

**Department of Emergency Services and Public Protection**

**2013 Legislative Package**

- 1. AAC A Study of the Impact on Agencies of Large Volume Freedom of Information Requests**
- 2. AAC Limitations of Prosecution When DNA Evidence Was Collected at Time of Commission of Offense**
- 3. AAC Fees Charged for Criminal History Background Checks**
- 4. AAC Diversity Initiative and Recruitment of Veterans at the Connecticut State Fire Academy**
- 5. AAC the Sex Offender Registry**
- 6. AAC Regulation of Firearms**
- 7. AAC Bail Enforcement Agents, Professional and Surety Bondsmen**
- 8. AAC Uniform Crime Reporting and Family Violence Statutes**
- 9. AAC Technical Changes to Department of Emergency Services and Public Protection Statutes**
- 10. AAC Lifetime Registration for Certain Sexual Offenders**



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**aac study of large volume foi requests despp 2013-1**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

State Agency: Department of Emergency Services and Public Protection

Liaison: Steven Spellman

Phone: 860 685 8614

E-mail: [steven.spellman@ct.gov](mailto:steven.spellman@ct.gov)

Lead agency division requesting this proposal: all divisions

Agency Analyst/Drafter of Proposal:

Steven Spellman

### Title of Proposal

**AAC A Study of Impact on Agencies of Large Volume Freedom of Information Requests**

### Statutory Reference

### Proposal Summary

Section One of the proposal would require the General Assembly's Program Review and Investigations Committee to conduct a study of the impact of large volume freedom of information requests on state agencies, the sufficiency of existing technology to assist in response and develop recommendations to address identified problems.

Section Two of the proposal would clarify legislative intent that statutory fee structure for accident and investigative reports is applicable for inspection of these reports.

*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

- Reason for Proposal

### Section One:

A huge problem for the Department of Emergency Services and Public Protection is that a few individuals and special interests are making FOI requests that end up requiring not just days but sometimes weeks and months of legal staff time in order to comply. Because of the nature of our agency's business, many of our records contain material that we are required by law to redact - Before we can release most records, a review to make necessary redactions is necessary. When



an individual or party makes a request that results in several bankers boxes of materials that must be reviewed, or cd's of 911 calls that must be reviewed in real time for hours on end, the result is that a single requesting individual can, in effect, have their own state employee or employees working for them alone for an extended period at no cost. Sophisticated requestors now ask not for copies, but to 'inspect' materials often with hand scanners and as a result there is not even a per page fee. The Department of Emergency Services and Public Protection believes in transparency and makes every effort to comply with Freedom of Information laws. The agency impact of requests from a few individuals, however, has such a significant agency impact that legislative review of the problem for evaluation of the extent of the problem and solutions that might be considered is appropriate.

## Section 2

The reason for the proposed legislation is a trial court decision (CT Department of Emergency Services and Public Protection v. Freedom of Information Commission et al.) that would require the agency to make accident and investigative reports available for review without a search fee. This is likely to result in a large increase in requests for searches alone, creating an administrative burden on the agency and negatively impacting revenues. The search, review and redaction of such reports takes substantial staff time and also requires that copies be made for the purpose of making redactions. Records are redacted for reasons ranging from the identity of juveniles or sexual assault victims to protecting the privacy of the public. The \$16 search fee is the only compensation that the agency receives for the often substantial efforts that go into the release of an accident or investigative report.

The unfortunate result of this decision is that unlimited demands to 'inspect' reports of this agency can be made without any cost to the demanding party. Such unlimited and cost free access is beyond the resources of this agency and was surely not contemplated by the General Assembly in setting the agency's budget. Lastly, significant fiscal loss can result to the State of Connecticut from the inability to collect a statutory fee from anyone who requests to 'inspect'

• **Origin of Proposal**      ☒ **X New Proposal**      ☐ **Resubmission**

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- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)





**Insert fully drafted bill here**

Section One:

The Legislative Program Review and Investigations Committee shall conduct a study to develop recommended standards and procedures for state agencies that are experiencing Freedom of Information Act (FOIA) requests that require excessive amounts of employee time and agency resources to compile and perform such redactions as are required by law. The report shall also identify possible statutory revisions that address the undue burden on agencies, while maintaining the intent of the Freedom of Information Act.

The committee, in developing such standards and procedures, and identifying possible legislation, shall consider the following:

- 1) The results of a canvass of all agencies regarding their experiences with FOIA requests that require more than one full work day to compile and perform required redactions;
- 2) The fiscal impact to these agencies, along with an analysis of the extent to which personnel resources are captured by particular FOIA requests;
- 3) The feasibility of charging the requesting parties for employees' time;
- 4) The ability of existing information technology systems to enable agencies to respond to requests for electronic documents, especially large scale requests, and the need for and cost of technological improvements necessary to respond to such requests; and
- 5) The potential undue burden on agencies of allowing requestors to inspect documents without paying any fee for copies.

On or before February 5, 2014, the committee shall report to the joint standing committee of the General Assembly having cognizance of matters relating to the Freedom of Information Act and shall forward a copy thereof to the Governor and the Secretary of the Office of Policy and Management.



## Section 2:

Sec. 29-10b. Fees for searches and copies. Inspection. (a) The Commissioner of Public Safety shall charge the following fees for the item or service indicated:

(1) Each search of the record files made pursuant to a request for [a copy of] an accident or investigative report, including a search [which] that results in no document being produced, six dollars, and on and after July 1, 1993, sixteen dollars.

(2) Each copy of an accident or investigative report, six dollars, and on and after July 1, 1993, sixteen dollars.

(b) A person who requests the right to inspect such accident or investigative report without obtaining a copy shall pay the search fee.



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**aac statute of limitations when DNA collected at time of offense despp13-2**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:** Department of Emergency Services and Public Protection

**Liaison:** Steven Spellman

**Phone:** 860 685 8614

**E-mail:** [steven.spellman@ct.gov](mailto:steven.spellman@ct.gov)

**Lead agency division requesting this proposal:**

**Agency Analyst/Drafter of Proposal:**

Major William Podgorski

### **Title of Proposal**

**AAC Limitations of Prosecution When DNA Evidence Was Collected at Time of Commission of Offense**

**Statutory Reference** 54-193

**Proposal Summary** The request is to remove the statute of limitation (5 years), for criminal prosecutions involving felony criminal acts when probable cause can be established through the use of forensic DNA evidence.

*Please attach a copy of fully drafted bill (required for review)*

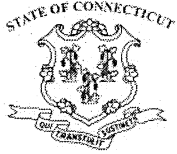
## **PROPOSAL BACKGROUND**

### **• Reason for Proposal**

*Please consider the following, if applicable:*

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

*Currently the Division of Scientific Services has backlog of approximately 4,600 forensic examinations requesting DNA analysis. Many of these are felony criminal acts like burglary, assault, and larceny. Due to the five year Statute of limitations and the focus of the DNA unit on homicide and sexual assault prosecutions. These other felony acts have been back logged and the potential exists that the unit may not examine the forensic evidence within the five year window. In an effort to ensure these forensic requests are ultimately examined and linked to potential recidivist offenders, DESPP is requesting that the Statute of Limitation for prosecutions*



where DNA evidence can establish probable cause that an offender has committed a felonious criminal act be removed. One of the original intents of the Statue of Limitations was to ensure witness identification and recall of facts are accurate, that as time from the commission of criminal act occurs memories fade. With the advent of scientific evidence from DNA this argument is negated. Offenders regardless of time can be linked to criminal acts and can be searched against the national database, CODIS. The removal of the Statute of Limitations will ensure victims of crime receive justice. In addition, studies have shown that if an offender is identified and linked to a non-violent act and adjudicated accordingly it may prevent the offender from committing a future act of violence.

P.A. 07-4 removed any limitation of time within which a person may be prosecuted for sexual assault if identical terms of this proposal are met, notification of law enforcement and DNA collected at time of offense, The same logic that led to passage of that bill should apply to this proposal.

- **Origin of Proposal**      ☒ **New Proposal**      ☐ **Resubmission**

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Chief State's Attorney Office, Chief Public Defender's Office, Department of Corrections, and Judicial.

Agency Contact (name, title, phone): Chief State's Atty Kevin Kane, S.A. Len Boyle, Wil Blanchette

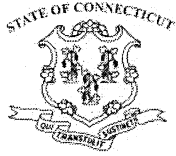
Date Contacted: Sept 17 email

Approve of Proposal    ☐ YES    ☐ NO    ☒ Talks Ongoing

### Summary of Affected Agency's Comments

Will there need to be further negotiation?    ☐ YES    ☐ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)



**Municipal** (please include any municipal mandate that can be found within legislation)  
No Fiscal impact is anticipated at the municipal level.

**State**  
It is anticipated that there will be additional demands for prosecution within Judicial and incarceration/supervised probation placed on the Department of Corrections for defendants found guilty of criminal acts.

**Federal**  
Additional convicted offender entries into the CODIS offender databank.

Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

Limitation of Prosecutions Connecticut General Statute 54-193

### Insert fully drafted bill here

Notwithstanding the provisions of Sections 54-193 and 54-193a, there shall be no limitation of time within a person may be prosecuted a crime for which the punishment is, or may be, imprisonment in excess of one year, provided (1) the victim notified any police officer, or state attorney, acting in such police officer's or state attorney's official capacity of the commission of the offense not later than five years after the commission of the offense, and (2) the identity of the person who allegedly committed the offense has been established through a DNA (deoxyribonucleic acid) comparison using evidence collected of the time of the commission of the offense.



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**DESP** \_\_\_\_\_.doc

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:**

**Department of Emergency Services and Public Protection**

**Liaison:** Steve Spellman

**Phone:** 860-685-8614

**E-mail:** steven.spellman@ct.gov

**Lead agency division requesting this proposal:**

DESPP – State Police Bureau of Identification

**Agency Analyst/Drafter of Proposal:**

Steven Spellman

**Title of Proposal**

**AAC Fees Charged for Criminal History Background Checks**

**Statutory Reference**

29-11 and 29-17a

**Proposal Summary**

This statutory change would create a new and appropriate revenue stream by charging for individuals in the private sector that currently do not pay *any* state fees for criminal history background checks performed by the agency's State Police Bureau of Investigation.

29-17a- would set up a separate non lapsing account for fees collected pursuant to 29-11 and 29-17a. All money deposited into the account would be used for enhancements and improvements to the DESPP Special Licensing and Firearms Unit.

Other changes will delete unnecessary and misleading language from the fee structure for criminal history background checks. The section will also provide a reduced fee for copies of fingerprints, but only for those requested at time of initial fingerprinting.

*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

- Reason for Proposal



Under existing law all criminal history background checks coming from other agencies are not subject to any state fees. (Only the federal FBI fee is charged) While this is appropriate for purposes of background checks on individuals that the agency in question is considering for employment, the fee is also not in place for all of the individuals who are licensed by the agencies but employed in the private sector, such as school bus drivers. The agency's State Police Bureau of Identification has been overwhelmed with the huge numbers of individuals for whom criminal history background checks for non criminal justice purposes are now required by statute. There is a backlog of more than 3 months. Charging the private sector for these criminal history background checks will create a revenue stream that will allow for better staffing and equipment for the unit, and it will then be able to better carry out its functions.

CGS 29-11(c) indicates a \$36 fee for a name search. The agency cannot do just a name search as we need a date of birth to accompany this name. Currently if a requester pays only the \$36 fee they only receive a yes or no response. If they want a complete criminal history background check they have to pay the additional \$50 fee, making their request totaling a fee of \$86. The statute as it currently reads is misleading, eliminating this \$36 fee and making the fee a flat \$50 for a criminal history record check regardless of who the requester is would eliminate the confusion on the part of the requester.

CGS 29-11(c) indicates a \$15 fee for fingerprinting. However, the statute is silent regarding whether this fee applies on a per person basis or per set of fingerprints basis. This section would provide for an additional \$5 fee for any additional copy of the individuals fingerprints requested at the time of the initial fingerprinting. This will alleviate an individual from requesting multiple sets of fingerprints without being charged and the language indicating that the \$5 fee will apply to any additional copies requested at the time of initial fingerprinting will prevent an individual from returning at a later date requesting a copy of their fingerprints for the lesser \$5 fee

- **Origin of Proposal**      ☒ **X** **New Proposal**      ☐ **Resubmission**

*If this is a resubmission, please share:*

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

## **PROPOSAL IMPACT**

- **Agencies Affected** (please list for each affected agency)

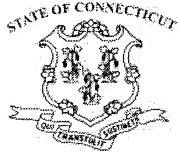
Agency Name: DMV

Agency Contact (name, title, phone): Mike Bzdyra

Date Contacted: 9/29/12

Approve of Proposal    ☐ YES    ☐ NO    ☒ **X** Talks Ongoing

Agency Name: DCF



Agency Contact (name, title, phone): Josh Howroyd  
Date Contacted: 9/29/12

Approve of Proposal ☐ YES ☐ NO ☒ X Talks Ongoing

Agency Name: DPH

Agency Contact (name, title, phone):  
Liz Keyes

Date Contacted: 9/29/12

Approve of Proposal ☐ YES ☐ NO ☒ X Talks Ongoing

**Summary of Affected Agency's Comments**

Will there need to be further negotiation? ☐ YES ☐ NO

• **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

**Municipal** (please include any municipal mandate that can be found within legislation)  
none

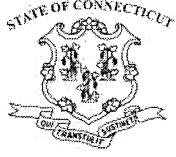
**State**  
Revenue gain

**Federal**  
none

Additional notes on fiscal impact

• **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



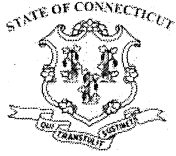


**Sec. 29-11. State Police Bureau of Identification. Fees. Regulations.** (a) The bureau in the Division of State Police within the Department of Public Safety known as the State Police Bureau of Identification shall be maintained for the purposes (1) of providing an authentic record of each person sixteen years of age or over who is charged with the commission of any crime involving moral turpitude, (2) of providing definite information relative to the identity of each person so arrested, (3) of providing a record of the final judgment of the court resulting from such arrest, unless such record has been erased pursuant to section 54-142a, and (4) for maintaining a central repository of complete criminal history record disposition information. The Commissioner of Public Safety is directed to maintain the State Police Bureau of Identification, which bureau shall receive, classify and file in an orderly manner all fingerprints, pictures and descriptions, including previous criminal records as far as known of all persons so arrested, and shall classify and file in a like manner all identification material and records received from the government of the United States and from the various state governments and subdivisions thereof, and shall cooperate with such governmental units in the exchange of information relative to criminals. The State Police Bureau of Identification shall accept fingerprints of applicants for admission to the bar of the state and, to the extent permitted by federal law, shall exchange state, multistate and federal criminal history records with the State Bar Examining Committee for purposes of investigation of the qualifications of any applicant for admission as an attorney under section 51-80. The record of all arrests reported to the bureau after March 16, 1976, shall contain information of any disposition within ninety days after the disposition has occurred.

