



General Assembly

Amendment

February Session, 2016

LCO No. 5722



Offered by:

SEN. COLEMAN, 2nd Dist.

REP. TONG, 147th Dist.

To: Subst. Senate Bill No. 18

File No. 600

Cal. No. 399

"AN ACT CONCERNING A SECOND CHANCE SOCIETY."

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

3 "Section 1. Section 46b-120 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2017*):

5 The terms used in this chapter shall, in its interpretation and in the
6 interpretation of other statutes, be defined as follows:

7 (1) "Child" means any person under eighteen years of age who has
8 not been legally emancipated, except that (A) for purposes of
9 delinquency matters and proceedings, "child" means any person who
10 (i) is at least seven years of age at the time of the alleged commission of
11 a delinquent act and who is (I) under eighteen years of age and has not
12 been legally emancipated, or (II) eighteen years of age or older and
13 committed a delinquent act prior to attaining eighteen years of age, or
14 (ii) is subsequent to attaining eighteen years of age, and (I) violates any

15 order of the Superior Court or any condition of probation ordered by
16 the Superior Court with respect to a delinquency proceeding, or (II)
17 wilfully fails to appear in response to a summons under section 46b-
18 133, as amended by this act, or at any other court hearing in a
19 delinquency proceeding of which the child had notice, and (B) for
20 purposes of family with service needs matters and proceedings, child
21 means a person who is at least seven years of age and is under
22 eighteen years of age;

23 (2) "Youth" means any person sixteen [or seventeen] years of age or
24 older but under eighteen years of age who has not been legally
25 emancipated;

26 (3) "Young adult" means, for purposes of delinquency matters and
27 proceedings, any person who (A) on or after July 1, 2017, (i) allegedly
28 committed a delinquent act while eighteen years of age or older but
29 under nineteen years of age, or (ii) committed a delinquent act while
30 eighteen years of age or older but under nineteen years of age, and (I)
31 subsequent to attaining nineteen years of age, violates any order of the
32 Superior Court or any condition of probation ordered by the Superior
33 Court with respect to a delinquency proceeding, or (II) wilfully fails to
34 appear in response to a summons under section 46b-133, as amended
35 by this act, or at any other court hearing in a delinquency proceeding
36 of which such person had notice, (B) on or after July 1, 2018, (i)
37 allegedly committed a delinquent act while eighteen years of age or
38 older but under twenty years of age, or (ii) committed a delinquent act
39 while eighteen years of age or older but under twenty years of age, and
40 (I) subsequent to attaining twenty years of age, violates any order of
41 the Superior Court or any condition of probation ordered by the
42 Superior Court with respect to a delinquency proceeding, or (II)
43 wilfully fails to appear in response to a summons under section 46b-
44 133, as amended by this act, or at any other court hearing in a
45 delinquency proceeding of which such person had notice, and (C) on
46 or after July 1, 2019, (i) allegedly committed a delinquent act while
47 eighteen years of age or older but under twenty-one years of age, or (ii)
48 committed a delinquent act while eighteen years of age or older but

49 under twenty-one years of age, and (I) subsequent to attaining twenty-
50 one years of age, violates any order of the Superior Court or any
51 condition of probation ordered by the Superior Court with respect to a
52 delinquency proceeding, or (II) wilfully fails to appear in response to a
53 summons under section 46b-133, as amended by this act, or at any
54 other court hearing in a delinquency proceeding of which such person
55 had notice;

56 [(3)] (4) A child or young adult may be found "mentally deficient"
57 who, by reason of a deficiency of intelligence that has existed from
58 birth or from early age, requires, or will require, for such child's
59 protection or for the protection of others, special care, supervision and
60 control;

61 [(4)] (5) (A) A child may be [convicted] adjudicated as "delinquent"
62 who has, while under sixteen years of age, (i) violated any federal or
63 state law, except section 53a-172, 53a-173, 53a-222, as amended by this
64 act, 53a-222a, as amended by this act, 53a-223 or 53a-223a, or violated a
65 municipal or local ordinance, except an ordinance regulating behavior
66 of a child in a family with service needs, (ii) wilfully failed to appear in
67 response to a summons under section 46b-133, as amended by this act,
68 or at any other court hearing in a delinquency proceeding of which the
69 child had notice, (iii) violated any order of the Superior Court in a
70 delinquency proceeding, except as provided in section 46b-148, or (iv)
71 violated conditions of probation in a delinquency proceeding as
72 ordered by the court;

73 (B) A [child] youth or young adult may be [convicted] adjudicated
74 as "delinquent" who has (i) [while sixteen or seventeen years of age,]
75 violated any federal or state law, other than (I) an infraction, except an
76 infraction under subsection (d) of section 21a-267, (II) a violation,
77 except a violation under subsection (a) of section 21a-279a, (III) a motor
78 vehicle offense or violation under title 14, (IV) a violation of a
79 municipal or local ordinance, or (V) a violation of section 51-164r, 53a-
80 172, 53a-173, 53a-222, as amended by this act, 53a-222a, as amended by
81 this act, 53a-223 or 53a-223a, (ii) [while sixteen years of age or older,]

82 wilfully failed to appear in response to a summons under section 46b-
83 133, as amended by this act, or at any other court hearing in a
84 delinquency proceeding of which the [child] youth or young adult had
85 notice, (iii) [while sixteen years of age or older,] violated any order of
86 the Superior Court in a delinquency proceeding, except as provided in
87 section 46b-148, or (iv) [while sixteen years of age or older,] violated
88 conditions of probation in a delinquency proceeding as ordered by the
89 court;

90 [(5)] (6) "Family with service needs" means a family that includes a
91 child who is [at least] (A) seven years of age [and] or older but is under
92 eighteen years of age who [(A)] (i) has without just cause run away
93 from the parental home or other properly authorized and lawful place
94 of abode, [(B)] (ii) is beyond the control of the child's [or youth's]
95 parent, parents, guardian or other custodian, [(C)] (iii) has engaged in
96 indecent or immoral conduct, [(D)] or (iv) is a truant or habitual truant
97 or who, while in school, has been continuously and overtly defiant of
98 school rules and regulations, or [(E) is] (B) thirteen years of age or
99 older and has engaged in sexual intercourse with another person and
100 such other person is thirteen years of age or older and not more than
101 two years older or younger than such child; [or youth;]

102 [(6)] (7) A child or youth may be found "neglected" who, for reasons
103 other than being impoverished, (A) has been abandoned, (B) is being
104 denied proper care and attention, physically, educationally,
105 emotionally or morally, or (C) is being permitted to live under
106 conditions, circumstances or associations injurious to the well-being of
107 the child or youth;

108 [(7)] (8) A child or youth may be found "abused" who (A) has been
109 inflicted with physical injury or injuries other than by accidental
110 means, (B) has injuries that are at variance with the history given of
111 them, or (C) is in a condition that is the result of maltreatment,
112 including, but not limited to, malnutrition, sexual molestation or
113 exploitation, deprivation of necessities, emotional maltreatment or
114 cruel punishment;

115 [(8)] (9) A child or youth may be found "uncared for" (A) who is
116 homeless, (B) whose home cannot provide the specialized care that the
117 physical, emotional or mental condition of the child or youth requires,
118 or (C) who has been identified as a victim of trafficking, as defined in
119 section 46a-170. For the purposes of this section, the treatment of any
120 child or youth by an accredited Christian Science practitioner, in lieu of
121 treatment by a licensed practitioner of the healing arts, shall not of
122 itself constitute neglect or maltreatment;

123 [(9)] (10) "Delinquent act" means (A) the violation by a child under
124 [the age of] sixteen years of age of any federal or state law, except the
125 violation of section 53a-172, 53a-173, 53a-222, as amended by this act,
126 53a-222a, as amended by this act, 53a-223 or 53a-223a, or the violation
127 of a municipal or local ordinance, except an ordinance regulating
128 behavior of a child in a family with service needs, (B) the violation by a
129 [child sixteen or seventeen years of age] youth or young adult of any
130 federal or state law, other than (i) an infraction, except an infraction
131 under subsection (d) of section 21a-267, (ii) a violation, except a
132 violation under subsection (a) of section 21a-279a, (iii) a motor vehicle
133 offense or violation under title 14, (iv) the violation of a municipal or
134 local ordinance, or (v) the violation of section 51-164r, 53a-172, 53a-173,
135 53a-222, as amended by this act, 53a-222a, as amended by this act, 53a-
136 223 or 53a-223a, (C) the wilful failure of a child [, including a child who
137 has attained the age of eighteen,] or young adult to appear in response
138 to a summons under section 46b-133, as amended by this act, or at any
139 other court hearing in a delinquency proceeding of which the child has
140 notice, (D) the violation of any order of the Superior Court in a
141 delinquency proceeding by a child [, including a child who has
142 attained the age of eighteen] or young adult, except as provided in
143 section 46b-148, or (E) the violation of [conditions of probation] any
144 condition of probation ordered by the court in a delinquency
145 proceeding by a child [, including a child who has attained the age of
146 eighteen, as ordered by the court] or by a young adult;

147 [(10)] (11) "Serious juvenile offense" means (A) the violation of,
148 including attempt or conspiracy to violate, section 21a-277, 21a-278, 29-

149 33, 29-34, 29-35, subdivision (2) or (3) of subsection (a) of section 53-21,
150 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-57,
151 inclusive, 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-64bb, 53a-70 to
152 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95,
153 53a-100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive,
154 subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of
155 subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a or
156 53a-167c, subsection (a) of section 53a-174, or section 53a-196a, 53a-211,
157 53a-212, 53a-216 or 53a-217b, or (B) running away, without just cause,
158 from any secure placement other than home while referred as a
159 delinquent child to the Court Support Services Division or committed
160 as a delinquent child to the Commissioner of Children and Families for
161 a serious juvenile offense;

162 [(11)] (12) "Serious juvenile offender" means any child [convicted] or
163 young adult adjudicated as delinquent for the commission of a serious
164 juvenile offense;

165 [(12)] (13) "Serious juvenile repeat offender" means any child or
166 young adult charged with the commission of any felony if such child
167 or young adult has previously been [convicted] adjudicated as
168 delinquent or [otherwise] convicted at any age for two violations of
169 any provision of title 21a, 29, 53 or 53a that is designated as a felony;

170 [(13)] (14) "Alcohol-dependent" means a psychoactive substance
171 dependence on alcohol as that condition is defined in the most recent
172 edition of the American Psychiatric Association's "Diagnostic and
173 Statistical Manual of Mental Disorders"; [and]

174 [(14)] (15) "Drug-dependent" means a psychoactive substance
175 dependence on drugs as that condition is defined in the most recent
176 edition of the American Psychiatric Association's "Diagnostic and
177 Statistical Manual of Mental Disorders", [No child shall be classified
178 as drug-dependent who is dependent (A) upon a] except in the case of
179 a dependency upon a (A) morphine-type substance as an incident to
180 current medical treatment of a demonstrable physical disorder other

181 than drug dependence, or (B) [upon] amphetamine-type, ataractic,
182 barbiturate-type, hallucinogenic or other stimulant and depressant
183 substances as an incident to current medical treatment of a
184 demonstrable physical or psychological disorder, or both, other than
185 drug dependence; [.] and

186 (16) "Age for adult jurisdiction" means (A) on and after July 1, 2017,
187 but not later than June 30, 2018, nineteen years of age and older, (B) on
188 and after July 1, 2018, but not later than June 30, 2019, twenty years of
189 age and older, and (C) on and after July 1, 2019, twenty-one years of
190 age and older.

191 Sec. 2. Section 46b-121 of the general statutes is repealed and the
192 following is substituted in lieu thereof (*Effective July 1, 2017*):

193 (a) (1) Juvenile matters in the civil session include all proceedings
194 concerning uncared-for, neglected or abused children and youths
195 within this state, termination of parental rights of children committed
196 to a state agency, adoption proceedings pursuant to section 46b-129b,
197 matters concerning families with service needs, contested matters
198 involving termination of parental rights or removal of guardian
199 transferred from the Probate Court and the emancipation of minors,
200 but does not include matters of guardianship and adoption or matters
201 affecting property rights of any child or youth over which the Probate
202 Court has jurisdiction, except that appeals from probate concerning
203 adoption, termination of parental rights and removal of a parent as
204 guardian shall be included.

205 (2) Juvenile matters in the criminal session include all proceedings
206 concerning delinquent children or young adults within this state and
207 persons eighteen years of age [and] or older who are under the
208 supervision of a juvenile probation officer while on probation or a
209 suspended commitment to the Department of Children and Families,
210 for purposes of enforcing any court orders entered as part of such
211 probation or suspended commitment.

212 (b) (1) In juvenile matters, the Superior Court shall have authority to

213 make and enforce such orders directed to parents, including any
214 person who acknowledges before the court paternity of a child born
215 out of wedlock, guardians, custodians or other adult persons owing
216 some legal duty to [a child or youth therein] the child, as the court
217 deems necessary or appropriate to secure the welfare, protection,
218 proper care and suitable support of a child [or youth] subject to the
219 court's jurisdiction or otherwise committed to or in the custody of the
220 Commissioner of Children and Families. The Superior Court may
221 order a local or regional board of education to provide to the court
222 educational records of a child [or youth] or young adult for the
223 purpose of determining the need for services or placement of the child
224 [or youth] or young adult. In proceedings concerning a child or young
225 adult charged with a delinquent act or [with being] a child from a
226 family with service needs, records produced subject to such an order
227 shall be maintained under seal by the court and shall be released only
228 after a hearing or with the consent of the child or young adult.
229 Educational records obtained pursuant to this section shall be used
230 only for dispositional purposes. In addition, with respect to
231 proceedings concerning delinquent children or young adults, the
232 Superior Court shall have authority to make and enforce such orders
233 as the court deems necessary or appropriate to punish the child or
234 young adult, deter the child or young adult from the commission of
235 further delinquent acts, assure that the safety of any other person will
236 not be endangered and provide restitution to any victim. The Superior
237 Court shall also have authority to grant and enforce temporary and
238 permanent injunctive relief in all proceedings concerning juvenile
239 matters.

240 (2) If any order for the payment of money is issued by the Superior
241 Court, including any order assessing costs issued under section
242 46b-134, as amended by this act, or 46b-136, as amended by this act, the
243 collection of such money shall be made by the court, except orders for
244 support of children committed to any state agency or department,
245 which orders shall be made payable to and collected by the
246 Department of Administrative Services. If the Superior Court after due

247 diligence is unable to collect such moneys within six months, the court
248 shall refer such case to the Department of Administrative Services for
249 collection as a delinquent account. In juvenile matters, the Superior
250 Court shall have authority to make and enforce orders directed to
251 persons liable hereunder on petition of the Department of
252 Administrative Services made to the court in the same manner as is
253 provided in section 17b-745, in accordance with the provisions of
254 section 17b-81 or 17b-223, subsection (b) of section 17b-179 or section
255 17a-90, 46b-129 or 46b-130, and all of the provisions of section 17b-745
256 shall be applicable to such proceedings. Any judge hearing a juvenile
257 matter may make any other order in connection therewith that a judge
258 of the Superior Court is authorized to grant and such order shall have
259 the same force and effect as any other order of the Superior Court. No
260 commitment to the Department of Children and Families may be
261 ordered or continued for a delinquent child who has attained the age
262 of twenty. Notwithstanding the terms of any order in effect on October
263 1, 2011, any commitment to the Department of Children and Families
264 in a delinquency proceeding pursuant to this chapter shall terminate
265 not later than the date the child attains the age of twenty.

266 (3) In the enforcement of the court's orders, in connection with any
267 juvenile matter, the court may issue process for the arrest of any
268 person, compel attendance of witnesses and punish for contempt by a
269 fine not exceeding one hundred dollars or imprisonment not exceeding
270 six months.

271 Sec. 3. Section 46b-121n of the 2016 supplement to the general
272 statutes is repealed and the following is substituted in lieu thereof
273 (*Effective from passage*):

274 (a) There is established a Juvenile Justice Policy and Oversight
275 Committee. The committee shall evaluate policies related to the
276 juvenile justice system and the expansion of juvenile jurisdiction to
277 include persons [sixteen and seventeen] eighteen years of age or older
278 but under twenty-one years of age.

- 279 (b) The committee shall consist of the following members:
- 280 (1) Two members of the General Assembly, one of whom shall be
281 appointed by the speaker of the House of Representatives, and one of
282 whom shall be appointed by the president pro tempore of the Senate;
- 283 (2) The chairpersons and ranking members of the joint standing
284 committees of the General Assembly having cognizance of matters
285 relating to the judiciary, children, human services and appropriations,
286 or their designees;
- 287 (3) The Chief Court Administrator, or the Chief Court
288 Administrator's designee;
- 289 (4) A judge of the superior court for juvenile matters, appointed by
290 the Chief Justice;
- 291 (5) The executive director of the Court Support Services Division of
292 the Judicial Department, or the executive director's designee;
- 293 (6) The executive director of the Superior Court Operations
294 Division, or the executive director's designee;
- 295 (7) The Chief Public Defender, or the Chief Public Defender's
296 designee;
- 297 (8) The Chief State's Attorney, or the Chief State's Attorney's
298 designee;
- 299 (9) The Commissioner of Children and Families, or the
300 commissioner's designee;
- 301 (10) The Commissioner of Correction, or the commissioner's
302 designee;
- 303 (11) The Commissioner of Education, or the commissioner's
304 designee;
- 305 (12) The Commissioner of Mental Health and Addiction Services, or

306 the commissioner's designee;

307 (13) The Labor Commissioner, or the commissioner's designee;

308 (14) The Commissioner of Social Services, or the commissioner's
309 designee;

310 (15) The Commissioner of Public Health, or the commissioner's
311 designee;

312 (16) The president of the Connecticut Police Chiefs Association, or
313 the president's designee;

314 (17) The chief of police of a municipality with a population in excess
315 of one hundred thousand, appointed by the president of the
316 Connecticut Police Chiefs Association;

317 (18) Two child or youth advocates, one of whom shall be appointed
318 by one chairperson of the Juvenile Justice Policy and Oversight
319 Committee, and one of whom shall be appointed by the other
320 chairperson of the Juvenile Justice Policy and Oversight Committee;

321 (19) Two parents or parent advocates, at least one of whom is the
322 parent of a child who has been involved with the juvenile justice
323 system, one of whom shall be appointed by the minority leader of the
324 House of Representatives, and one of whom shall be appointed by the
325 minority leader of the Senate;

326 (20) The Child Advocate, or the Child Advocate's designee; [and]

327 (21) The Secretary of the Office of Policy and Management, or the
328 secretary's designee; [.]

