



General Assembly

**Substitute Bill No. 5499**

February Session, 2022



**AN ACT CONCERNING THE CRIMINAL JUSTICE COMMISSION AND  
THE DIVISION OF CRIMINAL JUSTICE.**

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

1 Section 1. Section 51-278a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) The Chief State's Attorney, each deputy chief state's attorney and  
4 each state's attorney, assistant state's attorney and deputy assistant  
5 state's attorney shall, at the time of his or her appointment be an  
6 attorney-at-law and the Chief State's Attorney, each deputy chief state's  
7 attorney and each state's attorney shall have been admitted to the  
8 practice of law for at least three years.

9 (b) The Chief State's Attorney, each deputy chief state's attorney, and  
10 each state's attorney shall devote his or her full time to the duties of his  
11 or her office, shall not otherwise engage in the practice of law, [and]  
12 shall not be a partner, member or associate of a law firm, and shall not  
13 be an elected officer of this state or any political subdivision thereof.

14 (c) Each assistant state's attorney and deputy assistant state's attorney  
15 appointed to serve on a full-time basis shall devote his or her full time  
16 to the duties of his or her office, shall not engage in the private practice  
17 of law, [and] shall not be a partner, member or associate of a law firm,

18 and shall not be an elected officer of this state. No part-time assistant  
19 state's attorney, no part-time deputy assistant state's attorney and no  
20 partner or associate of a law firm of which such attorney is a partner or  
21 associate may engage in the private practice of criminal law.

22 Sec. 2. Section 51-278b of the general statutes is repealed and the  
23 following is substituted in lieu thereof (*Effective October 1, 2022*):

24 (a) Whenever the Criminal Justice Commission has reason to believe  
25 or is of the opinion that the Chief State's Attorney is guilty of  
26 misconduct, material neglect of duty or incompetence in the conduct of  
27 his or her office, it shall make such investigation as it deems proper, and  
28 shall prepare a statement in writing of the charges against such official  
29 summoning [him] such official to appear before the commission at a  
30 date named and show cause why [he] such official should not be  
31 reprimanded or suspended, with or without pay from such official's  
32 office, or removed from office. Such official shall have the right to  
33 appear with counsel and witnesses and be fully heard. If after full  
34 hearing of all evidence, the commission finds that the evidence warrants  
35 the reprimand, suspension or removal of such official, the commission  
36 shall make a written order to that effect. [and] In the case of an order of  
37 removal of such official, the commission shall cause a copy [thereof] of  
38 such order to be given to such official and shall also file a copy [thereof]  
39 of such order with the Secretary of the State. Upon the filing of such  
40 copy with the Secretary of the State, the office held by such official shall  
41 become vacant, and the commission may thereupon proceed to fill such  
42 vacancy in the manner provided by law. For purposes of this subsection,  
43 "Criminal Justice Commission" means the members of the commission  
44 other than the Chief State's Attorney.

45 (b) No deputy chief state's attorney, state's attorney, assistant state's  
46 attorney or deputy assistant state's attorney may be removed from office  
47 except by order of the Criminal Justice Commission after due notice and  
48 hearing. A recommendation for removal from office may be initiated by  
49 the Chief State's Attorney or the appropriate state's attorney.

50 (c) The Criminal Justice Commission may discipline for just cause  
51 after due notice and hearing by reprimand, demotion or suspension  
52 with or without pay from his or her office up to fifteen days, a deputy  
53 chief state's attorney or state's attorney. A recommendation for  
54 discipline may be initiated by the Chief State's Attorney. The Chief  
55 State's Attorney may discipline any assistant state's attorney or deputy  
56 assistant state's attorney who assists him or her or the appropriate state's  
57 attorney may discipline any assistant state's attorney or deputy assistant  
58 state's attorney who assists him or her, for just cause after due notice  
59 and hearing by reprimand, demotion or suspension with or without pay  
60 from his or her office up to fifteen days.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	51-278a
Sec. 2	<i>October 1, 2022</i>	51-278b

**JUD**      *Joint Favorable Subst.*