



Substitute House Bill No. 6961

Public Act No. 15-14

AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES.

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

Section 1. Section 1-2b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) For purposes of sections 1-100oo, 1-206, 2-71r, 4-176, 4-180, 4-183, 4a-52a, 4a-60q, 4a-63, 4a-100, 4e-34, 4e-35, 7-65, 7-148w, 7-247a, 7-473c, 7-478e, 8-3b, 8-3i, 8-7d, 8-26b, 8-169r, 8-293, 9-388, 9-608, 9-623, 10a-22c, 10a-22i, 10a-34a, 10a-109n, 12-35, 12-157, 12-242ii, 12-242jj, 13a-80, 13a-123, 15-11a, 16-41, 16-50c, 16-50d, 17a-103b, 19a-87, 19a-87c, 19a-209c, 19a-332e, 19a-343a, 19a-486a, 19a-486c, 19a-486d, 19a-497, 19a-507b, 20-205a, 20-325a, 21-63, 21-80, 22-7, 22a-6b, 22a-6u, 22a-30, 22a-42d, 22a-42f, 22a-66d, 22a-137, 22a-178, 22a-225, 22a-228, 22a-250, 22a-354p, 22a-354s, 22a-354t, 22a-361, 22a-371, 22a-401, 22a-403, 22a-433, 22a-436, 22a-449f, 22a-449l, 22a-449n, 22a-504, 22a-626, 23-46, 23-65j, 23-651, 23-65p, 25-32, 25-32e, 25-331, 25-34, 25-204, 25-234, 29-108d, 31-57c, 31-57d, 31-355, 32-613, 33-663, 33-929, 33-1053, 33-1219, 34-521, 35-42, 36a-50, 36a-51, 36a-52, 36a-53, 36a-82, 36a-184, 36a-493, 36b-62, 36b-72, 38-323a, 38a-344, 38a-676, 38a-724, 38a-788, 42-158j, 42-161, 42-181, 42-182, 42-186, 42-271, 45a-716, 46b-115w, 46b-128, 47-42d, 47-74f, 47-88b, 47-236, 47-284, 47a-11b, 47a-11d, 47a-13a, 47a-14h, 47a-56b, 49-2, 49-4a, 49-8,

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49-8a, 49-10b, 49-31b, 49-51, 49-70, 51-90e, 52-57, 52-59b, 52-63, 52-64, 52-195c, 52-350e, 52-351b, 52-361a, 52-362, 52-565a, 52-605, 52-606, 53-401, 53a-128, 53a-128d, 53a-207 and 54-82c and chapter 965, any reference to certified mail, return receipt requested, shall include mail, electronic, and digital methods of receiving the return receipt, including all methods of receiving the return receipt identified by the Mailing Standards of the United States Postal Service in Chapter 500 of the Domestic Mail Manual or any subsequent corresponding document of the United States Postal Service.

(b) The Legislative Commissioners' Office shall, in codifying the provisions of this section, make such technical, grammatical and punctuation changes and statutory placements and classifications, including, but not limited to, the addition of newly enacted material to the sections listed in subsection (a) of this section as are necessary to carry out the purposes of this section.

Sec. 2. Subsection (b) of section 6-32 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(b) A civil [protective] protection order constitutes civil process for purposes of the powers and duties of a state marshal. The cost of serving a civil [protective] protection order shall be paid by the Judicial Branch in the same manner as the cost of serving a restraining order issued pursuant to section 46b-15, and fees and expenses associated with the serving of a civil [protective] protection order shall be calculated in accordance with subsection (a) of section 52-261.

Sec. 3. Section 7-339r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) An ordinance establishing a special services district shall provide the time and manner for determining the levy on real property within

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such district which is recommended by the board of commissioners of such district pursuant to [subsection (e)] subdivision (5) of section 7-339n.

(b) In order to provide that different areas, and different land use categories, within any such special services district may share equitably in the funding of such district in proportion to the different benefits to be derived therefrom, an ordinance establishing a special services district may divide such district into subdistricts, and such ordinance may further provide a separate basis for the determination of the levy recommended pursuant to [subsection (e)] subdivision (5) of section 7-339n on taxable interests in real property within each such subdistrict.

(c) (1) An ordinance establishing a special services district may create, for taxing purposes only, different categories of land use within such district, and such ordinance may further provide a separate basis for the determination of the levy recommended pursuant to [subsection (e)] subdivision (5) of section 7-339n on each such category of land use. (2) If an ordinance establishing such a district divides such district into subdistricts, and if such ordinance also creates different land use categories, such ordinance may also provide a basis for the determination of the levy recommended pursuant to [subsection (e)] subdivision (5) of section 7-339n on taxable interests in real property in a land use category in any such subdistrict which is different from the basis for determining the levy recommended on taxable interests in real property in the same land use category in another subdistrict or in other subdistricts.

