



Senate

General Assembly

File No. 712

January Session, 2017

Substitute Senate Bill No. 1040

Senate, April 25, 2017

The Committee on Judiciary reported through SEN. DOYLE of the 9th Dist. and SEN. KISSEL of the 7th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING NOTIFICATION TO BOARDS OF EDUCATION AND LOCAL POLICE DEPARTMENTS OF THE RELEASE OF A JUVENILE SEXUAL OFFENDER.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2017*) Notwithstanding the
2 provisions of sections 46b-124 of the general statutes concerning the
3 confidentiality of records of juvenile matters and 46b-146 of the general
4 statutes concerning the erasure of police and court records, the Court
5 Support Services Division of the Judicial Department, in the case of a
6 child, as defined in section 46b-120 of the general statutes, who is
7 convicted as delinquent, as described in section 46b-120 of the general
8 statutes, on or after October 1, 2017, for a violation of section 53a-70 of
9 the general statutes, 53a-70a of the general statutes, 53a-70c of the
10 general statutes, 53a-71 of the general statutes, 53a-72a of the general
11 statutes or 53a-72b of the general statutes, or for committing a felony
12 offense that the court finds was committed for a sexual purpose, as
13 described in section 54-250 of the general statutes, shall, upon release

14 of any such child from the custody of the Judicial Department or the
15 Department of Children and Families, as applicable, notify the
16 superintendent for the local or regional school district for the town in
17 which such child will reside, that such child has been convicted
18 delinquent of any such offense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2017	New section

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill adds a notification requirement for the Judicial Department and does not result in a fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sSB 1040****AN ACT CONCERNING NOTIFICATION TO BOARDS OF EDUCATION AND LOCAL POLICE DEPARTMENTS OF THE RELEASE OF A JUVENILE SEXUAL OFFENDER.****SUMMARY**

This bill requires the Judicial Branch's Court Support Services Division, when a child (see BACKGROUND) who was convicted as a delinquent for certain sex offenses is released from Judicial Branch or Department of Children and Families custody back to the community, to notify the superintendent of the school district where the child will reside of the child's delinquency conviction.

The children for whom the superintendent must provide this notice include those who were convicted of one or more of the following offenses on or after October 1, 2017: 1st degree sexual assault, aggravated 1st degree sexual assault, aggravated sexual assault of a minor, 2nd degree sexual assault, 3rd degree sexual assault with or without a firearm, or any other felony the court finds was committed for a sexual purpose (see BACKGROUND).

EFFECTIVE DATE: October 1, 2017

BACKGROUND***“Sexual Purpose”***

By law, an individual commits a felony for a sexual purpose if his or her purpose was to engage in nonconsensual sexual contact or intercourse with another person. A sexual purpose does not have to be the only reason the felony was committed, and the purpose may arise at any time during the commission of the crime.

Child

By law, a child is generally anyone under age 18 who is not legally emancipated, but for delinquency matters and proceedings the definition includes a person who:

1. was at least age 7 when he or she committed the alleged delinquent act and is (a) under 18 and not legally emancipated or (b) 18 or older but committed the act when under age 18 or
2. is over 18 and (a) violates a court order or probation condition related to a delinquency proceeding or (b) willfully fails to appear in response to a summons or at any other delinquency proceeding in which he or she received notice (CGS § 46b-120).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 26 Nay 13 (04/07/2017)