



General Assembly

February Session, 2014

***Raised Bill No. 262***

LCO No. 1660



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING APPLICATIONS FOR THE PRETRIAL  
ALCOHOL EDUCATION PROGRAM.***

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

1 Section 1. Subsection (a) of section 54-56g 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2 the general statutes is repealed and the following is substituted in lieu  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 (a) (1) There shall be a pretrial alcohol education program for  
5 persons charged with a violation of section 14-227a, 14-227g, 15-132a,  
6 15-133, 15-140l or 15-140n. Upon application by any such person for  
7 participation in such program and payment to the court of an  
8 application fee of one hundred dollars and a nonrefundable evaluation  
9 fee of one hundred dollars, the court shall, but only as to the public,  
10 order the court file sealed, provided such person states under oath, in  
11 open court or before any person designated by the clerk and duly  
12 authorized to administer oaths, under penalties of perjury that: [(1)]  
13 (A) If such person is charged with a violation of section 14-227a, such  
14 person has not had such program invoked in such person's behalf  
15 within the preceding ten years for a violation of section 14-227a, [(2)]

16 (B) if such person is charged with a violation of section 14-227g, such  
 17 person has never had such program invoked in such person's behalf  
 18 for a violation of section 14-227a or 14-227g, [(3)] (C) such person has  
 19 not been convicted of a violation of section 53a-56b or 53a-60d, a  
 20 violation of subsection (a) of section 14-227a before, on or after October  
 21 1, 1981, or a violation of subdivision (1) or (2) of subsection (a) of  
 22 section 14-227a on or after October 1, 1985, [and (4)] (D) such person  
 23 has not been convicted in any other state at any time of an offense the  
 24 essential elements of which are substantially the same as section 53a-  
 25 56b or 53a-60d or subdivision (1) or (2) of subsection (a) of section 14-  
 26 227a, and (E) notice has been given by such person, by registered or  
 27 certified mail on a form approved by rule of court, to each victim who  
 28 sustained a serious physical injury, as defined in section 53a-3, that  
 29 was caused by such person's alleged violation, that such person has  
 30 applied to participate in the pretrial alcohol education program and  
 31 that such victim has an opportunity to be heard by the court on the  
 32 application.

33 (2) The court shall provide each such victim an opportunity to be  
 34 heard prior to approving an application under this section. Unless  
 35 good cause is shown, a person shall be ineligible for participation in  
 36 such pretrial alcohol education program if such person's alleged  
 37 violation of section 14-227a or 14-227g caused the serious physical  
 38 injury, as defined in section 53a-3, of another person.

39 (3) The application fee imposed [by] under this subsection shall be  
 40 credited to the Criminal Injuries Compensation Fund established [by]  
 41 under section 54-215. The evaluation fee imposed [by] under this  
 42 subsection shall be credited to the pretrial account established under  
 43 section 54-56k.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	54-56g(a)

***Statement of Purpose:***

To provide victims who sustain serious physical injuries an opportunity to be heard prior to the granting of an application for participation in the pretrial alcohol education program.

*[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.]*