



General Assembly

## **Amendment**

January Session, 2013

LCO No. 8533

**\*SB0098508533SD0\***

Offered by:

SEN. DOYLE, 9<sup>th</sup> Dist.  
REP. GUERRERA, 29<sup>th</sup> Dist.  
SEN. FONFARA, 1<sup>st</sup> Dist.  
SEN. CASSANO, 4<sup>th</sup> Dist.  
SEN. MEYER, 12<sup>th</sup> Dist.  
SEN. SLOSSBERG, 14<sup>th</sup> Dist.  
SEN. HARTLEY, 15<sup>th</sup> Dist.

SEN. CRISCO, 17<sup>th</sup> Dist.  
SEN. MAYNARD, 18<sup>th</sup> Dist.  
SEN. OSTEN, 19<sup>th</sup> Dist.  
SEN. STILLMAN, 20<sup>th</sup> Dist.  
SEN. MUSTO, 22<sup>nd</sup> Dist.  
SEN. DUFF, 25<sup>th</sup> Dist.

To: Senate Bill No. 985

File No. 651

Cal. No. 481

**"AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING AN EXEMPTION FROM STATE CONTRACTING REQUIREMENTS FOR INSTITUTIONS OF HIGHER EDUCATION THAT OFFER COURSES TO INMATES AT NO COST."**

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

3 "Sec. 501. Section 18-100i of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The Commissioner of Correction, at the commissioner's  
6 discretion, may release an inmate from the commissioner's custody,  
7 except an inmate convicted of a violation of subdivision (2) of

8 subsection (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-  
9 70c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-90a, 53a-196a, 53a-196b, 53a-  
10 196c, 53a-196d, 53a-196e or 53a-196f, a capital felony under the  
11 provisions of section 53a-54b in effect prior to April 25, 2012, or  
12 murder with special circumstances under the provisions of section 53a-  
13 54b in effect on or after April 25, 2012, for placement in a licensed  
14 community-based nursing home under contract with the state for the  
15 purpose of providing palliative and end-of-life care to the inmate if the  
16 medical director of the Department of Correction determines that the  
17 inmate is suffering from a terminal condition, disease or syndrome [,  
18 or] and is so debilitated or incapacitated by [a terminal] such  
19 condition, disease or syndrome as to (1) require continuous palliative  
20 or end-of-life care, [or] and (2) be physically incapable of presenting a  
21 danger to society.

22 (b) The Commissioner of Correction [may] shall require as a  
23 condition of release under subsection (a) of this section that the  
24 medical director conduct periodic medical review and diagnosis of the  
25 inmate during such release. An inmate released pursuant to subsection  
26 (a) of this section shall be returned to the custody of the Commissioner  
27 of Correction if the medical director determines that the inmate no  
28 longer meets the criteria for release under subsection (a) of this section  
29 or if the inmate violates any condition of such release.

30 (c) Any inmate released from the custody of the Commissioner of  
31 Correction pursuant to subsection (a) of this section shall be  
32 supervised in the community at all times by employees of the  
33 Department of Correction who have training and experience in  
34 providing security in correctional institutions.

35 (d) On and after the effective date of this section, the Commissioner  
36 of Correction shall not place any inmate in a licensed community-  
37 based nursing home pursuant to subsection (a) of this section until  
38 such time as the local zoning authority for the town in which such  
39 home is located has determined that such home is in compliance with  
40 local zoning regulations.

41       (e) For the purposes of this section, "inmate" means any person  
 42 being supervised by the Department of Correction in a correctional  
 43 facility or in the community.

44       Sec. 502. (NEW) (*Effective from passage*) On and after the effective  
 45 date of this section, the Commissioner of Mental Health and Addiction  
 46 Services shall not place any person with psychiatric disabilities who is  
 47 a patient at a state-operated facility in a licensed community-based  
 48 nursing home until such time as the local zoning authority for the  
 49 town in which such home is located has determined that such home is  
 50 in compliance with local zoning regulations. For the purposes of this  
 51 section, "person with psychiatric disabilities" and "state-operated  
 52 facility" have the same meanings as provided in section 17a-458 of the  
 53 general statutes."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	18-100i
Sec. 502	<i>from passage</i>	New section