



General Assembly

Substitute Bill No. 187

February Session, 2018



AN ACT CONCERNING THE TRANSFER OF A CHILD CHARGED WITH CERTAIN OFFENSES TO THE CRIMINAL DOCKET.

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

1 Section 1. Subsection (b) of section 46b-127 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2018*):

4 (b) (1) Upon motion of a prosecutorial official, the superior court for
5 juvenile matters shall conduct a hearing to determine whether the case
6 of any child charged with the commission of a class C, D or E felony or
7 an unclassified felony shall be transferred from the docket for juvenile
8 matters to the regular criminal docket of the Superior Court. The court
9 shall not order that the case be transferred under this subdivision
10 unless the court finds that (A) such offense was committed after such
11 child attained the age of fifteen years, (B) there is probable cause to
12 believe the child has committed the act for which the child is charged,
13 and (C) the best interests of the child [and] or the public will not be
14 served by maintaining the case in the superior court for juvenile
15 matters. In making such findings, the court shall consider (i) any prior
16 criminal or juvenile offenses committed by the child, (ii) the
17 seriousness of such offenses, (iii) any evidence that the child has
18 intellectual disability or mental illness, and (iv) the availability of
19 services in the docket for juvenile matters that can serve the child's

20 needs. Any motion under this subdivision shall be made, and any
21 hearing under this subdivision shall be held, not later than thirty days
22 after the child is arraigned in the superior court for juvenile matters.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2018	46b-127(b)

KID *Joint Favorable Subst.*