



Senate Bill No. 361

Public Act No. 22-129

AN ACT CONCERNING PROBATE COURT OPERATIONS.

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

Section 1. Section 19a-7t of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

The Department of Public Health shall provide to any person who has received a COVID-19 vaccination or such person's court-appointed fiduciary, or, if such person is a minor child, such person's parent or guardian, information that was provided by a COVID-19 vaccination provider to the department regarding such person's COVID-19 vaccination status upon request by such person, fiduciary, parent or guardian. The department shall not disclose such person's COVID-19 vaccination status to any other person or entity unless such person, fiduciary, parent or guardian authorizes such disclosure in a form and manner prescribed by the Commissioner of Public Health.

Sec. 2. Section 31-57y of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

From June 23, 2021, to June 30, 2024, each employer shall grant to (1)

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each employee in the case of a state election, or (2) each employee who is an elector in the case of any special election for United States senator, representative in Congress, state senator, [or] state representative or judge of probate, two hours unpaid time off from such employee's regularly scheduled work on the day of any such election, for the purpose of voting at such election during the hours of voting specified in section 9-174, if the employee requests such time off not less than two working days prior to such election.

Sec. 3. Subsection (a) of section 45a-8a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) For the purposes of this section, "children's matters" means: (1) Guardianship matters under sections 45a-603 to 45a-625, inclusive; (2) termination of parental rights matters under sections 45a-706 to 45a-719, inclusive; (3) adoption matters under sections 45a-724 to 45a-733, inclusive, and sections 45a-736 and 45a-737; (4) claims for parentage under section 46b-172a and section 46b-454, as amended by this act, and parentage orders under sections 46b-517, 46b-531, as amended by this act, and 46b-535; (5) emancipation of minor matters under sections 46b-150 to 46b-150e, inclusive; [and] (6) voluntary admission matters under section 17a-11; (7) issuance of marriage licenses to a minor who is sixteen or seventeen years of age under section 46b-20a; and (8) validation of surrogacy agreements under sections 46b-533 and 46b-536, as amended by this act.

Sec. 4. Subsection (a) of section 45a-450 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) When the real property of any deceased person, or any part thereof or interest therein, is devised or distributed or set out to the devisee or devisees, heir or heirs or spouse of such decedent or is legally

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divided by the voluntary act of all the persons interested therein or descends to the heir or heirs or spouse of such decedent, the fiduciary of the estate of such decedent shall, within one month thereafter, or, in case of descent to the heir or heirs or spouse of such decedent, within one month after the acceptance by the court of the final administration account of such fiduciary, procure from the judge, clerk or assistant clerk of the court of probate having jurisdiction of the settlement of the estate of such decedent, and cause to be recorded in the land records of each of the towns in which such real property is situated, a certificate signed by such judge, clerk or assistant clerk. Such certificate shall contain the name, [and] place of residence and mailing address of each person to whom such real property, or any portion thereof or interest therein, is distributed, set out or divided or descends, and a particular description of the estate, portion or interest distributed, set out or divided or descending to each person.

Sec. 5. Section 46b-531 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) Except as provided in subsection (c) of section 46b-529 or section 46b-532, a party to a gestational surrogacy agreement may initiate a proceeding for a judgment of parentage of a child conceived pursuant to the agreement at any time after the agreement has been executed by all of the parties.

(b) The petition for a judgment of parentage shall include: (1) Certification from the attorney representing the intended parent or parents and the attorney representing the person acting as surrogate that the requirements of sections 46b-522 to 46b-524, inclusive, have been met; and (2) a statement from all parties to the surrogacy agreement that they entered into the surrogacy agreement knowingly and voluntarily. The petition, including the certification and statement required by subdivisions (1) and (2) of this subsection, shall be submitted under penalty of false statement.

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(c) Neither the state nor the Department of Public Health, nor the hospital where delivery is expected to occur or does occur, is a necessary party to a proceeding under subsection (a) of this section.

[(d) Service of process may be waived if each party consents to waiver of service of process.]

[(e)] (d) Upon a finding that the petition satisfies subsection (b) of this section, the court shall issue a judgment: (1) Declaring, that upon the birth of the child born during the term of the surrogacy agreement, any intended parent is a parent of the child and ordering that parental rights, duties and custody vest immediately on the birth of the child exclusively in any intended parent; (2) Declaring, that upon the birth of the child born during the term of the surrogacy agreement, the person acting as gestational surrogate and the spouse or former spouse of the person acting as surrogate, if any, are not the parents of the child; (3) Declaring that the intended parent or parents have responsibility for the maintenance and support of the child immediately upon the birth of the child; (4) Designating the contents of the certificate of birth in accordance with subsection (b) of section 7-48a and directing the Department of Public Health to designate any intended parent as a parent of the child; and (5) If necessary, ordering that the child be surrendered to the intended parent or parents. The court may issue an order or judgment under this subsection before or after the date of birth of the child. The court shall stay enforcement of the order or judgment until the birth of the child. Nothing in this subsection shall be construed to limit the court's authority to issue other orders under any other provision of the general statutes.

[(f)] (e) In the event the certification required by subdivision (1) of subsection (b) of this section cannot be made because of a technical or nonmaterial deviation from the requirements of sections 46b-522 to 46b-524, inclusive, the court may nevertheless enforce the agreement and issue a judgment of parentage if the court determines the agreement is

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in substantial compliance with the requirements of said sections.

[(g)] (f) An order under subsection [(e) or (f)] (d) or (e) of this section shall be sufficient to satisfy the requirements in section 7-48a governing birth certificates.

Sec. 6. Subsection (d) of section 46b-536 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(d) If a child conceived by assisted reproduction under a genetic surrogacy agreement that is not validated under section 46b-533 or subsection (b) of this section is born, the person acting as genetic surrogate is not automatically a parent and the [court] Probate Court shall adjudicate parentage of the child based on the best interest of the child, taking into account the factors set forth in subsection (a) of section 46b-475 and the intent of the parties at the time of the execution of the agreement.

Sec. 7. Subsection (a) of section 46b-454 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) Petitions to adjudicate parentage shall be filed in the Family Division of the Superior Court, except that: (1) Petitions by an alleged genetic parent seeking to establish the alleged genetic parent's parentage pursuant to section 46b-172a shall be filed in the Probate Court; (2) petitions to determine parentage after the death of the child or the person whose parentage is to be determined shall be filed in the Probate Court; (3) petitions for parentage orders under sections 46b-517, 46b-531, as amended by this act, and 46b-535, [as well as] petitions to validate a genetic surrogacy agreement under sections 46b-533 and 46b-536, as amended by this act, and petitions to determine parentage of a child born pursuant to a genetic surrogacy agreement that has not been

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validated under sections 46b-533 and 46b-536, as amended by this act,
shall be filed in the Probate Court; and (4) petitions by the IV-D agencies,
in IV-D cases, as defined in section 46b-231, and in petitions brought
under sections 46b-301 to 46b-425, inclusive, shall be filed with the clerk
for the Family Support Magistrate Division.

Approved May 27, 2022