(d) An ordinance establishing a special services district shall provide that, when the board of commissioners of such district shall, in a timely manner, recommend to the legislative body of the municipality in which such district is located a levy upon the taxable interests in real property within such district, pursuant to [subsection

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(e)] subdivision (5) of section 7-339n and pursuant to such ordinance, it shall be the obligation of such legislative body to impose such levy as a municipal levy, and such levy shall be in addition to the regular municipal levy, and it shall be the obligation of the municipality to collect such levy for the benefit of such district. All moneys received by the board of commissioners of any such district or by a municipality on behalf of any such district shall be paid into the general fund of such municipality where an account shall be maintained of such moneys for the benefit of such district. Any provision of the general statutes, any special act or any municipal charter to the contrary notwithstanding, the treasurer of such municipality shall disburse such funds in accordance with an annual budget adopted by the board of commissioners of such district.

Sec. 4. Section 18-7a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) Except as provided in subsections (b) and (c) of this section, any person sentenced to a term of imprisonment, on and after October 1, 1976, and while still serving such sentence whether such sentence is for a definite, indefinite or indeterminate term, and regardless of the institution wherein the prisoner is confined may, by good conduct and obedience to the rules which have been established for the service of his sentence, earn a commutation or diminution of his sentence in the amount of ten days for each month, and pro rata for a part of a month, of a sentence which is for not more than five years, and fifteen days for each month, and pro rata for a part of a month, for the sixth and each subsequent year of a sentence of more than five years. In the case of an indeterminate sentence, such credit shall apply to both the minimum and maximum term. In the case of an indefinite sentence, such credit shall apply to the maximum term only. Any act of misconduct or refusal to obey the rules which have been established for the service of his sentence shall subject the prisoner to the loss of all or any portion of

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such credit by the commissioner or his designee.

(b) Except as provided in subsection (c) of this section, any person sentenced to a term of imprisonment for an offense committed on or after July 1, 1981, may, while held in default of bond or while serving such sentence, by good conduct and obedience to the rules which have been established for the service of his sentence, earn a reduction of his sentence in the amount of ten days for each month and pro rata for a part of a month of a sentence up to five years, and twelve days for each month and pro rata for a part of a month for the sixth and each subsequent year of a sentence which is more than five years. Misconduct or refusal to obey the rules which have been established for the service of his sentence shall subject the prisoner to the loss of all or any portion of such reduction by the commissioner or his designee.

(c) Any person sentenced to a term of imprisonment for an offense committed on or after July 1, 1983, may, while held in default of bond or while serving such sentence, by good conduct and obedience to the rules which have been established for the service of his sentence, earn a reduction of his sentence as such sentence is served in the amount of ten days for each month served and pro rata for a part of a month served of a sentence up to five years, and twelve days for each month served and pro rata for a part of a month served for the sixth and each subsequent year of a sentence which is more than five years. Misconduct or refusal to obey the rules which have been established for the service of his sentence shall subject the prisoner to the loss of all or any portion of such reduction by the commissioner or his designee. In the event a prisoner has not yet earned sufficient good time to satisfy the good time loss, such lost good time shall be deducted from any good time earned in the future by such prisoner.

Sec. 5. Section 18-98b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

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In addition to any commutation or diminution of sentence or any meritorious time service award which may have been granted under section 18-7 or 18-7a, as amended by this act, any inmate committed to the custody of the Commissioner of Correction for a definite term, or for a term with a minimum sentence imposed, may have not more than one hundred [and] twenty days deducted from any one continuous term of imprisonment as an outstandingly meritorious performance award in the discretion of the Commissioner of Correction for exceptional personal achievement, accomplishment and other outstandingly meritorious performance, provided any serious act of misconduct or insubordination or refusal to conform to institution regulations occurring at any time during his confinement shall subject the prisoner, at the discretion of the warden and the commissioner, to the loss of all, or any portion, of any time awarded under this section. When any prisoner is held under more than one conviction the several terms of imprisonment imposed thereunder shall be construed as one continuous term for purposes of determining eligibility for any outstandingly meritorious performance award authorized by this section.

Sec. 6. Subsection (a) of section 21a-349 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) Subject to the provisions of subsection (b) of this section, the administrator, as defined in section 21a-335, may adopt, within available appropriations, regulations, in accordance with chapter 54, to require certain consumer products determined by the administrator that bear lead-containing paint or that have lead in any part of the product and that a child may reasonably or foreseeably come into contact with, to carry a warning label described in this section. If the administrator adopts such regulations, no person, firm or corporation engaged in commerce shall have, offer for sale, sell or give away any

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consumer product, identified in such regulations, that may be used by the general public unless it bears a warning statement prescribed by federal regulations or, if no warning statement is prescribed by federal regulations, bears a warning statement that meets the requirements of subdivision (1) or (2) of this section, as appropriate. (1) The warning statement shall be as follows when the consumer product bears lead-containing paint: "WARNING--CONTAINS LEAD. DRIED FILM OF THIS SUBSTANCE MAY BE HARMFUL IF EATEN OR CHEWED. See Other Cautions on (Side or Back) Panel. Do not apply on toys, or other children's articles, furniture, or interior or exterior exposed surfaces of any residential building or facility that may be occupied or used by children. KEEP OUT OF THE REACH OF CHILDREN.". (2) The warning statement shall be as follows when the consumer product bears a form of lead other than lead-containing paint: ["WARNING CONTAINS LEAD.] "WARNING--CONTAINS LEAD. MAY BE HARMFUL IF EATEN OR CHEWED. MAY GENERATE DUST CONTAINING LEAD. KEEP OUT OF THE REACH OF CHILDREN." The placement, conspicuousness and contrast of such labeling shall be in accordance with 16 CFR 1500.121.