329 (22) An advocate on behalf of victims of family violence crimes,
330 appointed by the Governor; and

331 (23) An advocate on behalf of victims of sexual assault, appointed
332 by the Governor.

333 (c) Any vacancy shall be filled by the appointing authority.

334 (d) The Secretary of the Office of Policy and Management, or the
335 secretary's designee, and a member of the General Assembly selected
336 jointly by the speaker of the House of Representatives and the
337 president pro tempore of the Senate from among the members serving
338 pursuant to subdivision (1) or (2) of subsection (b) of this section shall
339 be cochairpersons of the committee. Such cochairpersons shall
340 schedule the first meeting of the committee, which shall be held not
341 later than sixty days after June 13, 2014.

342 (e) Members of the committee shall serve without compensation,
343 except for necessary expenses incurred in the performance of their
344 duties.

345 (f) Not later than January 1, 2015, the committee shall report, in
346 accordance with section 11-4a, to the joint standing committees of the
347 General Assembly having cognizance of matters relating to
348 appropriations, the judiciary, human services and children, and the
349 Secretary of the Office of Policy and Management, regarding the
350 following:

351 (1) Any statutory changes concerning the juvenile justice system
352 that the committee recommends to (A) improve public safety; (B)
353 promote the best interests of children and youths who are under the
354 supervision, care or custody of the Commissioner of Children and
355 Families or the Court Support Services Division of the Judicial
356 Department; (C) improve transparency and accountability with respect
357 to state-funded services for children and youths in the juvenile justice
358 system with an emphasis on goals identified by the committee for
359 community-based programs and facility-based interventions; and (D)
360 promote the efficient sharing of information between the Department
361 of Children and Families and the Judicial Department to ensure the
362 regular collection and reporting of recidivism data and promote public
363 welfare and public safety outcomes related to the juvenile justice
364 system;

365 (2) A definition of "recidivism" that the committee recommends to
366 be used by state agencies with responsibilities with respect to the
367 juvenile justice system, and recommendations to reduce recidivism for
368 children and youths in the juvenile justice system;

369 (3) Short-term goals to be met within six months, medium-term
370 goals to be met within twelve months and long-term goals to be met
371 within eighteen months, for the Juvenile Justice Policy and Oversight
372 Committee and state agencies with responsibilities with respect to the
373 juvenile justice system to meet, after considering existing relevant
374 reports related to the juvenile justice system and any related state
375 strategic plan;

376 (4) The impact of legislation that expanded the jurisdiction of the
377 juvenile court to include persons sixteen and seventeen years of age, as
378 measured by the following:

379 (A) Any change in the average age of children and youths involved
380 in the juvenile justice system;

381 (B) The types of services used by designated age groups and the
382 outcomes of those services;

383 (C) The types of delinquent acts or criminal offenses that children
384 and youths have been charged with since the enactment and
385 implementation of such legislation; and

386 (D) The gaps in services identified by the committee with respect to
387 children and youths involved in the juvenile justice system, including,
388 but not limited to, children and youths who have attained the age of
389 eighteen after being involved in the juvenile justice system, and
390 recommendations to address such gaps in services; and

391 (5) Strengths and barriers identified by the committee that support
392 or impede the educational needs of children and youths in the juvenile
393 justice system, with specific recommendations for reforms.

394 (g) Not later than July 1, 2015, the committee shall report, in

395 accordance with section 11-4a, to the joint standing committees of the
396 General Assembly having cognizance of matters relating to
397 appropriations, the judiciary, human services and children, and the
398 Secretary of the Office of Policy and Management, regarding the
399 following:

400 (1) The quality and accessibility of diversionary programs available
401 to children and youths in this state, including juvenile review boards
402 and services for a child or youth who is a member of a family with
403 service needs;

404 (2) An assessment of the system of community-based services for
405 children and youths who are under the supervision, care or custody of
406 the Commissioner of Children and Families or the Court Support
407 Services Division of the Judicial Department;

408 (3) An assessment of the congregate care settings that are operated
409 privately or by the state and have housed children and youths
410 involved in the juvenile justice system in the past twelve months;

411 (4) An examination of how the state Department of Education and
412 local boards of education, the Department of Children and Families,
413 the Department of Mental Health and Addiction Services, the Court
414 Support Services Division of the Judicial Department, and other
415 appropriate agencies can work collaboratively through school-based
416 efforts and other processes to reduce the number of children and
417 youths who enter the juvenile justice system as a result of being a
418 member of a family with service needs or [convicted] adjudicated as
419 delinquent;

420 (5) An examination of practices and procedures that result in
421 disproportionate minority contact, as defined in section 4-68y, within
422 the juvenile justice system;

423 (6) A plan to provide that all facilities and programs that are part of
424 the juvenile justice system and are operated privately or by the state
425 provide results-based accountability;

426 (7) An assessment of the number of children and youths who, after
427 being under the supervision of the Department of Children and
428 Families, are ~~[convicted]~~ adjudicated as delinquent; and

429 (8) An assessment of the overlap between the juvenile justice system
430 and the mental health care system for children.

431 (h) The committee may form working groups to solicit feedback
432 from persons identified by the members of each such group as
433 stakeholders in policies related to the juvenile justice system and the
434 expansion of the juvenile jurisdiction to enable the committee to fulfill
435 its duties pursuant to this section.

436 ~~[(h)]~~ (i) The committee shall complete its duties under this section
437 after consultation with one or more organizations that focus on
438 relevant issues regarding children and youths, such as the University
439 of New Haven and any of the university's institutes. The committee
440 may accept administrative support and technical and research
441 assistance from any such organization. The committee shall work in
442 collaboration with any results first initiative implemented pursuant to
443 section 2-111 or any public or special act.

444 ~~[(i)]~~ (j) The committee shall establish a time frame for review and
445 reporting regarding the responsibilities outlined in subdivision (5) of
446 subsection (f) of this section, and subdivisions (1) to (7), inclusive, of
447 subsection (g) of this section. Each report submitted by the committee
448 shall include specific recommendations to improve outcomes and a
449 timeline by which specific tasks or outcomes must be achieved.

450 ~~[(j)]~~ (k) The committee shall implement a strategic plan that
451 integrates the short-term, medium-term and long-term goals identified
452 pursuant to subdivision (3) of subsection (f) of this section. As part of
453 the implementation of such plan, the committee shall collaborate with
454 any state agency with responsibilities with respect to the juvenile
455 justice system, including, but not limited to, the Departments of
456 Education, Mental Health and Addiction Services, Correction and
457 Children and Families and the Labor Department and Judicial

458 Department, and municipal police departments. Not later than January
459 1, 2016, the committee shall report such plan, in accordance with
460 section 11-4a, to the joint standing committees of the General
461 Assembly having cognizance of matters relating to appropriations, the
462 judiciary, human services and children, and the Secretary of the Office
463 of Policy and Management, regarding progress toward the full
464 implementation of such plan and any recommendations concerning
465 the implementation of such identified goals by any state agency with
466 responsibilities with respect to the juvenile justice system or municipal
467 police departments.

468 [(k)] (l) The committee shall assess the juvenile justice system and
469 make recommendations, if any, to improve the system. Not later than
470 July 1, 2016, July 1, 2017, and July 1, 2018, the committee shall report
471 such assessment and recommendations, in accordance with section 11-
472 4a, to the joint standing committees of the General Assembly having
473 cognizance of matters relating to appropriations, the judiciary, human
474 services and children, and the Secretary of the Office of Policy and
475 Management, regarding the following:

476 (1) Mental health and substance abuse treatment programs and
477 services for children and youths involved with, or at risk of
478 involvement with, the juvenile justice system;

479 (2) Educational outcomes for children and youths involved with, or
480 at risk of involvement with, the juvenile justice system;

481 (3) Disproportionate minority contact, as defined in section 4-68y,
482 with children and youths involved with the juvenile justice system;

483 (4) Training on the juvenile justice system for state agencies and
484 municipal police departments;

485 (5) Diversion of at-risk children and youths from the juvenile justice
486 system;

487 (6) Recidivism tracking and policies and procedures to reduce

488 recidivism;

489 (7) Data sharing among public and private juvenile justice and other
490 child services agencies, including the Department of Education, to
491 evaluate the effectiveness and efficiency of the juvenile justice system;

492 (8) Vocational educational opportunities for children and youths in
493 the juvenile justice system until the child or youth reaches the age of
494 twenty-one years of age;

495 (9) Oversight and the reduction in the use of restraints for children
496 and youths, and the reduction in the use of seclusion and room
497 confinement in juvenile justice facilities;

498 (10) Use of evidence-based positive behavioral support strategies
499 and other evidence-based or research-informed strategies for reducing
500 the reliance on restraints and seclusion; and

501 (11) Programs and facilities using restraints or seclusion for children
502 or youths and any data regarding such uses, including, but not limited
503 to, the rate and duration of use for children and youths with
504 disabilities.

505 [(l)] (m) Not later than July 1, 2015, and quarterly thereafter until
506 January 1, 2017, and annually thereafter, the committee shall submit a
507 report, in accordance with section 11-4a, to the joint standing
508 committees of the General Assembly having cognizance of matters
509 relating to appropriations, the judiciary, human services and children,
510 and the Secretary of the Office of Policy and Management, regarding
511 progress made to achieve goals and measures identified by the
512 committee pursuant to this section.

513 (n) The committee shall plan for the implementation of any changes
514 required pursuant to chapter 815t and sections 54-76b to 54-76q,
515 inclusive, as amended by this act, to the juvenile justice system in
516 order to extend jurisdiction in delinquency matters and proceedings
517 within the Superior Court for juvenile matters to include persons who

518 are (1) eighteen years of age or older but under nineteen years of age,
519 beginning July 1, 2017, (2) nineteen years of age or older but under
520 twenty years of age, beginning July 1, 2018, and (3) twenty years of age
521 or older but under twenty-one years of age, beginning July 1, 2019.
522 The committee shall make recommendations including, but not limited
523 to, recommendations on the appropriate processes required for
524 adjudication of young adults in juvenile court charged with sexual
525 assault under section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b
526 or 53a-73a, or with a crime involving family violence as may be so
527 designated under section 46b-38h and on the services needed to
528 support the victims of the young adults in such cases, and on the
529 appropriate facilities for both the pretrial and post-adjudication
530 confinement of the young adult population. On or before January 1,
531 2017, the committee shall submit a report, in accordance with section
532 11-4a, on the committee's findings, together with any
533 recommendations for legislation, to the Governor, the speaker of the
534 House of Representatives, the majority leader of the House of
535 Representatives, the president pro tempore of the Senate, the majority
536 leader of the Senate, the minority leader of the House of
537 Representatives, the minority leader of the Senate and the joint
538 standing committees of the General Assembly having cognizance of
539 matters relating to the judiciary, human services, children and
540 appropriations.

541 Sec. 4. Section 46b-127 of the 2016 supplement to the general statutes
542 is repealed and the following is substituted in lieu thereof (*Effective July*
543 *1, 2017*):

544 (a) (1) The court shall automatically transfer from the docket for
545 juvenile matters to the regular criminal docket of the Superior Court
546 the case of any child or young adult charged with the commission of a
547 capital felony under the provisions of section 53a-54b in effect prior to
548 April 25, 2012, a class A felony, or a class B felony, except as provided
549 in subdivision (3) of this subsection, or a violation of section 53a-54d,
550 provided such offense was committed [after such child attained the
551 age of fifteen years] by a child when such child was at least fifteen

552 years of age or by a young adult and counsel has been appointed for
553 such child or young adult if such child or young adult is indigent. Such
554 counsel may appear with the child or young adult but shall not be
555 permitted to make any argument or file any motion in opposition to
556 the transfer. The child or young adult shall be arraigned in the regular
557 criminal docket of the Superior Court at the next court date following
558 such transfer. [, provided any] Any proceedings held prior to the
559 finalization of such transfer shall be private and shall be conducted in
560 such parts of the courthouse or the building in which the court is
561 located that are separate and apart from the other parts of the court
562 which are then being used for proceedings pertaining to [adults]
563 persons charged with crimes on the regular criminal docket.

564 (2) A state's attorney may, at any time after such arraignment, file a
565 motion to transfer the case of any child or young adult charged with
566 the commission of a class B felony or a violation of subdivision (2) of
567 subsection (a) of section 53a-70 to the docket for juvenile matters for
568 proceedings in accordance with the provisions of this chapter.

569 [(3) No case of any child charged with the commission of a violation
570 of section 53a-55, 53a-59b, 53a-71 or 53a-94, subdivision (2) of
571 subsection (a) of section 53a-101, section 53a-112, 53a-122 or 53a-129b,
572 subdivision (1), (3) or (4) of subsection (a) of section 53a-134, section
573 53a-196c, 53a-196d or 53a-252 or subsection (a) of section 53a-301 shall
574 be transferred from the docket for juvenile matters to the regular
575 criminal docket of the Superior Court, except as provided in this
576 subdivision. Upon motion of a prosecutorial official, the superior court
577 for juvenile matters shall conduct a hearing to determine whether the
578 case of any child charged with the commission of any such offense
579 shall be transferred from the docket for juvenile matters to the regular
580 criminal docket of the Superior Court. The court shall not order that
581 the case be transferred under this subdivision unless the court finds
582 that (A) such offense was committed after such child attained the age
583 of fifteen years, (B) there is probable cause to believe the child has
584 committed the act for which the child is charged, and (C) the best
585 interests of the child and the public will not be served by maintaining

586 the case in the superior court for juvenile matters. In making such
587 findings, the court shall consider (i) any prior criminal or juvenile
588 offenses committed by the child, (ii) the seriousness of such offenses,
589 (iii) any evidence that the child has intellectual disability or mental
590 illness, and (iv) the availability of services in the docket for juvenile
591 matters that can serve the child's needs. Any motion under this
592 subdivision shall be made, and any hearing under this subdivision
593 shall be held, not later than thirty days after the child is arraigned in
594 the superior court for juvenile matters.]

595 (b) (1) Upon motion of a prosecutorial official, the superior court for
596 juvenile matters shall conduct a hearing to determine whether the case
597 of any child or young adult charged with the commission of a violation
598 of section 53a-122 or a class C, D or E felony or an unclassified felony
599 shall be transferred from the docket for juvenile matters to the regular
600 criminal docket of the Superior Court. The court shall not order that
601 the case be transferred under this subdivision unless the court finds
602 that (A) such offense was committed [after such child attained the age
603 of fifteen years] by a child when such child was at least fifteen years of
604 age or by a young adult, (B) there is probable cause, based on either
605 sworn affidavits or testimony, to believe the child or young adult has
606 committed the act for which the child or young adult is charged, and
607 (C) [the best interests of the child and the public will not be served by
608 maintaining the case in the superior court for juvenile matters] public
609 safety can best be served by transferring the case to the regular
610 criminal docket of the Superior Court. In making such findings, the
611 court shall consider (i) any prior criminal or juvenile offenses
612 committed by the child or young adult, (ii) the seriousness of such
613 offenses, (iii) any evidence that the child or young adult has
614 intellectual disability or mental illness, and (iv) the best interests of the
615 child or young adult, including the sophistication, maturity and
616 mental status of the child or young adult by consideration of his or her
617 social, environmental and mental health history and the availability of
618 services in the docket for juvenile matters that can serve the [child's]
619 needs of the child or young adult. Any motion under this subdivision

620 shall be made, and any hearing under this subdivision shall be held,
621 not later than thirty days after the child or young adult is arraigned in
622 the superior court for juvenile matters.

623 (2) If a case is transferred to the regular criminal docket pursuant to
624 subdivision (1) of this subsection or subdivision (3) of subsection (a) of
625 this section, the court sitting for the regular criminal docket may return
626 the case to the docket for juvenile matters at any time prior to a jury
627 rendering a verdict or the entry of a guilty plea for good cause shown
628 for proceedings in accordance with the provisions of this chapter.

629 (c) [Upon] (1) Except as provided in subdivision (2) of this
630 subsection, upon the effectuation of the transfer, such child or young
631 adult shall stand trial and be sentenced, if convicted, as if such child
632 [were eighteen years of age] or young adult were an age for adult
633 jurisdiction, subject to the provisions of section 54-91g. Such child or
634 young adult shall receive credit against any sentence imposed for time
635 served in a juvenile or detention facility prior to the effectuation of the
636 transfer. A child or young adult who has been transferred may enter a
637 guilty plea to a lesser offense if the court finds that such plea is made
638 knowingly and voluntarily. Any child or young adult transferred to
639 the regular criminal docket who pleads guilty to a lesser offense shall
640 not resume such [child's] person's status as a juvenile regarding such
641 offense. If the action is dismissed or nolleed or if such child or young
642 adult is found not guilty of the charge for which such child or young
643 adult was transferred or of any lesser included offenses, the child or
644 young adult shall resume such [child's] person's status as a juvenile
645 until such [child] person attains the age [of eighteen years] for adult
646 jurisdiction.

647 (2) Notwithstanding any provision of the general statutes, when
648 sentencing a person whose case has been transferred to the regular
649 criminal docket of the Superior Court pursuant to this section and who
650 is convicted of an offense for which there is a mandatory minimum
651 sentence which shall not be suspended, the court may suspend the
652 execution of such mandatory minimum sentence if such person was

653 under eighteen years of age at the time of the offense.

654 (d) Any child or young adult whose case is transferred to the
655 regular criminal docket of the Superior Court who is detained
656 pursuant to such case shall be in the custody of the Commissioner of
657 Correction upon the finalization of such transfer. A transfer shall be
658 final (1) upon the arraignment on the regular criminal docket until a
659 motion filed by the state's attorney pursuant to subsection (a) of this
660 section is granted by the court, or (2) upon the arraignment on the
661 regular criminal docket of a transfer ordered pursuant to subsection (b)
662 of this section until the court sitting for the regular criminal docket
663 orders the case returned to the docket for juvenile matters for good
664 cause shown. Any child or young adult whose case is returned to the
665 docket for juvenile matters who is detained pursuant to such case shall
666 be in the custody of the Judicial Department.

667 (e) The transfer of a child or young adult to a Department of
668 Correction facility shall be limited as provided in subsection (d) of this
669 section and said subsection shall not be construed to permit the
670 transfer of or otherwise reduce or eliminate any other population of
671 juveniles in detention or confinement within the Judicial Department
672 or the Department of Children and Families.

