

Raised Bill No. 6874

January Session, 2023

LCO No. 5504



Referred to Committee on JUDICIARY

Introduced by: (JUD)

AN ACT CONCERNING JUDICIAL BRANCH OPERATIONS, THE SHARING OF JUDICIAL BRANCH RECORDS AND THE AWARD OF DAMAGES IN CERTAIN CIVIL MATTERS.

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

- 1 Section 1. Subsection (b) of section 12-18b of the general statutes is
- 2 repealed and the following is substituted in lieu thereof (*Effective from*
- 3 passage):
- 4 (b) Notwithstanding the provisions of sections 12-19a and 12-20a, on
- 5 or before May thirtieth, annually, all funds appropriated for state grants
- 6 in lieu of taxes shall be payable to municipalities and fire districts
- 7 pursuant to the provisions of this section. On or before January first,
- 8 annually, the Secretary of the Office of Policy and Management shall
- 9 determine the amount due, as a state grant in lieu of taxes, to each
- municipality and fire district in this state wherein college and hospital
- 11 property is located and to each municipality and fire district in this state
- 12 wherein state, municipal or tribal property, except that which was
- 13 acquired and used for highways and bridges, but not excepting
- 14 property acquired and used for highway administration or maintenance

LCO No. 5504 1 of 56

purposes, is located. Such determination shall be calculated based on assessed values provided to the Office of Policy and Management prior to the preceding April first, pursuant to section 12-19b.

18

19

20

21

35

36

37

38

39

40

41

42

43

44

45

46

- (1) The grant payable to any municipality or fire district for state, municipal or tribal property under the provisions of this section in the fiscal year ending June 30, 2022, and each fiscal year thereafter, shall be equal to the total of:
- 22 (A) One hundred per cent of the property taxes that would have been 23 paid with respect to any facility designated by the Commissioner of 24 Correction, on or before August first of each year, to be a correctional 25 facility administered under the auspices of the Department of 26 Correction or a juvenile [detention] residential center under direction of 27 the [Department of Children and Families] <u>Judicial Branch</u> that was 28 used for incarcerative purposes during the preceding fiscal year. If a list 29 containing the name and location of such designated facilities and 30 information concerning their use for purposes of incarceration during 31 the preceding fiscal year is not available from the Secretary of the State 32 on August first of any year, the Commissioner of Correction shall, on 33 said date, certify to the Secretary of the Office of Policy and Management 34 a list containing such information;
 - (B) One hundred per cent of the property taxes that would have been paid with respect to that portion of the John Dempsey Hospital located at The University of Connecticut Health Center in Farmington that is used as a permanent medical ward for prisoners under the custody of the Department of Correction. Nothing in this section shall be construed as designating any portion of The University of Connecticut Health Center John Dempsey Hospital as a correctional facility;
 - (C) One hundred per cent of the property taxes that would have been paid on any land designated within the 1983 Settlement boundary and taken into trust by the federal government for the Mashantucket Pequot Tribal Nation on or after June 8, 1999;
 - (D) One hundred per cent of the property taxes that would have been

LCO No. 5504 **2** of 56

47 paid with respect to the property and facilities owned by the 48 Connecticut Port Authority;

- (E) Subject to the provisions of subsection (c) of section 12-19a, sixty-five per cent of the property taxes that would have been paid with respect to the buildings and grounds comprising Connecticut Valley Hospital and Whiting Forensic Hospital in Middletown;
- (F) With respect to any municipality in which more than fifty per cent of the property is state-owned real property, one hundred per cent of the property taxes that would have been paid with respect to such stateowned property;
- (G) Forty-five per cent of the property taxes that would have been paid with respect to all municipally owned airports; except for the exemption applicable to such property, on the assessment list in such municipality for the assessment date two years prior to the commencement of the state fiscal year in which such grant is payable. The grant provided pursuant to this section for any municipally owned airport shall be paid to any municipality in which the airport is located, except that the grant applicable to Sikorsky Airport shall be paid one-half to the town of Stratford and one-half to the city of Bridgeport;
 - (H) One hundred per cent of the property taxes that would have been paid with respect to any land designated within the 1983 Settlement boundary and taken into trust by the federal government for the Mashantucket Pequot Tribal Nation prior to June 8, 1999, or taken into trust by the federal government for the Mohegan Tribe of Indians of Connecticut, provided the real property subject to this subparagraph shall be the land only, and shall not include the assessed value of any structures, buildings or other improvements on such land; and
- (I) Forty-five per cent of the property taxes that would have been paid with respect to all other state-owned real property.
 - (2) The grant payable to any municipality or fire district for college and hospital property under the provisions of this section in the fiscal

LCO No. 5504 3 of 56

year ending June 30, 2017, and each fiscal year thereafter, shall be equal to the total of seventy-seven per cent of the property taxes that, except for any exemption applicable to any college and hospital property under the provisions of section 12-81, would have been paid with respect to college and hospital property on the assessment list in such municipality or fire district for the assessment date two years prior to the commencement of the state fiscal year in which such grant is payable.

Sec. 2. Section 46b-44a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

- (a) An action for a nonadversarial dissolution of marriage may be commenced by the filing of a joint petition in the judicial district in which one of the parties resides. The joint petition shall be notarized and contain an attestation, under oath, by each party that the conditions set forth in subsection (b) of this section exist.
- (b) An action brought pursuant to subsection (a) of this section may proceed if, at the time of the filing of the action, the parties attest, under oath, that the following conditions exist: (1) The marriage has broken down irretrievably; (2) the duration of the marriage does not exceed nine years; (3) neither party to the action is pregnant; (4) no children were born to or adopted by the parties prior to, or during, the marriage; (5) neither party has any interest or title in real property; (6) the total combined fair market value of all property owned by either party, less any amount owed on such property, is less than eighty thousand dollars; (7) neither party has a defined benefit pension plan; (8) neither party has a pending petition for relief under the United States Bankruptcy Code; (9) no other action for dissolution of marriage, civil union, legal separation or annulment is pending in this state or in a foreign jurisdiction, except as provided in subsection [(g)] (f) of this section; (10) a restraining order, issued pursuant to section 46b-15, or a protective order, issued pursuant to section 46b-38c, between the parties is not in effect; and (11) the residency provisions of section 46b-44 have been satisfied. After the filing of the joint petition and prior to the court entering a decree of dissolution of marriage pursuant to section 46b-44c,

LCO No. 5504 **4** of 56

if a change occurs with respect to any of the conditions set forth in this subsection, one or both of the parties shall notify the court forthwith of the changed condition. For the purposes of this subsection, "defined benefit pension plan" means a pension plan in which an employer promises to pay a specified monthly benefit upon an employee's retirement that is predetermined by a formula based on the employee's earnings history and tenure of service.

- (c) In addition to attesting to the conditions enumerated in subsection (b) of this section, any joint petition filed pursuant to subsection (a) of this section shall also state the date and place of marriage and the current residential address for each party.
- (d) A joint petition shall be accompanied by financial affidavits completed by each party on a form prescribed by the Office of the Chief Court Administrator, a request for the court to order the restoration of a birth name or former name, if so desired by either party, and a certification attested to by the parties, under oath, that: (1) The parties agree to proceed by consent and waive service of process, except as provided in subsection (g) of this section; (2) neither party is acting under duress or coercion; and (3) each party is waiving any right to a trial, alimony, spousal support or an appeal.
 - (e) If the parties submit a settlement agreement to the court that they are requesting be incorporated into the decree of dissolution, such settlement agreement shall be filed with the joint petition. Each party shall attest, under oath, that the terms of the settlement agreement are fair and equitable. If the court finds that the settlement agreement is fair and equitable, it shall be incorporated by reference into the decree of the court. If the court cannot determine whether such agreement is fair and equitable, the matter shall be docketed for the court's review in accordance with the provisions of section 46b-44d.
 - [(f) The provisions of subsection (a) of section 46b-67 shall not apply to a nonadversarial dissolution action brought under this section.]
- [(g)] (f) (1) If after filing an action for dissolution of marriage on the

LCO No. 5504 **5** of 56

regular family docket, pursuant to section 46b-45, but prior to the court entering a decree of dissolution of marriage, the parties to such action satisfy all the conditions for a nonadversarial dissolution of marriage as set forth in this section, then such parties may file a joint petition for a nonadversarial dissolution of marriage in the existing dissolution of marriage action pursuant to subsection (a) of this section, except that such joint petition need not include a waiver of service of process. Upon the filing of such joint petition, the original complaint for dissolution of marriage is deemed superseded by operation of law and the action may proceed in the manner set forth in sections 46b-44b to 46b-44d, inclusive.

- (2) No new filing fee shall be imposed by the court for a joint petitionfiled pursuant to this subsection.
- Sec. 3. Subsection (a) of section 46b-53 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2023):
 - (a) On or after the return day of a complaint seeking the dissolution of a marriage or a legal separation, but prior to the entry of judgment, and prior to the expiration of the [ninety-day period specified in section 46b-67] ninety days following the return date, either spouse or the counsel for any minor children of the marriage may submit a request for conciliation to the clerk of the court. The clerk shall forthwith enter an order that the parties meet with a conciliator mutually acceptable to them or, if the parties cannot agree as to a conciliator, with a conciliator named by the court. The conciliator shall, in any case, be a clergyman, a physician, a domestic relations officer or a person experienced in marriage counseling.
- Sec. 4. Section 46b-67 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):
 - (a) [Following the expiration of ninety days after the day on] <u>Unless</u> the parties reach a full agreement upon which they ask the court to enter judgment prior to the return date, following the second day after which a complaint for dissolution or legal separation is made returnable, or

LCO No. 5504 **6** of 56

after the expiration of six months, where proceedings have been stayed under section 46b-53, as amended by this act, the court may proceed on the complaint, or whenever dissolution is claimed under cross complaint, amended complaint or amended cross complaint, the case may be heard and a decree granted thereon after the expiration of [the ninety days and twenty days [after] from the filing the cross complaint, amended complaint or amended cross complaint [has been filed] with the court, provided the requirement of the twenty-day delay shall not apply (1) whenever the opposing [counsel] party, having appeared, consents to the cross complaint, amended complaint or amended cross complaint, or (2) where the defendant has not appeared and the amendment does not set forth either a cause of action or a claim for relief not in the original complaint. [Nothing in this section shall prevent any period.] interlocutory proceedings within the ninety-day Notwithstanding the provisions of this section, (A) no judgment upon default of appearance of a defendant who has been served by personal or abode service shall be entered pursuant to subsection (b) of this section until at least thirty days after the return date; (B) no judgment upon default of appearance of a defendant who has been served in any other manner shall be entered until after a hearing held at least sixty days after the return date; and (C) no trial of a contested action for dissolution of marriage or legal separation shall commence until at least ninety days after the return date.

175

176

177

178

179

180

181

182

183184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

[(b) If the parties attest, under oath, that they have an agreement as to all terms of the dissolution of marriage or civil union or of the legal separation and wish the court to enter a decree of dissolution of marriage or civil union or of legal separation prior to the expiration of the time periods set forth in subsection (a) of this section, and file a motion seeking the waiver of said time periods, the court may waive the provisions of subsection (a) of this section.]

[(c)] (b) (1) If the defendant has not appeared, the plaintiff may file a motion for the entry of judgment upon default of appearance, no sooner than thirty days after the day on which the complaint for dissolution of marriage or civil union or for legal separation is made returnable. [,

LCO No. 5504 7 of 56

seeking a waiver of the time periods set forth in subsection (a) of this section.] The plaintiff shall file such motion on a form prescribed by the Chief Court Administrator. Such motion shall include an affidavit in which the plaintiff shall attest, under oath (A) the manner in which service was made on the defendant, pursuant to section 46b-45, and, if such service was abode service, (i) that the address at which service was made is the usual place of abode of the defendant, (ii) that the defendant was not known by the plaintiff to be residing, whether permanently or temporarily, at any other address at the time service was made, and (iii) the most recent date on which the plaintiff had personal knowledge that the defendant resided at the address at which service was made; (B) whether there were children born to or adopted by the parties prior to, or during, the marriage or civil union, and whether either party is pregnant; (C) whether there exists a restraining order, issued pursuant to section 46b-15, or a protective order, issued pursuant to section 46b-38c, between the parties that is in effect; (D) whether the plaintiff is requesting alimony or spousal support; and (E) whether the parties have any jointly owned property or jointly held debt.