Sec. 7. Subdivision (3) of subsection (b) of section 36a-486 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(3) No individual shall engage in the activities of a loan processor or underwriter unless such individual obtains and maintains a license as a loan processor or underwriter under section 36a-489. The following individuals are exempt from the foregoing license requirement:

(A) An employee of a licensed mortgage lender, mortgage correspondent lender or mortgage broker who engages in loan processor or underwriter activities (i) in connection with residential mortgage loans either originated or made by such licensee, and (ii) at the direction of and subject to the supervision of a licensed mortgage

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loan originator of such licensee;

(B) An employee of a person exempt from licensure under subdivision (1), (2) or (3) of subsection (a) of section 36a-487 who engages in loan processor or underwriter activities at the direction of and subject to the supervision of either a licensed mortgage loan originator or a registered mortgage loan originator of such exempt person; or

(C) Any individual engaged, in any capacity, in loan processor or underwriter activities in connection with a residential mortgage loan originated by an individual not required to be licensed or registered as a mortgage loan originator under this part.

Sec. 8. Section 37-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) The compensation for forbearance of property loaned at a fixed valuation, or for money, shall, in the absence of any agreement to the contrary, be at the rate of eight per cent a year; and, in computing interest, three hundred [and] sixty days may be considered to be a year.

(b) Unless otherwise provided by agreement, interest at the legal rate from the date of maturity of a debt shall accrue as an addition to the debt.

Sec. 9. Subdivision (2) of subsection (a) of section 45a-318 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(2) Any conservator of the person authorized pursuant to subdivision (5) of subsection (a) of section 45a-656 to act on behalf of a conserved person, or any agent authorized pursuant to subdivision (14) of section 1-52 to act on behalf of a principal, may execute in

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advance of such conserved person's or principal's death a written document, subscribed by such conservator or agent and attested by two witnesses, either: (A) Directing the disposition of such conserved person's or principal's body upon the death of such conserved person or principal, which document may also designate an individual to have custody and control of such conserved person's or principal's body and to act as agent to carry out such directions; or (B) if there are no directions for disposition, designating an individual to have custody and control of the disposition of such conserved person's or principal's body upon the death of such conserved person or principal. Such disposition shall include, but not be limited to, cremation, incineration, disposition of cremains, burial, method of interment and cryogenic preservation. Any such document may designate an alternate to an individual designated under subparagraph (A) or (B) of this subdivision. A document executed by a conservator pursuant to this subdivision shall include provisions indicating that such document (i) is valid if the person is under conservatorship at the time of his or her death, and (ii) terminates upon the termination of the conservatorship when such termination occurs prior to the death of the conserved person.

Sec. 10. Subsection (e) of section 45a-318 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(e) In the event that the applicable class of persons set forth in subdivisions (2) to (5), inclusive, of subsection (d) of this section [.] contains more than one person, the custody and control of the body shall be in a majority of the members of the class who can be located and indicate willingness to participate in making arrangements for the disposition within a reasonable time not to exceed ten days after the date on which the deceased person is identified. Such class members shall indicate their decision in writing.

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Sec. 11. Subsection (c) of section 45a-608n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(c) If the court has previously granted a petition to remove a parent or other person as guardian under section 45a-609 or 45a-610 or to appoint a guardian or coguardian under section 45a-616, a parent, guardian or attorney for the minor child may file a petition requesting that the court make findings under this section to be used in connection with a petition to the United States Citizenship and Immigration Services for designation of the minor child as having special immigrant juvenile status under 8 USC 1101(a)(27)(J). The court shall cause notice of the hearing on the petition to be given by first class mail to each parent, guardian and attorney for the minor child, to the minor child if the minor child is twelve years of age or older and to other persons as the court determines. The court shall make written findings on the petition in accordance with subsection (b) of this section.

Sec. 12. Subsection (b) of section 45a-608o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(b) If the court has previously granted a petition to terminate parental rights under section 45a-717 or to approve an adoption under section 45a-727, a statutory parent, guardian, adoptive parent or attorney for the minor child may file a petition requesting that the court make findings under this section to be used in connection with a petition to the United States Citizenship and Immigration Services for designation of the minor child as having special immigrant juvenile status under 8 USC 1101(a)(27)(J). The court shall order notice of the hearing on the petition to be given by first class mail to the statutory parent, each guardian, adoptive parent and attorney for the minor child, to the minor child if the minor child is twelve years of age or

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older and to other persons as the court determines. The court shall make written findings in accordance with subsection (a) of this section.

Sec. 13. Section 46b-57 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

In any controversy before the Superior Court as to the custody of minor children, and on any complaint under this chapter or section 46b-1 or 51-348a, if there is any minor child of either or both parties, the court, if it has jurisdiction under the provisions of chapter 815p, may allow any interested third party or parties to intervene upon motion. The court may award full or partial custody, care, education and visitation rights of such child to any such third party upon such conditions and limitations as it deems equitable. Before allowing any such intervention, the court may appoint counsel for the minor child or children pursuant to the provisions of sections 46b-12 and 46b-54. In making any order under this section, the court shall be guided by the best interests of the child, giving consideration to the wishes of the child if the child is of sufficient age and capable of forming an intelligent preference.

