



Substitute House Bill No. 5417

Public Act No. 22-115

**AN ACT CONCERNING JUVENILE JUSTICE AND SERVICES,
FIREARMS BACKGROUND CHECKS, AND LARCENY OF A MOTOR
VEHICLE.**

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

Section 1. Subsections (a) to (e), inclusive, of section 46b-133 of the 2022 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) Nothing in this part shall be construed as preventing the arrest of a child, with or without a warrant, as may be provided by law, or as preventing the issuance of warrants by judges in the manner provided by section 54-2a, except that no child shall be taken into custody on such process except on apprehension in the act, or on speedy information, or in other cases when the use of such process appears imperative. Whenever a child is arrested and charged with a delinquent act, such child (1) shall be brought before a judge of the Superior Court not later than the fifth business day after such arrest, unless required sooner pursuant to subsection (e) of this section, and (2) may be required to submit to the taking of his photograph, physical description and fingerprints. Notwithstanding the provisions of section 46b-124, as amended by this act, the name, photograph and custody status of any child arrested for the commission of a capital felony under the

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provisions of section 53a-54b in effect prior to April 25, 2012, or class A felony may be disclosed to the public.

(b) Whenever a child is brought before a judge of the Superior Court, which court shall be the court that has jurisdiction over juvenile matters where the child resides if the residence of such child can be determined, such judge shall immediately have the case proceeded upon as a juvenile matter. Such judge may admit the child to bail or release the child in the custody of the child's parent or parents, the child's guardian or some other suitable person to appear before the Superior Court when ordered. If there is probable cause to believe that the child has committed the acts alleged, the court may consider if the child should be assessed for services. Such assessment shall be held not later than two weeks after the child is arraigned and such child shall have the right to counsel at such assessment. If detention becomes necessary, such detention shall be in the manner prescribed by this chapter, provided the child shall be placed in the least restrictive environment possible in a manner consistent with public safety.

(c) ~~(1)~~ Upon the arrest of any child by an officer, such officer may ~~[(1)] (A)~~ release the child to the custody of the child's parent or parents, guardian or some other suitable person or agency, ~~[(2)] (B)~~ at the discretion of the officer, release the child to the child's own custody, or ~~[(3)] (C)~~ using the form prescribed pursuant to section 46b-133p, as amended by this act, seek a court order to detain the child in a juvenile residential center. No child may be placed in a juvenile residential center unless a judge of the Superior Court determines, based on the available facts, that ~~[(A)] (i)~~ there is probable cause to believe that the child has committed the acts alleged, ~~[(B)]~~ there is no appropriate less restrictive alternative available] (ii) detention of the child is more reasonable than an appropriate less restrictive alternative, and ~~[(C)] (iii)~~ there is ~~[(i)] (I)~~ probable cause to believe that the level of risk that the child poses to public safety if released to the community prior to the court hearing or

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disposition cannot be managed in a less restrictive setting, [(ii)] (II) a need to hold the child in order to ensure the child's appearance before the court or compliance with court process, as demonstrated by the child's previous failure to respond to the court process, or [(iii)] (III) a need to hold the child for another jurisdiction. No child shall be held in any juvenile residential center unless an order to detain is issued by a judge of the Superior Court. If any such judge declines to detain a child, such judge shall articulate the reasons in writing, upon the form submitted in accordance with subparagraph (C) of this subdivision, for not holding the child in a juvenile residential center.

(2) A judge of the Superior Court may order any child who is released into the custody of his or her parent or guardian or some other suitable person or agency after being charged with a second or subsequent delinquency offense involving a motor vehicle, as defined in section 46b-133j, as amended by this act, or property theft, to be electronically monitored by using a global positioning system device until such child's case is disposed of or earlier upon order of the court. Any failure by the child to adhere to the judge's order concerning electronic monitoring may result in immediate detention of such child.

(d) When a child is arrested for the commission of a delinquent act and the child is not placed in a juvenile residential center or referred to a diversionary program, an officer shall serve a written complaint and summons on the child and the child's parent, guardian or some other suitable person or agency. If such child is released to the child's own custody, the officer shall make reasonable efforts to notify, and to provide a copy of a written complaint and summons to, the parent or guardian or some other suitable person or agency prior to the court date on the summons. If any person so summoned wilfully fails to appear in court at the time and place so specified, the court may issue a warrant for the child's arrest or a capias to assure the appearance in court of such parent, guardian or other person. If a child wilfully fails to appear in

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response to such a summons, the court may order such child taken into custody and such child may be charged with the delinquent act of wilful failure to appear under section 46b-120, as amended by this act. The court may punish for contempt, as provided in section 46b-121, any parent, guardian or other person so summoned who wilfully fails to appear in court at the time and place so specified.

