



# House of Representatives

General Assembly

**File No. 597**

February Session, 2018

Substitute House Bill No. 5571

*House of Representatives, April 19, 2018*

The Committee on Judiciary reported through REP. TONG of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING HUMAN TRAFFICKING.***

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

1 Section 1. Section 18-87j of the 2018 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2018*):

4 There is established a Criminal Justice Policy Advisory Commission  
5 which shall be within the Office of Policy and Management for  
6 administrative purposes only. The commission shall consist of the  
7 undersecretary of the Criminal Justice Policy and Planning Division  
8 within the Office of Policy and Management, the Chief Court  
9 Administrator, the Commissioner of Correction, the Commissioner of  
10 Emergency Services and Public Protection, the Chief State's Attorney,  
11 the Chief Public Defender, the Commissioner of Mental Health and  
12 Addiction Services and the chairperson of the Board of Pardons and  
13 Paroles, or their designees, the executive director of the Court Support  
14 Services Division or other designee of the Chief Court Administrator,  
15 the Victim Advocate, or the Victim Advocate's designee, the

16 chairperson of the Trafficking in Persons Council and the following  
17 members, each of whom shall be appointed by the Governor: Three  
18 government officials, a police chief, three persons representing  
19 offender and victim services within the private community and two  
20 public members. In addition, the Labor Commissioner and the  
21 Commissioner of Social Services, or their designees, shall be members  
22 of the commission with authority to deliberate and vote on matters  
23 concerning employment and entitlement programs available to adult  
24 and juvenile offenders who are reentering the community, the  
25 Commissioner of Children and Families and the Commissioner of  
26 Education, or their designees, shall be members of the commission  
27 with authority to participate and vote on matters concerning juvenile  
28 justice and the Commissioner of Veterans Affairs, or his or her  
29 designee, shall be a member of the commission with authority to  
30 deliberate and vote on matters concerning veterans within the criminal  
31 justice system including the reentry needs of incarcerated veterans.  
32 The undersecretary of the Criminal Justice Policy and Planning  
33 Division shall serve as chairperson of the commission. The commission  
34 shall meet at such times as it deems necessary.

35 Sec. 2. Subsections (a) and (b) of section 46a-170 of the 2018  
36 supplement to the general statutes are repealed and the following is  
37 substituted in lieu thereof (*Effective October 1, 2018*):

38 (a) There is established a Trafficking in Persons Council that shall be  
39 within the Commission on Women, Children and Seniors for  
40 administrative purposes only.

41 (b) The council shall consist of the following members: (1) The Chief  
42 State's Attorney, or a designee; (2) the Chief Public Defender, or a  
43 designee; (3) the Commissioner of Emergency Services and Public  
44 Protection, or the commissioner's designee; (4) the Labor  
45 Commissioner, or the commissioner's designee; (5) the Commissioner  
46 of Social Services, or the commissioner's designee; (6) the  
47 Commissioner of Public Health, or the commissioner's designee; (7) the  
48 Commissioner of Mental Health and Addiction Services, or the

49 commissioner's designee; (8) the Commissioner of Children and  
50 Families, or the commissioner's designee; (9) the Commissioner of  
51 Consumer Protection, or the commissioner's designee; (10) the director  
52 of the Basic Training Division of the Police Officer Standards and  
53 Training Council, or the director's designee; (11) the Child Advocate,  
54 or the Child Advocate's designee; (12) the Victim Advocate, or the  
55 Victim Advocate's designee; (13) the chairperson of the Commission  
56 on Women, Children and Seniors or the chairperson's designee; (14)  
57 one representative of the Office of Victim Services of the Judicial  
58 Branch appointed by the Chief Court Administrator; (15) a municipal  
59 police chief appointed by the Connecticut Police Chiefs Association, or  
60 a designee; (16) the Commissioner of Education, or the commissioner's  
61 designee; (17) an adult victim of trafficking, appointed by the  
62 Governor; [and] (18) [ten] a judge appointed by the Chief Court  
63 Administrator; (19) a state's attorney appointed by the Chief State's  
64 Attorney who is assigned by the Chief State's Attorney to act in a  
65 judicial district; (20) a public defender appointed by the Chief Public  
66 Defender who is assigned by the Chief Public Defender to act in a  
67 judicial district; and (21) twelve public members appointed as follows:  
68 The Governor shall appoint two members, one of whom shall  
69 represent victims of commercial exploitation of children and one of  
70 whom shall represent sex trafficking victims who are children, the  
71 president pro tempore of the Senate shall appoint two members, one of  
72 whom shall represent the Connecticut Alliance to End Sexual Violence  
73 and one of whom shall represent an organization that provides civil  
74 legal services to low-income individuals, the speaker of the House of  
75 Representatives shall appoint two members, one of whom shall  
76 represent the Connecticut Coalition Against Domestic Violence and  
77 one of whom shall represent the Connecticut Lodging Association, the  
78 majority leader of the Senate shall appoint [one member who] two  
79 members, one of whom shall represent an organization that deals with  
80 behavioral health needs of women and children and one of whom shall  
81 represent the Connecticut Coalition to End Homelessness, the majority  
82 leader of the House of Representatives shall appoint [one member  
83 who] two members, one of whom shall represent an organization that

