



General Assembly

Substitute Bill No. 152

February Session, 2014



AN ACT CONCERNING COURT SUPPORT SERVICES.

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

1 Section 1. Subsection (g) of section 17a-28 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2 the general statutes is repealed and the following is substituted in lieu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 (g) The department shall disclose records, subject to subsections (b)
5 and (c) of this section, without the consent of the person who is the
6 subject of the record, to:

7 (1) The person named in the record or such person's authorized
8 representative, provided such disclosure shall be limited to
9 information (A) contained in the record about such person or about
10 such person's biological or adoptive minor child, if such person's
11 parental rights to such child have not been terminated; and (B)
12 identifying an individual who reported abuse or neglect of the person,
13 including any tape recording of an oral report pursuant to section 17a-
14 103, if a court determines that there is reasonable cause to believe the
15 reporter knowingly made a false report or that the interests of justice
16 require disclosure;

17 (2) An employee of the department for any purpose reasonably
18 related to the performance of such employee's duties;

19 (3) A guardian ad litem or attorney appointed to represent a child or
20 youth in litigation affecting the best interests of the child or youth;

21 (4) The Attorney General, any assistant attorney general or any
22 other legal counsel retained to represent the department during the
23 course of a legal proceeding involving the department or an employee
24 of the department;

25 (5) The Child Advocate or the Child Advocate's designee;

26 (6) The Chief Public Defender or the Chief Public Defender's
27 designee for purposes of ensuring competent representation by the
28 attorneys with whom the Chief Public Defender contracts to provide
29 legal and guardian ad litem services to the subjects of such records and
30 for ensuring accurate payments for services rendered by such
31 attorneys;

32 (7) The Chief State's Attorney or the Chief State's Attorney's
33 designee for purposes of investigating or prosecuting an allegation
34 related to child abuse or neglect, provided such prosecuting authority
35 shall have access to records of a child charged with the commission of
36 a delinquent act, who is not being charged with an offense related to
37 child abuse, only while the case is being prosecuted and after
38 obtaining a release;

39 (8) A state or federal law enforcement officer for purposes of
40 investigating an allegation related to child abuse or neglect;

41 (9) [Any] A foster or prospective adoptive parent, if the records
42 pertain to a child or youth currently placed with the foster or
43 prospective adoptive parent, or a child or youth being considered for
44 placement with the foster or prospective adoptive parent, and the
45 records are necessary to address the social, medical, psychological or
46 educational needs of the child or youth, provided no information
47 identifying a biological parent is disclosed without the permission of
48 such biological parent;

49 (10) The Governor, when requested in writing in the course of the
50 Governor's official functions, the Legislative Program Review and
51 Investigations Committee, the joint standing committee of the General
52 Assembly having cognizance of matters relating to human services, the
53 joint standing committee of the General Assembly having cognizance
54 of matters relating to the judiciary or the [select] joint standing
55 committee of the General Assembly having cognizance of matters
56 relating to children, when requested in writing by any of such
57 committees in the course of [said] such committee's official functions,
58 and upon a majority vote of [said] such committee, provided no name
59 or other identifying information is disclosed unless such information is
60 essential to the gubernatorial or legislative purpose;

61 (11) The Department of Public Health for the purpose of (A)
62 determining the suitability of a person to care for children in a facility
63 licensed pursuant to section 19a-77, 19a-80 or 19a-87b; (B) determining
64 the suitability of such person for licensure; or (C) an investigation
65 conducted pursuant to section 19a-80f;

66 (12) The Department of Developmental Services, to allow said
67 department to determine eligibility, facilitate enrollment and plan for
68 the provision of services to a child who is a client of said department
69 and who is applying to enroll in or is enrolled in said department's
70 voluntary services program. At the time that a parent or guardian
71 completes an application for enrollment of a child in the Department of
72 Developmental Services' voluntary services program, or at the time
73 that said department updates a child's annual individualized plan of
74 care, said department shall notify such parent or guardian that the
75 Department of Children and Families may provide records to the
76 Department of Developmental Services for the purposes specified in
77 this subdivision without the consent of such parent or guardian;

