



Senate

General Assembly

File No. 424

February Session, 2014

Senate Bill No. 361

Senate, April 8, 2014

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING FAMILY IMPACT STATEMENTS.

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

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) Prior to sentencing a
2 defendant convicted of a criminal offense for which a sentence of
3 imprisonment may be imposed, the court shall permit the defendant to
4 submit a family impact statement if the defendant is the parent or
5 guardian of a minor child and has physical custody of the minor child.
6 The court shall consider such family impact statement prior to
7 pronouncing any sentence.

8 (b) A family impact statement submitted by a defendant pursuant to
9 subsection (a) of this section may address the impact on the minor
10 child and other family members that would result if the defendant is
11 sentenced to a term of imprisonment, including, but not limited to, the
12 impact on the financial needs of the child and other family members,
13 the relationship between the defendant and the child, the availability
14 of community and family support for the child, the defendant's
15 employment history and available employment opportunities for the

16 defendant. Such family impact statement may also include the
17 defendant's statement regarding the programs available to rehabilitate
18 the defendant if the defendant is not sentenced to a term of
19 imprisonment, the seriousness of the offense and the defendant's
20 criminal history.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2014</i>	New section
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JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill allows for the submission of a family impact statement for consideration at sentencing and does not result in a fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**SB 361*****AN ACT CONCERNING FAMILY IMPACT STATEMENTS.*****SUMMARY:**

This bill requires the Superior Court to allow a defendant who is the parent or guardian of a minor child to submit a family impact statement, which the court must consider before sentencing. The defendant must have physical custody of the minor child (under age 18) and be convicted of a criminal offense for which a prison sentence may be imposed.

The bill allows such a defendant to use the family impact statement to address the impact imprisonment would have on the child and other family members. This may include the:

1. impact on the financial needs of the child and other family members,
2. relationship between the defendant and the child,
3. availability of community and family support for the child,
4. defendant's employment history and available employment opportunities,
5. defendant's statement regarding programs available to rehabilitate the defendant if he or she is not sentenced to imprisonment,
6. seriousness of the offense, and
7. defendant's criminal history.

EFFECTIVE DATE: October 1, 2014

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 22 Nay 10 (03/24/2014)