(b) Any cost incurred by the State Police Bureau of Identification in conducting any name search and fingerprinting of applicants for admission to the bar of the state shall be paid from fees collected by the State Bar Examining Committee.

(c) The Commissioner of Emergency Services and Public Protection shall charge the following fees for the service indicated: (1) [Name search, thirty-six dollars; (2)} fingerprint search, fifty dollars; [(3)](2) personal record search, fifty dollars; [(4)](3) letters of good conduct search, fifty dollars; [(5)] (4) bar association search, fifty dollars; [(6)] (5) fingerprinting, fifteen dollars [(7)](6) additional copy of fingerprints requested at the time of the initial fingerprinting, five dollars.; (7) criminal history record information search, fifty dollars. Except as provided in subsection (b) of this section, the provisions of this subsection shall not apply to any federal, state or municipal agency if the requested search is for purposes of employment within the requesting agency. Provisions of this subsection shall be applicable to all individuals seeking to be licensed or otherwise approved for any occupation for which a background check subject to the provisions of CGS 29-17a is required by statute.

(d) The Commissioner of Public Safety may adopt regulations, in accordance with the provisions of chapter 54, necessary to implement the provisions of the National Child Protection



Act of 1993, the Violent Crime Control and Law Enforcement Act of 1994, the Volunteers for Children Act of 1998, and the National Crime Prevention and Privacy Compact as provided in section 29-164f to provide for national criminal history records checks to determine an employee's or volunteer's suitability and fitness to care for the safety and well-being of children, the elderly and individuals with disabilities.

**Sec. 29-17a. Criminal history records checks. Procedure. Fees.** (a) If a criminal history records check is required pursuant to any provision of the general statutes, such check shall be requested from the State Police Bureau of Identification and shall be applicable to the individual identified in the request. The requesting party shall arrange for the fingerprinting of the individual or for conducting any other method of positive identification required by the State Police Bureau of Identification and, if a national criminal history records check is requested, by the Federal Bureau of Investigation. The fingerprints or other positive identifying information shall be forwarded to the State Police Bureau of Identification which shall conduct a state criminal history records check. If a national criminal history records check is requested, the State Police Bureau of Identification shall submit the fingerprints or other positive identifying information to the Federal Bureau of Investigation for a national criminal history records check, unless the Federal Bureau of Investigation permits direct submission of the fingerprints or other positive identifying information by the requesting party.

(b) The Commissioner of Public Safety may charge fees for conducting criminal history background checks as follows:

(1) Except as provided in subdivision (2) of this subsection, for a person requesting (A) a state criminal history records check, the fee charged by the Department of Public Safety for performing such check, and (B) a national criminal history records check, the fee charged by the Federal Bureau of Investigation for performing such check.

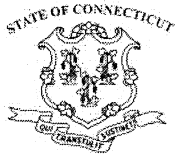
(2) For a state agency requesting a national criminal history records check of a person to be employed by such agency, the fee charged by the Federal Bureau of Investigation for performing such check. The state agency shall reimburse the Department of Public Safety for such cost. Unless otherwise provided by the provision of the general statutes requiring the criminal history records check, the state agency may charge the person a fee equal to the amount paid by the state agency under this subdivision. The fees set forth in CGS 29-11 shall apply to all individuals seeking to be licensed or otherwise approved for any occupation for which a background check subject to this section is required.

(c) The Commissioner of Public Safety may provide an expedited service for persons requesting criminal history records checks in accordance with this section. Such expedited service shall include making the results of such records checks available to the requesting party through the Internet. The commissioner may enter into a contract with any person, firm or



corporation to establish and administer such expedited service. The commissioner shall charge, in addition to the fees charged pursuant to subsection (b) of this section, a fee of fifty dollars for each expedited criminal history record check provided. The fee charged pursuant to subsection (b) of this section and the expedited service fee charged pursuant to this subsection shall be paid by the requesting party in such manner as may be required by the commissioner.

(d) All state fees collected under 29-11 and 29-17a shall be deposited into a separate non-lapsing account in the general fund. All monies deposited into the account shall be used for enhancements and improvements and operations of to the Department of Emergency Services and Public Protection State Police Bureau of Identification.



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**aac diversity initiative and recruitment of veterans at state fire academy**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:**

**Department of Emergency Services and Public Protection**

**Liaison:** Steven Spellman

**Phone:** (860) 685-8614

**E-mail:** Steven.Spellman@ct.gov

**Lead agency division requesting this proposal:**

**Commission on Fire Prevention and Control**

**Agency Analyst/Drafter of Proposal:**

**Jeffrey Morrisette**

**Title of Proposal**

**AAC Diversity Initiative and Recruitment of Veterans at the Connecticut State Fire Academy**

**Statutory Reference 7-323l (1), (2), (4) & 7-323o (3)**

**Proposal Summary**

The Department of Emergency Services and Public Protection's Commission on Fire Prevention and Control in coordination with the Connecticut Career Fire Chiefs Association proposes the establishment of a pilot Statewide Fire Service Diversity Recruitment and Testing Initiative with the goal of increasing the number of minority, female and military veterans, as both career and volunteer firefighters, within the state of Connecticut.

*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

- **Reason for Proposal**

*Please consider the following, if applicable:*

The Department of Emergency Services and Public Protection's Commission on Fire Prevention and Control working in concert with the Connecticut Career Fire Chiefs Association has established a goal of increasing the number of minority, female and military veteran firefighter candidates within Connecticut's fire service, both career and volunteer. Currently, each department that employs firefighters generally establishes their own hiring standards and conducts its own recruitment, testing and selections. A lack of a statewide standard is believed to have led to an adverse impact in the employment of the stated groups in many career fire departments. It is believed this proposed pilot program is a first nationwide on a statewide level.

- **Origin of Proposal**

  X   **New Proposal**

       **Resubmission**



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Department of Veterans Affairs  
Agency Contact (name, title, phone): Tammy Marzik  
Date Contacted: Sept 18

Approve of Proposal    ☐ YES    ☐ NO    ☐ Talks Ongoing

### Summary of Affected Agency's Comments

Will there need to be further negotiation?    ☐ YES    ☐ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

**Municipal** (please include any municipal mandate that can be found within legislation)

Potential Savings – Municipalities and fire districts are expected to benefit from not having to duplicate, on a local level, expenses associated with recruitment and mentoring in preparation for local entry-level examinations. Should the proposed Phase II development and administration of a single statewide examination process be implemented, significant savings could be achieved.

#### State

Fiscal impact will be personnel, development and administration expenses associated with program implementation.

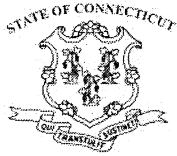
State agency fire departments may see a minimal fiscal savings as they would benefit from a state administered recruitment and mentoring program.

#### Federal

Additional notes on fiscal impact

None

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



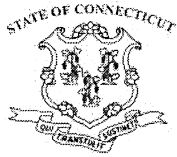
Currently, the Commission on Fire Prevention and Control *recommends* minimum standards of education and physical condition required of each candidate for any firefighter position as well as establishes standards for fire service training and education programs, on a voluntary basis as well as conducts an examination program to certify firefighters to 32 levels of professional competency. An area identified by the Connecticut Career Fire Chiefs Association requiring attention and resources was the development of a state led focus to recruit, mentor and test entry-level candidates, specifically focusing upon increasing the number of minority, female and military veteran firefighter candidates within Connecticut's fire service, both career and volunteer. This could be achieved through a coordinated and focused approach consisting of three phases. The first phase would consist of recruiting and mentoring potential firefighter candidates with a focus on minorities, females and military veteran's preparing them for application and testing for entry-level firefighter examinations. A comprehensive assessment would be initiated to determine the feasibility of the state of Connecticut serving as the developer and administrator of fire fighter entry-level examinations. If deemed appropriate and local support received a Phase two would consist of development and administration of a statewide entry level firefighter examination program relieving local municipalities and fire districts from this significant burden. Phase three consist of a comprehensive review of the program to determine its overall success and benefit.

**Insert fully drafted bill here**

## **Statewide Fire Service Diversity Recruitment and Testing Initiative DESPP-CFPC 13-01**

### **An Act Concerning a Statewide Fire Service Diversity Recruitment and Testing Program.**

- (a) The Department of Emergency Services and Public Protection through the Commission on Fire Prevention and Control division, and in consultation with the Connecticut Career Fire Chiefs Association, shall develop a pilot Fire Service Diversity Recruitment and Testing Program, on or before January 1, 2014, with a goal of directly increasing the number of minority, female and military veteran applicants for firefighter entry-level examinations.
- (b) Any municipality with paid career municipal emergency personnel and state agency administered fire departments, may elect to participate in the pilot program.
- (c) In order to implement the pilot program, the Department of Emergency Services and Public Protection may recruit and employ a diverse group of part-time or contracted



personnel dedicated to the recruitment and mentoring efforts applied to the local and regional level.

- (d) The Department of Emergency Services and Public Protection may conduct a statewide recruitment campaign with the goal of increasing awareness of fire service careers within the minority, female and military veteran population.
- (e) The fee for administering Candidate Physical Ability Testing (CPAT) to qualify entry level firefighter candidates shall be waived for anyone demonstrating that they are at or below the federally established poverty level as adjusted for Connecticut.
- (f) The Connecticut Fire Academy shall set aside a minimum of five positions in future recruit classes for military veteran applicants. Said applicants shall not require sponsorship from a fire department. Tuition shall be paid by the GI Bill or waived by the Department of Emergency Services and Public Protection - Commission on Fire Prevention and Control. The State of Connecticut shall bear any liability exposure for injuries sustained by these recruits during said training.
- (g) The Department of Emergency Services and Public Protection, Division of Fire Prevention and Control/Ct Fire Academy, in consultation with the Department of Administrative Services shall study possible efficiencies and savings to be gained by the development and administration of a standardized statewide Firefighter entry-level examination program with the goal of establishing a state level master employment list that municipalities and fire districts may elect to use. The Department shall report its findings to the Public Safety and Security Committee on or before February 5, 2014.
- (h) The sum of \$200,000 is appropriated to the state fire school training and education extension account established by section 7-323p of the general statutes, from the General Fund, for the fiscal year ending June 30, 2014, to be used by the Department of Emergency Services and Public Protection for purposes of carrying out purpose of this act.



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**aac the sex offender registry despp 2013-5**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:**

**Department of Emergency Services and Public Protection**

**Liaison:** Steve Spellman

**Phone:** 860.685.8614

**E-mail:** [Steven.Spellman@ct.gov](mailto:Steven.Spellman@ct.gov)

**Lead agency division requesting this proposal:**

**Agency Analyst/Drafter of Proposal:**

Sgt. Karen Gabianelli

### **Title of Proposal**

**AAC the Sex Offender Registry**

### **Statutory Reference :**

### **Proposal Summary**

This proposal seeks to implement the requirements of the Federal Adam Walsh Child Protection and Safety Act of 2006 while making a number of other significant improvements to the registry system.

The bill restructures Connecticut's current Sex Offender Registry laws, C.G.S. 54-250 to 54-261, into a three-tier "offense based" system, that places greater requirements on both registrants and the registry while providing the public with greater notification capabilities on the movements of registrants.

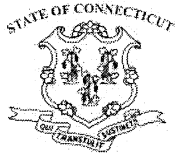
Registry systems across the country had been divided up between two general types of systems "offense based systems", registering an individual as a result of a conviction for a specific crime, and "risk based systems" registering based on a registrant's score on a risk assessment tool.

Amongst the new requirements is a duty of the registrant to report in person to the registry between one and four times per year depending on the individual registrant's tier designation. Registry terms are also increased under the bill providing for 15-year registrations for Tier 1 offenses, 25-year registrations for Tier 2 offenses and lifetime registrations for Tier 3 offenses.

