed time period, such person shall be  
229 guilty of a class C misdemeanor for the first offense and a class A  
230 misdemeanor for any subsequent offense.

231 Sec. 10. Subsection (a) of section 46a-11b of the general statutes is  
232 repealed and the following is substituted in lieu thereof (*Effective*  
233 *October 1, 2013*):

234 (a) Any physician or surgeon licensed under the provisions of  
235 chapter 370, any resident physician or intern in any hospital in this  
236 state, whether or not so licensed, any registered nurse, any person paid  
237 for caring for persons in any facility and any licensed practical nurse,  
238 medical examiner, dental hygienist, dentist, occupational therapist,  
239 optometrist, chiropractor, psychologist, podiatrist, social worker,  
240 school teacher, school principal, school guidance counselor, school  
241 paraprofessional, mental health professional, physician assistant,  
242 licensed or certified substance abuse counselor, licensed marital and  
243 family therapist, speech and language pathologist, clergyman, police  
244 officer, pharmacist, physical therapist, licensed professional counselor

245 or sexual assault counselor or [battered women's] domestic violence  
246 counselor, as defined in section 52-146k, as amended by this act, who  
247 has reasonable cause to suspect or believe that any person with  
248 intellectual disability has been abused or neglected shall, as soon as  
249 practicable but not later than seventy-two hours after such person has  
250 reasonable cause to suspect or believe that a person with intellectual  
251 disability has been abused or neglected, report such information or  
252 cause a report to be made in any reasonable manner to the director or  
253 persons the director designates to receive such reports. Such initial  
254 report shall be followed up by a written report not later than five  
255 calendar days after the initial report was made. Any person required to  
256 report under this subsection who fails to make such report shall be  
257 fined not more than five hundred dollars.

258 Sec. 11. Subsection (f) of section 46b-38b of the general statutes is  
259 repealed and the following is substituted in lieu thereof (*Effective*  
260 *October 1, 2013*):

261 (f) The Police Officer Standards and Training Council, in  
262 conjunction with the Division of Criminal Justice, shall establish an  
263 education and training program for law enforcement officers,  
264 supervisors and state's attorneys on the handling of family violence  
265 incidents. Training under such program shall: (1) Stress the  
266 enforcement of criminal law in family violence cases and the use of  
267 community resources, and include training for peace officers at both  
268 recruit and in-service levels; and (2) include, but not be limited to: (A)  
269 The nature, extent and causes of family violence; (B) legal rights of and  
270 remedies available to victims of family violence and persons accused  
271 of family violence; (C) services and facilities available to victims and  
272 [batterers] persons who commit acts of family violence; (D) legal duties  
273 imposed on police officers to make arrests and to offer protection and  
274 assistance, including applicable probable cause standards; and (E)  
275 techniques for handling incidents of family violence that minimize the  
276 likelihood of injury to the officer and promote the safety of the victim.  
277 On and after July 1, 2010, training under such program shall also  
278 include, within available appropriations, information on (i) the impact

279 of arrests of multiple parties in a family violence case on the  
280 immigration status of the parties; (ii) crime scene investigation and  
281 evaluation practices in family violence cases designed by the council to  
282 reduce the number of multiple arrests in family violence cases; and (iii)  
283 practical considerations in the application of [state] the general statutes  
284 related to family violence. On and after July 1, 2010, such training shall  
285 also address, within available appropriations, eligibility for federal T  
286 Visas for victims of human trafficking and federal U Visas for  
287 unauthorized immigrants who are victims of family violence and other  
288 crimes.

