



General Assembly

January Session, 2023

Raised Bill No. 973

LCO No. 3963



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:

(PS)

AN ACT AUTHORIZING ACCESS TO JUVENILE DELINQUENCY RECORDS TO EVALUATE A PROPOSED TRANSFER OF A FIREARM TO A PERSON UNDER AGE TWENTY-ONE.

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

1 Section 1. Subsection (d) of section 46b-124 of the general statutes, as
2 amended by sections 5 and 19 of public act 22-115, is repealed and the
3 following is substituted in lieu thereof (*Effective July 1, 2023*):

4 (d) Records of cases of juvenile matters involving delinquency
5 proceedings shall be available to (1) Judicial Branch employees who, in
6 the performance of their duties, require access to such records, (2) judges
7 and employees of the Probate Court who, in the performance of their
8 duties, require access to such records, and (3) employees and authorized
9 agents of municipal, state or federal agencies involved in (A) the
10 delinquency proceedings, (B) the provision of services directly to the
11 child, [or] (C) the delivery of court diversionary programs, or (D)
12 evaluating a proposed transfer of a firearm to a person under the age of
13 twenty-one, as required by Title II, section 12001 of the Bipartisan Safer
14 Communities Act, Public Law 117-159, as amended from time to time.

15 Such employees and authorized agents include, but are not limited to,
16 law enforcement officials, community-based youth service bureau
17 officials, state and federal prosecutorial officials, school officials in
18 accordance with section 10-233h, court officials including officials of
19 both the regular criminal docket and the docket for juvenile matters and
20 officials of the Division of Criminal Justice, the Division of Public
21 Defender Services, the Department of Children and Families, if the child
22 is committed pursuant to section 46b-129, provided such disclosure
23 shall be limited to (i) information that identifies the child as the subject
24 of the delinquency petition, or (ii) the records of the delinquency
25 proceedings, when the juvenile court orders the department to provide
26 services to said child, the Court Support Services Division and agencies
27 under contract with the Judicial Branch. Such records shall also be
28 available to (I) the attorney representing the child, including the
29 Division of Public Defender Services, in any proceeding in which such
30 records are relevant, (II) the parents or guardian of the child, until such
31 time as the subject of the record reaches the age of majority, (III) the
32 subject of the record, upon submission of satisfactory proof of the
33 subject's identity, pursuant to guidelines prescribed by the Office of the
34 Chief Court Administrator, provided the subject has reached the age of
35 majority, (IV) law enforcement officials and prosecutorial officials
36 conducting legitimate criminal investigations, as provided in subsection
37 (o) of this section or orders to detain pursuant to section 46b-133, (V) a
38 state or federal agency providing services related to the collection of
39 moneys due or funding to support the service needs of eligible juveniles,
40 provided such disclosure shall be limited to that information necessary
41 for the collection of and application for such moneys, (VI) members and
42 employees of the Board of Pardons and Paroles and employees of the
43 Department of Correction who, in the performance of their duties,
44 require access to such records, provided the subject of the record has
45 been convicted of a crime in the regular criminal docket of the Superior
46 Court and such records are relevant to the performance of a risk and
47 needs assessment of such person while such person is incarcerated, the
48 determination of such person's suitability for release from incarceration
49 or for a pardon, or the determination of the supervision and treatment

50 needs of such person while on parole or other supervised release, and
51 (VII) members and employees of the Judicial Review Council who, in
52 the performance of their duties related to said council, require access to
53 such records. Records disclosed pursuant to this subsection shall not be
54 further disclosed, except that information contained in such records
55 may be disclosed in connection with bail or sentencing reports in open
56 court during criminal proceedings involving the subject of such
57 information, or as otherwise provided by law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	46b-124(d)

Statement of Purpose:

To allow access to juvenile delinquency records to evaluate a proposed transfer of a firearm to a person under the age of twenty-one pursuant to federal law.

[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.]