



General Assembly

February Session, 2024

Raised Bill No. 5500

LCO No. 3017



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING REVISIONS TO VARIOUS LAWS
CONCERNING JUROR COMPENSATION, THE DEPARTMENT OF
CORRECTION AND CRIMINAL LAW AND CRIMINAL PROCEDURE.***

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

1 Section 1. Section 51-247 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 (a) Each full-time employed juror shall be paid regular wages by the
4 juror's employer for the first five days, or part thereof, of jury service.
5 Such payment shall be subject to the requirements of section 31-71b and
6 any employer who violates this section shall be subject to the provisions
7 of sections 31-71g and 31-72. A person shall not be considered a full-time
8 employed juror on any day of jury service in which such person (1)
9 would not have accrued regular wages to be paid by the employer if
10 such person were not serving as a juror on that day, or (2) would not
11 have worked more than one-half of a shift which extends into another
12 day if such person were not serving as a juror on that day. Each part-
13 time employed or unemployed juror who has no source of
14 compensation for the first five days of jury service shall receive a flat fee

15 equal to the minimum fair wage, as defined in section 31-58, in effect on
16 the days of jury service, based on an eight-hour day. Each juror not
17 considered a full-time employed juror on a particular day of jury service
18 pursuant to subdivision (1) or (2) of this subsection shall be reimbursed
19 by the state for necessary out-of-pocket expenses incurred during that
20 day of jury service. [provided such day of service is within the first five
21 days, or part thereof, of jury service.] Each part-time employed juror and
22 unemployed juror shall be reimbursed by the state for necessary out-of-
23 pocket expenses incurred during the first five days, or part thereof, of
24 jury service. Necessary out-of-pocket expenses shall include, but not be
25 limited to, [twenty cents] family care at a rate established by the Jury
26 Administrator under subsection (b) of this section and travel expenses,
27 based on the privately owned vehicle mileage reimbursement rate
28 established by the federal General Services Administration, for each
29 mile of travel from the juror's place of residence to the place of holding
30 the court and return, and shall exclude food. The mileage shall be
31 determined by the shortest direct route either by highway or by any
32 regular line of conveyance between the points. A reimbursement award
33 under this subsection for each day of service shall not be less than
34 twenty dollars or more than [fifty dollars] the minimum fair wage, as
35 defined in section 31-58, in effect on the days of jury service, based on
36 an eight-hour day. For the purposes of this subsection, "full-time
37 employed juror" means an employee holding a position normally
38 requiring thirty hours or more of service in each week, which position
39 is neither temporary nor casual, and includes an employee holding a
40 position through a temporary help service, as defined in section 31-129,
41 which position normally requires thirty hours or more of service in each
42 week, who has been working in that position for a period exceeding
43 ninety days, and "part-time employed juror" means an employee
44 holding a position normally requiring less than thirty hours of service
45 in each week or an employee working on a temporary or casual basis.
46 In the event that a juror may be considered to be both a full-time
47 employed juror and a part-time employed juror for any day of the first
48 five days, or part thereof, of jury service, such juror shall, for the
49 purposes of this section, be considered to be a full-time employed juror

50 only.

51 (b) The Jury Administrator shall establish guidelines for
52 reimbursement of expenses pursuant to this section.

53 (c) Each juror who serves more than five days who is not paid by such
54 juror's employer after the fifth day shall be paid by the state for the sixth
55 day and each day thereafter [at a rate of fifty dollars] a flat fee equal to
56 the minimum fair wage, as defined in section 31-58, in effect on the days
57 of jury service, based on an eight-hour day, per day of service. A juror
58 receiving payment under this subsection shall not be entitled to any
59 additional reimbursement. An unemployed or part-time employed
60 juror who serves more than five days shall also be entitled to family care
61 and travel expenses paid at the rate specified in subsection (a) of this
62 section and subject to the guidelines established in subsection (b) of this
63 section.

64 Sec. 2. Subsection (c) of section 29-38c of the 2024 supplement to the
65 general statutes is repealed and the following is substituted in lieu
66 thereof (*Effective October 1, 2024*):

67 (c) A risk protection order issued under subsection (a) of this section,
68 may issue only on an affidavit sworn to by the complainant establishing
69 the grounds for issuing the order. A risk warrant issued under
70 subsection (a) of this section may issue only on an affidavit sworn to by
71 the complainant before the judge establishing the grounds for issuing
72 the warrant. Any such affidavit shall be part of the court file. In
73 determining whether there is probable cause for a risk protection order
74 and warrant, if applicable, under subsection (a) of this section, the judge
75 shall consider: (1) Recent threats or acts of violence by such person
76 directed toward other persons; (2) recent threats or acts of violence by
77 such person directed toward such person's self; and (3) recent acts of
78 cruelty to animals as provided in subsection (b) of section 53-247 by such
79 person. In evaluating whether such recent threats or acts of violence
80 constitute probable cause to believe that such person poses a risk of
81 imminent personal injury to such person's self or to others, the judge

82 may consider other factors including, but not limited to (A) the reckless
83 use, display or brandishing of a firearm or other deadly weapon by such
84 person, (B) a history of the use, attempted use or threatened use of
85 physical force by such person against other persons, (C) prior
86 involuntary confinement of such person in a hospital for persons with
87 psychiatric disabilities, and (D) the illegal use of controlled substances
88 or abuse of alcohol by such person. In the case of a complaint made
89 under subsection (a) of this section, if the judge is satisfied that the
90 grounds for the complaint exist or that there is probable cause to believe
91 that such grounds exist, such judge shall issue a risk protection order
92 and warrant, if applicable, naming or describing the person, and, in the
93 case of the issuance of a warrant, the place or thing to be searched. The
94 order and warrant, if applicable, shall be directed to any police officer
95 of a regularly organized police department or any state police officer.
96 The order and warrant, if applicable, shall state the grounds or probable
97 cause for issuance and, in the case of a warrant, the warrant shall
98 command the officer to search within a reasonable time the person,
99 place or thing named for any and all firearms and other deadly weapons
100 and ammunition. A copy of the order and warrant, if applicable, shall
101 be served upon the person named in the order not later than three days
102 prior to the hearing scheduled pursuant to subsection (e) of this section,
103 together with a notice informing the person that such person has the
104 right to a hearing under this section, the telephone number for the court
105 clerk who can inform the person of the date and time of such hearing
106 and the right to be represented by counsel at such hearing. If the person
107 is unable to afford counsel and is represented by a public defender or
108 an assigned counsel in a pending criminal proceeding in a court in this
109 state, counsel shall be appointed on behalf of such person if determined
110 to be eligible under the provisions of chapter 887 for purposes of in-
111 court proceedings pursuant to this section.