84 advocates on social justice and human rights issues and one of whom  
85 shall represent the Connecticut Criminal Defense Lawyers Association,  
86 the minority leader of the Senate shall appoint one member who shall  
87 represent the Connecticut Immigrant and Refugee Coalition, and the  
88 minority leader of the House of Representatives shall appoint one  
89 member who shall represent the Motor Transport Association of  
90 Connecticut, Inc.

91 Sec. 3. (NEW) (*Effective July 1, 2019*) (a) The Trafficking in Persons  
92 Council established under section 46a-170 of the general statutes, as  
93 amended by this act, shall identify or develop and implement an initial  
94 educational training program and refresher program to promote  
95 accurate and prompt identification and reporting of suspected  
96 incidents of trafficking, as defined in section 46a-170 of the general  
97 statutes, as amended by this act.

98 (b) The training and refresher programs may be Internet web-based  
99 and shall provide guidance and awareness of human trafficking issues  
100 to physicians licensed under chapter 370 of the general statutes,  
101 practical nurses, registered nurses and advanced practice registered  
102 nurses licensed under chapter 378 of the general statutes, pharmacists  
103 licensed under chapter 400 of the general statutes, who have contact  
104 with patients, pharmacy technicians registered or certified under  
105 chapter 400j of the general statutes, emergency medical services  
106 personnel certified under chapter 384d of the general statutes, who  
107 have contact with patients, urgent care facility staff who have contact  
108 with patients, personnel from the Department of Children and  
109 Families, personnel from the Department of Public Health, law  
110 enforcement personnel, judges of the Superior Court, prosecutors,  
111 public defenders and other attorneys who represent criminal  
112 defendants, persons employed by local or regional boards of education  
113 or the state system of public higher education, as described in section  
114 10a-1 of the general statutes, who have contact with students, persons  
115 who operate a taxicab under certification pursuant to section 13b-97 of  
116 the general statutes, transportation network company drivers, as  
117 defined in section 13b-116 of the general statutes, and employees of

118 hotels, motels, inns or similar lodging.

119 (c) Any person described in subsection (b) of this section shall  
120 complete the initial educational training program not later than  
121 January 1, 2020, and shall complete the refresher training program  
122 once every three years thereafter, provided any person beginning new  
123 employment as a person described in subsection (b) of this section  
124 shall complete such initial educational training program not later than  
125 six months after beginning such employment or January 1, 2020,  
126 whichever is later.

127 Sec. 4. (NEW) (*Effective October 1, 2018*) No operator of a hotel, motel  
128 or similar lodging may offer any sleeping accommodation maintained  
129 by such hotel, motel or similar lodging to any person without first  
130 establishing such person's identity by requiring such person to present  
131 such person's motor vehicle operator's license issued pursuant to  
132 section 14-36 of the general statutes, or any other valid form of  
133 identification issued by the federal government or a state or municipal  
134 government or an official passport, provided such identification  
135 includes a photograph.

