



General Assembly

**Amendment**

February Session, 2016

LCO No. 5822



Offered by:  
SEN. MARKLEY, 16<sup>th</sup> Dist.

To: Subst. House Bill No. 5054      File No. 750      Cal. No. 531

**"AN ACT PROTECTING VICTIMS OF DOMESTIC VIOLENCE."**

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

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

9      (2) When (A) an application indicates that a respondent holds a  
10     permit to carry a pistol or revolver, an eligibility certificate for a pistol  
11     or revolver, a long gun eligibility certificate or an ammunition  
12     certificate or possesses one or more firearms or ammunition, and (B)  
13     the court has issued an ex parte order pursuant to this section, the  
14     proper officer responsible for executing service, prior to serving such  
15     order, shall (i) provide notice to the law enforcement agency for the

16 town in which the respondent will be served concerning when and  
17 where the service will take place, and (ii) send, or cause to be sent by  
18 facsimile or other means, a copy of the application, the applicant's  
19 affidavit, the ex parte order and the notice of hearing to such law  
20 enforcement agency, and (iii) request that a state marshal who is a  
21 member of the state marshal capias unit be present when service is  
22 executed by the proper officer. Upon receiving a request from a proper  
23 officer under the provisions of this subdivision, the law enforcement  
24 agency for the town in which the respondent will be served may  
25 designate a police officer to be present when service is executed by the  
26 proper officer.

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

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