112 Sec. 3. Section 54-56l of the general statutes is repealed and the
113 following is substituted in lieu thereof (*Effective October 1, 2024*):

114 (a) There shall be a supervised diversionary program for persons
115 with psychiatric disabilities, persons with intellectual disabilities,

116 persons with autism spectrum disorder or persons who are veterans,
117 who are accused of a crime or crimes or a motor vehicle violation or
118 violations for which a sentence to a term of imprisonment may be
119 imposed, which crimes or violations are not of a serious nature. For the
120 purposes of this section, (1) "psychiatric disability" means a mental or
121 emotional condition, other than solely substance abuse, that (A) has
122 substantial adverse effects on the defendant's ability to function, and (B)
123 requires care and treatment, (2) "autism spectrum disorder" has the
124 same meaning as provided in section 17a-215f, and [(2)] (3) "veteran"
125 means a veteran, as defined in section 27-103, who is found, pursuant to
126 subsection (d) of this section, to have a mental health condition that is
127 amenable to treatment.

128 (b) A person shall be ineligible to participate in such supervised
129 diversionary program if such person (1) is ineligible to participate in the
130 pretrial program for accelerated rehabilitation under subsection (c) of
131 section 54-56e, except if a person's ineligibility is based on the person's
132 being eligible for the pretrial family violence education program
133 established under section 46b-38c, the court may permit such person to
134 participate in the supervised diversionary program if it finds that the
135 supervised diversionary program is the more appropriate program
136 under the circumstances of the case, or (2) has twice previously
137 participated in such supervised diversionary program.

138 (c) Upon application by any such person for participation in such
139 program, the court shall, but only as to the public, order the court file
140 sealed, provided such person states under oath, in open court or before
141 any person designated by the clerk and duly authorized to administer
142 oaths, under penalties of perjury, that such person has not had such
143 program invoked in such person's behalf more than once. Court
144 personnel shall provide notice, on a form prescribed by the Office of the
145 Chief Court Administrator, to any victim of such crime or motor vehicle
146 violation, by registered or certified mail, that such person has applied to
147 participate in the program and that such victim has an opportunity to
148 be heard by the court on the matter.

149 (d) The court shall refer such person to the Court Support Services
150 Division for confirmation of eligibility and assessment of the person's
151 mental health condition, intellectual disability or autism spectrum
152 disorder. The prosecuting attorney shall provide the division with a
153 copy of the police report in the case to assist the division in its
154 assessment. The division shall determine if the person is amenable to
155 treatment and if appropriate community supervision, treatment and
156 services are available. If such assessment is for an intellectual disability
157 or autism spectrum disorder, the Department of Developmental
158 Services, the Department of Social Services or the Department of Mental
159 Health and Addiction Services shall assist the division in conducting
160 such assessment and identifying appropriate treatment and services. If
161 the division determines that the person is amenable to treatment and
162 that appropriate community supervision, treatment and services are
163 available, the division shall develop a treatment plan tailored to the
164 person and shall present the treatment plan to the court.

165 (e) Upon confirmation of eligibility and consideration of the
166 treatment plan presented by the Court Support Services Division, the
167 court may grant the application for participation in the program. If the
168 court grants the application, such person shall be referred to the
169 division. [The division may collaborate with the Department of Mental
170 Health and Addiction Services, the Department of Veterans Affairs or
171 the United States Department of Veterans Affairs, as applicable, to place
172 such person in a program that provides appropriate community
173 supervision, treatment and services.] The person shall be subject to the
174 supervision of a probation officer who has a reduced caseload and
175 specialized training in working with persons with psychiatric
176 disabilities, intellectual disabilities and autism spectrum disorder.

177 (f) The Court Support Services Division shall establish policies and
178 procedures to require division employees to notify any victim of the
179 person admitted to the program of any conditions ordered by the court
180 that directly affect the victim and of such person's scheduled court
181 appearances with respect to the case.

182 (g) Any person who enters the program shall agree: (1) To the tolling
183 of the statute of limitations with respect to such crime or violation; (2)
184 to a waiver of such person's right to a speedy trial; and (3) to any
185 conditions that may be established by the division concerning
186 participation in the supervised diversionary program including
187 conditions concerning participation in meetings or sessions of the
188 program.

189 (h) If the Court Support Services Division informs the court that such
190 person is ineligible for the program and the court makes a determination
191 of ineligibility or if the division certifies to the court that such person
192 did not successfully complete the assigned program, the court shall
193 order the court file to be unsealed, enter a plea of not guilty for such
194 person and immediately place the case on the trial list.

195 (i) If such person satisfactorily completes the assigned program, such
196 person may apply for dismissal of the charges against such person and
197 the court, on reviewing the record of such person's participation in such
198 program submitted by the Court Support Services Division and on
199 finding such satisfactory completion, shall dismiss the charges. If such
200 person does not apply for dismissal of the charges against such person
201 after satisfactorily completing the assigned program, the court, upon
202 receipt of the record of such person's participation in such program
203 submitted by the Court Support Services Division, may on its own
204 motion make a finding of such satisfactory completion and dismiss the
205 charges. Except as provided in subsection (j) of this section, upon
206 dismissal, all records of such charges shall be erased pursuant to section
207 54-142a. An order of the court denying a motion to dismiss the charges
208 against a person who has completed such person's period of probation
209 or supervision or terminating the participation of a person in such
210 program shall be a final judgment for purposes of appeal.