(e) When a child is arrested for the commission of a delinquent act and is placed in a juvenile residential center pursuant to subsection (c) of this section, such child may be detained pending a hearing which shall be held on the business day next following the child's arrest. No child may be detained after such hearing unless the court determines, based on the available facts, that (1) there is probable cause to believe that the child has committed the acts alleged, (2) there is no less restrictive alternative available, and (3) through the use of the detention risk screening instrument developed pursuant to section 46b-133g, that there is (A) probable cause to believe that the level of risk the child poses to public safety if released to the community prior to the court hearing or disposition cannot be managed in a less restrictive setting, [;] (B) a need to hold the child in order to ensure the child's appearance before the court or compliance with court process, as demonstrated by the child's previous failure to respond to the court process, or (C) a need to hold the child for another jurisdiction. Such probable cause may be shown by sworn affidavit in lieu of testimony. No child shall be released from a juvenile residential center who is alleged to have committed a serious juvenile offense except by order of a judge of the Superior Court. The court may, in its discretion, consider as an alternative to detention a suspended detention order with graduated sanctions to be imposed based on the detention risk screening for such child, using the instrument developed pursuant to section 46b-133g. Any child confined in a community correctional center or lockup shall be held in an area separate and apart from any adult detainee, except in the case of a nursing infant, and no child shall at any time be held in solitary

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confinement. [or] No such child may be held for a period that exceeds six hours, except such child may be held for a period that does not exceed eight hours in a case where an officer has submitted an application for an order of detention and the judge has not yet ruled on such application, or if such officer has been unable to contact such child's parent or guardian. When a female child is held in custody, she shall, as far as possible, be in the charge of a woman attendant.

Sec. 2. Section 46b-133d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) For the purposes of this section, "special juvenile probation" means a period of probation imposed by the superior court for juvenile matters upon a child in a proceeding designated as a serious homicide, firearm or sexual offender prosecution during which the child is supervised by a juvenile probation officer prior to such child attaining eighteen years of age and by an adult probation officer after such child attains eighteen years of age.

(b) Whenever a child is referred for (1) the commission of any crime of (A) murder or manslaughter in the first degree, (B) a violation of section 53a-56a, 53a-60a, 53a-60c, 53a-92a, 53a-94a, 53a-102a, 53a-103a or 53a-212, or (C) a violation of section 53a-59, 53a-101 or 53a-136a if such violation involved the use of a firearm, or (2) the commission of any crime of a sexual nature, and such case is not transferred to the regular criminal docket pursuant to section 46b-127, the prosecutorial official may request the court to designate the proceeding as a serious homicide, firearm or sexual offender prosecution.

(c) If a prosecutorial official requests that a proceeding be designated as a serious homicide, firearm or sexual offender prosecution, the court shall hold a hearing not later than thirty days after the filing of such request unless good cause is shown by the prosecutorial official or by the child as to why the hearing should not be held within such period.

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If good cause is shown, the hearing shall be held not later than ninety days after the filing of such request. The court shall decide whether to designate the proceeding as a serious homicide, firearm or sexual offender prosecution not later than thirty days after the completion of such hearing. The court shall grant the request to designate the proceeding as a serious homicide, firearm or sexual offender prosecution if the court finds probable cause to believe the child has committed the felony act charged and the prosecutorial official shows by [a preponderance of the] clear and convincing evidence that such designation will serve the public safety. The decision to designate the proceeding as a serious homicide, firearm or sexual offender prosecution shall not be a final judgment for purposes of appeal.

(d) A proceeding designated as a serious homicide, firearm or sexual offender prosecution pursuant to subsection (c) of this section shall be held before the court without a jury provided the child has waived the right to a trial by jury. If a child is convicted of or pleads guilty or nolo contendere to a charge in a proceeding that has been designated as a serious homicide, firearm or sexual offender prosecution, the court shall: (1) Sentence the child in accordance with section 46b-140, provided such sentence may be extended for a period not to exceed sixty months, (2) sentence the child to a period of special juvenile probation of at least five years, to commence upon the release of the child from the institution, agency or program in whose care the child had been placed, and (3) sentence the child in accordance with section 53a-28 with the execution of such sentence stayed on the condition that the child not violate the conditions of the sentence imposed pursuant to subdivisions (1) and (2) of this subsection or commit a subsequent crime.

