



General Assembly

February Session, 2014

Raised Bill No. 5593

LCO No. 2966



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING DOMESTIC VIOLENCE AND SEXUAL ASSAULT.

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

1 Section 1. Subsection (b) of section 46b-15 of the 2014 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2014*):

4 (b) The application form shall allow the applicant, at the applicant's
5 option, to indicate whether the respondent holds a permit to carry a
6 pistol or revolver or possesses one or more firearms or ammunition.
7 The application shall be accompanied by an affidavit made under oath
8 which includes a brief statement of the conditions from which relief is
9 sought. Upon receipt of the application the court shall order that a
10 hearing on the application be held not later than fourteen days from
11 the date of the order. The court, in its discretion, may make such
12 orders as it deems appropriate for the protection of the applicant and
13 such dependent children or other persons as the court sees fit. In
14 making such orders, the court, in its discretion, may consider relevant
15 court records if the records are available to the public from a clerk of

16 the Superior Court or on the Judicial Branch's Internet web site. Such
17 orders may include temporary child custody or visitation rights, and
18 such relief may include, but is not limited to, an order: [enjoining] (1)
19 Enjoining the respondent from [(1)] (A) imposing any restraint upon
20 the person or liberty of the applicant, [; (2)] (B) threatening, harassing,
21 assaulting, molesting, sexually assaulting or attacking the applicant, [;
22 or (3)] (C) entering the family dwelling or the dwelling of the
23 applicant, (D) until a hearing is held on the application, taking any
24 action that could result in the termination of utility services or other
25 necessary services related to the family dwelling or the dwelling of the
26 applicant, (E) until a hearing is held on the application, taking any
27 action that could result in the cancellation, change of coverage or
28 change of beneficiary of any health, automobile or homeowners
29 insurance policy to the detriment of the applicant or dependent
30 children of the applicant and respondent, or (F) transferring,
31 encumbering, concealing or disposing of specified property owned or
32 leased by the applicant or respondent; (2) that provides the applicant
33 or respondent with temporary possession of specified personal
34 property, including, but not limited to, an automobile, checkbook,
35 documentation of health, automobile or homeowners insurance, a
36 document needed for purposes of proving identity, a key or other
37 personal effects; or (3) in any matter in which the respondent has the
38 legal duty to do so and the ability to pay and if necessary to maintain
39 the safety or basic needs of the applicant or dependent children of the
40 applicant and respondent, that the respondent, for a period of time not
41 to exceed one hundred twenty days, (A) make rent or mortgage
42 payments on the family dwelling or the dwelling of the applicant, (B)
43 maintain utility services or other necessary services for the family
44 dwelling or the dwelling of the applicant, (C) maintain all existing
45 health, automobile or homeowners insurance coverage without change
46 in coverage or beneficiary designation, or (D) provide any other
47 financial support to the applicant or dependent children of the
48 applicant and respondent. Such order may include provisions
49 necessary to protect any animal owned or kept by the applicant

50 including, but not limited to, an order enjoining the respondent from
51 injuring or threatening to injure such animal. If an applicant alleges an
52 immediate and present physical danger to the applicant, the court may
53 issue an ex parte order granting such relief as it deems appropriate,
54 except that such ex parte order shall not include the relief set forth in
55 subdivision (3) of this subsection. If a postponement of a hearing on
56 the application is requested by either party and granted, the ex parte
57 order shall not be continued except upon agreement of the parties or
58 by order of the court for good cause shown. If a hearing on the
59 application is scheduled or an ex parte order is granted and the court is
60 closed on the scheduled hearing date, the hearing shall be held on the
61 next day the court is open and any such ex parte order shall remain in
62 effect until the date of such hearing.

63 Sec. 2. Subsection (c) of section 46b-15 of the 2014 supplement to the
64 general statutes is repealed and the following is substituted in lieu
65 thereof (*Effective October 1, 2014*):

66 (c) Every order of the court made in accordance with this section
67 shall contain the following language: (1) "This order may be extended
68 by the court beyond one year. In accordance with section 53a-107,
69 entering or remaining in a building or any other premises in violation
70 of this order constitutes criminal trespass in the first degree. This is a
71 criminal offense punishable by a term of imprisonment of not more
72 than one year, a fine of not more than two thousand dollars or both.";
73 and (2) "In accordance with section 53a-223b of the Connecticut general
74 statutes, any violation of subparagraph (A) or (B) of subdivision (2) of
75 subsection (a) of section 53a-223b constitutes criminal violation of a
76 restraining order which is punishable by a term of imprisonment of
77 not more than five years, a fine of not more than five thousand dollars,
78 or both. Additionally, any violation of subparagraph (C) or (D) of
79 subdivision (2) of subsection (a) of section 53a-223b constitutes
80 criminal violation of a restraining order which is punishable by a term
81 of imprisonment of not more than ten years, a fine of not more than ten
82 thousand dollars, or both."

83 Sec. 3. (*Effective from passage*) (a) There is established a task force to
84 study service of restraining orders issued pursuant to section 46b-15 of
85 the general statutes, as amended by this act. Such study shall include,
86 but not be limited to, an examination of: (1) Policies, procedures and
87 regulations relating to the service of such restraining orders by state
88 marshals, including any policies, procedures or regulations relating to
89 the methods by which a state marshal is initially notified of the need to
90 effectuate service of a restraining order; (2) the length of time available
91 to effectuate service of a restraining order; (3) the permissible methods
92 of service; (4) the effectiveness of the respondent profile information
93 sheet and marshal access to databases containing identifiable
94 respondent information; (5) reimbursement rates for service of
95 restraining orders, including an assessment of reimbursement rates
96 used in other states; (6) best practices established by other states, if
97 any, with respect to service of restraining orders; and (7) the feasibility
98 of expanding which persons shall be authorized to serve restraining
99 orders.

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

101 (1) Two appointed by the president pro tempore of the Senate, one
102 of whom shall be a representative of the Connecticut Coalition Against
103 Domestic Violence and one of whom shall be a representative of the
104 office of the Chief State's Attorney;

105 (2) Two appointed by the speaker of the House of Representatives,
106 one of whom shall be a representative of the Speaker's Task Force on
107 Domestic Violence and one of whom shall be a victim of domestic
108 violence;

109 (3) Two appointed by the majority leader of the Senate, one of
110 whom shall be a representative of the State Marshal Commission and
111 one of whom serves as an advocate for victims of domestic violence;

112 (4) Two appointed by the majority leader of the House of
113 Representatives, one of whom shall be a representative of the state

114 police force and one of whom serves as a state marshal;

115 (5) Two appointed by the minority leader of the Senate, one of
116 whom shall be a representative of the Connecticut Police Chiefs
117 Association and one of whom shall be a representative of the Office of
118 the Chief Public Defender;

119 (6) Two appointed by the minority leader of the House of
120 Representatives, one of whom shall be a representative of the legal aid
121 assistance programs in the state and one of whom serves as a state
122 marshal;

123 (7) One appointed jointly by the chairpersons of the joint standing
124 committee of the General Assembly having cognizance of matters
125 relating to the judiciary who shall be a representative of Connecticut
126 Sexual Assault Crisis Services, Inc.;

127 (8) Two appointed by the Governor, one of whom shall be a
128 representative of the Connecticut Police Chiefs Association and one of
129 whom shall be a representative of the Office of the Victim Advocate;
130 and

131 (9) Two appointed by the Chief Court Administrator, one of whom
132 shall be a judge of the Superior Court assigned to hear civil matters
133 and one of whom shall be an employee of the Judicial Branch whose
134 duties concern the operations of the Superior Court.

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

138 (d) The speaker of the House of Representatives and the president
139 pro tempore of the Senate shall select the chairpersons of the task force
140 from among the members of the task force. Such chairpersons shall
141 schedule the first meeting of the task force, which shall be held not
142 later than sixty days after the effective date of this section.