211 (j) The Court Support Services Division shall develop and maintain a
212 database of information concerning persons admitted to the supervised
213 diversionary program that shall be available to the state police and
214 organized local police departments for use by sworn police officers

215 when responding to incidents involving such persons. Such information
216 shall include the person's name, date of birth, Social Security number,
217 the violation or violations with which the person was charged, the dates
218 of program participation and whether a deadly weapon or dangerous
219 instrument was involved in the violation or violations for which the
220 program was granted. The division shall enter such information in the
221 database upon such person's entry into the program, update such
222 information as necessary and retain such information for a period of five
223 years after the date of such person's entry into the program.

224 (k) The Court Support Services Division, [in consultation] may
225 consult with the Department of Mental Health and Addiction Services,
226 [shall] the Department of Veterans Affairs or the United States
227 Department of Veterans Affairs, and Department of Developmental
228 Services to develop standards and oversee appropriate treatment
229 programs to meet the requirements of this section and may contract
230 with service providers to provide such programs.

231 (l) The Court Support Services Division shall retain the police report
232 provided to it by the prosecuting attorney and the record of supervision
233 including the dates of supervision and shall provide such information
234 to the court, prosecuting attorney and defense counsel whenever a court
235 is considering whether to grant an application by such person for
236 participation in the supervised diversionary program for a second time.

237 Sec. 4. Section 14-227b of the general statutes is repealed and the
238 following is substituted in lieu thereof (*Effective October 1, 2024*):

239 (a) Any person who operates a motor vehicle in this state shall be
240 deemed to have given such person's consent to: (1) A chemical test of
241 such person's blood, breath or urine; and (2) a nontestimonial portion of
242 a drug influence evaluation conducted by a drug recognition expert. If
243 such person is a minor, such person's parent or parents or guardian shall
244 also be deemed to have given their consent for such test or evaluation.
245 As used in this section, "motor vehicle" includes a snowmobile and all-
246 terrain vehicle, as such terms are defined in section 14-379.

247 (b) (1) A police officer who has placed a person under arrest for a
248 violation of section 14-227a, 14-227m or subdivision (1) or (2) of
249 subsection (a) of section 14-227n may request that such person submit
250 to a blood, breath or urine test at the option of the police officer, a drug
251 influence evaluation conducted by a drug recognition expert, or both,
252 after such person has been (A) apprised of such person's constitutional
253 rights; (B) afforded a reasonable opportunity to telephone an attorney
254 prior to the performance of such test or evaluation; (C) informed that
255 evidence of any refusal to submit to such test or evaluation shall be
256 admissible in accordance with subsection (e) of section 14-227a and may
257 be used against such person in any criminal prosecution, except that
258 refusal to submit to the testimonial portions of a drug influence
259 evaluation shall not be considered evidence of refusal of such evaluation
260 for purposes of any criminal prosecution; and (D) informed that such
261 person's license or operating privilege may be suspended in accordance
262 with the provisions of this section if (i) such person refuses to submit to
263 such test or the nontestimonial portion of a drug influence evaluation,
264 (ii) such person submits to such test and the results of such test indicate
265 that such person has an elevated blood alcohol content, or (iii) the officer
266 concludes, through investigation, that such person was operating a
267 motor vehicle under the influence of intoxicating liquor or any drug, or
268 both.

269 (2) If the person refuses to submit to any test or drug influence
270 evaluation, the test or evaluation shall not be given, except if the person
271 refuses or is unable to submit to a blood test, the police officer shall
272 designate another test to be taken. If a person submits to a breath test
273 and the police officer, for reasonable cause, requests an additional
274 chemical test of a different type to detect the presence of a drug or drugs
275 other than or in addition to alcohol, the officer may administer such test,
276 except that if such person refuses or is unable to submit to a blood test,
277 the officer shall designate a urine test to be taken. The police officer shall
278 make a notation upon the records of the law enforcement unit, as
279 defined in section 7-294a, that such officer informed the person that such
280 person's license or operating privilege may be suspended if (A) such

281 person refused to submit to such test or nontestimonial portion of a drug
282 influence evaluation; (B) such person submitted to such test and the
283 results of such test indicated that such person had an elevated blood
284 alcohol content; or (C) the officer concludes, through investigation, that
285 such person was operating a motor vehicle under the influence of
286 intoxicating liquor or any drug, or both.

287 (c) If the person arrested refuses to submit to such test or
288 nontestimonial portion of a drug influence evaluation or submits to such
289 test, commenced within two hours of the time of operation, and the
290 results of such test indicate that such person has an elevated blood
291 alcohol content, the police officer, acting on behalf of the Commissioner
292 of Motor Vehicles, shall immediately revoke and take possession of the
293 motor vehicle operator's license or, if such person is not licensed or is a
294 nonresident, suspend the operating privilege of such person, for a
295 twenty-four-hour period. The police officer shall prepare a report of the
296 incident and shall mail or otherwise transmit in accordance with this
297 subsection the report and a copy of the results of any chemical test to
298 the Department of Motor Vehicles within three business days. The
299 report shall contain such information as prescribed by the
300 Commissioner of Motor Vehicles and shall be subscribed and sworn to
301 under penalty of false statement as provided in section 53a-157b by the
302 arresting officer. If the person arrested refused to submit to such test or
303 evaluation, the report shall be endorsed by a third person who
304 witnessed such refusal. The report shall set forth the grounds for the
305 officer's belief that there was probable cause to arrest such person for a
306 violation of section 14-227a or 14-227m or subdivision (1) or (2) of
307 subsection (a) of section 14-227n and shall state that such person had
308 refused to submit to such test or evaluation when requested by such
309 police officer to do so or that such person submitted to such test,
310 commenced within two hours of the time of operation, and the results
311 of such test indicated that such person had an elevated blood alcohol
312 content. A drug influence evaluation need not be commenced within
313 two hours of the time of operation. The Commissioner of Motor Vehicles
314 may accept a police report under this subsection that is prepared and

315 transmitted as an electronic record, including electronic signature or
316 signatures, subject to such security procedures as the commissioner may
317 specify and in accordance with the provisions of sections 1-266 to 1-286,
318 inclusive. In any hearing conducted pursuant to the provisions of
319 subsection (g) of this section, it shall not be a ground for objection to the
320 admissibility of a police report that it is an electronic record prepared by
321 electronic means.