(e) Whenever [it appears] there is probable cause to believe that a child who has been sentenced pursuant to subsection (d) of this section has violated the conditions of the sentence imposed pursuant to subdivision (2) of said subsection or has committed a subsequent crime,

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the court may [, without notice, order that the child be immediately] issue a warrant for the arrest of the child for a violation of the conditions of the sentence imposed pursuant to subsection (d) of this section and may order that the child be taken into custody in accordance with the provisions of sections 46b-125 and 53a-32. If such violation of probation or subsequent crime occurs prior to the person attaining eighteen years of age, the matter shall be handled by the superior court for juvenile matters. If such violation of probation or subsequent crime occurs after the person has attained eighteen years of age, the matter shall be handled by the regular criminal docket of the Superior Court. Whenever such matter is handled by the superior court for juvenile matters, the court shall notify the child and such child's parent or guardian and the attorney of record, if any, in writing of the reasons alleged to exist for the lifting of the stay of execution of the sentence imposed pursuant to subdivision (3) of subsection (d) of this section. If the child challenges such reasons, the court shall hold a hearing at which the child shall be entitled to be heard and be represented by counsel. After such hearing, if the court finds that (1) the child has violated the conditions of the sentence imposed pursuant to subdivision (2) of subsection (d) of this section, [or] (2) committed a subsequent crime, or (3) by clear and convincing evidence that the best interest of the community cannot be served by continued supervision by the superior court for juvenile matters or in the community, it shall order the child to serve a sentence not to exceed that imposed pursuant to subdivision (3) of subsection (d) of this section unless it determines there are mitigating circumstances that justify continuing the stay of execution and specifically states such mitigating circumstances in writing for the record. The child shall receive credit against any sentence imposed pursuant to subdivision (3) of subsection (d) of this section for time served in a juvenile facility pursuant to the sentence imposed pursuant to subdivision (1) of said subsection.

(f) When a proceeding has been designated as a serious homicide,

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firearm or sexual offender prosecution pursuant to subsection (c) of this section and the child does not waive the right to a trial by jury, the court shall transfer the case from the docket for juvenile matters to the regular criminal docket of the Superior Court. Upon transfer, such child shall stand trial and be sentenced, if convicted, as if such child were eighteen years of age, subject to the provisions of section 54-91g, except that no such child shall be placed in a correctional facility but shall be maintained in a facility for children and youths until such child attains eighteen years of age or until such child is sentenced, whichever occurs first. Such child shall receive credit against any sentence imposed for time served in a juvenile facility prior to the effectuation of the transfer. A child who has been transferred may enter a guilty plea to a lesser offense if the court finds that such plea is made knowingly and voluntarily. Any child transferred to the regular criminal docket who pleads guilty to a lesser offense shall not resume such child's status as a juvenile regarding such offense. If the action is dismissed or nolleed or if such child is found not guilty of the charge for which such child was transferred, the child shall resume such child's status as a juvenile until such child attains eighteen years of age.

Sec. 3. Subsection (c) of section 29-33 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(c) No person, firm or corporation shall sell, deliver or otherwise transfer any pistol or revolver except upon written application on a form prescribed and furnished by the Commissioner of Emergency Services and Public Protection. Such person, firm or corporation shall ensure that all questions on the application are answered properly prior to releasing the pistol or revolver and shall retain the application, which shall be attached to the federal sale or transfer document, for at least twenty years or until such vendor goes out of business. Such application shall be available for inspection during normal business hours by law

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enforcement officials. No sale, delivery or other transfer of any pistol or revolver shall be made unless the person making the purchase or to whom the same is delivered or transferred is personally known to the person selling such pistol or revolver or making delivery or transfer thereof or provides evidence of his identity in the form of a motor vehicle operator's license, identity card issued pursuant to section 1-1h or valid passport. No sale, delivery or other transfer of any pistol or revolver shall be made until the person, firm or corporation making such transfer obtains an authorization number from the Commissioner of Emergency Services and Public Protection. Said commissioner shall perform the national instant criminal background check and make a reasonable effort to determine whether there is any reason that would prohibit such applicant from possessing a pistol or revolver as provided in section 53a-217c. If the commissioner determines the existence of such a reason, the commissioner shall (1) deny the sale and no pistol or revolver shall be sold, delivered or otherwise transferred by such person, firm or corporation to such applicant, and (2) inform the chief of police of the town in which the applicant resides, or, where there is no chief of police, the warden of the borough or the first selectman of the town, as the case may be, that there exists a reason that would prohibit such applicant from possessing a pistol or revolver.

