



House of Representatives

File No. 604

General Assembly

February Session, 2024

(Reprint of File Nos. 46 and 439)

Substitute House Bill No. 5262
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 22, 2024

AN ACT CONCERNING CHILD SEXUAL ABUSE.

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

1 Section 1. Section 10-217h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2024*):

3 (a) For the school year commencing July 1, 2022, and biennially
4 thereafter, the Department of Public Health shall administer the
5 Connecticut School Health Survey to students in grades nine to twelve,
6 inclusive, provided the department receives funding from the federal
7 Centers for Disease Control and Prevention for such purpose. The
8 survey shall be based on the Youth Risk Behavior Survey developed by
9 the federal Centers for Disease Control and Prevention. The department
10 shall provide guidelines to the local or regional board of education
11 regarding the administration of the survey to those high schools selected
12 at random by the federal Centers for Disease Control and Prevention.
13 Such local or regional board of education shall administer the survey to
14 each high school selected to participate in the survey in accordance with

15 the guidelines provided by the department, including, but not limited
16 to, (1) the survey protocol as required by the federal Centers for Disease
17 Control and Prevention, (2) the requirement to provide parents the
18 opportunity to exclude their children from the survey by denying
19 permission in writing, on a form prescribed by the department, (3) the
20 requirement for the survey to be anonymous and administered in a
21 manner designed to protect student privacy, (4) the timeframe for
22 completion of the survey, and (5) the process by which the results of
23 such survey are to be submitted to the department. On and after July 1,
24 2026, each administration of the Connecticut School Health Survey shall
25 include the sexual abuse and assault awareness prevention survey for
26 administrators that was created as part of the state-wide sexual abuse
27 and assault awareness and prevention program described in section
28 17a-101q. Such survey for administrators shall be distributed to and
29 completed by administrators of the school in which the Connecticut
30 School Health Survey is being administered and the results of the
31 administrators' surveys shall be submitted to the department at the
32 same time as the results of the students' surveys.

33 (b) The department, in consultation with the Department of Mental
34 Health and Addiction Services, the Department of Children and
35 Families, the Department of Education and any other agency or public
36 interest group the department deems necessary, may develop
37 additional survey questions to be included as part of the Connecticut
38 School Health Survey that are relevant to the health concerns of high
39 school students in the state.

40 Sec. 2. Subdivision (13) of section 53a-193 of the general statutes is
41 repealed and the following is substituted in lieu thereof (*Effective October*
42 *1, 2024*):

43 (13) ["Child pornography"] "Child sexual abuse material" means any
44 visual depiction including any photograph, film, videotape, picture or
45 computer-generated image or picture, whether made or produced by
46 electronic, digital, mechanical or other means, of sexually explicit
47 conduct, where the production of such visual depiction involves the use

48 of a person under sixteen years of age engaging in sexually explicit
49 conduct, provided whether the subject of a visual depiction was a
50 person under sixteen years of age at the time the visual depiction was
51 created is a question to be decided by the trier of fact.

52 Sec. 3. Section 53a-196c of the general statutes is repealed and the
53 following is substituted in lieu thereof (*Effective October 1, 2024*):

54 (a) A person is guilty of importing child [pornography] sexual abuse
55 material when, with intent to promote child [pornography] sexual abuse
56 material, such person knowingly imports or causes to be imported into
57 the state three or more visual depictions of child [pornography] sexual
58 abuse material of known content and character.

59 (b) Importing child [pornography] sexual abuse material is a class B
60 felony and any person found guilty under this section shall be sentenced
61 to a term of imprisonment of which five years of the sentence imposed
62 may not be suspended or reduced by the court.

63 Sec. 4. Section 53a-196d of the general statutes is repealed and the
64 following is substituted in lieu thereof (*Effective October 1, 2024*):

65 (a) A person is guilty of possessing child [pornography] sexual abuse
66 material in the first degree when such person knowingly possesses (1)
67 fifty or more visual depictions of child [pornography] sexual abuse
68 material, or (2) one or more visual depictions of child [pornography]
69 sexual abuse material that depict the infliction or threatened infliction
70 of serious physical injury, or (3) (A) a series of images in electronic,
71 digital or other format, which is intended to be displayed continuously,
72 consisting of two or more frames, or a film or videotape, consisting of
73 two or more frames, that depicts (i) more than one child engaging in
74 sexually explicit conduct, or (ii) more than one act of sexually explicit
75 conduct by one or more children, or (B) any combination of a (i) series
76 of images in electronic, digital or other format, which is intended to be
77 displayed continuously, (ii) film, or (iii) videotape, which series, film or
78 videotape each consists of two or more frames and depicts a single act
79 of sexually explicit conduct by one child.

