



General Assembly

**Amendment**

February Session, 2016

LCO No. 5588



Offered by:

REP. KLARIDES, 114<sup>th</sup> Dist.

REP. REBIMBAS, 70<sup>th</sup> Dist.

REP. TONG, 147<sup>th</sup> Dist.

To: Subst. House Bill No. 5629

File No. 542

Cal. No. 344

**"AN ACT CONCERNING A DIVERSIONARY PROGRAM FOR PERSONS UNDER AGE TWENTY-ONE FOR MOTOR VEHICLE VIOLATIONS AND CRIMES RELATED TO UNDERAGE DRINKING."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2016*) (a) The court may, in its  
4 discretion, invoke a program on motion of a defendant or on motion of  
5 a state's attorney or prosecuting attorney with respect to a defendant  
6 who (1) is under twenty-one years of age, (2) is charged with a motor  
7 vehicle violation, or a violation of section 30-88a or 30-89a of the  
8 general statutes or subsection (a) or (b) of section 30-89 of the general  
9 statutes, and (3) has not previously had such program invoked in such  
10 person's behalf.

11 (b) This section shall not be applicable to any person charged with a  
12 motor vehicle violation causing serious injury or death, a motor

13 vehicle violation classified as a felony unless good cause is shown, or a  
14 violation of section 14-227a or 14-227g of the general statutes.

15 (c) The court shall refer such person to the Court Support Services  
16 Division of the Judicial Branch for confirmation of eligibility of such  
17 person. Such program shall provide a nonconfrontational forum for  
18 such defendants to hear from victims who have been affected by  
19 underage drinking, drunk driving, distracted driving or other motor  
20 vehicle violations. Such program shall be approved by the Court  
21 Support Services Division conducted by a nonprofit organization that  
22 advocates on behalf of victims of accidents caused by persons who  
23 operated a motor vehicle while under the influence of intoxicating  
24 liquor or drugs or both. Such organization may assess a participation  
25 fee of not more than fifty dollars on any defendant required by the  
26 court to participate in such program.

27 (d) Such organization shall report whether the defendant  
28 satisfactorily completed the program to the Court Support Services  
29 Division. If the defendant satisfactorily completed the program, not  
30 later than nine months after the date on which the program was  
31 invoked pursuant to subsection (a) of this section, the charges against  
32 the defendant shall be dismissed. If the defendant does not  
33 satisfactorily complete the program not later than nine months after  
34 the invocation of such program, the charges against the defendant  
35 shall be reinstated."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	New section