(2) Except as provided in subdivision (3) of this subsection, the motion by the plaintiff filed pursuant to subdivision (1) of this subsection shall be docketed for a hearing. At such hearing, the court, in its discretion, may [grant the motion to waive the time periods set forth in subsection (a) of this section and may further] enter a decree of dissolution of marriage or civil union or of legal separation at such hearing, provided all other applicable requirements of this chapter are met.

(3) If the court finds that (A) the plaintiff has properly effectuated service upon the defendant, either personally or by abode, and, if by abode, has attested (i) that the address at which the defendant was served is the usual place of abode of the defendant, (ii) that the defendant was not known by the plaintiff to be residing, whether permanently or temporarily, at any other address at the time service was made, and (iii) to the most recent date on which the plaintiff had personal knowledge that the defendant resided at the address at which

LCO No. 5504 **8** of 56

service was made; (B) there were no children born to or adopted by the parties prior to, or during, the marriage or civil union, and that neither party is pregnant; (C) there does not exist a restraining order, issued pursuant to section 46b-15, or a protective order, issued pursuant to section 46b-38c, between the parties that is in effect; (D) the plaintiff is not requesting alimony or spousal support; and (E) the parties do not have any jointly owned property or jointly held debt, and the plaintiff has filed with the clerk of the court a completed financial affidavit, the court may, in its discretion, grant the motion to waive the time periods set forth in subsection (a) of this section without a hearing. The court may further enter a decree of dissolution of marriage or civil union or of legal separation without a hearing, provided the court shall not enter any order other than a dissolution of marriage or civil union or a legal separation, and, if the plaintiff requests, an order restoring his or her birth name or former name, without a hearing. If the court determines that any of the conditions of this subdivision have not been met, the matter shall be docketed for a hearing pursuant to subdivision (2) of this subsection.

243

244

245

246

247

248

249

250

251

252

253

254

255

256

257

258

259

260

261

262

263

264

265266

267

268

269

270

271

272

273

274

275

[(d)] (c) A decree of annulment or dissolution shall give the parties the status of unmarried persons and they may marry again. A decree of legal separation shall have the effect of a decree dissolving the marriage except that neither party shall be free to marry. [Neither the ninety-day period specified in this section nor the] The six-month period referred to in section 46b-53, as amended by this act, shall not apply in actions for annulment and the court may proceed on any cause of action for annulment in the manner generally applicable in civil actions.

Sec. 5. Subsection (b) of section 46b-122 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2023):

(b) Except as provided in subsection (c) of this section, any judge hearing a juvenile matter may, during such hearing, exclude from the room in which such hearing is held any person whose presence is, in the court's opinion, not necessary, except that in delinquency proceedings,

LCO No. 5504 9 of 56

any victim and the victim's next of kin shall not be excluded unless, after hearing from the parties and the victim and the victim's next of kin and for good cause shown, which shall be clearly and specifically stated on the record, the judge orders otherwise. For the purposes of this section, "victim" means a person who is the victim of a delinquent act, a parent or guardian of such person, the legal representative of such person or a victim advocate for such person under section 54-220, and "next of kin" means a spouse, adult child, a parent, an adult sibling, an aunt, an uncle or a grandparent.

Sec. 6. Subsection (b) of section 54-76h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2023):

- (b) In a proceeding under sections 54-76b to 54-76n, inclusive, the court shall not exclude any victim and the victim's next of kin from such proceeding or any portion thereof unless, after hearing from the parties and the victim and the victim's next of kin and for good cause shown, which shall be clearly and specifically stated on the record, the court orders otherwise. For the purposes of this subsection, "victim" means a person who is the victim of a crime for which a youth is charged, a parent or guardian of such person, the legal representative of such person or a victim advocate for such person under section 54-220, and "next of kin" means a spouse, adult child, a parent, an adult sibling, an aunt, an uncle or a grandparent.
- Sec. 7. Subsection (k) of section 46b-124 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2023):
- (k) (1) Notwithstanding the provisions of subsection (d) of this section, any information concerning a child that is obtained during any mental health screening or assessment of such child, shall be used solely for planning and treatment purposes and shall otherwise be confidential and retained in the files of the entity performing such screening or assessment. Such information may be further disclosed only for the

LCO No. 5504 10 of 56

purposes of any court-ordered evaluation or treatment of the child or provision of services to the child, or pursuant to sections 17a-101 to 17a-101e, inclusive, 17b-450, 17b-451 or 51-36a, or to the Court Support Services Division and its contracted quality assurance providers, for program evaluation purposes. Such information shall not be subject to subpoena or other court process for use in any other proceeding or for any other purpose.

(2) Notwithstanding the provisions of subsection (d) of this section, any information concerning a child that is obtained during any detention risk screening of such child shall be used solely for determining the child's risk to public safety as required by subsection (e) of section 46b-133. The information obtained and results of the detention risk screening shall be used for the purpose of making a recommendation to the court regarding the detention of the child and shall otherwise be confidential and retained in the files of the person performing such screening, but shall be disclosed to any attorney of record upon motion and order of the court. Any information and results disclosed upon such motion and order shall be available to any attorney of record for such case. Such information and results shall otherwise not be subject to subpoena or other court process for use in any other proceeding or for any other purpose.

(3) Notwithstanding the provisions of subsection (d) of this section, any information concerning a child that is obtained during any risk and behavioral health screening of such child shall be used solely for determining the child's eligibility for community diversion and nonjudicial handling. The information obtained and results of the risk and behavioral health screening shall be used for the purpose of identifying appropriate treatment and interventions and shall otherwise be confidential and retained in the files of the person performing such screening, but shall be disclosed to any attorney of record upon motion and order of the court. Any information and results disclosed upon such motion and order shall be available to any attorney of record for such case. Such information and results shall otherwise not be subject to subpoena or other court process for use in any other proceeding or for

LCO No. 5504 11 of 56

342 any other purpose.

361

362

363

364

365

366

367

368

369

370

371

372

373

- Sec. 8. Section 54-129a of the general statutes is repealed and the 343 344 following is substituted in lieu thereof (*Effective October 1, 2023*):
- 345 Prior to the Board of Pardons and Paroles terminating a person's 346 period of special parole pursuant to section 54-129, (1) the Office of 347 Victim Services [,] within the Judicial Department [,] shall notify the 348 victim of the crime for which the person is serving a period of special 349 parole who is registered with the Office of Victim Services within the 350 Judicial Department, [or] and (2) the Victim Services Unit within the 351 Department of Correction shall notify the victim of the crime for which 352 the person is serving a period of special parole who is registered with 353 the Victim Services Unit within the Department of Correction, of the 354 board's intent to consider the termination of such person's period of 355 special parole. Any victim may submit a statement to the board 356 concerning whether such person's period of special parole should be 357 terminated. For the purposes of this section, "victim" means a victim, as 358 defined in section 54-126a.
- 359 Sec. 9. Subsection (a) of section 53a-167c of the general statutes is 360 repealed and the following is substituted in lieu thereof (Effective July 1, 2023):
 - (a) A person is guilty of assault of public safety, emergency medical, public transit or health care personnel when, with intent to prevent a reasonably identifiable peace officer, firefighter or employee of an emergency medical service organization, as defined in section 53a-3, emergency room physician or nurse, health care employee as defined in section 19a-490q, employee of the Department of Correction, member or employee of the Board of Pardons and Paroles, probation officer, employee of the Judicial Branch assigned to provide pretrial or postconviction secure detention and programming services to juveniles accused of the commission of a delinquent act, liquor control agent, state or municipal animal control officer, security officer, employee of the Department of Children and Families assigned to provide direct

LCO No. 5504 **12** of 56 services to children and youths in the care or custody of the department, employee of a municipal police department assigned to provide security at the police department's lockup and holding facility, active individual member of a volunteer canine search and rescue team, as defined in section 5-249, or public transit employee from performing his or her duties, and while such peace officer, firefighter, employee, physician, nurse, health care employee, member, liquor control agent, animal control officer, security officer, probation officer or active individual member is acting in the performance of his or her duties, (1) such person causes physical injury to such peace officer, firefighter, employee, physician, nurse, member, liquor control agent, animal control officer, security officer, probation officer or active individual member, or (2) such person throws or hurls, or causes to be thrown or hurled, any rock, bottle, can or other article, object or missile of any kind capable of causing physical harm, damage or injury, at such peace officer, firefighter, employee, physician, nurse, member, liquor control agent, animal control officer, security officer, probation officer or active individual member, or (3) such person uses or causes to be used any mace, tear gas or any like or similar deleterious agent against such peace officer, firefighter, employee, physician, nurse, member, liquor control agent, animal control officer, security officer, probation officer or active individual member, or (4) such person throws or hurls, or causes to be thrown or hurled, any paint, dye or other like or similar staining, discoloring or coloring agent or any type of offensive or noxious liquid, agent or substance at such peace officer, firefighter, employee, physician, nurse, member, liquor control agent, animal control officer, security officer, probation officer or active individual member, or (5) such person throws or hurls, or causes to be thrown or hurled, any bodily fluid including, but not limited to, urine, feces, blood or saliva at such peace officer, firefighter, employee, physician, nurse, member, liquor control agent, animal control officer, security officer, probation officer or active individual member. For the purposes of this section, "public transit employee" means a person employed by the state, a political subdivision of the state, a transit district formed under chapter 103a or a person with whom the Commissioner of Transportation has

374

375

376

377378

379

380

381

382

383

384

385

386

387

388

389

390

391

392393

394

395

396

397

398

399

400

401

402

403

404

405

406

407

408

LCO No. 5504 13 of 56

contracted in accordance with section 13b-34 to provide transportation services who operates a vehicle or vessel providing public ferry service or fixed route bus service or performs duties directly related to the operation of such vehicle or vessel, or who, as part of the provision of public rail service, is a train operator, conductor, inspector, signal person or station agent and "security officer" has the same meaning as provided in section 29-152u.