80 (b) In any prosecution for an offense under this section, it shall be an
81 affirmative defense that the acts of the defendant, if proven, would
82 constitute a violation of section 53a-196h, as amended by this act.

83 (c) Possessing child [pornography] sexual abuse material in the first
84 degree is a class B felony and any person found guilty under this section
85 shall be sentenced to a term of imprisonment of which five years of the
86 sentence imposed may not be suspended or reduced by the court.

87 Sec. 5. Section 53a-196e of the general statutes is repealed and the
88 following is substituted in lieu thereof (*Effective October 1, 2024*):

89 (a) A person is guilty of possessing child [pornography] sexual abuse
90 material in the second degree when such person knowingly possesses
91 (1) twenty or more but fewer than fifty visual depictions of child
92 [pornography] sexual abuse material, or (2) a series of images in
93 electronic, digital or other format, which is intended to be displayed
94 continuously, consisting of twenty or more frames, or a film or
95 videotape, consisting of twenty or more frames, that depicts a single act
96 of sexually explicit conduct by one child.

97 (b) In any prosecution for an offense under this section, it shall be an
98 affirmative defense that the acts of the defendant, if proven, would
99 constitute a violation of section 53a-196h, as amended by this act.

100 (c) Possessing child [pornography] sexual abuse material in the
101 second degree is a class C felony and any person found guilty under this
102 section shall be sentenced to a term of imprisonment of which two years
103 of the sentence imposed may not be suspended or reduced by the court.

104 Sec. 6. Section 53a-196f of the general statutes is repealed and the
105 following is substituted in lieu thereof (*Effective October 1, 2024*):

106 (a) A person is guilty of possessing child [pornography] sexual abuse
107 material in the third degree when such person knowingly possesses (1)
108 fewer than twenty visual depictions of child [pornography] sexual
109 abuse material, or (2) a series of images in electronic, digital or other

110 format, which is intended to be displayed continuously, consisting of
111 fewer than twenty frames, or a film or videotape, consisting of fewer
112 than twenty frames, that depicts a single act of sexually explicit conduct
113 by one child.

114 (b) In any prosecution for an offense under this section, it shall be an
115 affirmative defense that the acts of the defendant, if proven, would
116 constitute a violation of section 53a-196h, as amended by this act.

117 (c) Possessing child [pornography] sexual abuse material in the third
118 degree is a class D felony and any person found guilty under this section
119 shall be sentenced to a term of imprisonment of which one year of the
120 sentence imposed may not be suspended or reduced by the court.

121 Sec. 7. Section 53a-196g of the general statutes is repealed and the
122 following is substituted in lieu thereof (*Effective October 1, 2024*):

123 In any prosecution for a violation of section 53a-196d, as amended by
124 this act, 53a-196e, as amended by this act, 53a-196f, as amended by this
125 act, or 53a-196h, as amended by this act, it shall be an affirmative defense
126 that (1) the defendant (A) possessed fewer than three visual depictions,
127 other than a series of images in electronic, digital or other format, which
128 is intended to be displayed continuously, or a film or videotape, of child
129 [pornography] sexual abuse material, (B) did not knowingly purchase,
130 procure, solicit or request such visual depictions or knowingly take any
131 other action to cause such visual depictions to come into the defendant's
132 possession, and (C) promptly and in good faith, and without retaining
133 or allowing any person, other than a law enforcement agency, to access
134 any visual depiction or copy thereof, took reasonable steps to destroy
135 each such visual depiction or reported the matter to a law enforcement
136 agency and afforded that agency access to each such visual depiction, or
137 (2) the defendant possessed a visual depiction of a nude person under
138 sixteen years of age for a bona fide artistic, medical, scientific,
139 educational, religious, governmental or judicial purpose.