289 Sec. 12. Subsection (d) of section 46b-38c of the general statutes is  
290 repealed and the following is substituted in lieu thereof (*Effective*  
291 *October 1, 2013*):

292 (d) In all cases of family violence, a written or oral report that  
293 indicates whether the parties in the family violence case are parties to a  
294 case pending on the family relations docket of the Superior Court and  
295 includes recommendation of the local family violence intervention unit  
296 shall be available to a judge at the first court date appearance to be  
297 presented at any time during the court session on that date. A judge of  
298 the Superior Court may consider and impose the following conditions  
299 to protect the parties, including, but not limited to: (1) Issuance of a  
300 protective order pursuant to subsection (e) of this section; (2)  
301 prohibition against subjecting the victim to further violence; (3) referral  
302 to a family violence education program for [batterers] persons who  
303 commit acts of family violence; and (4) immediate referral for more  
304 extensive case assessment. Such protective order shall be an order of  
305 the court, and the clerk of the court shall cause (A) a copy of such  
306 order to be sent to the victim, and (B) a copy of such order, or the  
307 information contained in such order, to be sent by facsimile or other  
308 means within forty-eight hours of its issuance to the law enforcement  
309 agency for the town in which the victim resides and, if the defendant  
310 resides in a town different from the town in which the victim resides,  
311 to the law enforcement agency for the town in which the defendant  
312 resides. If the victim is employed in a town different from the town in

313 which the victim resides, the clerk of the court shall, upon the request  
314 of the victim, send, by facsimile or other means, a copy of such order,  
315 or the information contained in such order, to the law enforcement  
316 agency for the town in which the victim is employed not later than  
317 forty-eight hours after the issuance of such order. If the victim is  
318 enrolled in a public or private elementary or secondary school,  
319 including a technical high school, or an institution of higher education,  
320 as defined in section 10a-55, the clerk of the court shall, upon the  
321 request of the victim, send, by facsimile or other means, a copy of such  
322 order, or the information contained in such order, to such school or  
323 institution of higher education, the president of any institution of  
324 higher education at which the victim is enrolled and the special police  
325 force established pursuant to section 10a-142, if any, at the institution  
326 of higher education at which the victim is enrolled.

327 Sec. 13. Section 52-146k of the general statutes is repealed and the  
328 following is substituted in lieu thereof (*Effective October 1, 2013*):

329 (a) As used in this section:

330 (1) ["Battered women's center"] "Domestic violence agency" means  
331 any office, shelter, host home or [center] agency offering assistance to  
332 [battered women] victims of domestic violence through crisis  
333 intervention, emergency shelter referral and medical and legal  
334 advocacy, and which meets the Department of Social Services criteria  
335 of service provision for such [centers] agencies.

336 (2) ["Battered women's counselor"] "Domestic violence counselor"  
337 means any person engaged in a [battered women's center] domestic  
338 violence agency (A) who has undergone a minimum of twenty hours  
339 of training which shall include, but not be limited to, the dynamics of  
340 [battering] domestic violence, crisis intervention, communication  
341 skills, working with diverse populations, an overview of the state  
342 criminal justice system and information about state and community  
343 resources for [battered women] victims of domestic violence, (B) who  
344 is certified as a counselor by the [battered women's center which]

345 domestic violence agency that provided such training, (C) who is  
346 under the control of a direct service supervisor of a [battered women's  
347 center] domestic violence agency, and (D) whose primary purpose is  
348 the rendering of advice, counsel and assistance to, and the advocacy of  
349 the cause of, [battered women] victims of domestic violence.

350 (3) "Confidential communication" means information transmitted  
351 between a victim of [a battering] domestic violence or a victim of a  
352 sexual assault and a [battered women's] domestic violence counselor  
353 or a sexual assault counselor in the course of that relationship and in  
354 confidence by a means which, so far as the victim is aware, does not  
355 disclose the information to a third person other than any person who is  
356 present to further the interests of the victim in the consultation or any  
357 person to whom disclosure is reasonably necessary for the  
358 transmission of the information or for the accomplishment of the  
359 purposes for which such counselor is consulted, and includes all  
360 information received by, and any advice, report or working paper  
361 given or made by, such counselor in the course of the relationship with  
362 the victim.