- Sec. 10. Subsection (g) of section 17a-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2023):
- (g) The department shall disclose records, subject to subsections (b) and (c) of this section, without the consent of the person who is the subject of the record, to:

422

423

424

425

426

427

428

429

430

431

432

433

434

435

436

437

438

439

- (1) The person named in the record or such person's authorized representative, provided such disclosure shall be limited to information (A) contained in the record about such person or about such person's biological or adoptive minor child, if such person's parental rights to such child have not been terminated; and (B) identifying an individual who reported abuse or neglect of the person, including any tape recording of an oral report pursuant to section 17a-103, if a court determines that there is reasonable cause to believe the reporter knowingly made a false report or that the interests of justice require disclosure;
- (2) An employee of the department for any purpose reasonably related to the performance of such employee's duties;
- (3) A guardian ad litem or attorney appointed to represent a child or youth in litigation affecting the best interests of the child or youth;
- (4) An attorney representing a parent, guardian or child in a petition filed in the Superior Court pursuant to section 17a-112 or 46b-129, provided (A) if such records do not pertain to such attorney's client or such client's child, such records shall not be further disclosed to another

LCO No. 5504 14 of 56

individual or entity by such attorney except pursuant to the order of a court of competent jurisdiction, (B) if such records are confidential pursuant to federal law, such records shall not be disclosed to such attorney or such attorney's client unless such attorney or such attorney's client is otherwise entitled to such records, and (C) nothing in this subdivision shall limit the disclosure of records under subdivision (3) of this subsection;

- (5) The Attorney General, any assistant attorney general or any other legal counsel retained to represent the department during the course of a legal proceeding involving the department or an employee of the department;
 - (6) The Child Advocate or the Child Advocate's designee;

447

448

449

450

451

452

453

454

455

456

457

458 459

460

461

462

463

464

465

466

467

468

469

470

471

- (7) The Chief Public Defender or the Chief Public Defender's designee for purposes of ensuring competent representation by the attorneys with whom the Chief Public Defender contracts to provide legal and guardian ad litem services to the subjects of such records and for ensuring accurate payments for services rendered by such attorneys;
- (8) The Chief State's Attorney or the Chief State's Attorney's designee for purposes of investigating or prosecuting (A) an allegation related to child abuse or neglect, (B) an allegation that an individual made a false report of suspected child abuse or neglect, (C) an allegation that a mandated reporter failed to report suspected child abuse or neglect in accordance with section 17a-101a, provided such prosecuting authority shall have access to records of a child charged with the commission of a delinquent act, who is not being charged with an offense related to child abuse, only while the case is being prosecuted and after obtaining a release, or (D) an allegation of fraud in the receipt of public or private benefits, provided no information identifying the subject of the record is disclosed unless such information is essential to such investigation or prosecution;
- (9) A state or federal law enforcement officer, including a military law enforcement authority under the United States Department of Defense,

LCO No. 5504 15 of 56

for purposes of investigating (A) an allegation related to child abuse or neglect, (B) an allegation that an individual made a false report of suspected child abuse or neglect, or (C) an allegation that a mandated reporter failed to report suspected child abuse or neglect in accordance with section 17a-101a;

- (10) A foster or prospective adoptive parent, if the records pertain to a child or youth currently placed with the foster or prospective adoptive parent, or a child or youth being considered for placement with the foster or prospective adoptive parent, and the records are necessary to address the social, medical, psychological or educational needs of the child or youth, provided no information identifying a biological parent is disclosed without the permission of such biological parent;
- (11) The Governor, when requested in writing in the course of the Governor's official functions, the joint standing committee of the General Assembly having cognizance of matters relating to human services, the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary or the joint standing committee of the General Assembly having cognizance of matters relating to children, when requested in writing by any of such committees in the course of such committee's official functions, and upon a majority vote of such committee, provided no name or other identifying information is disclosed unless such information is essential to the gubernatorial or legislative purpose;
- (12) The Office of Early Childhood for the purpose of (A) determining the suitability of a person to care for children in a facility licensed pursuant to section 19a-77, 19a-80, 19a-87b or 19a-421; (B) determining the suitability of such person for licensure; (C) determining the suitability of a person to provide child care services to a child and receive a child care subsidy pursuant to section 17b-749k; (D) an investigation conducted pursuant to section 19a-80f; (E) notifying the office when the Department of Children and Families places an individual licensed or certified by the office on the child abuse and neglect registry pursuant to section 17a-101k; or (F) notifying the office

LCO No. 5504 **16** of 56

when the Department of Children and Families possesses information regarding an office regulatory violation committed by an individual licensed or certified by the office;

505 506

507

508

509

510

511

512

513

514

515

516

517

518

519

523

524

531

532

533

534

- (13) The Department of Developmental Services, to allow said department to determine eligibility, facilitate enrollment and plan for the provision of services to a child who is a client of said department and who is applying to enroll in or is enrolled in said department's behavioral services program. At the time that a parent or guardian completes an application for enrollment of a child in the Department of Developmental Services' behavioral services program, or at the time that said department updates a child's annual individualized plan of care, said department shall notify such parent or guardian that the Department of Children and Families may provide records to the Department of Developmental Services for the purposes specified in this subdivision without the consent of such parent or guardian;
- 520 (14) Any individual or entity for the purposes of identifying resources 521 that will promote the permanency plan of a child or youth approved by 522 the court pursuant to sections 17a-11, 17a-111b and 46b-129;
 - (15) A state agency that licenses or certifies a person to educate, care for or provide services to children or youths;
- 525 (16) A judge or employee of a Probate Court who requires access to 526 such records in order to perform such judge's or employee's official 527 duties;
- 528 (17) A judge of the Superior Court for purposes of determining the 529 appropriate disposition of a child adjudicated as delinquent; [or a child 530 who is a member of a family with service needs;]
 - (18) A judge of the Superior Court in a criminal prosecution for purposes of in camera inspection whenever (A) the court has ordered that the record be provided to the court; or (B) a party to the proceeding has issued a subpoena for the record;

LCO No. 5504 17 of 56

(19) A judge of the Superior Court and all necessary parties in a family violence proceeding when such records concern family violence with respect to the child who is the subject of the proceeding or the parent of such child who is the subject of the proceeding;

535

536

537

538

551

552

553

554

555

556

557

558

559

560

561

562

563

564

565

- 539 (20) The Auditors of Public Accounts, or their representative, 540 provided no information identifying the subject of the record is 541 disclosed unless such information is essential to an audit conducted 542 pursuant to section 2-90;
- 543 (21) A local or regional board of education, provided the records are 544 limited to educational records created or obtained by the state or 545 Connecticut Unified School District #2, established pursuant to section 546 17a-37;
- 547 (22) The superintendent of schools for any school district for the 548 purpose of determining the suitability of a person to be employed by 549 the local or regional board of education for such school district pursuant 550 to subsection (a) of section 10-221d;
 - (23) The Department of Motor Vehicles for the purpose of criminal history records checks pursuant to subsection (e) of section 14-44, provided information disclosed pursuant to this subdivision shall be limited to information included on the Department of Children and Families child abuse and neglect registry established pursuant to section 17a-101k, subject to the provisions of sections 17a-101g and 17a-101k concerning the nondisclosure of findings of responsibility for abuse and neglect;
 - (24) The Department of Mental Health and Addiction Services for the purpose of treatment planning for young adults who have transitioned from the care of the Department of Children and Families;
 - (25) The superintendent of a public school district or the executive director or other head of a public or private institution for children providing care for children or a private school (A) pursuant to sections 17a-11, 17a-101b, 17a-101c, 17a-101i, 17a-111b and 46b-129, or (B) when

LCO No. 5504 18 of 56

the Department of Children and Families places an individual employed by such institution or school on the child abuse and neglect registry pursuant to section 17a-101k;

- (26) The Department of Social Services for the purpose of (A) determining the suitability of a person for payment from the Department of Social Services for providing child care; (B) promoting the health, safety and welfare of a child or youth receiving services from either department; or (C) investigating allegations of fraud provided no information identifying the subject of the record is disclosed unless such information is essential to any such investigation;
- (27) The Court Support Services Division of the Judicial Branch, to allow the division to determine the supervision and treatment needs of a child or youth, and provide appropriate supervision and treatment services to such child or youth, provided such disclosure shall be limited to information that identifies the child or youth, or a member of such child's or youth's immediate family, as being or having been (A) committed to the custody of the Commissioner of Children and Families as delinquent, (B) under the supervision of the Commissioner of Children and Families, or (C) enrolled in the voluntary services program operated by the Department of Children and Families;
- (28) The Court Support Services Division of the Judicial Branch for the purpose of sharing common case records to track recidivism of juvenile offenders;
- (29) The birth-to-three program's referral intake office for the purpose of (A) determining eligibility of, (B) facilitating enrollment for, and (C) providing services to (i) substantiated victims of child abuse and neglect with suspected developmental delays, and (ii) newborns impacted by withdrawal symptoms resulting from prenatal drug exposure;
- (30) The Department of Public Health for the purpose of notification when the Commissioner of Children and Families places an individual licensed or certified by the Department of Public Health on the child abuse and neglect registry established pursuant to section 17a-101k;

LCO No. 5504 **19** of 56

598 (31) The Department of Correction, for the purpose of determining 599 the supervision and treatment needs of a child or youth, and providing 600 appropriate supervision and treatment services to such child or youth;

601

602

603

604

612

613

614

615 616

617

618

619

620

621

622

623

624

625

626

627

628 629

- (32) Any child placing agency subject to licensure by the Department of Children and Families, for the purpose of determining the suitability of a person (A) for employment by such agency, or (B) to adopt or provide foster care pursuant to sections 17a-114 and 17a-151; and
- (33) The Department of Administrative Services, for the purpose of determining whether an applicant for employment with the state, who would have contact with children in the course of such employment, appears on the child abuse or neglect registry maintained pursuant to section 17a-101k.
- Sec. 11. Section 46b-120 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):
 - The terms used in this chapter shall, in its interpretation and in the interpretation of other statutes, be defined as follows:
 - (1) "Child" means any person under eighteen years of age who has not been legally emancipated, except that [(A)] for purposes of delinquency matters and proceedings, "child" means any person who [(i)] (A) is at least ten years of age at the time of the alleged commission of a delinquent act and who is [(I)] (i) under eighteen years of age and has not been legally emancipated, or [(II)] (ii) eighteen years of age or older and committed a delinquent act prior to attaining eighteen years of age, or [(ii) is] (B) subsequent to attaining eighteen years of age, [(I)] (i) violates any order of the Superior Court or any condition of probation ordered by the Superior Court with respect to a delinquency proceeding, or [(II)] (ii) wilfully fails to appear in response to a summons under section 46b-133 or at any other court hearing in a delinquency proceeding of which the child had notice; [, and (B) for purposes of family with service needs matters and proceedings, child means a person who is at least seven years of age and is under eighteen years of age;

LCO No. 5504 **20** of 56

(2) (A) A child may be adjudicated as "delinquent" who has, while under sixteen years of age, (i) violated any federal or state law, except a first or second offense under subdivision (1) of subsection (b) of section 21a-279a, or except section 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or violated a municipal or local ordinance, [except an ordinance regulating behavior of a child in a family with service needs,] (ii) wilfully failed to appear in response to a summons under section 46b-133 or at any other court hearing in a delinquency proceeding of which the child had notice, (iii) violated any order of the Superior Court in a delinquency proceeding, [except as provided in section 46b-148,] or (iv) violated conditions of probation supervision or probation supervision with residential placement in a delinquency proceeding as ordered by the court;

 (B) A child may be adjudicated as "delinquent" who has (i) while sixteen or seventeen years of age, violated any federal or state law, other than (I) an infraction, (II) a violation, (III) a motor vehicle offense or violation under title 14, (IV) a violation of a municipal or local ordinance, (V) a violation of section 51-164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or (VI) a first or second offense under subdivision (1) of subsection (b) of section 21a-279a, (ii) while sixteen years of age or older, wilfully failed to appear in response to a summons under section 46b-133 or at any other court hearing in a delinquency proceeding of which the child had notice, (iii) while sixteen years of age or older, violated any order of the Superior Court in a delinquency proceeding, [except as provided in section 46b-148,] or (iv) while sixteen years of age or older, violated conditions of probation supervision or probation supervision with residential placement in a delinquency proceeding as ordered by the court;

(3) "Family with service needs" means a family that includes a child who is at least seven years of age and is under eighteen years of age who, according to a petition lawfully filed on or before June 30, 2020, (A) has without just cause run away from the parental home or other properly authorized and lawful place of abode, (B) is beyond the control of the child's parent, parents, guardian or other custodian, (C) has

LCO No. 5504 **21** of 56

engaged in indecent or immoral conduct, or (D) is thirteen years of age or older and has engaged in sexual intercourse with another person and such other person is thirteen years of age or older and not more than two years older or younger than such child;

- (4) A child may be found "neglected" who, for reasons other than being impoverished, (A) has been abandoned, (B) is being denied proper care and attention, physically, educationally, emotionally or morally, or (C) is being permitted to live under conditions, circumstances or associations injurious to the well-being of the child;
- (5) A child may be found "abused" who (A) has been inflicted with physical injury or injuries other than by accidental means, (B) has injuries that are at variance with the history given of them, or (C) is in a condition that is the result of maltreatment, including, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment;
- (6) A child may be found "uncared for" (A) who is homeless, (B) whose home cannot provide the specialized care that the physical, emotional or mental condition of the child requires, or (C) who has been identified as a victim of trafficking, as defined in section 46a-170. For the purposes of this section, the treatment of any child by an accredited Christian Science practitioner, in lieu of treatment by a licensed practitioner of the healing arts, shall not of itself constitute neglect or maltreatment;
- (7) "Delinquent act" means (A) the violation by a child under the age of sixteen of any federal or state law, except a first or second offense under subdivision (1) of subsection (b) of section 21a-279a, the violation of section 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or the violation of a municipal or local ordinance, [except an ordinance regulating behavior of a child in a family with service needs,] (B) the violation by a child sixteen or seventeen years of age of any federal or state law, other than (i) an infraction, (ii) a violation, (iii) a motor vehicle offense or violation under title 14, (iv) the violation of a municipal or