322 (d) If a police officer who has placed a person under arrest for a
323 violation of section 14-227a or 14-227m or subdivision (1) or (2) of
324 subsection (a) of section 14-227n does not request that such person
325 submit to a blood, breath or urine test under subsection (b) of this
326 section, or obtains results from a test administered under subsection (b)
327 of this section that indicate that the person does not have an elevated
328 blood alcohol content, such officer shall:

329 (1) Advise such person that such person's license or operating
330 privilege may be suspended in accordance with the provisions of this
331 section if such police officer concludes, through investigation, that such
332 person was operating a motor vehicle under the influence of
333 intoxicating liquor or any drug, or both; and

334 (2) Submit a report to the commissioner in accordance with the
335 procedure set forth in subsection (c) of this section and, if such report
336 contains the results of a blood, breath or urine test that does not show
337 an elevated blood alcohol content, such report shall conform to the
338 requirements in subsection (c) of this section for reports that contain
339 results showing an elevated blood alcohol content. In any report
340 submitted under this subdivision, the officer shall document (A) the
341 basis for the officer's belief that there was probable cause to arrest such
342 person for a violation of section 14-227a or 14-227m or subdivision (1)
343 or (2) of subsection (a) of section 14-227n, and (B) whether the officer
344 concluded, through investigation, that the person was operating a
345 motor vehicle under the influence of intoxicating liquor or any drug, or
346 both. With such report, the officer may submit other supporting
347 documentation indicating the person's intoxication by liquor or any

348 drug, or both. If the officer concludes, through investigation, that the
349 person was operating a motor vehicle under the influence of
350 intoxicating liquor or any drug, or both, the officer shall immediately
351 revoke and take possession of the motor vehicle operator's license or, if
352 such person is not licensed or is a nonresident, suspend the operating
353 privilege of such person for a twenty-four-hour period.

354 (e) (1) Except as provided in subdivision (2) of this subsection, upon
355 receipt of a report submitted under subsection (c) or (d) of this section,
356 the commissioner may suspend any operator's license or operating
357 privilege of such person effective as of a date certain, which date certain
358 shall be not later than thirty days from the later of the date such person
359 received (A) notice of such person's arrest by the police officer, or (B) the
360 results of a blood or urine test or a drug influence evaluation. Any
361 person whose operator's license or operating privilege has been
362 suspended in accordance with this subdivision shall automatically be
363 entitled to a hearing before the commissioner to be held in accordance
364 with the provisions of chapter 54 and prior to the effective date of the
365 suspension. The commissioner shall send a suspension notice to such
366 person informing such person that such person's operator's license or
367 operating privilege is suspended as of a date certain and that such
368 person is entitled to a hearing prior to the effective date of the
369 suspension and may schedule such hearing by contacting the
370 Department of Motor Vehicles not later than seven days after the date
371 of mailing of such suspension notice.

372 (2) Upon receipt of a report that (A) the person's arrest involved an
373 accident resulting in a fatality, or (B) the person has previously had such
374 person's operator's license or operating privilege suspended under the
375 provisions of section 14-227a, 14-227m or 14-227n during the ten-year
376 period preceding the present arrest, the commissioner may suspend any
377 operator's license or operating privilege of such person effective as of
378 the date specified in a notice of such suspension to such person. A
379 person whose operator's license or operating privilege has been
380 suspended in accordance with this subdivision shall automatically be
381 entitled to a hearing before the commissioner, to be held in accordance

382 with the provisions of chapter 54. The commissioner shall send a
383 suspension notice to such person informing such person that such
384 person's operator's license or operating privilege is suspended as of the
385 date specified in such suspension notice, and that such person is entitled
386 to a hearing and may schedule such hearing by contacting the
387 Department of Motor Vehicles not later than seven days after the date
388 of mailing of such suspension notice. Any suspension issued under this
389 subdivision shall remain in effect until such suspension is affirmed
390 under subsection (f) of this section or such operator's license or
391 operating privilege is reinstated in accordance with subsection (h) of this
392 section.

393 (f) If such person does not contact the department to schedule a
394 hearing, the commissioner shall affirm the suspension contained in the
395 suspension notice for the appropriate period specified in subsection (i)
396 of this section.

397 (g) (1) If such person contacts the department to schedule a hearing,
398 the department shall assign a date, time and place for the hearing, which
399 date shall be prior to the effective date of the suspension, except that,
400 with respect to a person whose operator's license or operating privilege
401 is suspended in accordance with subdivision (2) of subsection (e) of this
402 section, such hearing shall be scheduled not later than thirty days after
403 such person contacts the department. At the request of such person, the
404 hearing officer or the department and upon a showing of good cause,
405 the commissioner may grant one or more continuances.

406 (2) A hearing based on a report submitted under subsection (c) of this
407 section shall be limited to a determination of the following issues: (A)
408 Did the police officer have probable cause to arrest the person for
409 operating a motor vehicle while under the influence of intoxicating
410 liquor or any drug, or both; (B) was such person placed under arrest; (C)
411 did such person (i) refuse to submit to such test or nontestimonial
412 portion of a drug influence evaluation, or (ii) submit to such test,
413 commenced within two hours of the time of operation, and the results
414 of such test indicated that such person had an elevated blood alcohol

415 content; and (D) was such person operating the motor vehicle.

416 (3) A hearing based on a report submitted under subsection (d) of this
417 section shall be limited to a determination of the following issues: (A)
418 Did the police officer have probable cause to arrest the person for
419 operating a motor vehicle while under the influence of intoxicating
420 liquor or any drug, or both; (B) was such person placed under arrest; (C)
421 was such person operating a motor vehicle under the influence of
422 intoxicating liquor or any drug, or both; and (D) was such person
423 operating the motor vehicle.