673 (f) Upon the motion of any party or upon the court's own motion,
674 the case of any youth [age sixteen or seventeen] or young adult, except
675 a case that has been transferred to the regular criminal docket of the
676 Superior Court pursuant to subsection (a) or (b) of this section, which
677 is pending on the youthful offender docket, regular criminal docket of
678 the Superior Court or any docket for the presentment of defendants in
679 motor vehicle matters, where the youth or young adult is charged with
680 committing any offense or violation for which a term of imprisonment
681 may be imposed, other than a violation of section 14-227a or 14-227g,
682 may, before trial or before the entry of a guilty plea, be transferred to
683 the docket for juvenile matters if (1) [the] (A) a youth is alleged to have
684 committed such offense or violation on or after January 1, 2010, while
685 sixteen years of age or older but under seventeen years of age, or is

686 alleged to have committed such offense or violation on or after July 1,
687 2012, while seventeen years of age or older but under eighteen years of
688 age, or (B) a young adult is alleged to have committed such offense or
689 violation on or after July 1, 2017, while younger than the age for adult
690 jurisdiction, and (2) after a hearing considering the facts and
691 circumstances of the case and the prior history of the youth or young
692 adult, the court determines that the programs and services available
693 pursuant to a proceeding in the superior court for juvenile matters
694 would more appropriately address the needs of the youth or young
695 adult and that the youth or young adult and the community would be
696 better served by treating the youth or young adult as a delinquent.
697 Upon ordering such transfer, the court shall vacate any pleas entered
698 in the matter and advise the youth or young adult of the youth's or
699 young adult's rights, and the youth or young adult shall (A) enter
700 pleas on the docket for juvenile matters in the jurisdiction where the
701 youth or young adult resides, and (B) be subject to prosecution as a
702 delinquent [child] youth or young adult. The decision of the court
703 concerning the transfer of [a youth's case] the case of a youth or young
704 adult, from the youthful offender docket, regular criminal docket of
705 the Superior Court or any docket for the presentment of defendants in
706 motor vehicle matters shall not be a final judgment for purposes of
707 appeal.

708 Sec. 5. Section 46b-133 of the general statutes is repealed and the
709 following is substituted in lieu thereof (*Effective July 1, 2017*):

710 (a) Nothing in this part shall be construed as preventing the arrest of
711 a child or young adult, with or without a warrant, as may be provided
712 by law, or as preventing the issuance of warrants by judges in the
713 manner provided by section 54-2a, except that no child or young adult
714 shall be taken into custody on such process except on apprehension in
715 the act, or on speedy information, or in other cases when the use of
716 such process appears imperative. Whenever a child or young adult is
717 arrested and charged with a crime, such child or young adult may be
718 required to submit to the taking of his or her photograph, physical
719 description and fingerprints. Notwithstanding the provisions of

720 section 46b-124, as amended by this act, the name, photograph and
721 custody status of any child or young adult arrested for the commission
722 of a capital felony under the provisions of section 53a-54b in effect
723 prior to April 25, 2012, or class A felony may be disclosed to the public.

724 (b) Whenever a child or young adult is brought before a judge of the
725 Superior Court, such judge shall immediately have the case proceeded
726 upon as a juvenile matter. Such judge may admit the child or young
727 adult to bail or, in the case of a child, release the child in the custody of
728 the child's parent or parents, the child's guardian or some other
729 suitable person to appear before the Superior Court when ordered. If
730 detention becomes necessary, such detention shall be in the manner
731 prescribed by this chapter, provided the child or young adult shall be
732 placed in the least restrictive environment possible in a manner
733 consistent with public safety.

734 (c) Upon the arrest of any child or young adult by an officer, such
735 officer may (1) in the case of a child, release the child to the custody of
736 the child's parent or parents, guardian or some other suitable person or
737 agency, (2) at the discretion of the officer, release the child or young
738 adult to the child's or young adult's own custody, or (3) seek a court
739 order to detain the child or young adult in a juvenile detention center.
740 No child or young adult shall be [placed in detention] detained unless
741 it appears from the available facts that there is probable cause to
742 believe that the child or young adult has committed the acts alleged,
743 there is no less restrictive alternative available and there is (A) a strong
744 probability that the child or young adult will run away prior to the
745 court hearing or disposition, (B) a strong probability that the child or
746 young adult will commit or attempt to commit other offenses injurious
747 to the child or young adult or to the community prior to the court
748 disposition, (C) probable cause, in the case of a child, to believe that
749 the child's continued residence in the child's home pending disposition
750 poses a risk to the child or the community because of the serious and
751 dangerous nature of the act or acts the child is alleged to have
752 committed, (D) a need to hold the child or young adult for another
753 jurisdiction, (E) a need to hold the child or young adult to assure the

754 [child's] appearance of the child or young adult before the court, in
755 view of [the child's] any previous failure to respond to the court
756 process, or (F) a finding by the court that the child or young adult has
757 violated one or more of the conditions of a suspended detention order.
758 No child or young adult shall be [held in any detention center]
759 detained unless an order to detain is issued by a judge of the Superior
760 Court.

761 (d) (1) When a child or young adult is arrested for the commission
762 of a delinquent act and the child or young adult is not [placed in
763 detention] detained or referred to a diversionary program, an officer
764 shall serve a written complaint and summons on the child or young
765 adult and, in the case of a child, the child's parent, guardian or some
766 other suitable person or agency. [If] In the case of a child, if such child
767 is released to the child's own custody, the officer shall make reasonable
768 efforts to notify, and to provide a copy of a written complaint and
769 summons to, the parent or guardian or some other suitable person or
770 agency prior to the court date on the summons. If any person so
771 summoned wilfully fails to appear in court at the time and place so
772 specified, the court may issue a warrant for the [child's arrest or] arrest
773 of the child or young adult or in the case of a child, a capias to assure
774 the appearance in court of such child's parent, guardian or other
775 person. If a child or young adult wilfully fails to appear in response to
776 such a summons, the court may order such child or young adult taken
777 into custody and such child or young adult may be charged with the
778 delinquent act of wilful failure to appear under section 46b-120, as
779 amended by this act. [The] In the case of a child, the court may punish
780 for contempt, as provided in section 46b-121, as amended by this act,
781 any parent, guardian or other person so summoned who wilfully fails
782 to appear in court at the time and place so specified.

783 (2) Upon the arrest of any youth by an officer for a violation of
784 section 53a-82, such officer shall report suspected abuse or neglect to
785 the Department of Children and Families in accordance with the
786 provisions of sections 17a-101b to 17a-101d, inclusive.

787 (e) The court or detention supervisor may, in the case of a child,
788 turn such child over to a youth service program created for such
789 purpose, if such course is practicable, or such child and any young
790 adult may be detained pending a hearing which shall be held on the
791 business day next following the [child's] arrest of the child or young
792 adult. No child or young adult shall be detained after such hearing [or
793 held in detention pursuant to a court order] unless it appears from the
794 available facts there is probable cause to believe that the child or young
795 adult has committed the acts alleged, there is no less restrictive
796 alternative available and that there is (1) a strong probability that the
797 child or young adult will run away prior to the court hearing or
798 disposition, (2) a strong probability that the child or young adult will
799 commit or attempt to commit other offenses injurious to the child or
800 young adult or to the community prior to the court disposition, (3)
801 probable cause in the case of a child, to believe that the child's
802 continued residence in the child's home pending disposition poses a
803 risk to the child or the community because of the serious and
804 dangerous nature of the act or acts the child is alleged to have
805 committed, (4) a need to hold the child or young adult for another
806 jurisdiction, (5) a need to hold the child or young adult to assure the
807 [child's] appearance of the child or young adult before the court, in
808 view of [the child's] any previous failure to respond to the court
809 process, or (6) a finding by the court that the child or young adult has
810 violated one or more of the conditions of a suspended detention order.
811 Such probable cause may be shown by sworn affidavit in lieu of
812 testimony. No child or young adult shall be released from detention
813 who is alleged to have committed a serious juvenile offense except by
814 order of a judge of the Superior Court. Any child confined in a
815 community correctional center or lockup shall be held in an area
816 separate and apart from any adult detainee, except in the case of a
817 nursing infant, and no child shall at any time be held in solitary
818 confinement. When a female child or young adult is held in custody,
819 she shall, as far as possible, be in the charge of a woman attendant.

820 (f) The police officer who brings a child into detention shall have

821 first notified, or made a reasonable effort to notify, the parents or
822 guardian of the child in question of the intended action and shall file at
823 the detention center a signed statement setting forth the alleged
824 delinquent conduct of the child. Unless the arrest was for a serious
825 juvenile offense or unless an order not to release is noted on the take
826 into custody order, arrest warrant or order to detain, the child may be
827 released by a detention supervisor to the custody of the child's parent
828 or parents, guardian or some other suitable person or agency.

829 (g) In conjunction with any order of release from detention, the
830 court may, when it has reason to believe a child or young adult is
831 alcohol-dependent or drug-dependent as defined in section 46b-120, as
832 amended by this act, and where necessary, reasonable and
833 appropriate, order the child or young adult to participate in a program
834 of periodic alcohol or drug testing and treatment as a condition of such
835 release. The results of any such alcohol or drug test shall be admissible
836 only for the purposes of enforcing the conditions of release from
837 detention.

838 (h) The detention supervisor of a juvenile detention center in charge
839 of intake shall admit only a child who: (1) Is the subject of an order to
840 detain or an outstanding court order to take such child into custody,
841 (2) is ordered by a court to be held in detention, or (3) is being
842 transferred to such center to await a court appearance.

843 (i) Whenever a child or young adult is subject to a court order to
844 take such child or young adult into custody, or other process issued
845 pursuant to this section or section 46b-140a, as amended by this act, the
846 Judicial Branch may cause the order or process to be entered into a
847 central computer system in accordance with policies and procedures
848 established by the Chief Court Administrator. The existence of the
849 order or process in the computer system shall constitute prima facie
850 evidence of the issuance of the order or process. Any child or young
851 adult named in the order or process may be arrested or taken into
852 custody based on the existence of the order or process in the computer
853 system and, if the order or process directs that such child be detained,

854 the child shall be held in a juvenile detention center.

855 Sec. 6. Section 46b-133c of the 2016 supplement to the general
856 statutes is repealed and the following is substituted in lieu thereof
857 (*Effective July 1, 2017*):

858 (a) Whenever a child or young adult is referred for the commission
859 of a felony committed [after such child attained the age of fourteen
860 years] by a child when such child was at least fifteen years of age or by
861 a young adult and such child or young adult is a serious juvenile
862 repeat offender, as defined in section 46b-120, as amended by this act,
863 the prosecutorial official may request the court to designate the
864 proceeding as a serious juvenile repeat offender prosecution.

865 (b) If a prosecutorial official requests that a proceeding be
866 designated a serious juvenile repeat offender prosecution, the court
867 shall hold a hearing not later than thirty days after the filing of such
868 request unless good cause is shown by the prosecutorial official or by
869 the child or young adult as to why the hearing should not be held
870 within such period. If good cause is shown, the hearing shall be held
871 not later than ninety days after the filing of such request. The court
872 shall decide whether to designate the proceeding as a serious juvenile
873 repeat offender prosecution not later than thirty days after the
874 completion of such hearing. The court shall grant the request to
875 designate the proceeding as a serious juvenile repeat offender
876 prosecution if the prosecutorial official shows by clear and convincing
877 evidence that such designation will serve the public safety. The
878 decision to designate the proceeding as a serious juvenile repeat
879 offender prosecution shall not be a final judgment for purposes of
880 appeal.

881 (c) A proceeding designated as a serious juvenile repeat offender
882 prosecution pursuant to subsection (b) of this section shall be held
883 before the court without a jury provided the child or young adult has
884 waived his or her right to a trial by jury. If a child or young adult is
885 convicted of or pleads guilty to a felony in such proceeding, the court

886 shall: (1) Sentence the child or young adult in accordance with section
887 46b-140, as amended by this act, or 46b-141a, as amended by this act,
888 and (2) sentence the child or young adult in accordance with section
889 53a-28 with the execution of such sentence stayed on the condition that
890 the child or young adult not violate the conditions of the sentence
891 imposed pursuant to subdivision (1) of this subsection or commit a
892 subsequent crime.

893 (d) If a child or young adult is convicted of or pleads guilty to a
894 misdemeanor in a proceeding designated as a serious juvenile repeat
895 offender prosecution pursuant to subsection (b) of this section, the
896 court shall sentence the child or young adult in accordance with
897 section 46b-140, as amended by this act, or 46b-141a, as amended by
898 this act.

899 (e) Whenever it appears that a child or young adult who has been
900 sentenced pursuant to subsection (c) of this section has violated the
901 conditions of the sentence imposed pursuant to subdivision (1) of said
902 subsection (c) or has committed a subsequent crime, the court may,
903 without notice, order that the child or young adult be immediately
904 taken into custody in accordance with the provisions of section 46b-
905 125. The court shall notify the child or young adult and, in the case of a
906 child, such child's parent or guardian, and the attorney of record for
907 such child or young adult, if any, in writing of the reasons alleged to
908 exist for the lifting of the stay of execution of the sentence imposed
909 pursuant to subdivision (2) of said subsection (c). If the child or young
910 adult challenges such reasons, the court shall hold a hearing at which
911 the child or young adult shall be entitled to be heard and be
912 represented by counsel. After such hearing, if the court finds that the
913 child or young adult has violated the conditions of the sentence
914 imposed pursuant to subdivision (1) of said subsection (c) or
915 committed a subsequent crime, it shall order the child or young adult
916 to serve a sentence not to exceed that imposed pursuant to subdivision
917 (2) of said subsection (c) unless it determines there are mitigating
918 circumstances that justify continuing the stay of execution and
919 specifically states such mitigating circumstances in writing for the

920 record. The child or young adult shall receive credit against any
921 sentence imposed pursuant to subdivision (2) of said subsection (c) for
922 time served in a juvenile or detention facility pursuant to the sentence
923 imposed pursuant to subdivision (1) of said subsection (c).

924 (f) Whenever a proceeding has been designated a serious juvenile
925 repeat offender prosecution pursuant to subsection (b) of this section
926 and the child or young adult does not waive such child's or young
927 adult's right to a trial by jury, the court shall transfer the case from the
928 docket for juvenile matters to the regular criminal docket of the
929 Superior Court. Upon transfer, such child or young adult shall stand
930 trial and be sentenced, if convicted, as if such child or young adult
931 were [eighteen years of age] an age for adult jurisdiction, subject to the
932 provisions of section 54-91g, except that no such child shall be placed
933 in a correctional facility but shall be maintained in a facility for
934 children and youths until such child attains eighteen years of age or
935 until such child is sentenced, whichever occurs first. Such child or
936 young adult shall receive credit against any sentence imposed for time
937 served in a juvenile or detention facility prior to the effectuation of the
938 transfer. A child or young adult who has been transferred may enter a
939 guilty plea to a lesser offense if the court finds that such plea is made
940 knowingly and voluntarily. Any child or young adult transferred to
941 the regular criminal docket who pleads guilty to a lesser offense shall
942 not resume such [child's] person's status as a juvenile regarding such
943 offense. If the action is dismissed or nolleed or if such child or young
944 adult is found not guilty of the charge for which such child or young
945 adult was transferred, the child or young adult shall resume such
946 [child's] person's status as a juvenile until such [child] person attains
947 [eighteen years of age] the age for adult jurisdiction.

948 Sec. 7. Section 46b-133d of the 2016 supplement to the general
949 statutes is repealed and the following is substituted in lieu thereof
950 (*Effective July 1, 2017*):

951 (a) For the purposes of this section, "special juvenile probation"
952 means a period of probation imposed by the superior court for juvenile

953 matters upon a child or young adult in a proceeding designated as a
954 serious sexual offender prosecution during which the child or young
955 adult is supervised by a juvenile probation officer prior to such [child]
956 person attaining [eighteen years of age] the age for adult jurisdiction
957 and by an adult probation officer after such child attains [eighteen
958 years of age] the age for adult jurisdiction.

959 (b) Whenever a child or young adult is referred for the commission
960 of any crime of a sexual nature, and such case is not transferred to the
961 regular criminal docket pursuant to section 46b-127, as amended by
962 this act, the prosecutorial official may request the court to designate
963 the proceeding as a serious sexual offender prosecution.

964 (c) If a prosecutorial official requests that a proceeding be
965 designated a serious sexual offender prosecution, the court shall hold a
966 hearing not later than thirty days after the filing of such request unless
967 good cause is shown by the prosecutorial official or by the child or
968 young adult as to why the hearing should not be held within such
969 period. If good cause is shown, the hearing shall be held not later than
970 ninety days after the filing of such request. The court shall decide
971 whether to designate the proceeding as a serious sexual offender
972 prosecution not later than thirty days after the completion of such
973 hearing. The court shall grant the request to designate the proceeding
974 as a serious sexual offender prosecution if the prosecutorial official
975 shows by a preponderance of the evidence that such designation will
976 serve the public safety. The decision to designate the proceeding as a
977 serious sexual offender prosecution shall not be a final judgment for
978 purposes of appeal.

979 (d) A proceeding designated as a serious sexual offender
980 prosecution pursuant to subsection (c) of this section shall be held
981 before the court without a jury provided the child or young adult has
982 waived the right to a trial by jury. If a child or young adult is convicted
983 of or pleads guilty or nolo contendere to a charge in a proceeding that
984 has been designated as a serious sexual offender prosecution, the court
985 shall: (1) Sentence the child or young adult in accordance with section

986 46b-140, as amended by this act, or 46b-141a, as amended by this act,
987 (2) sentence the child or young adult to a period of special juvenile
988 probation of at least five years, to commence upon the release of the
989 child or young adult from the institution, agency or program in whose
990 care the child or young adult had been placed, and (3) sentence the
991 child or young adult in accordance with section 53a-28 with the
992 execution of such sentence stayed on the condition that the child or
993 young adult not violate the conditions of the sentence imposed
994 pursuant to subdivisions (1) and (2) of this subsection or commit a
995 subsequent crime.

996 (e) Whenever it appears that a child or young adult who has been
997 sentenced pursuant to subsection (d) of this section has violated the
998 conditions of the sentence imposed pursuant to subdivision (2) of said
999 subsection or has committed a subsequent crime, the court may,
1000 without notice, order that the child or young adult be immediately
1001 taken into custody in accordance with the provisions of sections 46b-
1002 125 and 53a-32. If such violation of probation or subsequent crime
1003 occurs prior to the person attaining [eighteen years of age] the age for
1004 adult jurisdiction, the matter shall be handled by the superior court for
1005 juvenile matters. If such violation of probation or subsequent crime
1006 occurs after the person has attained [eighteen years of age] the age for
1007 adult jurisdiction, the matter shall be handled by the regular criminal
1008 docket of the Superior Court. Whenever such matter is handled by the
1009 superior court for juvenile matters, the court shall notify the child or
1010 young adult and, in the case of a child, such child's parent or guardian,
1011 and the attorney of record for such child or young adult, if any, in
1012 writing of the reasons alleged to exist for the lifting of the stay of
1013 execution of the sentence imposed pursuant to subdivision (3) of
1014 subsection (d) of this section. If the child or young adult challenges
1015 such reasons, the court shall hold a hearing at which the child or
1016 young adult shall be entitled to be heard and be represented by
1017 counsel. After such hearing, if the court finds that the child or young
1018 adult has violated the conditions of the sentence imposed pursuant to
1019 subdivision (2) of subsection (d) of this section or committed a

1020 subsequent crime, it shall order the child or young adult to serve a
1021 sentence not to exceed that imposed pursuant to subdivision (3) of
1022 subsection (d) of this section unless it determines there are mitigating
1023 circumstances that justify continuing the stay of execution and
1024 specifically states such mitigating circumstances in writing for the
1025 record. The child or young adult shall receive credit against any
1026 sentence imposed pursuant to subdivision (3) of subsection (d) of this
1027 section for time served in a juvenile or detention facility pursuant to
1028 the sentence imposed pursuant to subdivision (1) of said subsection.