136 Sec. 5. Section 53a-192a of the 2018 supplement to the general  
137 statutes is repealed and the following is substituted in lieu thereof  
138 (*Effective July 1, 2018*):

139 (a) A person is guilty of trafficking in persons when such person (1)  
140 knowingly compels or induces another person to engage in conduct  
141 involving sexual contact with one or more third persons, or provide  
142 labor or services that such person has a legal right to refrain from  
143 providing, by means of (A) the use of force against such other person  
144 or a third person, or by the threat of use of force against such other  
145 person or a third person, (B) fraud, or (C) coercion, as provided in  
146 section 53a-192, (2) compels or induces another person who is under  
147 eighteen years of age to engage in conduct involving sexual contact  
148 with such person or one or more third persons that constitutes sexual  
149 contact for which such person or third person may be charged with a  
150 criminal offense, or (3) otherwise commits an act that constitutes sex

151 trafficking. For the purposes of this subsection, "sexual contact" means  
152 any contact with the intimate parts of another person, and "sex  
153 trafficking" means the recruitment, harboring, transportation or  
154 provision of a person for the purpose of engaging in sexual conduct  
155 with another person [for a fee] in exchange for anything of value.

156 (b) Trafficking in persons is a class A felony.

157 Sec. 6. Subdivision (11) of section 54-250 of the general statutes is  
158 repealed and the following is substituted in lieu thereof (*Effective*  
159 *October 1, 2018*):

160 (11) "Sexually violent offense" means (A) a violation of section 53a-  
161 70, except subdivision (2) of subsection (a) of said section, 53a-70a, 53a-  
162 70b, 53a-71, except subdivision (1), (4), (8) or (10) or subparagraph (B)  
163 of subdivision (9) of subsection (a) of said section or subparagraph (A)  
164 of subdivision (9) of subsection (a) of said section if the court makes a  
165 finding that, at the time of the offense, the victim was under eighteen  
166 years of age, 53a-72a, except subdivision (2) of subsection (a) of said  
167 section, [or] 53a-72b, or section 53a-83b or of section 53a-92 or 53a-92a,  
168 provided the court makes a finding that the offense was committed  
169 with intent to sexually violate or abuse the victim or of section 53a-  
170 192a, as amended by this act, that constitutes sex trafficking, (B) a  
171 violation of any of the offenses specified in subparagraph (A) of this  
172 subdivision for which a person is criminally liable under section 53a-8,  
173 53a-48 or 53a-49, or (C) a violation of any predecessor statute to any of  
174 the offenses specified in subparagraph (A) or (B) of this subdivision  
175 the essential elements of which are substantially the same as said  
176 offense.

177 Sec. 7. Section 17a-106g of the general statutes and section 17a-106h  
178 of the 2018 supplement to the general statutes are repealed. (*Effective*  
179 *October 1, 2018*)

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>October 1, 2018</i>	18-87j
Sec. 2	<i>October 1, 2018</i>	46a-170(a) and (b)
Sec. 3	<i>July 1, 2019</i>	New section
Sec. 4	<i>October 1, 2018</i>	New section
Sec. 5	<i>July 1, 2018</i>	53a-192a
Sec. 6	<i>October 1, 2018</i>	54-250(11)
Sec. 7	<i>October 1, 2018</i>	Repealer section

***Statement of Legislative Commissioners:***

In Section 2, the language concerning new appointments was clarified, and in Section 3(b), the language was clarified by specifying provisions under which such persons are licensed, registered or certified.

**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:**

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Correction, Dept.	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill makes various changes to human trafficking laws and results in the impact described below.

**Section 5** both limits and expands the violation of trafficking in persons. To the extent that violators are prosecuted, the bill results in a potential cost to the Department of Correction for incarceration or Judicial Department for probation supervision. On average, the marginal cost to the state for incarcerating an offender for the year is \$1,900<sup>1</sup> while the average marginal cost for supervision in the community is less than \$700<sup>2</sup> each year. In FY 17, there were five offenses of sex trafficking. Of those, four were dismissed and one

<sup>1</sup> Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

<sup>2</sup> Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.



received a plea.

**Section 6** requires anyone convicted of sex trafficking to register as a sex offender and results in potential cost for additional incarcerations and potential revenue from fines.

Sex offenders must register information with the Department of Emergency Services and Public Protection (DESPP). It is anticipated that DESPP will be able to fulfil the requirements of this bill with existing resources.

