



General Assembly

January Session, 2023

**Committee Bill No. 5**

LCO No. 6057



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT STRENGTHENING THE PROTECTIONS AGAINST AND  
RESPONSE TO DOMESTIC VIOLENCE.***

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

1 Section 1. Subsection (f) of section 46b-38c of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2023*):

4 (f) The Judicial Department [may] shall establish [, within available  
5 appropriations, a pilot program in three judicial districts] a program  
6 within each judicial district for the purpose of using electronic  
7 monitoring in accordance with this subsection. [Such pilot program  
8 shall be conducted in at least one judicial district that contains an urban  
9 area, as defined in section 4b-13, and at least one judicial district that  
10 does not contain such an urban area. Pursuant to such pilot] Under the  
11 program, the court may order that any person appearing in such judicial  
12 district who is charged with the violation of a restraining order or a  
13 protective order, and who has been determined to be a high-risk  
14 offender by the family violence intervention unit, be subject to electronic  
15 monitoring designed to warn law enforcement agencies, a state-wide  
16 information collection center and the victim when the person is within

17 a specified distance of the victim, if the court finds that such electronic  
18 monitoring is necessary to protect the victim. [, provided the cost of such  
19 electronic monitoring is paid by the person who is subject to such  
20 electronic monitoring, subject to guidelines established by the Chief  
21 Court Administrator.] If the court orders that such person be subject to  
22 electronic monitoring, the clerk of the court shall send, by facsimile or  
23 other means, a copy of the order, or the information contained in any  
24 such order, to the law enforcement agency or agencies for the town in  
25 which the person resides. [The Judicial Department shall cease  
26 operation of any pilot program established under this subsection not  
27 later than March 31, 2011, unless resources are available to continue  
28 operation of the pilot program. On and after July 1, 2012, the Judicial  
29 Department may resume operation of the pilot program, within  
30 available resources, and may operate such pilot program in one or more  
31 additional judicial districts, within such available resources] The  
32 Judicial Branch shall establish the program within each judicial district  
33 not later than October 1, 2025.

34 Sec. 2. (NEW) (*Effective October 1, 2023*) (a) Notwithstanding the  
35 provisions of sections 46b-82, 46b-83 and 46b-86 of the general statutes,  
36 no court may enter an order of payment of temporary or permanent  
37 alimony from an injured spouse to a spouse who, at any time after the  
38 date of marriage, is convicted of: (1) Criminal attempt to commit murder  
39 of the other spouse, under section 53a-49 of the general statutes and  
40 sections 53a-54a to 53a-54d, inclusive, of the general statutes; (2)  
41 criminal attempt to commit manslaughter of the other spouse, under  
42 section 53a-49 of the general statutes and sections 53a-55 to 53a-56b,  
43 inclusive, of the general statutes; (3) conspiracy to commit murder of the  
44 other spouse, under section 53a-48 of the general statutes and sections  
45 53a-54a to 53a-54d, inclusive, of the general statutes; (4) conspiracy to  
46 commit manslaughter of the other spouse, under section 53a-48 and  
47 sections 53a-55 through 53a-56b, inclusive, of the general statutes; (5) a  
48 class A or B felony sexual assault of the other spouse, under section 53a-  
49 70, 53a-70a, 53a-71 or 53a-72b of the general statutes; (6) a class A or B  
50 felony family violence crime as defined in section 46b-38a of the general

51 statutes; or (7) any crime in another state, the essential elements of which  
52 are substantially the same as the crimes enumerated in subdivisions (1)  
53 to (6), inclusive, of this section.

54 (b) The existence of any conviction for a crime set forth in subsection  
55 (a) of this section shall preclude a court from ordering an award of  
56 attorney's fees from an injured spouse to a spouse convicted of such  
57 crime.

58 (c) As used in this section, "injured spouse" means the spouse who  
59 has been the victim of a crime set forth in subsection (a) of this section,  
60 irrespective of whether physical injury occurred in the commission of  
61 such crime.

62 Sec. 3. (*Effective July 1, 2023*) The sum of thirteen million one hundred  
63 seventy-five thousand dollars is appropriated to the Office of Victim  
64 Services within the Judicial Department from the General Fund, for the  
65 fiscal year ending June 30, 2024, for victim service providers up to the  
66 actual amount by which the Judicial Department's victim assistance  
67 grants provided under the Victims of Crime Act Assistance of 1984 are  
68 reduced for such fiscal year.