**A Tier 1 offense means:**

(A) a violation of section 53a-73a (Sexual Assault 4<sup>th</sup>) if the victim is eighteen years of age or older at the time of the offense, a violation of section 16 of this act, (Aggravated Public Indecency A. Misdemeanor) or subdivision (2) of subsection (a) of section 53a-189a, (Voyeurism 53a-196d, (Possessing Child Pornography 1<sup>st</sup>))





53a-196e, (Possessing Child Pornography 2<sup>nd</sup>)  
or 53a-196f, (Possessing Child Pornography 3<sup>rd</sup>)  
or (B) a violation of any of the offenses specified in subparagraph (A) of this subdivision for which a person is criminally liable under section 53a-8, 53a-48 or 53a-49. (Criminal Liability for acts of another, Conspiracy, Criminal Attempt)

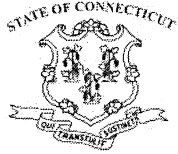
#### A Tier 2 offense means:

(A) a violation of subdivision (2) of section 53-21 of the general statutes in effect prior to October 1, 2000, (Injury or Risk of Injury to children)  
subdivision (2) of subsection (a) of section 53-21 of the general statutes in effect prior to October 1, 2010, (Injury or Risk of Injury to children)  
section 19 of this act, (Illegal Sexual Contact with a child thirteen years of age or older but under sixteen years of age)  
a violation of section 53a-73a if the victim is thirteen years of age or older but under eighteen years of age at the time of the offense, (Sexual Assault 4)  
section 53a-90a, (Enticing a minor)  
(B) section 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95 or 53a-96, provided the court makes a finding that, at the time of the offense, the victim was under eighteen years of age, (Kidnapping 1<sup>st</sup>, Kidnapping 1<sup>st</sup> w/firearm, Kidnapping 2<sup>nd</sup>, Kidnapping 2<sup>nd</sup> w/firearm, Unlawful restraint 1<sup>st</sup>, Unlawful restraint 2<sup>nd</sup>)  
(C) a violation of any of the offenses specified in subparagraph (A) or (B) of this subdivision for which a person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (D) a violation of any predecessor statute to any offense specified in subparagraph (A), (B) or (C) of this subdivision the essential elements of which are substantially the same as said offense. (Criminal Liability for acts of another, Conspiracy, Criminal Attempt)

#### A Tier 3 offense means:

(A) a violation of section 53a-70, (Sexual Assault 1<sup>st</sup>)  
53a-70a, (Aggravated Sexual Assault 1<sup>st</sup>)  
53a-70b, (Sexual Assault spousal/cohabitating)  
53a-71, (Sexual Assault 2<sup>nd</sup>)  
53a-72a, (Sexual Assault 3<sup>rd</sup>)  
53a-72b, (Sexual Assault 3<sup>rd</sup> /firearm),  
a violation of section 53a-73a if the victim is under thirteen years of age at the time of the offense,  
subdivision (2) of subsection (a) of section 53a-86, (Promoting Prostitution 1<sup>st</sup> w/ person less than sixteen)  
subdivision (2) of subsection (a) of section 53a-87, (Promoting Prostitution 2<sup>nd</sup> w/ person less than eighteen)  
section 53a-196a, (Employing a minor in an obscene performance)  
53a-196b (Promoting a minor in an obscene performance)  
or 53a-196c, (Importing child pornography)  
or of section 53a-92 (Kidnapping 1<sup>st</sup>)  
or 53a-92a (Kidnapping 1<sup>st</sup> firearm), provided the court makes a finding that the offense was committed with intent to sexually violate or abuse the victim,  
(B) a violation of any of the offenses specified in subparagraph (A) of this subdivision for which a person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (C) a violation of any predecessor statute to any of the offenses specified in subparagraph (A) or (B) of this subdivision the essential elements of which are substantially the same as said offense. (Criminal Liability for acts of another, Conspiracy, Criminal Attempt)

Registrants would be required under the bill to report additional information to the registry and maintain that information during the life of their registration. These additional reporting requirements include the name and address where a registrant is employed, the license plate number and vehicle description of any vehicle that a registrant owns or operates, name of their probation or parole officer,



and telephone or cell phone numbers.

Registrants must obtain and maintain a Connecticut driver's license or non-driver identification card. Registrants would also be required to keep their registration current and in compliance. Any period of incarceration or non-compliance would be excluded from the registrant's registry term. Registrants must also provide copies of their birth certificate, travel and immigration documents, and any professional licenses.

The bill also expands registration to individuals who had previously eluded registration as a result of a release into the community date that predated statutory requirements. Such individuals that have been convicted or found not guilty by reason of mental disease or defect of a sex offense and reenter the criminal justice system for any felony crime would be required to register.

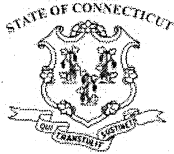
The bill expands the list of educational institutions that registrants were previously required report to the registry if they work at or attended to include: a "Youth camp" as defined in Sec 19a-420, a provider of "child day care services" as defined in Sec. 19a-77, elementary, middle, or high school, a regional vocational technical school, a charter school. The expansion captures many of those locations where children found outside of school.

The bill makes it a class D felony to aid a sex offender in the violation of registry requirements. This can entail withholding information, harboring the registered sex offender, concealing the offender, providing false information, obstructing the law enforcement officer's performance of duties or falsely representing the registered sexual offender.

The bill also provides for registrants to notify the Department of Emergency Services and Public Protection if they are required to evacuate their homes due to emergency situations such as floods, storms or fires and it requires a registered sex offender to notify upon their arrival the management of any emergency shelter they are placed in as a result of the emergency situation.

The proposal seeks for the development of policies and procedures for local police departments and troops to verify the accuracy of information provided by the registrant, to investigate continued compliance and violations of registry requirements. The proposal also requires the Department of Public Safety to develop and maintain software applications to allow jurisdictions to track and manage local registry programs.

The proposal requires the Department of Emergency Services and Public Protection to make available on the registry Internet website resources to links to resources on sexual assault prevention, education, advocacy, counseling and victims services.



*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

### • Reason for Proposal

*Please consider the following, if applicable:*

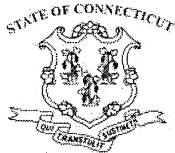
- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

This bill encompasses the provisions of the Adam Walsh Child Protection and Safety Act of 2006 that was signed in to federal law on July 27, 2006. The Walsh Act required that states become substantially compliant by July of 2009 or forfeit ten percent of the funds that would be allocated to the state under the Omnibus Crime Control and Safe Streets Act of 1968. The United States Attorney General has granted a one year extension to all jurisdictions for substantial implementation of the act. The new deadline for all jurisdictions to substantially implement the act is now July of 2013.

The bill strengthens Connecticut's registry laws by closing a number of loopholes that the federal government sought to fix through the Walsh Act. These include making provisions for the growing populations of homeless or transient registrants to maintain their registrations and not violate registry laws as a result of being unable to establish a residence. The bill also provides greater protection to the citizens of the state by placing the toughest notification requirement in the country on registered sex offenders entering the state. A person required to register from another state or jurisdiction would be required to provide prior written notice to the State of Connecticut, 48 hours before entering the state. Current law requires registrants from other jurisdictions to be completed without undue delay or within five business days from residing in the state. This process is entirely reliant on the honesty of the registered sex offender, many of whom are found to be absconders from the state where they were last registered. Investigations trying to develop evidence of the existence of these registrants being in the state for five business days are costly and often very difficult to prove.

The implementation of an "In-Person" verification system would provide for a periodic accounting of registrants within the state. Under current registry law the only effort to verify the accuracy of registry information is done so by mailing a letter to the last known address of each registrant every 90 days. Investigations have found letters being forwarded to the registrant at another address or even letters being signed by persons other than the registrant.

Public Act 09-199 added requirements for the Department of Emergency Services and Public Protection (then the Department of Public Safety) to notify Superintendents of schools of registrants that are released into the community within their school districts. This proposal expands the requirement to



include registrants that change their address in and out of school districts and allows for an automated notification process. The proposal requires that the superintendents update the email address used for the notifications.

On May 14, 2010, the Department of Justice released for public comment proposed Supplemental Guidelines for the Sex Offender Registration and Notification Act (SORNA), Title I of the Adam Walsh Child Protection and Safety Act of 2006. The proposed Supplemental Guidelines address, among other things, public notification of juveniles adjudicated delinquent for serious sex crimes, the posting of sex offender information, such as email addresses and other Internet identifiers, and reporting of international travel requirements. This proposal incorporates a number of proposed supplemental guidelines into previously submitted language.

- **Origin of Proposal**      ☐ New Proposal      ☒ Resubmission

*If this is a resubmission, please share:*

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

SB 33 in 2010 session was a governor's bill that had public hearing in public safety committee and was referred to judiciary committee where it died with no action by jf deadline.

## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Court Support Services (CSSD) -  
Agency Contact (name, title, phone): Deb Fuller  
Date Contacted: Sept 29

Approve of Proposal    ☐ YES    ☐ NO    ☒ Talks Ongoing

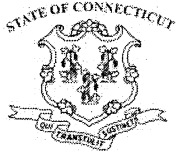
Agency Name: Dept. of Corrections  
Agency Contact (name, title, phone): Lena Ferguson  
Date Contacted: Sept 29

Approve of Proposal    ☐ YES    ☐ NO    ☒ Talks Ongoing

### Summary of Affected Agency's Comments

Will there need to be further negotiation?    ☐ YES    ☐ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)



**Municipal** (please include any municipal mandate that can be found within legislation)

**None**

**State**

DPS – Dedicated fax line/machine for 48 hour prior notification of out of state offenders for the message center, estimated cost \$1,400. Postage costs for “In-person” verification letters are estimated at \$8,000.00.

CSSD – Costs for “In person” verification to be determined.

State is subject to 10 % penalties in reduction of federal grants if it does not come into compliance with Adam Walsh Act

**Federal**

**None**

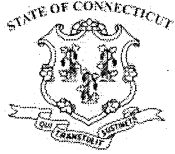
Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

## ***AN ACT CONCERNING THE REGISTRATION OF SEXUAL OFFENDERS.***

Section 1. Section 54-250 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

For the purposes of sections 54-102g, as amended by this act, and 54-250 to 54-258a, inclusive, as amended by this act, and sections 2, 3, 4, 7 and 8 of this act:



(1) "Conviction" means a judgment entered by the Superior Court, a court of any other state, a federal or military court or a court of a foreign country upon a plea of guilty, a plea of nolo contendere or a finding of guilty by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from such judgment.

[(2) "Criminal offense against a victim who is a minor" means (A) a violation of subdivision (2) of section 53-21 of the general statutes in effect prior to October 1, 2000, subdivision (2) of subsection (a) of section 53-21, subdivision (2) of subsection (a) of section 53a-70, subdivision (1), (4), (8) or (10) or subparagraph (B) of subdivision (9) of subsection (a) of section 53a-71, subdivision (2) of subsection (a) of section 53a-72a, subdivision (2) of subsection (a) of section 53a-86, subdivision (2) of subsection (a) of section 53a-87, section 53a-90a, 53a-196a, 53a-196b, 53a-196c, 53a-196d, 53a-196e or 53a-196f, (B) a violation of subparagraph (A) of subdivision (9) of subsection (a) of section 53a-71 or section 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-96 or 53a-186, provided the court makes a finding that, at the time of the offense, the victim was under eighteen years of age, (C) a violation of any of the offenses specified in subparagraph (A) or (B) of this subdivision for which a person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (D) a violation of any predecessor statute to any offense specified in subparagraph (A), (B) or (C) of this subdivision the essential elements of which are substantially the same as said offense.]

[(3)] (2) "Identifying factors" means fingerprints and palm prints, a photographic image, and a description or photographic image of any other identifying characteristics including, but not limited to, scars, marks or tattoos, as may be required by the Commissioner of Public Safety. The commissioner shall also require a sample of the registrant's blood or other biological sample be taken for DNA (deoxyribonucleic acid) analysis, unless such sample has been previously obtained in accordance with section 54-102g.

[(4) "Mental abnormality" means a congenital or acquired condition of a person that affects the emotional or volitional capacity of the person in a manner that predisposes that person to the commission of criminal sexual acts to a degree that makes the person a menace to the health and safety of other persons.

(5) "Nonviolent sexual offense" means (A) a violation of section 53a-73a or subdivision (2) of subsection (a) of section 53a-189a, or (B) a violation of any of the offenses specified in subparagraph (A) of this subdivision for which a person is criminally liable under section 53a-8, 53a-48 or 53a-49.]

[(6)] (3) "Not guilty by reason of mental disease or defect" means a finding by a court or jury of not guilty by reason of mental disease or defect pursuant to section 53a-13



notwithstanding any pending appeal or habeas corpus proceeding arising from such finding.

[(7) "Personality disorder" means a condition as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, published by the American Psychiatric Association.]

[(8)] (4) "Registrant" or "registered sexual offender" means a person required to register under section [54-251, 54-252,] 54-253, as amended by this act, or section 54-254, as amended by this act, or section 2, 3 or 4 of this act.

[(9)] (5) "Registry" means a central record system and notification program in this state, any other state or the federal government that receives, maintains and disseminates information on [persons convicted or found not guilty by reason of mental disease or defect of criminal offenses against victims who are minors, nonviolent sexual offenses, sexually violent offenses and felonies found by the sentencing court to have been committed for a sexual purpose] registered sexual offenders.

[(10)] (6) "Release into the community" means, with respect to a conviction or a finding of not guilty by reason of mental disease or defect of a [criminal offense against a victim who is a minor, a nonviolent sexual offense, a sexually violent offense] tier one offense, a tier two offense, a tier three offense or a felony found by the sentencing court to have been committed for a sexual purpose, (A) any release on the predicate offense or a subsequent felony offense not requiring registration by a court after such conviction or finding of not guilty by reason of mental disease or defect, a sentence of probation or any other sentence under section 53a-28 that does not result in the offender's immediate placement in the custody of the Commissioner of Correction; (B) release on the predicate offense or a subsequent felony offense not requiring registration from a correctional facility at the discretion of the Board of Pardons and Paroles, by the Department of Correction to a program authorized by section 18-100c or upon completion of the maximum term or terms of the offender's sentence or sentences, or to the supervision of the Court Support Services Division in accordance with the terms of the offender's sentence; or (C) release on the predicate offense or a subsequent felony offense not requiring registration from a hospital for mental illness or a facility for persons with mental retardation by the Psychiatric Security Review Board on conditional release pursuant to section 17a-588 or upon termination of commitment to the Psychiatric Security Review Board.