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

146 (f) Not later than December 15, 2014, the task force shall submit a
147 report on its findings and recommendations to the joint standing
148 committee of the General Assembly having cognizance of matters
149 relating to the judiciary, in accordance with the provisions of section
150 11-4a of the general statutes. The task force shall terminate on the date
151 that it submits such report or December 15, 2014, whichever is later.

152 Sec. 4. Section 53a-223 of the general statutes is repealed and the
153 following is substituted in lieu thereof (*Effective October 1, 2014*):

154 (a) A person is guilty of criminal violation of a protective order
155 when an order issued pursuant to subsection (e) of section 46b-38c, as
156 amended by this act, or section 54-1k, as amended by this act, or 54-
157 82r, as amended by this act, has been issued against such person, and
158 such person violates such order.

159 (b) No person who is listed as a protected person in such protective
160 order may be criminally liable for (1) soliciting, requesting,
161 commanding, importuning or intentionally aiding in the violation of
162 the protective order pursuant to subsection (a) of section 53a-8, or (2)
163 conspiracy to violate such protective order pursuant to section 53a-48.

164 (c) Criminal violation of a protective order is a class D felony, except
165 that any violation of a protective order that involves (1) imposing any
166 restraint upon the person or liberty of a person in violation of the
167 protective order, or (2) threatening, harassing, assaulting, molesting,
168 sexually assaulting or attacking a person in violation of the protective
169 order is a class C felony.

170 Sec. 5. Section 53a-223a of the general statutes is repealed and the
171 following is substituted in lieu thereof (*Effective October 1, 2014*):

172 (a) A person is guilty of criminal violation of a standing criminal
173 protective order when an order issued pursuant to subsection (a) of
174 section 53a-40e has been issued against such person, and such person
175 violates such order.

176 (b) No person who is listed as a protected person in such standing
177 criminal protective order may be criminally liable for (1) soliciting,
178 requesting, commanding, importuning or intentionally aiding in the
179 violation of the standing criminal protective order pursuant to
180 subsection (a) of section 53a-8, or (2) conspiracy to violate such
181 standing criminal protective order pursuant to section 53a-48.

182 (c) Criminal violation of a standing criminal protective order is a
183 class D felony, except that any violation that involves (1) imposing any
184 restraint upon the person or liberty of a person in violation of the
185 standing criminal protective order, or (2) threatening, harassing,
186 assaulting, molesting, sexually assaulting or attacking a person in
187 violation of the standing criminal protective order is a class C felony.

188 Sec. 6. Section 53a-223b of the general statutes is repealed and the
189 following is substituted in lieu thereof (*Effective October 1, 2014*):

190 (a) A person is guilty of criminal violation of a restraining order
191 when (1) (A) a restraining order has been issued against such person
192 pursuant to section 46b-15, as amended by this act, or (B) a foreign
193 order of protection, as defined in section 46b-15a, has been issued
194 against such person in a case involving the use, attempted use or
195 threatened use of physical force against another, and (2) such person,
196 having knowledge of the terms of the order, (A) does not stay away
197 from a person or place in violation of the order, (B) contacts a person in
198 violation of the order, (C) imposes any restraint upon the person or
199 liberty of a person in violation of the order, or (D) threatens, harasses,
200 assaults, molests, sexually assaults or attacks a person in violation of
201 the order.

202 (b) No person who is listed as a protected person in such restraining

203 order or foreign order of protection may be criminally liable for (1)
204 soliciting, requesting, commanding, importuning or intentionally
205 aiding in the violation of the restraining order or foreign order of
206 protection pursuant to subsection (a) of section 53a-8, or (2) conspiracy
207 to violate such restraining order or foreign order of protection
208 pursuant to section 53a-48.

209 (c) [Criminal] (1) Except as provided in subdivision (2) of this
210 subsection, criminal violation of a restraining order is a class D felony.

211 (2) Criminal violation of a restraining order is a class C felony, if the
212 offense is a violation of subparagraph (C) or (D) of subdivision (2) of
213 subsection (a) of this section.

214 Sec. 7. Subsection (e) of section 46b-38c of the 2014 supplement to
215 the general statutes is repealed and the following is substituted in lieu
216 thereof (*Effective October 1, 2014*):

217 (e) A protective order issued under this section may include
218 provisions necessary to protect the victim from threats, harassment,
219 injury or intimidation by the defendant, including, but not limited to,
220 an order enjoining the defendant from (1) imposing any restraint upon
221 the person or liberty of the victim, (2) threatening, harassing,
222 assaulting, molesting or sexually assaulting the victim, or (3) entering
223 the family dwelling or the dwelling of the victim. A protective order
224 issued under this section may include provisions necessary to protect
225 any animal owned or kept by the victim including, but not limited to,
226 an order enjoining the defendant from injuring or threatening to injure
227 such animal. Such order shall be made a condition of the bail or release
228 of the defendant and shall contain the following notification: "In
229 accordance with section 53a-223 of the Connecticut general statutes,
230 any violation of this order constitutes criminal violation of a protective
231 order which is punishable by a term of imprisonment of not more than
232 [five] ten years, a fine of not more than [five] ten thousand dollars, or
233 both. Additionally, in accordance with section 53a-107 of the

234 Connecticut general statutes, entering or remaining in a building or
235 any other premises in violation of this order constitutes criminal
236 trespass in the first degree which is punishable by a term of
237 imprisonment of not more than one year, a fine of not more than two
238 thousand dollars, or both. Violation of this order also violates a
239 condition of your bail or release, and may result in raising the amount
240 of bail or revoking release." Every order of the court made in
241 accordance with this section after notice and hearing shall be
242 accompanied by a notification that is consistent with the full faith and
243 credit provisions set forth in 18 USC 2265(a), as amended from time to
244 time. The information contained in and concerning the issuance of any
245 protective order issued under this section shall be entered in the
246 registry of protective orders pursuant to section 51-5c.

247 Sec. 8. Subsection (b) of section 54-1k of the general statutes is
248 repealed and the following is substituted in lieu thereof (*Effective*
249 *October 1, 2014*):

250 (b) A protective order issued under this section may include
251 provisions necessary to protect the victim from threats, harassment,
252 injury or intimidation by the defendant, including but not limited to,
253 an order enjoining the defendant from (1) imposing any restraint upon
254 the person or liberty of the victim, (2) threatening, harassing,
255 assaulting, molesting or sexually assaulting the victim, or (3) entering
256 the dwelling of the victim. A protective order issued under this section
257 may include provisions necessary to protect any animal owned or kept
258 by the victim including, but not limited to, an order enjoining the
259 defendant from injuring or threatening to injure such animal. Such
260 order shall be made a condition of the bail or release of the defendant
261 and shall contain the following language: "In accordance with section
262 53a-223 of the Connecticut general statutes, any violation of this order
263 constitutes criminal violation of a protective order which is punishable
264 by a term of imprisonment of not more than [five] ten years, a fine of
265 not more than [five] ten thousand dollars, or both. Additionally, in
266 accordance with section 53a-107 of the Connecticut general statutes,

267 entering or remaining in a building or any other premises in violation
268 of this order constitutes criminal trespass in the first degree which is
269 punishable by a term of imprisonment of not more than one year, a
270 fine of not more than two thousand dollars, or both. Violation of this
271 order also violates a condition of your bail or release and may result in
272 raising the amount of bail or revoking release."