363 (4) "Rape crisis center" means any office, institution or center  
364 offering assistance to victims of sexual assault and their families  
365 through crisis intervention, medical and legal advocacy and follow-up  
366 counseling.

367 (5) "Sexual assault counselor" means (A) any person engaged in a  
368 rape crisis center who (i) has undergone a minimum of twenty hours  
369 of training which shall include, but not be limited to, the dynamics of  
370 sexual assault and incest, crisis intervention, communication skills,  
371 working with diverse populations, an overview of the state criminal  
372 justice system, information about hospital and medical systems and  
373 information about state and community resources for sexual assault  
374 victims, (ii) is certified as a counselor by the sexual assault center  
375 which has provided such training, (iii) is under the control of a direct  
376 services supervisor of a rape crisis center, and (iv) whose primary  
377 purpose is the rendering of advice, counseling and assistance to, and

378 the advocacy of the cause of, victims of sexual assault, or (B) any  
379 member of the armed forces of the state or the United States who is  
380 trained and certified as a victim advocate or a sexual assault  
381 prevention coordinator in accordance with the military's sexual assault  
382 prevention and response program.

383 (6) "Victim" means any person who consults a [battered women's]  
384 domestic violence counselor or a sexual assault counselor for the  
385 purpose of securing advice, counseling or assistance concerning a  
386 mental, physical or emotional condition caused by [a battering]  
387 domestic violence or a sexual assault.

388 (b) On or after October 1, 1983, a [battered women's] domestic  
389 violence counselor or a sexual assault counselor shall not disclose any  
390 confidential communications made to such counselor at any time by a  
391 victim in any civil or criminal case or proceeding or in any legislative  
392 or administrative proceeding unless the victim making the confidential  
393 communications waives the privilege, provided under no  
394 circumstances shall the location of the [battered women's center]  
395 domestic violence agency or rape crisis center or the identity of the  
396 [battered women's] domestic violence counselor or sexual assault  
397 counselor be disclosed in any civil or criminal proceeding. Any request  
398 made on or after October 1, 1983, by the defendant or the state for such  
399 confidential communications shall be subject to the provisions of this  
400 subsection.

401 (c) When a victim is deceased or has been adjudged incompetent by  
402 a court of competent jurisdiction, the guardian of the victim or the  
403 executor or administrator of the estate of the victim may waive the  
404 privilege established by this section.

405 (d) A minor may knowingly waive the privilege established by this  
406 section. In any instance where the minor is, in the opinion of the court,  
407 incapable of knowingly waiving the privilege, the parent or guardian  
408 of the minor may waive the privilege on behalf of the minor, provided  
409 [such] the parent or guardian is not the defendant and does not have a

410 relationship with the defendant such that [he] the parent or guardian  
411 has an interest in the outcome of the proceeding.

412 (e) The privilege established by this section shall not apply: (1) In  
413 matters of proof concerning chain of custody of evidence; (2) in  
414 matters of proof concerning the physical appearance of the victim at  
415 the time of the injury; or (3) where the [battered women's] domestic  
416 violence counselor or sexual assault counselor has knowledge that the  
417 victim has given perjured testimony and the defendant or the state has  
418 made an offer of proof that perjury may have been committed by the  
419 victim.

420 (f) The failure of any party to testify as a witness pursuant to the  
421 provisions of this section shall not result in an inference unfavorable to  
422 the state's cause or to the cause of the defendant.