Sec. 4. Subsection (d) of section 29-37a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(d) No person, firm or corporation may sell, deliver or otherwise transfer, at retail, any long gun to any person unless such person makes application on a form prescribed and furnished by the Commissioner of Emergency Services and Public Protection, which shall be attached by the transferor to the federal sale or transfer document and filed and retained by the transferor for at least twenty years or until such transferor goes out of business. Such application shall be available for

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inspection during normal business hours by law enforcement officials. No such sale, delivery or other transfer of any long gun shall be made until the person, firm or corporation making such sale, delivery or transfer has ensured that such application has been completed properly and has obtained an authorization number from the Commissioner of Emergency Services and Public Protection for such sale, delivery or transfer. The Department of Emergency Services and Public Protection shall make every effort, including performing the national instant criminal background check, to determine if the applicant is eligible to receive such long gun. If it is determined that the applicant is ineligible to receive such long gun, the Commissioner of Emergency Services and Public Protection shall immediately notify the (1) person, firm or corporation to whom such application was made and no such long gun shall be sold, delivered or otherwise transferred to such applicant by such person, firm or corporation, and (2) chief of police of the town in which the applicant resides, or, where there is no chief of police, the warden of the borough or the first selectman of the town, as the case may be, that the applicant is not eligible to receive a long gun. When any long gun is delivered in connection with any sale or purchase, such long gun shall be enclosed in a package, the paper or wrapping of which shall be securely fastened, and no such long gun when delivered on any sale or purchase shall be loaded or contain any gunpowder or other explosive or any bullet, ball or shell. Upon the sale, delivery or other transfer of the long gun, the transferee shall sign in triplicate a receipt for such long gun, which shall contain the name, address and date and place of birth of such transferee, the date of such sale, delivery or transfer and the caliber, make, model and manufacturer's number and a general description thereof. Not later than twenty-four hours after such sale, delivery or transfer, the transferor shall send by first class mail or electronically transfer one receipt to the Commissioner of Emergency Services and Public Protection and one receipt to the chief of police or, where there is no chief of police, the warden of the borough or the first selectman, of the town in which the transferee resides, and shall retain

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one receipt, together with the original application, for at least five years.

Sec. 5. Subsection (d) of section 46b-124 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective June 1, 2023*):

(d) Records of cases of juvenile matters involving delinquency proceedings shall be available to (1) Judicial Branch employees who, in the performance of their duties, require access to such records, (2) judges and employees of the Probate Court who, in the performance of their duties, require access to such records, and (3) employees and authorized agents of municipal, state or federal agencies involved in (A) the delinquency proceedings, (B) the provision of services directly to the child, or (C) the delivery of court diversionary programs. Such employees and authorized agents include, but are not limited to, law enforcement officials, community-based youth service bureau officials, state and federal prosecutorial officials, school officials in accordance with section 10-233h, court officials including officials of both the regular criminal docket and the docket for juvenile matters and officials of the Division of Criminal Justice, the Division of Public Defender Services, the Department of Children and Families, if the child is committed pursuant to section 46b-129, provided such disclosure shall be limited to (i) information that identifies the child as the subject of the delinquency petition, or (ii) the records of the delinquency proceedings, when the juvenile court orders the department to provide services to said child, the Court Support Services Division and agencies under contract with the Judicial Branch. Such records shall also be available to (I) the attorney representing the child, including the Division of Public Defender Services, in any proceeding in which such records are relevant, (II) the parents or guardian of the child, until such time as the subject of the record reaches the age of majority, (III) the subject of the record, upon submission of satisfactory proof of the subject's identity, pursuant to guidelines prescribed by the Office of the Chief Court