Sec. 14. Subsection (b) of section 46b-133f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(b) The Judicial Department shall establish, within available appropriations, a family violence mediation program as a pilot program on the docket for juvenile matters in two judicial districts. Under the family violence mediation program, parties to an alleged delinquent act that involved family violence may agree to participate in mediation with an impartial third-party approved by the Superior Court to work toward a disposition of the alleged delinquent act that is satisfactory to each party. A juvenile probation officer, or [] the court, upon motion of any party, may refer the case of a child accused of a

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delinquent act involving family violence to the family violence mediation program. Such child's participation in the family violence mediation program shall be supervised by a juvenile probation officer.

Sec. 15. Subsection (b) of section 47-261e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(b) (1) Except as provided in subdivision (2) of this subsection, the executive board, at any time, may propose a special assessment. Not later than thirty days after adoption of a proposed special assessment, the executive board shall provide to all unit owners a summary of the proposed special assessment. Unless the declaration or bylaws otherwise provide, if the proposed special assessment, together with all other special and emergency assessments proposed by the executive board in the same calendar year, [do] does not exceed fifteen per cent of the association's last adopted periodic budget for that calendar year, the proposed special assessment is effective without approval of the unit owners. Otherwise, the board shall set a date not less than ten days or more than sixty days after providing the summary for either a meeting of the unit owners or a vote by ballot without a meeting to consider approval or rejection of the proposed special assessment. If, at that meeting or in the vote by ballot, a majority of all unit owners or any larger number specified in the declaration votes to reject the special assessment, the special assessment shall be rejected. If, at such meeting or in the balloting, a majority of all unit owners or any larger number specified in the declaration does not vote to reject the special assessment, the special assessment shall be approved. The absence of a quorum at such meeting or participating in the vote by ballot shall not affect the rejection or approval of the special assessment. If a proposed special assessment is not rejected in accordance with the provisions of this subdivision, the proposed special assessment shall be deemed approved.

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(2) The executive board of an association of a common interest community, or of a master association as defined in section 47-239 exercising the powers on behalf of one or more common interest communities or for the benefit of the unit owners of one or more common interest communities, which community or communities were established prior to July 3, 1991, and have more than two thousand four hundred residential units, at any time, may propose a special assessment. Not later than thirty days after adoption of a proposed special assessment, the executive board shall provide to all unit owners a summary of the proposed special assessment. Unless the declaration or bylaws otherwise provide, if the proposed special assessment, together with all other special and emergency assessments proposed by the executive board in the same calendar year, [do] does not exceed fifteen per cent of the association's last adopted periodic budget for that calendar year, the proposed special assessment is effective without approval of the unit owners. Otherwise, the board shall set a date not less than ten days or more than sixty days after providing the summary for either a meeting of the unit owners or a vote by ballot without a meeting to consider approval or rejection of the proposed special assessment. If, at that meeting or in the vote by ballot, a majority of unit owners actually voting votes to reject the proposed special assessment, the proposed special assessment shall be rejected, provided not less than thirty-three and one-third per cent of the unit owners entitled to vote on the proposed special assessment vote at that meeting or in the vote by ballot to reject the proposed special assessment. If an association's declaration or bylaws include quorum requirements for a meeting, the absence of a quorum at such meeting or participating in the vote by ballot shall not affect the rejection or approval of the proposed special assessment. If a proposed special assessment is not rejected in accordance with the provisions of this subdivision, the proposed special assessment shall be deemed approved.

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Sec. 16. Subsection (b) of section 51-14a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(b) On or before January 1, 2015, and annually thereafter, the chairperson of the advisory committee established pursuant to subsection (a) of this section [] shall report on the activities of the advisory committee to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary. Upon the adoption of said code by the Supreme Court, such report shall include any proposed amendments to said code which are being considered by the advisory committee.

Sec. 17. Subsection (c) of section 51-296a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(c) For the purposes of determining eligibility for appointment of counsel pursuant to subsection (a) or (b) of this section, the judicial authority shall cause the parents or guardian of a child or youth to complete a written statement under oath or affirmation setting forth the parents' or guardian's liabilities and assets, income and sources thereof, and such other information as the Public Defender Services Commission designates and requires on forms adopted by the commission. When determining eligibility for appointment of counsel pursuant to subsection (a) or (b) of this section, the judicial authority shall examine the [parent] parent's or guardian's present ability to afford counsel. A [parent] parent's or guardian's prior history of payments to counsel or prior ability to afford counsel shall not be considered as evidence of such [parent] parent's or guardian's present ability to afford counsel.

Sec. 18. Subdivision (2) of subsection (a) of section 54-258 of the general statutes is repealed and the following is substituted in lieu

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thereof (*Effective October 1, 2015*):

(2) (A) Any state agency, the Judicial Department, any state police troop or any local police department may, at its discretion, notify any government agency, private organization or individual of registration information when such agency, said department, such troop or such local police department, as the case may be, believes such notification is necessary to protect the public or any individual in any jurisdiction from any person who is subject to registration under section 54-251, 54-252, 54-253 or 54-254.