[(11) "Sexually violent offense" means (A) a violation of section 53a-70, except subdivision (2) of subsection (a) of said section, 53a-70a, 53a-70b, 53a-71, except subdivision (1), (4), (8) or (10) or subparagraph (B) of subdivision (9) of subsection (a) of



said section or subparagraph (A) of subdivision (9) of subsection (a) of said section if the court makes a finding that, at the time of the offense, the victim was under eighteen years of age, 53a-72a, except subdivision (2) of subsection (a) of said section, or 53a-72b, or of section 53a-92 or 53a-92a, provided the court makes a finding that the offense was committed with intent to sexually violate or abuse the victim, (B) a violation of any of the offenses specified in subparagraph (A) of this subdivision for which a person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (C) a violation of any predecessor statute to any of the offenses specified in subparagraph (A) or (B) of this subdivision the essential elements of which are substantially the same as said offense.]

[(12)] (7) "Sexual purpose" means that a purpose of the defendant in committing the felony was to engage in sexual contact or sexual intercourse with another person without that person's consent. A sexual purpose need not be the sole purpose of the commission of the felony. The sexual purpose may arise at any time in the course of the commission of the felony.

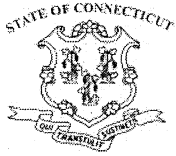
[(13)] (8) "Employed" or "carries on a vocation" means employment that is full-time or part-time, [for more than fourteen days, or for a total period of time of more than thirty days during any calendar year,] whether financially compensated, volunteered or for the purpose of government or educational benefit, and includes being self-employed.

[(14)] (9) "Student" means a person who is enrolled on a full-time or part-time basis, in any public or private educational institution, including any secondary school, trade or professional institution or institution of higher learning.

(10) "Tier one offense" means (A) a violation of section 53a-73a if the victim is eighteen years of age or older at the time of the offense, section 15 of this act, subdivision (2) of subsection (a) of section 53a-189a or section 53a-196d, 53a-196e or 53a-196f, (B) a violation of any of the offenses specified in subparagraph (A) of this subdivision for which a person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (C) a violation of any predecessor statute to any offense specified in subparagraph (A) or (B) of this subdivision the essential elements of which are substantially the same as said offense.

(11) "Tier two offense" means (A) a violation of subdivision (2) of section 53-21 in effect prior to October 1, 2000, subdivision (2) of subsection (a) of section 53-21 in effect prior to October 1, 2011, section 18 of this act, section 53a-73a if the victim was thirteen years of age or older but under eighteen years of age at the time of the offense or section 53a-90a, (B) a violation of section 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95 or 53a-96 if the victim was under eighteen years of age at the time of the offense, (C) a violation of any of the offenses specified in subparagraph (A) or (B) of this subdivision for which a





person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (D) a violation of any predecessor statute to any offense specified in subparagraph (A), (B) or (C) of this subdivision the essential elements of which are substantially the same as said offense.

(12) "Tier three offense" means (A) a violation of section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b, section 53a-73a if the victim was under thirteen years of age at the time of the offense, subdivision (2) of subsection (a) of section 53a-86, subdivision (2) of subsection (a) of section 53a-87 or section 53a-196a, 53a-196b or 53a-196c, (B) a violation of section 53a-92 or 53a-92a, provided the court makes a finding that the offense was committed with intent to sexually violate or abuse the victim, (C) a violation of any of the offenses specified in subparagraph (A) or (B) of this subdivision for which a person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (D) a violation of any predecessor statute to any of the offenses specified in subparagraph (A), (B) or (C) of this subdivision the essential elements of which are substantially the same as said offense.

(13) "Transient" means a person who has no residence.

(14) "Transient locations" means specific and identifiable locations where a transient registrant habitually lives, eats, works, frequents, engages in leisure activities, stations himself or herself during the day or sleeps at night within a specific town or city.

(15) "Residence" means a place where a person is living or staying including a temporary residence or lodging, a person's home or a place where a person habitually lives or sleeps such as a homeless, emergency or other shelter, or a structure that can be located by a street address including, but not limited to, a house, apartment building, motel, hotel, travel location, homeless shelter, recreational or other vehicle and vessel, not limited by the length of stay at that residence.

(16) "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Northern Mariana Islands and any other territory of the United States, and, to the extent provided by and subject to the requirements of Section 127 of the Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248, any federally recognized Indian tribe.

Sec. 2. (NEW) (*Effective October 1, 2013*) (a) Any person who has been convicted or found not guilty by reason of mental disease or defect of a tier one offense and is released into the community shall, not later than three days following such release or, if such person is in the custody of the Commissioner of Correction, at such time prior to release as the commissioner shall direct, register with the Commissioner of the Department of



Emergency Services and Public Protection in accordance with section 7 of this act and shall maintain such registration for fifteen years, except that any person previously convicted of any such offense shall maintain such registration for life.

(b) Prior to accepting a plea of guilty or nolo contendere from a person with respect to a tier one offense, the court shall (1) inform the person that the entry of a finding of guilty after acceptance of the plea will subject the person to the registration requirements of this section, and (2) determine that the person fully understands the consequences of the plea.

(c) Any person who has been convicted or found not guilty by reason of mental disease or defect of a tier one offense and who is subject to the registration requirements of section 54-251 of the general statutes, revised to January 1, 2011, shall, not later than three business days after October 1, 2011, register under this section and maintain such registration for a period of fifteen years from the date of such person's initial registration under public act 98-111 or any predecessor statute, and shall comply with the provisions of section 7 of this act and section 54-102g of the general statutes, as amended by this act.

(d) Notwithstanding the provisions of subsection (a) or (c) of this section, such person shall maintain such registration for ten years if such person has during such ten-year period (1) complied with registry requirements and kept all required information current, (2) not been convicted of any offense for which imprisonment for more than one year may be imposed, (3) not been convicted of another sexual offense, (4) successfully completed, without revocation, any period of probation or parole, and (5) successfully completed an appropriate sexual offender treatment program certified by the state.

(e) Any person who violates the provisions of subsection (a) or (c) of this section shall be guilty of a class D felony.

Sec. 3. (NEW) (*Effective October 1, 2013*) (a) Any person who has been convicted, or found not guilty by reason of mental disease or defect, of a tier two offense and is released into the community shall, not later than three days following such release or, if such person is in the custody of the Commissioner of Correction, at such time prior to release as the commissioner shall direct, register with the Commissioner of Public Safety in accordance with section 7 of this act and shall maintain such registration for twenty-five years, except that any person previously convicted of any such offense shall maintain such registration for life.



(b) Prior to accepting a plea of guilty or nolo contendere from a person with respect to a tier two offense, the court shall (1) inform the person that the entry of a finding of guilty after acceptance of the plea will subject the person to the registration requirements of this section, and (2) determine that the person fully understands the consequences of the plea.

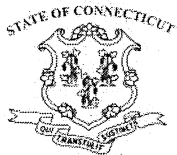
(c) Any person who has been convicted or found not guilty by reason of mental disease or defect of a tier two offense and who is subject to the registration requirements of section 54-251 of the general statutes, revised to January 1, 2011, shall, not later than three business days after October 1, 2011, register under this section and maintain such registration for a period of twenty-five years from the date of such person's initial registration under public act 98-111 or any predecessor statute, except that any person previously convicted of any such offense shall maintain such registration for life, and shall comply with the provisions of section 7 of this act and section 54-102g of the general statutes, as amended by this act.

(d) Any person who has been convicted or found not guilty by reason of mental disease or defect of a tier two offense and who has been subject to the registration requirements of section 54-102r of the general statutes, revised to January 1, 1997, as amended by section 1 of public act 97-183, shall, not later than three business days after October 1, 2011, register under this section and comply with the provisions of section 7 of this act and section 54-102g of the general statutes for a period of twenty-five years from the date of such person's initial registration under public act 97-183 or any predecessor statute, except that any person previously convicted of any such offense shall maintain such registration for life, and shall comply with the provisions of section 7 of this act and section 54-102g of the general statutes, as amended by this act.

(e) Any person who violates the provisions of subsection (a), (c) or (d) of this section shall be guilty of a class D felony.

Sec. 4. (NEW) (*Effective October 1, 2013*) (a) Any person who has been convicted, or found not guilty by reason of mental disease or defect, of a tier three offense and is released into the community shall, within three days following such release or, if such person is in the custody of the Commissioner of Correction, at such time prior to release as the commissioner shall direct, register with the Commissioner of Public Safety in accordance with section 7 of this act and shall maintain such registration for life.

(b) Prior to accepting a plea of guilty or nolo contendere from a person with respect to a tier three offense, the court shall (1) inform the person that the entry of a finding of guilty after acceptance of the plea will subject the person to the registration



requirements of this section, and (2) determine that the person fully understands the consequences of the plea.

(c) Any person who has been convicted or found not guilty by reason of mental disease or defect of a tier three offense and who has been subject to the registration requirements of section 54-251 or 54-252 of the general statutes, revised to January 1, 2011, shall, not later than three business days after October 1, 2011, register under this section and shall maintain such registration for life and shall comply with the provisions of section 7 of this act and section 54-102g of the general statutes.

(d) Any person who has been convicted or found not guilty by reason of mental disease or defect of a tier three offense and who has been subject to the registration requirements of section 54-102r of the general statutes, revised to January 1, 1997, as amended by section 1 of public act 97-183, shall, not later than three business days after October 1, 2011, register under this section and comply with the provisions of section 7 of this act and section 54-102g of the general statutes.

(e) Notwithstanding the provisions of subsection (a) of this section, the court may exempt any person who has been convicted or found not guilty by reason of mental disease or defect of a violation of subdivision (1) of subsection (a) of section 53a-71 of the general statutes from the registration requirements of this section if the court finds that such person was under nineteen years of age and no more than four years older than the victim at the time of the offense and that registration is not required for public safety.

(f) Any person who files an application with the court to be exempted from the registration requirements of this section pursuant to subsection (e) of this section shall, pursuant to subsection (b) of section 54-227 of the general statutes, as amended by this act, notify the Office of Victim Services and the Victim Services Unit within the Department of Correction of the filing of such application. The Office of Victim Services or the Victim Services Unit within the Department of Correction, or both, shall, pursuant to section 54-230 or 54-230a of the general statutes, as amended by this act, notify any victim who has requested notification of the filing of such application. Prior to granting or denying such application, the court shall consider any information or statement provided by the victim.

(g) Any person who violates the provisions of subsection (a), (c), (d) or (f) of this section shall be guilty of a class D felony.



Sec. 5. Section 54-253 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

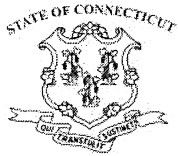
(a) Any person who has been convicted or found not guilty by reason of mental disease or defect or adjudicated a delinquent child or juvenile, who is subject to the provisions as provided in Section 111(8) of the Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248 in any other state, in a federal, [or] military or Indian tribal court or in any foreign [jurisdiction] country of any crime (1) the essential elements of which are substantially the same as any of the crimes specified in subdivisions [(2), (5) and (11)] (10), (11) and (12) of section 54-250, as amended by this act, or (2) which requires registration as a sexual offender in such other state, [or] in the federal, [or] military or Indian tribal system or in such foreign country, and who resides in this state on and after October 1, [1998] 2011, shall [ , without undue delay upon] provide to the Commissioner of Public Safety, in writing, not less than forty-eight hours prior to entering the state, such person's name, date of birth and residence address, the state, the federal, military or Indian tribal system or the foreign country where such person is required to register as a sexual offender and the locations where such person is employed or is enrolled as a student, and shall, within three business days of residing in this state, register with the Commissioner of Public Safety in accordance with section 7 of this act in the same manner as if such person had been convicted or found not guilty by reason of mental disease or defect of such crime in this state, except that the commissioner shall maintain such registration in such manner as required by such other state, federal, military or Indian tribal system or foreign country with respect to public disclosure of registrant information and shall maintain such registration until such person is released from the registration requirement in such other state, federal, [or] military or Indian tribal system or foreign [jurisdiction] country or, if such person is required to register under subdivision (1) of this subsection, shall maintain such registration in the same manner as if such person was required to register for such crime in this state, except for purposes of determining the period of registration under section 2 or 3 of this act, such person shall be deemed to have initially registered on the date of such person's release into the community in such other state, federal, military or tribal system or foreign country.

[(b) If any person who is subject to registration under this section changes such person's name, such person shall, without undue delay, notify the Commissioner of Public Safety in writing of the new name. If any person who is subject to registration under this section changes such person's address, such person shall, without undue delay, notify the Commissioner of Public Safety in writing of the new address and, if the new address is in another state, such person shall also register with an appropriate agency in that state, provided that state has a registration requirement for such offenders. If any



person who is subject to registration under this section establishes or changes an electronic mail address, instant message address or other similar Internet communication identifier, such person shall, without undue delay, notify the Commissioner of Public Safety in writing of such identifier. If any person who is subject to registration under this section is employed at, carries on a vocation at or is a student at a trade or professional institution or institution of higher learning in this state, such person shall, without undue delay, notify the Commissioner of Public Safety of such status and of any change in such status. If any person who is subject to registration under this section is employed in another state, carries on a vocation in another state or is a student in another state, such person shall, without undue delay, notify the Commissioner of Public Safety and shall also register with an appropriate agency in that state, provided that state has a registration requirement for such offenders. During such period of registration, each registrant shall complete and return forms mailed to such registrant to verify such registrant's residence address and shall submit to the retaking of a photographic image upon request of the Commissioner of Public Safety.]