273 Sec. 9. Subsection (b) of section 54-82r of the general statutes is
274 repealed and the following is substituted in lieu thereof (*Effective*
275 *October 1, 2014*):

276 (b) A protective order shall set forth the reasons for the issuance of
277 such order, be specific in terms and describe in reasonable detail, and
278 not by reference to the complaint or other document, the act or acts
279 being restrained. A protective order issued under this section may
280 include provisions necessary to protect the witness from threats,
281 harassment, injury or intimidation by the adverse party including, but
282 not limited to, enjoining the adverse party from (1) imposing any
283 restraint upon the person or liberty of the witness, (2) threatening,
284 harassing, assaulting, molesting or sexually assaulting the witness, or
285 (3) entering the dwelling of the witness. Such order shall contain the
286 following language: "In accordance with section 53a-223 of the
287 Connecticut general statutes, any violation of this order constitutes
288 criminal violation of a protective order which is punishable by a term
289 of imprisonment of not more than [five] ten years, a fine of not more
290 than [five] ten thousand dollars, or both. Additionally, in accordance
291 with section 53a-107 of the Connecticut general statutes, entering or
292 remaining in a building or any other premises in violation of this order
293 constitutes criminal trespass in the first degree which is punishable by
294 a term of imprisonment of not more than one year, a fine of not more
295 than two thousand dollars, or both."; If the adverse party is the
296 defendant in the criminal case, such order shall be made a condition of
297 the bail or release of the defendant and shall also contain the following
298 language: "Violation of this order also violates a condition of your bail
299 or release and may result in raising the amount of bail or revoking

300 release.".

301 Sec. 10. Subsection (c) of section 53a-40e of the general statutes is
302 repealed and the following is substituted in lieu thereof (*Effective*
303 *October 1, 2014*):

304 (c) Such standing criminal protective order shall include the
305 following notice: "In accordance with section 53a-223a of the
306 Connecticut general statutes, violation of this order shall be punishable
307 by a term of imprisonment of not less than one year nor more than
308 [five] ten years, a fine of not more than [five] ten thousand dollars, or
309 both.".

310 Sec. 11. Section 46b-38h of the general statutes is repealed and the
311 following is substituted in lieu thereof (*Effective October 1, 2014*):

312 If any person is convicted of a violation of section 53a-59, 53a-59a,
313 53a-59c, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-62, 53a-63, 53a-64, 53a-
314 64aa, 53a-64bb, 53a-64cc, 53a-70, 53a-70a, 53a-70b, as amended by this
315 act, 53a-70c, 53a-71, 53a-72a, 53a-72b, 53a-181, 53a-181c, 53a-181d, 53a-
316 181e, 53a-182, 53a-182b, as amended by this act, 53a-183, 53a-223, as
317 amended by this act, 53a-223a, as amended by this act, or 53a-223b, as
318 amended by this act, against a family or household member, as
319 defined in section 46b-38a, the court shall include a designation that
320 such conviction involved family violence on the court record for the
321 purposes of criminal history record information, as defined in
322 subsection (a) of section 54-142g.

323 Sec. 12. Subsections (a) and (b) of section 53a-182b of the general
324 statutes are repealed and the following is substituted in lieu thereof
325 (*Effective October 1, 2014*):

326 (a) A person is guilty of harassment in the first degree when, with
327 the intent to harass, annoy, alarm or terrorize another person, he
328 threatens to kill or physically injure that person or any other person,
329 and communicates such threat by telephone, or by telegraph, mail,

330 computer network, as defined in section 53a-250, or any other form of
331 written communication, in a manner likely to cause annoyance or
332 alarm and has been convicted of a capital felony under the provisions
333 of section 53a-54b in effect prior to April 25, 2012, a class A felony, a
334 class B felony, except a conviction under section 53a-86 or 53a-122, a
335 class C felony, except a conviction under section 53a-87, 53a-152 or 53a-
336 153, or a class D felony under sections 53a-60 to 53a-60c, inclusive, 53a-
337 72a, 53a-72b, 53a-95, 53a-103, 53a-103a, 53a-114, 53a-136 or 53a-216. For
338 the purposes of this section, "convicted" means having a judgment of
339 conviction entered by a court of competent jurisdiction.

340 (b) For the purposes of this section, such offense may be deemed to
341 have been committed either at the place where the [telephone call was
342 made or] communication originated or at the place where it was
343 received.

344 Sec. 13. Section 10-222d of the general statutes is repealed and the
345 following is substituted in lieu thereof (*Effective October 1, 2014*):

346 (a) As used in this section, sections 10-222g to 10-222i, inclusive, as
347 amended by this act, and section 10-222k, as amended by this act:

348 (1) "Bullying" means (A) the repeated use by one or more students
349 of a written, oral or electronic communication, such as cyberbullying,
350 directed at or referring to another student attending school in the same
351 school district, or (B) a physical act or gesture by one or more students
352 repeatedly directed at another student attending school in the same
353 school district, that: (i) Causes physical or emotional harm to such
354 student or damage to such student's property, (ii) places such student
355 in reasonable fear of harm to himself or herself, or of damage to his or
356 her property, (iii) creates a hostile environment at school for such
357 student, (iv) infringes on the rights of such student at school, or (v)
358 substantially disrupts the education process or the orderly operation of
359 a school. "Bullying" shall include, but not be limited to, a written, oral
360 or electronic communication or physical act or gesture based on any

361 actual or perceived differentiating characteristic, such as race, color,
362 religion, ancestry, national origin, gender, sexual orientation, gender
363 identity or expression, socioeconomic status, academic status, physical
364 appearance, or mental, physical, developmental or sensory disability,
365 or by association with an individual or group who has or is perceived
366 to have one or more of such characteristics;

367 (2) "Cyberbullying" means any act of bullying through the use of the
368 Internet, interactive and digital technologies, cellular mobile telephone
369 or other mobile electronic devices or any electronic communications;

370 (3) "Teen dating violence" means any act of physical, emotional or
371 sexual abuse, including stalking, harassing and threatening, that
372 occurs between two students who are currently in or who have
373 recently been in a dating relationship;

374 [(3)] (4) "Mobile electronic device" means any hand-held or other
375 portable electronic equipment capable of providing data
376 communication between two or more individuals, including, but not
377 limited to, a text messaging device, a paging device, a personal digital
378 assistant, a laptop computer, equipment that is capable of playing a
379 video game or a digital video disk, or equipment on which digital
380 images are taken or transmitted;

381 [(4)] (5) "Electronic communication" means any transfer of signs,
382 signals, writing, images, sounds, data or intelligence of any nature
383 transmitted in whole or in part by a wire, radio, electromagnetic,
384 photoelectronic or photo-optical system;

385 [(5)] (6) "Hostile environment" means a situation in which bullying
386 or teen dating violence among students is sufficiently severe or
387 pervasive to alter the conditions of the school climate;

388 [(6)] (7) "Outside of the school setting" means at a location, activity
389 or program that is not school related, or through the use of an
390 electronic device or a mobile electronic device that is not owned,

391 leased or used by a local or regional board of education;

392 [(7)] (8) "School employee" means (A) a teacher, substitute teacher,
393 school administrator, school superintendent, guidance counselor,
394 psychologist, social worker, nurse, physician, school paraprofessional
395 or coach employed by a local or regional board of education or
396 working in a public elementary, middle or high school; or (B) any
397 other individual who, in the performance of his or her duties, has
398 regular contact with students and who provides services to or on
399 behalf of students enrolled in a public elementary, middle or high
400 school, pursuant to a contract with the local or regional board of
401 education; and

402 [(8)] (9) "School climate" means the quality and character of school
403 life with a particular focus on the quality of the relationships within
404 the school community between and among students and adults.

