



General Assembly

**Amendment**

January Session, 2021

LCO No. 9308



Offered by:

SEN. KELLY, 21<sup>st</sup> Dist.  
SEN. FORMICA, 20<sup>th</sup> Dist.  
SEN. KISSEL, 7<sup>th</sup> Dist.

To: Subst. Senate Bill No. 978

File No. 611

Cal. No. 353

**"AN ACT CONCERNING PAROLE OPPORTUNITIES FOR INDIVIDUALS SERVING LENGTHY SENTENCES FOR CRIMES COMMITTED BEFORE THE INDIVIDUAL TURNED TWENTY-ONE YEARS OF AGE."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2021*) (a) For purposes of this  
4 section, "criminal act" means criminal act, as defined in section 53a-224  
5 of the general statutes.

6 (b) A person is guilty of enticing a juvenile to commit a criminal act  
7 if such person is eighteen years of age or older and knowingly causes,  
8 encourages, solicits, recruits, intimidates or coerces a person under  
9 eighteen years of age to commit or participate in the commission of a  
10 criminal act.

11 (c) Enticing a juvenile to commit a criminal act is a class D felony.

12 Sec. 2. Subsection (k) of section 46b-133 of the general statutes is  
13 repealed and the following is substituted in lieu thereof (*Effective October*  
14 *1, 2021*):

15 (k) For purposes of subsections (c) and (e) of this section, a child may  
16 be determined to pose a risk to public safety if such child (1) has  
17 previously been adjudicated as delinquent for or convicted of or pled  
18 guilty or nolo contendere to two or more felony offenses, (2) has had  
19 two or more prior dispositions of probation and is charged with  
20 commission of a larceny under subdivision (3) of subsection (a) of  
21 section 53a-122 or subdivision (1) of subsection (a) of section 53a-123 or  
22 subdivision (1) of subsection (a) of section 53a-124, or (3) is charged with  
23 stealing a firearm under section 53a-212, the commission of a violent  
24 offense, including any offense committed with or involving the use of a  
25 deadly weapon, as defined in section 53a-3, or a violation of section 53a-  
26 136a.

27 Sec. 3. (NEW) (*Effective October 1, 2021*) The court shall order any  
28 child, as defined in section 46b-120 of the general statutes, who is  
29 released into the custody of his or her parent or guardian after being  
30 charged with a delinquency offense involving a motor vehicle, as  
31 defined in section 46b-133j of the general statutes, for which such child  
32 is not yet adjudicated as delinquent, who, during the pendency of a  
33 delinquency proceeding, is charged with a subsequent delinquency  
34 offense involving a motor vehicle, to be electronically monitored by  
35 using a global positioning system device until each such delinquency  
36 proceeding is disposed of.

37 Sec. 4. Section 46b-6 of the general statutes is repealed and the  
38 following is substituted in lieu thereof (*Effective October 1, 2021*):

39 In any pending family relations matter or juvenile matter under  
40 chapter 815t in which the juvenile has previously been adjudicated as  
41 delinquent for or convicted of or pled guilty or nolo contendere to a  
42 felony offense and is charged with (1) commission of a larceny under  
43 subdivision (3) of subsection (a) of section 53a-122, subdivision (1) of

44 subsection (a) of section 53a-123 or subdivision (1) of subsection (a) of  
45 section 53a-124, (2) stealing a firearm under section 53a-212, or (3) the  
46 commission of a violent offense, including any offense committed with  
47 or involving the use of a deadly weapon, as defined in section 53a-3, or  
48 a violation of section 53a-136a, the court or any judge may cause an  
49 investigation to be made with respect to any circumstance of the matter  
50 which may be helpful or material or relevant to a proper disposition of  
51 the case. Such investigation may include an examination of the  
52 parentage and surroundings of any child, his age, habits and history,  
53 inquiry into the home conditions, habits and character of his parents or  
54 guardians and evaluation of his mental or physical condition. In any  
55 action for dissolution of marriage, legal separation or annulment of  
56 marriage such investigation may include an examination into the age,  
57 habits and history of the parties, the causes of marital discord and the  
58 financial ability of the parties to furnish support to either spouse or any  
59 dependent child.

60 Sec. 5. (NEW) (*Effective from passage*) (a) The Judicial Branch shall  
61 compile data concerning requests by an arresting police officer of a child  
62 to detain such child pursuant to subdivision (3) of subsection (c) of  
63 section 46b-133 of the general statutes. The Judicial Branch shall sort  
64 such data by judicial district and categorize such data based on (1) how  
65 many such requests were made, (2) how many such requests were  
66 denied, and (3) the reasons for denying any such request. Any such data  
67 shall be anonymized.

68 (b) Not later than January 15, 2022, and January fifteenth annually  
69 thereafter, the Judicial Branch shall, in accordance with the provisions  
70 of section 11-4a of the general statutes, report such sorted and  
71 categorized data from the previous calendar year to the joint standing  
72 committee of the General Assembly having cognizance of matters  
73 relating to the judiciary."

This act shall take effect as follows and shall amend the following sections:

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Section 1	<i>October 1, 2021</i>	New section
Sec. 2	<i>October 1, 2021</i>	46b-133(k)
Sec. 3	<i>October 1, 2021</i>	New section
Sec. 4	<i>October 1, 2021</i>	46b-6
Sec. 5	<i>from passage</i>	New section