1029 (f) When a proceeding has been designated a serious sexual
1030 offender prosecution pursuant to subsection (c) of this section and the
1031 child or young adult does not waive the right to a trial by jury, the
1032 court shall transfer the case from the docket for juvenile matters to the
1033 regular criminal docket of the Superior Court. Upon transfer, such
1034 child or young adult shall stand trial and be sentenced, if convicted, as
1035 if such child or young adult were [eighteen years of age] an age for
1036 adult jurisdiction, subject to the provisions of section 54-91g, except
1037 that no such child or young adult shall be placed in a correctional
1038 facility but shall be maintained in a facility for children and youths
1039 until such child attains eighteen years of age or until such child is
1040 sentenced, whichever occurs first. Such child or young adult shall
1041 receive credit against any sentence imposed for time served in a
1042 juvenile or detention facility prior to the effectuation of the transfer. A
1043 child or young adult who has been transferred may enter a guilty plea
1044 to a lesser offense if the court finds that such plea is made knowingly
1045 and voluntarily. Any child or young adult transferred to the regular
1046 criminal docket who pleads guilty to a lesser offense shall not resume
1047 such [child's] person's status as a juvenile regarding such offense. If the
1048 action is dismissed or nolleed or if such child or young adult is found
1049 not guilty of the charge for which such child or young adult was
1050 transferred, the child or young adult shall resume such [child's]
1051 person's status as a juvenile until such [child] person attains [eighteen
1052 years of age] the age for adult jurisdiction.

1053 Sec. 8. Subsections (d) and (e) of section 4-68m of the 2016

1054 supplement to the general statutes are repealed and the following is
1055 substituted in lieu thereof (*Effective from passage*):

1056 (d) In the performance of its duties under this section, the division
1057 shall collaborate with the Department of Correction, the Board of
1058 Pardons and Paroles, the Department of Mental Health and Addiction
1059 Services and the Department of Emergency Services and Public
1060 Protection and consult with the Chief Court Administrator, the
1061 executive director of the Court Support Services Division of the
1062 Judicial Branch, the Chief State's Attorney, [and] the Chief Public
1063 Defender, the Department of Children and Families and the Office of
1064 the Chief Medical Examiner.

1065 (e) (1) At the request of the division, the Department of Correction,
1066 the Board of Pardons and Paroles, the Department of Mental Health
1067 and Addiction Services, the Department of Emergency Services and
1068 Public Protection, the Chief Court Administrator, the executive
1069 director of the Court Support Services Division of the Judicial Branch,
1070 the Chief State's Attorney, [and] the Chief Public Defender, the
1071 Department of Children and Families and the Office of the Chief
1072 Medical Examiner shall provide the division with information and
1073 data needed by the division to perform its duties under subsection (b)
1074 of this section.

1075 (2) The division shall have access to individualized records
1076 maintained by the Judicial Branch and the agencies specified in
1077 subdivision (1) of this subsection as needed for research purposes. The
1078 division, in collaboration with the Judicial Branch and the agencies
1079 specified in subdivision (1) of this subsection, shall develop protocols
1080 to protect the privacy of such individualized records consistent with
1081 state and federal law. The division shall use such individualized
1082 records for statistical analyses only and shall not use such records in
1083 any other manner that would disclose the identity of individuals to
1084 whom the records pertain.

1085 (3) Any information or data provided to the division pursuant to

1086 this subsection that is confidential in accordance with state or federal
1087 law shall remain confidential while in the custody of the division and
1088 shall not be disclosed.

1089 Sec. 9. Section 46b-124 of the general statutes is repealed and the
1090 following is substituted in lieu thereof (*Effective July 1, 2017*):

1091 (a) For the purposes of this section, "records of cases of juvenile
1092 matters" includes, but is not limited to, court records, records
1093 regarding juveniles maintained by the Court Support Services
1094 Division, records regarding juveniles maintained by an organization or
1095 agency that has contracted with the Judicial Branch to provide services
1096 to juveniles, records of law enforcement agencies including
1097 fingerprints, photographs and physical descriptions, and medical,
1098 psychological, psychiatric and social welfare studies and reports by
1099 juvenile probation officers, public or private institutions, social
1100 agencies and clinics.

1101 (b) All records of cases of juvenile matters, as provided in section
1102 46b-121, as amended by this act, except delinquency proceedings, or
1103 any part thereof, and all records of appeals from probate brought to
1104 the superior court for juvenile matters pursuant to section 45a-186,
1105 shall be confidential and for the use of the court in juvenile matters,
1106 and open to inspection or disclosure to any third party, including bona
1107 fide researchers commissioned by a state agency, only upon order of
1108 the Superior Court, except that: (1) Such records shall be available to
1109 (A) the attorney representing the child or [youth] young adult,
1110 including the Division of Public Defender Services, in any proceeding
1111 in which such records are relevant, (B) the parents or guardian of the
1112 child [or youth] until such time as the child [or youth] reaches the age
1113 of majority or becomes emancipated, (C) an [adult] adopted person
1114 eighteen years of age or older in accordance with the provisions of
1115 sections 45a-736, 45a-737 and 45a-743 to 45a-757, inclusive, (D)
1116 employees of the Division of Criminal Justice who, in the performance
1117 of their duties, require access to such records, (E) employees of the
1118 Judicial Branch who, in the performance of their duties, require access

1119 to such records, (F) another court under the provisions of subsection
1120 (d) of section 46b-115j, (G) the subject of the record, upon submission
1121 of satisfactory proof of the subject's identity, pursuant to guidelines
1122 prescribed by the Office of the Chief Court Administrator, provided
1123 the subject has reached the age of majority or has been emancipated,
1124 (H) the Department of Children and Families, (I) the employees of the
1125 Division of Public Defender Services who, in the performance of their
1126 duties related to Division of Public Defender Services assigned
1127 counsel, require access to such records, and (J) judges and employees
1128 of the Probate Court who, in the performance of their duties, require
1129 access to such records; and (2) all or part of the records concerning a
1130 youth in crisis with respect to whom a court order was issued prior to
1131 January 1, 2010, may be made available to the Department of Motor
1132 Vehicles, provided such records are relevant to such order. Any
1133 records of cases of juvenile matters, or any part thereof, provided to
1134 any persons, governmental or private agencies, or institutions
1135 pursuant to this section shall not be disclosed, directly or indirectly, to
1136 any third party not specified in subsection (d) of this section, except as
1137 provided by court order, in the report required under section 54-76d or
1138 54-91a or as otherwise provided by law.

1139 (c) All records of cases of juvenile matters involving delinquency
1140 proceedings, or any part thereof, shall be confidential and for the use
1141 of the court in juvenile matters and shall not be disclosed except as
1142 provided in this section.

1143 (d) Records of cases of juvenile matters involving delinquency
1144 proceedings shall be available to (1) Judicial Branch employees who, in
1145 the performance of their duties, require access to such records, (2)
1146 judges and employees of the Probate Court who, in the performance of
1147 their duties, require access to such records, and (3) employees and
1148 authorized agents of state or federal agencies involved in (A) the
1149 delinquency proceedings, (B) the provision of services directly to the
1150 child or young adult, (C) the design and delivery of treatment
1151 programs pursuant to section 46b-121j, or (D) the delivery of court
1152 diversionary programs. Such employees and authorized agents

1153 include, but are not limited to, law enforcement officials, community-
1154 based youth service bureau officials, state and federal prosecutorial
1155 officials, school officials in accordance with section 10-233h, court
1156 officials including officials of both the regular criminal docket and the
1157 docket for juvenile matters and officials of the Division of Criminal
1158 Justice, the Division of Public Defender Services, the Department of
1159 Children and Families, the Court Support Services Division and
1160 agencies under contract with the Judicial Branch. Such records shall
1161 also be available to (i) the attorney representing the child or young
1162 adult, including the Division of Public Defender Services, in any
1163 proceeding in which such records are relevant, (ii) in the case of a
1164 child, the parents or guardian of the child, until such time as the
1165 subject of the record reaches the age of majority, (iii) the subject of the
1166 record, upon submission of satisfactory proof of the subject's identity,
1167 pursuant to guidelines prescribed by the Office of the Chief Court
1168 Administrator, provided the subject has reached the age of majority,
1169 (iv) law enforcement officials and prosecutorial officials conducting
1170 legitimate criminal investigations, (v) a state or federal agency
1171 providing services related to the collection of moneys due or funding
1172 to support the service needs of eligible juveniles, provided such
1173 disclosure shall be limited to that information necessary for the
1174 collection of and application for such moneys, and (vi) members and
1175 employees of the Board of Pardons and Paroles and employees of the
1176 Department of Correction who, in the performance of their duties,
1177 require access to such records, provided the subject of the record has
1178 been convicted of a crime in the regular criminal docket of the Superior
1179 Court and such records are relevant to the performance of a risk and
1180 needs assessment of such person while such person is incarcerated, the
1181 determination of such person's suitability for release from
1182 incarceration or for a pardon, or the determination of the supervision
1183 and treatment needs of such person while on parole or other
1184 supervised release. Records disclosed pursuant to this subsection shall
1185 not be further disclosed, except that information contained in such
1186 records may be disclosed in connection with bail or sentencing reports
1187 in open court during criminal proceedings involving the subject of

1188 such information, or as otherwise provided by law.

1189 (e) Records of cases of juvenile matters involving delinquency
1190 proceedings, or any part thereof, may be disclosed upon order of the
1191 court to any person who has a legitimate interest in the information
1192 and is identified in such order. Records disclosed pursuant to this
1193 subsection shall not be further disclosed, except as specifically
1194 authorized by a subsequent order of the court.

1195 (f) Records of cases of juvenile matters involving delinquency
1196 proceedings, or any part thereof, shall be available to the victim of the
1197 crime committed by such child or young adult to the same extent as
1198 the record of the case of a defendant in a criminal proceeding in the
1199 regular criminal docket of the Superior Court is available to a victim of
1200 the crime committed by such defendant. The court shall designate an
1201 official from whom such victim may request such information. Records
1202 disclosed pursuant to this subsection shall not be further disclosed,
1203 except as specifically authorized by a subsequent order of the court.

1204 (g) Information concerning a child or young adult who is the subject
1205 of an order to take such child or young adult into custody or other
1206 process that has been entered into a central computer system pursuant
1207 to subsection (i) of section 46b-133, as amended by this act, may be
1208 disclosed to employees and authorized agents of the Judicial Branch,
1209 law enforcement agencies and the Department of Children and
1210 Families in accordance with policies and procedures established by the
1211 Chief Court Administrator.

1212 (h) Information concerning a child or young adult who has escaped
1213 from a detention center or from a facility to which the child or young
1214 adult has been committed by the court or for whom an arrest warrant
1215 has been issued with respect to the commission of a felony may be
1216 disclosed by law enforcement officials.

1217 (i) Nothing in this section shall be construed to prohibit any person
1218 employed by the Judicial Branch from disclosing any records,
1219 information or files in such employee's possession to any person

1220 employed by the Division of Criminal Justice as a prosecutorial official,
1221 inspector or investigator who, in the performance of his or her duties,
1222 requests such records, information or files, or to prohibit any such
1223 employee of said division from disclosing any records, information or
1224 files in such employee's possession to any such employee of the
1225 Judicial Branch who, in the performance of his or her duties, requests
1226 such records, information or files.

1227 (j) Nothing in this section shall be construed to prohibit a party from
1228 making a timely objection to the admissibility of evidence consisting of
1229 records of cases of juvenile matters, or any part thereof, in any
1230 Superior Court or Probate Court proceeding, or from making a timely
1231 motion to seal any such record pursuant to the rules of the Superior
1232 Court or the rules of procedure adopted under section 45a-78.

1233 (k) A state's attorney shall disclose to the defendant or such
1234 defendant's counsel in a criminal prosecution, without the necessity of
1235 a court order, exculpatory information and material contained in any
1236 record disclosed to such state's attorney pursuant to this section and
1237 may disclose, without a court order, information and material
1238 contained in any such record which could be the subject of a disclosure
1239 order.

1240 (l) Notwithstanding the provisions of subsection (d) of this section,
1241 any information concerning a child or young adult that is obtained
1242 during any mental health screening or assessment of such child or
1243 young adult, during the provision of services pursuant to subsection
1244 (b) of section 46b-149, or during the performance of an educational
1245 evaluation pursuant to subsection (e) of section 46b-149, shall be used
1246 solely for planning and treatment purposes and shall otherwise be
1247 confidential and retained in the files of the entity providing such
1248 services or performing such screening, assessment or evaluation. Such
1249 information may be further disclosed only for the purposes of any
1250 court-ordered evaluation or treatment of the child or young adult or
1251 provision of services to the child or young adult, or pursuant to
1252 sections 17a-101 to 17a-101e, inclusive, 17b-450, 17b-451 or 51-36a. Such

1253 information shall not be subject to subpoena or other court process for
1254 use in any other proceeding or for any other purpose.

1255 (m) Records of cases of juvenile matters involving delinquency
1256 proceedings, or any part thereof, containing information that a child or
1257 young adult has been [convicted] adjudicated as delinquent for a
1258 violation of subdivision (e) of section 1-1h, subsection (c) of section 14-
1259 147, subsection (a) of section 14-215, section 14-222, subsection (b) of
1260 section 14-223, subsection (a), (b) or (c) of section 14-224, section 30-88a
1261 or subsection (b) of section 30-89, shall be disclosed to the Department
1262 of Motor Vehicles for administrative use in determining whether
1263 administrative sanctions regarding [such child's] the motor vehicle
1264 operator's license of such child or young adult are warranted. Records
1265 disclosed pursuant to this subsection shall not be further disclosed.

1266 (n) Records of cases of juvenile matters involving adoption
1267 proceedings, or any part thereof, shall be confidential and may only be
1268 disclosed pursuant to sections 45a-743 to 45a-757, inclusive.

1269 Sec. 10. Section 46b-128 of the general statutes is repealed and the
1270 following is substituted in lieu thereof (*Effective July 1, 2017*):

1271 (a) Whenever the Superior Court is in receipt of any written
1272 complaint filed by any person, any public or private agency or any
1273 federal, state, city or town department maintaining that [a child's]
1274 conduct of a child or young adult constitutes delinquency within the
1275 meaning of section 46b-120, as amended by this act, it shall make a
1276 preliminary investigation to determine whether the facts, if true,
1277 would be sufficient to be a juvenile matter and whether the interests of
1278 the public or the child or young adult require that further action be
1279 taken. If so, the court may authorize the filing of a verified petition of
1280 alleged delinquency or it may make without such petition whatever
1281 nonjudicial disposition is practicable, including the ordering of such
1282 child or young adult to do work of which he is capable in public
1283 buildings or on public property, particularly in cases in which the
1284 complaint alleges that the conduct of such child or young adult

1285 resulted in the wilful destruction of property, provided the facts
1286 establishing jurisdiction are admitted and that a competent acceptance
1287 of such a disposition has been given by the child or young adult and
1288 [his] in the case of a child, such child's parent or guardian. If a
1289 nonjudicial disposition is made, the term of any nonjudicial
1290 supervision shall be established by the juvenile probation supervisor
1291 provided such period of supervision shall not exceed one hundred
1292 eighty days. Each verified petition of delinquency filed by the court
1293 shall set forth plainly (1) the facts which bring the child or young adult
1294 within the jurisdiction of the court, (2) the name, date of birth, sex and
1295 residence of the child or young adult, (3) in the case of a child, the
1296 names and residence of his parent or parents, guardian or other person
1297 having control of the child, and (4) a prayer for appropriate action by
1298 the court in conformity with the provisions of this chapter.

1299 (b) Upon the filing of a delinquency petition, the court may, either
1300 forthwith or after investigation, cause a summons, which summons
1301 shall have a copy of said verified petition attached thereto, signed by
1302 the judge or by the clerk or assistant clerk of such court, to be issued,
1303 requiring the young adult, or in the case of a child, the child and the
1304 parent or parents, guardian or other person having control of the child
1305 to appear in court at the time and place therein specified. Whenever in
1306 the case of a child it appears to the judge that orders addressed to an
1307 adult, as set forth in section 46b-121, as amended by this act, are
1308 necessary for the welfare of such child, a similar summons shall be
1309 issued and served upon such adult if such adult is not already in court.
1310 Service of summons, together with a copy of the verified petition, may
1311 be made by any one of the following methods: (1) By the delivery of a
1312 true and attested copy thereof to the person summoned, or at such
1313 person's usual place of abode; (2) by restricted delivery addressed to
1314 the person summoned, return receipt requested; or (3) by first class
1315 mail addressed to the person summoned. Any notice sent by first class
1316 mail shall include a provision informing the party that appearance in
1317 court as a result of the notice may subject the appearing party to the
1318 jurisdiction of the court. If service is made by first class mail and the

1319 party does not appear, no order may be entered by the court in the
1320 case. If, after reasonable effort, personal service has not been made,
1321 such substitute service, by publication or otherwise, as the judge may
1322 order, shall be sufficient. Service may be made by any officer
1323 authorized by law to serve process, or by a probation officer, probation
1324 aide or indifferent person, and the court may allow suitable expenses
1325 and a reasonable fee therefor. [The] In the case of a child, the court may
1326 punish for contempt, as provided in section 46b-121, as amended by
1327 this act, any parent, guardian or other person so summoned who fails
1328 to appear in court at the time and place so specified.