78 (13) A state agency that licenses or certifies an individual to educate
79 or care for children or youth;

80 (14) A judge or employee of a probate court who requires access to

81 such records in order to perform such judge's or employee's official
82 duties;

83 (15) A judge of the Superior Court for purposes of determining the
84 appropriate disposition of a child convicted as delinquent or a child
85 who is a member of a family with service needs;

86 (16) A judge of the Superior Court in a criminal prosecution for
87 purposes of in camera inspection whenever (A) the court has ordered
88 that the record be provided to the court; or (B) a party to the
89 proceeding has issued a subpoena for the record;

90 (17) A judge of the Superior Court and all necessary parties in a
91 family violence proceeding when such records concern family violence
92 with respect to the child who is the subject of the proceeding or the
93 parent of such child who is the subject of the proceeding;

94 (18) The Auditors of Public Accounts, or their representative,
95 provided no information identifying the subject of the record is
96 disclosed unless such information is essential to an audit conducted
97 pursuant to section 2-90;

98 (19) A local or regional board of education, provided the records are
99 limited to educational records created or obtained by the state or
100 Connecticut Unified School District #2, established pursuant to section
101 17a-37;

102 (20) The superintendent of schools for any school district for the
103 purpose of determining the suitability of a person to be employed by
104 the local or regional board of education for such school district
105 pursuant to subsection (a) of section 10-221d;

106 (21) The Department of Motor Vehicles for the purpose of criminal
107 history records checks pursuant to subsection (e) of section 14-44,
108 provided information disclosed pursuant to this subdivision shall be
109 limited to information included on the Department of Children and
110 Families child abuse and neglect registry established pursuant to

111 section 17a-101k, subject to the provisions of sections 17a-101g and
112 17a-101k concerning the nondisclosure of findings of responsibility for
113 abuse and neglect;

114 (22) The Department of Mental Health and Addiction Services for
115 the purpose of treatment planning for young adults who have
116 transitioned from the care of the Department of Children and Families;

117 (23) The superintendent of a public school district or the executive
118 director or other head of a public or private institution for children
119 providing care for children or a private school pursuant to sections
120 17a-101b, 17a-101c and 17a-101i; [and]

121 (24) The Department of Social Services for the purpose of (A)
122 determining the suitability of a person for payment from the
123 Department of Social Services for providing child care; (B) promoting
124 the health, safety and welfare of the child or youth; or (C) investigating
125 allegations of fraud provided no information identifying the subject of
126 the record is disclosed unless such information is essential to any such
127 investigation; and

128 (25) The Court Support Services Division of the Judicial Branch, to
129 allow the division to determine the supervision and treatment needs of
130 a child or youth, and provide appropriate supervision and treatment
131 services to such child or youth, provided such disclosure shall be
132 limited to information that identifies the child or youth, or a member
133 of such child's or youth's immediate family, as being or having been
134 (A) committed to the custody of the Commissioner of Children and
135 Families as delinquent, (B) under the supervision of the Commissioner
136 of Children and Families, or (C) enrolled in the voluntary services
137 program operated by the Department of Children and Families.

138 Sec. 2. Section 46b-124 of the general statutes is repealed and the
139 following is substituted in lieu thereof (*Effective October 1, 2014*):

140 (a) For the purposes of this section, "records of cases of juvenile
141 matters" includes, but is not limited to, court records, records

142 regarding juveniles maintained by the Court Support Services
143 Division, records regarding juveniles maintained by an organization or
144 agency that has contracted with the Judicial Branch to provide services
145 to juveniles, records of law enforcement agencies including
146 fingerprints, photographs and physical descriptions, and medical,
147 psychological, psychiatric and social welfare studies and reports by
148 juvenile probation officers, public or private institutions, social
149 agencies and clinics.