140 Sec. 8. Section 53a-196h of the general statutes is repealed and the
141 following is substituted in lieu thereof (*Effective October 1, 2024*):

142 (a) (1) No person who is under eighteen years of age may knowingly
143 possess any visual depiction of child [pornography] sexual abuse
144 material that the subject of such visual depiction knowingly and
145 voluntarily transmitted by means of an electronic communication
146 device to such person and in which the subject of such visual depiction
147 is a person under sixteen years of age.

148 (2) No person who is under sixteen years of age may knowingly and
149 voluntarily transmit by means of an electronic communication device a
150 visual depiction of child [pornography] sexual abuse material in which
151 such person is the subject of such visual depiction to another person
152 who is under eighteen years of age.

153 (b) As used in this section, ["child pornography"] "child sexual abuse
154 material" and "visual depiction" have the same meanings as provided in
155 section 53a-193, as amended by this act, and "electronic communication
156 device" means any electronic device that is capable of transmitting a
157 visual depiction, including a computer, computer network and
158 computer system, as those terms are defined in section 53a-250, and a
159 cellular or wireless telephone.

160 (c) Any person who violates the provisions of this section shall be
161 guilty of a class A misdemeanor.

162 Sec. 9. Section 54-86m of the general statutes is repealed and the
163 following is substituted in lieu thereof (*Effective October 1, 2024*):

164 Notwithstanding the provisions of section 54-86a, in any criminal
165 proceeding, any property or material that constitutes child
166 [pornography] sexual abuse material shall remain in the care, custody
167 and control of the state, and a court shall deny any request by the
168 defendant to copy, photograph, duplicate or otherwise reproduce any
169 property or material that constitutes child [pornography] sexual abuse
170 material provided the attorney for the state makes the property or
171 material reasonably available to the defendant. Such property or
172 material shall be deemed to be reasonably available to the defendant if
173 the attorney for the state provides the defendant, the defendant's

174 attorney or any individual the defendant may seek to qualify to furnish
175 expert testimony at trial, ample opportunity for inspection, viewing and
176 examination of the property or material at a state facility or at another
177 facility agreed upon by the attorney for the state and the defendant. For
178 the purposes of this section, ["child pornography"] "child sexual abuse
179 material" has the same meaning as in section 53a-193, as amended by
180 this act.

181 Sec. 10. Subdivision (2) of subsection (c) of section 19a-343 of the
182 general statutes is repealed and the following is substituted in lieu
183 thereof (*Effective October 1, 2024*):

184 (2) Promoting an obscene performance or obscene material under
185 section 53a-196 or 53a-196b, employing a minor in an obscene
186 performance under section 53a-196a, importing child [pornography]
187 sexual abuse material under section 53a-196c, as amended by this act,
188 possessing child [pornography] sexual abuse material in the first degree
189 under section 53a-196d, as amended by this act, possessing child
190 [pornography] sexual abuse material in the second degree under section
191 53a-196e, as amended by this act, or possessing child [pornography]
192 sexual abuse material in the third degree under section 53a-196f, as
193 amended by this act.

194 Sec. 11. (*Effective from passage*) (a) There is established a task force to
195 study the responsiveness of state agencies and the Judicial Branch to
196 issues concerning child sexual abuse. The task force shall undertake an
197 examination of state agency and Judicial Branch policies and practices
198 relating to and impacting children in order to identify opportunities to
199 detect, mitigate, prevent and effectively respond to such abuse. For the
200 purposes of this section, "state agency" means the Departments of
201 Children and Families, Public Health, Developmental Services, Social
202 Services, Mental Health and Addiction Services, Emergency Services
203 and Public Protection and Education.

204 (b) The task force shall consist of the following members:

205 (1) One appointed by the speaker of the House of Representatives,

206 who is a member of the joint standing committee of the General
207 Assembly having cognizance of matters relating to the judiciary;

208 (2) One appointed by the president pro tempore of the Senate, who is
209 a psychologist licensed pursuant to chapter 383 of the general statutes
210 with expertise in the treatment of children who have suffered from child
211 sexual abuse;

212 (3) One appointed by the majority leader of the House of
213 Representatives, who is a clinical social worker licensed pursuant to
214 chapter 383b of the general statutes with expertise in identifying child
215 sexual abuse;

216 (4) One appointed by the majority leader of the Senate, who is a
217 physician licensed pursuant to chapter 370 of the general statutes with
218 expertise in pediatric medicine;

