



General Assembly

January Session, 2015

Raised Bill No. 1127

LCO No. 5687



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING MANDATORY MINIMUM SENTENCES FOR CHILDREN TRIED AS ADULTS.

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

1 Section 1. Subsection (c) of section 46b-127 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (c) [Upon] (1) Except as provided in subdivision (2) of this
5 subsection, upon the effectuation of the transfer, such child shall stand
6 trial and be sentenced, if convicted, as if such child were eighteen years
7 of age. Such child shall receive credit against any sentence imposed for
8 time served in a juvenile facility prior to the effectuation of the
9 transfer. A child who has been transferred may enter a guilty plea to a
10 lesser offense if the court finds that such plea is made knowingly and
11 voluntarily. Any child transferred to the regular criminal docket who
12 pleads guilty to a lesser offense shall not resume such child's status as
13 a juvenile regarding such offense. If the action is dismissed or nolleed or
14 if such child is found not guilty of the charge for which such child was
15 transferred or of any lesser included offenses, the child shall resume

16 such child's status as a juvenile until such child attains the age of
17 eighteen years.

18 (2) Notwithstanding any provision of the general statutes, when
19 sentencing a child whose case has been transferred to the regular
20 criminal docket of the Superior Court pursuant to this section and who
21 is convicted of an offense for which there is a mandatory minimum
22 sentence, the court may, for good cause shown, sentence such child to
23 a term of imprisonment that is shorter than the prescribed mandatory
24 minimum term.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	46b-127(c)

Statement of Purpose:

To permit the court to depart from a mandatory minimum term requirement when sentencing a child.

[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.]