150 (b) All records of cases of juvenile matters, as provided in section
151 46b-121, except delinquency proceedings, or any part thereof, and all
152 records of appeals from probate brought to the superior court for
153 juvenile matters pursuant to section 45a-186, shall be confidential and
154 for the use of the court in juvenile matters, and open to inspection or
155 disclosure to any third party, including bona fide researchers
156 commissioned by a state agency, only upon order of the Superior
157 Court, except that: (1) [The records concerning any matter transferred
158 from a court of probate pursuant to section 45a-623 or subsection (g) of
159 section 45a-715 or any appeal from probate to the superior court for
160 juvenile matters pursuant to subsection (b) of section 45a-186 shall be
161 available to the court of probate from which such matter was
162 transferred or from which such appeal was taken; (2) such] Such
163 records shall be available to (A) the attorney representing the child or
164 youth, including the Division of Public Defender Services, in any
165 proceeding in which such records are relevant, (B) the parents or
166 guardian of the child or youth until such time as the child or youth
167 reaches the age of majority or becomes emancipated, (C) an adult
168 adopted person in accordance with the provisions of sections 45a-736,
169 45a-737 and 45a-743 to 45a-757, inclusive, (D) employees of the
170 Division of Criminal Justice who, in the performance of their duties,
171 require access to such records, (E) employees of the Judicial Branch
172 who, in the performance of their duties, require access to such records,
173 (F) another court under the provisions of subsection (d) of section 46b-
174 115j, (G) the subject of the record, upon submission of satisfactory
175 proof of the subject's identity, pursuant to guidelines prescribed by the

176 Office of the Chief Court Administrator, provided the subject has
177 reached the age of majority or has been emancipated, (H) the
178 Department of Children and Families, [and] (I) the employees of the
179 Division of Public Defender Services who, in the performance of their
180 duties related to Division of Public Defender Services assigned
181 counsel, require access to such records, and (J) judges and employees
182 of the Probate Court who, in the performance of their duties, require
183 access to such records; and [(3)] (2) all or part of the records concerning
184 a youth in crisis with respect to whom a court order was issued prior
185 to January 1, 2010, may be made available to the Department of Motor
186 Vehicles, provided such records are relevant to such order. Any
187 records of cases of juvenile matters, or any part thereof, provided to
188 any persons, governmental [and] or private agencies, [and] or
189 institutions pursuant to this section shall not be disclosed, directly or
190 indirectly, to any third party not specified in subsection (d) of this
191 section, except as provided by court order, [or] in the report required
192 under section 54-76d or 54-91a or as otherwise provided by law.

193 (c) All records of cases of juvenile matters involving delinquency
194 proceedings, or any part thereof, shall be confidential and for the use
195 of the court in juvenile matters and shall not be disclosed except as
196 provided in this section.

197 (d) Records of cases of juvenile matters involving delinquency
198 proceedings shall be available to (1) Judicial Branch employees who, in
199 the performance of their duties, require access to such records, (2)
200 judges and employees of the Probate Court who, in the performance of
201 their duties, require access to such records, and [(2)] (3) employees and
202 authorized agents of state or federal agencies involved in (A) the
203 delinquency proceedings, (B) the provision of services directly to the
204 child, (C) the design and delivery of treatment programs pursuant to
205 section 46b-121j, or (D) the delivery of court diversionary programs.
206 Such employees and authorized agents include, but are not limited to,
207 law enforcement officials, community-based youth service bureau
208 officials, state and federal prosecutorial officials, school officials in

209 accordance with section 10-233h, court officials including officials of
210 both the regular criminal docket and the docket for juvenile matters
211 and officials of the Division of Criminal Justice, the Division of Public
212 Defender Services, the Department of Children and Families, the Court
213 Support Services Division and agencies under contract with the
214 Judicial Branch. Such records shall also be available to (i) the attorney
215 representing the child, including the Division of Public Defender
216 Services, in any proceeding in which such records are relevant, (ii) the
217 parents or guardian of the child, until such time as the subject of the
218 record reaches the age of majority, (iii) the subject of the record, upon
219 submission of satisfactory proof of the subject's identity, pursuant to
220 guidelines prescribed by the Office of the Chief Court Administrator,
221 provided the subject has reached the age of majority, (iv) law
222 enforcement officials and prosecutorial officials conducting legitimate
223 criminal investigations, (v) a state or federal agency providing services
224 related to the collection of moneys due or funding to support the
225 service needs of eligible juveniles, provided such disclosure shall be
226 limited to that information necessary for the collection of and
227 application for such moneys, and (vi) members and employees of the
228 Board of Pardons and Paroles and employees of the Department of
229 Correction who, in the performance of their duties, require access to
230 such records, provided the subject of the record has been convicted of
231 a crime in the regular criminal docket of the Superior Court and such
232 records are relevant to the performance of a risk and needs assessment
233 of such person while such person is incarcerated, the determination of
234 such person's suitability for release from incarceration or for a pardon,
235 or the determination of the supervision and treatment needs of such
236 person while on parole or other supervised release. Records disclosed
237 pursuant to this subsection shall not be further disclosed, except that
238 information contained in such records may be disclosed in connection
239 with bail or sentencing reports in open court during criminal
240 proceedings involving the subject of such information, or as otherwise
241 provided by law.