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Administrator, provided the subject has reached the age of majority, (IV) law enforcement officials and prosecutorial officials conducting legitimate criminal investigations, as provided in subsection (o) of this section or orders to detain pursuant to section 46b-133, as amended by this act, (V) a state or federal agency providing services related to the collection of moneys due or funding to support the service needs of eligible juveniles, provided such disclosure shall be limited to that information necessary for the collection of and application for such moneys, (VI) members and employees of the Board of Pardons and Paroles and employees of the Department of Correction who, in the performance of their duties, require access to such records, provided the subject of the record has been convicted of a crime in the regular criminal docket of the Superior Court and such records are relevant to the performance of a risk and needs assessment of such person while such person is incarcerated, the determination of such person's suitability for release from incarceration or for a pardon, or the determination of the supervision and treatment needs of such person while on parole or other supervised release, and (VII) members and employees of the Judicial Review Council who, in the performance of their duties related to said council, require access to such records. Records disclosed pursuant to this subsection shall not be further disclosed, except that information contained in such records may be disclosed in connection with bail or sentencing reports in open court during criminal proceedings involving the subject of such information, or as otherwise provided by law.

Sec. 6. (NEW) (*Effective October 1, 2022*) (a) The Chief State's Attorney shall develop, implement and update, as necessary, a training program on a uniform process for applying for and seeking the issuance of a detention order pursuant to section 46b-133 of the general statutes, as amended by this act. The Chief State's Attorney shall administer such program and any updated program to those persons required to complete such program pursuant to subsection (b) of this section in a

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manner and frequency determined by said administrator.

(b) Each prosecutorial official and peace officer, as defined in section 53a-3 of the general statutes, except any judicial marshal or adult probation officer, shall complete the training program pursuant to subsection (a) of this section and as directed by the Chief State's Attorney.

Sec. 7. Section 46b-133p of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) Any law enforcement officer or prosecutorial official who sought a court order to detain a child pursuant to subparagraph (C) of subdivision [(3)] (1) of subsection (c) of section 46b-133, as amended by this act, shall attach, along with the summons, a copy of the completed form to detain that is prescribed by Office of the Chief Court Administrator. On and after October 1, 2022, such form shall instruct any judge who declines to detain such child to articulate in writing, upon such form, the reasons for such declination.

(b) The Judicial Branch, the Division of Criminal Justice, the Division of State Police within the Department of Emergency Services and Public Protection and each municipal police department shall compile data concerning requests by a law enforcement officer to detain a child pursuant to subdivision (3) of subsection (c) of section 46b-133, as amended by this act. The Judicial Branch, the Division of Criminal Justice, the Division of State Police within the Department of Emergency Services and Public Protection and each municipal police department shall sort such data by judicial district and categorize such data based on (1) how many such requests were made, and (2) how many such requests were denied. Not later than January 15, 2023, and annually thereafter, the Judicial Branch shall, in accordance with the provisions of section 11-4a, report such data from the previous calendar year to the

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joint standing committee of the General Assembly having cognizance of matters relating to the judiciary.

Sec. 8. Section 53a-122 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) A person is guilty of larceny in the first degree when [he] such person commits larceny, as defined in section 53a-119, and: (1) The property or service, regardless of its nature and value, is obtained by extortion, (2) the value of the property or service exceeds twenty thousand dollars, [(3) the property consists of a motor vehicle, the value of which exceeds twenty thousand dollars, or (4)] or (3) the property is obtained by defrauding a public community, and the value of such property exceeds two thousand dollars.

[(b) For purposes of this section, "motor vehicle" means any motor vehicle, construction equipment, agricultural tractor or farm implement or major component part of any of the above. In any prosecution under subdivision (3) of subsection (a) of this section, evidence of (1) forcible entry, (2) forcible removal of ignition, or (3) alteration, mutilation or removal of a vehicle identification number shall be prima facie evidence (A) that the person in control or possession of such motor vehicle knows or should have known that such motor vehicle is stolen, and (B) that such person possesses such motor vehicle with larcenous intent.]

[(c)] (b) Larceny in the first degree is a class B felony.