219 (5) One appointed by the minority leader of the House of
220 Representatives, who is an attorney admitted to the bar of this state with
221 expertise in child welfare;

222 (6) One appointed by the minority leader of the Senate, who is a
223 representative of a state-wide organization dedicated to the prevention
224 of sexual violence;

225 (7) The Commissioner of Children and Families, or the
226 commissioner's designee;

227 (8) The Commissioner of Public Health, or the commissioner's
228 designee;

229 (9) The Commissioner of Developmental Services, or the
230 commissioner's designee;

231 (10) The Commissioner of Social Services, or the commissioner's
232 designee;

233 (11) The Commissioner of Mental Health and Addiction Services, or

- 234 the commissioner's designee;
- 235 (12) The Commissioner of Emergency Services and Public Protection,
236 or the commissioner's designee;
- 237 (13) The Commissioner of Education, or the commissioner's designee;
- 238 (14) The Chief Court Administrator, or the administrator's designee;
- 239 (15) The Probate Court Administrator, or the administrator's
240 designee;
- 241 (16) The Chief State's Attorney, or the Chief State's Attorney's
242 designee;
- 243 (17) The Chief Public Defender, or the Chief Public Defender's
244 designee;
- 245 (18) The Child Advocate, or the Child Advocate's designee;
- 246 (19) The executive director of the Commission on Women, Children,
247 Seniors, Equity and Opportunity, or the executive director's designee;
- 248 (20) A member of the Trafficking in Persons Council, designated by
249 the chairperson of the council;
- 250 (21) A member of the Governor's Task Force on Justice for Abused
251 Children, established in accordance with the Child Abuse Prevention
252 and Treatment Act, 42 USC 5106c et seq., jointly designated by the
253 cochairpersons of the task force; and
- 254 (22) One appointed by the Governor, who is a representative of a
255 children's advocacy center, as defined in section 17a-106a of the general
256 statutes.
- 257 (c) Any member of the task force appointed under subdivision (1),
258 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
259 of the General Assembly.

260 (d) All initial appointments to the task force shall be made not later
261 than thirty days after the effective date of this section. Any vacancy shall
262 be filled by the appointing authority.

263 (e) The speaker of the House of Representatives and the president pro
264 tempore of the Senate shall select the chairpersons of the task force from
265 among the members of the task force. Such chairpersons shall schedule
266 the first meeting of the task force, which shall be held not later than sixty
267 days after the effective date of this section.

268 (f) The administrative staff of the joint standing committee of the
269 General Assembly having cognizance of matters relating to children
270 shall serve as administrative staff of the task force.

271 (g) Not later than July 1, 2025, the task force shall submit a report on
272 its findings and recommendations to the joint standing committees of
273 the General Assembly having cognizance of matters relating to children
274 and the judiciary, in accordance with the provisions of section 11-4a of
275 the general statutes. Such recommendations shall include, but need not
276 be limited to, any legislative recommendations and recommendations
277 for changes to the policies or procedures of any state agency or the
278 Judicial Branch that would aid such agency or said branch in the
279 detection, mitigation, prevention and effective response to child sexual
280 abuse. The task force shall terminate on the date that it submits such
281 report or July 1, 2025, whichever is later.

282 Sec. 12. (*Effective from passage*) Not later than January 1, 2025, the
283 Office of the Child Advocate shall review state agency practices and
284 procedures for ensuring the care and protection of minors in Probate
285 Court guardianship proceedings, and submit a report, in accordance
286 with the provisions of section 11-4a of the general statutes, to the joint
287 standing committees of the General Assembly having cognizance of
288 matters relating to children and the judiciary concerning the adequacy
289 of such practices and procedures. Such report shall include, but need
290 not be limited to, an analysis of the (1) statutory requirements applicable
291 to such proceedings, (2) applicable court rules and policies and quality