424 (4) In a hearing under this subsection, the results of the test, if
425 administered, shall be sufficient to indicate the ratio of alcohol in the
426 blood of such person at the time of operation, provided such test was
427 commenced within two hours of the time of operation. The fees of any
428 witness summoned to appear at a hearing under this subsection shall be
429 the same as provided by the general statutes for witnesses in criminal
430 cases. Notwithstanding the provisions of subsection (a) of section 52-
431 143, any subpoena summoning a police officer as a witness shall be
432 served not less than seventy-two hours prior to the designated time of
433 the hearing.

434 (5) In a hearing based on a report submitted under subsection (d) of
435 this section, evidence of operation under the influence of intoxicating
436 liquor or any drug, or both shall be admissible. Such evidence may
437 include, but need not be limited to, (A) the police officer's observations
438 of intoxication, as documented in a report submitted to the
439 commissioner under subsection (d) of this section; (B) the results of any
440 chemical test administered under this section or a toxicology report
441 certified by the Division of Scientific Services within the Department of
442 Emergency Services and Public Protection; (C) hospital or medical
443 records obtained in accordance with subsection (j) of this section or by
444 the consent of the operator; (D) the results of any tests conducted by, or
445 the report of, an officer trained in advanced roadside impaired driving
446 enforcement; or (E) reports of drug recognition experts.

447 (h) If, after a hearing under subdivision (2) of subsection (g) of this
448 section, the commissioner finds in the negative on any one of the issues
449 specified in subparagraph (A), (B), (C) or (D) of said subdivision, the
450 commissioner shall reinstate such license or operating privilege. If, after
451 a hearing under subdivision (3) of subsection (g) of this section, the
452 commissioner finds in the negative on any one of the issues specified in
453 subparagraph (A), (B), (C) or (D) of said subdivision, the commissioner
454 shall reinstate such license or operating privilege. If, after such hearing
455 under subdivision (2) or (3) of subsection (g) of this section, the
456 commissioner does not find on any one of said issues in the negative or
457 if such person fails to appear at such hearing, the commissioner shall
458 affirm the suspension contained in the suspension notice for the
459 appropriate period specified in subsection (i) of this section. The
460 commissioner shall render a decision at the conclusion of such hearing
461 and send a notice of the decision by bulk certified mail or by personal
462 delivery, as defined in section 4-166, to such person. The notice of such
463 decision sent by bulk certified mail or by personal delivery to the
464 address of such person as shown by the records of the commissioner
465 shall be sufficient notice to such person that such person's operator's
466 license or operating privilege is reinstated or suspended, as the case may
467 be. A notice of the decision shall only be transmitted by personal
468 delivery if the operator has consented, in writing, to such personal
469 delivery.

470 (i) (1) The commissioner shall suspend the operator's license or
471 operating privilege of a person who did not contact the department to
472 schedule a hearing, who failed to appear at a hearing, or against whom
473 a decision was issued, after a hearing, pursuant to subsection (h) of this
474 section, as of the effective date contained in the suspension notice, for a
475 period of forty-five days. As a condition for the restoration of such
476 operator's license or operating privilege, such person shall be required
477 to install an ignition interlock device on each motor vehicle owned or
478 operated by such person and, upon such restoration, be prohibited from
479 operating a motor vehicle unless such motor vehicle is equipped with a
480 functioning, approved ignition interlock device, as defined in section 14-

481 227j, for the longer of either (A) the period prescribed in subdivision (2)
482 of this subsection for the present arrest and suspension, or (B) the period
483 prescribed in subdivision (1), (2) or (3) of subsection (g) of section 14-
484 227a or subdivision (1), (2) or (3) of subsection (c) of section 14-227m or
485 subdivision (1) or (2) of subsection (c) of section 14-227n for the present
486 arrest and conviction, if any.

487 (2) (A) A person twenty-one years of age or older at the time of the
488 arrest who submitted to a test and the results of such test indicated that
489 such person had an elevated blood alcohol content, or was found to have
490 been operating a motor vehicle under the influence of intoxicating
491 liquor or any drug, or both based on a report filed pursuant to
492 subsection (d) of this section, shall install and maintain an ignition
493 interlock device for the following periods: (i) For a first suspension
494 under this section, six months; (ii) for a second suspension under this
495 section, one year; and (iii) for a third or subsequent suspension under
496 this section, two years; (B) a person under twenty-one years of age at the
497 time of the arrest who submitted to a test and the results of such test
498 indicated that such person had an elevated blood alcohol content, or was
499 found to have been operating a motor vehicle under the influence of
500 intoxicating liquor or any drug, or both based on a report filed pursuant
501 to subsection (d) of this section, shall install and maintain an ignition
502 interlock device for the following periods: (i) For a first suspension
503 under this section, one year; (ii) for a second suspension under this
504 section, two years; and (iii) for a third or subsequent suspension under
505 this section, three years; and (C) a person, regardless of age, who refused
506 to submit to a test or nontestimonial portion of a drug influence
507 evaluation shall install and maintain an ignition interlock device for the
508 following periods: (i) For a first suspension under this section, one year;
509 (ii) for a second suspension under this section, two years; and (iii) for a
510 third or subsequent suspension, under this section, three years.

511 (3) Notwithstanding the provisions of subdivisions (1) and (2) of this
512 subsection, a person whose motor vehicle operator's license or operating
513 privilege has been permanently revoked upon a third offense pursuant
514 to subsection (g) of section 14-227a or subsection (c) of section 14-227m

515 shall be subject to the penalties prescribed in subdivision (2) of
516 subsection (i) of section 14-111.