242 (e) Records of cases of juvenile matters involving delinquency

243 proceedings, or any part thereof, may be disclosed upon order of the
244 court to any person who has a legitimate interest in the information
245 and is identified in such order. Records disclosed pursuant to this
246 subsection shall not be further disclosed, except as specifically
247 authorized by a subsequent order of the court.

248 (f) Records of cases of juvenile matters involving delinquency
249 proceedings, or any part thereof, shall be available to the victim of the
250 crime committed by such child to the same extent as the record of the
251 case of a defendant in a criminal proceeding in the regular criminal
252 docket of the Superior Court is available to a victim of the crime
253 committed by such defendant. The court shall designate an official
254 from whom such victim may request such information. Records
255 disclosed pursuant to this subsection shall not be further disclosed,
256 except as specifically authorized by a subsequent order of the court.

257 (g) Information concerning a child who is the subject of an order to
258 take such child into custody or other process that has been entered into
259 a central computer system pursuant to subsection (i) of section 46b-
260 133, as amended by this act, may be disclosed to employees and
261 authorized agents of the Judicial Branch, law enforcement agencies
262 and the Department of Children and Families in accordance with
263 policies and procedures established by the Chief Court Administrator.

264 ~~[(g)]~~ (h) Information concerning a child who has escaped from a
265 detention center or from a facility to which [he] the child has been
266 committed by the court or for whom an arrest warrant has been issued
267 with respect to the commission of a felony may be disclosed by law
268 enforcement officials.

269 ~~[(h)]~~ (i) Nothing in this section shall be construed to prohibit any
270 person employed by the Judicial Branch from disclosing any records,
271 information or files in [his] such employee's possession to any person
272 employed by the Division of Criminal Justice as a prosecutorial official,
273 inspector or investigator who, in the performance of his or her duties,
274 requests such records, information or files, or to prohibit any such

275 employee of said division from disclosing any records, information or
276 files in [his] such employee's possession to any such employee of the
277 Judicial Branch who, in the performance of his or her duties, requests
278 such records, information or files.

279 (j) Nothing in this section shall be construed to prohibit a party from
280 making a timely objection to the admissibility of evidence consisting of
281 records of cases of juvenile matters, or any part thereof, in any
282 Superior Court or Probate Court proceeding, or from making a timely
283 motion to seal any such record pursuant to the rules of the Superior
284 Court or the rules of procedure adopted under section 45a-78.

285 [(i)] (k) A state's attorney shall disclose to the defendant or [his]
286 such defendant's counsel in a criminal prosecution, without the
287 necessity of a court order, exculpatory information and material
288 contained in any record disclosed to such state's attorney pursuant to
289 this section and may disclose, without a court order, information and
290 material contained in any such record which could be the subject of a
291 disclosure order.

292 [(j)] (l) Notwithstanding the provisions of subsection (d) of this
293 section, any information concerning a child that is obtained during any
294 mental health screening or assessment of such child, during the
295 provision of services pursuant to subsection (b) of section 46b-149, or
296 during the performance of an educational evaluation pursuant to
297 subsection (e) of section 46b-149, shall be used solely for planning and
298 treatment purposes and shall otherwise be confidential and retained in
299 the files of the entity providing such services or performing such
300 screening, assessment or evaluation. Such information may be further
301 disclosed only for the purposes of any court-ordered evaluation or
302 treatment of the child or provision of services to the child, or pursuant
303 to sections 17a-101 to 17a-101e, inclusive, 17b-450, 17b-451 or 51-36a.
304 Such information shall not be subject to subpoena or other court
305 process for use in any other proceeding or for any other purpose.