292 assurance measures, (3) practices, procedures and quality assurance
 293 framework applicable to the work of the Department of Children and
 294 Families in Probate Court matters, (4) training and contractual
 295 expectations for counsel assigned to minors and guardians ad litem in
 296 Probate Court guardianship matters, and (5) practices and procedures
 297 for providing guardianship subsidies to eligible recipients by the
 298 Department of Social Services and the quality assurance framework
 299 applicable to the administration of such benefits.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024</i>	10-217h
Sec. 2	<i>October 1, 2024</i>	53a-193(13)
Sec. 3	<i>October 1, 2024</i>	53a-196c
Sec. 4	<i>October 1, 2024</i>	53a-196d
Sec. 5	<i>October 1, 2024</i>	53a-196e
Sec. 6	<i>October 1, 2024</i>	53a-196f
Sec. 7	<i>October 1, 2024</i>	53a-196g
Sec. 8	<i>October 1, 2024</i>	53a-196h
Sec. 9	<i>October 1, 2024</i>	54-86m
Sec. 10	<i>October 1, 2024</i>	19a-343(c)(2)
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	New section

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.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires the Department of Public Health (DPH) to administer a survey, replaces the phrase "child pornography" with "child sexual abuse material" throughout the statutes, and requires the Office of the Child Advocate (OCA) to submit a report on the care and protection of minors during probate hearings. These changes are not anticipated to have a fiscal impact to the state or to municipalities.

The bill requires, beginning 7/1/26, to include a sexual abuse and assault awareness prevention survey in each administration of its Connecticut School Health Survey. DPH must biennially administer the survey to students in grades nine through 12 if the department receives funding from the federal Centers for Disease Control and Prevention for it.

The bill also replaces the phrase "child pornography" with "child sexual abuse material." This change does not alter how individuals who commit this crime may be prosecuted or charged.

The bill requires that OCA review and submit a report on the care and protection of minors during probate court proceedings. It is expected that the agency has the expertise and resources to meet the requirements of the bill.

House "A" strikes the underlying bill resulting in the impact

described above.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5262 (as amended by House "A")*****AN ACT CONCERNING A SEXUAL ABUSE AND ASSAULT SURVEY.****SUMMARY**

This bill makes various changes in laws that relate to the protection of children from sexual abuse.

Starting July 1, 2026, the bill requires the Department of Public Health (DPH) to include a sexual abuse and assault awareness prevention survey for high school administrators in the Connecticut School Health Survey (see below).

The bill also replaces the term “child pornography” with “child sexual abuse material” in statutes that define the term and criminalize the possession, importation, and transmission of this material. In changing the terminology, the bill retains the elements of, and penalties for, the crimes. It also makes corresponding changes in related statutes.

It also (1) establishes a 22-member task force to study the responsiveness of certain state agencies and the judicial branch to child sexual abuse issues and (2) requires the task force to report its recommendations to the Children’s and Judiciary committees by July 1, 2025.

Lastly, it requires the Office of the Child Advocate (OCA) to (1) review state agency practices and procedures for ensuring the care and protection of minors in probate court guardianship proceedings and (2) report the findings to the Children’s and Judiciary committees by January 1, 2025.

EFFECTIVE DATE: Upon passage, except (1) July 1, 2024, for the

provision on the sexual abuse and assault survey and (2) October 1, 2024, for the child sexual abuse material-related provisions.

*House Amendment "A" adds provisions to the underlying bill that (1) replace the statutory term "child pornography" with "child sexual abuse material" in certain statutes, (2) establish a task force to study the responsiveness of state agencies and the judicial branch to child sexual abuse issues, and (3) require OCA to review state agency practices and procedures regarding the care and protection of children in probate court guardianship.

SEXUAL ABUSE AND ASSAULT AWARENESS PREVENTION SURVEY

Beginning July 1, 2026, this bill requires DPH to include a sexual abuse and assault awareness prevention survey for high school administrators each time it administers the Connecticut School Health Survey (see below). The bill requires each survey to be distributed to and completed by the school's administrators. The administrator's survey results must be submitted to DPH at the same time as the student survey results.

By law, DPH must biennially administer the Connecticut School Health Survey to students in grades nine through 12, if the department receives funding from the federal Centers for Disease Control and Prevention (CDC) for it. This survey was created as part of the statewide sexual abuse and assault awareness and prevention program and must be (1) based on the CDC's Youth Risk Behavior Survey and (2) administered in high schools the CDC randomly selects.