LCO No. 5504 **22** of 56

local ordinance, (v) the violation of section 51-164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or (vi) a first or second offense under subdivision (1) of subsection (b) of section 21a-279a, (C) the wilful failure of a child, including a child who has attained the age of eighteen, to appear in response to a summons under section 46b-133 or at any other court hearing in a delinquency proceeding of which the child has notice, (D) the violation of any order of the Superior Court in a delinquency proceeding by a child, including a child who has attained the age of eighteen, [except as provided in section 46b-148,] or (E) the violation of conditions of probation supervision or probation supervision with residential placement in a delinquency proceeding by a child, including a child who has attained the age of eighteen, as ordered by the court;

- (8) "Serious juvenile offense" means (A) the violation of, including attempt or conspiracy to violate, section 21a-277, 21a-278, 29-33, 29-34, 29-35, subdivision (2) or (3) of subsection (a) of section 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-57, inclusive, 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-64bb, 53a-70 to 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive, subdivision (1) of subsection (a) of section 53a-122, subdivision (2) of subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a or 53a-167c, as amended by this act, subsection (a) of section 53a-174, or section 53a-196a, 53a-211, 53a-212, 53a-216 or 53a-217b, or (B) absconding, escaping or running away, without just cause, from any secure residential facility in which the child has been placed by the court as a delinquent child;
 - (9) "Serious juvenile offender" means any child adjudicated as delinquent for the commission of a serious juvenile offense;
 - (10) "Serious juvenile repeat offender" means any child charged with the commission of any felony if such child has previously been adjudicated as delinquent or otherwise adjudicated at any age for two violations of any provision of title 21a, 29, 53 or 53a that is designated as

LCO No. 5504 23 of 56

729 a felony;

745

746

747

748

749

750

751

752

753

754

755

756

757

758

759

760

- 730 (11) "Alcohol-dependent" means a psychoactive substance 731 dependence on alcohol as that condition is defined in the most recent 732 edition of the American Psychiatric Association's "Diagnostic and
- 733 Statistical Manual of Mental Disorders";
- 734 (12) "Drug-dependent" means a psychoactive substance dependence 735 on drugs as that condition is defined in the most recent edition of the 736 American Psychiatric Association's "Diagnostic and Statistical Manual 737 of Mental Disorders". No child shall be classified as drug-dependent 738 who is dependent (A) upon a morphine-type substance as an incident 739 to current medical treatment of a demonstrable physical disorder other 740 than drug dependence, or (B) upon amphetamine-type, ataractic, 741 barbiturate-type, hallucinogenic or other stimulant and depressant 742 substances as an incident to current medical treatment of a 743 demonstrable physical or psychological disorder, or both, other than 744 drug dependence;
 - (13) "Pre-dispositional study" means a comprehensive written report prepared by a juvenile probation officer pursuant to section 46b-134 regarding the child's social, medical, mental health, educational, risks and needs, and family history, as well as the events surrounding the offense to present a supported recommendation to the court;
 - (14) "Probation supervision" means a legal status whereby a juvenile who has been adjudicated delinquent is placed by the court under the supervision of juvenile probation for a specified period of time and upon such terms as the court determines;
 - (15) "Probation supervision with residential placement" means a legal status whereby a juvenile who has been adjudicated delinquent is placed by the court under the supervision of juvenile probation for a specified period of time, upon such terms as the court determines, that include a period of placement in a secure or staff-secure residential treatment facility, as ordered by the court, and a period of supervision in the community;

LCO No. 5504 **24** of 56

(16) "Risk and needs assessment" means a standardized tool that (A) assists juvenile probation officers in collecting and synthesizing information about a child to estimate the child's risk of recidivating and identify other factors that, if treated and changed, can reduce the child's likelihood of reoffending, and (B) provides a guide for intervention planning;

- (17) "Secure-residential facility" means a hardware-secured residential facility that includes direct staff supervision, surveillance enhancements and physical barriers that allow for close supervision and controlled movement in a treatment setting;
- 771 (18) "Staff-secure residential facility" means a residential facility that 772 provides residential treatment for children in a structured setting where 773 the children are monitored by staff; and
 - (19) "Juvenile residential center" means a hardware-secured residential facility operated by the Court Support Services Division of the Judicial Branch that includes direct staff supervision, surveillance enhancements and physical barriers that allow for close supervision and controlled movement in a treatment setting for preadjudicated juveniles and juveniles adjudicated as delinquent.
 - Sec. 12. Section 46b-121 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):
 - (a) (1) Juvenile matters in the civil session include all proceedings concerning uncared-for, neglected or abused children within this state, termination of parental rights of children committed to a state agency, adoption proceedings pursuant to section 46b-129b, [matters concerning families with service needs,] contested matters involving termination of parental rights or removal of guardian transferred from the Probate Court and the emancipation of minors, but does not include matters of guardianship and adoption or matters affecting property rights of any child over which the Probate Court has jurisdiction, except that appeals from probate concerning adoption, termination of parental rights and removal of a parent as guardian shall be included.

LCO No. 5504 **25** of 56

(2) (A) Juvenile matters in the criminal session include all proceedings concerning delinquent children within this state and persons eighteen years of age and older who are under the supervision of a juvenile probation officer while on probation supervision or probation supervision with residential placement, for purposes of enforcing any court orders entered as part of such probation.

793

794

795 796

797

798

799

800

801

802

803

804

805

806

807

808

809

810

811

812

813

814

815

816

817

818

819

820

821

822

823

824

825

- (B) A juvenile who has been placed on probation supervision is subject to the continuing jurisdiction of the court and may be subject to other reasonable court-ordered restrictions or conditions and required to participate in a variety of appropriate programmatic services.
- (C) A juvenile who has been placed on probation supervision with residential placement is subject to the continuing jurisdiction of the court and may be subject to other reasonable court-ordered restrictions or conditions and required to participate in a variety of appropriate programmatic services.
- (b) (1) In juvenile matters, the Superior Court shall have authority to make and enforce such orders directed to parents, including any person who acknowledges before the court parentage of a child born to parents not married to each other, guardians, custodians or other adult persons owing some legal duty to a child therein, as the court deems necessary or appropriate to secure the welfare, protection, proper care and suitable support of a child subject to the court's jurisdiction or otherwise committed to or in the custody of the Commissioner of Children and Families. The Superior Court may order a local or regional board of education to provide to the court educational records of a child for the purpose of determining the need for services or placement of the child. In proceedings concerning a child charged with a delinquent act, [or with being from a family with service needs, records produced subject to such an order shall be maintained under seal by the court and shall be released only after a hearing or with the consent of the child. Educational records obtained pursuant to this section shall be used only for dispositional purposes. In addition, with respect to proceedings concerning delinquent children, the Superior Court shall have authority

LCO No. 5504 **26** of 56

826 to make and enforce such orders as the court deems necessary or 827 appropriate to provide individualized supervision, care, accountability 828 and treatment to such child in a manner consistent with public safety, 829 deter the child from the commission of further delinquent acts, ensure 830 that the child is responsive to the court process, ensure that the safety of 831 any other person will not be endangered and provide restitution to any 832 victim. The Superior Court shall also have authority to grant and enforce 833 temporary and permanent injunctive relief in all proceedings 834 concerning juvenile matters.

835

836

837

838

839

840

841

842

843

844

845

846

847

848

849

850

851

852

853

854

855

856

857

858

- (2) If any order for the payment of money is issued by the Superior Court, including any order assessing costs issued under section 46b-134 or 46b-136, the collection of such money shall be made by the court, except orders for support of children committed to any state agency or department, which orders shall be made payable to and collected by the Department of Administrative Services. If the Superior Court after due diligence is unable to collect such moneys within six months, the court shall refer such case to the Department of Administrative Services for collection as a delinquent account. In juvenile matters, the Superior Court shall have authority to make and enforce orders directed to persons liable hereunder on petition of the Department of Administrative Services made to the court in the same manner as is provided in section 17b-745, in accordance with the provisions of section 17b-81 or 17b-223, subsection (b) of section 17b-179 or section 17a-90, 46b-129 or 46b-130, and all of the provisions of section 17b-745 shall be applicable to such proceedings.
- (3) In the enforcement of the court's orders, in connection with any juvenile matter, the court may issue process for the arrest of any person, compel attendance of witnesses and punish for contempt by a fine not exceeding one hundred dollars or imprisonment not exceeding six months.
- Sec. 13. Subsection (a) of section 46b-121b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2023):

LCO No. 5504 27 of 56

(a) The Division of Criminal Justice shall have charge of all proceedings concerning juvenile matters in the criminal session of the Superior Court. [and all proceedings concerning families with service needs in the civil session of the Superior Court.]

- Sec. 14. Subsection (a) of section 46b-128a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2023):
- 866 (a) In any juvenile matter, as defined in section 46b-121, as amended 867 by this act, in which a child or youth is alleged to have committed a 868 delinquent act, [or an act or omission for which a petition may be filed 869 under section 46b-149,] the child or youth shall not be tried, convicted, adjudicated or subject to any disposition pursuant to section 46b-140 [or 870 871 46b-149] while the child or youth is not competent. For the purposes of 872 this section, a transfer to the regular criminal docket of the Superior 873 Court pursuant to section 46b-127 shall not be considered a disposition. 874 A child or youth is not competent if the child or youth is unable to 875 understand the proceedings against him or her or to assist in his or her 876 own defense.
- Sec. 15. Subsection (k) of section 46b-128a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2023):

880

881

882

883

884

885

886

887

888

889

890

(k) (1) If the court determines after the period covered by the intervention order that the child or youth has not attained or regained competency and that there is not a substantial probability that the child or youth will attain or regain competency, or that further intervention to attain or regain competency is not appropriate based on the criteria set forth in subdivision (2) of subsection (g) of this section, the court shall: (A) Dismiss the petition if it is a delinquency [or family with service needs] petition; (B) vest temporary custody of the child or youth in the Commissioner of Children and Families and notify the Office of the Chief Public Defender, which shall assign an attorney to serve as guardian ad litem for the child or youth and investigate whether a

LCO No. 5504 28 of 56

petition should be filed under section 46b-129; or (C) order that the Department of Children and Families or some other person, agency, mental health facility or treatment program, or such child's or youth's probation officer, conduct or obtain an appropriate assessment and, where appropriate, propose a plan for services that can appropriately address the child's or youth's needs in the least restrictive setting available and appropriate. Any plan for services may include a plan for interagency collaboration for the provision of appropriate services after the child or youth attains the age of eighteen.

- (2) Not later than ten business days after the issuance of an order pursuant to subparagraph (B) or (C) of subdivision (1) of this subsection, the court shall hold a hearing to review the order of temporary custody or any recommendations of the Department of Children and Families, such probation officer or such attorney or guardian ad litem for the child or youth.
- (3) If the child or youth is adjudicated neglected, uncared-for or abused subsequent to such a petition being filed, or if a plan for services pursuant to subparagraph (C) of subdivision (1) of this subsection has been approved by the court and implemented, the court may dismiss the delinquency [or family with service needs] petition, or, in the discretion of the court, order that the prosecution of the case be suspended for a period not to exceed eighteen months. During the period of suspension, the court may order the Department of Children and Families to provide periodic reports to the court to ensure that appropriate services are being provided to the child or youth. If during the period of suspension, the child or youth or the parent or guardian of the child or youth does not comply with the requirements set forth in the plan for services, the court may hold a hearing to determine whether the court should follow the procedure under subparagraph (B) of subdivision (1) of this subsection for instituting a petition alleging that a child is neglected, uncared for or abused. Whenever the court finds that the need for the suspension of prosecution is no longer necessary, but not later than the expiration of such period of suspension, the delinquency [or family with service needs] petition shall be dismissed.