423 Sec. 14. Subsection (d) of section 54-209 of the general statutes is  
424 repealed and the following is substituted in lieu thereof (*Effective*  
425 *October 1, 2013*):

426 (d) In instances where a violation of section 53-21, 53a-70, 53a-70a,  
427 53a-70b, 53a-70c, 53a-71, 53a-72a, 53a-72b or 53a-73a has been alleged,  
428 the Office of Victim Services or, on review, a victim compensation  
429 commissioner may order compensation be paid if (1) the personal  
430 injury has been disclosed to: (A) A physician or surgeon licensed  
431 under chapter 370; (B) a resident physician or intern in any hospital in  
432 this state, whether or not licensed; (C) a physician assistant licensed  
433 under chapter 370; (D) an advanced practice registered nurse,  
434 registered nurse or practical nurse licensed under chapter 378; (E) a  
435 psychologist licensed under chapter 383; (F) a police officer; (G) a  
436 mental health professional; (H) an emergency medical services  
437 provider licensed or certified under chapter 368d; (I) an alcohol and  
438 drug counselor licensed or certified under chapter 376b; (J) a marital  
439 and family therapist licensed under chapter 383a; (K) a domestic  
440 violence counselor or a sexual assault counselor, [or battered women's  
441 counselor] as defined in section 52-146k, as amended by this act; (L) a

442 professional counselor licensed under chapter 383c; (M) a clinical  
443 social worker licensed under chapter 383b; or (N) an employee of the  
444 Department of Children and Families; and (2) the office or  
445 commissioner, as the case may be, reasonably concludes that a  
446 violation of any of said sections has occurred.

447 Sec. 15. Section 18-87j of the general statutes is repealed and the  
448 following is substituted in lieu thereof (*Effective October 1, 2013*):

449 There is established a Criminal Justice Policy Advisory Commission  
450 which shall be within the Office of Policy and Management for  
451 administrative purposes only. The commission shall consist of the  
452 undersecretary of the Criminal Justice Policy and Planning Division  
453 within the Office of Policy and Management, the Chief Court  
454 Administrator, the Commissioner of Correction, the Commissioner of  
455 Public Safety, the Chief State's Attorney, the Chief Public Defender, the  
456 Commissioner of Mental Health and Addiction Services and the  
457 chairperson of the Board of Pardons and Paroles, or their designees,  
458 the executive director of the Court Support Services Division or other  
459 designee of the Chief Court Administrator and the following members,  
460 each of whom shall be appointed by the Governor: Three government  
461 officials, a police chief, [two] three persons representing offender and  
462 victim services within the private community and two public  
463 members. In addition, the Labor Commissioner and the Commissioner  
464 of Social Services, or their designees, shall be members of the  
465 commission with authority to deliberate and vote on matters  
466 concerning employment and entitlement programs available to adult  
467 and juvenile offenders who are reentering the community, and the  
468 Commissioner of Children and Families and the Commissioner of  
469 Education, or their designees, shall be members of the commission  
470 with authority to participate and vote on matters concerning juvenile  
471 justice. The undersecretary of the Criminal Justice Policy and Planning  
472 Division shall serve as chairperson of the commission. The commission  
473 shall meet at such times as it deems necessary.

474 Sec. 16. (NEW) (*Effective July 1, 2013*) The Chief Court Administrator

475 shall provide in each court where family matters or family violence  
476 matters are heard or where a domestic violence docket, as defined in  
477 section 51-181e of the general statutes, is located a secure room for  
478 victims of family violence crimes and advocates for victims of family  
479 violence crimes which is separate from any public or private area of  
480 the court intended to accommodate the respondent or defendant or the  
481 respondent's or defendant's family, friends, attorneys or witnesses and  
482 separate from the office of the state's attorney, provided such a room is  
483 available and the use of such room is practical.

484 Sec. 17. Section 29-36k of the general statutes is repealed and the  
485 following is substituted in lieu thereof (*Effective October 1, 2013*):