405 (b) Each local and regional board of education shall develop and
406 implement a safe school climate plan to address the existence of
407 bullying and teen dating violence in its schools. Such plan shall: (1)
408 Enable students to anonymously report acts of bullying or teen dating
409 violence to school employees and require students and the parents or
410 guardians of students to be notified annually of the process by which
411 students may make such reports, (2) enable the parents or guardians of
412 students to file written reports of suspected bullying or teen dating
413 violence, (3) require school employees who witness acts of bullying or
414 teen dating violence or who receive reports of bullying or teen dating
415 violence to orally notify the safe school climate specialist, described in
416 section 10-222k, as amended by this act, or another school
417 administrator if the safe school climate specialist is unavailable, not
418 later than one school day after such school employee witnesses or
419 receives a report of bullying or teen dating violence, and to file a
420 written report not later than two school days after making such oral
421 report, (4) require the safe school climate specialist to investigate or
422 supervise the investigation of all reports of bullying and teen dating

423 violence and ensure that such investigation is completed promptly
424 after receipt of any written reports made under this section, (5) require
425 the safe school climate specialist to review any anonymous reports,
426 except that no disciplinary action shall be taken solely on the basis of
427 an anonymous report, (6) include a prevention and intervention
428 strategy, as defined by section 10-222g, as amended by this act, for
429 school employees to deal with bullying and teen dating violence, (7)
430 provide for the inclusion of language in student codes of conduct
431 concerning bullying and teen dating violence, (8) require each school
432 to notify the parents or guardians of students who commit any verified
433 acts of bullying or teen dating violence and the parents or guardians of
434 students against whom such acts were directed not later than forty-
435 eight hours after the completion of the investigation described in
436 subdivision (4) of this subsection, (9) require each school to invite the
437 parents or guardians of a student who commits any verified act of
438 bullying or teen dating violence and the parents or guardians of the
439 student against whom such act was directed to a meeting to
440 communicate to such parents or guardians the measures being taken
441 by the school to ensure the safety of the student against whom such act
442 was directed and to prevent further acts of bullying and teen dating
443 violence, (10) establish a procedure for each school to document and
444 maintain records relating to reports and investigations of bullying and
445 teen dating violence in such school and to maintain a list of the
446 number of verified acts of bullying and teen dating violence in such
447 school and make such list available for public inspection, and annually
448 report such number to the Department of Education, and in such
449 manner as prescribed by the Commissioner of Education, (11) direct
450 the development of case-by-case interventions for addressing repeated
451 incidents of bullying or teen dating violence against a single individual
452 or recurrently perpetrated bullying or teen dating violence incidents
453 by the same individual that may include both counseling and
454 discipline, (12) prohibit discrimination and retaliation against an
455 individual who reports or assists in the investigation of an act of
456 bullying or teen dating violence, (13) direct the development of student

457 safety support plans for students against whom an act of bullying or
458 teen dating violence was directed that address safety measures the
459 school will take to protect such students against further acts of
460 bullying or teen dating violence, (14) require the principal of a school,
461 or the principal's designee, to notify the appropriate local law
462 enforcement agency when such principal, or the principal's designee,
463 believes that any acts of bullying or teen dating violence constitute
464 criminal conduct, (15) prohibit bullying and teen dating violence (A)
465 on school grounds, at a school-sponsored or school-related activity,
466 function or program whether on or off school grounds, at a school bus
467 stop, on a school bus or other vehicle owned, leased or used by a local
468 or regional board of education, or through the use of an electronic
469 device or an electronic mobile device owned, leased or used by the
470 local or regional board of education, and (B) outside of the school
471 setting if such bullying or teen dating violence (i) creates a hostile
472 environment at school for the student against whom such bullying or
473 teen dating violence was directed, (ii) infringes on the rights of the
474 student against whom such bullying or teen dating violence was
475 directed at school, or (iii) substantially disrupts the education process
476 or the orderly operation of a school, (16) require, at the beginning of
477 each school year, each school to provide all school employees with a
478 written or electronic copy of the school district's safe school climate
479 plan, and (17) require that all school employees annually complete the
480 training described in section 10-220a or section 10-222j. The notification
481 required pursuant to subdivision (8) of this subsection and the
482 invitation required pursuant to subdivision (9) of this subsection shall
483 include a description of the response of school employees to such acts
484 and any consequences that may result from the commission of further
485 acts of bullying or teen dating violence.

486 (c) Not later than January 1, [2012] 2016, each local and regional
487 board of education shall approve the safe school climate plan
488 developed pursuant to this section and submit such plan to the
489 Department of Education. Not later than thirty calendar days after

490 approval of such plan by the local or regional board of education, the
491 board shall make such plan available on the board's and each
492 individual school in the school district's Internet web site and ensure
493 that such plan is included in the school district's publication of the
494 rules, procedures and standards of conduct for schools and in all
495 student handbooks.

496 (d) On and after July 1, 2012, and biennially thereafter, each local
497 and regional board of education shall require each school in the district
498 to complete an assessment using the school climate assessment
499 instruments, including surveys, approved and disseminated by the
500 Department of Education pursuant to section 10-222h, as amended by
501 this act. Each local and regional board of education shall collect the
502 school climate assessments for each school in the district and submit
503 such school climate assessments to the department.

504 Sec. 14. Section 10-222g of the general statutes is repealed and the
505 following is substituted in lieu thereof (*Effective October 1, 2014*):

506 For the purposes of section 10-222d, as amended by this act, the
507 term "prevention and intervention strategy" may include, but is not
508 limited to, (1) implementation of a positive behavioral interventions
509 and supports process or another evidence-based model approach for
510 safe school climate or for the prevention of bullying and teen dating
511 violence identified by the Department of Education, (2) school rules
512 prohibiting bullying, teen dating violence, harassment and
513 intimidation and establishing appropriate consequences for those who
514 engage in such acts, (3) adequate adult supervision of outdoor areas,
515 hallways, the lunchroom and other specific areas where bullying or
516 teen dating violence is likely to occur, (4) inclusion of grade-
517 appropriate bullying and teen dating violence education and
518 prevention curricula in kindergarten through high school, (5)
519 individual interventions with the bully or student who commits teen
520 dating violence, parents and school employees, and interventions with
521 the bullied [child] student or the student who is a victim of teen dating

522 violence, parents and school employees, (6) school-wide training
523 related to safe school climate, (7) student peer training, education and
524 support, and (8) promotion of parent involvement in bullying and teen
525 dating violence prevention through individual or team participation in
526 meetings, trainings and individual interventions.

527 Sec. 15. Section 10-222h of the 2014 supplement to the general
528 statutes is repealed and the following is substituted in lieu thereof
529 (*Effective October 1, 2014*):

530 (a) The Department of Education shall, within available
531 appropriations, (1) document school districts' articulated needs for
532 technical assistance and training related to safe learning, [and] bullying
533 and teen dating violence, (2) collect information on the prevention and
534 intervention strategies used by schools to reduce the incidence of
535 bullying and teen dating violence, improve school climate and
536 improve reporting outcomes, (3) develop or recommend a model safe
537 school climate plan for grades kindergarten to twelve, inclusive, and
538 (4) in collaboration with the Connecticut Association of Schools,
539 disseminate to all public schools grade-level appropriate school
540 climate assessment instruments approved by the department,
541 including surveys, to be used by local and regional boards of
542 education for the purposes of collecting information described in
543 subdivision (2) of this subsection so that the department can monitor
544 bullying and teen dating violence prevention efforts over time and
545 compare each district's progress to state trends.

546 (b) On or before February 1, 2014, and annually thereafter, the
547 department shall, in accordance with the provisions of section 11-4a,
548 submit a report on the status of its efforts pursuant to this section
549 including, but not limited to, the number of verified acts of bullying
550 and teen dating violence in the state, an analysis of the responsive
551 action taken by school districts and any recommendations it may have
552 regarding additional activities or funding to prevent bullying and teen
553 dating violence in schools and improve school climate to the joint

554 standing committees of the General Assembly having cognizance of
555 matters relating to education and children and to the speaker of the
556 House of Representatives, the president pro tempore of the Senate and
557 the majority and minority leaders of the House of Representatives and
558 the Senate.

559 (c) The department may accept private donations for the purposes
560 of this section.

