



General Assembly

Amendment

February Session, 2016

LCO No. 5489



Offered by:

SEN. COLEMAN, 2nd Dist.

REP. TONG, 147th Dist.

To: Senate Bill No. 243

File No. 313

Cal. No. 240

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

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subdivision (1) of subsection (g) of section 2c-2h of the
4 general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective October 1, 2016*):

6 (1) Office of Long Term Care Ombudsman, established under
7 section [17a-400] 17a-405;

8 Sec. 502. Subsection (g) of section 32-7o of the general statutes is
9 repealed and the following is substituted in lieu thereof (*Effective*
10 *October 1, 2016*):

11 (g) All expenditures from the Connecticut Manufacturing
12 Innovation Fund, except for administrative costs reimbursed to the
13 administrator pursuant to subsection [(j)] (m) of this section, shall be

14 approved by the advisory board, provided the advisory board may
15 delegate to staff of the administrator the approval of transactions not
16 greater than one hundred thousand dollars. Any such approval by the
17 advisory board shall be (1) specific to an individual expenditure to be
18 made; (2) for budgeted expenditures with such variations as the
19 advisory board may authorize at the time of such budget approval; or
20 (3) for a financial assistance program to be administered by staff of the
21 administrator, subject to limits, eligibility requirements and other
22 conditions established by the Manufacturing Innovation Advisory
23 Board at the time of such program approval.

24 Sec. 503. Subsection (a) of section 18-98d of the general statutes is
25 repealed and the following is substituted in lieu thereof (*Effective*
26 *October 1, 2016*):

27 (a) (1) Any person who is confined to a community correctional
28 center or a correctional institution for an offense committed on or after
29 July 1, 1981, under a mittimus or because such person is unable to
30 obtain bail or is denied bail shall, if subsequently imprisoned, earn a
31 reduction of such person's sentence equal to the number of days which
32 such person spent in such facility from the time such person was
33 placed in presentence confinement to the time such person began
34 serving the term of imprisonment imposed; provided (A) each day of
35 presentence confinement shall be counted only once for the purpose of
36 reducing all sentences imposed after such presentence confinement;
37 and (B) the provisions of this section shall only apply to a person for
38 whom the existence of a mittimus, an inability to obtain bail or the
39 denial of bail is the sole reason for such person's presentence
40 confinement, except that if a person is serving a term of imprisonment
41 at the same time such person is in presentence confinement on another
42 charge and the conviction for such imprisonment is reversed on
43 appeal, such person shall be entitled, in any sentence subsequently
44 imposed, to a reduction based on such presentence confinement in
45 accordance with the provisions of this section. In the case of a fine,
46 each day spent in such confinement prior to sentencing shall be
47 credited against the sentence at a per diem rate equal to the average

48 daily cost of incarceration as determined by the Commissioner of
49 Correction.

50 (2) (A) Any person convicted of any offense and sentenced on or
51 after October 1, 2001, to a term of imprisonment who was confined to a
52 police station or courthouse lockup in connection with such offense
53 because such person was unable to obtain bail or was denied bail shall,
54 if subsequently imprisoned, earn a reduction of such person's sentence
55 in accordance with subdivision (1) of this subsection equal to the
56 number of days which such person spent in such lockup, provided
57 such person at the time of sentencing requests credit for such
58 presentence confinement. Upon such request, the court shall indicate
59 on the judgment mittimus the number of days such person spent in
60 such presentence confinement.

61 (B) Any person convicted of any offense and sentenced prior to
62 October 1, 2001, to a term of imprisonment, who was confined in a
63 correctional facility for such offense on October 1, 2001, shall be
64 presumed to have been confined to a police station or courthouse
65 lockup in connection with such offense because such person was
66 unable to obtain bail or was denied bail and shall, unless otherwise
67 ordered by a court, earn a reduction of such person's sentence in
68 accordance with the provisions of subdivision (1) of this subsection of
69 one day.

70 (C) The provisions of this subdivision shall not be applied so as to
71 negate the requirement that a person convicted of a first violation of
72 subsection (a) of section 14-227a and sentenced pursuant to
73 subparagraph (B)(i) of subdivision (1) of subsection [(h)] (g) of said
74 section serve a term of imprisonment of at least forty-eight consecutive
75 hours.

76 Sec. 504. Subsection (f) of section 36a-785 of the 2016 supplement to
77 the general statutes is repealed and the following is substituted in lieu
78 thereof (*Effective October 1, 2016*):

79 (f) Notwithstanding that the proceeds of the resale are not sufficient

80 to defray the actual and reasonable expenses thereof, and also such
81 actual and reasonable expenses of any retaking and storing of such
82 goods and the balance due under the contract, the holder of the
83 contract may not recover the deficiency from the retail buyer or any
84 surety or guarantor for [him] the retail buyer, or from [any one]
85 anyone who has succeeded to the obligations of such retail buyer,
86 except as provided in subsection (g) of this section.