(B) [(1)] (i) Whenever a registrant is released into the community, or whenever a registrant changes such registrant's address and notifies the Department of Emergency Services and Public Protection of such change pursuant to section 54-251, 54-252, 54-253 or 54-254, the Department of Emergency Services and Public Protection shall, by electronic mail, notify the superintendent of schools for the school district in which the registrant resides, or plans to reside, of such release or new address, and provide such superintendent with the same registry information for such registrant that the department makes available to the public through the Internet under subdivision (1) of this subsection.

[(2)] (ii) Whenever a registrant is released into the community, or whenever a registrant changes such registrant's address and notifies the Department of Emergency Services and Public Protection of such change pursuant to section 54-251, 54-252, 54-253 or 54-254, the Department of Emergency Services and Public Protection shall, by electronic mail, notify the chief executive officer of the municipality in which the registrant resides, or plans to reside, of such release or new address, and provide such chief executive officer with the same registry information for such registrant that the department makes available to the public through the Internet under subdivision (1) of this subsection.

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Sec. 19. Section 17a-93 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

As used in sections 17a-90 to [17a-124] 17a-121a, inclusive, and sections 17a-145 to 17a-153, inclusive:

(1) "Child" means any person under eighteen years of age, except as otherwise specified, or any person under twenty-one years of age who is in full-time attendance in a secondary school, a technical school, a college or a state-accredited job training program;

(2) "Parent" means natural or adoptive parent;

(3) "Adoption" means the establishment by court order of the legal relationship of parent and child;

(4) "Guardianship" means guardianship, unless otherwise specified, of the person of a minor and refers to the obligation of care and control, the right to custody and the duty and authority to make major decisions affecting such minor's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment;

(5) "Termination of parental rights" means the complete severance by court order of the legal relationship, with all its rights and responsibilities, between the child and his parent or parents so that the child is free for adoption except it shall not affect the right of inheritance of such child or the religious affiliation of such child;

(6) "Statutory parent" means the Commissioner of Children and Families or that child-placing agency appointed by the court for the purpose of giving a minor child or minor children in adoption;

(7) "Child-placing agency" means any agency within or without the state of Connecticut licensed or approved by the Commissioner of

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Children and Families in accordance with sections 17a-149 and 17a-151, and in accordance with such standards which shall be established by regulations of the Department of Children and Families;

(8) "Child care facility" means a congregate residential setting licensed by the Department of Children and Families for the out-of-home placement of children or youths under eighteen years of age, or any person under twenty-one years of age who is in full-time attendance in a secondary school, a technical school, a college or state accredited job training program;

(9) "Protective supervision" means a status created by court order following adjudication of neglect whereby a child's place of abode is not changed but assistance directed at correcting the neglect is provided at the request of the court through the Department of Children and Families or such other social agency as the court may specify;

(10) "Receiving home" means a facility operated by the Department of Children and Families to receive and temporarily care for children in the guardianship or care of the commissioner;

(11) "Protective services" means public welfare services provided after complaints of abuse, neglect or abandonment, but in the absence of an adjudication or assumption of jurisdiction by a court;

(12) "Person responsible for the health, welfare or care of a child or youth" means a child's or a youth's parent, guardian or foster parent; an employee of a public or private residential home, agency or institution or other person legally responsible in a residential setting; or any staff person providing out-of-home care, including center-based child day care, family day care or group day care, as defined in section 19a-77;

(13) "Foster family" means a person or persons, licensed or certified

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by the Department of Children and Families or approved by a licensed child-placing agency, for the care of a child or children in a private home;

(14) "Prospective adoptive family" means a person or persons, licensed by the Department of Children and Families or approved by a licensed child-placing agency, who is awaiting the placement of, or who has a child or children placed in their home for the purposes of adoption; and

(15) "Person entrusted with the care of a child or youth" means a person given access to a child or youth by a person responsible for the health, welfare or care of a child or youth for the purpose of providing education, child care, counseling, spiritual guidance, coaching, training, instruction, tutoring or mentoring of such child or youth.

Sec. 20. Section 19a-289v of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

Sections 19a-289 to 19a-289v, inclusive, modify, limit and supersede the Electronic Signatures in Global and National Commerce Act, 15 USC Section 7001 et seq., but [does] do not modify, limit or supersede Section 101(c) of that act, 15 USC Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of said act, 15 USC Section 7003(b).

Sec. 21. Section 5-145a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

Any condition of impairment of health caused by hypertension or heart disease resulting in total or partial disability or death to a member of the security force or fire department of The University of Connecticut or the aeronautics operations of the Department of Transportation, or to a member of the Office of State Capitol Police or any person appointed under section 29-18 as a special policeman for

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the State Capitol building and grounds, the Legislative Office Building and parking garage and related structures and facilities, and other areas under the supervision and control of the Joint Committee on Legislative Management, or to state personnel engaged in guard or instructional duties in the Connecticut Correctional Institution, Somers, Connecticut Correctional Institution, Enfield-Medium, the Carl Robison Correctional Institution, Enfield, John R. Manson Youth Institution, Cheshire, the [Connecticut Correctional Institution, Niantic] York Correctional Institution, the Connecticut Correctional Center, Cheshire, or the community correctional centers, or to any employee of the Whiting Forensic Division with direct and substantial patient contact, or to any detective, chief inspector or inspector in the Division of Criminal Justice or chief detective, or to any state employee designated as a hazardous duty employee pursuant to an applicable collective bargaining agreement who successfully passed a physical examination on entry into such service, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the performance of his duty and shall be compensable in accordance with the provisions of chapter 568, except that for the first three months of compensability the employee shall continue to receive the full salary which he was receiving at the time of injury in the manner provided by the provisions of section 5-142. Any such employee who began such service prior to June 28, 1985, and was not covered by the provisions of this section prior to said date shall not be required, for purposes of this section, to show proof that he successfully passed a physical examination on entry into such service.