The bill results in potential cost for incarcerating persons who fail to register as a sex offender as required. As of January 2018, there are five persons incarcerated for this offense and approximately 28 on probation. On average, the marginal cost to the state for incarcerating an offender for the year is \$1,900<sup>3</sup> while the average marginal cost for supervision in the community is less than \$700<sup>4</sup> each year.

While the bill results in potential revenue from new fines of failing to register, any potential revenue is anticipated to be minimal. One offense resulted in a fine of \$1,500 in FY 16 and there were no fines collected in FY 17.

**Sections 1-4 and 7** make changes that do not result in a fiscal impact.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

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<sup>3</sup> Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

<sup>4</sup> Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

**OLR Bill Analysis****sHB 5571*****AN ACT CONCERNING HUMAN TRAFFICKING.*****SUMMARY**

This bill makes various changes in laws that pertain to human trafficking. The bill principally:

1. adds two members to the Criminal Justice Policy Advisory Commission (§ 1);
2. adds five members to the Trafficking in Persons Council (§ 2);
3. replaces the Department of Children and Families' (DCF) and the Department of Emergency Services and Public Protection's (DESPP) human trafficking educational training programs (see BACKGROUND) with one the Trafficking in Persons Council must develop and expands the list of people who must receive the training (§§ 3 & 7);
4. requires hotel and motel operators to check a guest's photo identification before offering them sleeping accommodation (§ 4);
5. changes the trafficking in persons crime by (a) limiting one of the ways in which the crime can be committed to situations where the offender acted knowingly; (b) expanding the crime when the trafficking victim is a minor to include sexual contact with the offender, not only a third person; and (c) expanding sex trafficking to include any conduct that constitutes the crime if done in exchange for anything of value, instead of a fee (§ 5); and
6. requires lifetime sex offender registration (see BACKGROUND)

for anyone convicted of commercial sexual abuse of a minor or sex trafficking, allows the court to require registration as a condition of parole or conditional release for such offenders, and subjects them to blood sampling for DNA analysis (§ 6).

The bill also makes conforming changes.

EFFECTIVE DATE: October 1, 2018, except the provision on the Trafficking in Persons Council's education program (§ 3) is effective July 1, 2019 and the provision on the trafficking in persons crime (§ 5) is effective July 1, 2018.

### **§ 1 — CRIMINAL JUSTICE POLICY ADVISORY COMMISSION**

The bill adds the Victim Advocate, or her designee, and the chairperson of the Trafficking in Persons Council to the Criminal Justice Policy Advisory Commission, increasing its membership from 23 to 25.

By law, the commission, among other things, analyzes the criminal justice system; determines its long-term needs; recommends policy priorities; and advises and assists the governor and General Assembly in developing plans, policies, programs, and legislation to improve the system's effectiveness (CGS § 18-87k).

### **§ 2 — TRAFFICKING IN PERSONS COUNCIL**

The bill increases the Trafficking in Persons Council's membership from 27 to 32. It adds the following as members:

1. a judge appointed by the Chief Court Administrator,
2. a state's attorney, appointed by the Chief State's Attorney, who is assigned by the Chief State's Attorney to act in a judicial district, and
3. a public defender, appointed by the Chief Public Defender, who is assigned by the Chief Public Defender to act in a judicial district.

It also increases the number of public members on the council by increasing, from one to two, the number of members the Senate majority leader and House majority leader must each appoint. Under the bill, the:

1. Senate majority leader's additional appointee must represent the Connecticut Coalition to End Homelessness and
2. House majority leader's additional appointee must represent the Connecticut Criminal Defense Lawyers Association.

By law, among other things, the council must coordinate the collection, analysis, and dissemination of data on human trafficking; meet to provide updates and progress reports; and consult with government and private organizations to develop recommendations on trafficking efforts.

### **§§ 3 & 7 — TRAFFICKING IN PERSONS COUNCIL TRAINING PROGRAM**

The bill eliminates the DCF human trafficking training program and, instead, requires the Trafficking in Persons Council to identify or develop and implement an initial educational training program and refresher program to promote accurate and prompt identification and reporting of suspected trafficking incidents. (The bill does not specify a deadline by which the council must develop the training programs. Presumably, they must do so before January 1, 2020, the date by which the intended audience must complete the initial training.)