Sec. 9. Section 53a-123 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) A person is guilty of larceny in the second degree when [he] such person commits larceny, as defined in section 53a-119, and: (1) The [property consists of a motor vehicle, the value of which exceeds ten thousand dollars, (2) the] value of the property or service exceeds ten thousand dollars, [(3)] (2) the property, regardless of its nature or value,

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is taken from the person of another, [(4)] (3) the property is obtained by defrauding a public community, and the value of such property is two thousand dollars or less, [(5)] (4) the property, regardless of its nature or value, is obtained by embezzlement, false pretenses or false promise and the victim of such larceny is sixty years of age or older, or is a conserved person, as defined in section 45a-644, or is blind or physically disabled, as defined in section 1-1f, or [(6)] (5) the property, regardless of its value, consists of wire, cable or other equipment used in the provision of telecommunications service and the taking of such property causes an interruption in the provision of emergency telecommunications service.

[(b)] For purposes of this section, "motor vehicle" means any motor vehicle, construction equipment, agricultural tractor or farm implement or major component part of any of the above. In any prosecution under subdivision (1) of subsection (a) of this section, evidence of (1) forcible entry, (2) forcible removal of ignition, or (3) alteration, mutilation or removal of a vehicle identification number shall be prima facie evidence (A) that the person in control or possession of such motor vehicle knows or should have known that such motor vehicle is stolen, and (B) that such person possesses such motor vehicle with larcenous intent.]

[(c)] (b) Larceny in the second degree is a class C felony.

Sec. 10. Section 53a-124 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) A person is guilty of larceny in the third degree when [he] such person commits larceny, as defined in section 53a-119, and: (1) The [property consists of a motor vehicle, the value of which is ten thousand dollars or less; (2) the] value of the property or service exceeds two thousand dollars; [(3)] (2) the property consists of a public record, writing or instrument kept, held or deposited according to law with or in the keeping of any public office or public servant; or [(4)] (3) the property consists of a sample, culture, microorganism, specimen,

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record, recording, document, drawing or any other article, material, device or substance which constitutes, represents, evidences, reflects or records a secret scientific or technical process, invention or formula or any phase or part thereof. A process, invention or formula is "secret" when it is not, and is not intended to be, available to anyone other than the owner thereof or selected persons having access thereto for limited purposes with his consent, and when it accords or may accord the owner an advantage over competitors or other persons who do not have knowledge or the benefit thereof.

[(b) For purposes of this section, "motor vehicle" means any motor vehicle, construction equipment, agricultural tractor or farm implement or major component part of any of the above. In any prosecution under subdivision (1) of subsection (a) of this section, evidence of (1) forcible entry, (2) forcible removal of ignition, or (3) alteration, mutilation or removal of a vehicle identification number shall be prima facie evidence (A) that the person in control or possession of such motor vehicle knows or should have known that such motor vehicle is stolen, and (B) that such person possesses such motor vehicle with larcenous intent.]

[(c)] (b) Larceny in the third degree is a class D felony.

Sec. 11. (*Effective from passage*) (a) The Commissioner of Children and Families and the executive director of the Court Support Services Division of the Judicial Branch shall identify each juvenile delinquency or justice service provided to children by the Department of Children and Families at the time of the passage of public act 18-31. Said commissioner and executive director shall determine how such services were transferred from the department to the Court Support Services Division and identify any services that were merged into other services, eliminated or otherwise not transferred.

(b) Said commissioner and executive director shall report, not later than December 31, 2022, in accordance with the provisions of section 11-

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4a of the general statutes, their findings pursuant to the provisions of subsection (a) of this section, to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary.

Sec. 12. (*Effective from passage*) (a) Not later than thirty days after the effective date of this section, the executive director of the Court Support Services Division of the Judicial Branch shall review the (1) staffing levels of juvenile probation officers, (2) name, number and location of juvenile pretrial and diversionary programs, the content of such programs and their efficacy at reducing recidivism, and (3) availability and efficiency of juvenile job training programs and juvenile drug treatment programs.

(b) Not later than December 31, 2022, the executive director of the Court Support Services Division of the Judicial Branch shall report, in accordance with the provisions of section 11-4a of the general statutes, on the review conducted pursuant to subsection (a) of this section and any resulting recommendations for legislation to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary.

Sec. 13. (NEW) (*Effective October 1, 2022*) (a) A person is guilty of larceny of a motor vehicle when such person commits larceny, as defined in section 53a-119 of the general statutes, and the property consists of a motor vehicle.