1329 Sec. 11. Section 46b-128a of the general statutes is repealed and the
1330 following is substituted in lieu thereof (*Effective July 1, 2017*):

1331 (a) In any juvenile matter, as defined in section 46b-121, as amended
1332 by this act, in which a child or [youth] young adult is alleged to have
1333 committed a delinquent act or an act or omission for which a petition
1334 may be filed under section 46b-149 the child or [youth] young adult
1335 shall not be tried, [convicted,] adjudicated or subject to any disposition
1336 pursuant to section 46b-140, as amended by this act, or 46b-149 while
1337 the child or [youth] young adult is not competent. For the purposes of
1338 this section, a transfer to the regular criminal docket of the Superior
1339 Court pursuant to section 46b-127, as amended by this act, shall not be
1340 considered a disposition. A child or [youth] young adult is not
1341 competent if the child or [youth] young adult is unable to understand
1342 the proceedings against him or her or to assist in his or her own
1343 defense.

1344 (b) If, at any time during a proceeding on a juvenile matter, it
1345 appears that the child or [youth] young adult is not competent, counsel
1346 for the child or [youth] young adult, the prosecutorial official, or the
1347 court, on its own motion, may request an examination to determine the
1348 child's or [youth's] young adult's competency. Whenever a request for
1349 a competency examination is under consideration by the court, the
1350 child or [youth] young adult shall be represented by counsel in
1351 accordance with the provisions of sections 46b-135, as amended by this

1352 act, and 46b-136, as amended by this act.

1353 (c) A child or [youth] young adult alleged to have committed an
1354 offense is presumed to be competent. The age of the child or [youth]
1355 young adult is not a per se determinant of incompetency. The burden
1356 of going forward with the evidence and proving that the child or
1357 [youth] young adult is not competent by a preponderance of the
1358 evidence shall be on the party raising the issue of competency, except
1359 that if the court raises the issue of competency, the burden of going
1360 forward with the evidence shall be on the state. The court may call its
1361 own witnesses and conduct its own inquiry.

1362 (d) If the court finds that the request for a competency examination
1363 is justified and that there is probable cause to believe that the child or
1364 [youth] young adult has committed the alleged offense, the court shall
1365 order a competency examination of the child or [youth] young adult.
1366 Competency examinations shall be conducted, within available
1367 appropriations, by (1) a clinical team constituted under policies and
1368 procedures established by the Chief Court Administrator, or (2) if
1369 agreed to by all parties, a physician specializing in psychiatry who has
1370 experience in conducting forensic interviews and in child and adult
1371 psychiatry. Any clinical team constituted under this section shall
1372 consist of three persons: A clinical psychologist with experience in
1373 child and adolescent psychology, and two of the following three types
1374 of professionals: (A) A clinical social worker licensed pursuant to
1375 chapter 383b, (B) a child and adolescent psychiatric nurse clinical
1376 specialist holding a master's degree in nursing, or (C) a physician
1377 specializing in psychiatry. At least one member of the clinical team
1378 shall have experience in conducting forensic interviews and at least
1379 one member of the clinical team shall have experience in child and
1380 adolescent psychology. The court may authorize a physician, a clinical
1381 psychologist, a child and adolescent psychiatric nurse specialist or a
1382 clinical social worker licensed pursuant to chapter 383b, selected by
1383 the child or [youth] young adult, to observe the examination, at the
1384 expense of the child or [youth] young adult or, if the child or [youth]
1385 young adult is represented by counsel appointed through the Public

1386 Defender Services Commission, the Office of the Chief Public
1387 Defender. In addition, counsel for the child or [youth] young adult, his
1388 or her designated representative and, if the child or [youth] young
1389 adult is represented by a public defender, a social worker from the
1390 Division of Public Defender Services, may observe the examination.

1391 (e) The examination shall be completed not later than fifteen
1392 business days after the date it was ordered, unless the time for
1393 completion is extended by the court for good cause shown. The
1394 members of the clinical team or the examining physician shall prepare
1395 and sign, without notarization, a written report and file such report
1396 with the court not later than twenty-one business days after the date of
1397 the order. The report shall address the [child's or youth's] ability of the
1398 child or young adult to understand the proceedings against such child
1399 or [youth] young adult and such [child's or youth's] ability of the child
1400 or young adult to assist in his or her own defense. If the opinion of the
1401 clinical team or the examining physician set forth in such report is that
1402 the child or young adult cannot understand the proceedings against
1403 such child or [youth] young adult or is not able to assist in his or her
1404 own defense, the members of the team or the examining physician
1405 must determine and address in their report: (1) Whether there is a
1406 substantial probability that the child or [youth] young adult will attain
1407 or regain competency [within ninety days of an intervention being] not
1408 later than ninety days after an intervention is ordered by the court; and
1409 (2) the nature and type of intervention, in the least restrictive setting
1410 possible, recommended to attain or regain competency. On receipt of
1411 the written report, the clerk of the court shall cause copies of such
1412 written report to be delivered to counsel for the state and counsel for
1413 the child or [youth] young adult at least forty-eight hours prior to the
1414 hearing held under subsection (f) of this section.

1415 (f) The court shall hold a hearing as to the competency of the child
1416 or [youth] young adult not later than ten business days after the court
1417 receives the written report of the clinical team or the examining
1418 physician pursuant to subsection (e) of this section. A child or [youth]
1419 young adult may waive such evidentiary hearing only if the clinical

1420 team or examining physician has determined without qualification
1421 that the child or [youth] young adult is competent. Any evidence
1422 regarding the [child's or youth's] competency of the child or young
1423 adult, including, but not limited to, the written report, may be
1424 introduced in evidence at the hearing by either the child or [youth]
1425 young adult or the state. If the written report is introduced as
1426 evidence, at least one member of the clinical team or the examining
1427 physician shall be present to testify as to the determinations in the
1428 report, unless the clinical team's or the examining physician's presence
1429 is waived by the child or [youth] young adult and the state. Any
1430 member of the clinical team shall be considered competent to testify as
1431 to the clinical team's determinations.

1432 (g) (1) If the court, after the competency hearing, finds by a
1433 preponderance of the evidence that the child or [youth] young adult is
1434 competent, the court shall continue with the prosecution of the
1435 juvenile matter.

1436 (2) If the court, after the competency hearing, finds that the child or
1437 [youth] young adult is not competent, the court shall determine: (A)
1438 Whether there is a substantial probability that the child or [youth]
1439 young adult will attain or regain competency [within ninety days of
1440 an] not later than ninety days after an intervention being ordered by
1441 the court; and (B) whether the recommended intervention to attain or
1442 regain competency is appropriate. In making its determination on an
1443 appropriate intervention, the court may consider: (i) The nature and
1444 circumstances of the alleged offense; (ii) the length of time the clinical
1445 team or examining physician estimates it will take for the child or
1446 [youth] young adult to attain or regain competency; (iii) whether the
1447 child or [youth] young adult poses a substantial risk to reoffend; and
1448 (iv) whether the child or [youth] young adult is able to receive
1449 community-based services or treatment that would prevent the child
1450 or [youth] young adult from reoffending.

1451 (h) If the court finds that there is not a substantial probability that
1452 the child or [youth] young adult will attain or regain competency

1453 [within ninety days] not later than ninety days after a court ordered
1454 intervention or that the recommended intervention to attain or regain
1455 competency is not appropriate, the court may issue an order in
1456 accordance with subsection (k) of this section.

1457 (i) (1) If the court finds that there is a substantial probability that the
1458 child or [youth] young adult will attain or regain competency [within
1459 ninety days if provided] not later than ninety days after being
1460 provided an appropriate intervention, the court shall schedule a
1461 hearing on the implementation of such intervention [within five
1462 business days] not later than five business days after such finding.

1463 (2) An intervention implemented for the purpose of restoring
1464 competency shall comply with the following conditions: (A) The
1465 period of intervention shall not exceed ninety days, unless extended
1466 for an additional ninety days in accordance with the criteria set forth in
1467 subsection (j) of this section; and (B) (i) in the case of a child, the
1468 intervention services shall be provided by the Department of Children
1469 and Families or, if the child's [or youth's] parent or guardian agrees to
1470 pay for such services, by any appropriate person, agency, mental
1471 health facility or treatment program that agrees to provide appropriate
1472 intervention services in the least restrictive setting available to the
1473 child [or youth] and comply with the requirements of this section, or
1474 (ii) in the case of a young adult, the intervention services shall be
1475 provided by the Department of Mental Health and Addiction Services,
1476 of if the young adult agrees to pay for such services, by any
1477 appropriate person, agency, mental health facility or treatment
1478 program that agrees to provide appropriate intervention services in the
1479 least restrictive setting available to the young adult and comply with
1480 the requirements of this section.

1481 (3) Prior to the hearing, the court shall notify the Commissioner of
1482 Children and Families [] or the commissioner's designee in the case of
1483 a child, or the Commissioner of Mental Health and Addiction Services
1484 or the commissioner's designee in the case of a young adult, or the
1485 appropriate person, agency, mental health facility or treatment

1486 program that has agreed to provide appropriate intervention services
1487 to the child or [youth] young adult that an intervention to attain or
1488 regain competency will be ordered. The commissioner, the
1489 commissioner's designee or the appropriate person, agency, mental
1490 health facility or treatment program shall be provided with a copy of
1491 the report of the clinical team or examining physician and shall report
1492 to the court on a proposed implementation of the intervention prior to
1493 the hearing.

1494 (4) At the hearing, the court shall review the written report and
1495 order an appropriate intervention for a period not to exceed ninety
1496 days in the least restrictive setting available to restore competency. In
1497 making its determination, the court shall use the criteria set forth in
1498 subdivision (2) of subsection (g) of this section. Upon ordering an
1499 intervention, the court shall set a date for a hearing, to be held at least
1500 ten business days after the completion of the intervention period, for
1501 the purpose of reassessing the [child's or youth's] competency of the
1502 child or young adult.

1503 (j) (1) At least ten business days prior to the date of any scheduled
1504 hearing on the issue of the reassessment of the [child's or youth's]
1505 competency of the child or young adult, the Commissioner of Children
1506 and Families [] or the commissioner's designee in the case of a child,
1507 or the Commissioner of Mental Health and Addiction Services or the
1508 commissioner's designee in the case of a young adult, or other person,
1509 agency, mental health facility or treatment program providing
1510 intervention services to restore a child or [youth] young adult to
1511 competency shall report on the progress of such intervention services
1512 to the clinical team or examining physician.

1513 (2) Upon receipt of the report on the progress of such intervention,
1514 the child or [youth] young adult shall be reassessed by the original
1515 clinical team or examining physician, except that if the original team or
1516 examining physician is unavailable, the court may appoint a new
1517 clinical team that, where possible, shall include at least one member of
1518 the original team, or a new examining physician. The new clinical team

1519 or examining physician shall have the same qualifications as the
1520 original team or examining physician, as provided in subsection (d) of
1521 this section, and shall have access to clinical information available from
1522 the provider of the intervention services. Not less than two business
1523 days prior to the date of any scheduled hearing on the reassessment of
1524 the [child's or youth's] competency of the child or young adult, the
1525 clinical team or examining physician shall submit a report to the court
1526 that includes: (A) The clinical findings of the provider of the
1527 intervention services and the facts upon which the findings are made;
1528 (B) the clinical team's or the examining physician's opinion on whether
1529 the child or [youth] young adult has attained or regained competency
1530 or is making progress toward attaining or regaining competency
1531 within the period covered by the intervention order; and (C) any other
1532 information concerning the child or [youth] young adult requested by
1533 the court, including, but not limited to, the method of intervention or
1534 the type, dosage and effect of any medication the child or [youth]
1535 young adult is receiving.

1536 (3) [Within] Not later than two business days [of] after the filing of a
1537 reassessment report, the court shall hold a hearing to determine if the
1538 child or [youth] young adult has attained or regained competency
1539 within the period covered by the intervention order. If the court finds
1540 that the child or [youth] young adult has attained or regained
1541 competency, the court shall continue with the prosecution of the
1542 juvenile matter. If the court finds that the child or [youth] young adult
1543 has not attained or regained competency within the period covered by
1544 the intervention order, the court shall determine whether further
1545 efforts to attain or regain competency are appropriate. The court shall
1546 make its determination of whether further efforts to attain or regain
1547 competency are appropriate in accordance with the criteria set forth in
1548 subdivision (2) of subsection (g) of this section. If the court finds that
1549 further intervention to attain or regain competency is appropriate, the
1550 court shall order a new period for restoration of competency not to
1551 exceed ninety days. If the court finds that further intervention to attain
1552 or regain competency is not appropriate or the child or [youth] young

1553 adult has not attained or regained competency after an additional
1554 intervention of ninety days, the court shall issue an order in
1555 accordance with subsection (k) of this section.

1556 (k) (1) If the court determines after the period covered by the
1557 intervention order that the child or [youth] young adult has not
1558 attained or regained competency and that there is not a substantial
1559 probability that the child or [youth] young adult will attain or regain
1560 competency, or that further intervention to attain or regain
1561 competency is not appropriate based on the criteria set forth in
1562 subdivision (2) of subsection (g) of this section, the court shall: (A)
1563 Dismiss the petition if it is a delinquency or family with service needs
1564 petition; (B) in the case of a child, vest temporary custody of the child
1565 [or youth] in the Commissioner of Children and Families and notify
1566 the Office of the Chief Public Defender, which shall assign an attorney
1567 to serve as guardian ad litem for the child [or youth] and investigate
1568 whether a petition should be filed under section 46b-129; or (C) order
1569 that the Department of Children and Families in the case of a child, the
1570 Department of Mental Health and Addiction Services in the case of a
1571 young adult, or some other person, agency, mental health facility or
1572 treatment program, or [such child's or youth's probation officer] the
1573 probation officer of such child or young adult, conduct or obtain an
1574 appropriate assessment and, where appropriate, propose a plan for
1575 services that can appropriately address the [child's or youth's] needs of
1576 the child or young adult in the least restrictive setting available and
1577 appropriate. Any plan for services may include a plan for interagency
1578 collaboration for the provision of appropriate services after the child
1579 [or youth] attains the age of eighteen or the young adult attains the age
1580 for adult jurisdiction.

1581 (2) Not later than ten business days after the issuance of an order
1582 pursuant to subparagraph (B) or (C) of subdivision (1) of this
1583 subsection, the court shall hold a hearing to review the order of
1584 temporary custody or any recommendations of the Department of
1585 Children and Families [, such] in the case of a child, or any
1586 recommendations of the Department of Mental Health and Addiction

1587 Services in the case of a young adult, and of the probation officer or
1588 [such] attorney for such child or young adult or guardian ad litem for
1589 the child. [or youth.]

1590 (3) If the child [or youth] is adjudicated neglected, uncared-for or
1591 abused subsequent to such a petition being filed, or if a plan for
1592 services pursuant to subparagraph (C) of subdivision (1) of this
1593 subsection has been approved by the court and implemented, the court
1594 may dismiss the delinquency or family with service needs petition, or,
1595 in the discretion of the court, order that the prosecution of the case be
1596 suspended for a period not to exceed eighteen months. During the
1597 period of suspension, the court may order the Department of Children
1598 and Families to provide periodic reports to the court to ensure that
1599 appropriate services are being provided to the child. [or youth.] If
1600 during the period of suspension, the child [or youth] or the parent or
1601 guardian of the child [or youth] does not comply with the
1602 requirements set forth in the plan for services, the court may hold a
1603 hearing to determine whether the court should follow the procedure
1604 under subparagraph (B) of subdivision (1) of this subsection for
1605 instituting a petition alleging that a child is neglected, uncared for or
1606 abused. Whenever the court finds that the need for the suspension of
1607 prosecution is no longer necessary, but not later than the expiration of
1608 such period of suspension, the delinquency or family with service
1609 needs petition shall be dismissed.

1610 Sec. 12. Section 46b-133a of the general statutes is repealed and the
1611 following is substituted in lieu thereof (*Effective July 1, 2017*):

1612 (a) A nolle prosequi may not be entered as to any count of
1613 delinquency if the child or young adult objects to the nolle prosequi
1614 and demands either a trial or dismissal, except with respect to
1615 prosecutions in which a nolle prosequi is entered upon a
1616 representation to the court by the prosecutorial official that a material
1617 witness has died, disappeared or become disabled or that material
1618 evidence has disappeared or has been destroyed and that a further
1619 investigation is therefore necessary.

1620 (b) Whenever a nolle prosequi has been entered as to any count of
1621 delinquency, or whenever any count of delinquency has been
1622 dismissed without prejudice, if at least thirteen months have elapsed
1623 since such nolle or dismissal without prejudice, all police and court
1624 records pertaining to such count shall be erased. Whenever any such
1625 count has been continued at the request of the prosecutorial official
1626 and a period of thirteen months has elapsed since the granting of such
1627 continuance during which period there has been no prosecution or
1628 other disposition of the matter, the count shall be construed to have
1629 been nolle as of the date of termination of such thirteen-month period
1630 and such erasure may thereafter be effected as provided in this
1631 subsection for nolle cases.

1632 Sec. 13. Section 46b-133b of the general statutes is repealed and the
1633 following is substituted in lieu thereof (*Effective July 1, 2017*):

1634 (a) The court, on motion of a child or young adult charged with a
1635 delinquency offense, but not yet [convicted] adjudicated as delinquent,
1636 may order that such child or young adult be examined to determine
1637 whether the child or young adult is alcohol-dependent or drug-
1638 dependent as defined in section 46b-120, as amended by this act. Such
1639 motion shall be filed with the court [within] not later than ten days
1640 after a plea is entered, except if waived by the court or pursuant to an
1641 agreement by the parties. The results of any examination ordered
1642 pursuant to this subsection shall be utilized only for the purposes of
1643 determining whether the delinquency proceeding should be
1644 suspended under this section.

1645 (b) The court, upon motion of the child or young adult charged with
1646 a delinquency offense but not yet [convicted] adjudicated as
1647 delinquent, may order the suspension of the delinquency proceedings
1648 for a period of up to one year, order periodic alcohol and drug testing
1649 of such child or young adult during the period of suspension and
1650 order treatment for alcohol or drug dependency if the court, after
1651 consideration of information before it concerning the alcohol or drug
1652 dependency of the child or young adult, finds that (1) the child or

1653 young adult is alcohol-dependent or drug-dependent as defined in
1654 section 46b-120, as amended by this act, (2) the child or young adult
1655 presently needs and is likely to benefit from treatment for the
1656 dependency, and (3) the suspension of the delinquency proceedings
1657 will advance the interests of justice. During the period of suspension, a
1658 child or young adult shall be placed under the supervision of a
1659 juvenile probation officer for treatment for alcohol or drug
1660 dependency and such officer shall monitor the compliance of the child
1661 or young adult with the orders of the court.

1662 (c) If the court denies the motion for suspension of the delinquency
1663 proceedings, the prosecutorial official may proceed with the
1664 delinquency proceedings. Any order of the court granting or denying a
1665 motion for suspension of the delinquency proceedings shall not be
1666 deemed a final order for purposes of appeal.