LCO No. 5504 **29** of 56

Sec. 16. Subsection (b) of section 46b-129c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

925

926

927

928

929

930

931

932

933

934

935

936

937

938

939

940

941

942

943

944

945

946

947

948

949

950

951

952

953

954

955

956

957

- (b) (1) The Judicial Department shall establish, within available resources, a court appointed special advocate program. Under the program, a court appointed special advocate may serve as a resource to the superior court for juvenile matters in determining and furthering the best interests of a person under eighteen years of age who is the subject of a petition filed under section 46b-129. [or 46b-149.] The program shall be administered by the Chief Court Administrator within the superior court for juvenile matters.
- (2) A court, on its own motion or upon a motion of a party, may appoint a court appointed special advocate in any proceeding in which a petition is filed under section 46b-129. [or 46b-149.] The court appointed special advocate may conduct an independent investigation of the facts associated with the filing of the petition and shall undertake and facilitate activities in furtherance of the child's best interests, including, but not limited to, making recommendations to the court. Upon appointment by the court and after obtaining any required releases to access records, a court appointed special advocate shall have access to (A) any party to such proceeding, and (B) all information or records relevant to the child's best interests including, but not limited to, school records, child care records, medical records, mental health records, court records and records maintained by the Department of Children and Families. Nothing in this section shall permit a court appointed special advocate to supplant or interfere with any counsel or guardian ad litem appointed to represent the best interests of a child in such proceeding. Notwithstanding the provisions of this subsection, a court appointed special advocate may, in appropriate cases as determined by the court, undertake activities in furtherance of the child's best interests, until the child who is the subject of a petition filed under section 46b-129 [or 46b-149] reaches twenty-one years of age.
 - (3) No fees shall be charged for the services provided by a court

LCO No. 5504 **30** of 56

958 appointed special advocate.

959

960

961

962

963

964

965

966

967

968

969

970

971

972

973

974

975

976

977

978

979

980

981

982

983

984

985

986

987

988

989

Sec. 17. Subsection (a) of section 46b-149a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2023):

(a) Any police officer who receives a report from the parent or guardian of a child that such child [is a member of a family with service needs, as defined in section 46b-120] has run away from his or her parent or guardian's home without permission, shall promptly attempt to locate the child. If the officer locates such child, or any child [he] the officer believes has run away from his or her parent or guardian's home without permission, or any nondelinquent juvenile runaway from another state, [he] the officer shall report the location of the child to the parent or guardian, and may respond in one of the following ways: (1) [He] The officer may transport the child to the home of the child's parent or guardian or any other person; (2) [he may refer the child to the superior court for juvenile matters in the district where the child is located; (3) he] the officer may hold the child in protective custody for a maximum period of twelve hours until the officer can determine a more suitable disposition of the matter, provided (A) the child is not held in any locked room or cell, and (B) the officer may release the child at any time without taking further action; or [(4) he] (3) the officer may transport or refer a child to a youth service bureau or any public or private agency serving children, with or without the agreement of the child. If a child is transported or referred to an agency pursuant to this section, such agency may provide services to the child unless or until the child's parent or guardian at any time refuses to agree to those services. Such agency shall be immune from any liability, civil or criminal, which might otherwise be incurred or imposed; provided such services are provided in good faith and in a nonnegligent manner.

Sec. 18. Section 46b-149b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

Any police officer or any official of a municipal or community

LCO No. 5504 31 of 56

agency, who in the course of such police officer's or official's employment under subsection (d) of section 17a-15 or section 46b-120, as amended by this act, 46b-121, as amended by this act, [46b-149] or 46b-149a, as amended by this act, provides assistance to a child or a family in need thereof, shall not be liable to such child or such family for civil damages for any personal injuries which result from the voluntary termination of service by the child or the family.

Sec. 19. Section 46b-150d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

997

998

999

1000

1001

1002

1003

1004

1005

1006

1007

1008

1009

1010

1011

1012

1013

1014

1015

1016

1017

1018

1019

1020

1021

1022

1023

An order that a minor is emancipated shall have the following effects: (1) The minor may consent to medical, dental or psychiatric care, without parental consent, knowledge or liability; (2) the minor may enter into a binding contract; (3) the minor may sue and be sued in such minor's own name; (4) the minor shall be entitled to such minor's own earnings and shall be free of control by such minor's parents or guardian; (5) the minor may establish such minor's own residence; (6) the minor may buy and sell real and personal property; (7) the minor may not thereafter be the subject of (A) a petition under section 46b-129 as an abused, neglected or uncared for child or youth, or (B) a petition under section 46b-128 or 46b-133 as a delinquent child for any act committed before the date of the order; [, or (C) a petition under section 46b-149 alleging that the minor is a child from a family with service needs;] (8) the minor may enroll in any school or college, without parental consent; (9) the minor shall be deemed to be over eighteen years of age for purposes of securing an operator's license under section 14-36 and a marriage license under section 46b-20a; (10) the minor shall be deemed to be over eighteen years of age for purposes of registering a motor vehicle under section 14-12; (11) the parents of the minor shall no longer be the guardians of the minor under section 45a-606; (12) the parents of a minor shall be relieved of any obligations respecting such minor's school attendance under section 10-184; (13) the parents shall be relieved of all obligation to support the minor; (14) the minor shall be emancipated for the purposes of parental liability for such minor's acts under section 52-572; (15) the minor may execute releases in such

LCO No. 5504 32 of 56

- minor's own name; (16) the minor may enlist in the armed forces of the United States without parental consent; and (17) the minor may access or obtain a certified copy of a birth certificate under section 7-51.
- Sec. 20. Subsection (b) of section 52-212 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2023):
- (b) In addition to the provisions of subsection (a) of this section, any judgment rendered or decree passed in an action for dissolution of marriage or civil union or for legal separation [in which the waiting period was waived pursuant to subsection (c) of section 46b-67] upon default of appearance of the defendant pursuant to subsection (b) of section 46b-67, as amended by this act, may be set aside at any time and the case reinstated to the docket upon a showing of material misrepresentation in the affidavit of the plaintiff filed pursuant to said subsection.
- Sec. 21. Subsection (b) of section 51-51*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2023):

(b) The Judicial Review Council shall, not later than three business days after the termination of such investigation, notify the complainant, if any, and the judge, administrative law judge or family support magistrate that the investigation has been terminated and the results thereof. If the council finds that conduct under section 51-51i has not occurred, but the judge, administrative law judge or family support magistrate has acted in a manner which gives the appearance of impropriety or constitutes an unfavorable judicial or magisterial practice, the council may issue an admonishment to the judge, administrative law judge or family support magistrate recommending a change in judicial or magisterial conduct or practice. If an admonishment is issued, the council shall (1) notify the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary that an admonishment was issued and provide

LCO No. 5504 33 of 56

said committee with the substance of the admonishment, including copies of the complaint file, [and] (2) notify the chief court administrator that an admonishment was issued and provide the chief court administrator with the substance of the admonishment, including copies of the complaint file, and (3) inform the complainant, if any, that an admonishment was issued if the admonishment is the result of misconduct alleged in the complaint. Except as provided in [subdivision (1) of] this subsection, the substance of the admonishment shall not be disclosed to any person or organization.

1056

1057

1058

10591060

1061

1062

1063

1064

1065

1066

1067

1068

1069

1070

1071

1072

1073

1074

1075

1076

1077

1078

1079

1080

1081

1082

1083

1084

1085

10861087

1088

1089

Sec. 22. Subsection (d) of section 46b-124 of the general statutes, is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2023):

(d) Records of cases of juvenile matters involving delinquency proceedings shall be available to (1) Judicial Branch employees who, in the performance of their duties, require access to such records, (2) judges and employees of the Probate Court who, in the performance of their duties, require access to such records, and (3) employees and authorized agents of municipal, state or federal agencies involved in (A) the delinquency proceedings, (B) the provision of services directly to the child, or (C) the delivery of court diversionary programs. Such employees and authorized agents include, but are not limited to, law enforcement officials, community-based youth service bureau officials, state and federal prosecutorial officials, school officials in accordance with section 10-233h, court officials including officials of both the regular criminal docket and the docket for juvenile matters and officials of the Division of Criminal Justice, the Division of Public Defender Services, the Department of Children and Families, if the child is under the oversight of the department's administrative unit pursuant to section 17a-3b, provided such disclosure shall be limited to information that identifies the child as residing in a justice facility or incarcerated, or, if the child is committed pursuant to section 46b-129, provided such disclosure shall be limited to (i) information that identifies the child as the subject of the delinquency petition, or (ii) the records of the delinquency proceedings, when the juvenile court orders the

LCO No. 5504 34 of 56

department to provide services to said child, the Court Support Services Division and agencies under contract with the Judicial Branch. Such records shall also be available to (I) the attorney representing the child, including the Division of Public Defender Services, in any proceeding in which such records are relevant, (II) the parents or guardian of the child, until such time as the subject of the record reaches the age of majority, (III) the subject of the record, upon submission of satisfactory proof of the subject's identity, pursuant to guidelines prescribed by the Office of the Chief Court Administrator, provided the subject has reached the age of majority, (IV) law enforcement officials and prosecutorial officials conducting legitimate criminal investigations, as provided in subsection (o) of this section or orders to detain pursuant to section 46b-133, (V) a state or federal agency providing services related to the collection of moneys due or funding to support the service needs of eligible juveniles, provided such disclosure shall be limited to that information necessary for the collection of and application for such moneys, (VI) members and employees of the Board of Pardons and Paroles and employees of the Department of Correction who, in the performance of their duties, require access to such records, provided the subject of the record has been convicted of a crime in the regular criminal docket of the Superior Court and such records are relevant to the performance of a risk and needs assessment of such person while such person is incarcerated, the determination of such person's suitability for release from incarceration or for a pardon, or the determination of the supervision and treatment needs of such person while on parole or other supervised release, and (VII) members and employees of the Judicial Review Council who, in the performance of their duties related to said council, require access to such records. Records disclosed pursuant to this subsection shall not be further disclosed, except that information contained in such records may be disclosed in connection with bail or sentencing reports in open court during criminal proceedings involving the subject of such information, or as otherwise provided by law.

1090

1091

1092

1093

1094

1095

1096

1097

1098

1099

1100

1101

1102

1103

1104

1105

1106

1107

1108

1109

1110

1111

1112

1113

1114

1115

1116

1117

1118

1119

1120

1121

1122

1123

Sec. 23. Subsection (b) of section 54-76l of the general statutes is

LCO No. 5504 **35** of 56

repealed and the following is substituted in lieu thereof (*Effective July 1,* 2023):

1126

1127

1128

1129

1130

1131

1132

1133

1134

1135

1136

1137

1138

1139

1140

1141

1142

1143

1144

1145

1146

1147

1148

1149

1150

1151

1152

1153

1154

1155

1156

1157

(b) The records of any such youth, or any part thereof, may be disclosed to and between individuals and agencies, and employees of such agencies, providing services directly to the youth, including law enforcement officials, state and federal prosecutorial officials, school officials in accordance with section 10-233h, court officials, the Division of Criminal Justice, the Court Support Services Division, [and] a victim advocate under section 54-220 for a victim of a crime committed by the youth and the Department of Children and Families, if the child is under the oversight of the department's administrative unit pursuant to section 17a-3b, provided that such disclosure shall be limited to information that identifies the child as residing in a justice facility or incarcerated. Such records shall also be available to the attorney representing the youth, in any proceedings in which such records are relevant, to the parents or guardian of such youth, until such time as the youth reaches the age of majority or is emancipated, and to the youth upon his or her emancipation or attainment of the age of majority, provided proof of the identity of such youth is submitted in accordance with guidelines prescribed by the Chief Court Administrator. Such records shall also be available to members and employees of the Board of Pardons and Paroles and employees of the Department of Correction who, in the performance of their duties, require access to such records, provided the subject of the record has been adjudged a youthful offender and sentenced to a term of imprisonment or been convicted of a crime in the regular criminal docket of the Superior Court, and such records are relevant to the performance of a risk and needs assessment of such person while such person is incarcerated, the determination of such person's suitability for release from incarceration or for a pardon, or the determination of the supervision and treatment needs of such person while on parole or other supervised release. Such records shall also be available to law enforcement officials and prosecutorial officials conducting legitimate criminal investigations or seeking an order to detain pursuant to section 46b-133. Such records shall also be available

LCO No. 5504 **36** of 56

to members and employees of the Judicial Review Council who, in the performance of their duties, require access to such records. Records disclosed pursuant to this subsection shall not be further disclosed.