306 [(k)] (m) Records of cases of juvenile matters involving delinquency

307 proceedings, or any part thereof, containing information that a child
308 has been convicted as delinquent for a violation of subdivision (e) of
309 section 1-1h, subsection (c) of section 14-147, subsection (a) of section
310 14-215, section 14-222, subsection (b) of section 14-223, subsection (a),
311 (b) or (c) of section 14-224, section 30-88a or subsection (b) of section
312 30-89, shall be disclosed to the Department of Motor Vehicles for
313 administrative use in determining whether administrative sanctions
314 regarding such child's motor vehicle operator's license are warranted.
315 Records disclosed pursuant to this subsection shall not be further
316 disclosed.

317 [(l)] (n) Records of cases of juvenile matters involving adoption
318 proceedings, or any part thereof, shall be confidential and may only be
319 disclosed pursuant to sections 45a-743 to 45a-757, inclusive.

320 Sec. 3. Section 54-108e of the general statutes is repealed and the
321 following is substituted in lieu thereof (*Effective October 1, 2014*):

322 (a) Probation officers shall provide intensive pretrial supervision
323 services, in accordance with guidelines developed by the Court
324 Support Services Division, whenever ordered to do so by the court.

325 (b) Probation officers shall complete alternative sentencing plans, in
326 accordance with guidelines developed by the Court Support Services
327 Division, for persons who have entered into a stated plea agreement
328 that includes a term of imprisonment of two years or less, whenever
329 ordered to do so by the court.

330 (c) Probation officers may evaluate persons sentenced to a term of
331 imprisonment of two years or less who have been confined under such
332 sentence for at least ninety days and have complied with institutional
333 rules and necessary treatment programs of the Department of
334 Correction, and may develop a community release plan for such
335 persons in accordance with guidelines developed by the Court Support
336 Services Division. If a probation officer develops a community release
337 plan, the probation officer shall apply for a sentence modification

338 hearing under section 53a-39.

339 (d) Information contained in an alternative sentencing plan or a
340 community release plan shall be available only to: (1) Employees of the
341 Judicial Branch who in the performance of their duties require access
342 to the information contained in such plan; (2) employees and
343 authorized agents of state or federal agencies involved in the design
344 and delivery of treatment services to the person who is the subject of
345 such plan; (3) employees of state or community-based agencies
346 providing services directly to the person who is the subject of such
347 plan; [and] (4) an attorney representing the person who is the subject
348 of such plan in any proceeding in which such plan is relevant; (5)
349 employees of the Division of Criminal Justice who are assigned to the
350 court location where the court ordered completion of an alternative
351 sentencing plan pursuant to subsection (b) of this section, or where a
352 sentence modification hearing will be heard pursuant to subsection (c)
353 of this section; and (6) employees of the Department of Correction.

354 Sec. 4. (NEW) (*Effective October 1, 2014*) Notwithstanding the
355 provisions of sections 46a-79 to 46a-81, inclusive, of the general
356 statutes, an authorized employee of the Judicial Branch:

357 (1) May access the Connecticut online law enforcement
358 communications teleprocessing system with respect to (A) an applicant
359 for employment with the Judicial Branch who the Judicial Branch
360 deems otherwise qualified for such employment, and who will, in the
361 performance of his or her duties, have access to criminal justice
362 information systems, or (B) an employee of, or applicant for
363 employment with, an agency under contract with the Judicial Branch,
364 who will, in the performance of his or her duties with such agency
365 with respect to the Judicial Branch, have access to criminal justice
366 information systems;

367 (2) May consider information accessed from such teleprocessing
368 system in making a decision on whether to (A) offer employment to
369 such Judicial Branch applicant, or (B) allow an agency employee, or

370 applicant if hired by the agency, access to criminal justice information
371 systems; and

372 (3) Shall send, by registered mail, written notice to such Judicial
373 Branch applicant, or agency employee or applicant, if information in
374 such teleprocessing system is used as a basis for rejection of the
375 Judicial Branch applicant or denial of such agency employee's or
376 applicant's access to criminal justice information systems, which notice
377 shall specifically state the evidence presented and the reasons for
378 rejection.

