



General Assembly

**Amendment**

February Session, 2014

LCO No. 4083

**\*HB0529304083HDO\***

Offered by:

REP. HENNESSY, 127<sup>th</sup> Dist.  
SEN. LEONE, 27<sup>th</sup> Dist.  
REP. SAWYER, 55<sup>th</sup> Dist.  
REP. NICASTRO, 79<sup>th</sup> Dist.

REP. YACCARINO, 87<sup>th</sup> Dist.  
REP. BACCHIOCHI, 52<sup>nd</sup> Dist.  
REP. ADINOLFI, 103<sup>rd</sup> Dist.

To: House Bill No. 5293

File No. 623

Cal. No. 393

**"AN ACT CONCERNING STOLEN VALOR."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (b) of section 53-378 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2014*):

6 (b) Any person who, with the intent to obtain money, property or  
7 other tangible benefit, falsely represents himself or herself, orally or in  
8 writing, to have been awarded any decoration or medal authorized by  
9 the United States Congress for the armed forces, as defined in section  
10 27-103, or any of the service medals or badges awarded to the  
11 members of such armed forces, or the ribbon, button or rosette of any  
12 such decoration, medal or badge, or any colorable imitation thereof,  
13 shall be fined not less than five hundred dollars or more than one

14 thousand dollars or imprisoned not more than six months, or both.

15 Sec. 2. Section 27-135 of the 2014 supplement to the general statutes  
16 is repealed and the following is substituted in lieu thereof (*Effective*  
17 *from passage*):

18 (a) Any city or town, either separately or with one or more other  
19 cities and towns, may, by ordinance, establish a local veterans'  
20 advisory committee which shall have the responsibility of carrying out  
21 locally the duties and purposes of this section and, within their charter  
22 powers and as otherwise provided by law, may make available to such  
23 local committees the necessary funds to carry out their duties and  
24 responsibilities. The committee may (1) act as the coordinating agency  
25 in all matters concerning veterans and their dependents, coordinating  
26 the activities of public and private facilities concerned with veterans'  
27 reemployment, education, rehabilitation and adjustment to peacetime  
28 living; (2) cooperate with all national, state and local governmental and  
29 private agencies in securing services and benefits to which a veteran or  
30 his dependents may be entitled; (3) use the services and facilities of the  
31 veterans organizations so far as possible to carry out the purposes of  
32 this section; and (4) encourage and coordinate vocational training  
33 services for veterans.

34 (b) Any city or town that (1) has not established [a] its own local  
35 veterans' advisory committee separate from one or more other cities or  
36 towns pursuant to subsection (a) of this section, and (2) does not  
37 otherwise provide funding for a veterans' service officer shall  
38 designate a city or town employee to serve as a veterans' service  
39 contact person in such city or town. Any city or town employee  
40 designated as a veterans' service contact person shall carry out the  
41 duties described in subsection (a) of this section and may complete an  
42 annual training course conducted by the veterans' advocacy and  
43 assistance unit, as described in subsection (b) of section 27-102l.

44 Sec. 3. Subsection (b) of section 54-56e of the 2014 supplement to the  
45 general statutes is repealed and the following is substituted in lieu

46 thereof (*Effective from passage*):

47 (b) The court may, in its discretion, invoke such program on motion  
48 of the defendant or on motion of a state's attorney or prosecuting  
49 attorney with respect to a defendant (1) who, the court believes, will  
50 probably not offend in the future, (2) who has no previous record of  
51 conviction of a crime or of a violation of section 14-196, subsection (c)  
52 of section 14-215, section 14-222a, subsection (a) of section 14-224 or  
53 section 14-227a, and (3) who states under oath, in open court or before  
54 any person designated by the clerk and duly authorized to administer  
55 oaths, under the penalties of perjury, that the defendant has never had  
56 such program invoked in the defendant's behalf or, with respect to a  
57 defendant who is a veteran, that the defendant has not had such  
58 program invoked in the defendant's behalf more than once previously,  
59 provided the defendant shall agree thereto and provided notice has  
60 been given by the defendant, on a form approved by rule of court, to  
61 the victim or victims of such crime or motor vehicle violation, if any,  
62 by registered or certified mail and such victim or victims have an  
63 opportunity to be heard thereon. Any defendant who makes  
64 application for participation in such program shall pay to the court an  
65 application fee of thirty-five dollars. For the purposes of this section,  
66 "veteran" means [a person who is (A) a veteran, as defined in  
67 subsection (a) of section 27-103, or (B) eligible to receive services from  
68 the United States Department of Veterans Affairs pursuant to Title 38  
69 of the United States Code] any person who was discharged or released  
70 under conditions other than dishonorable from active service in the  
71 armed forces as defined in section 27-103.

72 Sec. 4. Subsection (c) of section 54-56i of the 2014 supplement to the  
73 general statutes is repealed and the following is substituted in lieu  
74 thereof (*Effective from passage*):

75 (c) The court, after consideration of the recommendation of the  
76 state's attorney, assistant state's attorney or deputy assistant state's  
77 attorney in charge of the case, may, in its discretion, grant such  
78 application. If the court grants such application, the court shall refer

79 such person (1) to the Court Support Services Division for  
80 confirmation of the eligibility of the applicant, (2) to the Department of  
81 Mental Health and Addiction Services for evaluation and  
82 determination of an appropriate drug education or substance abuse  
83 treatment program for the first or second time such application is  
84 granted, and (3) to a state-licensed substance abuse treatment program  
85 for evaluation and determination of an appropriate substance abuse  
86 treatment program for the third time such application is granted,  
87 except that, if such person is a veteran, the court may refer such person  
88 to the Department of Veterans' Affairs or the United States Department  
89 of Veterans Affairs, as applicable, for any such evaluation. For the  
90 purposes of this subsection and subsection (d) of this section, "veteran"  
91 means [a person who is (A) a veteran, as defined in subsection (a) of  
92 section 27-103, or (B) eligible to receive services from the United States  
93 Department of Veterans Affairs pursuant to Title 38 of the United  
94 States Code] any person who was discharged or released under  
95 conditions other than dishonorable from active service in the armed  
96 forces as defined in section 27-103.

97 Sec. 5. Subsection (a) of section 54-56l of the general statutes is  
98 repealed and the following is substituted in lieu thereof (*Effective from*  
99 *passage*):

100 (a) There shall be a supervised diversionary program for persons  
101 with psychiatric disabilities, or persons who are veterans, who are  
102 accused of a crime or crimes or a motor vehicle violation or violations  
103 for which a sentence to a term of imprisonment may be imposed,  
104 which crimes or violations are not of a serious nature. For the purposes  
105 of this section, (1) "psychiatric disability" means a mental or emotional  
106 condition, other than solely substance abuse, that (A) has substantial  
107 adverse effects on the defendant's ability to function, and (B) requires  
108 care and treatment, and (2) "veteran" means a person who is found,  
109 pursuant to subsection (d) of this section, to have a mental health  
110 condition that is amenable to treatment, and [is (A) a veteran, as  
111 defined in subsection (a) of section 27-103, or (B) eligible to receive

112 services from the United States Department of Veterans Affairs  
 113 pursuant to Title 38 of the United States Code] who was discharged or  
 114 released under conditions other than dishonorable from active service  
 115 in the armed forces as defined in section 27-103."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	53-378(b)
Sec. 2	<i>from passage</i>	27-135
Sec. 3	<i>from passage</i>	54-56e(b)
Sec. 4	<i>from passage</i>	54-56i(c)
Sec. 5	<i>from passage</i>	54-56l(a)