561 Sec. 16. Section 10-222i of the general statutes is repealed and the
562 following is substituted in lieu thereof (*Effective October 1, 2014*):

563 (a) The Department of Education, in consultation with the State
564 Education Resource Center, the Governor's Prevention Partnership,
565 [and] the Commission on Children and the Connecticut Coalition
566 Against Domestic Violence, shall establish, within available
567 appropriations, a state-wide safe school climate resource network for
568 the identification, prevention and education of school bullying and
569 teen dating violence in the state. Such state-wide safe school climate
570 resource network shall make available to all schools information,
571 training opportunities and resource materials to improve the school
572 climate to diminish bullying and teen dating violence.

573 (b) The department may seek federal, state and municipal funding
574 and may accept private donations for the administration of the state-
575 wide safe school climate resource network.

576 Sec. 17. Section 10-222j of the general statutes is repealed and the
577 following is substituted in lieu thereof (*Effective October 1, 2014*):

578 The Department of Education shall provide, within available
579 appropriations, annual training to school employees, as defined in
580 section 10-222d, as amended by this act, except those school employees
581 who hold the initial educator, provisional educator or professional
582 educator certificate, on the prevention, identification and response to
583 school bullying and teen dating violence, as defined in section 10-222d,

584 as amended by this act, and the prevention of and response to youth
585 suicide. Such training may include, but not be limited to, (1)
586 developmentally appropriate strategies to prevent bullying and teen
587 dating violence among students in school and outside of the school
588 setting, (2) developmentally appropriate strategies for immediate and
589 effective interventions to stop bullying and teen dating violence, (3)
590 information regarding the interaction and relationship between
591 students committing acts of bullying and teen dating violence,
592 students against whom such acts of bullying and teen dating violence
593 are directed and witnesses of such acts of bullying and teen dating
594 violence, (4) research findings on bullying and teen dating violence,
595 such as information about the types of students who have been shown
596 to be at-risk for bullying and teen dating violence in the school setting,
597 (5) information on the incidence and nature of cyberbullying, as
598 defined in section 10-222d, as amended by this act, (6) Internet safety
599 issues as they relate to cyberbullying, or (7) information on the
600 incidence of youth suicide, methods of identifying youths at risk of
601 suicide and developmentally appropriate strategies for effective
602 interventions to prevent youth suicide. Such training may be presented
603 in person by mentors, offered in state-wide workshops or through on-
604 line courses.

605 Sec. 18. Section 10-222k of the 2014 supplement to the general
606 statutes is repealed and the following is substituted in lieu thereof
607 (*Effective October 1, 2014*):

608 (a) For the school year commencing July 1, 2012, and each school
609 year thereafter, the superintendent of each local or regional board of
610 education shall appoint, from among existing school district staff, a
611 district safe school climate coordinator. The district safe school climate
612 coordinator shall: (1) Be responsible for implementing the district's safe
613 school climate plan, developed pursuant to section 10-222d, as
614 amended by this act, (2) collaborate with the safe school climate
615 specialists, described in subsection (b) of this section, the board of
616 education for the district and the superintendent of schools of the

617 school district to prevent, identify and respond to bullying and teen
618 dating violence in the schools of the district, (3) provide data and
619 information, in collaboration with the superintendent of schools of the
620 district, to the Department of Education regarding bullying and teen
621 dating violence, in accordance with the provisions of subsection (b) of
622 section 10-222d, as amended by this act, and subsection (a) of section
623 10-222h, as amended by this act, and (4) meet with the safe school
624 climate specialists at least twice during the school year to discuss
625 issues relating to bullying and teen dating violence in the school
626 district and to make recommendations concerning amendments to the
627 district's safe school climate plan.

628 (b) For the school year commencing July 1, 2012, and each school
629 year thereafter, the principal of each school, or the principal's designee,
630 shall serve as the safe school climate specialist and shall (1) investigate
631 or supervise the investigation of reported acts of bullying and teen
632 dating violence in the school in accordance with the district's safe
633 school climate plan, (2) collect and maintain records of reports and
634 investigations of bullying and teen dating violence in the school, and
635 (3) act as the primary school official responsible for preventing,
636 identifying and responding to reports of bullying and teen dating
637 violence in the school.

638 (c) (1) For the school year commencing July 1, 2012, and each school
639 year thereafter, the principal of each school shall establish a committee
640 or designate at least one existing committee in the school to be
641 responsible for developing and fostering a safe school climate and
642 addressing issues relating to bullying and teen dating violence in the
643 school. Such committee shall include at least one parent or guardian of
644 a student enrolled in the school appointed by the school principal.

645 (2) Any such committee shall: (A) Receive copies of completed
646 reports following investigations of bullying and teen dating violence,
647 (B) identify and address patterns of bullying and teen dating violence
648 among students in the school, (C) implement the provisions of the

649 school security and safety plan, developed pursuant to section 10-
650 222m, regarding the collection, evaluation and reporting of
651 information relating to instances of disturbing or threatening behavior
652 that may not meet the definition of bullying or teen dating violence,
653 (D) review and amend school policies relating to bullying and teen
654 dating violence, (E) review and make recommendations to the district
655 safe school climate coordinator regarding the district's safe school
656 climate plan based on issues and experiences specific to the school, (F)
657 educate students, school employees and parents and guardians of
658 students on issues relating to bullying and teen dating violence, (G)
659 collaborate with the district safe school climate coordinator in the
660 collection of data regarding bullying and teen dating violence, in
661 accordance with the provisions of subsection (b) of section 10-222d, as
662 amended by this act, and subsection (a) of section 10-222h, as amended
663 by this act, and (H) perform any other duties as determined by the
664 school principal that are related to the prevention, identification and
665 response to school bullying and teen dating violence for the school.

666 (3) Any parent or guardian serving as a member of any such
667 committee shall not participate in the activities described in
668 subparagraphs (A) to (C), inclusive, of subdivision (2) of this
669 subsection or any other activity that may compromise the
670 confidentiality of a student.

671 Sec. 19. Section 10-222l of the general statutes is repealed and the
672 following is substituted in lieu thereof (*Effective October 1, 2014*):

673 (a) No claim for damages shall be made against a school employee,
674 as defined in section 10-222d, as amended by this act, who reports,
675 investigates and responds to bullying or teen dating violence, as
676 defined in said section 10-222d, in accordance with the provisions of
677 the safe school climate plan, described in said section 10-222d, if such
678 school employee was acting in good faith in the discharge of his or her
679 duties or within the scope of his or her employment. The immunity
680 provided in this subsection does not apply to acts or omissions

681 constituting gross, reckless, wilful or wanton misconduct.

682 (b) No claim for damages shall be made against a student, parent or
683 guardian of a student or any other individual who reports an act of
684 bullying or teen dating violence to a school employee, in accordance
685 with the provisions of the safe school climate plan described in said
686 section 10-222d, if such individual was acting in good faith. The
687 immunity provided in this subsection does not apply to acts or
688 omissions constituting gross, reckless, wilful or wanton misconduct.

689 (c) No claim for damages shall be made against a local or regional
690 board of education that implements the safe school climate plan,
691 described in section 10-222d, as amended by this act, and reports,
692 investigates and responds to bullying or teen dating violence, as
693 defined in said section 10-222d, if such local or regional board of
694 education was acting in good faith in the discharge of its duties. The
695 immunity provided in this subsection does not apply to acts or
696 omissions constituting gross, reckless, wilful or wanton misconduct.

