
OLR Bill Analysis

SB 1194

AN ACT RELIEVING CERTAIN REGISTRANTS OF THE REQUIREMENTS OF THE SEX OFFENSE REGISTRY AND CLARIFYING REGISTRATION REQUIREMENTS FOR PERSONS TRANSFERRED INTO THIS STATE AND WHO RESIDE IN CONGREGATE CARE SETTINGS.

SUMMARY

This bill makes changes to the sex offender registry laws (see BACKGROUND).

The bill eliminates sex offender registration for persons released into the community during the ten-year period prior to the implementation of the sex offender registry in 1998. Under current law, anyone residing in Connecticut who was (1) convicted or found not guilty by reason of mental disease or defect of a sexually violent offense and (2) released into the community on or after October 1, 1988, and before October 1, 1998, must register on the state sex offender registry on October 1, 1998, or within three days of residing in the state, whichever is later (i.e., retroactive registration requirement). The bill eliminates the requirement for these individuals to register as sex offenders.

The bill also specifies that the existing law requiring sex offender registration for offenders transferred from out-of-state and residing in Connecticut also applies to those residing in congregate care settings in the state.

The bill also makes conforming changes.

EFFECTIVE DATE: Upon passage, except the provision requiring registry of sex offenders transferred from out-of-state into congregate care settings in Connecticut is effective October 1, 2023.

OUT-OF-STATE REGISTRANTS IN CONGREGATE CARE SETTINGS IN CONNECTICUT

Under existing law, a person who (1) resides in this state on and after October 1, 1998, and (2) has been convicted or found not guilty by reason of mental disease or defect in another state, in a federal or military court, or in any foreign jurisdiction of any crime (a) with elements that are substantially the same as any of the crimes that require registration in Connecticut or (b) which requires registration as a sexual offender in the other state or in the federal or military system must, without undue delay upon residing in this state, register on the sex offender registry in the same way as if the person had been convicted or found not guilty by reason of mental disease or defect of such crime in this state. The law requires the commissioner to maintain the registration until the person is released from the registration requirement in the other state, federal or military system, or foreign jurisdiction.

The bill specifies that this requirement also applies to such a person residing in a congregate care setting in the state.

By law, failure to register or report as required is a class D felony, punishable by up to five years in prison, a fine of up to \$5,000, or both (CGS § 54-252(d)).

BACKGROUND

Connecticut's Sex Offender Registry

Under Connecticut's sex offender registration law, certain offenders must register with the Department of Emergency Services and Public Protection for a specified period following their release into the community (CGS § 54-252). The requirement applies to persons convicted, or acquitted by reason of mental disease or defect, of three categories of offenses. The categories, and the registration periods, are as follows:

1. criminal offenses against a victim who is a minor: generally 10 years for a first conviction and lifetime for a subsequent conviction;

2. nonviolent sexual offenses: generally 10 years for a first conviction and lifetime for a subsequent conviction; and
3. sexually violent offenses: lifetime.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 34 Nay 3 (03/27/2023)