



General Assembly

Substitute Bill No. 429

February Session, 2014



AN ACT CONCERNING ASSAULT THAT RESULTS IN THE LOSS OF CONSCIOUSNESS.

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 Section 53a-60 of the general statutes is repealed and the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 serious
19 physical injury to another person by rendering such other person

20 unconscious, and without provocation by such other person, he causes
21 such injury to such other person by striking such other person in the
22 head.

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

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28 the general statutes is repealed and the following is substituted in lieu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

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

50 (2) A state's attorney may, at any time after such arraignment, file a
51 motion to transfer the case of any child charged with the commission

52 of a class B felony, ~~or~~ a violation of subdivision (2) of subsection (a) of
53 section 53a-70, ~~or a violation of subdivision (6) of subsection (a) of~~
54 section 53a-60, as amended by this act, to the docket for juvenile
55 matters for proceedings in accordance with the provisions of this
56 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)

PS *Joint Favorable Subst.*

JUD *Joint Favorable*