1161

1162

1163

1164

1165

1166

1167

1168

1169

1170

1171

1172

1173

1174

1175

1176

1177

1178

1179

1180

1181

1182

1183

1184

1185

1186

1187

1188

1189

1190

Sec. 24. Subsection (b) of section 31-51q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2023):

(b) Except as provided in subsections (c) and (d) of this section, any employer, including the state and any instrumentality or political subdivision thereof, who subjects or threatens to subject any employee to discipline or discharge on account of (1) the exercise by such employee of rights guaranteed by the first amendment to the United States Constitution or section 3, 4 or 14 of article first of the Constitution of the state, provided such activity does not substantially or materially interfere with the employee's bona fide job performance or the working relationship between the employee and the employer, shall be liable to such employee for damages caused by such discipline or discharge, including punitive damages, and for reasonable attorney's fees as part of the costs of any such action for damages; or (2) such employee's refusal to (A) attend an employer-sponsored meeting with the employer or its agent, representative or designee, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters, or (B) listen to speech or view communications, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters, shall be liable to such employee for the full amount of gross loss of wages or compensation, with costs and such reasonable attorney's fees as may be allowed by the court. If the court determines that such action for damages was brought without substantial justification, the court may award costs and reasonable attorney's fees to the employer.

Sec. 25. (NEW) (*Effective October 1, 2023*) (a) A person is guilty of intimidating a judge or family support magistrate when such person commits threatening in the second degree pursuant to section 53a-62 of the general statutes and the threat is directed to a judge, either elected

LCO No. 5504 37 of 56

or appointed, or a family support magistrate, and relates to a ruling or decision made or to be made by such judge or family support magistrate in any official proceeding.

- (b) Intimidating a judge or family support magistrate is a class C felony.
- Sec. 26. Subdivision (1) of subsection (a) of section 4b-52 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

1199

1200

1201

1202

1203

1204

1205

1206

1207

1208

1209

1210

1211

1212

1213

1214

1215

1216

1217

1218

1219

1220

1221

1222

1223

(a) (1) No repairs, alterations or additions involving expense to the state of five hundred thousand dollars or less or, in the case of repairs, alterations or additions to a building rented or occupied by the Judicial Branch, [one million two hundred fifty thousand] two million dollars or less or, in the case of repairs, alterations or additions to a building rented or occupied by a constituent unit of the state system of higher education, two million dollars or less, shall be made to any state building or premises occupied by any state officer, department, institution, board, commission or council of the state government and no contract for any construction, repairs, alteration or addition shall be entered into without the prior approval of the Commissioner of Administrative Services, except repairs, alterations or additions to a building under the supervision and control of the Joint Committee on Legislative Management or the Military Department and repairs, alterations or additions to a building under the supervision of The University of Connecticut. Repairs, alterations or additions which are made pursuant to such approval of the Commissioner of Administrative Services shall conform to all guidelines and procedures established by the Department of Administrative Services for agency-administered projects. (2) Notwithstanding the provisions of subdivision (1) of this subsection, repairs, alterations or additions involving expense to the state of five hundred thousand dollars or less may be made to any state building or premises under the supervision of the Office of the Chief Court Administrator or a constituent unit of the state system of higher education, under the terms of section 4b-11, and any contract for any

LCO No. 5504 38 of 56

- such construction, repairs or alteration may be entered into by the Office
- of the Chief Court Administrator or a constituent unit of the state system
- of higher education without the approval of the Commissioner of
- 1227 Administrative Services.
- Sec. 27. Section 51-344 of the general statutes is repealed and the
- following is substituted in lieu thereof (*Effective October 1, 2023*):
- 1230 For purposes of establishing venue, the Superior Court shall consist
- of the following judicial districts:
- 1232 (1) The judicial district of Ansonia-Milford, consisting of the towns of
- 1233 Ansonia, Beacon Falls, Derby, Milford, Orange, Oxford, Seymour,
- 1234 Shelton and West Haven;
- 1235 (2) The judicial district of Danbury, consisting of the towns of Bethel,
- 1236 Brookfield, Danbury, New Fairfield, Newtown, Redding, Ridgefield
- 1237 and Sherman;
- 1238 (3) The judicial district of [Fairfield] <u>Bridgeport</u>, consisting of the
- towns of Bridgeport, Easton, Fairfield, Monroe, Stratford and Trumbull;
- 1240 (4) The judicial district of Hartford, consisting of the towns of Avon,
- 1241 Bloomfield, Canton, East Granby, East Hartford, East Windsor, Enfield,
- 1242 Farmington, Glastonbury, Granby, Hartford, Manchester,
- 1243 Marlborough, Simsbury, South Windsor, Suffield, West Hartford,
- 1244 Windsor and Windsor Locks;
- 1245 (5) The judicial district of Litchfield, consisting of the towns of
- 1246 Barkhamsted, Bethlehem, Bridgewater, Canaan, Colebrook, Cornwall,
- 1247 Goshen, Hartland, Harwinton, Kent, Litchfield, Morris, New Hartford,
- 1248 New Milford, Norfolk, North Canaan, Roxbury, Salisbury, Sharon,
- 1249 Thomaston, Torrington, Warren, Washington and Winchester;
- 1250 (6) The judicial district of Middlesex, consisting of the towns of
- 1251 Chester, Clinton, Cromwell, Deep River, Durham, East Haddam, East
- 1252 Hampton, Essex, Haddam, Killingworth, Middlefield, Middletown, Old
- 1253 Saybrook, Portland and Westbrook;

LCO No. 5504 39 of 56

- 1254 (7) The judicial district of New Britain, consisting of the towns of
- 1255 Berlin, Bristol, Burlington, New Britain, Newington, Plainville,
- 1256 Plymouth, Rocky Hill, Southington and Wethersfield;
- 1257 (8) The judicial district of New Haven, consisting of the towns of
- 1258 Bethany, Branford, Cheshire, East Haven, Guilford, Hamden, Madison,
- 1259 Meriden, New Haven, North Branford, North Haven, Wallingford and
- 1260 Woodbridge;
- 1261 (9) The judicial district of New London, consisting of the towns of
- 1262 Bozrah, Colchester, East Lyme, Franklin, Griswold, Groton, Lebanon,
- 1263 Ledyard, Lisbon, Lyme, Montville, New London, North Stonington,
- 1264 Norwich, Old Lyme, Preston, Salem, Sprague, Stonington, Voluntown
- 1265 and Waterford;
- 1266 (10) The judicial district of Stamford-Norwalk, consisting of the
- towns of Darien, Greenwich, New Canaan, Norwalk, Stamford, Weston,
- 1268 Westport and Wilton;
- 1269 (11) The judicial district of Tolland, consisting of the towns of
- 1270 Andover, Bolton, Columbia, Coventry, Ellington, Hebron, Mansfield,
- 1271 Somers, Stafford, Tolland, Union, Vernon and Willington;
- 1272 (12) The judicial district of Waterbury, consisting of the towns of
- 1273 Middlebury, Naugatuck, Prospect, Southbury, Waterbury, Watertown,
- 1274 Wolcott and Woodbury; and
- 1275 (13) The judicial district of Windham, consisting of the towns of
- 1276 Ashford, Brooklyn, Canterbury, Chaplin, Eastford, Hampton, Killingly,
- 1277 Plainfield, Pomfret, Putnam, Scotland, Sterling, Thompson, Windham
- 1278 and Woodstock.
- Sec. 28. Subsections (a) and (b) of section 51-345 of the general statutes
- are repealed and the following is substituted in lieu thereof (Effective
- 1281 *October 1, 2023*):
- 1282 (a) Except as provided in section 51-348 and subsections (b) to (h),
- inclusive, of this section, all civil process shall be made returnable to a

LCO No. 5504 **40** of 56

1284 judicial district, as follows:

1301

1302

1303

1304

- (1) If all of the parties reside outside this state, to the judicial district where (A) the injury occurred, (B) the transaction occurred, or (C) the property is located or lawfully attached.
- 1288 (2) If the defendant is not a resident, to the judicial district where the attached property is located.
- 1290 (3) If either or both the plaintiff or the defendant are residents of this 1291 state, to the judicial district where either the plaintiff or the defendant 1292 resides, except:
- (A) If either the plaintiff or the defendant resides in the town of Manchester, East Windsor, South Windsor or Enfield, the action may be made returnable at the option of the plaintiff to either the judicial district of Hartford or the judicial district of Tolland.
- (B) If either the plaintiff or the defendant resides in the town of Plymouth, the action may be made returnable at the option of the plaintiff to either the judicial district of New Britain or the judicial district of Waterbury.
 - (C) If either the plaintiff or the defendant resides in the town of Bethany, Milford, West Haven or Woodbridge, the action may be made returnable at the option of the plaintiff to either the judicial district of New Haven or the judicial district of Ansonia-Milford.
- (D) If either the plaintiff or the defendant resides in the town of Southbury, the action may be made returnable at the option of the plaintiff to either the judicial district of Ansonia-Milford or the judicial district of Waterbury.
- (E) If either the plaintiff or the defendant resides in the town of Darien, Greenwich, New Canaan, Norwalk, Stamford, Weston, Westport or Wilton, the action may be made returnable at the option of the plaintiff to either the judicial district of Stamford-Norwalk or the judicial district of [Fairfield] <u>Bridgeport</u>.

LCO No. 5504 **41** of 56

(F) If either the plaintiff or the defendant resides in the town of Watertown or Woodbury, the action may be made returnable at the option of the plaintiff to either the judicial district of Waterbury or the judicial district of Litchfield.

- (G) If either the plaintiff or the defendant resides in the town of Avon, Canton, Farmington or Simsbury, the action may be made returnable at the option of the plaintiff to either the judicial district of Hartford or the judicial district of New Britain.
 - (H) If either the plaintiff or the defendant resides in the town of Newington, Rocky Hill or Wethersfield, the action may be made returnable at the option of the plaintiff to either the judicial district of Hartford or the judicial district of New Britain, except for actions where venue is in the geographical area as provided in section 51-348 or in rules of court.
- (I) If either the plaintiff or the defendant resides in the town of Cromwell, the action may be made returnable at the option of the plaintiff to either the judicial district of Hartford or the judicial district of Middlesex.
- (J) If either the plaintiff or the defendant resides in the town of New Milford, the action may be made returnable at the option of the plaintiff to either the judicial district of Danbury or the judicial district of Litchfield.
- 1336 (K) If either the plaintiff or the defendant resides in the town of Windham or Ashford, the action may be made returnable at the option of the plaintiff to either the judicial district of Windham or the judicial district of Tolland.
- (b) In all actions involving the title to land, for trespass to land and to foreclose or redeem mortgages or liens upon real property, civil process shall be made returnable to the judicial district where the real property is located, either entirely or in part, except:

LCO No. 5504 **42** of 56

(1) If the land is located in the town of Manchester, East Windsor, South Windsor or Enfield and either the plaintiff or the defendant resides in the town of Manchester, East Windsor, South Windsor or Enfield, the action may be made returnable at the option of the plaintiff to either the judicial district of Hartford or the judicial district of Tolland.