CHILD SEXUAL ABUSE MATERIAL

This bill replaces the term "child pornography" with "child sexual abuse material" in statutes that define the term and criminalize the possession, importation, and transmission of this material. These offenses include 1st, 2nd, and 3rd degree possession; importing; and possession and transmission by a minor. In changing the terminology, the bill retains the elements of, and penalties for, these crimes.

By law, "child pornography" ("child sexual abuse material" under

the bill) is any visual depiction (e.g., photograph, film, videotape, picture, or computer-generated image or picture) of sexually explicit conduct involving in its production a person under age 16 engaging in sexually explicit conduct, whether made or produced electronically, digitally, mechanically, or by other means.

TASK FORCE TO STUDY THE RESPONSIVENESS OF STATE AGENCIES AND THE JUDICIAL BRANCH TO CHILD SEXUAL ABUSE ISSUES

The bill establishes a 22-member task force to study certain state agencies' and the judicial branch's responsiveness to child sexual abuse issues.

Task Force Charge

The task force must examine state agency and judicial branch policies and practices relating to and impacting children in order to identify opportunities to detect, mitigate, prevent, and effectively respond to child abuse.

Under the bill, for the purpose of the task force study, "state agency" means the Children and Families, Education, Emergency Services and Public Protection, Developmental Services, Mental Health and Addiction Services, Public Health, and Social Services departments.

Membership and Appointments

The task force must consist of 22 members, appointed as follows:

1. a Judiciary Committee member appointed by the House speaker;
2. a psychologist with expertise in treating children who have suffered from child sexual abuse appointed by the Senate president pro tempore;
3. a clinical social worker with expertise in identifying child sexual abuse appointed by the House majority leader;
4. a physician with expertise in pediatric medicine appointed by the Senate majority leader;

5. a Connecticut licensed attorney with expertise in child welfare appointed by the House minority leader;
6. a representative of a state-wide organization dedicated to the prevention of sexual violence appointed by the Senate minority leader;
7. a representative of a children's advocacy center appointed by the governor;
8. the Children and Families, Education, Emergency Services and Public Protection, Developmental Services, Mental Health and Addiction Services, Public Health, and Social Services departments' commissioners or their designees;
9. the chief court administrator, probate court administrator, chief state's attorney, chief public defender, and child advocate or their designees;
10. the Commission on Women, Children, Seniors, Equity and Opportunity executive director or his designee;
11. a member of the Trafficking in Persons Council, designated by the council's chairperson; and
12. a member of the Governor's Task Force on Justice for Abused Children, jointly designated by the task force's chairpersons.

The six legislative leaders may appoint legislators and all initial appointments must be made by 30 days after the bill passes. Any vacancy must be filled by the appointing authority.

Staffing and Governance

The House speaker and the Senate president pro tempore must select the chairpersons of the task force from among its members. The chairpersons must schedule the first meeting to be held by 60 days after the bill passes.

The Children's Committee administrative staff must serve as the task force administrative staff.

Task Force Report and Termination

By July 1, 2025, the task force must report its findings and recommendations to the Children's and Judiciary committees, including (1) any legislative recommendations and (2) recommendations for changes to the policies or procedures of any state agency or the judicial branch that would aid in their detection, mitigation, and prevention of, and effective response to, child sexual abuse.

The task force terminates on the date that it submits the report or July 1, 2025, whichever is later.

OCA REVIEW OF STATE AGENCY PRACTICES AND PROCEDURES

Practices and Procedures Review

By January 1, 2025, the bill requires OCA to (1) review state agency practices and procedures for ensuring the care and protection of minors in Probate Court guardianship proceedings and (2) report to the Children's and Judiciary committees on the adequacy of the practices and procedures.

Report to the Legislature

Under the bill, OCA's report to the Children's and Judiciary committees must include an analysis of the following:

1. statutory requirements applicable to probate court guardianship proceedings;
2. applicable court rules and policies and quality assurance measures;
3. practices, procedures, and quality assurance framework applicable to the Department of Children and Families' work in probate court matters;
4. training and contractual expectations for counsel assigned to

minors and guardians ad litem in probate court guardianship matters; and

5. practices and procedures for providing guardianship subsidies to eligible recipients by the Department of Social Services and the quality assurance framework applicable to the administration of the benefits.

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 14 Nay 5 (03/05/2024)

Education Committee

Joint Favorable Substitute

Yea 40 Nay 0 (04/01/2024)