517 (j) Notwithstanding the provisions of subsections (b) to (i), inclusive,
518 of this section, any police officer who obtains the results of a test of a
519 blood sample taken from or a urine sample provided by an operator of
520 a motor vehicle who was involved in an accident and suffered or
521 allegedly suffered physical injury in such accident, or who was
522 otherwise deemed by a police officer to require treatment or observation
523 at a hospital, shall notify the commissioner and submit to the
524 commissioner a written report if such results indicate that such person
525 had an elevated blood alcohol content, or any quantity of an intoxicating
526 liquor or any drug, or both, in such person's blood, and if such person
527 was arrested for violation of section 14-227a or 14-227m or subdivision
528 (1) or (2) of subsection (a) of section 14-227n. The report shall be made
529 on a form approved by the commissioner containing such information
530 as the commissioner prescribes, and shall be subscribed and sworn to
531 under penalty of false statement, as provided in section 53a-157b, by the
532 police officer. The commissioner may, after notice and an opportunity
533 for hearing, which shall be conducted by a hearing officer on behalf of
534 the commissioner in accordance with chapter 54, suspend the motor
535 vehicle operator's license or operating privilege of such person for the
536 appropriate period of time specified in subsection (i) of this section and
537 require such person to install and maintain an ignition interlock device
538 for the appropriate period of time prescribed in subsection (i) of this
539 section. Each hearing conducted under this subsection shall be limited
540 to a determination of the following issues: (1) Whether the police officer
541 had probable cause to arrest the person for operating a motor vehicle
542 while under the influence of intoxicating liquor or drug, or both; (2)
543 whether such person was placed under arrest; (3) whether such person
544 was operating the motor vehicle; (4) whether (A) the results of the
545 analysis of the blood or urine of such person indicate that such person
546 had an elevated blood alcohol content, or (B) the person was operating
547 a motor vehicle under the influence of intoxicating liquor or any drug,
548 or both; and (5) in the event that a blood sample was taken, whether the

549 blood sample was obtained in accordance with conditions for
550 admissibility and competence as evidence as set forth in subsection (k)
551 of section 14-227a. If, after such hearing, the commissioner finds on any
552 one of the said issues in the negative, the commissioner shall not impose
553 a suspension. The fees of any witness summoned to appear at the
554 hearing shall be the same as provided by the general statutes for
555 witnesses in criminal cases, as provided in section 52-260.

556 (k) The provisions of this section shall apply with the same effect to
557 the refusal by any person to submit to an additional chemical test as
558 provided in subparagraph (E) of subdivision (1) of subsection (b) of
559 section 14-227a.

560 (l) The provisions of this section shall not apply to any person whose
561 physical condition is such that, according to competent medical advice,
562 such test would be inadvisable.

563 (m) Notwithstanding the provisions of this section, when a person is
564 required, pursuant to this section, to install and maintain an ignition
565 interlock device or is prohibited, pursuant to this section, from
566 operating a motor vehicle except under the condition that such device
567 is installed and maintained on such vehicle, such requirement and
568 condition shall cease to apply to such person upon any of the following
569 conditions being met in the case of an arrest for a violation of section 14-
570 227a, 14-227m or subdivision (1) or (2) of subsection (a) of section 14-
571 227n for which the only intoxicating substance detected is cannabis: (1)
572 All charges resulting from such alleged violation are withdrawn, nolle
573 or dismissed; (2) the person has been acquitted of any charges resulting
574 from such alleged violation; or (3) any conviction of such person based
575 upon any charges resulting from such alleged violation is vacated,
576 overturned or erased. Upon the ceasing of the application of such
577 requirement and condition upon such person, the commissioner shall
578 provide written notification to the person indicating that such
579 requirement and condition has ceased to apply to such person. The
580 provisions of this subsection shall not affect any other requirement or
581 condition applied to such person.

582 [(m)] (n) The state shall pay the reasonable charges of any physician
583 who, at the request of a law enforcement unit, as defined in section 7-
584 294a, takes a blood sample for purposes of a test under the provisions of
585 this section.

586 [(n)] (o) For the purposes of this section, "elevated blood alcohol
587 content" means (1) a ratio of alcohol in the blood of such person that is
588 eight-hundredths of one per cent or more of alcohol, by weight, (2) if
589 such person is operating a commercial motor vehicle, a ratio of alcohol
590 in the blood of such person that is four-hundredths of one per cent or
591 more of alcohol, by weight, or (3) if such person is less than twenty-one
592 years of age, a ratio of alcohol in the blood of such person that is two-
593 hundredths of one per cent or more of alcohol, by weight.

594 [(o)] (p) The Commissioner of Motor Vehicles shall adopt regulations,
595 in accordance with chapter 54, to implement the provisions of this
596 section.

597 Sec. 5. (NEW) (*Effective from passage and applicable to any offense*
598 *committed prior to, on or after said date*) Any offense committed by means
599 of communication transmitted by use of an interactive computer service,
600 as defined in section 53a-90a of the general statutes, computer network,
601 as defined in section 53a-250 of the general statutes, telecommunications
602 service, as defined in section 16-247a of the general statutes, cellular
603 system, as used in section 16-50i of the general statutes, electronic
604 communication service, as defined in section 54-260b of the general
605 statutes or electronic communication system, as defined in 18 USC 2510,
606 as amended from time to time, including electronic mail or text message
607 or any other electronically sent message, whether by digital media
608 account, messaging program or application, may be deemed to have
609 been committed either at the place where the communication originated
610 or at the place where it was received.

611 Sec. 6. Section 18-85 of the 2024 supplement to the general statutes is
612 repealed and the following is substituted in lieu thereof (*Effective October*
613 *1, 2024*):

614 (a) The Commissioner of Correction, after consultation with the
615 Commissioner of Administrative Services and the Secretary of the Office
616 of Policy and Management, shall establish a schedule of compensation
617 for services performed on behalf of the state by [inmates of] persons who
618 are incarcerated in any institution or facility of the department. Such
619 schedule shall (1) recognize degrees of merit, diligence and skill in order
620 to encourage inmate incentive and industry, and (2) establish a pay
621 [range] rate of not less than [five dollars per week, but not greater than
622 ten dollars per week] one dollar per day with higher rates of pay based
623 upon skill level or other factors, as determined by the Commissioner of
624 Correction, or the commissioner's designee.