379 Sec. 5. Section 46b-133 of the general statutes is amended by adding
380 subsection (i) as follows (*Effective October 1, 2014*):

381 (NEW) (i) Whenever a child is subject to a court order to take such
382 child into custody, or other process issued pursuant to this section or
383 section 46b-140a, the Judicial Branch may cause the order or process to
384 be entered into a central computer system in accordance with policies
385 and procedures established by the Chief Court Administrator. The
386 existence of the order or process in the computer system shall
387 constitute prima facie evidence of the issuance of the order or process.
388 Any child named in the order or process may be arrested or taken into
389 custody based on the existence of the order or process in the computer
390 system and, if the order or process directs that such child be detained,
391 the child shall be held in a juvenile detention center.

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

394 (a) A person is guilty of criminal violation of a protective order
395 when an order issued pursuant to subsection (e) of section 46b-38c,
396 subsection (f) of section 53a-28, or section 54-1k or 54-82r has been
397 issued against such person, and such person violates such order.

398 (b) No person who is listed as a protected person in such protective
399 order may be criminally liable for (1) soliciting, requesting,
400 commanding, importuning or intentionally aiding in the violation of

401 the protective order pursuant to subsection (a) of section 53a-8, or (2)
402 conspiracy to violate such protective order pursuant to section 53a-48.

403 (c) Criminal violation of a protective order is a class D felony.

404 Sec. 7. Subsection (a) of section 54-56i of the 2014 supplement to the
405 general statutes is repealed and the following is substituted in lieu
406 thereof (*Effective October 1, 2014*):

407 (a) There is established a pretrial drug education and community
408 service program for persons charged with a violation of section
409 21a-267, 21a-279 or 21a-279a. The drug education and community
410 service program shall include a fifteen-week drug education program
411 [a fifteen-session drug intervention program] and a substance abuse
412 treatment program of not less than fifteen sessions, and the
413 performance of community service.

414 Sec. 8. Subsection (c) of section 54-56i of the 2014 supplement to the
415 general statutes is repealed and the following is substituted in lieu
416 thereof (*Effective October 1, 2014*):

417 (c) The court, after consideration of the recommendation of the
418 state's attorney, assistant state's attorney or deputy assistant state's
419 attorney in charge of the case, may, in its discretion, grant such
420 application. If the court grants such application, the court shall refer
421 such person (1) to the Court Support Services Division for
422 confirmation of the eligibility of the applicant, (2) to the Department of
423 Mental Health and Addiction Services for evaluation and
424 determination of an appropriate drug education or substance abuse
425 treatment program for the first or second time such application is
426 granted, and (3) to a state-licensed substance abuse treatment program
427 for evaluation and determination of an appropriate substance abuse
428 treatment program for the third time such application is granted,
429 except that, if such person is a veteran, the court may refer such person
430 to the Department of Veterans' Affairs or the United States Department
431 of Veterans Affairs, as applicable, for any such evaluation and

432 determination. For the purposes of this subsection and subsection (d)
433 of this section, "veteran" means a person who is (A) a veteran, as
434 defined in subsection (a) of section 27-103, or (B) eligible to receive
435 services from the United States Department of Veterans Affairs
436 pursuant to Title 38 of the United States Code.

