



General Assembly

Amendment

May Special Session, 2016

LCO No. 6520



Offered by:

- REP. KLARIDES, 114th Dist.
- REP. CANDELORA, 86th Dist.
- REP. HOYDICK, 120th Dist.
- REP. MINER, 66th Dist.
- REP. O'NEILL, 69th Dist.

To: Senate Bill No. 505

File No.

Cal. No.

"AN ACT CONCERNING A SECOND CHANCE SOCIETY."

1 Strike sections 33 and 34 in their entirety and insert the following in
2 lieu thereof:

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 Section 54-76b of the general statutes is repealed and the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

5 (a) For the purposes of [sections 54-76b to 54-76n, inclusive] this
6 section and sections 54-76c to 54-76q, inclusive, as amended by this act:

7 (1) "Youth" means (A) a [minor who has reached the age of sixteen
8 years but has not reached the age of eighteen years] person who is
9 sixteen years of age or older but under twenty-one years of age at the
10 time of the alleged offense, or (B) a [child] person who has been
11 transferred to the regular criminal docket of the Superior Court

12 pursuant to section 46b-127, as amended by this act; and

13 (2) "Youthful offender" means a youth who (A) is charged with the
14 commission of a crime which is not a class A felony or a violation of
15 section 14-222a, subsection (a) or subdivision (1) of subsection (b) of
16 section 14-224, section 14-227a or 14-227g, subdivision (2) of subsection
17 (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a
18 or 53a-72b, except a violation involving consensual sexual intercourse
19 or sexual contact between [the youth] a person who is sixteen years of
20 age or older but under eighteen years of age and another person who
21 is thirteen years of age or older but under sixteen years of age, or any
22 family violence crime, as defined in section 46b-38a, and (B) has not
23 previously been convicted of a felony in the regular criminal docket of
24 the Superior Court or been previously adjudged a serious juvenile
25 offender or serious juvenile repeat offender, as defined in section 46b-
26 120, as amended by this act.

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

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30 repealed and the following is substituted in lieu thereof (*Effective*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

32 (a) In any case where an information or complaint has been laid
33 charging a defendant with the commission of a crime, and where it
34 appears that the defendant is a youth, such defendant shall be
35 presumed to be eligible to be adjudged a youthful offender and the
36 court having jurisdiction shall, but only as to the public, order the
37 court file sealed, unless such defendant (1) is charged with the
38 commission of a crime which is a class A felony or a violation of
39 section 14-222a, subsection (a) or subdivision (1) of subsection (b) of
40 section 14-224, section 14-227a or 14-227g, subdivision (2) of subsection
41 (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a
42 or 53a-72b, except a violation involving consensual sexual intercourse
43 or sexual contact between [the youth] a person who is sixteen years of

44 age or older but under eighteen years of age and another person who
45 is thirteen years of age or older but under sixteen years of age, or any
46 family violence crime, as defined in section 46b-38a, or (2) has been
47 previously convicted of a felony in the regular criminal docket of the
48 Superior Court or been previously adjudged a serious juvenile
49 offender or serious juvenile repeat offender, as defined in section 46b-
50 120, as amended by this act. Except as provided in subsection (b) of
51 this section, upon motion of the prosecuting official, the court may
52 order that an investigation be made of such defendant under section
53 54-76d, for the purpose of determining whether such defendant is
54 ineligible to be adjudged a youthful offender, provided the court file
55 shall remain sealed, but only as to the public, during such
56 investigation."