#### ***Training Format and Audience***

Under the bill, the initial and refresher training programs may be Internet web-based and must provide guidance and awareness of human trafficking issues to physicians; nurses, registered nurses, and advanced practical nurses; pharmacists who have contact with patients; pharmacy technicians; emergency medical services personnel who have contact with patients; urgent care facility staff who have contact with patients; DCF personnel; personnel from the Department of Public Health; law enforcement personnel; Superior Court judges;

prosecutors, public defenders, and other attorneys who represent criminal defendants; local or regional boards of education or the state system of public higher education employees who have contact with students; people who operate taxicabs; transportation network company drivers; and employees of hotels, motels, inns or similar lodging.

### ***Timeframes***

The bill requires the intended audience (described above) to complete the initial training by January 1, 2020, and the refresher training once every three years after that. New hires must complete the initial training within six months after their start date or January 1, 2020, whichever is later.

### **§ 4 — HOTEL AND MOTEL OPERATORS**

The bill prohibits operators of hotels, motels, or similar lodging from offering any sleeping accommodation to anyone without first establishing the person's identity by requiring the person to present his or her driver's license; an official passport; or any other valid form of identification issued by the federal, state, or municipal government, provided it includes a photograph.

### **§ 5 — TRAFFICKING IN PERSONS CRIME**

Under current law, one way to commit a trafficking in persons crime is to compel or induce another person to engage in conduct involving sexual contact with one or more third persons, or provide labor or services that such person has a legal right to refrain from providing, by means of (1) the use or threat of use of force, (2) fraud, or (3) coercion. The bill limits the ways in which this crime can be committed by making it a crime only if the offender acted knowingly.

Under current law, it is also a trafficking in persons crime if the offender compels or induces someone under age 18 to engage in sexual contact that is illegal sexual contact with a third person. The bill expands this to include sexual contact with the offender, not only a third person. By law, "sexual contact" means any contact with the

intimate parts of another person.

By law, a person also commits a trafficking in persons crime if he or she otherwise commits an act that constitutes sex trafficking. Under current law, "sex trafficking" means the recruitment, harboring, transportation, or provision of a person for the purpose of engaging in sexual conduct with another person for a fee. The bill expands the circumstances by which a person can commit the crime by expanding the definition of "sex trafficking" to include any of the acts that constitutes the crime if they are done in exchange for anything of value, not just for a fee.

By law, trafficking in persons is a class A felony punishable by 10 to 25 years in prison, a fine up to \$20,000, or both.

#### **§ 6 — SEXUALLY VIOLENT OFFENSE**

The bill designates commercial sexual abuse of a minor (see BACKGROUND) and sex trafficking as "sexually violent offenses" and in doing so, it:

1. requires offenders, within certain timeframes, to register with DESPP, certain identifying information and report changes;
2. includes offenders in the notifications that the law requires DESPP to send to towns and schools when a sex offender resides or plans to reside in the community;
3. allows the court, as a condition of probation or conditional discharge, to require offenders to register as a sex offender, as is the case under existing law for anyone who commits a sexually violent offense; and
4. requires offenders to submit to the taking of a sufficient quality of blood or other biological sample for DNA analysis.

#### ***Sex Offender Registration***

By law, failure to register or report as required is a class D felony, punishable by up to five years in prison, a fine of up to \$5,000, or both

(CGS § 54-252(d)).

**Required Timeframe.** The offender must register with DESPP within three days following his or her release into the community or, if the person is in the DOC commissioner's custody, the person must register before his or her release as directed by the commissioner. The registrant must report to DESPP any changes in name, address, or other reportable event within five business days of the change (CGS §§ 54-252(b) & 252(d)).

**Required Information.** The offender must register, with DESPP, his or her name, identifying factors (including a photograph and fingerprints), criminal history record, residential address, email and instant message addresses or other similar Internet communication identifiers, if any, and documentation of any treatment received for mental abnormality or personality disorder.