1667 (d) At any time before the end of the period of the suspension of the
1668 delinquency proceedings, but not later than one month before the end
1669 of the period of suspension, a juvenile probation officer shall notify the
1670 court of the impending conclusion of the suspension and submit a
1671 report on whether the child or young adult has completed the
1672 treatment program and has complied with all other conditions of the
1673 suspension order imposed by the court.

1674 (e) If the court, on motion of the child or young adult or on its own
1675 motion, finds that the child or young adult has completed the
1676 treatment program and has complied with all other conditions of
1677 suspension, it may dismiss the charge for which the delinquency
1678 proceedings had been suspended. If the court denies the motion and
1679 terminates the suspension of the delinquency proceedings, the
1680 prosecutorial official may proceed with such proceedings.

1681 (f) The provisions of this section shall not apply to any child or
1682 young adult charged with a serious juvenile offense as defined in
1683 section 46b-120, as amended by this act, or any child or young adult
1684 who was previously ordered treated under this section.

1685 Sec. 14. Section 46b-134 of the general statutes is repealed and the
1686 following is substituted in lieu thereof (*Effective July 1, 2017*):

1687 Prior to the disposition of the case of any child [convicted of a
1688 delinquent act] or young adult adjudicated as delinquent, investigation
1689 shall be made of the facts as specified in this section by the probation
1690 officer, and until such investigation has been completed and the results
1691 thereof placed before the judge, no disposition of the [child's] case shall
1692 be made. Such investigation shall consist of an examination of the
1693 parentage and surroundings of the child or young adult and the
1694 [child's] age, habits and history [, and] of the child or young adult, and,
1695 in the case of a child, shall include also an inquiry into the home
1696 conditions, habits and character of the child's parents or guardians.
1697 Such investigation shall include an inquiry into the circumstances of
1698 the offense, the attitude of the complainant or victim, the criminal
1699 record, the present condition of the child or young adult and any
1700 damages suffered by the victim including medical expenses, loss of
1701 earnings and property loss. If the child or young adult is or legally
1702 should be in attendance at school, such investigation shall further
1703 contain a report of the [child's] school attendance of the child or young
1704 adult, adjustment and behavior [, the child's] of the child or young
1705 adult, any individualized education program if, [the child has been] as
1706 a child, such person was identified pursuant to sections 10-76a to 10-
1707 76gg, inclusive, as requiring special education and related services and
1708 any recommendations from school officials on conditions of probation
1709 if the child or young adult is placed on probation pursuant to section
1710 46b-140, as amended by this act, which shall be furnished by the school
1711 officials to the court upon its request. The court shall, when it is found
1712 necessary to the disposition, cause a complete physical or mental
1713 examination, or both, to be made of the child or young adult by
1714 persons professionally qualified to do so. Such examination may
1715 include testing to determine whether the child or young adult is
1716 alcohol-dependent or drug-dependent as defined in section 46b-120, as
1717 amended by this act. If the court causes a complete physical or mental
1718 examination, or both, to be made of a young adult who is found able to

1719 pay in whole or part the cost of any such examination, or a child whose
1720 parents, guardian or custodian is found able to pay in whole or in part
1721 the cost [thereof, it] of any such examination, the court shall assess as
1722 costs against such young adult, or, in the case of a child, such child's
1723 parents, guardian or custodian, including any agency vested with the
1724 legal custody of the child, the expense so incurred and paid for by the
1725 court in having such examination performed. [, to the extent of their
1726 financial ability to do so.] Prior to the disposition of the case of any
1727 child [convicted of a delinquent act] or young adult adjudicated as
1728 delinquent, the court may cause a complete diagnostic examination to
1729 be made, unless such information is otherwise available. Such
1730 information shall include physical and psychological diagnoses and
1731 may include medical, psychiatric, neurological, learning disability
1732 diagnoses and such other diagnoses as the court deems necessary. If
1733 such child is committed to the Department of Children and Families,
1734 such information shall be shared with the Department of Children and
1735 Families.

1736 Sec. 15. Section 46b-135 of the general statutes is repealed and the
1737 following is substituted in lieu thereof (*Effective July 1, 2017*):

1738 (a) At the commencement of any proceeding concerning the alleged
1739 delinquency of a child or young adult, the child or young adult shall
1740 have the right to counsel and be so informed by the judge, and that if
1741 the child and the parent or parents or guardian of the child are unable
1742 to afford counsel or if the young adult is unable to afford counsel,
1743 counsel will be provided for the child or young adult. Such counsel
1744 and the child or young adult shall have the rights of confrontation and
1745 cross-examination. If a parent fails to comply with a court order
1746 entered in the best interests of the alleged or adjudicated delinquent
1747 child and is facing potential imprisonment for contempt of court, such
1748 parent, if unable to afford counsel, shall be entitled to have counsel
1749 provided for such parent pursuant to this subsection.

1750 (b) At the commencement of any proceeding on behalf of a
1751 neglected, uncared-for or abused child, [or youth,] the parent or

1752 parents or guardian of the child [or youth] shall have the right to
1753 counsel, and shall be so informed by the judge, and that if they are
1754 unable to afford counsel, counsel will be provided for them. Such
1755 parent or guardian of the child [or youth] shall have the rights of
1756 confrontation and cross-examination.

1757 Sec. 16. Section 46b-136 of the general statutes is repealed and the
1758 following is substituted in lieu thereof (*Effective July 1, 2017*):

1759 In any proceeding in a juvenile matter, the judge before whom such
1760 proceeding is pending shall, even in the absence of a request to do so,
1761 provide an attorney to represent the child or [youth] young adult, or,
1762 in the case of a child, the child's [or youth's] parent or parents or
1763 guardian [,] or other person or custodian having control of the child,
1764 [or youth,] if such judge determines that the interests of justice so
1765 require, and in any proceeding in which the custody of a child is at
1766 issue, such judge shall provide an attorney to represent the child and
1767 may authorize such attorney or appoint another attorney to represent
1768 such child or [youth, parent, guardian or other person] the child's
1769 parent or parents or guardian or other person having control or
1770 custodian of the child on an appeal from a decision in such proceeding.
1771 Where, under the provisions of this section, the court so appoints
1772 counsel for any such party who is found able to pay, in whole or in
1773 part, the cost [thereof] of such counsel, the court shall assess as costs
1774 against such young adult, or, in the case of a child, such child's parent
1775 or parents [,] or guardian or [custodian] other person or custodian
1776 having control of the child, including any agency vested with the legal
1777 custody of the child, [or youth,] the expense so incurred and paid by
1778 the Division of Public Defender Services in providing such counsel. [,
1779 to the extent of their financial ability to do so.] The Division of Public
1780 Defender Services shall establish the rate at which counsel provided
1781 pursuant to this section shall be compensated.

1782 Sec. 17. Section 46b-137 of the general statutes is repealed and the
1783 following is substituted in lieu thereof (*Effective July 1, 2017*):

1784 (a) Any admission, confession or statement, written or oral, made by
1785 a child under the age of sixteen to a police officer or Juvenile Court
1786 official shall be inadmissible in any proceeding concerning the alleged
1787 delinquency of the child making such admission, confession or
1788 statement unless made by such child in the presence of the child's
1789 parent or parents or guardian and after the parent or parents or
1790 guardian and child have been advised (1) of the child's right to retain
1791 counsel, or if unable to afford counsel, to have counsel appointed on
1792 the child's behalf, (2) of the child's right to refuse to make any
1793 statements, and (3) that any statements the child makes may be
1794 introduced into evidence against the child.

1795 (b) Any admission, confession or statement, written or oral, made
1796 by a [child sixteen or seventeen years of age] youth to a police officer
1797 or Juvenile Court official, except an admission, confession or
1798 statement, written or oral, made by a [child sixteen or seventeen years
1799 of age] youth to a police officer in connection with a case transferred to
1800 the Juvenile Court from the youthful offender docket, regular criminal
1801 docket of the Superior Court or any docket for the presentment of
1802 defendants in motor vehicle matters, shall be inadmissible in any
1803 proceeding concerning the alleged delinquency of the [child] youth
1804 making such admission, confession or statement, unless (1) the police
1805 or Juvenile Court official has made reasonable efforts to contact a
1806 parent or guardian of the [child] youth, and (2) such [child] youth has
1807 been advised that (A) the [child] youth has the right to contact a parent
1808 or guardian and to have a parent or guardian present during any
1809 interview, (B) the [child] youth has the right to retain counsel or, if
1810 unable to afford counsel, to have counsel appointed on behalf of the
1811 [child] youth, (C) the [child] youth has the right to refuse to make any
1812 statement, and (D) any statement the [child] youth makes may be
1813 introduced into evidence against the [child] youth.

1814 (c) The admissibility of any admission, confession or statement,
1815 written or oral, made by a [child sixteen or seventeen years of age]
1816 youth to a police officer or Juvenile Court official, except an admission,
1817 confession or statement, written or oral, made by a [child sixteen or

1818 seventeen years of age] youth to a police officer in connection with a
1819 case transferred to the Juvenile Court from the youthful offender
1820 docket, regular criminal docket of the Superior Court or any docket for
1821 the presentment of defendants in motor vehicle matters, shall be
1822 determined by considering the totality of the circumstances at the time
1823 of the making of such admission, confession or statement. When
1824 determining the admissibility of such admission, confession or
1825 statement, the court shall consider (1) the age, experience, education,
1826 background and intelligence of the [child] youth, (2) the capacity of the
1827 [child] youth to understand the advice concerning rights and warnings
1828 required under subdivision (2) of subsection (b) of this section, the
1829 nature of the privilege against self-incrimination under the United
1830 States and Connecticut Constitutions, and the consequences of waiving
1831 such rights and privilege, (3) the opportunity the [child] youth had to
1832 speak with a parent, guardian or some other suitable individual prior
1833 to or while making such admission, confession or statement, and (4)
1834 the circumstances surrounding the making of the admission,
1835 confession or statement, including, but not limited to, (A) when and
1836 where the admission, confession or statement was made, (B) the
1837 reasonableness of proceeding, or the need to proceed, without a parent
1838 or guardian present, and (C) the reasonableness of efforts by the police
1839 or Juvenile Court official to attempt to contact a parent or guardian.

1840 (d) Any confession, admission or statement, written or oral, made
1841 by the parent or parents or guardian of the child or youth after the
1842 filing of a petition alleging such child or youth to be neglected,
1843 uncared for or abused shall be inadmissible in any proceeding held
1844 upon such petition against the person making such admission or
1845 statement unless such person shall have been advised of the person's
1846 right to retain counsel, and that if the person is unable to afford
1847 counsel, counsel will be appointed to represent the person, that the
1848 person has a right to refuse to make any statement and that any
1849 statements the person makes may be introduced in evidence against
1850 the person, except that any statement made by the mother of any child,
1851 or youth, upon inquiry by the court and under oath if necessary, as to

1852 the identity of any person who might be the father of the child or
1853 youth shall not be inadmissible if the mother was not so advised.

1854 Sec. 18. Section 46b-138 of the general statutes is repealed and the
1855 following is substituted in lieu thereof (*Effective July 1, 2017*):

1856 For the purpose of hearing any juvenile matter, the court may
1857 summon witnesses and compel their attendance. The conversations of
1858 the judge with a child or [youth] young adult whose case is before the
1859 court shall be privileged.

1860 Sec. 19. Section 46b-138b of the general statutes is repealed and the
1861 following is substituted in lieu thereof (*Effective July 1, 2017*):

1862 In any proceeding concerning the alleged delinquency of a child or
1863 young adult, any victim of the alleged delinquent conduct, the parents
1864 or guardian of such victim if such victim was a child at the time of the
1865 alleged delinquent conduct, a victim advocate for such victim under
1866 section 54-220, or such victim's counsel shall have the right to appear
1867 before the court for the purpose of making a statement to the court
1868 concerning the disposition of the case.

1869 Sec. 20. Section 46b-140 of the 2016 supplement to the general
1870 statutes is repealed and the following is substituted in lieu thereof
1871 (*Effective July 1, 2017*):

1872 (a) In determining the appropriate disposition of a child [convicted]
1873 or young adult adjudicated as delinquent, the court shall consider: (1)
1874 The seriousness of the offense, including the existence of any
1875 aggravating factors such as the use of a firearm in the commission of
1876 the offense and the impact of the offense on any victim; (2) the [child's]
1877 person's record of delinquency; (3) the [child's] person's willingness to
1878 participate in available programs; (4) the existence of other mitigating
1879 factors; and (5) the culpability of the child or young adult in
1880 committing the offense including the level of [the child's] participation
1881 by such person in the planning and carrying out of the offense.

1882 (b) Upon [conviction] adjudication of a child or young adult as
1883 delinquent, the court: (1) May (A) order the child or young adult to
1884 participate in an alternative incarceration program; (B) in the case of a
1885 child, order the child to participate in a program at a wilderness school
1886 facility operated by the Department of Children and Families; (C)
1887 order the child to participate in a youth service bureau program; (D)
1888 place the child or young adult on probation; (E) order the child or
1889 young adult, or, in the case of a child, the parents or guardian of the
1890 child, or both, to make restitution to the victim of the offense in
1891 accordance with subsection (d) of this section; (F) order the child or
1892 young adult to participate in a program of community service in
1893 accordance with subsection (e) of this section; or (G) withhold or
1894 suspend execution of any judgment; and (2) shall impose the penalty
1895 established in subsection (b) of section 30-89 for any violation of said
1896 subsection (b).

1897 (c) The court may order, as a condition of probation, that the child
1898 or young adult (1) in the case of a child, reside with a parent, relative
1899 or guardian or in a suitable foster home or other residence approved
1900 by the court, (2) in the case of a child, attend school and class on a
1901 regular basis and comply with school policies on student conduct and
1902 discipline, (3) refrain from violating any federal or state law or
1903 municipal or local ordinance, (4) undergo any medical or psychiatric
1904 evaluation or treatment deemed necessary by the court, (5) submit to
1905 random drug or alcohol testing, or both, (6) participate in a program of
1906 alcohol or drug treatment, or both, (7) make restitution to the victim of
1907 the offense in accordance with subsection (d) of this section, (8)
1908 participate in an alternative incarceration program or other program
1909 established through the Court Support Services Division, (9)
1910 participate in a program of community service, and (10) satisfy any
1911 other conditions deemed appropriate by the court. The court shall
1912 cause a copy of any such order to be delivered to the child [,] or young
1913 adult, and, in the case of a child, to the child's parents or guardian and
1914 the child's probation officer. If the child or young adult is [convicted]
1915 adjudicated as delinquent for a violation of section 53-247, the court

1916 may order, as a condition of probation, that the child or young adult
1917 undergo psychiatric or psychological counseling or participate in an
1918 animal cruelty prevention and education program provided such a
1919 program exists and is available to the child or young adult.

1920 (d) If the child or young adult has engaged in conduct which results
1921 in property damage or personal injury, the court may order the child
1922 or young adult or, in the case of a child, the parent or parents or
1923 guardian of the child, if such parent or parents or guardian had
1924 knowledge of and condoned the conduct of the child, or both the child
1925 and the parent or parents or guardian, to make restitution to the victim
1926 of such offense, provided the liability of such parent or parents or
1927 guardian shall be limited to an amount not exceeding the amount such
1928 parent or parents or guardian would be liable for in an action under
1929 section 52-572. Restitution may consist of monetary reimbursement for
1930 the damage or injury, based on the [child's or the parent's, parents' or
1931 guardian's] person's ability to pay, [as the case may be,] in the form of
1932 a lump sum or installment payments, paid to the court clerk or such
1933 other official designated by the court for distribution to the victim.

1934 (e) The court may order the child or young adult to participate in a
1935 program of community service under the supervision of the court or
1936 any organization designated by the court. Such child or young adult
1937 shall not be deemed to be an employee and the services of such child
1938 or young adult shall not be deemed employment.

1939 (f) If the court further finds that its probation services or other
1940 services available to the court are not adequate for such child or young
1941 adult, the court shall commit such child or young adult to the
1942 Department of Children and Families in accordance with the
1943 provisions of section 46b-141, as amended by this act.

1944 (g) Any child [or youth] coming within the jurisdiction of the court,
1945 who is found to be mentally ill, may be committed by said court to the
1946 Commissioner of Children and Families and, if the court [convicts]
1947 adjudicates a child as delinquent and finds such child to be mentally

1948 deficient, the court may commit such child to an institution for
1949 mentally deficient children [or youth or delinquents] or delinquent
1950 children. No such commitment may be ordered or continued for any
1951 child who has attained the age of twenty. Whenever it is found that a
1952 child [convicted] adjudicated as delinquent or adjudged to be a
1953 member of a family with service needs would benefit from a work-
1954 study program or employment with or without continued school
1955 attendance, the court may, as a condition of probation or supervision,
1956 authorize such child to be employed for part or full-time at some
1957 useful occupation that would be favorable to such child's welfare, and
1958 the probation officer shall supervise such employment. For the
1959 purposes of this section, the limitations of subsection (a) of section 31-
1960 23 on the employment of minors under the age of sixteen years shall
1961 not apply for the duration of such probation or supervision.

1962 (h) Whenever the court commits a child to the Department of
1963 Children and Families, there shall be delivered with the mittimus a
1964 copy of the results of the investigations made as required by section
1965 46b-134, as amended by this act. The court may, at any time, require
1966 from the department in whose care a child has been placed such report
1967 as to such child and such child's treatment.

1968 (i) If the delinquent act for which the child is committed to the
1969 Department of Children and Families is a serious juvenile offense, the
1970 court may set a minimum period of twelve months during which the
1971 child shall be placed in a residential facility operated by or under
1972 contract with said department, as determined by the Commissioner of
1973 Children and Families. No such commitment may be ordered or
1974 continued for any child who has attained the age of twenty. The setting
1975 of such minimum period shall be in the form of an order of the court
1976 included in the mittimus. For good cause shown in the form of an
1977 affidavit annexed thereto, the Department of Children and Families,
1978 the parent or guardian of the child or the child may petition the court
1979 for modification of any such order.

1980 (j) Except as otherwise provided in this section, the court may order

1981 that a child or young adult be (1) committed to the Department of
1982 Children and Families and, after consultation with said department,
1983 the court may order that the child or young adult be placed directly in
1984 a residential facility within this state and under contract with said
1985 department, or (2) committed to the Commissioner of Children and
1986 Families for placement by the commissioner, in said commissioner's
1987 discretion, (A) with respect to the juvenile offenders determined by the
1988 Department of Children and Families to be the highest risk, in the
1989 Connecticut Juvenile Training School, if the juvenile offender is a male,
1990 or in another state facility, presumptively for a minimum period of
1991 twelve months, or (B) in a private residential or day treatment facility
1992 within or outside this state, or (C) on parole. No such commitment
1993 may be ordered or continued for any child or young adult who has
1994 attained the age of twenty. The commissioner shall use a risk and
1995 needs assessment classification system to ensure that children who are
1996 in the highest risk level will be placed in an appropriate secure
1997 treatment setting.

