



# Senate

General Assembly

**File No. 521**

January Session, 2023

Senate Bill No. 1194

*Senate, April 12, 2023*

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

**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.**

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

1 Section 1. Subsection (a) of section 54-252 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (a) Any person who has been convicted or found not guilty by reason  
5 of mental disease or defect of a sexually violent offense, and [(1) is  
6 released into the community on or after October 1, 1988, and prior to  
7 October 1, 1998, and resides in this state, shall, on October 1, 1998, or  
8 within three days of residing in this state, whichever is later, or (2)] is  
9 released into the community on or after October 1, 1998, shall, within  
10 three days following such release or, if such person is in the custody of  
11 the Commissioner of Correction, at such time prior to release as the  
12 commissioner shall direct, register such person's name, identifying

13 factors and criminal history record, documentation of any treatment  
14 received by such person for mental abnormality or personality disorder,  
15 and such person's residence address and electronic mail address, instant  
16 message address or other similar Internet communication identifier, if  
17 any, with the Commissioner of Emergency Services and Public  
18 Protection on such forms and in such locations as said commissioner  
19 shall direct, and shall maintain such registration for life. Prior to  
20 accepting a plea of guilty or nolo contendere from a person with respect  
21 to a sexually violent offense, the court shall [(A)] (1) inform the person  
22 that the entry of a finding of guilty after acceptance of the plea will  
23 subject the person to the registration requirements of this section, and  
24 [(B)] (2) determine that the person fully understands the consequences  
25 of the plea. If any person who is subject to registration under this section  
26 changes such person's name, such person shall, without undue delay,  
27 notify the Commissioner of Emergency Services and Public Protection  
28 in writing of the new name. If any person who is subject to registration  
29 under this section changes such person's address, such person shall,  
30 without undue delay, notify the Commissioner of Emergency Services  
31 and Public Protection in writing of the new address and, if the new  
32 address is in another state, such person shall also register with an  
33 appropriate agency in that state, provided that state has a registration  
34 requirement for such offenders. If any person who is subject to  
35 registration under this section establishes or changes an electronic mail  
36 address, instant message address or other similar Internet  
37 communication identifier, such person shall, without undue delay,  
38 notify the Commissioner of Emergency Services and Public Protection  
39 in writing of such identifier. If any person who is subject to registration  
40 under this section is employed at, carries on a vocation at or is a student  
41 at a trade or professional institution or institution of higher learning in  
42 this state, such person shall, without undue delay, notify the  
43 Commissioner of Emergency Services and Public Protection of such  
44 status and of any change in such status. If any person who is subject to  
45 registration under this section is employed in another state, carries on a  
46 vocation in another state or is a student in another state, such person  
47 shall, without undue delay, notify the Commissioner of Emergency

48 Services and Public Protection and shall also register with an  
 49 appropriate agency in that state, provided that state has a registration  
 50 requirement for such offenders. During such period of registration, each  
 51 registrant shall complete and return forms mailed to such registrant to  
 52 verify such registrant's residence address and shall submit to the  
 53 retaking of a photographic image upon request of the Commissioner of  
 54 Emergency Services and Public Protection.

55 Sec. 2. Subsection (a) of section 54-253 of the general statutes is  
 56 repealed and the following is substituted in lieu thereof (*Effective October*  
 57 *1, 2023*):

58 (a) Any person who has been convicted or found not guilty by reason  
 59 of mental disease or defect in any other state, in a federal or military  
 60 court or in any foreign jurisdiction of any crime (1) the essential  
 61 elements of which are substantially the same as any of the crimes  
 62 specified in subdivisions (2), (5) and (11) of section 54-250, or (2) which  
 63 requires registration as a sexual offender in such other state or in the  
 64 federal or military system, and who resides in this state on and after  
 65 October 1, 1998, shall, without undue delay upon residing in this state,  
 66 including in a congregate care setting, register with the Commissioner  
 67 of Emergency Services and Public Protection in the same manner as if  
 68 such person had been convicted or found not guilty by reason of mental  
 69 disease or defect of such crime in this state, except that the commissioner  
 70 shall maintain such registration until such person is released from the  
 71 registration requirement in such other state, federal or military system  
 72 or foreign jurisdiction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	54-252(a)
Sec. 2	<i>October 1, 2023</i>	54-253(a)

**JUD**      *Joint Favorable*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill eliminates sex offender registration requirements for certain persons and makes clarifying and conforming changes, resulting in no fiscal impact to the state.

**The Out Years****State Impact:** None**Municipal Impact:** None

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**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.

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**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)