Sec. 22. Subsection (a) of section 5-173 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) A state policeman in the active service of the Division of State Police within the Department of Emergency Services and Public

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Protection, or any person who is engaged in guard or instructional duties at the Connecticut Correctional Institution, Somers, the Connecticut Correctional Institution, Enfield-Medium, the Carl Robinson Correctional Institution, Enfield, the John R. Manson Youth Institution, Cheshire, the [Connecticut Correctional Institution, Niantic] York Correctional Institution, the Connecticut Correctional Center, Cheshire and the community correctional centers, or any person exempt from collective bargaining who is engaged in custodial or instructional duties within the Department of Correction, or any person who is an employee of the Whiting Forensic Division with direct and substantial patient contact, or any person who is employed as a correctional counselor, correctional counselor supervisor, parole officer or parole supervisor or in a comparable job classification by the Board of Pardons and Paroles, or any member of tier I who has been designated as a hazardous duty member pursuant to an applicable collective bargaining agreement, who has reached his forty-seventh birthday and completed at least twenty years of hazardous duty service for the state or service as a state policeman or as guard or instructor at said correctional institutions or correctional centers, or service in a custodial or instructional position within the Department of Correction which is exempt from collective bargaining, or as an employee of the Whiting Forensic Division or its predecessor institutions, or as a correctional counselor, correctional counselor supervisor, parole officer or parole supervisor or in a comparable job classification as an employee of the Board of Pardons and Paroles, shall be retired on his own application or on the application of the Commissioner of Emergency Services and Public Protection or the Commissioner of Correction, as the case may be.

Sec. 23. Subsection (d) of section 5-173 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

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(d) Any such person who, after retiring from hazardous duty as designated pursuant to a collective bargaining agreement or from the Division of State Police or the employ of the Connecticut Correctional Institution, Somers, the Connecticut Correctional Institution, Enfield-Medium, the Carl Robinson Correctional Institution, Enfield, the John R. Manson Youth Institution, Cheshire, the [Connecticut Correctional Institution, Niantic] York Correctional Institution, the Connecticut Correctional Center, Cheshire or a community correctional center, the Whiting Forensic Division or the Board of Pardons and Paroles, as the case may be, is employed by any other state agency may elect to receive the retirement income to which he was entitled at the time of his retirement from such hazardous duty or as a state policeman or employee of the correctional institution or correctional center, forensic division or Board of Pardons and Paroles when his employment in such other agency ceases, but he shall not, in that case, be entitled to any retirement income by reason of service in such other agency except as provided in subsection (g) of this section.

Sec. 24. Subsection (d) of section 5-192f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(d) "Hazardous duty member" means a member who is a state policeman in the active service of the Division of State Police within the Department of Emergency Services and Public Protection, who is engaged in guard or instructional duties at the Connecticut Correctional Institution, Somers, the Connecticut Correctional Institution, Enfield-Medium, the Carl Robinson Correctional Institution, Enfield, the John R. Manson Youth Institution, Cheshire, the [Connecticut Correctional Institution, Niantic] York Correctional Institution, the Connecticut Correctional Center, Cheshire or the community correctional centers, who is an employee of the Whiting Forensic Division or its predecessor institutions with direct and

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substantial patient contact, who is a detective, chief inspector or inspector in the Division of Criminal Justice or chief detective, who is employed as a correctional counselor, correctional counselor supervisor, parole officer or parole supervisor or in a comparable job classification by the Board of Pardons and Paroles, or who has been designated as a hazardous duty member pursuant to the terms of a collective bargaining agreement.

Sec. 25. Section 7-135 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

As used in this section and section 7-135a, "lockup" means any municipal jail, lockup or place of detention of prisoners. Subject to the provisions of section 54-63c, any officer authorized to make arrests in any town in which there is no suitable lockup, or in which the facilities of such lockup are exhausted or inadequate, shall procure a suitable lockup in an adjoining or nearby town or shall make arrangements with the nearest available community correctional center or the [Connecticut Correctional Institution, Niantic] York Correctional Institution, as the case may be, and shall remove thereto and cause to be detained therein any person under arrest pending arraignment before the court having jurisdiction, and any municipal lockup, community correctional center or the [Connecticut Correctional Institution, Niantic] York Correctional Institution, as the case may be, to which request is made for the detention of any such person, which lockup, center or institution has suitable available facilities, may receive, provide for and feed such person, taking from such officer a temporary surrender statement, in such form as the Commissioner of Correction shall prescribe, and giving to such officer a receipt for such persons.

