



General Assembly

February Session, 2018

***Raised Bill No. 5557***

LCO No. 2727



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE COMPETENCY OF A DEFENDANT TO STAND TRIAL.***

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

1 Section 1. Subdivision (3) of subsection (m) of section 54-56d of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2018*):

4 (3) If the court orders the release of a defendant charged with the  
5 commission of a crime that resulted in the death or serious physical  
6 injury, as defined in section 53a-3, of another person, or with a  
7 violation of subdivision (2) of subsection (a) of section 53-21,  
8 subdivision (2) of subsection (a) of section 53a-60 or section 53a-60a,  
9 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b, or orders the  
10 placement of such defendant in the custody of the Commissioner of  
11 Mental Health and Addiction Services or the Commissioner of  
12 Developmental Services, the court may, on its own motion or on  
13 motion of the prosecuting authority, order, as a condition of such  
14 release or placement, periodic examinations of the defendant as to the  
15 defendant's competency at intervals of not less than six months. Such

16 an examination shall be conducted in accordance with subsection (d)  
17 of this section. Periodic examinations ordered by the court under this  
18 subsection shall continue until (A) the court finds that the defendant  
19 has attained competency or until the time within which the defendant  
20 may be prosecuted for the crime with which the defendant is charged,  
21 as provided in section 54-193 or 54-193a, has expired, whichever occurs  
22 first, or (B) the examiners determine there is a substantial probability  
23 that the defendant, if provided with a course of treatment, will never  
24 regain competency within the maximum period of any placement  
25 under this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018</i>	54-56d(m)(3)

***Statement of Purpose:***

To provide a judge with greater discretion in determining how frequently a defendant should be examined to determine his or her competency to stand trial.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*