

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 24-118—sHB 5262
Committee on Children
Education Committee

AN ACT CONCERNING CHILD SEXUAL ABUSE

SUMMARY: This act makes various changes in laws that relate to protecting children from sexual abuse. Specifically, it:

1. requires the Department of Public Health (DPH), starting by July 1, 2026, to include a sexual abuse and assault awareness prevention survey for high school administrators in the Connecticut School Health Survey;
2. 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;
3. establishes a 22-member task force to study certain state agencies’ and the judicial branch’s responsiveness to child sexual abuse issues and report its recommendations to the legislature by July 1, 2025; and
4. requires the Office of the Child Advocate (OCA) to review state agency practices and procedures for ensuring minors’ care and protection in probate court guardianship proceedings and report its findings to the legislature by January 1, 2025.

EFFECTIVE DATE: Upon passage, except that the provisions on (1) the sexual abuse and assault survey are effective July 1, 2024, and (2) child sexual abuse material are effective October 1, 2024.

SEXUAL ABUSE AND ASSAULT AWARENESS PREVENTION SURVEY

Beginning July 1, 2026, the act 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. The act requires each survey to be distributed to and completed by the school’s administrators. The administrator 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 9 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

The act replaces the term “child pornography” with “child sexual abuse

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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 act retains the elements of, and penalties for, these crimes.

Under the act, “child sexual abuse material” (“child pornography” under prior law) 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 act 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 policies and practices relating to and impacting children to identify opportunities to detect, mitigate, prevent, and effectively respond to child abuse. Specifically, it must examine these policies and practices in the judicial branch and 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 the following 22 members:

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 statewide organization dedicated to preventing 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

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- attorney, chief public defender, and child advocate or their designees;
10. the Commission on Women, Children, Seniors, Equity and Opportunity executive director or her 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 July 5, 2024. Any vacancy must be filled by the appointing authority.

Staffing and Governance

The House speaker and Senate president pro tempore must select the chairpersons of the task force from among its members. The chairpersons must schedule and hold the first meeting by August 4, 2024.

The Children's Committee administrative staff must serve in that capacity for the task force.

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 recommendations for legislation and changes to state agency or judicial branch policies or procedures that would help them detect, mitigate, prevent, and effectively respond to child sexual abuse.

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

OCA REVIEW OF STATE AGENCY PRACTICES AND PROCEDURES

By January 1, 2025, the act requires OCA to (1) review state agency practices and procedures for ensuring minors' care and protection in probate court guardianship proceedings and (2) report to the Children's and Judiciary committees on the adequacy of these practices and procedures. Under the act, OCA's report must analyze the following:

1. statutory requirements for probate court guardianship proceedings;
2. applicable court rules, policies, and quality assurance measures;
3. practices, procedures, and the 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 subsidies' administration.