Sec. 26. Subsection (a) of section 17a-12 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

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(a) When the commissioner, or the commissioner's designee, determines that a change of program is in the best interest of any child or youth committed or transferred to the department, the commissioner or the commissioner's designee, may transfer such person to any appropriate resource or program administered by or available to the department, to any other state department or agency, or to any private agency or organization within or without the state under contract with the department; provided no child or youth voluntarily admitted to the department under section 17a-11 shall be placed or subsequently transferred to the Connecticut Juvenile Training School; and further provided no transfer shall be made to any institution, hospital or facility under the jurisdiction of the Department of Correction, except as authorized by section 18-87, unless it is so ordered by the Superior Court after a hearing. When, in the opinion of the commissioner, or the commissioner's designee, a person fourteen years of age or older is dangerous to himself or herself or others or cannot be safely held at the Connecticut Juvenile Training School, if a male, or at any other facility within the state available to the Commissioner of Children and Families, the commissioner, or the commissioner's designee, may request an immediate hearing before the Superior Court on the docket for juvenile matters where such person was originally committed to determine whether such person shall be transferred to the John R. Manson Youth Institution, Cheshire, if a male, or the [Connecticut Correctional Institution, Niantic] York Correctional Institution, if a female. The court shall, within three days of the hearing, make such determination. If the court orders such transfer, the transfer shall be reviewed by the court every six months thereafter to determine whether it should be continued or terminated, unless the commissioner has already exercised the powers granted to the commissioner under section 17a-13, as amended by this act, by removing such person from the John R. Manson Youth Institution, Cheshire or the [Connecticut Correctional Institution, Niantic] York Correctional Institution. Such transfer shall terminate upon the

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expiration of the commitment in such juvenile matter.

Sec. 27. Section 17a-13 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

Any person committed to the Department of Children and Families who is transferred to the John R. Manson Youth Institution, Cheshire, or the [Connecticut Correctional Institution, Niantic] York Correctional Institution, pursuant to section 17a-12, as amended by this act, shall be deemed, while so transferred, to be under the jurisdiction of the Department of Correction except that the Commissioner of Children and Families shall retain his powers to remove such person and to place him in another facility or in the community or to terminate the commitment. The jurisdiction of the Department of Correction shall terminate upon the expiration of the commitment as provided in subsection (a) of section 17a-8.

Sec. 28. Section 17b-250 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

When any person has been transferred from the Connecticut Correctional Institution, Somers, the [Connecticut Correctional Institution, Niantic] York Correctional Institution, or its maximum security division, the John R. Manson Youth Institution, Cheshire, or a community correctional center to a state hospital, such person's hospital expense prior to the termination of his sentence shall be charged to the state. If any person, transferred from a correctional institution or community correction center is committed to or otherwise remains in a state hospital after the expiration of his sentence, such person's hospital expense shall be paid to the state in the manner provided for payment in sections 17b-122, 17b-124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-197, inclusive, 17b-222 to 17b-250, inclusive, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive, 17b-689b and 17b-743 to 17b-747, inclusive.

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Sec. 29. Section 18-65 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

Persons over sixteen years of age who have been committed by any court of criminal jurisdiction to the Commissioner of Correction may be confined in the [Connecticut Correctional Institution, Niantic] York Correctional Institution.

Sec. 30. Section 18-65a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

Any female person between the ages of sixteen and twenty-one years who is convicted in the Superior Court for an offense for which she may be punished by imprisonment for a shorter period than life or any female child transferred to the regular docket of said court under section 46b-127, may, if it appears to the trial court that such person is amenable to reformatory methods, be sentenced to a definite term of imprisonment in the [Connecticut Correctional Institution, Niantic] York Correctional Institution or to the Commissioner of Correction for placement in any institution available to said commissioner; provided in no event shall any sentence under this section be for a term longer than the maximum term of imprisonment for the offense committed, nor shall such term be for more than five years. The judge at the time of imposing any sentence to imprisonment in said institution or to the custody of said commissioner for placement in any institution available to him, may order suspension of such sentence after any specified number of months and may place such person on probation for the unexpired portion of the sentence.

Sec. 31. Section 18-67 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

Any woman who has escaped from the [Connecticut Correctional Institution, Niantic] York Correctional Institution, may, whether the

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limit of her original sentence has expired or not, be arrested and detained without warrant, by any officer authorized to serve criminal process, for a reasonable time, to enable the warden of said institution, or a person authorized in writing by the warden of said institution and provided with the mittimus by which such woman was committed, or with a certified copy thereof, to take such woman for the purpose of returning her to said institution, but, during such detention, she shall not be committed to a community correctional center, and the officer arresting her shall be paid by the state a reasonable compensation for her arrest and keeping. Any woman lawfully committed to said institution who escapes therefrom or from any keeper or officer having her in charge or from her place of work while engaged in working outside the walls of said institution shall be returned to said institution when arrested and may be disciplined in such manner as the Commissioner of Correction may determine. The provisions of sections 54-126 to 54-129, inclusive, relating to the arrest and return of paroled inmates shall apply to the arrest and return of escaped inmates and the provisions of chapter 963 shall apply to such inmates as have escaped and become fugitives from justice.

Sec. 32. Section 18-68 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

The warden of the [Connecticut Correctional Institution, Niantic] York Correctional Institution, may transfer any person committed to said institution to any facility within its limits in accordance with her judgment.