486 (a) Not later than two business days after the occurrence of any  
487 event that makes a person ineligible to possess a pistol or revolver or  
488 other firearm, such person shall (1) transfer in accordance with section  
489 29-33 all pistols and revolvers which such person then possesses to any  
490 person eligible to possess a pistol or revolver and transfer in  
491 accordance with any applicable state and federal laws all other  
492 firearms to any person eligible to possess such other firearms by  
493 obtaining an authorization number for the sale or transfer of the  
494 firearm from the Commissioner of Emergency Services and Public  
495 Protection, and submit a sale or transfer of firearms form to said  
496 commissioner within two business days, except that a person  
497 [described in subdivision (3) of subsection (a) of section 53a-217]  
498 subject to a restraining or protective order or a foreign order of  
499 protection may only transfer a pistol, revolver or other firearm under  
500 this subdivision to a federally licensed firearms dealer pursuant to the  
501 sale of the pistol, revolver or other firearm to the federally licensed  
502 firearms dealer, or (2) deliver or surrender such pistols and revolvers  
503 and other firearms to the Commissioner of Emergency Services and  
504 Public Protection. The commissioner shall exercise due care in the  
505 receipt and holding of such pistols and revolvers and other firearms.  
506 For the purposes of this section, a ["person described in subdivision (3)  
507 of subsection (a) of section 53a-217" means a person described in said  
508 subdivision, regardless of whether such person was convicted under

509 said subdivision] "person subject to a restraining or protective order or  
510 a foreign order of protection" means a person who knows that such  
511 person is subject to (A) a restraining or protective order of a court of  
512 this state that has been issued against such person, after notice and an  
513 opportunity to be heard has been provided to such person, in a case  
514 involving the use, attempted use or threatened use of physical force  
515 against another person, or (B) a foreign order of protection, as defined  
516 in section 46b-15a, that has been issued against such person in a case  
517 involving the use, attempted use or threatened use of physical force  
518 against another person.

519 (b) Such person, or such person's legal representative, may, at any  
520 time up to one year after such delivery or surrender, transfer such  
521 pistols and revolvers in accordance with the provisions of section 29-33  
522 to any person eligible to possess a pistol or revolver and transfer such  
523 other firearms, in accordance with any applicable state and federal  
524 laws, to any person eligible to possess such other firearms, provided  
525 any [such person described in subdivision (3) of subsection (a) of  
526 section 53a-217] person subject to a restraining or protective order or a  
527 foreign order of protection, or such person's legal representative, may  
528 only transfer such pistol, revolver or other firearm to a federally  
529 licensed firearms dealer pursuant to the sale of the pistol, revolver or  
530 other firearm to the federally licensed firearms dealer. Upon  
531 notification in writing by the transferee and such person, the  
532 Commissioner of Emergency Services and Public Protection shall,  
533 within ten days, deliver such pistols and revolvers or other firearms to  
534 the transferee. If, at the end of such year, such pistols and revolvers or  
535 other firearms have not been so transferred, the commissioner shall  
536 cause them to be destroyed.

537 (c) Any person who fails to transfer, deliver or surrender any such  
538 pistols and revolvers and other firearms as provided in this section  
539 shall be subject to the penalty provided for in section 53a-217 or 53a-  
540 217c.

541 Sec. 18. Section 29-36n of the general statutes is repealed and the

542 following is substituted in lieu thereof (*Effective October 1, 2013*):

543 (a) The Commissioner of Emergency Services and Public Protection,  
544 in conjunction with the Chief State's Attorney and the Connecticut  
545 Police Chiefs Association, shall develop a protocol to ensure that  
546 persons who become ineligible to possess a pistol or revolver or other  
547 firearm have, in accordance with section 29-36k, as amended by this  
548 act, transferred such pistol or revolver or other firearm to a person  
549 eligible to possess such pistol or revolver or other firearm or have  
550 delivered or surrendered such pistol or revolver or other firearm to  
551 said commissioner. Such protocol shall include provisions to ensure  
552 that a person who becomes ineligible to possess a pistol or revolver or  
553 other firearm because such person is subject to a restraining or  
554 protective order or a foreign order of protection, as defined in section  
555 29-36k, as amended by this act, transfers such pistol or revolver or  
556 other firearm, or delivers or surrenders such pistol or revolver or other  
557 firearm, pursuant to arrangements made with an organized local  
558 police department or the Division of State Police in advance of such  
559 transfer, delivery or surrender.

