



Substitute House Bill No. 5499

Public Act No. 22-111

**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:

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 Section 51-278a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

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

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

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

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

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 Section 51-278b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

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

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

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the Chief State's Attorney or the appropriate state's attorney.

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

Approved May 24, 2022