Sec. 33. Section 18-69 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

The warden of the [Connecticut Correctional Institution, Niantic] York Correctional Institution, subject to the approval of the commissioner, shall establish regulations in cooperation with the

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Department of Children and Families for the placing of children born to inmates of the [Connecticut Correctional Institution, Niantic] York Correctional Institution, in order that an infant shall not be maintained at said institution beyond the planning period for placement which is not to exceed sixty calendar days. In any instance where the mother of the infant objects in writing to the warden of said institution as to such placement, the Department of Children and Families shall provide for an administrative review of the placement action.

Sec. 34. Section 18-69a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

The warden of the [Connecticut Correctional Institution, Niantic] York Correctional Institution, subject to the same conditions as provided in section 18-69, as amended by this act, shall establish regulations in cooperation with the Department of Children and Families for the placing of children born to women who are being detained at the [Connecticut Correctional Institution, Niantic] York Correctional Institution, awaiting disposition of pending charges, or have been committed to the Commissioner of Correction for a term of one year or less, in order that an infant may be placed directly from the facility where such infant was delivered.

Sec. 35. Section 18-69b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

The Department of Correction shall establish rehabilitative programs, including, but not limited to, substance abuse, academic and vocational education services and work-release and job training, for women incarcerated at the [Connecticut Correctional Institution, Niantic] York Correctional Institution.

Sec. 36. Subsection (a) of section 54-64b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective*

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October 1, 2015):

(a) When any person is arrested on a bench warrant of arrest issued by order of the Superior Court or, when said court is not in session, by a judge thereof, in which the court or judge issuing the warrant indicated that bail should be denied or ordered that the person to be arrested should be brought before a clerk or assistant clerk of the Superior Court, the officer or indifferent person making the arrest shall without undue delay bring the arrested person before the clerk or assistant clerk of the superior court for the geographical area where the offense is alleged to have been committed during the office hours of the clerk and if the clerk's office is not open, the officer or indifferent person shall, without undue delay, bring the arrested person to a community correctional center within the geographical area where the offense is alleged to have been committed or, if there is no such correctional center within such geographical area, to the nearest community correctional center, or the [Connecticut Correctional Institution, Niantic] York Correctional Institution, as the case may be. The clerk or assistant clerk or a person designated by the Commissioner of Correction shall thereupon advise the arrested person of his rights under section 54-1b, and, when the court or judge has not indicated that bail should be denied, shall order the arrested person to enter into the condition of release pursuant to the condition fixed by the judge or court conditioned that the arrested person shall appear before the superior court having criminal jurisdiction in and for the geographical area to answer to the bench warrant of arrest and information filed in the case. Upon the failure of the arrested person to enter into the condition of release fixed by the court or judge or if the person has been arrested for an offense which is not bailable, the clerk or assistant clerk or the person designated by the Commissioner of Correction shall issue a mittimus committing the arrested person to a community correctional center, or the [Connecticut Correctional Institution, Niantic] York Correctional Institution, as the case may be,

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until he is discharged by due course of law.

Sec. 37. Section 54-125 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

Any person confined for an indeterminate sentence, after having been in confinement under such sentence for not less than the minimum term, or, if sentenced for life, after having been in confinement under such sentence for not less than the minimum term imposed by the court, less such time as may have been earned under the provisions of section 18-7, may be allowed to go at large on parole in the discretion of the panel of the Board of Pardons and Paroles for the institution in which the person is confined, if (1) it appears from all available information, including such reports from the Commissioner of Correction as such panel may require, that there is reasonable probability that such inmate will live and remain at liberty without violating the law and (2) such release is not incompatible with the welfare of society. Such parolee shall be allowed in the discretion of such panel to return to his home or to reside in a residential community center, or to go elsewhere, upon such terms and conditions, including personal reports from such paroled person, as such panel prescribes, and to remain, while on parole, in the legal custody and control of the board until the expiration of the maximum term or terms for which he was sentenced. Any parolee released on condition that he reside in a residential community center may be required to contribute to the cost incidental to such residence. Each order of parole shall fix the limits of the parolee's residence, which may be changed in the discretion of such panel. Within one week after the commitment of each person sentenced for more than one year during any criminal term of the Superior Court, the state's attorney of each county and judicial district shall send to the Board of Pardons and Paroles the record, if any, of such person. In the case of an inmate serving a sentence at the John R. Manson Youth Institution, Cheshire,

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or at the [Connecticut Correctional Institution, Niantic] York Correctional Institution, the Board of Pardons and Paroles shall establish, by rule, the date upon which said board shall notify the inmate that his eligibility for parole will be considered. At any time prior thereto the Commissioner of Correction may recommend that parole be granted and, under special and unusual circumstances, the commissioner may recommend that an inmate be discharged from the institution.

Sec. 38. Section 18-81c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

The Commissioner of Correction shall provide office space and telephone service for [the Connecticut Prison Association] Community Partners in Action.

Sec. 39. Section 54-131 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

[The Connecticut Prison Association] Community Partners in Action and the Commissioner of Correction shall make all reasonable efforts to secure employment and provide directly or by contract other necessary services for any convict or inmate paroled or discharged from the custody of the commissioner and any institution of the Department of Correction, and the agents of said association are authorized, in carrying out this duty, to interview inmates of said correctional institutions prior to discharge.

Approved May 26, 2015