



General Assembly

Amendment

January Session, 2023

LCO No. 8386



Offered by:

REP. CANDELORA V., 86th Dist.

REP. ACKERT, 8th Dist.

REP. O'DEA, 125th Dist.

REP. PERILLO J., 113th Dist.

REP. RUTIGLIANO, 123rd Dist.

REP. ZUPKUS, 89th Dist.

To: Subst. Senate Bill No. 5

File No. 552

Cal. No. 533

(As Amended)

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

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 53a-54b of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2023*):

5 A person is guilty of murder with special circumstances who is
6 convicted of any of the following and was eighteen years of age or older
7 at the time of the offense: (1) Murder of a member of the Division of
8 State Police within the Department of Emergency Services and Public
9 Protection or of any local police department, a chief inspector or
10 inspector in the Division of Criminal Justice, a state marshal who is
11 exercising authority granted under any provision of the general statutes,

12 a judicial marshal in performance of the duties of a judicial marshal, a
13 constable who performs criminal law enforcement duties, a special
14 policeman appointed under section 29-18, a conservation officer or
15 special conservation officer appointed by the Commissioner of Energy
16 and Environmental Protection under the provisions of section 26-5, an
17 employee of the Department of Correction or a person providing
18 services on behalf of said department when such employee or person is
19 acting within the scope of such employee's or person's employment or
20 duties in a correctional institution or facility and the actor is confined in
21 such institution or facility, or any firefighter, while such victim was
22 acting within the scope of such victim's duties; (2) murder committed
23 by a defendant who is hired to commit the same for pecuniary gain or
24 murder committed by one who is hired by the defendant to commit the
25 same for pecuniary gain; (3) murder committed by one who has
26 previously been convicted of intentional murder or of murder
27 committed in the course of commission of a felony; (4) murder
28 committed by one who was, at the time of commission of the murder,
29 under sentence of life imprisonment; (5) murder by a kidnapper of a
30 kidnapped person during the course of the kidnapping or before such
31 person is able to return or be returned to safety; (6) murder committed
32 in the course of the commission of sexual assault in the first degree; (7)
33 murder of two or more persons at the same time or in the course of a
34 single transaction; [or] (8) murder of a person under sixteen years of age;
35 or (9) murder committed in the course of commission of a family
36 violence crime, as defined in section 46b-38a.

37 Sec. 502. Subsection (f) of section 54-124a of the general statutes is
38 repealed and the following is substituted in lieu thereof (*Effective October*
39 *1, 2023*):

40 (f) [The] Except as provided in this subsection, the Board of Pardons
41 and Paroles shall have independent decision-making authority to (1)
42 grant or deny parole in accordance with sections 54-125, 54-125a, 54-
43 125e and 54-125g, (2) establish conditions of parole or special parole
44 supervision in accordance with section 54-126, (3) rescind or revoke
45 parole or special parole in accordance with sections 54-127 and 54-128,

46 (4) grant commutations of punishment or releases, conditioned or
47 absolute, in the case of any person convicted of any offense against the
48 state and commutations from the penalty of death in accordance with
49 section 54-130a, (5) discharge any person on parole or inmate eligible for
50 parole from the custody of the Commissioner of Correction pursuant to
51 section 54-129, and (6) terminate special parole in accordance with
52 section 54-129. The Board of Pardons and Paroles may not take any
53 action authorized pursuant to the provisions of this subsection when a
54 person has been convicted of murder with special circumstances under
55 section 53a-54b, as amended by this act.

56 Sec. 503. Section 18-78b of the general statutes is repealed and the
57 following is substituted in lieu thereof (*Effective October 1, 2023*):

58 There is established a Victim Services Unit within the Department of
59 Correction. The duties and responsibilities of the unit shall include, but
60 not be limited to: (1) Receiving notices pursuant to section 54-227 from
61 inmates applying for release or sentence reduction or review, persons
62 applying for exemption from the registration requirements of section 54-
63 251 and persons filing a petition for an order restricting the
64 dissemination of registration information or removing such restriction
65 pursuant to section 54-255, (2) receiving requests for notification from
66 victims of crime or members of an inmate's immediate family pursuant
67 to section 54-228, and receiving notices of changes of address from
68 victims pursuant to said section, (3) receiving requests for notification
69 from prosecuting officials pursuant to section 54-229, [and] (4) notifying
70 persons pursuant to section 54-230a who have requested to be notified
71 pursuant to section 54-228 or 54-229, and (5) providing written notice to
72 any person listed as a protected person on a restraining order, protective
73 order, standing criminal protective order or foreign order of protection
74 of (A) the date on which an inmate, who is the subject of such order, is
75 to be released from confinement in a correctional institution, and (B) the
76 process for filing a complaint under section 54-1r if the protected person
77 receives an electronic or telephonic communication that the person
78 believes may constitute a violation of section 53a-223, 53a-223a or 53a-
79 223b, when the protected person has requested such notification from

80 the Department of Correction and provided the commissioner with a
81 current address.

82 Sec. 504. Section 46a-13c of the general statutes is repealed and the
83 following is substituted in lieu thereof (*Effective October 1, 2023*):

84 The Victim Advocate may, within available appropriations:

85 (1) Evaluate the delivery of services to victims by state agencies and
86 those entities that provide services to victims, including the delivery of
87 services to families of victims by the Office of the Chief Medical
88 Examiner;

89 (2) Coordinate and cooperate with other private and public agencies
90 concerned with the implementation, monitoring and enforcement of the
91 constitutional rights of victims and enter into cooperative agreements
92 with public or private agencies for the furtherance of the constitutional
93 rights of victims;

94 (3) Review the procedures established by any state agency or other
95 entity providing services to victims with respect to the constitutional
96 rights of victims;

97 (4) Receive and review complaints of persons concerning the actions
98 of any state or other entity providing services to victims and investigate
99 those where it appears that a victim or family of a victim may be in need
100 of assistance from the Victim Advocate;

101 (5) File a limited special appearance in any court proceeding for the
102 purpose of advocating for any right guaranteed to a crime victim by the
103 Constitution of the state or any right provided to a crime victim by any
104 provision of the general statutes, and, with respect to any matter in
105 which a limited special appearance has been filed, shall receive notice of
106 any scheduled court proceeding affecting the case and have the
107 affirmative right to participate in any court discussions relating to such
108 proceeding;

109 (6) Ensure a centralized location for victim services information;

- 110 (7) Recommend changes in state policies concerning victims,
111 including changes in the system of providing victim services;
- 112 (8) Conduct programs of public education, undertake legislative
113 advocacy, and make proposals for systemic reform;
- 114 (9) Monitor the provision of protective services to witnesses by the
115 Chief State's Attorney pursuant to section 54-82t; and
- 116 (10) Take appropriate steps to advise the public of the services of the
117 Office of the Victim Advocate, the purpose of the office and procedures
118 to contact the office."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2023	53a-54b
Sec. 502	October 1, 2023	54-124a(f)
Sec. 503	October 1, 2023	18-78b
Sec. 504	October 1, 2023	46a-13c