- (2) If the land is located in the town of Plymouth and either the plaintiff or the defendant resides in the town of Plymouth, the action may be made returnable at the option of the plaintiff to either the judicial district of New Britain or the judicial district of Waterbury.
- (3) If the land is located in the town of Bethany, Milford, West Haven or Woodbridge and either the plaintiff or the defendant resides in the town of Bethany, Milford, West Haven or Woodbridge, the action may be made returnable at the option of the plaintiff to either the judicial district of New Haven or the judicial district of Ansonia-Milford.
- (4) If the land is located in the town of Southbury and either the plaintiff or the defendant resides in the town of Southbury, the action may be made returnable at the option of the plaintiff to either the judicial district of Ansonia-Milford or the judicial district of Waterbury.
- (5) If the land is located in the town of Weston, Westport or Wilton and either the plaintiff or the defendant resides in any one of these towns, the action may be made returnable at the option of the plaintiff to either the judicial district of Stamford-Norwalk or the judicial district of [Fairfield] <u>Bridgeport</u>.
- (6) If the land is located in the town of Watertown or Woodbury and either the plaintiff or the defendant resides in the town of Watertown or Woodbury, the action may be made returnable at the option of the plaintiff to either the judicial district of Waterbury or the judicial district of Litchfield.
- (7) If the land is located in the town of Avon, Canton, Farmington or Simsbury and either the plaintiff or the defendant resides in the town of

LCO No. 5504 43 of 56

- Avon, Canton, Farmington or Simsbury, the action may be made returnable at the option of the plaintiff to either the judicial district of Hartford or the judicial district of New Britain.
- 1378 (8) If the land is located in the town of Newington, Rocky Hill or
 1379 Wethersfield and either the plaintiff or the defendant resides in the town
 1380 of Newington, Rocky Hill or Wethersfield, the action may be made
 1381 returnable at the option of the plaintiff to either the judicial district of
 1382 Hartford or the judicial district of New Britain, except for actions where
 1383 venue is in the geographical area as provided in section 51-348 or in

1384

rules of court.

- 1385 (9) If the land is located in the town of New Milford and either the 1386 plaintiff or the defendant resides in the town of New Milford, the action 1387 may be made returnable at the option of the plaintiff to either the judicial 1388 district of Danbury or the judicial district of Litchfield.
- Sec. 29. Subsection (a) of section 51-346 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1391 1, 2023):
- 1392 (a) Process in all civil actions brought to a judicial district, except small claims as provided in subsection (b) of this section, shall be made returnable as follows:
- 1395 (1) If brought to the judicial district of Ansonia-Milford, to the court at Ansonia or Milford as the plaintiff elects;
- 1397 (2) If brought to the judicial district of Danbury, to the court at 1398 Danbury;
- 1399 (3) If brought to the judicial district of [Fairfield] <u>Bridgeport</u>, to the court at Bridgeport;
- 1401 (4) If brought to the judicial district of Hartford, to the court at 1402 Hartford;
- 1403 (5) If brought to the judicial district of Litchfield, to the court at

LCO No. 5504 **44** of 56

	Naised Bill No. 0074
1404	Torrington;
1405 1406	(6) If brought to the judicial district of Middlesex, to the court at Middletown;
1407 1408	(7) If brought to the judicial district of New Britain, to the court at New Britain;
1409 1410	(8) If brought to the judicial district of New Haven, to the court at New Haven or Meriden as the plaintiff elects;
1411 1412	(9) If brought to the judicial district of New London, to the court at New London or Norwich as the plaintiff elects;
1413 1414	(10) If brought to the judicial district of Stamford-Norwalk, to the court at Stamford;
1415 1416	(11) If brought to the judicial district of Tolland, to the court at Rockville;
1417 1418	(12) If brought to the judicial district of Waterbury, to the court at Waterbury;
1419 1420	(13) If brought to the judicial district of Windham, to the court at Putnam.
1421 1422 1423	Sec. 30. Subsection (a) of section 51-347 of the general statutes is repealed and the following is substituted in lieu thereof (<i>Effective October</i> 1, 2023):
1424 1425 1426 1427	(a) Except as provided in subsection (b) of this section, any write returnable to a judicial district and any motion, pleading or appearance shall be filed with the clerk of the judicial district to which the writ is returnable as follows:

LCO No. 5504 **45** of 56

(1) At the courthouse for the judicial district of Ansonia-Milford if returnable to the judicial district of Ansonia-Milford at Ansonia or

1428

1429

1430

Milford;

1431	(2) At Danbury if returnable to the judicial district of Danbury;
1432 1433	(3) At Bridgeport if returnable to the judicial district of [Fairfield] Bridgeport;
1434	(4) At Hartford if returnable to the judicial district of Hartford;
1435	(5) At Torrington if returnable to the judicial district of Litchfield;
1436	(6) At Middletown if returnable to the judicial district of Middlesex;
1437	(7) At New Britain if returnable to the judicial district of New Britain;
1438 1439 1440	(8) (A) At New Haven if returnable to the judicial district of New Haven at New Haven, (B) at Meriden if returnable to the judicial district of New Haven at Meriden;
1441 1442 1443	(9) (A) At New London if returnable to the judicial district of New London at New London, (B) at Norwich if returnable to the judicial district of New London at Norwich;
1444 1445	(10) At Stamford if returnable to the judicial district of Stamford-Norwalk;
1446	(11) At Rockville if returnable to the judicial district of Tolland;
1447 1448	(12) At Waterbury if returnable to the judicial district of Waterbury; and
1449	(13) At Putnam if returnable to the judicial district of Windham.
1450 1451	Sec. 31. Section 51-348b of the general statutes is repealed and the following is substituted in lieu thereof (<i>Effective October 1, 2023</i>):
1452	Housing matters, as defined in section 47a-68, shall be heard on a
1453	docket separate from other matters within the judicial districts of
1454	Hartford, New Britain, New Haven, Fairfield, Waterbury and Stamford-
1455	Norwalk, provided in the judicial district of (1) New Britain, such
1456	matters shall be heard by the judge assigned to hear housing matters in

LCO No. 5504 **46** of 56

1457 the judicial district of Hartford, (2) Waterbury, such matters shall be 1458 heard by the judge assigned to hear housing matters in the judicial 1459 district of New Haven, and (3) Stamford-Norwalk, such matters shall be 1460 heard by the judge assigned to hear housing matters in the judicial 1461 district of [Fairfield] Bridgeport. The records, files and other documents 1462 pertaining to housing matters shall be maintained separate from the 1463 records, files and other documents of the court. Housing matters do not 1464 have to be heard in the facilities to which the process is returned and the 1465 pleadings are filed.

Sec. 32. Section 51-181 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

1466

1467

1468

1469

1470

1471

1472

1473

1474

1475

1476

1477

1478

1479

1480

1481

1482

1483

1484

1485

1486

1487

1488

The Superior Court shall sit continuously throughout the year, at such times and places and for such periods as are set by the Chief Court Administrator or, with the approval of the Chief Court Administrator, his or her designee, in the following cities or towns, except as otherwise provided by law: (1) In the judicial district of Ansonia-Milford, at Ansonia or Derby and at Milford; (2) in the judicial district of Danbury, at Danbury; (3) in the judicial district of [Fairfield] Bridgeport, at Bridgeport; (4) in the judicial district of Hartford, at Hartford and, whenever suitable accommodations are provided without expense to the state, at Manchester; (5) in the judicial district of Litchfield, at Torrington; (6) in the judicial district of Middlesex, at Middletown; (7) in the judicial district of New Britain, at New Britain; (8) in the judicial district of New Haven, at New Haven and Meriden; (9) in the judicial district of New London, at Norwich and New London; (10) in the judicial district of Stamford-Norwalk, at Stamford; (11) in the judicial district of Tolland, at Rockville; (12) in the judicial district of Waterbury, at Waterbury; and (13) in the judicial district of Windham, at Putnam.

Sec. 33. Section 51-52b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

The chief clerk of the superior court at Bridgeport shall, on the request of any justice of the peace or commissioner of the Superior Court in the

LCO No. 5504 47 of 56

- 1489 judicial district of [Fairfield] Bridgeport or Stamford-Norwalk and on
- the receipt of a fee of one dollar, furnish to the chief clerk of the superior
- 1491 court at Stamford a duplicate of the certificate of qualification or
- 1492 appointment of such justice of the peace or commissioner of the
- 1493 Superior Court and said clerk at Stamford may thereafter certify to the
- 1494 authority of such justice of the peace or commissioner of the Superior
- 1495 Court.
- Sec. 34. Subsection (d) of section 15-7 of the general statutes is
- repealed and the following is substituted in lieu thereof (*Effective October*
- 1498 1, 2023):
- (d) Any person aggrieved by any action taken or order issued by said
- 1500 commissioner under authority of this section may within thirty days
- 1501 appeal to the superior court for the judicial district of [Fairfield]
- 1502 Bridgeport and said court shall take such action in the premises as
- 1503 equity may require.
- 1504 Sec. 35. Subsection (c) of section 46b-15f of the general statutes is
- repealed and the following is substituted in lieu thereof (*Effective October*
- 1506 1, 2023):
- 1507 (c) The organization administering the program may only award a
- 1508 grant (1) to provide services in the judicial districts of [Fairfield]
- 1509 Bridgeport, Hartford, New Haven, Stamford-Norwalk or Waterbury,
- and (2) in an amount not to exceed two hundred thousand dollars,
- except that a grant to provide services in the judicial district with the
- 1512 highest average number of applications for restraining orders under
- section 46b-15 over the previous three fiscal years may receive a grant
- of not more than four hundred thousand dollars. Grants may not be
- used to provide services to individuals who are not indigent.
- 1516 Sec. 36. Subsection (a) of section 47a-69 of the general statutes is
- repealed and the following is substituted in lieu thereof (*Effective October*
- 1518 1, 2023):
- 1519 (a) The judges of the Superior Court or an authorized committee

LCO No. 5504 48 of 56

- 1520 thereof may appoint such housing mediators as they deem necessary for 1521 the purpose of assisting the court in the prompt and efficient hearing of 1522 housing matters within the limit of their appropriation therefor. Such 1523 judges or such committee shall appoint not less than two such mediators 1524 for each of the judicial districts of Hartford, New Haven and [Fairfield] 1525 Bridgeport and may designate one of them in each judicial district as 1526 chief housing mediator. Such judges or committee shall also appoint not 1527 less than three such housing mediators for all other judicial districts. The 1528 housing mediators for the judicial district of New Haven shall assist the 1529 court in the hearing of housing matters in the judicial district of 1530 Waterbury, the housing mediators for the judicial district of Hartford shall assist the court in the hearing of housing matters in the judicial 1531 1532 district of New Britain and the housing mediators for the judicial district 1533 of [Fairfield] Bridgeport shall assist the court in the hearing of housing 1534 matters in the judicial district of Stamford-Norwalk.
- Sec. 37. Subsection (a) of section 47a-70 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1537 1, 2023):
- 1538 (a) All proceedings involving a housing matter in the judicial district 1539 of Hartford, New Britain, New Haven, [Fairfield] Bridgeport, 1540 Waterbury or Stamford-Norwalk shall first be placed on the housing 1541 docket for that district, provided that the judge before whom such 1542 proceeding is brought may transfer such matter to the regular docket 1543 for a judicial district if he determines that such matter is not a housing 1544 matter or that such docket is more suitable for the disposition of the case. 1545 Any case so entered or transferred to either docket shall be proceeded 1546 upon as are other cases of like nature standing on such docket.
- Sec. 38. Section 47a-71a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):
- There is hereby created the Connecticut Advisory Council on Housing Matters consisting of eighteen members. The members of the advisory council shall be appointed by the Governor for terms of four

LCO No. 5504 **49** of 56

years, from July first of the year of their appointment. The advisory council shall consist of representatives of tenants, landlords, and others concerned with housing and shall reflect a balance of the interests of tenants and landlords. The members of the advisory council shall elect their own chairperson. Five members shall be residents of the judicial districts of Hartford or New Britain; five members shall be residents of the judicial districts of New Haven, Waterbury or Ansonia-Milford; five members shall be residents of the judicial districts of [Fairfield] Bridgeport or Stamford-Norwalk; and three members shall be residents of the judicial districts of Danbury, Litchfield, Middlesex, New London, Tolland or Windham. Any member who fails to attend three consecutive meetings or who fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from office. Any vacancy in the membership of the advisory council shall be filled by the Governor for the unexpired portion of the term.

