



General Assembly

February Session, 2024

Raised Bill No. 5415

LCO No. 2539



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING THE ISSUANCE OF A STANDING CRIMINAL PROTECTIVE ORDER WHEN A PERSON IS FOUND NOT GUILTY BY REASON OF LACK OF CAPACITY DUE TO MENTAL DISEASE OR DEFECT.

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

1 Section 1. Subsection (a) of section 53a-40e of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2024*):

4 (a) If any person is convicted of, or found not guilty by reason of lack
5 of capacity due to mental disease or defect of (1) a violation of section
6 53a-70b of the general statutes, revision of 1958, revised to January 1,
7 2019, or subdivision (1) or (2) of subsection (a) of section 53-21, section
8 53a-59, 53a-59a, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-70, 53a-70a, 53a-
9 70c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-181c, 53a-181d, 53a-181e, 53a-
10 182b or 53a-183, subdivision (2) of subsection (a) of section 53a-192a,
11 section 53a-223, 53a-223a or 53a-223b or attempt or conspiracy to violate
12 any of said sections or section 53a-54a, or (2) any crime that the court
13 determines constitutes a family violence crime, as defined in section
14 46b-38a, or attempt or conspiracy to commit any such crime, the court

15 may, in addition to imposing the sentence authorized for the crime
16 under section 53a-35a or 53a-36, if the court is of the opinion that the
17 history and character and the nature and circumstances of the criminal
18 conduct of such offender indicate that a standing criminal protective
19 order will best serve the interest of the victim and the public, issue a
20 standing criminal protective order which shall remain in effect for a
21 duration specified by the court until modified or revoked by the court
22 for good cause shown. If any person is convicted of, or found not guilty
23 by reason of lack of capacity due to mental disease or defect of, any
24 crime not specified in subdivision (1) or (2) of this subsection, the court
25 may, for good cause shown, issue a standing criminal protective order
26 pursuant to this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	53a-40e(a)

Statement of Purpose:

To permit a court to issue a standing criminal protective order when a person is found not guilty by reason of lack of capacity due to mental disease or defect.

[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.]