



General Assembly

**Amendment**

February Session, 2016

LCO No. 5101



Offered by:

SEN. COLEMAN, 2<sup>nd</sup> Dist.

REP. TONG, 147<sup>th</sup> 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4 general statutes is repealed and the following is substituted in lieu  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9 repealed and the following is substituted in lieu thereof (*Effective*  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25 repealed and the following is substituted in lieu thereof (*Effective*  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."

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