625 (b) Compensation so earned shall be deposited, under the direction
626 of the Commissioner of Correction, in an account in a savings bank or
627 state bank and trust company in this state or an account administered
628 by the State Treasurer. Any compensation so earned shall be paid to the
629 [inmate on the inmate's] incarcerated person upon such person's release
630 from incarceration in the form of a debit card, except that the
631 commissioner may, while [the inmate] such person is in custody,
632 disburse any compensation earned by such [inmate] person in
633 accordance with the following priorities: (1) Federal taxes due; (2)
634 restitution or payment of compensation to a crime victim ordered by
635 any court of competent jurisdiction; (3) payment of a civil judgment
636 rendered in favor of a crime victim by any court of competent
637 jurisdiction; (4) victims compensation through the criminal injuries
638 account administered by the Office of Victim Services; (5) state taxes
639 due; (6) support of the [inmate's] incarcerated person's dependents, if
640 any; (7) the [inmate's] incarcerated person's necessary travel expense to
641 and from work and other incidental expenses; (8) costs of such
642 [inmate's] person's incarceration under section 18-85a and regulations
643 adopted in accordance with said section; and (9) payment to the clerk of
644 the court in which an [inmate] incarcerated person, confined in a
645 correctional facility only for payment of a fine, was convicted, such
646 portion of such compensation as is necessary to pay such fine. Any
647 interest that accrues shall be credited to any institutional fund

648 established for the welfare of [inmates] incarcerated persons.
649 Compensation under this section shall be in addition to any
650 compensation received or credited under section 18-50.

651 Sec. 7. Section 54-53 of the general statutes is repealed and the
652 following is substituted in lieu thereof (*Effective October 1, 2024*):

653 Each person detained in a community correctional center pursuant to
654 the issuance of a bench warrant of arrest or for arraignment, sentencing
655 or trial for an offense not punishable by death shall be entitled to bail
656 and shall be released from such institution upon entering into a
657 recognizance, with sufficient surety, or upon posting cash bail, in an
658 amount rounded down to the nearest dollar, as provided in section 54-
659 66, for the detained person's appearance before the court having
660 cognizance of the offense, to be taken by any person designated by the
661 Commissioner of Correction at the institution where the person is
662 detained. The person so designated shall deliver the recognizance or
663 cash bail to the clerk of the appropriate court before the opening of the
664 court on the first court day thereafter. When cash bail in excess of ten
665 thousand dollars is received for a detained person accused of a felony,
666 where the underlying facts and circumstances of the felony involve the
667 use, attempted use or threatened use of physical force against another
668 person, the person so designated shall prepare a report that contains (1)
669 the name, address and taxpayer identification number of the detained
670 person, (2) the name, address and taxpayer identification number of
671 each person offering the cash bail, other than a person licensed as a
672 professional bondsman under chapter 533 or a surety bail bond agent
673 under chapter 700f, (3) the amount of cash received, and (4) the date the
674 cash was received. Not later than fifteen days after receipt of such cash
675 bail, the person so designated shall file the report with the Department
676 of Revenue Services and mail a copy of the report to the state's attorney
677 for the judicial district in which the alleged offense was committed and
678 to each person offering the cash bail.

679 Sec. 8. Subsection (d) of section 54-56d of the general statutes is
680 repealed and the following is substituted in lieu thereof (*Effective October*

681 1, 2024):

682 (d) If the court finds that the request for an examination is justified
683 and that, in accordance with procedures established by the judges of the
684 Superior Court, there is probable cause to believe that the defendant has
685 committed the crime for which the defendant is charged, the court shall
686 order an examination of the defendant as to [his or her] the defendant's
687 competency, except in a case where the most serious offense charged
688 against the defendant is a misdemeanor, the court may order a
689 competency examination only after considering, based on all available
690 information, whether participation by the defendant in a jail diversion
691 program is not appropriate. The court may (1) appoint one or more
692 physicians specializing in psychiatry to examine the defendant, or (2)
693 order the Commissioner of Mental Health and Addiction Services to
694 conduct the examination either (A) by a clinical team consisting of a
695 physician specializing in psychiatry, a clinical psychologist and one of
696 the following: A clinical social worker licensed pursuant to chapter 383b
697 or a psychiatric nurse clinical specialist holding a master's degree in
698 nursing, or (B) by one or more physicians specializing in psychiatry,
699 except that no employee of the Department of Mental Health and
700 Addiction Services who has served as a member of a clinical team in the
701 course of such employment for at least five years prior to October 1,
702 1995, shall be precluded from being appointed as a member of a clinical
703 team. If the Commissioner of Mental Health and Addiction Services is
704 ordered to conduct the examination, the commissioner shall select the
705 members of the clinical team or the physician or physicians. When
706 performing an examination under this section, the examiners shall have
707 access to information on treatment dates and locations in the
708 defendant's treatment history contained in the Department of Mental
709 Health and Addiction Services' database of treatment episodes for the
710 purpose of requesting a release of treatment information from the
711 defendant. If the examiners determine that the defendant is not
712 competent, the examiners shall then determine whether there is a
713 substantial probability that the defendant, if provided with a course of
714 treatment, will regain competency within the maximum period of any

715 placement order under this section. If the examiners determine that
716 there is a substantial probability that the defendant, if provided with a
717 course of treatment, will regain competency within the maximum
718 period of any placement order under this section, the examiners shall
719 then determine whether the defendant appears to be eligible for civil
720 commitment, with monitoring by the Court Support Services Division,
721 pursuant to subdivision (2) of subsection (h) of this section. If the
722 examiners determine that there is not a substantial probability that the
723 defendant, if provided with a course of treatment, will regain
724 competency within the maximum period of any placement order under
725 this section, the examiners shall then determine whether the defendant
726 appears to be eligible for civil commitment to a hospital for psychiatric
727 disabilities pursuant to subsection (m) of this section and make a
728 recommendation to the court regarding the appropriateness of such
729 civil commitment. The court may authorize a physician specializing in
730 psychiatry, a clinical psychologist, a clinical social worker licensed
731 pursuant to chapter 383b or a psychiatric nurse clinical specialist
732 holding a master's degree in nursing selected by the defendant to
733 observe the examination. Counsel for the defendant may observe the
734 examination. The examination shall be completed within fifteen
735 business days from the date it was ordered and the examiners shall
736 prepare and sign, without notarization, a written report and file such
737 report with the court within twenty-one business days of the date of the
738 order. On receipt of the written report, the clerk of the court shall cause
739 copies to be delivered immediately to the state's attorney and to counsel
740 for the defendant.