87 Sec. 505. Section 14-227e of the general statutes is repealed and the
88 following is substituted in lieu thereof (*Effective October 1, 2016*):

89 (a) As used in this section and subsection (g) of section 14-227a:

90 [(a)] (1) "Community service" means the placement of defendants in
91 unpaid positions with nonprofit or tax-supported agencies for the
92 performance of a specified number of hours of work or service within
93 a given period of time.

94 (2) "Community service plan" means an agreement between the
95 court and the defendant which specifies (A) the number of required
96 community service hours, (B) the type of agency for placement, (C) the
97 period of time in which the community service will be completed, (D)
98 the tentative schedule, (E) a brief description of the responsibilities, (F)
99 conditions and sanctions for failure to fulfill the plan, and (G) the
100 supervisor of the plan.

101 (b) In sentencing a defendant to perform community service, the
102 court shall fix the conditions and terms of such sentence and shall
103 review the community service plan and, upon approval, sentence such
104 defendant in accordance with such plan. No sentence of community
105 service shall be imposed without the consent of the defendant.

106 (c) Any organization administering sentences of community service
107 shall prepare and file with the court a copy of all community service
108 plans and shall notify the court when a defendant has successfully
109 completed such plan.

110 (d) Any organization administering sentences of community service
111 shall prepare a written statement outlining noncompliance by a
112 defendant and shall without unnecessary delay notify the state's
113 attorney for that judicial district requesting that a hearing be held to
114 determine whether the sentence of community service should be
115 revoked.

116 (e) The court may at any time, for good cause shown, terminate the
117 sentence of community service or modify or enlarge the terms or
118 conditions or require the defendant to serve the original incarcerative
119 sentence for violation of any of the conditions of the sentence of
120 community service.

121 Sec. 506. Subsection (b) of section 46a-170 of the 2016 supplement to
122 the general statutes, as amended by section 1 of house bill 5621 of the
123 current session, is repealed and the following is substituted in lieu
124 thereof (*Effective October 1, 2016*):

125 (b) The council shall consist of the following members: (1) The Chief
126 State's Attorney, or a designee; (2) the Chief Public Defender, or a
127 designee; (3) the Commissioner of Emergency Services and Public
128 Protection, or the commissioner's designee; (4) the Labor
129 Commissioner, or the commissioner's designee; (5) the Commissioner
130 of Social Services, or the commissioner's designee; (6) the
131 Commissioner of Public Health, or the commissioner's designee; (7) the
132 Commissioner of Mental Health and Addiction Services, or the
133 commissioner's designee; (8) the Commissioner of Children and
134 Families, or the commissioner's designee; (9) the Commissioner of
135 Consumer Protection, or the commissioner's designee; (10) the director
136 of the Basic Training Division of the Police Officer Standards and
137 Training Council, or the director's designee; (11) the Child Advocate,
138 or the Child Advocate's designee; (12) the Victim Advocate, or the
139 Victim Advocate's designee; (13) the chairperson of the Permanent
140 Commission on the Status of Women, or the chairperson's designee;
141 (14) one representative of the Office of Victim Services of the Judicial
142 Branch appointed by the Chief Court Administrator; (15) a municipal

143 police chief appointed by the Connecticut Police Chiefs Association, or
 144 a designee; and (16) [nine] ten public members appointed as follows:
 145 The Governor shall appoint two members, one of whom shall
 146 represent victims of commercial exploitation of children and one of
 147 whom shall represent sex trafficking victims who are children, the
 148 president pro tempore of the Senate shall appoint two members, one of
 149 whom shall represent the Connecticut Alliance to End Sexual Violence
 150 and one of whom shall represent an organization that provides civil
 151 legal services to low-income individuals, the speaker of the House of
 152 Representatives shall appoint two members, one of whom shall
 153 represent the Connecticut Coalition Against Domestic Violence and
 154 one of whom shall represent the Connecticut Lodging Association, the
 155 majority leader of the Senate shall appoint one member who shall
 156 represent an organization that deals with behavioral health needs of
 157 women and children, the majority leader of the House of
 158 Representatives shall appoint one member who shall represent an
 159 organization that advocates on social justice and human rights issues,
 160 the minority leader of the Senate shall appoint one member who shall
 161 represent the Connecticut Immigrant and Refugee Coalition, and the
 162 minority leader of the House of Representatives shall appoint one
 163 member who shall represent the Motor Transport Association of
 164 Connecticut, Inc."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2016	2c-2h(g)(1)
Sec. 502	October 1, 2016	32-7o(g)
Sec. 503	October 1, 2016	18-98d(a)
Sec. 504	October 1, 2016	36a-785(f)
Sec. 505	October 1, 2016	14-227e
Sec. 506	October 1, 2016	46a-170(b)