(b) For purposes of this section, "motor vehicle" means any motor vehicle, construction equipment, agricultural tractor or farm implement or major component part of any of the above. In any prosecution under subsection (a) of this section, evidence of (1) forcible entry, (2) forcible removal of ignition, or (3) alteration, mutilation or removal of a vehicle identification number shall be prima facie evidence that (A) the person in control or possession of such motor vehicle knows or should have

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known that such motor vehicle is stolen, and (B) such person possesses such motor vehicle with larcenous intent.

(c) Larceny of a motor vehicle is (1) a class E felony for a first offense, (2) a class D felony for a second offense, and (3) a class B felony for any subsequent offense.

Sec. 14. Subsection (a) of section 46b-133j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) For purposes of this section: (1) "Delinquency offense involving a motor vehicle" means any offense under (A) subdivision (1) of subsection (a) of section 53a-119b, (B) section 53a-126a, (C) section 53a-126b, when the property consists of a motor vehicle, or (D) [subdivision (3) of subsection (a) of section 53a-122, (E) subdivision (1) of subsection (a) of section 53a-123, or (F) subdivision (1) of subsection (a) of section 53a-124] section 13 of this act; and (2) "child" means child, as defined in section 46b-120, as amended by this act.

Sec. 15. Subsection (c) of section 54-56e of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(c) This section shall not be applicable: (1) To any person charged with (A) a class A felony, (B) a class B felony, except a violation of subdivision (1) [, or] (2) [or] (3) of subsection (a) of section 53a-122, as amended by this act, that does not involve the use, attempted use or threatened use of physical force against another person, or a violation of subdivision [(4)] (3) of subsection (a) of section 53a-122, as amended by this act, that does not involve the use, attempted use or threatened use of physical force against another person and does not involve a violation by a person who is a public official, as defined in section 1-110, or a state or municipal employee, as defined in section 1-110, or (C) a

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violation of section 53a-70b of the general statutes, revision of 1958, revised to January 1, 2019, or section 14-227a or 14-227m, subdivision (1) or (2) of subsection (a) of section 14-227n, subdivision (2) of subsection (a) of section 53-21 or section 53a-56b, 53a-60d, 53a-70, 53a-70a, 53a-71, except as provided in subdivision (5) of this subsection, 53a-72a, 53a-72b, 53a-90a, 53a-196e or 53a-196f, (2) to any person charged with a crime or motor vehicle violation who, as a result of the commission of such crime or motor vehicle violation, causes the death of another person, (3) to any person accused of a family violence crime as defined in section 46b-38a who (A) is eligible for the pretrial family violence education program established under section 46b-38c, or (B) has previously had the pretrial family violence education program invoked in such person's behalf, (4) to any person charged with a violation of section 21a-267, 21a-279 or 21a-279a, who (A) is eligible for the pretrial drug education and community service program established under section 54-56i or the pretrial drug intervention and community service program established under section 54-56q, or (B) has previously had (i) the pretrial drug education program, (ii) the pretrial drug education and community service program established under the provisions of section 54-56i, or (iii) the pretrial drug intervention and community service program established under section 54-56q, invoked on such person's behalf, (5) unless good cause is shown, to (A) any person charged with a class C felony, or (B) any person charged with committing a violation of subdivision (1) of subsection (a) of section 53a-71 while such person was less than four years older than the other person, (6) to any person charged with a violation of section 9-359 or 9-359a, (7) to any person charged with a motor vehicle violation (A) while operating a commercial motor vehicle, as defined in section 14-1, or (B) who holds a commercial driver's license or commercial driver's instruction permit at the time of the violation, (8) to any person charged with a violation of subdivision (6) of subsection (a) of section 53a-60, or (9) to a health care provider or vendor participating in the state's Medicaid program charged with a violation of section 53a-122, as amended by this act, or

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subdivision [(4)] (3) of subsection (a) of section 53a-123, as amended by this act.