Additionally, under the law, registrants must report to DESPP, without undue delay, changes to their name; residential address; email and instant message addresses or other similar Internet communication identifiers. Registrants must also report to DESPP if they are a student or work at an institution of higher education in the state. If the registrant moves out of state he or she must register with an appropriate agency in that state, if that state has a sex offender registry. Registrants must submit to address verification and photograph retakes by DESPP (CGS § 54-252(a)).

Also, the law allows the court to order DESPP to restrict the dissemination of registration information to law enforcement use only when the offender was found not guilty by reason of mental disease or defect and was a minor at the time he or she committed the sexually violent offense (CGS § 54-255).

**Notices to Towns and Schools.** The law requires DESPP to notify the:

1. superintendent of schools in the community where a registered

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sex offender lives or plans to live whenever the registrant is released into the community;

2. municipality's chief executive officer when a registrant is released into the community and resides or plans to reside in the municipality;
3. municipality's chief executive officer and superintendent of the school district where the registrant resides or plans to reside when a registrant notifies DESPP of an address change (CGS § 54-258).

**Blood Sampling.** The bill requires anyone convicted of commercial sexual abuse of a minor or sex trafficking to submit to the taking of a sufficient quality of blood or other biological sample for DNA analysis to determine identification characteristics specific to the person. He or she must do so prior to his or her release at a time and place specified by the DOC, Department of Developmental Services, Department of Mental Health and Addition Services, or the Judicial Branch's Court Support Services Division, as the case may be.

Under the law, if anyone required to submit to the taking of a blood or other biological sample refuses to do so, the DOC commissioner, or his designee, must notify DESPP within 30 days of the refusal for the initiation of criminal proceedings against the person (CGS § 54-102g).

## **BACKGROUND**

### ***DCF and DESPP Educational Training Programs***

Under current law, the DCF commissioner, in consultation with the DESPP commissioner, must develop and approve an educational and refresher training program to accurately and promptly identify and report suspected human trafficking.

The program must include a video presentation that offers awareness of human trafficking issues and guidance to:

1. law enforcement personnel;



2. Superior Court judges;
3. prosecutors, public defenders, and attorneys who represent criminal defendants;
4. hospital emergency room and urgent care facility staff who have contact with patients; and
5. local or regional boards of education, University of Connecticut, or Connecticut state college or university employees who have contact with students.

Under current law, these individuals must complete the (1) initial educational training by July 1, 2018 and (2) refresher training annually thereafter. New hires must complete the initial educational training within six months after their start date, or by July 1, 2018, whichever is later (CGS 17a § 106h).

Current law also requires the DCF and DESPP commissioners to develop a similar program that offers guidance to employees of hotels, motels, inns, and similar lodgings on (1) recognizing potential victims of human trafficking and (2) activities commonly associated with human trafficking (CGS § 17a-106g).

### ***Connecticut's Sex Offender Registry***

Under Connecticut's sex offender registration law, certain offenders must register with DESPP for a specified period following their release into the community (CGS § 54-252). The requirement applies to persons convicted, or acquitted by reason of mental disease or defect, of three categories of offenses. The categories, and the registration periods, are as follows:

1. criminal offenses against a victim who is a minor: generally 10 years for a first conviction or lifetime for a subsequent conviction;
2. nonviolent sexual offenses: generally 10 years for a first conviction or lifetime for a subsequent conviction; and

3. “sexually violent offenses”: lifetime.

**Commercial Sexual Abuse of a Minor**

By law, a person is guilty of commercial sexual abuse of a minor when the person:

1. pays a fee to a minor or third person as compensation for a minor (under age 18) engaging in sexual conduct with such person;
2. pays or agrees to pay a fee to a minor or a third person with the understanding that in return for such fee the minor will engage in sexual conduct with such person; or
3. solicits or requests to engage in sexual conduct with a minor, or any other person that such person reasonably believes to be a minor, in return for a fee.

Under the law, commercial sexual abuse of a minor is a (1) class B felony if the victim is age 15, 16, or 17 and (2) class A felony if the victim is under age 15 (CGS § 53a-83b).

**Related Bill**

sHB 5409, reported favorably by the Judiciary Committee, has a similar provision that requires lifetime sex offender registration for sex trafficking offenders.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 41 Nay 0 (04/04/2018)