697 Sec. 20. Subsection (a) of section 10-16b of the general statutes is
698 repealed and the following is substituted in lieu thereof (*Effective*
699 *October 1, 2014*):

700 (a) In the public schools the program of instruction offered shall
701 include at least the following subject matter, as taught by legally
702 qualified teachers, the arts; career education; consumer education;
703 health and safety, including, but not limited to, human growth and
704 development, nutrition, first aid, disease prevention, community and
705 consumer health, physical, mental and emotional health, including
706 youth suicide prevention, teen dating violence awareness and
707 prevention, substance abuse prevention, safety, which may include the
708 dangers of gang membership, and accident prevention; language arts,
709 including reading, writing, grammar, speaking and spelling;
710 mathematics; physical education; science; social studies, including, but
711 not limited to, citizenship, economics, geography, government and

712 history; and in addition, on at least the secondary level, one or more
713 world languages and vocational education. For purposes of this
714 subsection, world languages shall include American Sign Language,
715 provided such subject matter is taught by a qualified instructor under
716 the supervision of a teacher who holds a certificate issued by the State
717 Board of Education. For purposes of this subsection, the "arts" means
718 any form of visual or performing arts, which may include, but not be
719 limited to, dance, music, art and theatre.

720 Sec. 21. (NEW) (*Effective October 1, 2014*) (a) Any person who has
721 been the victim of sexual abuse, sexual assault or stalking, as described
722 in sections 53a-181c, 53a-181d and 53a-181e of the general statutes,
723 may make an application to the Superior Court for relief under this
724 section, provided such person has not obtained any other court order
725 of protection arising out of such abuse, assault or stalking and does not
726 qualify to seek relief under section 46b-15 of the general statutes, as
727 amended by this act.

728 (b) The application shall be accompanied by an affidavit made by
729 the applicant under oath that includes a statement of the specific facts
730 that form the basis for relief. Upon receipt of the application, if the
731 allegations set forth in the affidavit meet the requirements of
732 subsection (a) of this section, the court shall schedule a hearing not
733 later than fourteen days from the date of the application. If the court is
734 closed on the scheduled hearing date, the hearing shall be held on the
735 next day the court is open and any ex parte order that was issued shall
736 remain in effect until the date of such hearing. If the court finds that
737 there are reasonable grounds to believe that the respondent has
738 committed acts constituting grounds for issuance of an order under
739 this section and will continue to commit such acts or acts designed to
740 intimidate or retaliate against the applicant, the court, in its discretion,
741 may make such orders as it deems appropriate for the protection of the
742 applicant. If the court finds that there are reasonable grounds to
743 believe that an imminent danger exists to the applicant, the court may
744 issue an ex parte order granting such relief as it deems appropriate. In

745 making such orders, the court, in its discretion, may consider relevant
746 court records if the records are available to the public from a clerk of
747 the Superior Court or on the Judicial Branch's Internet web site. Such
748 orders may include, but are not limited to, an order enjoining the
749 respondent from: (1) Imposing any restraint upon the person or liberty
750 of the applicant; (2) threatening, harassing, assaulting, molesting,
751 sexually assaulting or attacking the applicant; and (3) entering the
752 dwelling of the applicant.

753 (c) No order of the court shall exceed one year, except that an order
754 may be extended by the court upon proper motion of the applicant,
755 provided that a copy of the motion has been served by a proper officer
756 on the respondent, so long as no other order of protection based on the
757 same facts and circumstances is in place and the need for protection,
758 consistent with subsection (a) of this section, still exists.

759 (d) The applicant shall cause notice of the hearing pursuant to
760 subsection (b) of this section and a copy of the application and the
761 applicant's affidavit and of any ex parte order issued pursuant to
762 subsection (b) of this section to be served by a proper officer on the
763 respondent not less than five days before the hearing. The cost of such
764 service shall be paid for by the Judicial Branch. Upon the granting of
765 an ex parte order, the clerk of the court shall provide two copies of the
766 order to the applicant. Upon the granting of an order after notice and
767 hearing, the clerk of the court shall provide two copies of the order to
768 the applicant and a copy to the respondent. Every order of the court
769 made in accordance with this section after notice and hearing shall be
770 accompanied by a notification that is consistent with the full faith and
771 credit provisions set forth in 18 USC 2265(a), as amended from time to
772 time. Immediately after making service on the respondent, the proper
773 officer shall send or cause to be sent, by facsimile or other means, a
774 copy of the application, or the information contained in such
775 application, stating the date and time the respondent was served, to
776 the law enforcement agency or agencies for the town in which the
777 applicant resides, the town in which the applicant is employed and the

778 town in which the respondent resides. The clerk of the court shall
779 send, by facsimile or other means, a copy of any ex parte order and of
780 any order after notice and hearing, or the information contained in any
781 such order, to the law enforcement agency or agencies for the town in
782 which the applicant resides, the town in which the applicant is
783 employed and the town in which the respondent resides, not later than
784 forty-eight hours after the issuance of such order. If the applicant is
785 enrolled in a public or private elementary or secondary school,
786 including a technical high school, or an institution of higher education,
787 as defined in section 10a-55 of the general statutes, the clerk of the
788 court shall, upon the request of the applicant, send, by facsimile or
789 other means, a copy of such ex parte order or of any order after notice
790 and hearing, or the information contained in any such order, to such
791 school or institution of higher education, the president of any
792 institution of higher education at which the applicant is enrolled and
793 the special police force established pursuant to section 10a-142 of the
794 general statutes, if any, at the institution of higher education at which
795 the applicant is enrolled.

796 (e) An action under this section shall not preclude the applicant
797 from subsequently seeking any other civil or criminal relief based on
798 the same facts and circumstances.

799 Sec. 22. (NEW) (*Effective October 1, 2014*) (a) A person is guilty of
800 criminal violation of a civil protection order when (1) a civil protection
801 order has been issued against such person pursuant to section 21 of
802 this act, and (2) such person, having knowledge of the terms of the
803 order, violates such order.

804 (b) Criminal violation of a civil protection order is a class D felony.

805 Sec. 23. Subsection (a) of section 53a-40e of the general statutes is
806 repealed and the following is substituted in lieu thereof (*Effective*
807 *October 1, 2014*):

808 (a) If any person is convicted of (1) a violation of subdivision (1) or

809 (2) of subsection (a) of section 53-21, section 53a-59, 53a-59a, 53a-60,
810 53a-60a, 53a-60b, 53a-60c, 53a-70, 53a-70a, 53a-70b, as amended by this
811 act, 53a-70c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-181c, 53a-181d, 53a-
812 181e, 53a-182b, as amended by this act, 53a-183, 53a-223, as amended
813 by this act, 53a-223a, as amended by this act, or 53a-223b, as amended
814 by this act, or attempt or conspiracy to violate any of said sections or
815 section 53a-54a, [against a family or household member, as defined in
816 section 46b-38a,] or (2) any crime that the court determines constitutes
817 a family violence crime, as defined in section 46b-38a, or attempt or
818 conspiracy to commit any such crime, the court may, in addition to
819 imposing the sentence authorized for the crime under section 53a-35a
820 or 53a-36, if the court is of the opinion that the history and character
821 and the nature and circumstances of the criminal conduct of such
822 offender indicate that a standing criminal protective order will best
823 serve the interest of the victim and the public, issue a standing criminal
824 protective order which shall remain in effect for a duration specified
825 by the court until modified or revoked by the court for good cause
826 shown. If any person is convicted of any crime against a family or
827 household member, as defined in section 46b-38a, other than a crime
828 specified in subdivision (1) or (2) of this subsection, the court may, for
829 good cause shown, issue a standing criminal protective order pursuant
830 to this subsection.

