



General Assembly

February Session, 2014

Raised Bill No. 429

LCO No. 2031



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING PUBLIC SAFETY.

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

1 Section 1. Section 53a-60 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2014*):

3 (a) A person is guilty of assault in the second degree when: (1) With
4 intent to cause serious physical injury to another person, he causes
5 such injury to such person or to a third person; or (2) with intent to
6 cause physical injury to another person, he causes such injury to such
7 person or to a third person by means of a deadly weapon or a
8 dangerous instrument other than by means of the discharge of a
9 firearm; or (3) he recklessly causes serious physical injury to another
10 person by means of a deadly weapon or a dangerous instrument; or (4)
11 for a purpose other than lawful medical or therapeutic treatment, he
12 intentionally causes stupor, unconsciousness or other physical
13 impairment or injury to another person by administering to such
14 person, without his consent, a drug, substance or preparation capable
15 of producing the same; or (5) he is a parolee from a correctional
16 institution and with intent to cause physical injury to an employee or

17 member of the Board of Pardons and Paroles, he causes physical injury
18 to such employee or member; or (6) with intent to cause the loss of
19 consciousness of another person, he causes such injury to such person
20 by a single punch or kick or other singular striking motion.

21 (b) Assault in the second degree is a class D felony and any person
22 found guilty under subdivision (6) of subsection (a) of this section shall
23 be sentenced to a term of imprisonment of which two years of the
24 sentence imposed may not be suspended or reduced by the court.

25 Sec. 2. Subsection (a) of section 46b-127 of the 2014 supplement to
26 the general statutes is repealed and the following is substituted in lieu
27 thereof (*Effective October 1, 2014*):

28 (a) (1) The court shall automatically transfer from the docket for
29 juvenile matters to the regular criminal docket of the Superior Court
30 the case of any child charged with (A) the commission of a capital
31 felony under the provisions of section 53a-54b in effect prior to April
32 25, 2012, a class A or B felony or a violation of section 53a-54d,
33 provided such offense was committed after such child attained the age
34 of fourteen years and counsel has been appointed for such child if such
35 child is indigent, or (B) a violation of subdivision (6) of subsection (a)
36 of section 53a-60, as amended by this act, provided such offense was
37 committed after such child attained the age of sixteen years and
38 counsel has been appointed for such child if such child is indigent.
39 Such counsel may appear with the child but shall not be permitted to
40 make any argument or file any motion in opposition to the transfer.
41 The child shall be arraigned in the regular criminal docket of the
42 Superior Court at the next court date following such transfer, provided
43 any proceedings held prior to the finalization of such transfer shall be
44 private and shall be conducted in such parts of the courthouse or the
45 building in which the court is located that are separate and apart from
46 the other parts of the court which are then being used for proceedings
47 pertaining to adults charged with crimes.

48 (2) A state's attorney may, at any time after such arraignment, file a
49 motion to transfer the case of any child charged with the commission
50 of a class B felony, [or] a violation of subdivision (2) of subsection (a) of
51 section 53a-70, or a violation of subdivision (6) of subsection (a) of
52 section 53a-60, as amended by this act, to the docket for juvenile
53 matters for proceedings in accordance with the provisions of this
54 chapter.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	53a-60
Sec. 2	<i>October 1, 2014</i>	46b-127(a)

Statement of Purpose:

To establish a "knockout game" assault as a class D felony and to transfer children of at least sixteen years of age charged with such assault to the regular criminal docket of the Superior Court.

[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.]