1998 (k) On or after May 21, 2004, no female child or female young adult
1999 committed to the Department of Children and Families shall be placed
2000 in the Connecticut Juvenile Training School. Any female child placed
2001 in the Connecticut Juvenile Training School before May 21, 2004, shall
2002 be transferred to another appropriate facility not later than ninety days
2003 after May 21, 2004.

2004 (l) Notwithstanding any provisions of the general statutes
2005 concerning the confidentiality of records and information, whenever a
2006 child [convicted] adjudicated as delinquent is committed to the
2007 Department of Children and Families, the Commissioner of Children
2008 and Families shall have access to the following information: (1)
2009 Educational records of such child; (2) records regarding such child's
2010 past treatment for physical or mental illness, including substance
2011 abuse; (3) records regarding such child's prior placement in a public or
2012 private residential facility; (4) records created or obtained by the
2013 Judicial Department regarding such child; and (5) records, as defined
2014 in subsection (a) of section 17a-28. The Commissioner of Children and

2015 Families shall review such information to determine the appropriate
2016 services and placement which will be in the best interest of the child.

2017 Sec. 21. Section 46b-140a of the general statutes is repealed and the
2018 following is substituted in lieu thereof (*Effective July 1, 2017*):

2019 (a) At any time during the period of probation or suspended
2020 commitment, after hearing and for good cause shown, the court may
2021 modify or enlarge the conditions, whether originally imposed by the
2022 court under this section or otherwise, and may extend the period as
2023 deemed appropriate by the court. The court shall cause a copy of any
2024 such order to be delivered to the child or [youth and to such child's or
2025 youth's parent or guardian and probation officer] young adult, the
2026 probation officer of the child or young adult, and, in the case of a child,
2027 the child's parent or guardian.

2028 (b) The period of participation in an alternative incarceration
2029 program, as a condition of probation or suspended commitment,
2030 unless terminated sooner, shall not exceed the original period of
2031 probation or suspended commitment.

2032 (c) At any time during the period of probation or suspended
2033 commitment, the court may issue a warrant for the arrest of a child or
2034 [youth] young adult for violation of any of the conditions of probation
2035 or suspended commitment, or may issue a notice to appear to answer
2036 to a charge of such violation, which notice shall be personally served
2037 upon the child or [youth] young adult. Any such warrant shall
2038 authorize all officers named [therein] in such warrant to return the
2039 child or [youth] young adult to the custody of the court or to any
2040 suitable [juvenile] detention facility designated by the court.

2041 (d) If such violation is established, the court may continue or revoke
2042 the order of probation or suspended commitment or modify or enlarge
2043 the conditions and, if such order of probation or suspended
2044 commitment is revoked, require the child or [youth] young adult to
2045 serve the commitment imposed or impose any lesser commitment. No
2046 such revocation shall be ordered, except upon consideration of the

2047 whole record and unless such violation is established by reliable and
2048 probative evidence.

2049 (e) Upon a determination by the court that a child or [youth] young
2050 adult has violated probation by failing to comply with the
2051 requirements of electronic monitoring, the Court Support Services
2052 Division shall notify the local law enforcement agency of such
2053 violation.

2054 Sec. 22. Section 46b-141 of the 2016 supplement to the general
2055 statutes is repealed and the following is substituted in lieu thereof
2056 (*Effective July 1, 2017*):

2057 (a) (1) Except as otherwise limited by subsection (i) of section 46b-
2058 140, as amended by this act, and subdivision (2) of this subsection,
2059 commitment of children [convicted] or young adults adjudicated as
2060 delinquent by the Superior Court to the Department of Children and
2061 Families shall be for (A) an indeterminate time up to a maximum of
2062 eighteen months, or (B) when so [convicted] adjudicated for a serious
2063 juvenile offense, up to a maximum of four years at the discretion of the
2064 court, unless extended as [hereinafter] provided in this section.

2065 (2) Commitment of children [convicted] or young adults
2066 adjudicated as delinquent by the Superior Court to the Department of
2067 Children and Families shall terminate when the child or young adult
2068 attains the age of twenty.

2069 (b) The Commissioner of Children and Families may file a motion
2070 for an extension of the commitment as provided in subparagraph (A)
2071 of subdivision (1) of subsection (a) of this section beyond the eighteen-
2072 month period on the grounds that such extension is for the best
2073 interest of the child or the community. The court shall give notice to
2074 the parent or guardian and to the child at least fourteen days prior to
2075 the hearing upon such motion. The court may, after hearing and upon
2076 finding that such extension is in the best interest of the child or the
2077 community, continue the commitment for an additional period of not
2078 more than eighteen months, except that such additional period shall

2079 not continue beyond the date the child attains the age of twenty. Not
2080 later than twelve months after a child is committed to the Department
2081 of Children and Families in accordance with subparagraph (A) of
2082 subdivision (1) of subsection (a) of this section, the court shall hold a
2083 permanency hearing in accordance with subsection (d) of this section.
2084 After the initial permanency hearing, subsequent permanency hearings
2085 shall be held not less frequently than every twelve months while the
2086 child remains committed to the Department of Children and Families.

2087 (c) The court shall hold a permanency hearing in accordance with
2088 subsection (d) of this section for each child [~~convicted~~] adjudicated as
2089 delinquent for a serious juvenile offense as provided in subparagraph
2090 (B) of subdivision (1) of subsection (a) of this section [~~within~~] not later
2091 than twelve months [~~of~~] after commitment to the Department of
2092 Children and Families and every twelve months thereafter if the child
2093 remains committed to the Department of Children and Families. Such
2094 hearing may include the submission of a motion to the court by the
2095 commissioner to either (1) modify such commitment, or (2) extend the
2096 commitment beyond such four-year period on the grounds that such
2097 extension is for the best interest of the child or the community. The
2098 court shall give notice to the parent or guardian and to the child at
2099 least fourteen days prior to the hearing upon such motion. The court,
2100 after hearing, may modify such commitment or, upon finding that
2101 such extension is in the best interest of the child or the community,
2102 continue the commitment for an additional period of not more than
2103 eighteen months.

2104 (d) At least sixty days prior to each permanency hearing required
2105 pursuant to subsection (b) or (c) of this section, the Commissioner of
2106 Children and Families shall file a permanency plan with the court. At
2107 each permanency hearing, the court shall review and approve a
2108 permanency plan that is in the best interest of the child and takes into
2109 consideration the child's need for permanency. Such permanency plan
2110 may include the goal of: (1) Revocation of commitment and placement
2111 of the child with the parent or guardian, (2) transfer of guardianship,
2112 (3) adoption, or (4) for any child sixteen years of age or older, such

2113 other planned permanent living arrangement ordered by the court,
2114 provided the Commissioner of Children and Families has documented
2115 a compelling reason why it would not be in the best interest of the
2116 child for the permanency plan to include the goals in subdivisions (1)
2117 to (3), inclusive, of this subsection. Such other planned permanent
2118 living arrangement may include, but not be limited to, placement of
2119 the child in an independent living program. At any such permanency
2120 hearing, the court shall also determine whether the Commissioner of
2121 Children and Families has made reasonable efforts to achieve the
2122 permanency plan.

2123 (e) (1) If the permanency plan for a child sixteen years of age or
2124 older includes such other planned permanent living arrangement
2125 pursuant to subdivision (4) of subsection (d) of this section, the
2126 department shall document for the court: (A) The manner and
2127 frequency of efforts made by the department to return the child home
2128 or secure a placement for the child with a fit and willing relative, legal
2129 guardian or an adoptive parent; and (B) the steps the department has
2130 taken to ensure that (i) the child's foster family home or child care
2131 institution is following a reasonable and prudent parent standard, as
2132 defined in section 17a-114d; and (ii) the child has regular, ongoing
2133 opportunities to engage in age appropriate or developmentally
2134 appropriate activities, as defined in section 17a-114d.

2135 (2) At any such permanency hearing in which the plan for a child
2136 sixteen years of age or older is such other planned permanent living
2137 arrangement pursuant to subdivision (4) of subsection (d) of this
2138 section, the court shall (A) (i) ask the child about his or her desired
2139 permanency outcome, or (ii) if the child is unavailable to appear at
2140 such hearing, require the attorney for the child to consult with the
2141 child regarding the child's desired permanency outcome and report
2142 the same to the court; (B) make a judicial determination that, as of the
2143 date of hearing, such other planned permanent living arrangement is
2144 the best permanency plan for the child; and (C) document the
2145 compelling reasons why it is not in the best interest of the child to
2146 return home or to be placed with a fit and willing relative, legal

2147 guardian or adoptive parent.

2148 (f) All other commitments of delinquent, mentally deficient or
2149 mentally ill children by the court pursuant to the provisions of section
2150 46b-140, as amended by this act, may be for an indeterminate time,
2151 except that no such commitment may be ordered or continued for any
2152 child who has attained the age of twenty. Commitments may be
2153 reopened and terminated at any time by said court, provided the
2154 Commissioner of Children and Families shall be given notice of such
2155 proposed reopening and a reasonable opportunity to present the
2156 commissioner's views thereon. The parents or guardian of such child
2157 may apply not more than twice in any calendar year for such
2158 reopening and termination of commitment. Any order of the court
2159 made under the provisions of this section shall be deemed a final order
2160 for purposes of appeal, except that no bond shall be required and no
2161 costs shall be taxed on such appeal.

2162 Sec. 23. Section 46b-141a of the general statutes is repealed and the
2163 following is substituted in lieu thereof (*Effective July 1, 2017*):

2164 (a) Whenever a child or young adult is [convicted] adjudicated as
2165 delinquent, the court, in lieu of committing such child to the
2166 Department of Children and Families or such child or young adult to a
2167 [juvenile] detention center, may, in its discretion, order an assessment
2168 for placement in an alternative incarceration program to be conducted
2169 by the Court Support Services Division. If the Court Support Services
2170 Division recommends placement in an alternative incarceration
2171 program, it shall also submit to the court a proposed alternative
2172 incarceration plan. Upon completion of the assessment, the court shall
2173 determine whether such child or young adult shall be ordered to
2174 participate in such program as an alternative to commitment. If the
2175 court determines that the child or young adult shall participate in such
2176 program, the court shall suspend any commitment to the Department
2177 of Children and Families or to a juvenile detention center and shall
2178 make participation in the alternative incarceration program a condition
2179 of probation.

2180 (b) An alternative incarceration program shall include, but not be
2181 limited to, fines, restitution, community service, halfway houses,
2182 alternative incarceration centers, day incarceration centers, drug,
2183 alcohol and mental health programs, electronic monitoring, intensive
2184 probation, vocational probation, boot camps, structured wilderness
2185 programs, pretrial diversion options aimed at creating alternatives to
2186 unnecessary detention, and school and job training programs.

2187 Sec. 24. Section 46b-141d of the general statutes is repealed and the
2188 following is substituted in lieu thereof (*Effective July 1, 2017*):

2189 Any child or young adult who is arrested and held in a detention
2190 center, an alternative detention center or a police station or courthouse
2191 lockup prior to the disposition of a juvenile matter shall, if
2192 subsequently [convicted] adjudicated as delinquent by the Superior
2193 Court and sentenced to a period of probation, earn a reduction of such
2194 [child's] period of probation, including any extensions thereof, equal to
2195 the number of days that such child or young adult spent in such
2196 detention center or lockup.

2197 Sec. 25. Section 46b-145 of the general statutes is repealed and the
2198 following is substituted in lieu thereof (*Effective July 1, 2017*):

2199 No child or young adult shall be prosecuted for an offense before
2200 the regular criminal docket of the Superior Court except as provided in
2201 section 46b-127, as amended by this act, and subsection (f) of section
2202 46b-133c, as amended by this act.

2203 Sec. 26. Section 46b-147 of the general statutes is repealed and the
2204 following is substituted in lieu thereof (*Effective July 1, 2017*):

2205 The disposition and any order of such disposition of any child or
2206 young adult under the provisions of this chapter, evidence given in
2207 such cases, except evidence of crime which, if committed by a person
2208 [of sufficient age, would be punishable by imprisonment in the
2209 Connecticut Correctional Institution, Somers, and all orders therein]
2210 who, at the time of the commission of the crime, attained the age for

2211 adult jurisdiction, shall be inadmissible as evidence in any criminal
2212 proceedings against such child or young adult.

2213 Sec. 27. (*Effective from passage*) The Court Support Services Division
2214 of the Judicial Department shall study the feasibility of and
2215 mechanisms for holding cash bail in an interest-bearing account and
2216 using such interest and any forfeited cash bail for the delivery of legal
2217 services to the poor. Not later than January 1, 2017, the division shall,
2218 in accordance with the provisions of section 11-4a of the general
2219 statutes, report on such study, including any recommendations for
2220 legislation, to the joint standing committee of the General Assembly
2221 having cognizance of matters relating to the judiciary and to the Office
2222 of Policy and Management.

2223 Sec. 28. Section 54-64a of the general statutes is repealed and the
2224 following is substituted in lieu thereof (*Effective October 1, 2016*):

2225 (a) (1) Except as provided in [subsection (b)] subsections (b) and (c)
2226 of this section, when any arrested person is presented before the
2227 Superior Court, said court shall, in bailable offenses, promptly order
2228 the release of such person upon the first of the following conditions of
2229 release found sufficient to reasonably ensure the appearance of the
2230 arrested person in court: (A) Upon [his] such person's execution of a
2231 written promise to appear without special conditions, (B) upon [his]
2232 such person's execution of a written promise to appear with
2233 nonfinancial conditions, (C) upon [his] such person's execution of a
2234 bond without surety in no greater amount than necessary, or (D) upon
2235 [his] such person's execution of a bond with surety in no greater
2236 amount than necessary. In addition to or in conjunction with any of the
2237 conditions enumerated in subparagraphs (A) to (D), inclusive, of this
2238 subdivision, the court may, when it has reason to believe that the
2239 person is drug-dependent and where necessary, reasonable and
2240 appropriate, order the person to submit to a urinalysis drug test and to
2241 participate in a program of periodic drug testing and treatment. The
2242 results of any such drug test shall not be admissible in any criminal
2243 proceeding concerning such person.

2244 (2) The court may, in determining what conditions of release will
2245 reasonably ensure the appearance of the arrested person in court,
2246 consider the following factors: (A) The nature and circumstances of the
2247 offense, (B) such person's record of previous convictions, (C) such
2248 person's past record of appearance in court after being admitted to
2249 bail, (D) such person's family ties, (E) such person's employment
2250 record, (F) such person's financial resources, character and mental
2251 condition, and (G) such person's community ties.

2252 (b) (1) When any arrested person charged with the commission of
2253 (A) a class A felony, (B) a class B felony, except a violation of section
2254 53a-86 or 53a-122, (C) a class C felony, except a violation of section 53a-
2255 87, 53a-152 or 53a-153, [or] (D) a class D felony under sections 53a-60 to
2256 53a-60c, inclusive, section 53a-72a, 53a-95, 53a-103, 53a-103a, 53a-114,
2257 53a-136 or 53a-216, or [a] (E) any family violence crime, as defined in
2258 section 46b-38a, is presented before the Superior Court, said court
2259 shall, in bailable offenses, promptly order the release of such person
2260 upon the first of the following conditions of release found sufficient to
2261 reasonably ensure the appearance of the arrested person in court and
2262 that the safety of any other person will not be endangered: [(A)] (i)
2263 Upon such person's execution of a written promise to appear without
2264 special conditions, [(B)] (ii) upon such person's execution of a written
2265 promise to appear with nonfinancial conditions, [(C)] (iii) upon such
2266 person's execution of a bond without surety in no greater amount than
2267 necessary, [(D)] or (iv) upon such person's execution of a bond with
2268 surety in no greater amount than necessary. In addition to or in
2269 conjunction with any of the conditions enumerated in [subparagraphs
2270 (A) to (D), inclusive, of] this subdivision, the court may, when it has
2271 reason to believe that the person is drug-dependent and where
2272 necessary, reasonable and appropriate, order the person to submit to a
2273 urinalysis drug test and to participate in a program of periodic drug
2274 testing and treatment. The results of any such drug test shall not be
2275 admissible in any criminal proceeding concerning such person.

2276 (2) The court may, in determining what conditions of release will
2277 reasonably ensure the appearance of the arrested person in court and

2278 that the safety of any other person will not be endangered, consider the
2279 following factors: (A) The nature and circumstances of the offense, (B)
2280 such person's record of previous convictions, (C) such person's past
2281 record of appearance in court after being admitted to bail, (D) such
2282 person's family ties, (E) such person's employment record, (F) such
2283 person's financial resources, character and mental condition, (G) such
2284 person's community ties, (H) the number and seriousness of charges
2285 pending against the arrested person, (I) the weight of the evidence
2286 against the arrested person, (J) the arrested person's history of
2287 violence, (K) whether the arrested person has previously been
2288 convicted of similar offenses while released on bond, and (L) the
2289 likelihood based upon the expressed intention of the arrested person
2290 that such person will commit another crime while released.

2291 (3) When imposing conditions of release under this subsection, the
2292 court shall state [for] on the record any factors under subdivision (2) of
2293 this subsection that it considered and the findings that it made as to
2294 the danger, if any, that the arrested person might pose to the safety of
2295 any other person upon the arrested person's release that caused the
2296 court to impose the specific conditions of release that it imposed.

2297 (c) Except in the case of an arrested person charged with failure to
2298 appear pursuant to section 53a-173, or a family violence crime, as
2299 defined in section 46b-38a, or if the court makes a finding on the record
2300 that the arrested person would pose a risk to the safety of another
2301 person upon release, when any arrested person, charged with no crime
2302 other than a misdemeanor, is presented before the Superior Court, said
2303 court shall promptly order the release of such person upon the first of
2304 the following conditions of release found sufficient to reasonably
2305 ensure the appearance of the arrested person in court: (1) Upon such
2306 person's execution of a written promise to appear without special
2307 conditions, (2) upon such person's execution of a written promise to
2308 appear with nonfinancial conditions, or (3) upon such person's
2309 execution of a bond without surety in no greater amount than
2310 necessary. In addition to or in conjunction with any of the conditions
2311 enumerated in subdivisions (1) to (3), inclusive, of this subsection, the

2312 court may, when it has reason to believe that the person is drug-
2313 dependent and where necessary, reasonable and appropriate, order the
2314 person to submit to a urinalysis drug test and to participate in a
2315 program of periodic drug testing and treatment. The results of any
2316 such drug test shall not be admissible in any criminal proceeding
2317 concerning such person.