Sec. 16. Subsection (j) of section 14-112 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(j) To entitle any person to receive or retain a motor vehicle operator's license or a certificate of registration of any motor vehicle when, in the opinion of the commissioner, such person has committed larceny of a motor vehicle, the value of which exceeds ten thousand dollars, or violated any of the provisions of the following-named sections and subsections: Section 14-44, section 14-80h or 14-80i, sections 14-110, 14-147, 14-217, 14-219, sections 14-228, 14-275 to 14-281, inclusive, or [subdivision (1) of subsection (a) of section 53a-123 or] any similar provision of the laws of any other state or any territory, or who has been convicted of, or has forfeited any bond taken for appearance for, or has received a suspended judgment or sentence for, a violation of any of said provisions, or a violation of any of the provisions of sections 14-230 to 14-247, inclusive, and 38a-371, within a twelve-month period following a violation of any of said sections, the commissioner may require from such person proof of financial responsibility to satisfy any claim for damages by reason of personal injury to, or the death of, any one person, of twenty-five thousand dollars, or by reason of personal injury to, or the death of, more than one person on account of any accident, of at least fifty thousand dollars, and for damage to property of at least twenty-five thousand dollars. When the commissioner requires proof of financial responsibility from an operator or owner of any motor vehicle, he may require proof in the amounts herein specified for each vehicle operated or owned by such person. If any person fails to furnish such proof, the commissioner shall, until such proof is furnished, suspend or revoke the license of such person to operate a motor vehicle or refuse to return any license which has been suspended

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or revoked in accordance with the provisions of section 14-111 or suspend or revoke the registration of any such motor vehicle or vehicles or refuse thereafter to register any motor vehicle owned by such person or refuse to register any motor vehicle transferred by such person if it does not appear to the commissioner's satisfaction that such transfer is a bona fide sale, or, if such person is not a resident of this state, withdraw from such person the privilege of operating any motor vehicle in this state and the privilege of operation within this state of any motor vehicle owned by such person. Prior to such suspension, revocation or withdrawal, notice thereof shall be given by the commissioner by a notice forwarded by bulk certified mail to the address of such person as shown by the records of the commissioner. No appeal taken from the judgment of any court shall act as a stay to any action of the commissioner authorized by the provisions of this section.

Sec. 17. Subdivision (8) of section 46b-120 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(8) "Serious juvenile offense" means (A) the violation of, including attempt or conspiracy to violate, section 21a-277, 21a-278, 29-33, as amended by this act, 29-34, 29-35, subdivision (2) or (3) of subsection (a) of section 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-57, inclusive, 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-64bb, 53a-70 to 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive, subdivision (1) of subsection (a) of section 53a-122, as amended by this act, subdivision [(3)] (2) of subsection (a) of section 53a-123, as amended by this act, section 53a-134, 53a-135, 53a-136a or 53a-167c, subsection (a) of section 53a-174, or section 53a-196a, 53a-211, 53a-212, 53a-216 or 53a-217b, or (B) absconding, escaping or running away, without just cause, from any secure residential facility in which the child has been placed by the court as a delinquent child;

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Sec. 18. Subsection (k) of section 46b-133 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(k) For purposes of subsections (c) and (e) of this section, a child may be determined to pose a risk to public safety if such child has previously been adjudicated as delinquent for or convicted of or pled guilty or nolo contendere to two or more felony offenses, has had two or more prior dispositions of probation and is charged with commission of a larceny under [subdivision (3) of subsection (a) of section 53a-122 or subdivision (1) of subsection (a) of section 53a-123 or subdivision (1) of subsection (a) of section 53a-124] section 13 of this act.

Sec. 19. Section 46b-124 of the 2022 supplement to the general statutes is amended by adding subsection (o) as follows (*Effective June 1, 2023*):

(NEW) (o) A law enforcement official conducting a legitimate criminal investigation may have direct electronic access to the following information concerning a child who is subject to such investigation: (1) Pending juvenile delinquency charges; and (2) any suspended detention orders or prior juvenile adjudications during the ninety days prior to the initiation of such investigation.

Sec. 20. (*Effective from passage*) Not later than March 1, 2023, the executive director of the Court Support Services Division of the Judicial Branch shall report on the progress being made toward the implementation of the provisions of section 46b-124 of the general statutes, as amended by this act, to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary in accordance with the provisions of section 11-4a of the general statutes.

Sec. 21. Subsection (a) of section 46b-133p of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) Any law enforcement officer who sought a court order to detain a child pursuant to subdivision (3) of subsection (c) of section 46b-133, as amended by this act, shall attach, along with the summons, a copy of the completed form to detain that is prescribed by Office of the Chief Court Administrator. On and after October 1, 2022, such form shall instruct any judge who declines to detain such child to articulate in writing, upon such form, the reasons for such declination.

Approved May 27, 2022