560 (b) The Commissioner of Emergency Services and Public Protection,  
561 in conjunction with the Chief State's Attorney and the Connecticut  
562 Police Chiefs Association, shall update the protocol developed  
563 pursuant to subsection (a) of this section to reflect the provisions of  
564 sections 29-7h, 29-28, 29-28a, 29-29, 29-30, 29-32 and 29-35, subsections  
565 (b) and (e) of section 46b-15, subsections (c) and (d) of section 46b-38c,  
566 as amended by this act, and sections 53-202a, 53-202l, 53-202m and 53a-  
567 217 and shall include in such protocol specific instructions for the  
568 transfer, delivery or surrender of pistols and revolvers and other  
569 firearms when the assistance of more than one law enforcement  
570 agency is necessary to effect the requirements of section 29-36k, as  
571 amended by this act.

572 Sec. 19. (*Effective from passage*) (a) The Chief Court Administrator  
573 shall develop a plan to include temporary financial support as part of  
574 the relief available, when appropriate, to an applicant for a restraining

575 order under section 46b-15 of the general statutes. The Chief Court  
576 Administrator shall develop such plan after consultation with state  
577 agencies and private organizations and advocates with experience in  
578 filing restraining order applications or in providing advocacy or  
579 services to domestic violence victims. The plan shall include: (1) An  
580 assessment of best practices established by other states, if any, with  
581 respect to such temporary financial support; (2) recommended  
582 procedures for determining (A) the assets available to an applicant and  
583 respondent pursuant to an application filed under section 46b-15 of the  
584 general statutes, (B) the respondent's ability to pay such temporary  
585 financial support, and (C) the amount of temporary financial support  
586 necessary to maintain the safety and basic needs of the applicant, if the  
587 respondent has a duty to support the applicant, or the respondent's  
588 dependent children; (3) recommended procedures for collecting the  
589 amount of any such temporary financial support owed by the  
590 respondent; (4) strategies for establishing the necessary court  
591 procedures to facilitate the inclusion of temporary financial support in  
592 court orders made under section 46b-15 of the general statutes; (5) an  
593 assessment of the feasibility of making such temporary financial  
594 support available to persons who are eligible to apply for restraining  
595 orders as family or household members, as defined in section 46b-38a  
596 of the general statutes, but for whom the respondent is not obligated to  
597 furnish support as provided in section 46b-215 of the general statutes;  
598 and (6) recommendations for legislation and other measures to  
599 implement the plan.

600 (b) Not later than January 15, 2014, the Chief Court Administrator  
601 shall submit the plan developed pursuant to subsection (a) of this  
602 section to the speaker of the House of Representatives' Task Force on  
603 Domestic Violence and the joint standing committee of the General  
604 Assembly having cognizance of matters relating to the judiciary, in  
605 accordance with the provisions of section 11-4a of the general statutes.

606 Sec. 20. (*Effective from passage*) The Chief Court Administrator shall  
607 conduct an assessment of any training programs for judges and  
608 Judicial Branch staff related to family violence, including, but not

609 limited to, the ongoing training program for judges, Court Support  
610 Services Division personnel and clerks established in subsection (j) of  
611 section 46b-38c of the general statutes, as amended by this act. At a  
612 minimum, such assessment shall compare such training programs to  
613 those of other northeastern states. Not later than December 31, 2013,  
614 the Chief Court Administrator shall submit a report on the assessment  
615 to the joint standing committee of the General Assembly having  
616 cognizance of matters relating to the judiciary, in accordance with  
617 section 11-4a of the general statutes.

618 Sec. 21. (*Effective from passage*) (a) There is established a task force to  
619 study the feasibility of amending title 46b of the general statutes to  
620 permit a person other than a family or household member, as defined  
621 in section 46b-38a of the general statutes, to apply for a restraining  
622 order pursuant to section 46b-15 of the general statutes. Such study  
623 shall include an evaluation of the feasibility of permitting victims of  
624 certain crimes, including sexual assault and stalking, who are not  
625 family or household members of the offender to obtain a restraining  
626 order pursuant to section 46b-15 of the general statutes.