2318 [(c)] (d) If the court determines that a nonfinancial condition of
2319 release should be imposed pursuant to [subparagraph (B) of
2320 subdivision (1) of] subsection (a), [or (b)] (b) or (c) of this section, the
2321 court shall order the pretrial release of the person subject to the least
2322 restrictive condition or combination of conditions that the court
2323 determines will reasonably ensure the appearance of the arrested
2324 person in court and, with respect to the release of the person pursuant
2325 to subsection (b) of this section, that the safety of any other person will
2326 not be endangered, which conditions may include an order that the
2327 arrested person do one or more of the following: (1) Remain under the
2328 supervision of a designated person or organization; (2) comply with
2329 specified restrictions on such person's travel, association or place of
2330 abode; (3) not engage in specified activities, including the use or
2331 possession of a dangerous weapon, an intoxicant or a controlled
2332 substance; (4) provide sureties of the peace pursuant to section 54-56f
2333 under supervision of a designated bail commissioner or intake,
2334 assessment and referral specialist employed by the Judicial Branch; (5)
2335 avoid all contact with an alleged victim of the crime and with a
2336 potential witness who may testify concerning the offense; (6) maintain
2337 employment or, if unemployed, actively seek employment; (7)
2338 maintain or commence an educational program; (8) be subject to
2339 electronic monitoring; or (9) satisfy any other condition that is
2340 reasonably necessary to ensure the appearance of the person in court
2341 and that the safety of any other person will not be endangered. The
2342 court shall state on the record its reasons for imposing any such
2343 nonfinancial condition.

2344 [(d)] (e) If the arrested person is not released, the court shall order
2345 [him] such person committed to the custody of the Commissioner of

2346 Correction until [he] such person is released or discharged in due
2347 course of law.

2348 [(e)] (f) The court may require that the person subject to electronic
2349 monitoring pursuant to subsection [(c)] (d) of this section pay directly
2350 to the electronic monitoring service provider a fee for the cost of such
2351 electronic monitoring services. If the court finds that the person subject
2352 to electronic monitoring is indigent and unable to pay the costs of
2353 electronic monitoring services, the court shall waive such costs. Any
2354 contract entered into by the Judicial Branch and the electronic
2355 monitoring service provider shall include a provision stating that the
2356 total cost for electronic monitoring services shall not exceed five
2357 dollars per day. Such amount shall be indexed annually to reflect the
2358 rate of inflation.

2359 Sec. 29. (NEW) (*Effective October 1, 2016*) Not later than January 1,
2360 2017, the Court Support Services Division shall develop a pretrial
2361 release eligibility notice containing written explanatory text of the
2362 process of release following an arrest set forth in chapter 960 of the
2363 general statutes. The division, in conjunction with the Judicial
2364 Department, the Department of Correction, the Division of State Police
2365 and municipal police departments, shall ensure that such notice is
2366 provided to an arrested person at any time such person is presented
2367 with conditions for such person's release. The division shall update
2368 such notice as deemed necessary by the division.

2369 Sec. 30. Subsection (b) of section 53a-32 of the general statutes is
2370 repealed and the following is substituted in lieu thereof (*Effective*
2371 *October 1, 2016*):

2372 (b) When the defendant is presented for arraignment on the charge
2373 of violation of any of the conditions of probation or conditional
2374 discharge, the court shall review any conditions previously imposed
2375 on the defendant and may order, as a condition of the pretrial release
2376 of the defendant, that the defendant comply with any or all of such
2377 conditions in addition to any conditions imposed pursuant to section

2378 54-64a, as amended by this act. Unless the court, pursuant to
2379 subsection [(c)] (d) of section 54-64a, as amended by this act, orders
2380 that the defendant remain under the supervision of a probation officer
2381 or other designated person or organization, the defendant shall be
2382 supervised by the Court Support Services Division of the Judicial
2383 Branch in accordance with subsection (a) of section 54-63b.

2384 Sec. 31. Section 53a-222 of the general statutes is repealed and the
2385 following is substituted in lieu thereof (*Effective October 1, 2016*):

2386 (a) A person is guilty of violation of conditions of release in the first
2387 degree when, while charged with the commission of a felony, such
2388 person is released pursuant to subsection (b) of section 54-63c,
2389 subsection (c) of section 54-63d or subsection [(c)] (d) of section 54-64a,
2390 as amended by this act, and intentionally violates one or more of the
2391 imposed conditions of release.

2392 (b) Violation of conditions of release in the first degree is a class D
2393 felony.

2394 Sec. 32. Section 53a-222a of the general statutes is repealed and the
2395 following is substituted in lieu thereof (*Effective October 1, 2016*):

2396 (a) A person is guilty of violation of conditions of release in the
2397 second degree when, while charged with the commission of a
2398 misdemeanor or motor vehicle violation for which a sentence to a term
2399 of imprisonment may be imposed, such person is released pursuant to
2400 subsection (b) of section 54-63c, subsection (c) of section 54-63d or
2401 subsection [(c)] (d) of section 54-64a, as amended by this act, and
2402 intentionally violates one or more of the imposed conditions of release.

2403 (b) Violation of conditions of release in the second degree is a class
2404 A misdemeanor.

2405 Sec. 33. Section 54-76b of the general statutes is repealed and the
2406 following is substituted in lieu thereof (*Effective October 1, 2016*):

2407 (a) For the purposes of [sections 54-76b to 54-76n, inclusive] this

2408 section and sections 54-76c to 54-76q, inclusive, as amended by this act:

2409 (1) "Youth" means (A) a [minor who has reached the age of sixteen
2410 years but has not reached the age of eighteen years] person who is
2411 sixteen years of age or older but under twenty-one years of age at the
2412 time of the alleged offense, or (B) a [child] person who has been
2413 transferred to the regular criminal docket of the Superior Court
2414 pursuant to section 46b-127, as amended by this act; and

2415 (2) "Youthful offender" means a youth who (A) is charged with the
2416 commission of a crime which is not a class A felony or a violation of
2417 section 14-222a, subsection (a) or subdivision (1) of subsection (b) of
2418 section 14-224, section 14-227a or 14-227g, subdivision (2) of subsection
2419 (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a
2420 or 53a-72b, except a violation involving consensual sexual intercourse
2421 or sexual contact between [the youth] a person who is sixteen years of
2422 age or older but under eighteen years of age and another person who
2423 is thirteen years of age or older but under sixteen years of age, and (B)
2424 has not previously been convicted of a felony in the regular criminal
2425 docket of the Superior Court or been previously adjudged a serious
2426 juvenile offender or serious juvenile repeat offender, as defined in
2427 section 46b-120, as amended by this act.

2428 (b) The Interstate Compact for Adult Offender Supervision under
2429 section 54-133 shall apply to youthful offenders.

2430 Sec. 34. Subsection (a) of section 54-76c of the general statutes is
2431 repealed and the following is substituted in lieu thereof (*Effective*
2432 *October 1, 2016*):

2433 (a) In any case where an information or complaint has been laid
2434 charging a defendant with the commission of a crime, and where it
2435 appears that the defendant is a youth, such defendant shall be
2436 presumed to be eligible to be adjudged a youthful offender and the
2437 court having jurisdiction shall, but only as to the public, order the
2438 court file sealed, unless such defendant (1) is charged with the
2439 commission of a crime which is a class A felony or a violation of

2440 section 14-222a, subsection (a) or subdivision (1) of subsection (b) of
2441 section 14-224, section 14-227a or 14-227g, subdivision (2) of subsection
2442 (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a
2443 or 53a-72b, except a violation involving consensual sexual intercourse
2444 or sexual contact between [the youth] a person who is sixteen years of
2445 age or older but under eighteen years of age and another person who
2446 is thirteen years of age or older but under sixteen years of age, or (2)
2447 has been previously convicted of a felony in the regular criminal
2448 docket of the Superior Court or been previously adjudged a serious
2449 juvenile offender or serious juvenile repeat offender, as defined in
2450 section 46b-120, as amended by this act. Except as provided in
2451 subsection (b) of this section, upon motion of the prosecuting official,
2452 the court may order that an investigation be made of such defendant
2453 under section 54-76d, for the purpose of determining whether such
2454 defendant is ineligible to be adjudged a youthful offender, provided
2455 the court file shall remain sealed, but only as to the public, during such
2456 investigation.

2457 Sec. 35. Subsection (a) of section 54-76h of the general statutes is
2458 repealed and the following is substituted in lieu thereof (*Effective*
2459 *October 1, 2016*):

2460 (a) All of the proceedings [had] under the provisions of sections 54-
2461 76b to 54-76n, inclusive, as amended by this act, in which the
2462 defendant is under eighteen years of age shall be private and [shall be]
2463 conducted in [such] parts of the courthouse or the building [wherein]
2464 in which the court is located [as shall be] that are separate and apart
2465 from [the other parts] any other part of the court which are then being
2466 held for proceedings pertaining to adults charged with crimes. If the
2467 defendant is committed while any examination and investigation
2468 under section 54-76d is pending, before trial, during trial or after
2469 judgment and before sentence, those persons in charge of the place of
2470 detention shall segregate the defendant, to the extent of their facilities,
2471 from defendants over the age of eighteen years charged with crime.

2472 Sec. 36. Subsection (b) of section 54-76j of the general statutes is

2473 repealed and the following is substituted in lieu thereof (*Effective*
2474 *October 1, 2016*):

2475 (b) If execution of the sentence is suspended under subdivision (6)
2476 of subsection (a) of this section, the defendant may be placed on
2477 probation or conditional discharge for a period not to exceed three
2478 years, provided, at any time during the period of probation, after
2479 hearing and for good cause shown, the court may extend the period as
2480 deemed appropriate by the court. If the court places [the person] a
2481 person who is under eighteen years of age and who is adjudicated to
2482 be a youthful offender on probation, the court may order that, as a
2483 condition of such probation, the person be referred for services to a
2484 youth service bureau established pursuant to section 10-19m, provided
2485 the court finds, through an assessment by a youth service bureau or its
2486 designee, that the person is in need of and likely to benefit from such
2487 services. If the court places a youthful offender on probation, school
2488 and class attendance on a regular basis and satisfactory compliance
2489 with school policies on student conduct and discipline may be a
2490 condition of such probation and, in such a case, failure to so attend or
2491 comply shall be a violation of probation. If the court has reason to
2492 believe that the person adjudicated to be a youthful offender is or has
2493 been an unlawful user of narcotic drugs, as defined in section 21a-240,
2494 and the court places such youthful offender on probation, the
2495 conditions of probation, among other things, shall include a
2496 requirement that such person shall submit to periodic tests to
2497 determine, by the use of "synthetic opiate antinarcotic in action",
2498 nalline test or other detection tests, at a hospital or other facility,
2499 equipped to make such tests, whether such person is using narcotic
2500 drugs. A failure to report for such tests or a determination that such
2501 person is unlawfully using narcotic drugs shall constitute a violation of
2502 probation. If the court places a person adjudicated as a youthful
2503 offender for a violation of section 53-247 on probation, the court may
2504 order that, as a condition of such probation, the person undergo
2505 psychiatric or psychological counseling or participate in an animal
2506 cruelty prevention and education program, provided such a program

2507 exists and is available to the person.

2508 Sec. 37. Subsection (a) of section 54-76l of the general statutes is
2509 repealed and the following is substituted in lieu thereof (*Effective*
2510 *October 1, 2016*):

2511 (a) The records or other information of a youth, other than a youth
2512 [arrested for or] charged with the commission of a crime which is a
2513 class A felony or a violation of section 14-222a, subsection (a) or
2514 subdivision (1) of subsection (b) of section 14-224, section 14-227a or
2515 14-227g, subdivision (2) of subsection (a) of section 53-21 or section
2516 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b, except a violation
2517 involving consensual sexual intercourse or sexual contact between [the
2518 youth] a person who is sixteen years of age or older but under eighteen
2519 years of age and another person who is thirteen years of age or older
2520 but under sixteen years of age, including fingerprints, photographs
2521 and physical descriptions, shall be confidential and shall not be open
2522 to public inspection or be disclosed except as provided in this section,
2523 but such fingerprints, photographs and physical descriptions
2524 submitted to the State Police Bureau of Identification of the Division of
2525 State Police within the Department of Emergency Services and Public
2526 Protection at the time of the arrest of a person subsequently adjudged,
2527 or subsequently presumed or determined to be eligible to be adjudged,
2528 a youthful offender shall be retained as confidential matter in the files
2529 of the bureau and be opened to inspection only as provided in this
2530 section. Other data ordinarily received by the bureau, with regard to
2531 persons arrested for a crime, shall be forwarded to the bureau to be
2532 filed, in addition to such fingerprints, photographs and physical
2533 descriptions, and be retained in the division as confidential
2534 information, open to inspection only as provided in this section.

2535 Sec. 38. Section 54-76o of the general statutes is repealed and the
2536 following is substituted in lieu thereof (*Effective October 1, 2016*):

2537 Whenever any person has been adjudicated a youthful offender and
2538 has subsequently been discharged from the supervision of the court or

2539 from the care of any institution or agency to whom [he] such person
2540 has been committed by the court, all police and court records
2541 pertaining to such youthful offender shall be automatically erased
2542 [when such person attains twenty-one years of age] four years after
2543 such person was sentenced as a youthful offender, provided such
2544 person has not subsequent to being adjudged a youthful offender been
2545 convicted of a felony, as defined in section 53a-25, prior to attaining
2546 such age. Youthful offender status shall not be deemed conviction of a
2547 crime for the purposes of this section. Upon the entry of such an
2548 erasure order, all references including arrest, complaint, referrals,
2549 petitions, reports and orders, shall be removed from all agency, official
2550 and institutional files. The persons in charge of such records shall not
2551 disclose to any person, except the subject of the record, upon
2552 submission of satisfactory proof of the subject's identity in accordance
2553 with guidelines prescribed by the Chief Court Administrator,
2554 information pertaining to the record so erased. No [youth] person who
2555 has been the subject of such an erasure order shall be deemed to have
2556 been arrested ab initio, within the meaning of the general statutes, with
2557 respect to proceedings so erased. Copies of the erasure order shall be
2558 sent to all persons, agencies, officials or institutions known to have
2559 information pertaining to the proceedings affecting such [youth]
2560 person.

2561 Sec. 39. Section 18-100i of the general statutes is repealed and the
2562 following is substituted in lieu thereof (*Effective from passage*):

2563 [(a)] The Commissioner of Correction, at the commissioner's
2564 discretion, may release an inmate from the commissioner's custody,
2565 except an inmate convicted of a capital felony under the provisions of
2566 section 53a-54b in effect prior to April 25, 2012, or murder with special
2567 circumstances under the provisions of section 53a-54b in effect on or
2568 after April 25, 2012, for placement in a licensed community-based
2569 nursing home under contract with the state for the purpose of
2570 providing palliative and end-of-life care to the inmate if the medical
2571 director of the Department of Correction determines that the inmate is
2572 suffering from a terminal condition, disease or syndrome, or is so

2573 debilitated or incapacitated by a terminal condition, disease or
 2574 syndrome as to (1) require continuous palliative or end-of-life care, or
 2575 (2) be physically incapable of presenting a danger to society.

2576 [(b) The Commissioner of Correction may require as a condition of
 2577 release under subsection (a) of this section that the medical director
 2578 conduct periodic medical review and diagnosis of the inmate during
 2579 such release. An inmate released pursuant to subsection (a) of this
 2580 section shall be returned to the custody of the Commissioner of
 2581 Correction if the medical director determines that the inmate no longer
 2582 meets the criteria for release under subsection (a) of this section.]

2583 [(c)] Any inmate released from the custody of the Commissioner of
 2584 Correction pursuant to [subsection (a) of] this section shall be
 2585 supervised in the community by the Department of Correction.

2586 Sec. 40. (NEW) (*Effective from passage*) The Criminal Justice Policy
 2587 and Planning Division, established pursuant to section 4-68m of the
 2588 general statutes within the Office of Policy and Management, shall
 2589 publish monthly statistics on its Internet web site on the number and
 2590 types of transfers made from the docket for juvenile matters to the
 2591 regular criminal docket of the Superior Court pursuant to section 46b-
 2592 127 of the general statutes, as amended by this act."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2017</i>	46b-120
Sec. 2	<i>July 1, 2017</i>	46b-121
Sec. 3	<i>from passage</i>	46b-121n
Sec. 4	<i>July 1, 2017</i>	46b-127
Sec. 5	<i>July 1, 2017</i>	46b-133
Sec. 6	<i>July 1, 2017</i>	46b-133c
Sec. 7	<i>July 1, 2017</i>	46b-133d
Sec. 8	<i>from passage</i>	4-68m(d) and (e)
Sec. 9	<i>July 1, 2017</i>	46b-124
Sec. 10	<i>July 1, 2017</i>	46b-128
Sec. 11	<i>July 1, 2017</i>	46b-128a

Sec. 12	<i>July 1, 2017</i>	46b-133a
Sec. 13	<i>July 1, 2017</i>	46b-133b
Sec. 14	<i>July 1, 2017</i>	46b-134
Sec. 15	<i>July 1, 2017</i>	46b-135
Sec. 16	<i>July 1, 2017</i>	46b-136
Sec. 17	<i>July 1, 2017</i>	46b-137
Sec. 18	<i>July 1, 2017</i>	46b-138
Sec. 19	<i>July 1, 2017</i>	46b-138b
Sec. 20	<i>July 1, 2017</i>	46b-140
Sec. 21	<i>July 1, 2017</i>	46b-140a
Sec. 22	<i>July 1, 2017</i>	46b-141
Sec. 23	<i>July 1, 2017</i>	46b-141a
Sec. 24	<i>July 1, 2017</i>	46b-141d
Sec. 25	<i>July 1, 2017</i>	46b-145
Sec. 26	<i>July 1, 2017</i>	46b-147
Sec. 27	<i>from passage</i>	New section
Sec. 28	<i>October 1, 2016</i>	54-64a
Sec. 29	<i>October 1, 2016</i>	New section
Sec. 30	<i>October 1, 2016</i>	53a-32(b)
Sec. 31	<i>October 1, 2016</i>	53a-222
Sec. 32	<i>October 1, 2016</i>	53a-222a
Sec. 33	<i>October 1, 2016</i>	54-76b
Sec. 34	<i>October 1, 2016</i>	54-76c(a)
Sec. 35	<i>October 1, 2016</i>	54-76h(a)
Sec. 36	<i>October 1, 2016</i>	54-76j(b)
Sec. 37	<i>October 1, 2016</i>	54-76l(a)
Sec. 38	<i>October 1, 2016</i>	54-76o
Sec. 39	<i>from passage</i>	18-100i
Sec. 40	<i>from passage</i>	New section