



General Assembly

Amendment

February Session, 2016

LCO No. 5176



Offered by:

REP. PAVALOCK, 77th Dist.

REP. DUBITSKY, 47th Dist.

REP. SAMPSON, 80th Dist.

To: Subst. House Bill No. 5054

File No. 602

Cal. No. 370

(As Amended by House Amendment Schedule "A")

"AN ACT PROTECTING VICTIMS OF DOMESTIC VIOLENCE."

1 Strike subsection (h) of section 3 in its entirety and insert the
2 following in lieu thereof:

3 "[~~(g)~~ (h) (1) The applicant shall cause notice of the hearing pursuant
4 to subsection (b) of this section and a copy of the application and the
5 applicant's affidavit and of any ex parte order issued pursuant to
6 subsection (b) of this section to be served on the respondent in hand
7 not less than [~~five~~] three days before the hearing. The cost of such
8 service shall be paid for by the Judicial Branch.

9 (2) When (A) an application indicates that a respondent holds a
10 permit to carry a pistol or revolver, an eligibility certificate for a pistol
11 or revolver, a long gun eligibility certificate or an ammunition
12 certificate or possesses one or more firearms or ammunition, and (B)

13 the court has issued an ex parte order pursuant to this section, the
14 proper officer responsible for executing service, prior to serving such
15 order, shall (i) provide notice to the law enforcement agency for the
16 town in which the respondent will be served concerning when and
17 where the service will take place, and (ii) send, or cause to be sent by
18 facsimile or other means, a copy of the application, the applicant's
19 affidavit, the ex parte order and the notice of hearing to such law
20 enforcement agency, and (iii) request that a police officer from the law
21 enforcement agency for the town in which the respondent will be
22 served be present when service is executed by the proper officer. Upon
23 receiving a request from a proper officer under the provisions of this
24 subdivision, the law enforcement agency for the town in which the
25 respondent will be served may designate a police officer to be present
26 when service is executed by the proper officer.

27 (3) Upon the granting of an ex parte order, the clerk of the court
28 shall provide two copies of the order to the applicant. Upon the
29 granting of an order after notice and hearing, the clerk of the court
30 shall provide two copies of the order to the applicant and a copy to the
31 respondent. Every order of the court made in accordance with this
32 section after notice and hearing shall be accompanied by a notification
33 that is consistent with the full faith and credit provisions set forth in 18
34 USC 2265(a), as amended from time to time. Immediately after making
35 service on the respondent, the proper officer shall (A) send or cause to
36 be sent, by facsimile or other means, a copy of the application, or the
37 information contained in such application, stating the date and time
38 the respondent was served, to the law enforcement agency or agencies
39 for the town in which the applicant resides, the town in which the
40 applicant is employed and the town in which the respondent resides,
41 and (B) as soon as possible, but not later than two hours after the time
42 that service is executed, input into the Judicial Branch's Internet-based
43 service tracking system the date, time and method of service. If, prior
44 to the date of the scheduled hearing, service has not been executed, the
45 proper officer shall input into such service tracking system that service
46 was unsuccessful. The clerk of the court shall send, by facsimile or

47 other means, a copy of any ex parte order and of any order after notice
48 and hearing, or the information contained in any such order, to the law
49 enforcement agency or agencies for the town in which the applicant
50 resides, the town in which the applicant is employed and the town in
51 which the respondent resides, within forty-eight hours of the issuance
52 of such order. If the [victim] applicant is enrolled in a public or private
53 elementary or secondary school, including a technical high school, or
54 an institution of higher education, as defined in section 10a-55, the
55 clerk of the court shall, upon the request of the [victim] applicant,
56 send, by facsimile or other means, a copy of such ex parte order or of
57 any order after notice and hearing, or the information contained in any
58 such order, to such school or institution of higher education, the
59 president of any institution of higher education at which the victim is
60 enrolled and the special police force established pursuant to section
61 10a-156b, if any, at the institution of higher education at which the
62 [victim] applicant is enrolled."