627 (b) The task force shall consist of the following members:

628 (1) The cochairpersons and ranking members of the joint standing  
629 committee of the General Assembly having cognizance of matters  
630 relating to the judiciary, or their designees chosen from among the  
631 members of the committee;

632 (2) The Chief Court Administrator;

633 (3) The Chief State's Attorney, or the Chief State's Attorney's  
634 designee;

635 (4) Three members, one of whom shall represent the civil division of  
636 the Judicial Branch, one of whom shall represent the criminal division  
637 of the Judicial Branch and one of whom shall represent the family  
638 division of the Judicial Branch, each appointed by the Chief Justice of  
639 the Supreme Court; and

640 (5) Two representatives of Connecticut Sexual Assault Crisis  
 641 Services, Inc., appointed by the executive director of Connecticut  
 642 Sexual Assault Crisis Services, Inc.

643 (c) All appointments to the task force shall be made not later than  
 644 thirty days after the effective date of this section. Any vacancy shall be  
 645 filled by the appointing authority.

646 (d) The Chief Court Administrator shall serve as chairperson of the  
 647 task force. The Chief Court Administrator shall schedule the first  
 648 meeting of the task force, which shall be held not later than sixty days  
 649 after the effective date of this section.

650 (e) The administrative staff of the joint standing committee of the  
 651 General Assembly having cognizance of matters relating to the  
 652 judiciary shall serve as administrative staff of the task force.

653 (f) Not later than February 5, 2014, the task force shall submit a  
 654 report on its findings and recommendations to the joint standing  
 655 committee of the General Assembly having cognizance of matters  
 656 relating to the judiciary, in accordance with the provisions of section  
 657 11-4a of the general statutes. The task force shall terminate on the date  
 658 that it submits such report or February 5, 2014, whichever is later."

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|---|------------------------|-----------------|
| This act shall take effect as follows and shall amend the following sections: |                        |                 |
| Section 1   | <i>October 1, 2013</i> | 53a-32(a)       |
| Sec. 2  | <i>October 1, 2013</i> | 54-203(b)(7)(K) |
| Sec. 3  | <i>October 1, 2013</i> | 46b-38c(j)      |
| Sec. 4  | <i>October 1, 2013</i> | 47a-11e         |
| Sec. 5  | <i>October 1, 2013</i> | 8-357(a)        |
| Sec. 6  | <i>October 1, 2013</i> | 12-81(7)(B)     |
| Sec. 7  | <i>October 1, 2013</i> | 17a-101(b)      |
| Sec. 8  | <i>October 1, 2013</i> | 17b-112a(a)(1)  |
| Sec. 9  | <i>October 1, 2013</i> | 17b-407(a)      |
| Sec. 10   | <i>October 1, 2013</i> | 46a-11b(a)      |
| Sec. 11   | <i>October 1, 2013</i> | 46b-38b(f)      |
| Sec. 12   | <i>October 1, 2013</i> | 46b-38c(d)      |

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|---------|------------------------|-------------|
| Sec. 13 | <i>October 1, 2013</i> | 52-146k     |
| Sec. 14 | <i>October 1, 2013</i> | 54-209(d)   |
| Sec. 15 | <i>October 1, 2013</i> | 18-87j      |
| Sec. 16 | <i>July 1, 2013</i>    | New section |
| Sec. 17 | <i>October 1, 2013</i> | 29-36k      |
| Sec. 18 | <i>October 1, 2013</i> | 29-36n      |
| Sec. 19 | <i>from passage</i>    | New section |
| Sec. 20 | <i>from passage</i>    | New section |
| Sec. 21 | <i>from passage</i>    | New section |