[(c)] (b) Any person not a resident of this state who is registered or is required to register as a sexual offender under the laws of any other state, the federal, military or Indian tribal system or a foreign country and who is employed in this state, carries on a vocation in this state or is a student in this state, shall [, without undue delay] provide to the Commissioner of Public Safety, in writing, not less than forty-eight hours prior to entering the state, such person's name, date of birth and residence address, the state, the federal, military or Indian tribal system or the foreign country where such person is required to register as a sexual offender and the locations where such person is employed, carries on a vocation or is enrolled as a student, and shall, not later than three business days after the commencement of such employment, vocation or education in this state, [register such person's name, identifying factors and criminal history record, locations visited on a recurring basis, and such person's residence address, if any, in this state, residence address in such person's home state and electronic mail address, instant message address or other similar Internet communication identifier, if any,] appear in person at the Department of Public Safety or a location designated by the department and register with the Commissioner of Public Safety [on such forms and in such locations as said commissioner shall direct] in accordance with section 7 of this act and shall maintain such registration until such employment, vocation or education terminates or until such person is released from registration as a sexual offender in such other state, federal, military or Indian tribal system or foreign country. If such person terminates such person's employment, vocation or education in this state [, changes such person's address in this state or establishes or changes an electronic mail address, instant message address or other similar Internet communication identifier] such person shall, [without undue delay,



notify] not later than three business days after such termination, appear in person at the Department of Public Safety or at a location designated by the department and notify the Commissioner of Public Safety in writing of such termination. [ , new address or identifier.]

[(d)] (c) Any person not a resident of this state who is registered or is required to be registered as a sexual offender under the laws of any other state, the federal, military or Indian tribal system or a foreign country and who [travels in this state on a recurring basis for periods of less than five days shall notify the Commissioner of Public Safety of such person's temporary residence in this state and of a telephone number at which such person may be contacted] will be entering and remaining in this state for a period of less than five days shall notify the Commissioner of Public Safety in writing not less than forty-eight hours prior to entering the state of such person's name, date of birth and temporary residence address in this state, the state, the federal, military or Indian tribal system or the foreign country where such person is required to register as a sexual offender, the nature of such person's stay in this state, the locations where such person will be while in this state, a telephone number at which such person may be contacted and the dates such person will be in this state and the date such person will be leaving. Any person not a resident of this state who enters this state under the provisions of this subsection and who remains in this state for five or more days shall register with the Commissioner of Public Safety in the same manner as provided in subsection (a) of this section and shall do so not later than three business days after the fifth day such person has remained in this state after entry.

(d) Any person who is a registered sexual offender under the laws of any other state, federal, military or Indian tribal system or foreign country who enters this state and fails to notify the Commissioner of Public Safety in writing not less than forty-eight hours prior to entering the state of the information required under this section or falsely reports such information shall be guilty of a class D felony.

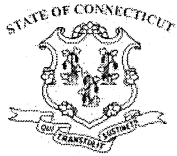
(e) Any person who violates the provisions of this section shall be guilty of a class D felony. [ , except that, if such person violates the provisions of this section by failing to register with the Commissioner of Public Safety without undue delay or notify the Commissioner of Public Safety without undue delay of a change of name, address or status or another reportable event, such person shall be subject to such penalty if such failure continues for five business days.]

Sec. 6. Section 54-254 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):



(a) Any person who has been convicted or found not guilty by reason of mental disease or defect in this state on or after October 1, 1998, of any felony that the court finds was committed for a sexual purpose, may be required by the court [upon] not later than three days after release into the community or, if such person is in the custody of the Commissioner of Correction, at such time prior to release as the commissioner shall direct to register [such person's name, identifying factors, criminal history record, residence address and electronic mail address, instant message address or other similar Internet communication identifier, if any,] with the Commissioner of Public Safety [, on such forms and in such locations as the commissioner shall direct, and to] in accordance with section 7 of this act and maintain such registration for ten years or life, as determined by the court. If the court finds that a person has committed a felony for a sexual purpose and intends to require such person to register under this section, prior to accepting a plea of guilty or nolo contendere from such person with respect to such felony, the court shall (1) inform the person that the entry of a finding of guilty after acceptance of the plea will subject the person to the registration requirements of this section, and (2) determine that the person fully understands the consequences of the plea. [If any person who is subject to registration under this section changes such person's name, such person shall, without undue delay, notify the Commissioner of Public Safety in writing of the new name. If any person who is subject to registration under this section changes such person's address, such person shall, without undue delay, notify the Commissioner of Public Safety in writing of the new address and, if the new address is in another state, such person shall also register with an appropriate agency in that state, provided that state has a registration requirement for such offenders. If any person who is subject to registration under this section establishes or changes an electronic mail address, instant message address or other similar Internet communication identifier, such person shall, without undue delay, notify the Commissioner of Public Safety in writing of such identifier. If any person who is subject to registration under this section is employed at, carries on a vocation at or is a student at a trade or professional institution or institution of higher learning in this state, such person shall, without undue delay, notify the Commissioner of Public Safety of such status and of any change in such status. If any person who is subject to registration under this section is employed in another state, carries on a vocation in another state or is a student in another state, such person shall, without undue delay, notify the Commissioner of Public Safety and shall also register with an appropriate agency in that state, provided that state has a registration requirement for such offenders. During such period of registration, each registrant shall complete and return forms mailed to such registrant to verify such registrant's residence address and shall submit to the retaking of a photographic image upon request of the Commissioner of Public Safety.]





(b) Any person who violates the provisions of this section shall be guilty of a class D felony. [, except that, if such person violates the provisions of this section by failing to notify the Commissioner of Public Safety without undue delay of a change of name, address or status or another reportable event, such person shall be subject to such penalty if such failure continues for five business days.]

Sec. 7. (NEW) (*Effective October 1, 2013*) (a) Any person required to register under the provisions of section 2, 3 or 4 of this act or section 54-253 of the general statutes, as amended by this act, or section 54-254 of the general statutes, as amended by this act, shall, as a requirement of such registration, provide the following information upon initial registration and shall maintain such information by reporting any changes, additions or omissions to such person's registry information by appearing in person at the Department of Public Safety or at a location designated by the department within three business days of such change:

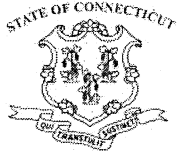
(1) Such person's name, including legal name changes, any name by which the person has been known, nicknames and pseudonyms including any designations or monikers used for self-identification in Internet communications or other postings. If any person who is subject to registration under this section changes such person's name, including legal name changes, nicknames and pseudonyms including any designations or monikers used for self-identification in Internet communications or other postings, such person shall, within three business days of such change, report in person to the Department of Public Safety or a location designated by the department and report such change of information in writing.

(2) The current "Residence" address as defined under Sec. 1 of this act or "Residence" addresses of such person or, if such person is in the custody of the Commissioner of Correction, the residence address or addresses where such person will reside upon such person's release into the community. If any person who is subject to registration under this section changes such person's residence address or addresses where such person will reside or adds an additional residence, regardless of the length of stay, such person shall, within three business days of such change, report in person to the Department of Public Safety or a location designated by the department and report such change of address in writing and, if the new address is in another state, such person shall also register in accordance with the laws of, and at an appropriate agency responsible for the registration of sexual offenders in, that state. Any registrant that falsely reports a change of address or reports a false address shall be in violation of this section. Any registrant who reports a change of address and then fails to move to such address shall report such failure in person to the Department of Public Safety or a location designated by the department within three business days or be in violation of this section. Any registrant that is incarcerated in a correctional institution of the Department of



Correction or in any other county, state or federal correctional institution shall report such incarceration to the Department of Public Safety in writing within three business days and upon release from such correctional institution shall report to the Department of Public Safety or a location designated by the department and report such release within three business days. Any person required to register under the provisions of section 2, 3 or 4 of this act or section 54-253 of the general statutes, as amended by this act, or section 54-254 of the general statutes, as amended by this act, who becomes a "Transient" as defined under Sec 1 of this act, shall report such transient status to the Department of Emergency Services and Public Protection not later than three business days after becoming transient by reporting in person to the Department of Emergency Services and Public Protection or at a location designated by the department and shall report such transient status in writing. Such registrant shall sign a statement that, as a transient, such registrant is not residing at a "Residence" as defined under Sec. 1 of this act. Residing at any such residence shall constitute a change of address and such registrant shall report under this subdivision. Such registrant shall report any "Transient locations" as defined under Sec. 1 of this act, including the specific town or towns or city or cities in which such registrant is claiming to be a transient. Such transient locations shall be specific and identifiable and provided with sufficient detail to allow for law enforcement officials to locate and verify the registrant's presence at such locations. If such transient locations are in another state or foreign country, such person shall also register with an appropriate agency responsible for the registration of sexual offenders in that other state or foreign country. Any person required to register under the provisions of section 2, 3 or 4 of this act or section 54-253a of the general statutes, as amended by this act, or section 54-254 of the general statutes, as amended by this act, who is required to evacuate such registrant's residence due to an emergency situation such as a flood, hurricane, tornado or fire shall report such evacuation and the temporary residence address such registrant has been relocated to, within three business days to the Department of Emergency Services and Public Protection. If such registrant is relocated to an emergency shelter or other public accommodations, such registrant shall notify the management of such shelter or accommodation immediately upon arrival at such shelter or accommodation that such registrant is a registered sexual offender.

(3) The name of such person's employer and any address where such person is employed or carries on a vocation or, if such person is in the custody of the Commissioner of Correction, the name and address of any employer by whom such person will be employed or carries on a vocation upon release from custody. If any person who is subject to registration changes the status of such employment, the address where such person is employed changes or such employment is terminated, such person shall, not later than three business days after such change or termination,



report in person to the Department of Emergency Services and Public Protection or a location designated by the department and report such change or termination in writing and, if the new address of such employment is in another state such person shall also register in accordance with the laws of, and at an appropriate agency responsible for the registration of sexual offenders in, that state.

(4) The name and address of any youth camp, as defined in section 19a-420 of the general statutes, provider of child day care services, as defined in section 19a-77 of the general statutes, youth group or organization, youth athletic association or club, public or private educational institution, including elementary, middle or high school, regional vocational-technical school, charter school, secondary school or trade or professional institution or institution of higher learning in this state where such registrant is employed, carries on a vocation, is a student or is enrolled. If any person who is subject to registration under this section is employed in another state or foreign country, carries on a vocation in another state or foreign country or is a student in another state or foreign country, such person shall notify the Commissioner of Emergency Services and Public Protection and shall also register with an appropriate agency in that state or foreign country responsible for the registration of sexual offenders. If any person who is subject to registration changes employment, location of vocation or place of enrollment or if the address of any such place changes, such person shall, not later than three business days after such change, report in person to the Department of Emergency Services and Public Protection or a location designated by the department and report such change in writing and, if the new employment, school or address is in another state, such person shall also register in accordance with the laws of, and at an appropriate agency responsible for the registration of sexual offenders in, that state.

(5) If any person who is subject to registration travels outside of the United States such person shall report in person to the Department of Emergency Services and Public Protection or a location designated by the department at least twenty one calendar days before such travel and report in writing the date of departure and return from such travel, the countries and specific locations within those countries traveling to and the dates entering and departing from each country. Such person shall also register if required under the laws of that country with the appropriate agency responsible for the registration of sexual offenders. If such travel outside of the United States is for the purpose of changing such person's residence address or addresses where such person will reside, the address where such person is employed or carries on a vocation, location of vocation or place of enrollment in an educational institution such person shall report in person to the Department of Emergency Services and Public Protection or a location designated by the department at least twenty one calendar days before such travel outside of the United States and report in writing the country and specific

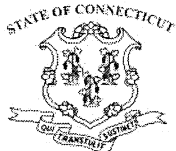


location of such change and the effective date(s) of such change. Such person shall also register if required in accordance with the laws of, and at an appropriate agency responsible for the registration of sexual offenders in, that country.

(6) Any person required to register under section 2, 3 or 4 of this act or section 54-253 of the general statutes, as amended by this act, or section 54-254 of the general statutes, as amended by this act, shall within three business days of a change of the information required under this subsection report in person to the Department of Emergency Services and Public Protection or a location designated by the department and report such change of information in writing.

(b) Any person required to register under the provisions of section 2, 3 or 4 of this act or section 54-253 of the general statutes, as amended by this act, or section 54-254 of the general statutes, as amended by this act, shall provide the following information to the Department of Emergency Services and Public Protection upon initial registration and shall maintain such information by reporting any changes to such information to the Department of Emergency Services and Public Protection in writing within three business days of such change:

- (1) Such person's date of birth and a copy of such person's birth certificate;
- (2) Such person's Social Security number;
- (3) Any alias dates of birth or Social Security numbers that such person is using or has used;
- (4) Identifying factors;
- (5) Such person's criminal history record including any convictions in other states or foreign countries;
- (6) The date of such person's conviction, the name and address of the court where such person was convicted and the offense for which such person is required to register;
- (7) Telephone or cellular telephone number subscribed to or used by such person;
- (8) A copy of such person's Connecticut motor vehicle operator's license or an identity card issued pursuant to section 1-1h of the general statutes;
- (9) The name, office location and telephone number of any probation or parole officer in this or any other state;



(10) Travel and immigration documents including, but not limited to, passports, alien registration cards and student or work visas;

(11) Any professional licenses that authorize such person to engage in an occupation or carry on a trade;

(12) Any electronic mail address, instant message address or other similar Internet communication identifier established or used by such person; and

(13) The license plate number and description, including the vehicle identification number, of any vehicles owned, operated or used by such person including, but not limited to, motor vehicles, mobile homes, aircraft, and watercraft.