831 Sec. 24. Section 53a-107 of the general statutes is repealed and the
832 following is substituted in lieu thereof (*Effective October 1, 2014*):

833 (a) A person is guilty of criminal trespass in the first degree when:
834 (1) Knowing that such person is not licensed or privileged to do so,
835 such person enters or remains in a building or any other premises after
836 an order to leave or not to enter personally communicated to such
837 person by the owner of the premises or other authorized person; or (2)
838 such person enters or remains in a building or any other premises in
839 violation of a restraining order issued pursuant to section 46b-15, as
840 amended by this act, or a protective order issued pursuant to section
841 46b-38c, as amended by this act, 54-1k, as amended by this act, [or] 54-

842 82r, as amended by this act, or section 21 of this act by the Superior
843 Court; or (3) such person enters or remains in a building or any other
844 premises in violation of a foreign order of protection, as defined in
845 section 46b-15a, that has been issued against such person in a case
846 involving the use, attempted use or threatened use of physical force
847 against another person; or (4) knowing that such person is not licensed
848 or privileged to do so, such person enters or remains on public land
849 after an order to leave or not to enter personally communicated to such
850 person by an authorized official of the state or a municipality, as the
851 case may be.

852 (b) Criminal trespass in the first degree is a class A misdemeanor.

853 Sec. 25. Subsection (a) of section 51-5c of the general statutes is
854 repealed and the following is substituted in lieu thereof (*Effective*
855 *October 1, 2014*):

856 (a) The Chief Court Administrator shall establish and maintain an
857 automated registry of protective orders that shall contain (1) protective
858 or restraining orders issued by courts of this state, including, but not
859 limited to, orders issued pursuant to sections 46b-15, as amended by
860 this act, 46b-38c, as amended by this act, 53a-40e, as amended by this
861 act, 54-1k, as amended by this act, 54-82q, as amended by this act,
862 [and] 54-82r, as amended by this act, and section 21 of this act, and (2)
863 foreign orders of protection that have been registered in this state
864 pursuant to section 46b-15a. The registry shall clearly indicate the date
865 of commencement, the termination date, if specified, and the duration
866 of any order contained therein. The Chief Court Administrator shall
867 adopt policies and procedures for the operation of the registry, which
868 shall include policies and procedures governing the disclosure of
869 information in the registry to the judges of the Superior Court and
870 employees of the Judicial Department.

871 Sec. 26. Section 6-32 of the general statutes is repealed and the
872 following is substituted in lieu thereof (*Effective October 1, 2014*):

873 (a) Each state marshal shall receive each process directed to such
874 marshal when tendered, execute it promptly and make true return
875 thereof; and shall, without any fee, give receipts when demanded for
876 all civil process delivered to such marshal to be served, specifying the
877 names of the parties, the date of the writ, the time of delivery and the
878 sum or thing in demand. If any state marshal does not duly and
879 promptly execute and return any such process or makes a false or
880 illegal return thereof, such marshal shall be liable to pay double the
881 amount of all damages to the party aggrieved.

882 (b) A civil protective order constitutes civil process for purposes of
883 the powers and duties of a state marshal. The cost of serving a civil
884 protective order shall be paid by the Judicial Branch in the same
885 manner as the cost of serving a restraining order issued pursuant to
886 section 46b-15, as amended by this act, and fees and expenses
887 associated with the serving of a civil protective order shall be
888 calculated in accordance with subsection (a) of section 52-261.

889 Sec. 27. Subdivision (11) of subsection (b) of section 54-203 of the
890 2014 supplement to the general statutes is repealed and the following
891 is substituted in lieu thereof (*Effective October 1, 2014*):

892 (11) To provide staff services to a state advisory council. The council
893 shall consist of [not more than fifteen] members to be appointed by the
894 Chief Justice and shall include the Chief Victim Compensation
895 Commissioner and members who represent victim populations,
896 including but not limited to, homicide survivors, family violence
897 victims, sexual assault victims, youth victims who shall be represented
898 by a person who is sixteen or seventeen years of age, victims of drunk
899 drivers, and assault and robbery victims, and members who represent
900 the judicial branch and executive branch agencies involved with
901 victims of crime. The members shall serve for terms of four years. Any
902 vacancy in the membership shall be filled by the appointing authority
903 for the balance of the unexpired term. The members shall receive no
904 compensation for their services. The council shall meet at least six

905 times a year. The council shall recommend to the Office of Victim
906 Services program, legislative or other matters which would improve
907 services to victims of crime and develop and coordinate needs
908 assessments for both court-based and community-based victim
909 services. The Chief Justice shall appoint two members to serve as
910 cochairmen. Not later than December fifteenth of each year, the council
911 shall report the results of its findings and activities to the Chief Court
912 Administrator;

913 Sec. 28. (NEW) (*Effective October 1, 2014*) (a) A professional
914 bondsman may enter into a premium financing arrangement with a
915 principal or any indemnitor in which such bondsman extends credit to
916 such principal or indemnitor.

917 (b) If a professional bondsman enters into a premium financing
918 arrangement, such bondsman shall require (1) the principal on the bail
919 bond or any indemnitor to make a minimum down payment of thirty-
920 five per cent of the premium due, at the premium rate approved by the
921 Commissioner of Emergency Services and Public Protection in
922 consultation with the Insurance Commissioner, and (2) the principal
923 and any indemnitor to execute a promissory note for the balance of the
924 premium due. Such promissory note shall provide that such balance
925 shall be paid not later than twenty-four months after the date of the
926 execution of the bail bond. If such balance has not been paid in full to
927 the professional bondsman by the due date or a payment due under
928 such arrangement is more than sixty days in arrears, such bondsman
929 shall file a civil action seeking appropriate relief with the court not
930 later than seventy-five days after such due date. The professional
931 bondsman shall make a diligent effort to obtain judgment after filing
932 such complaint on such promissory note unless good cause is shown
933 for failure to obtain judgment, including, but not limited to, the filing
934 for bankruptcy by the principal or the indemnitor or failure to serve
935 process despite good faith efforts.

936 Sec. 29. Section 38a-660c of the general statutes is repealed and the

937 following is substituted in lieu thereof (*Effective October 1, 2014*):

938 (a) A surety bail bond agent may enter into a premium financing
939 arrangement with a principal or any indemnitor in which such agent
940 extends credit to such principal or indemnitor.

941 (b) If a surety bail bond agent enters into a premium financing
942 arrangement, such agent shall require (1) the principal on the bail bond
943 or any indemnitor to make a minimum down payment of thirty-five
944 per cent of the premium due, at the premium rate approved by the
945 commissioner pursuant to chapter 701, and (2) the principal and any
946 indemnitor to execute a promissory note for the balance of the
947 premium due. Such promissory note shall provide that such balance
948 shall be paid not later than [~~fifteen~~] twenty-four months after the date
949 of the execution of the bail bond. If such balance has not been paid in
950 full to the surety bail bond agent by the due date or a payment due
951 under such arrangement is more than sixty days in arrears, such agent
952 shall file a civil action seeking appropriate relief with the court not
953 later than seventy-five days after such due date. The surety bail bond
954 agent shall make a diligent effort to obtain judgment after filing such
955 complaint on such promissory note unless good cause is shown for
956 failure to obtain judgment, including, but not limited to, the filing for
957 bankruptcy by the principal or the indemnitor or failure to serve
958 process despite good faith efforts.

959 Sec. 30. Section 53a-70b of the general statutes is repealed and the
960 following is substituted in lieu thereof (*Effective October 1, 2014*):

961 (a) For the purposes of this section:

962 (1) "Sexual intercourse" means vaginal intercourse, anal intercourse,
963 fellatio or cunnilingus between persons regardless of sex. Penetration,
964 however slight, is sufficient to complete vaginal intercourse, anal
965 intercourse or fellatio and does not require emission of semen.
966 Penetration may be committed by an object manipulated by the actor
967 into the genital or anal opening of the victim's body; and

968 (2) "Use of force" means: (A) Use of a dangerous instrument; or (B)
969 use of actual physical force or violence or superior physical strength
970 against the victim.

971 (b) No spouse or cohabitor shall compel the other spouse or
972 cohabitor to engage in sexual intercourse by the use of force against
973 such other spouse or cohabitor, or by the threat of the use of force
974 against such other spouse or cohabitor which reasonably causes such
975 other spouse or cohabitor to fear physical injury.