69 Sec. 4. (*Effective July 1, 2024*) The sum of twenty million dollars is  
70 appropriated to the Office of Victim Services within the Judicial  
71 Department from the General Fund, for the fiscal year ending June 30,  
72 2025, for victim service providers up to the actual amount by which the  
73 Judicial Department's victim assistance grants provided under the  
74 Victims of Crime Act Assistance of 1984 are reduced for such fiscal year.

75 Sec. 5. (*Effective July 1, 2023*) The sum of one million four hundred  
76 forty thousand dollars is appropriated to the Department of Social  
77 Services from the General Fund, for the fiscal year ending June 30, 2024,  
78 for domestic violence child and family advocates at domestic violence  
79 agencies, as defined in section 52-146k of the general statutes.

80 Sec. 6. (*Effective July 1, 2024*) The sum of one million four hundred

81 forty thousand dollars is appropriated to the Department of Social  
82 Services from the General Fund, for the fiscal year ending June 30, 2025,  
83 for domestic violence child and family advocates at domestic violence  
84 agencies, as defined in section 52-146k of the general statutes.

85       Sec. 7. (*Effective July 1, 2023*) The sum of one million four hundred  
86 forty thousand dollars appropriated to the Department of Social  
87 Services, for the fiscal years ending June 30, 2024, and June 30, 2025, as  
88 set forth in sections 5 and 6 of this act, shall be made available for  
89 domestic violence child and family advocates at domestic violence  
90 agencies, as defined in section 52-146k of the general statutes, whose  
91 purpose shall be to provide trauma-informed services to children and  
92 families experiencing domestic violence. For purposes of this section,  
93 "trauma-informed services" means services directed by a thorough  
94 understanding of the neurological, biological, psychological and social  
95 effects of trauma and violence on a person.

96       Sec. 8. Subsection (h) of section 46b-15f of the general statutes is  
97 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
98 *2023*):

99       (h) For each year that funding is provided for the program under this  
100 section, the organization administering the program shall either  
101 conduct, or partner with an academic institution or other qualified  
102 entity for the purpose of conducting, an analysis of the impact of the  
103 program, including, but not limited to, (1) the procedural outcomes for  
104 applications filed in association with services provided by grant  
105 recipients under the program, (2) the types and extent of legal services  
106 provided to individuals served pursuant to the program, including on  
107 matters ancillary to the restraining order application, and (3) the  
108 number of cases where legal services were provided before an  
109 application was filed but legal representation did not continue during  
110 the restraining order process and the reasons for such limited  
111 representations. Not later than July first of the year following any year  
112 in which the program received funding, the organization administering

113 the program shall submit a report on the results of such analysis in  
 114 accordance with the provisions of section 11-4a, to the joint standing  
 115 committee of the General Assembly having cognizance of matters  
 116 relating to the judiciary. Not later than December 1, 2023, the  
 117 organization administering the program shall submit a report in  
 118 accordance with the provisions of section 11-4a, to the joint standing  
 119 committee of the General Assembly having cognizance of matters  
 120 relating to the judiciary on the potential state-wide expansion of the  
 121 program. Such report shall include, but not be limited to: (A) Whether  
 122 there are or could be a sufficient number of grant recipients to  
 123 administer the program in each applicable courthouse in the state; (B)  
 124 which, if any, courthouse in the state is not a feasible location for  
 125 expansion of the program; and (C) the level of funding needed to fund  
 126 a state-wide expansion of the program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	46b-38c(f)
Sec. 2	October 1, 2023	New section
Sec. 3	July 1, 2023	New section
Sec. 4	July 1, 2024	New section
Sec. 5	July 1, 2023	New section
Sec. 6	July 1, 2024	New section
Sec. 7	July 1, 2023	New section
Sec. 8	July 1, 2023	46b-15f(h)

**Statement of Purpose:**

To provide greater protections for and enhanced responses to individuals involved in domestic and intimate partner violence.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

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 SEN. COHEN, 12th Dist.; SEN. FLEXER, 29th Dist.  
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