(c) In the event that a registrant fails to notify the Department of Emergency Services and Public Protection of a change of information required under this section or fails to maintain such information, the Department of Emergency Services and Public Protection shall notify the local police department or the state police troop having jurisdiction over the registrant's last reported address, and that agency shall apply for a warrant to be issued for the registrant's arrest under this section. The Department of Emergency Services and Public Protection shall not be required to update such information on any registrant whose last reported address was outside this state.

(d) Any person required to register under the provisions of section 2, 3 or 4 of this act or section 54-253 of the general statutes, as amended by this act, or section 54-254 of the general statutes, as amended by this act, shall obtain a motor vehicle operator's license, renew such a license or obtain an identity card issued by the Department of Motor Vehicles prior to registration and shall maintain such license or card for the period such person is required to be registered.

(e) Except as provided in subsection (b) of this section, the Department of Emergency Services and Public Protection shall verify the address of each registrant by mailing a nonforwardable verification form by first class mail to the registrant at the registrant's last reported address. If mail is not delivered to a registrant's residential address due to postal restrictions, the Commissioner of Emergency Services and Public Protection may develop and implement procedures to verify the addresses of such registrants. Such verification form shall require the registrant to sign a statement that the registrant continues to reside at the registrant's last reported address and to return the form by mail, or as directed by the Department of Emergency Services and Public Protection, by a date which is no more than ten days after the date such form was mailed to the registrant. The form shall contain a statement that failing to return the form or providing false information is a violation of this section. Each person required to



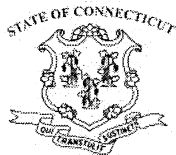
register under the provisions of section 2, 3 or 4 of this act or section 54-253 of the general statutes, as amended by this act, or section 54-254 of the general statutes, as amended by this act, shall have such person's address verified in such manner every ninety days after such person's initial registration date. In the event that a registrant fails to return the address verification form, the Department of Emergency Services and Public Protection shall notify the local police department or the state police troop having jurisdiction over the registrant's last reported address, and that agency shall apply for a warrant to be issued for the registrant's arrest under this section. The Department of Public Safety shall not verify the address of registrants whose last reported address was outside this state.

(f) Except as provided in subsection (b) of this section, the Department of Emergency Services and Public Protection shall verify that each registrant is physically within this state by mailing a nonforwardable verification form by first class mail to the registrant at the registrant's last reported address which requires the registrant to appear in person with the verification form at a prescribed office of the Court Support Services Division within the Judicial Branch, the Department of Emergency Services and Public Protection or other location as designated by the department by a date which is ten days after the date such form was mailed to the registrant and submit to the taking of a photograph and update and verify any information required under section 54-256 of the general statutes, as amended by this act. If mail is not delivered to a registrant's residential address due to postal restrictions, the Commissioner of Emergency Services and Public Protection may develop and implement procedures to deliver such form to such registrant. The form shall contain a statement that failure to report to the prescribed office of the Court Support Services Division, the Department of Emergency Services and Public Protection or other location as designated by the department with the verification form by a date which is ten days after the date such form was mailed to the registrant is a violation of this section.

(g) Registrants shall appear in person with the verification form at the prescribed office of the Court Support Services Division, the Department of Emergency Services and Public Protection or other location as designated by the department pursuant to subsection (f) of this section in accordance with the following schedule:

(1) Any tier one registrant required to register under section 2 of this act, shall appear in person annually after such person's initial registration date;

(2) Any tier two registrant required to register under section 3 of this act shall appear in person every six months after such person's initial registration date;



(3) Any tier three registrant required to register under section 4 of this act shall appear in person every ninety days after such person's initial registration date; and

(4) Any person required to register under section 54-253 of the general statutes, as amended by this act, or section 54-254 of the general statutes, as amended by this act, shall appear in person as directed by the Department of Emergency Services and Public Protection to a prescribed office of the Court Support Services Division, the Department of Emergency Services and Public Protection or other location as designated by the department.

(h) Any person required to register under the provisions of section 2, 3 or 4 of this act or section 54-253 of the general statutes, or section 54-254 of the general statutes, as amended by this act, who becomes a transient shall, after reporting such status under subdivision (2) of subsection (a) of this section, appear in person at the Department of Emergency Services and Public Protection or at a location designated by the department by a date which is not less than ten days or more than fifteen days after such registrant's last reporting date under this section and shall continue to appear by a date which is not less than ten days or more than fifteen days from the last reporting date until such registrant reports no longer being transient.

(i) If a registrant fails to physically report in person to an assigned office of the Court Support Services Division or other location as designated by the department as provided under subsections (g) and (h) of this section, the Court Support Services Division shall notify the Department of Emergency Services and Public Protection. The department shall notify the local police department or the state police troop having jurisdiction over the registrant's last reported address or transient location, and that agency shall apply for a warrant to be issued for the registrant's arrest under this section. The Department of Emergency Services and Public Protection shall not require a registrant to report if such registrant's last reported address was outside this state.

(j) Any person required to register under the provisions of section 2, 3 or 4 of this act or section 54-253 of the general statutes, as amended by this act, or section 54-254 of the general statutes, as amended by this act, shall submit to the retaking of a photographic image upon request of, and at the time and place designated by, the Commissioner of Emergency Services and Public Protection.

(k) Any person required to register under the provisions of section 2, 3 or 4 of this act or section 54-253 of the general statutes, as amended by this act, or section 54-254 of the general statutes, as amended by this act, shall maintain such person's registration by keeping all required information current and in compliance with registry requirements. Any period of incarceration or noncompliance with registry requirements shall be



excluded from such registrant's required registration period and such registration requirement will continue until such registrant meets the required registration period.

(l) Any person who violates the registration requirements under this section shall be guilty of a class D felony.

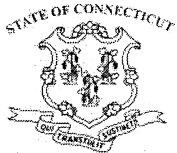
Sec. 8. (NEW) (*Effective October 1, 2013*) Any person who has reason to believe that a registrant is in violation of registration requirements and who, with intent to assist the registrant in eluding a law enforcement officer in the investigation or enforcement of such violation, (1) withholds information from, or does not notify, the law enforcement officer about the registrant's noncompliance with such requirements and, if known, the whereabouts of the registrant, (2) harbors, or attempts to harbor, or assists another person in harboring or attempting to harbor, the registrant, (3) conceals or attempts to conceal, or assists another person in concealing or attempting to conceal, the registrant, (4) knowingly provides false information regarding the registrant, (5) obstructs or hinders the law enforcement officer in the performance of such officer's official duties relative to the investigation or enforcement of such violation, or (6) falsely represents the registrant by signing address verification forms or other official documentation relative to the registration of sexual offenders, shall be guilty of a class D felony.

Sec. 9. Section 54-255 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Upon the conviction or finding of not guilty by reason of mental disease or defect of any person for a violation of section 53a-70b, the court may order the Department of [Public Safety] Emergency Services and Public Protection to restrict the dissemination of the registration information to law enforcement purposes only and to not make such information available for public access, provided the court finds that dissemination of the registration information is not required for public safety and that publication of the registration information would be likely to reveal the identity of the victim within the community where the victim resides. The court shall remove the restriction on the dissemination of such registration information if, at any time, the court finds that public safety requires that such person's registration information be made available to the public or that a change of circumstances makes publication of such registration information no longer likely to reveal the identity of the victim within the community where the victim resides. Prior to ordering or removing the restriction on the dissemination of such person's registration information, the court shall consider any information or statements provided by the victim.

(b) Upon the conviction or finding of not guilty by reason of mental disease or defect of any person of a [criminal offense against a victim who is a minor, a nonviolent sexual





offense or a sexually violent offense] tier one offense, tier two offense or tier three offense, where the victim of such offense was, at the time of the offense, under eighteen years of age and related to such person within any of the degrees of kindred specified in section 46b-21, the court may order the Department of [Public Safety] Emergency Services and Public Protection to restrict the dissemination of the registration information to law enforcement purposes only and to not make such information available for public access, provided the court finds that dissemination of the registration information is not required for public safety and that publication of the registration information would be likely to reveal the identity of the victim within the community where the victim resides. The court shall remove the restriction on the dissemination of such registration information if, at any time, it finds that public safety requires that such person's registration information be made available to the public or that a change in circumstances makes publication of the registration information no longer likely to reveal the identity of the victim within the community where the victim resides.

(c) Any person who: (1) Has been convicted or found not guilty by reason of mental disease or defect of a violation of subdivision (1) of subsection (a) of section 53a-71 [between October 1, 1988, and June 30, 1999,] and was under nineteen years of age and no more than four years older than the victim at the time of the offense, [;] or (2) has been convicted or found not guilty by reason of mental disease or defect of a violation of subdivision (2) of subsection (a) of section 53a-73a [between October 1, 1988, and June 30, 1999; (3) has been convicted or found not guilty by reason of mental disease or defect of a criminal offense against a victim who is a minor, a nonviolent sexual offense or a sexually violent offense, between October 1, 1988, and June 30, 1999, where the victim of such offense was, at the time of the offense, under eighteen years of age and related to such person within any of the degrees of kindred specified in section 46b-21; (4) has been convicted or found not guilty by reason of mental disease or defect of a violation of section 53a-70b between October 1, 1988, and June 30, 1999; or (5) has been convicted or found not guilty by reason of mental disease or defect of any crime between October 1, 1988, and September 30, 1998, which requires registration under sections 54-250 to 54-258a, inclusive, and (A) served no jail or prison time as a result of such conviction or finding of not guilty by reason of mental disease or defect, (B) has not been subsequently convicted or found not guilty by reason of mental disease or defect of any crime which would require registration under sections 54-250 to 54-258a, inclusive, and (C) has registered with the Department of Public Safety in accordance with sections 54-250 to 54-258a, inclusive;] if the victim was eighteen years of age or older at the time of the offense, may petition the court to order the Department of Public Safety to restrict the dissemination of the registration information to law enforcement purposes only and to not make such information available for public access. Any person



who files such a petition shall, pursuant to subsection (b) of section 54-227, as amended by this act, notify the Office of Victim Services and the Victim Services Unit within the Department of Correction of the filing of such petition. The Office of Victim Services or the Victim Services Unit within the Department of Correction, or both, shall, pursuant to section 54-230, as amended by this act, or section 54-230a, as amended by this act, notify any victim who has requested notification pursuant to subsection (b) of section 54-228, as amended by this act, of the filing of such petition. Prior to granting or denying such petition, the court shall consider any information or statements provided by the victim. The court may order the Department of [Public Safety] Emergency Services and Public Protection to restrict the dissemination of the registration information to law enforcement purposes only and to not make such information available for public access, provided the court finds that dissemination of the registration information is not required for public safety.

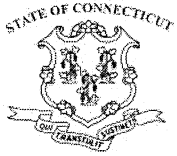
(d) The court may order the Department of Emergency Services and Public Protection to restrict the dissemination of the registration information for law enforcement purposes or to exempt from registration any person required to register under the provisions of section 2, 3 or 4 of this act or section 54-253 or 54-254, as amended by this act, who is protected under a state or federal witness protection or relocation program and to not make such information available for public access, provided the court finds that dissemination of the registration information or registration is not required for public safety and that publication of the registration information would be likely to jeopardize the safety of such protected person. The court shall remove the restriction on the dissemination of such registration information or the exemption from registration if, at any time, it finds that public safety requires that such person's registration information be made available to the public or that a change in circumstances makes publication of the registration information no longer likely to jeopardize the safety of such protected person. The court shall direct the Department of Public Safety to execute and secure such order and refrain from any further dissemination of information in the matter unless so ordered by the court. The record of the order and any activity of the court pertaining to the order shall be sealed from the public.

(e) The court may order the Department of Emergency Services and Public Protection to restrict the dissemination of registration information from the public concerning a specific subsection or subdivision of a section of a statute when the publication of said subsection or subdivision would be likely to reveal the identity of the victim. The court may order the Department of Emergency Services and Public Protection to disseminate registration information to the public on the registrant to include only the section of the statute without the specific subsection or subdivision.