976 (c) Any person who violates any provision of this section shall be
977 guilty of a class B felony for which two years of the sentence imposed
978 may not be suspended or reduced by the court.

979 Sec. 31. Section 53a-40d of the general statutes is repealed and the
980 following is substituted in lieu thereof (*Effective October 1, 2014*):

981 (a) A persistent offender of crimes involving assault, stalking,
982 trespass, threatening, harassment, criminal violation of a protective
983 order, [or] criminal violation of a restraining order or criminal
984 violation of a standing criminal protective order is a person who (1)
985 stands convicted of assault under section 53a-61, stalking under section
986 53a-181d, threatening under section 53a-62, harassment under section
987 53a-183, criminal violation of a protective order under section 53a-223,
988 as amended by this act, criminal violation of a standing criminal
989 protective order under section 53a-223a, as amended by this act,
990 criminal violation of a restraining order under section 53a-223b, as
991 amended by this act, or criminal trespass under section 53a-107, as
992 amended by this act, or 53a-108, and (2) has, (A) been convicted of a
993 capital felony under the provisions of section 53a-54b in effect prior to
994 April 25, 2012, a class A felony, a class B felony, except a conviction
995 under section 53a-86 or 53a-122, a class C felony, except a conviction
996 under section 53a-87, 53a-152 or 53a-153, or a class D felony under
997 sections 53a-60 to 53a-60c, inclusive, 53a-72a, 53a-72b, 53a-95, 53a-103,
998 53a-103a, 53a-114, 53a-136 or 53a-216, assault under section 53a-61,

999 stalking under section 53a-181d, threatening under section 53a-62,
1000 harassment under section 53a-183, criminal violation of a protective
1001 order under section 53a-223, as amended by this act, criminal violation
1002 of a standing criminal protective order under section 53a-223a, as
1003 amended by this act, criminal violation of a restraining order under
1004 section 53a-223b, as amended by this act, or criminal trespass under
1005 section 53a-107, as amended by this act, or 53a-108, (B) been convicted
1006 in any other state of any crime the essential elements of which are
1007 substantially the same as any of the crimes enumerated in
1008 subparagraph (A) of this subdivision, or (C) been released from
1009 incarceration with respect to such conviction.

1010 (b) When any person has been found to be a persistent offender of
1011 crimes involving assault, stalking, trespass, threatening, harassment,
1012 criminal violation of a protective order, [or] criminal violation of a
1013 restraining order or criminal violation of a standing criminal protective
1014 order, the court shall, in lieu of imposing the sentence authorized for
1015 the crime under section 53a-36 or section 53a-35a, as applicable,
1016 impose the sentence of imprisonment authorized by said section 53a-
1017 36 or section 53a-35a for the next more serious degree of misdemeanor
1018 or felony, except that if the crime is a class A misdemeanor the court
1019 shall impose the sentence of imprisonment for a class D felony, as
1020 authorized by section 53a-35a.

1021 Sec. 32. (NEW) (*Effective July 1, 2014*) (a) As used in this section:

1022 (1) "Domestic violence agency" means any office, shelter, host home
1023 or agency offering assistance to victims of domestic violence through
1024 crisis intervention, emergency shelter referral and medical and legal
1025 advocacy, and which meets the Department of Social Services' criteria
1026 of service provision for such agencies.

1027 (2) "Family violence victim advocate" means a person (A) who is
1028 employed by and under the control of a direct service supervisor of a
1029 domestic violence agency, (B) who has undergone a minimum of

1030 twenty hours of training which shall include, but not be limited to, the
1031 dynamics of domestic violence, crisis intervention, communication
1032 skills, working with diverse populations, an overview of the state
1033 criminal justice system and information about state and community
1034 resources for victims of domestic violence, (C) who is certified as a
1035 counselor by the domestic violence agency that provided such
1036 training, and (D) whose primary purpose is the rendering of advice,
1037 counsel and assistance to, and the advocacy of the cause of, victims of
1038 domestic violence.

1039 (b) The Chief Court Administrator shall permit one or more family
1040 violence victim advocates to provide services to victims of domestic
1041 violence in the Family Division of the Superior Court in each judicial
1042 district in the state, provided the total number of family violence
1043 victim advocates providing such services in the Family Division of the
1044 Superior Court in the state's judicial districts shall not exceed sixteen.

1045 Sec. 33. Subsection (j) of section 46b-38c of the 2014 supplement to
1046 the general statutes is repealed and the following is substituted in lieu
1047 thereof (*Effective October 1, 2014*):

1048 (j) The Judicial Department, in consultation with the Connecticut
1049 Coalition Against Domestic Violence, shall establish an ongoing
1050 training program for judges, Court Support Services Division
1051 personnel, guardians ad litem and clerks to inform them about the
1052 policies and procedures of sections 46b-1, 46b-15, as amended by this
1053 act, 46b-38a to 46b-38f, inclusive, and 54-1g, including, but not limited
1054 to, the function of the family violence intervention units and the use of
1055 restraining and protective orders. The ongoing training provided to
1056 judges shall include the unique social and emotional characteristics of
1057 family violence crimes.

1058 Sec. 34. (NEW) (*Effective October 1, 2014*) Any person who
1059 knowingly publishes, disseminates or otherwise discloses the
1060 confidential location of an emergency shelter operated by a domestic

1061 violence agency, as defined in section 52-146k of the general statutes,
 1062 without written authorization from the domestic violence agency that
 1063 operates such emergency shelter to publish, disseminate or otherwise
 1064 disclose the location of such emergency shelter shall be guilty of a class
 1065 A misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	46b-15(b)
Sec. 2	<i>October 1, 2014</i>	46b-15(c)
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>October 1, 2014</i>	53a-223
Sec. 5	<i>October 1, 2014</i>	53a-223a
Sec. 6	<i>October 1, 2014</i>	53a-223b
Sec. 7	<i>October 1, 2014</i>	46b-38c(e)
Sec. 8	<i>October 1, 2014</i>	54-1k(b)
Sec. 9	<i>October 1, 2014</i>	54-82r(b)
Sec. 10	<i>October 1, 2014</i>	53a-40e(c)
Sec. 11	<i>October 1, 2014</i>	46b-38h
Sec. 12	<i>October 1, 2014</i>	53a-182b(a) and (b)
Sec. 13	<i>October 1, 2014</i>	10-222d
Sec. 14	<i>October 1, 2014</i>	10-222g
Sec. 15	<i>October 1, 2014</i>	10-222h
Sec. 16	<i>October 1, 2014</i>	10-222i
Sec. 17	<i>October 1, 2014</i>	10-222j
Sec. 18	<i>October 1, 2014</i>	10-222k
Sec. 19	<i>October 1, 2014</i>	10-222l
Sec. 20	<i>October 1, 2014</i>	10-16b(a)
Sec. 21	<i>October 1, 2014</i>	New section
Sec. 22	<i>October 1, 2014</i>	New section
Sec. 23	<i>October 1, 2014</i>	53a-40e(a)
Sec. 24	<i>October 1, 2014</i>	53a-107
Sec. 25	<i>October 1, 2014</i>	51-5c(a)
Sec. 26	<i>October 1, 2014</i>	6-32
Sec. 27	<i>October 1, 2014</i>	54-203(b)(11)
Sec. 28	<i>October 1, 2014</i>	New section
Sec. 29	<i>October 1, 2014</i>	38a-660c
Sec. 30	<i>October 1, 2014</i>	53a-70b

Sec. 31	<i>October 1, 2014</i>	53a-40d
Sec. 32	<i>July 1, 2014</i>	New section
Sec. 33	<i>October 1, 2014</i>	46b-38c(j)
Sec. 34	<i>October 1, 2014</i>	New section

Statement of Purpose:

To add enhanced civil and criminal protections for victims of domestic violence and sexual assault.

[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.]