741 Sec. 9. Subsection (i) of section 54-56d of the general statutes is
742 repealed and the following is substituted in lieu thereof (*Effective October*
743 *1, 2024*):

744 (i) (1) The placement of the defendant for treatment for the purpose
745 of rendering the defendant competent shall comply with the following
746 conditions: [(1)] (A) The period of placement under the order or
747 combination of orders shall not exceed the period of the maximum
748 sentence which the defendant could receive on conviction of the charges

749 against the defendant or eighteen months, whichever is less; [(2)] (B) the
750 placement shall be either [(A)] (i) in the custody of the Commissioner of
751 Mental Health and Addiction Services, the Commissioner of Children
752 and Families or the Commissioner of Developmental Services, except
753 that any defendant placed for treatment with the Commissioner of
754 Mental Health and Addiction Services may remain in the custody of the
755 Department of Correction pursuant to subsection (p) of this section; or,
756 [(B)] (ii) if the defendant or the appropriate commissioner agrees to
757 provide payment, in the custody of any appropriate mental health
758 facility or treatment program which agrees to provide treatment to the
759 defendant and to adhere to the requirements of this section; and [(3)] (C)
760 the court shall order the placement, on either an inpatient or an
761 outpatient basis, which the court finds is the least restrictive placement
762 appropriate and available to restore competency.

763 (2) In determining the least restrictive placement appropriate and
764 available to restore competency, the court shall consider the following
765 factors: (A) The nature and circumstances of the alleged crime; (B) such
766 defendant's record of criminal convictions; (C) such defendant's record
767 of appearance in court; (D) such defendant's family and community ties;
768 (E) such defendant's willingness and ability to engage with treatment
769 ordered under this section; (F) whether such defendant's use of
770 substances would interfere with such defendant's ability to be successful
771 in such placement; (G) any psychiatric symptoms experienced by such
772 defendant and the nature and severity of the symptoms; and (H) any
773 other relevant factors specific to the defendant and such defendant's
774 circumstances.

775 (3) If the defendant is not charged with a felony, the court shall
776 presume that outpatient treatment is the least restrictive placement
777 appropriate and available to restore competency, unless the court has
778 good cause to find otherwise based on review of the factors in
779 subdivision (2) of this subsection. If outpatient treatment is the least
780 restrictive placement for a defendant who has not yet been released
781 from a correctional facility, the court shall consider whether the
782 availability of such treatment is a sufficient basis on which to release the

783 defendant on a promise to appear, conditions of release, cash bail or
784 bond. If the court determines that the defendant may not be so released,
785 the court shall order treatment of the defendant on an inpatient basis at
786 a mental health facility or facility for persons with intellectual disability.
787 Not later than twenty-four hours after the court orders placement of the
788 defendant for treatment for the purpose of rendering the defendant
789 competent, the examiners shall transmit information obtained about the
790 defendant during the course of an examination pursuant to subsection
791 (d) of this section to the health care provider named in the court's order.

792 Sec. 10. Section 53a-38 of the general statutes is repealed and the
793 following is substituted in lieu thereof (*Effective October 1, 2024, and*
794 *effective upon any sentence of imprisonment which is being served on or*
795 *commences on or after October 1, 2024*):

796 (a) An indeterminate sentence of imprisonment commences when the
797 prisoner is received in the custody or institution to which he was
798 sentenced.

799 (b) A definite sentence of imprisonment commences when the
800 prisoner is received in the custody to which he was sentenced. Where a
801 person is under more than one definite sentence, the sentences shall be
802 calculated as follows: (1) If the sentences run concurrently, the terms
803 merge in and are satisfied by discharge of the term which has the longest
804 term to run; (2) if the sentences run consecutively, the terms are added
805 to arrive at an aggregate term and are satisfied by discharge of such
806 aggregate term.

807 (c) When a sentence of imprisonment that has been imposed on a
808 person is vacated and a new sentence is imposed on such person for the
809 same offense or for an offense based on the same act, the new sentence
810 shall be calculated as if it had commenced at the time the vacated
811 sentence commenced, and all time served under or credited against the
812 vacated sentence shall be credited against the new sentence.

813 (d) Notwithstanding the provisions of this section, any person who
814 for any pretrial or presentence period is released to such person's

815 residence, subject to the condition that such person not leave such
 816 residence unless otherwise authorized, shall have such person's
 817 sentence of imprisonment reduced by the number of whole days such
 818 person was subject to such condition.

819 [(d)] (e) When a person who is serving a sentence of imprisonment
 820 escapes, the escape shall interrupt the sentence and such interruption
 821 shall continue until the return of such person to the custody of the
 822 Commissioner of Correction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	51-247
Sec. 2	<i>October 1, 2024</i>	29-38c(c)
Sec. 3	<i>October 1, 2024</i>	54-56l
Sec. 4	<i>October 1, 2024</i>	14-227b
Sec. 5	<i>from passage and applicable to any offense committed prior to, on or after said date</i>	New section
Sec. 6	<i>October 1, 2024</i>	18-85
Sec. 7	<i>October 1, 2024</i>	54-53
Sec. 8	<i>October 1, 2024</i>	54-56d(d)
Sec. 9	<i>October 1, 2024</i>	54-56d(i)
Sec. 10	<i>October 1, 2024, and effective upon any sentence of imprisonment which is being served on or commences on or after October 1, 2024</i>	53a-38

Statement of Purpose:

To revise provisions concerning (1) juror compensation, (2) risk protection orders or warrants, (3) a supervised diversionary program for persons with intellectual disabilities or autism spectrum disorder, (4) the use of ignition interlock devices, (5) the jurisdiction for offenses committed by means of transmitted communications, (6) compensation for persons who are incarcerated, (7) bail payments, (8) competency to stand trial, and (9) credit for time served under house arrest.

[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.]