Sec. 10. Section 54-256 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

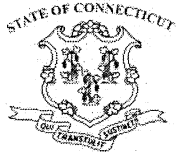
(a) [Any court, the] The Commissioner of Correction or the Psychiatric Security Review Board, prior to releasing into the community any person convicted or found not guilty by reason of mental disease or defect of a [criminal offense against a victim who is a minor, a nonviolent sexual offense, a sexually violent offense] tier one offense, tier two offense or tier three offense or a felony found by the sentencing court to have been committed for a sexual purpose [, except a person being released unconditionally at the conclusion of such person's sentence or commitment] or a person required to register under the provisions of section 54-253, as amended by this act, shall require as a condition of such release that such person complete the registration procedure established by the Commissioner of Public Safety under [sections 54-251, 54-252 and 54-254] section 2, 3 or 4 of this act, section 54-253, as amended by this act, or section 54-254, as amended by this act. The [court, the] Commissioner of Correction or the Psychiatric Security Review Board, as the case may be, shall provide the person with a written summary of the person's obligations under sections 54-102g and 54-250 to 54-258a, inclusive, as amended by this act, and sections 2, 3, 4 and 7 of this act, stating that the obligation to register has been explained and such person read the requirements or the requirements were read to such person and the person signed the written summary acknowledging he or she understood the requirements and transmit the completed registration package to the Commissioner of [Public Safety] Emergency Services and Public Protection who shall enter the information into the registry established under section 54-257, as amended by this act. [If a court transmits the completed registration package to the Commissioner of Public Safety with respect to a person released by the court, such package need not include identifying factors for such person. In the case of a person being released unconditionally who declines to complete the registration package through the court or the releasing agency, the court or agency shall: (1) Except with respect to information that is not available to the public pursuant to court order, rule of court or any provision of the general statutes, provide to the Commissioner of Public Safety the person's name, date of release into the community, anticipated residence address, if known, and criminal history record, any known treatment history of such person, any electronic mail address, instant message address or other similar Internet communication identifier for such person, if known, and any other relevant information; (2) inform the person that such person has an obligation to register within three days with the Commissioner of Public Safety for a period of ten years following the date of such person's release or for life, as the case may be, that if such person changes such person's address such person shall within five days register the new address in writing with the Commissioner of Public Safety and, if the new address is in another state or if such person is employed in another state, carries on a vocation in



another state or is a student in another state, such person shall also register with an appropriate agency in that state, provided that state has a registration requirement for such offenders, and that if such person establishes or changes an electronic mail address, instant message address or other similar Internet communication identifier such person shall, within five days, register such identifier with the Commissioner of Public Safety; (3) provide the person with a written summary of the person's obligations under sections 54-102g and 54-250 to 54-258a, inclusive, as explained to the person under subdivision (2) of this subsection; and (4) make a specific notation on the record maintained by that agency with respect to such person that the registration requirements were explained to such person and that such person was provided with a written summary of such person's obligations under sections 54-102g and 54-250 to 54-258a, inclusive.] In the case of a person being released unconditionally who refuses to register with the Department of Correction, the Department of Correction shall notify the Department of Emergency Services and Public Protection of such refusal and such person, upon release, shall be immediately arrested for a violation of the provisions of section 2, 3 or 4 of this act, section 54-253, as amended by this act, or section 54-254, as amended by this act, as the case may be.

(b) Any court prior to releasing into the community any person convicted or found not guilty by reason of mental disease or defect of a tier one offense, tier two offense or tier three offense or a felony found by the sentencing court to have been committed for a sexual purpose, shall order such person to report in person to the Commissioner of Emergency Services and Public Protection within three days following such release. The court shall obtain such person's residence address and complete a form provided by the Department of Public Safety, which includes a written summary of the person's obligations under section 54-102g, as amended by this act, sections 2, 3, 4 and 7 of this act, and sections 54-253, as amended by this act, and section 54-254, as amended by this act. The court shall provide a copy of such form to such person prior to their release. The court shall sign the form acknowledging that the court explained such person's registration requirements to such person and such person shall sign the form acknowledging that such person understood such person's registration requirements. If such person refuses to sign such form and provide such information, the court shall order immediate registration of such person and shall contact the Department of Emergency Services and Public Protection to complete such registration. If such person refuses to complete such registration, such person shall be arrested for violation of section 2, 3, 4 or 7 of this act, section 54-253, as amended by this act, or section 54-254, as amended by this act, as the case may be.

[(b)] (c) Whenever a person is convicted or found not guilty by reason of mental disease or defect of an offense that will require such person to register under section [54-251, 54-



252 or 54-254] 54-253, as amended by this act, section 54-254, as amended by this act, or section 2, 3 or 4 of this act, the court shall provide to the Department of [Public Safety] Emergency Services and Public Protection a written summary of the offense that includes the age and sex of any victim of the offense and a specific description of the offense. Such summary shall be added to the registry information made available to the public through the Internet.

(d) Any person fourteen years of age or older who has been convicted or found not guilty by reason of mental disease or defect of an offense that requires registration under section 2, 3 or 4 of this act or section 54-254, as amended by this act, after the case of such person has been transferred to the regular criminal docket in accordance with section 46b-127, shall register under the appropriate section of the general statutes, except that the court may, at its discretion, reduce the registration period to twenty-five years if such person has (1) not been convicted of any offense for which imprisonment for more than one year was imposed, (2) not been convicted of another sexual offense, (3) successfully completed any periods of probation and parole, (4) successfully completed an appropriate sexual offender treatment program certified by the state, and (5) maintained such registration for a period of twenty-five years and kept all required information current and in compliance with all registry requirements.

Sec. 11. Section 54-257 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) The Department of [Public Safety] Emergency Services and Public Protection shall [, not later than January 1, 1999,] establish and maintain a registry of all persons required to register under [sections 54-251, 54-252,] section 2, 3 or 4 of this act, section 54-253, as amended by this act, [and] or section 54-254, as amended by this act, that includes an electronic database allowing for registry information to be available and transmitted in an electronic or digital format. The department shall, in cooperation with the Office of the Chief Court Administrator, the Department of Correction and the Psychiatric Security Review Board, develop appropriate forms and database applications for use by agencies and individuals to report registration information, including changes of address. Upon receipt of registration information, the department shall enter the information into the registry and notify the local police department or state police troop having jurisdiction where the registrant resides or plans to reside, is employed or plans to be employed, carries on a vocation or is a student. If a registrant notifies the Department of [Public Safety] Emergency Services and Public Protection that such registrant is employed at, carries on a vocation at or is a student at a youth camp, as defined in section 19a-420, a provider of child day care services, as defined in section 19a-77, a public or private educational institution including an elementary, middle or high school, a regional vocational-technical school, a charter school or a trade or



professional institution or an institution of higher learning in this state, the department shall within three business days notify the law enforcement agency with jurisdiction over such camp, provider or institution. If a registrant reports a residence, employment, involvement with an educational institution or travel in another state or foreign country, the department shall notify the [state police agency of that state or such other agency in that state that maintains registry information, if known] appropriate agency responsible for the registration of sexual offenders in that other state or the U.S. Marshals Service for notifications to foreign country. The department shall also transmit or provide by means of electronic transfer of documents or links to electronic documents all registration information, a written summary signed by the registrant acknowledging an understanding of registration requirements, conviction data, information on registrants in violation of registry requirements who cannot be located, photographic images and fingerprints to the Federal Bureau of Investigation, the U.S. Marshals Service, other jurisdictions and the Department of Justice in such form as said bureau, service, jurisdiction or department shall require for inclusion in a national registry or as otherwise required. The department shall regularly access the SORNA Exchange Portal or other exchange systems maintained by the Department of Justice to receive and transmit messages to and from other jurisdictions on the tracking and movement of registrants.

The local police department or state police troop having jurisdiction where the registrant resides or plans to reside, is employed or plans to be employed, carries on a vocation or is a student shall develop policies and procedures to verify the accuracy of the information provided by the registrant as well as uniform procedures to investigate the registrant's continued compliance with registration requirements and any violations of such requirements. Such policies and procedures shall provide that (1) an arrest warrant shall be sought for any registrant who violates registry requirements as specified in section 7 of this act and cannot be located, (2) the United States Marshals Service shall be notified of the existence of any such arrest warrant, and (3) any such arrest warrant shall be entered into the National Crime Information Center Wanted Person file. The Department of Emergency Services and Public Protection shall develop and maintain software applications to allow local jurisdictions to effectively and efficiently track and manage local sexual offender registry programs.

(b) The Department of [Public Safety] Emergency Services and Public Protection may suspend the registration of any person registered under section 2, 3 or 4 of this act or section [54-251, 54-252,] 54-253, as amended by this act, or section 54-254, as amended by this act, while such person is incarcerated, under civil commitment or residing outside this state. During the period that such registration is under suspension, the



department is not required to verify the address of the registrant [pursuant to subsection (c) of this section] and may withdraw the registration information from public access. Upon the release of the registrant from incarceration or civil commitment, the registrant becoming medically capable or the resumption of residency in this state by the registrant, the department shall reinstate the registration, redistribute the registration information in accordance with subsection (a) of this section and resume verifying the address of the registrant. [in accordance with subsection (c) of this section.] Suspension of registration shall not affect the date of expiration of the registration obligation of the registrant under section 2, 3 or 4 of this act or section [54-251, 54-252 or] 54-253, as amended by this act, or section 54-254, as amended by this act.

[(c) Except as provided in subsection (b) of this section, the Department of Public Safety shall verify the address of each registrant by mailing a nonforwardable verification form to the registrant at the registrant's last reported address. Such form shall require the registrant to sign a statement that the registrant continues to reside at the registrant's last reported address and return the form by mail by a date which is ten days after the date such form was mailed to the registrant. The form shall contain a statement that failure to return the form or providing false information is a violation of section 54-251, 54-252, 54-253 or 54-254, as the case may be. Each person required to register under section 54-251, 54-252, 54-253 or 54-254 shall have such person's address verified in such manner every ninety days after such person's initial registration date. In the event that a registrant fails to return the address verification form, the Department of Public Safety shall notify the local police department or the state police troop having jurisdiction over the registrant's last reported address, and that agency shall apply for a warrant to be issued for the registrant's arrest under section 54-251, 54-252, 54-253 or 54-254, as the case may be. The Department of Public Safety shall not verify the address of registrants whose last reported address was outside this state.]

[(d)] (c) The Department of Emergency Services and Public Protection shall include in the registry the most recent photographic image available of each registrant taken by the department, the Department of Correction, a law enforcement agency or the Court Support Services Division of the Judicial Department and shall retake the photographic image of each registrant at least once every [five years] year.

[(e)] (d) Whenever the Commissioner of [Public Safety] Department of Emergency Services and Public Protection receives notice from a superior court pursuant to section 52-11 or a probate court pursuant to section 45a-99 that such court has ordered the change of name of a person, and the department determines that such person is listed in the registry, the department shall revise such person's registration information accordingly.



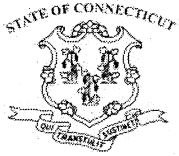
[(f)] (e) The Commissioner of [Public Safety] Department of Emergency Services and Public Protection shall develop a protocol for the notification of other state agencies, the Judicial Department and local police departments whenever a person listed in the registry changes such person's name and notifies the commissioner of the new name pursuant to section 2, 3 or 4 of this act or section [54-251, 54-252,] 54-253, as amended by this act, or section 54-254, as amended by this act, or whenever the commissioner determines pursuant to subsection [(e)] (d) of this section that a person listed in the registry has changed such person's name.

Sec. 12. Subsection (a) of section 54-258 of the 2011 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) (1) Notwithstanding any other provision of the general statutes, except subdivisions (3), (4) and (5) of this subsection, the registry maintained by the Department of [Public Safety] Emergency Services and Public Protection shall be a public record and shall be accessible to the public during normal business hours. The Department of [Public Safety] Emergency Services and Public Protection shall make registry information available to the public through the Internet with search fields that include, but are not limited to, a registrant's name and any alias names, city or town, zip code and geographical radius. The Department of Emergency Services and Public Protection shall make available to the public through the Internet community education resources, or links to such resources, on sexual assault prevention, education, advocacy, counseling and victim services. Not less than once per calendar quarter, the Department of [Public Safety] Emergency Services and Public Protection shall issue notices to all print and electronic media in the state regarding the availability and means of accessing the registry. Each local police department and each state police troop shall keep [a] an electronic record of all registration information transmitted to it by the Department of [Public Safety] Emergency Services and Public Protection, and shall make such information accessible to the public during normal business hours, which may include access to such information in print form, through the Internet or by means of instruction on how to access such information through the Internet at another location.

(2) (A) Any state agency, the Judicial Department, any state police troop or any local police department may, at its discretion, notify any government agency, private organization or individual of registration information when such agency, said department, such troop or such local police department, as the case may be, believes such notification is necessary to protect the public or any individual in any jurisdiction from any person who is subject to registration under section 2, 3 or 4 of this act or section [54-251, 54-252,] 54-253, as amended by this act, or section 54-254, as amended by this act.





(B) Whenever a registrant is released into the community or reports a change of address, the Department of [Public Safety] Emergency Services and Public Protection shall [by electronic mail, notify] provide an automated electronic mail notification system available to the superintendent of schools for the school district in which the registrant resides, or plans to reside, of such release or such change of address and provide such superintendent with the same registry information for such registrant that the department makes available to the public through the Internet under subdivision (1) of this subsection. Each superintendent of schools shall be responsible for updating their electronic mail address in such electronic mail notification system.

(3) Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, state agencies, the Judicial Department, state police troops and local police departments shall not disclose the identity of any victim of a crime committed by a registrant or a registrant's treatment information, a registrant's Social Security number, a telephone number or cellular mobile telephone number subscribed to or used by a registrant, an electronic mail address, instant message address or other similar Internet communication identifier used by a registrant, a registrant's birth certificate, a registrant's travel and immigration information, a registrant's criminal history information concerning any arrest that did not result in a conviction and the name of a registrant's employer provided to the registry pursuant to sections 54-102g, as amended by this act, and 54-250 to 54-258a, inclusive, as amended by this act, and sections 2, 3, 4, 7 and 8 of this act, except to government agencies for bona fide law enforcement or security purposes. The Department of Emergency Services and Public Protection may provide for public inquiries on the registry Internet web site that allow members of the public to enter a telephone number, a cellular mobile telephone number or an electronic mail address, instant message address or other similar Internet communication identifier to determine if such number or identifier belongs to a registrant, provided any positive response to such an inquiry will not disclose the identity of the registrant but will instruct the inquiring party to directly contact the Department of Emergency Services and Public Protection which will aid in an investigation concerning the inquiry.

(4) Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, registration information the dissemination of which has been restricted by court order pursuant to section 54-255, as amended by this act, and which is not otherwise subject to disclosure, shall not be a public record and shall be released only for law enforcement purposes until such restriction is removed by the court pursuant to said section.

(5) Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, a registrant's electronic mail address, instant message address or other similar Internet communication identifier shall not be a public record, except that the Department of [Public Safety] Emergency Services and Public Protection may release such identifier for



law enforcement or security purposes in accordance with regulations adopted by the department. The department shall adopt regulations in accordance with chapter 54 to specify the circumstances under which and the persons to whom such identifiers may be released including, but not limited to, providers of electronic communication service or remote computing service, as those terms are defined in section 54-260b, as amended by this act, and operators of Internet web sites, and the procedure therefore.