Sec. 39. Section 5-164 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

- (a) A department head, as defined in section 4-5, or any commissioner appointed to office in the executive branch by the Governor with or without the approval of the General Assembly or either branch thereof, who reaches his retirement date, namely, the first day of the month on or after his seventieth birthday, during the term for which he is appointed, may continue in office after such retirement date until the expiration of such term. Any such person who had reached such date prior to his reappointment as such commissioner may serve for the term for which he is so reappointed.
- (b) A member who has reached the retirement age of seventy may be continued in his position in state service, if such continuation is approved by the Commissioner of Administrative Services. The appointing authority requesting such continuation shall certify in writing to the Commissioner of Administrative Services that the continuation is desirable for the efficient conduct of the state's business and that the member is able and qualified to perform the work required.

LCO No. 5504 50 of 56

Approval by the Commissioner of Administrative Services of such continuation shall be for a period of one year, which may be renewed by said commissioner upon request by the appointing authority.

- (c) A department head, head of an institution or administrator of a state fund may be continued as provided in subsection (b) of this section. A continuation of such employee beyond the age of seventy-three shall be requested by the appointing authority in writing and shall require the approval of the Governor.
- [(d) A duly appointed and acting messenger or assistant messenger of any constituent court of the Judicial Department who has reached his retirement date may be reemployed, pursuant to section 51-78, in the service of the court in which he has been a messenger at the salary paid him at the time of his retirement. Such reemployment shall continue until such time as the judges of said court terminate the same. Subsection (b) of this section does not apply to any such messenger.]
- [(e)] (d) Except as provided in section 5-164a, the existing retirement rights of a member continued under this section after his retirement date shall not be affected by such continuation, and additional retirement rights shall accrue to him. Retirement contributions shall be deducted from his salary during the period of continued employment. The provisions of chapter 67 dealing with examinations, certifications and appointments to and separations from the service shall not apply to any such member.
- Sec. 40. Subsection (d) of section 5-257 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (d) The insurance of any employee insured under this section shall cease on termination of employment, and of any member of the General Assembly at the end of such member's term of office, subject to any conversion privilege provided in the group life insurance policy or policies. Notwithstanding any provision of this section, the amounts of life insurance of insured employees retired in accordance with any

LCO No. 5504 51 of 56

1617 retirement plan for state employees shall be as follows: The amount of 1618 life insurance of an insured employee retired before, on or after July 1, 1619 1998, with twenty-five or more years of state service, as defined in 1620 section 5-196, or a member of the General Assembly who is retired on or 1621 after July 1, 1988, with twenty-five or more years of service, shall be one-1622 half of the amount of life insurance for which the employee was insured 1623 immediately before retirement, provided in no case shall the amount be 1624 less than ten thousand dollars, those with less than twenty-five years of 1625 service shall receive the proportionate amount that such years of service 1626 is to twenty-five years rounded off to the nearest hundred dollars of 1627 coverage, except that the amount of life insurance of an insured 1628 employee who is retired on or after July 1, 1982, under the provisions of 1629 section 5-173 shall be one-half of the amount of life insurance for which 1630 the employee was insured immediately before retirement, regardless of 1631 the number of years of service by such employee. In no case shall a 1632 retired employee be required to contribute to the cost of any such 1633 reduced insurance. For the purposes of this section, no employee shall 1634 be deemed to be retired as long as such employee's employment 1635 continues under subsections (b) and [(e)] (d) of section 5-164, as 1636 amended by this act.

Sec. 41. Subsection (e) of section 5-192*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

1640

1641

1642

1643

1644

1645

1646

1647

1648

1649

- (e) Retirement on the first day of the month on or after the member's seventieth birthday is mandatory regardless of whether he is eligible for a retirement income under this section except:
- (1) A department head, as defined in section 4-5, or any commissioner appointed to office in the executive branch by the Governor with or without the approval of the General Assembly or either branch thereof, who reaches his retirement date, namely, the first day of the month on or after his seventieth birthday, during the term for which he is appointed, may continue in office after such retirement date until the expiration of such term. Any such person who had reached such date

LCO No. 5504 52 of 56

1650 prior to his reappointment as such commissioner may serve for the term for which he is so reappointed.

1651

1652

1653

1654

1655

1656

1657

1658

1659

1660

1661

1662

1663

1664

1665

1666

1667

1668

1669

1670

1671

1672

1673

1674

1675

1676

1677

1678

1679

1680

1681

- (2) A member who has reached the retirement age of seventy may be continued in his position in state service, if such continuation is approved by the Commissioner of Administrative Services. The appointing authority requesting such continuation shall certify in writing to the Commissioner of Administrative Services that the continuation is desirable for the efficient conduct of the state's business and that the member is able and qualified to perform the work required. Approval by the Commissioner of Administrative Services of such continuation shall be for a period of one year, which may be renewed by said commissioner upon request by the appointing authority.
- (3) A member who is a teacher, instructor, principal, superintendent, or supervisor employed by the State Board of Education or any state institution, and who has reached the retirement age of seventy may be continued in his position of state service to the end of the fiscal year in which his seventieth birthday falls, without the approval of the Commissioner of Administrative Services.
- (4) A department head, head of an institution, or administrator of a state fund may be continued as provided in subdivision (2) of this subsection. A continuation of such employee beyond the age of seventythree shall be requested by the appointing authority in writing and shall require the approval of the Governor.
- [(5) A duly appointed and acting messenger or assistant messenger of any constituent court of the Judicial Department who has reached his retirement age of seventy may be reemployed, pursuant to section 51-78, in the service of the court in which he has been a messenger at the salary paid him at the time of his retirement. Such reemployment shall continue until such time as the judges of said court terminate the same. Subdivision (2) of this subsection does not apply to any such messenger.
- [(6)] (5) Except as provided in section 5-192v, the existing retirement

LCO No. 5504 **53** of 56 rights of a member continued under this section after his retirement date shall not be affected by such continuation, and additional retirement rights shall accrue to him. The provisions of chapter 67 dealing with examinations, certifications, and appointments to and separations from the service shall not apply to any such member.

Sec. 42. Section 51-274 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

1689 All special acts or provisions thereof inconsistent with this chapter 1690 and with sections 1-1a, 2-5, 2-40, 2-61, 5-164, as amended by this act, 5-1691 189, 7-80, 8-12, 9-63, 9-258, 9-368, 12-154, 14-141, 14-142, 18-65, 18-73, 19a-1692 220, 21a-96, 29-13, 29-362, 30-105, 30-107, 30-111, 35-22, 46b-120, as 1693 amended by this act, 46b-133, 46b-560, 47a-23, 47a-28, 47a-35, 47a-37, 49-1694 61, 49-62, 51-6a, 51-9, 51-15, 51-27, 51-30, 51-33, 51-34, 51-36, 51-48, 51-49, 1695 51-50, 51-51, 51-52, 51-59, 51-72, 51-73, [51-78,] 51-95, 51-183b, 51-183d, 1696 51-183f, 51-183g, 51-215a, 51-229, 51-232, 51-237 and 51-241, subsection 1697 (a) of section 51-243 and sections 51-247, 51-347, as amended by this act, 1698 52-45a, 52-45b, 52-46, 52-97, 52-112, 52-139, 52-193, 52-194, 52-196, 52-1699 209, 52-212, as amended by this act, 52-215, 52-226, 52-240, 52-257, 52-1700 258, 52-261, 52-263, 52-268, 52-270, 52-278i, 52-293, 52-297, 52-298, 52-324, 52-351, 52-397, 52-425, 52-427, 52-428, 52-521, 53-308, 53-328, 54-2a, 54-1701 1702 56f, 54-66, 54-72, 54-74, 54-82g, 54-82j, 54-82k, 54-95a, 54-96a, 54-96b, 54-1703 97, 54-108, 54-154, 54-166 and 54-169 to 54-174, inclusive, are repealed.

Sec. 43. Sections 51-77, 51-78 and 51-79 of the general statutes are repealed. (*Effective from passage*)

1706 Sec. 44. Sections 46b-148, 46b-149, 46b-149c, 46b-149e, 46b-149f and 1707 51-181d of the general statutes are repealed. (*Effective July 1, 2023*)

This act shall take effect as follows and shall amend the following sections:				
Section 1	from passage	12-18b(b)		
Sec. 2	October 1, 2023	46b-44a		
Sec. 3	October 1, 2023	46b-53(a)		
Sec. 4	October 1, 2023	46b-67		

LCO No. 5504 54 of 56

Sec. 5	July 1, 2023	46b-122(b)
Sec. 6	July 1, 2023	54-76h(b)
Sec. 7	July 1, 2023	46b-124(k)
Sec. 8	October 1, 2023	54-129a
	•	
Sec. 9	July 1, 2023	53a-167c(a)
Sec. 10	July 1, 2023	17a-28(g)
Sec. 11	July 1, 2023	46b-120
Sec. 12	July 1, 2023	46b-121
Sec. 13	July 1, 2023	46b-121b(a)
Sec. 14	July 1, 2023	46b-128a(a)
Sec. 15	July 1, 2023	46b-128a(k)
Sec. 16	July 1, 2023	46b-129c(b)
Sec. 17	July 1, 2023	46b-149a(a)
Sec. 18	July 1, 2023	46b-149b
Sec. 19	July 1, 2023	46b-150d
Sec. 20	October 1, 2023	52-212(b)
Sec. 21	October 1, 2023	51-51l(b)
Sec. 22	July 1, 2023	46b-124(d)
Sec. 23	July 1, 2023	54-76l(b)
Sec. 24	October 1, 2023	31-51q(b)
Sec. 25	October 1, 2023	New section
Sec. 26	July 1, 2023	4b-52(a)(1)
Sec. 27	October 1, 2023	51-344
Sec. 28	October 1, 2023	51-345(a) and (b)
Sec. 29	October 1, 2023	51-346(a)
Sec. 30	October 1, 2023	51-347(a)
Sec. 31	October 1, 2023	51-348b
Sec. 32	October 1, 2023	51-181
Sec. 33	October 1, 2023	51-52b
Sec. 34	October 1, 2023	15-7(d)
Sec. 35	October 1, 2023	46b-15f(c)
Sec. 36	October 1, 2023	47a-69(a)
Sec. 37	October 1, 2023	47a-70(a)
Sec. 38	October 1, 2023	47a-71a
Sec. 39	from passage	5-164
Sec. 40	from passage	5-257(d)
Sec. 41	from passage	5-192l(e)
Sec. 42	from passage	51-274
Sec. 43	from passage	Repealer section
Sec. 44	July 1, 2023	Repealer section
	1 1 9 -1 -0 -0	The care section

LCO No. 5504 **55** of 56

Statement of Purpose:

To: (1) Eliminate the requirement that the parties to a dissolution or legal separation action wait ninety days after the return date before proceeding on such action, (2) expand access to juvenile and youthful offender proceedings to the next of kin of victims, (3) specify that information obtained and results of the risk and behavioral health screening shall be used for the purpose of identifying appropriate treatment and interventions for a child, (4) require the Victim Services Unit within the Department of Correction to inform a crime victim, who is registered with said unit, of the Board of Pardons and Paroles intent to consider terminating the period of special parole that was imposed on the person committing the crime, (5) include enhanced penalties for assaults on Judicial Branch personnel providing post-conviction secure detention and programming services to juveniles adjudicated of a delinquent act, (6) remove obsolete statutory references to "family with service needs", (7) revise statutes relating to the sharing of certain Judicial Branch records, (8) address the award of damages in certain employment related matters, (9) establish the crime of intimidating a judge or family support magistrate, (10) repeal obsolete statutes concerning messengers employed by the Judicial Branch, (11) change the name of the judicial district of Fairfield to the judicial district of Bridgeport, and (12) make technical and conforming statutory changes.

[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.]

LCO No. 5504 56 of 56