437 Sec. 9. Subdivision (1) of subsection (d) of section 54-56i of the 2014
438 supplement to the general statutes is repealed and the following is
439 substituted in lieu thereof (*Effective October 1, 2014*):

440 (d) (1) (A) Upon confirmation of eligibility and receipt of the
441 evaluation and determination required under subsection (c) of this
442 section, such person shall be placed in the drug education and
443 community service program and referred by the Court Support
444 Services Division for the purpose of receiving appropriate drug
445 [intervention] education services or substance abuse treatment
446 program services, as recommended by the evaluation conducted
447 pursuant to subsection (c) of this section and ordered by the court, to
448 the Department of Mental Health and Addiction Services or to a state-
449 licensed substance abuse treatment program for placement in the
450 appropriate drug education or substance abuse treatment program,
451 except that, if such person is a veteran, the division may refer such
452 person to the Department of Veterans' Affairs or the United States
453 Department of Veterans Affairs, subject to the provisions of
454 subdivision (2) of this subsection.

455 (B) Persons who have been granted entry into the drug education
456 and community service program for the first time shall participate in
457 either a fifteen-week drug education program or a substance abuse
458 treatment program of not less than fifteen sessions, as ordered by the
459 court on the basis of the evaluation and determination required under
460 subsection (c) of this section. Persons who have been granted entry
461 into the drug education and community service program for the
462 second time shall participate in either a fifteen-week drug education
463 program or a substance abuse treatment program of not less than
464 fifteen sessions, as ordered by the court based on the evaluation and

465 determination required under subsection (c) of this section. Persons
466 who have been granted entry into the drug education and community
467 service program for a third time shall be referred to a state-licensed
468 substance abuse program for evaluation and participation in a course
469 of treatment as ordered by the court based on the evaluation and
470 determination required under subsection (c) of this section.

471 (C) Persons who have been granted entry into the drug education
472 and community service program shall also participate in a community
473 service program administered by the Court Support Services Division
474 pursuant to section 53a-39c. Persons who have been granted entry into
475 the drug education and community service program for the first time
476 shall participate in the community service program for a period of five
477 days. Persons who have been granted entry into the drug education
478 and community service program for the second time shall participate
479 in the community service program for a period of fifteen days. Persons
480 who have been granted entry into the drug education and community
481 service program for a third or additional time shall participate in the
482 community service program for a period of thirty days.

483 (D) Placement in the drug education and community service
484 program pursuant to this section shall not exceed one year. Persons
485 receiving substance abuse treatment program services in accordance
486 with the provisions of this section shall only receive such services at
487 state-licensed substance abuse treatment program facilities that are in
488 compliance with all state standards governing the operation of such
489 facilities, except that, if such person is a veteran, such person may
490 receive services from facilities under the supervision of the
491 Department of Veterans' Affairs or the United States Department of
492 Veterans Affairs, subject to the provisions of subdivision (2) of this
493 subsection.

494 (E) Any person who enters the drug education and community
495 service program shall agree: (i) To the tolling of the statute of
496 limitations with respect to such crime; (ii) to a waiver of such person's
497 right to a speedy trial; (iii) to complete participation in the drug

498 education and community service program, as ordered by the court;
 499 (iv) to commence participation in the drug education and community
 500 service program not later than ninety days after the date of entry of the
 501 court order unless granted a delayed entry into the program by the
 502 court; and (v) upon completion of participation in the drug education
 503 and community service program, to accept (I) placement in a treatment
 504 program upon the recommendation of a provider under contract with
 505 the Department of Mental Health and Addiction Services or a provider
 506 under the supervision of the Department of Veterans' Affairs or the
 507 United States Department of Veterans Affairs, or (II) placement in a
 508 treatment program that has standards substantially similar to, or
 509 higher than, a program of a provider under contract with the
 510 Department of Mental Health and Addiction Services, if the Court
 511 Support Services Division deems it appropriate.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	17a-28(g)
Sec. 2	<i>October 1, 2014</i>	46b-124
Sec. 3	<i>October 1, 2014</i>	54-108e
Sec. 4	<i>October 1, 2014</i>	New section
Sec. 5	<i>October 1, 2014</i>	46b-133
Sec. 6	<i>October 1, 2014</i>	53a-223
Sec. 7	<i>October 1, 2014</i>	54-56i(a)
Sec. 8	<i>October 1, 2014</i>	54-56i(c)
Sec. 9	<i>October 1, 2014</i>	54-56i(d)(1)

JUD *Joint Favorable Subst.*

HS *Joint Favorable*