(6) When any registrant completes the registrant's term of registration or is otherwise released from the obligation to register under section 2, 3 or 4 of this act or section [54-251, 54-252,] 54-253, as amended by this act, or section 54-254, as amended by this act, the Department of [Public Safety] Emergency Services and Public Protection shall notify any state police troop or local police department having jurisdiction over the registrant's last reported residence address that the person is no longer a registrant, and the Department of [Public Safety] Emergency Services and Public Protection, state police troop and local police department shall remove the registrant's name and information from the registry.

Sec. 13. Section 54-259a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[(a) There is established a Risk Assessment Board consisting of the Commissioner of Correction, the Commissioner of Mental Health and Addiction Services, the Commissioner of Public Safety, the Chief State's Attorney, the Chief Public Defender, the chairperson of the Board of Pardons and Paroles, the executive director of the Court Support Services Division of the Judicial Department and the chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety, or their designees, a victim advocate with experience working with sexual assault victims and sexual offenders appointed by the Governor, a forensic psychiatrist with experience in the treatment of sexual offenders appointed by the Governor and a person trained in the identification, assessment and treatment of sexual offenders appointed by the Governor.

(b) The board shall develop a risk assessment scale that assigns weights to various risk factors including, but not limited to, the seriousness of the offense, the offender's prior offense history, the offender's characteristics, the availability of community supports, whether the offender has indicated or credible evidence in the record indicates that the offender will reoffend if released into the community and whether the offender demonstrates a physical condition that minimizes the risk of reoffending, and specifies the risk level to which offenders with various risk assessment scores shall be assigned.



(c) The board shall use the risk assessment scale to assess the risk of reoffending of each person subject to registration under this chapter, including incarcerated offenders who are within one year of their estimated release date, and assign each such person a risk level of high, medium or low.

(d) The board shall use the risk assessment scale to determine which offenders should be prohibited from residing within one thousand feet of the real property comprising a public or private elementary or secondary school or a facility providing child day care services, as defined in section 19a-77.

(e) Not later than October 1, 2007, the board shall submit a report to the joint standing committee of the General Assembly on the judiciary in accordance with section 11-4a setting forth its findings and recommendations concerning: (1) Whether information about sexual offenders assigned a risk level of high, medium or low should be made available to the public through the Internet; (2) the types of information about sexual offenders that should be made available to the public through the Internet which may include, but not be limited to, (A) the name, residential address, physical description and photograph of the registrant, (B) the offense or offenses of which the registrant was convicted or found not guilty by reason of mental disease or defect that required registration under this chapter, (C) a brief description of the facts and circumstances of such offense or offenses, (D) the criminal record of the registrant with respect to any prior convictions or findings of not guilty by reason of mental disease or defect for the commission of an offense requiring registration under this chapter, and (E) the name of the registrant's supervising correctional, probation or parole officer, and contact information for such officer; (3) whether any of the persons assigned a high risk level by the board pursuant to subsection (c) of this section meets the criteria for civil commitment pursuant to section 17a-498; (4) whether additional restrictions should be placed on persons subject to registration under this chapter such as curfews and intensive monitoring on certain holidays; (5) whether persons convicted of a sexual offense who pose a high risk of reoffending should be required to register under this chapter regardless of when they were convicted or released into the community; and (6) whether persons determined to be guilty with adjudication withheld in any other state or jurisdiction of any crime the essential elements of which are substantially the same as any of the crimes specified in subdivisions (2), (5) and (11) of section 54-250 should be required to register under this chapter.]

(a) There is established a Sex Offender Registry Policy Advisory Committee which shall consist of the Commissioner of Correction, the Commissioner of Mental Health and Addiction Services, the Commissioner of Emergency Services and Public Protection, the Chief State's Attorney, the Chief Public Defender, the executive director of the Psychiatric Security Review Board, the chairperson of the Board of Pardons and Paroles,



the executive director of the Court Support Services Division within the Judicial Branch, the chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety, or their designees, and three members appointed by the Governor, one of whom shall be a victim advocate with experience working with sexual assault victims and sexual offenders, one of whom shall be a forensic psychiatrist with experience in the treatment of sexual offenders and one of whom shall be a person trained in the identification, assessment and treatment of sexual offenders. The Commissioner of Emergency Services and Public Protection, or a designee, shall serve as chairperson of the board.

(b) Not later than February 1, 2014, the committee shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary, in accordance with the provisions of section 11-4a, setting forth its findings and recommendations concerning the implementation of the provisions of this act and its recommendations to improve the method and content of registry information that is provided to the public.

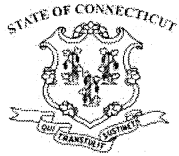
(c) From the effective date of this section until July 1, 2015, the committee shall meet quarterly to evaluate and make recommendations on the implementation of this act and to coordinate agency responsibilities. The committee shall maintain records of its meetings which shall be retained by the chairperson. The meetings and records of the committee shall be subject to the provisions of the Freedom of Information Act, as defined in section 1-200, except that discussions and records of information the public disclosure of which is restricted under this act shall be confidential and not subject to disclosure pursuant to the Freedom of Information Act.

Sec. 14. (NEW) (*Effective October 1, 2013*) (a) A person is guilty of aggravated public indecency when such person commits public indecency, as provided in section 53a-186 of the general statutes, and a victim of the offense is under eighteen years of age at the time of offense.

(b) Aggravated public indecency is a class A misdemeanor.

Sec. 15. Section 53-21 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who (1) wilfully or unlawfully causes or permits any child under the age of sixteen years to be placed in such a situation that the life or limb of such child is endangered, the health of such child is likely to be injured or the morals of such child are likely to be impaired, or does any act likely to impair the health or morals of any such child, or (2) [has contact with the intimate parts, as defined in section 53a-65, of a



child under the age of sixteen years or subjects a child under sixteen years of age to contact with the intimate parts of such person, in a sexual and indecent manner likely to impair the health or morals of such child, or (3)] permanently transfers the legal or physical custody of a child under the age of sixteen years to another person for money or other valuable consideration or acquires or receives the legal or physical custody of a child under the age of sixteen years from another person upon payment of money or other valuable consideration to such other person or a third person, except in connection with an adoption proceeding that complies with the provisions of chapter 803, shall be guilty of a class C felony. [for a violation of subdivision (1) or (3) of this subsection and a class B felony for a violation of subdivision (2) of this subsection, except that, if the violation is of subdivision (2) of this subsection and the victim of the offense is under thirteen years of age, such person shall be sentenced to a term of imprisonment of which five years of the sentence imposed may not be suspended or reduced by the court.]

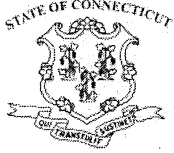
(b) The act of a parent or agent leaving an infant thirty days or younger with a designated employee pursuant to section 17a-58 shall not constitute a violation of this section.

Sec. 16. (NEW) (*Effective October 1, 2013*) Any person who has contact with the intimate parts, as defined in section 53a-65 of the general statutes, of a child under thirteen years of age or subjects a child under thirteen years of age to contact with the intimate parts of such person, in a sexual and indecent manner likely to impair the health or morals of such child, shall be guilty of a class A felony.

Sec. 17. (NEW) (*Effective October 1, 2013*) Any person who has contact with the intimate parts, as defined in section 53a-65 of the general statutes, of a child thirteen years of age or older but under sixteen years of age or subjects a child thirteen years of age or older but under sixteen years of age to contact with the intimate parts of such person, in a sexual and indecent manner likely to impair the health or morals of such child, shall be guilty of a class B felony.

Sec. 18. Section 8-45a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

A housing authority, as defined in subsection (b) of section 8-39, in determining eligibility for the rental of public housing units may establish criteria and consider relevant information concerning (1) an applicant's or any proposed occupant's history of criminal activity involving: (A) Crimes of physical violence to persons or property, (B) crimes involving the illegal manufacture, sale, distribution or use of, or possession with intent to manufacture, sell, use or distribute, a controlled substance, as defined in



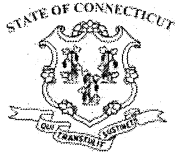
section 21a-240, or (C) other criminal acts which would adversely affect the health, safety or welfare of other tenants, (2) an applicant's or any proposed occupant's abuse, or pattern of abuse, of alcohol when the housing authority has reasonable cause to believe that such applicant's or proposed occupant's abuse, or pattern of abuse, of alcohol may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents, and (3) an applicant or any proposed occupant who is subject to a lifetime registration requirement under section [54-252] 4 of this act or section 54-254, as amended by this act, on account of being convicted or found not guilty by reason of mental disease or defect of a [sexually violent offense] tier three sexual offense or a felony committed for a sexual purpose. In evaluating any such information, the housing authority shall give consideration to the time, nature and extent of the applicant's or proposed occupant's conduct and to factors which might indicate a reasonable probability of favorable future conduct such as evidence of rehabilitation and evidence of the willingness of the applicant, the applicant's family or the proposed occupant to participate in social service or other appropriate counseling programs and the availability of such programs.

Sec. 19. Section 18-78b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

There is established a Victim Services Unit within the Department of Correction. The duties and responsibilities of the unit shall include, but not be limited to: (1) Receiving notices pursuant to section 54-227, as amended by this act, from inmates applying for release or sentence reduction or review, persons applying for exemption from the registration requirements of section [54-251] 2 or 3 of this act and persons filing a petition for an order restricting the dissemination of registration information or removing such restriction pursuant to section 54-255, as amended by this act, (2) receiving requests for notification from victims of crime or members of an inmate's immediate family pursuant to section 54-228, as amended by this act, and receiving notices of changes of address from victims pursuant to said section, (3) receiving requests for notification from prosecuting officials pursuant to section 54-229, and (4) notifying persons pursuant to section 54-230a, as amended by this act, who have requested to be notified pursuant to section 54-228, as amended by this act, or 54-229.

Sec. 20. Subparagraph (G) of subdivision (2) of subsection (d) of section 20-327b of the 2011 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(G) A statement that information concerning the residence address of a person convicted of a crime may be available from law enforcement agencies or the Department of [Public Safety] Emergency Services and Public Protection and that the



Department of [Public Safety] Emergency Services and Public Protection maintains a site on the Internet listing information about the residence address of persons required to register under section [54-251, 54-252,] 2, 3 or 4 of this act or section 54-253, as amended by this act, or section 54-254, as amended by this act, who have so registered.

Sec. 21. Subsection (a) of section 53a-30 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) When imposing sentence of probation or conditional discharge, the court may, as a condition of the sentence, order that the defendant: (1) Work faithfully at a suitable employment or faithfully pursue a course of study or of vocational training that will equip the defendant for suitable employment; (2) undergo medical or psychiatric treatment and remain in a specified institution, when required for that purpose; (3) support the defendant's dependents and meet other family obligations; (4) make restitution of the fruits of the defendant's offense or make restitution, in an amount the defendant can afford to pay or provide in a suitable manner, for the loss or damage caused thereby and the court may fix the amount thereof and the manner of performance; (5) if a minor, (A) reside with the minor's parents or in a suitable foster home, (B) attend school, and (C) contribute to the minor's own support in any home or foster home; (6) post a bond or other security for the performance of any or all conditions imposed; (7) refrain from violating any criminal law of the United States, this state or any other state; (8) if convicted of a misdemeanor or a felony, other than a capital felony, a class A felony or a violation of section 21a-278, 21a-278a, 53a-55, 53a-56, 53a-56b, 53a-57, 53a-58 or 53a-70b or any offense for which there is a mandatory minimum sentence which may not be suspended or reduced by the court, and any sentence of imprisonment is suspended, participate in an alternate incarceration program; (9) reside in a residential community center or halfway house approved by the Commissioner of Correction, and contribute to the cost incident to such residence; (10) participate in a program of community service labor in accordance with section 53a-39c; (11) participate in a program of community service in accordance with section 51-181c; (12) if convicted of a violation of subdivision (2) of subsection (a) of section 53-21, section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b, undergo specialized sexual offender treatment; (13) if convicted of a [criminal offense against a victim who is a minor, a nonviolent sexual offense or a sexually violent offense] tier one offense, tier two offense or tier three offense, as defined in section 54-250, as amended by this act, or of a felony that the court finds was committed for a sexual purpose, as provided in section 54-254, as amended by this act, register such person's identifying factors, as defined in section 54-250, as amended by this act, with the Commissioner of Public Safety when required pursuant to section [54-251, 54-252 or] 2, 3 or 4 of this act or section 54-253, as amended by this act, as the case may be; (14) be subject to electronic



monitoring, which may include the use of a global positioning system; (15) if convicted of a violation of section 46a-58, 53-37a, 53a-181j, 53a-181k or 53a-181l, participate in an anti-bias crime education program; (16) if convicted of a violation of section 53-247, undergo psychiatric or psychological counseling or participate in an animal cruelty prevention and education program provided such a program exists and is available to the defendant; or (17) satisfy any other conditions reasonably related to the defendant's rehabilitation. The court shall cause a copy of any such order to be delivered to the defendant and to the probation officer, if any.

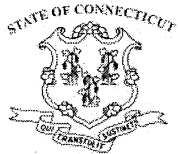
Sec. 22. Subsection (b) of section 54-227 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Any person who files an application with the court to be exempted from the registration requirements of section [54-251 pursuant to subsection (b) or (c) of said section] 2 or 3 of this act and any person who files a petition with the court pursuant to section 54-255, as amended by this act, for an order restricting the dissemination of the registration information or removing such restriction shall notify the Office of Victim Services and the Victim Services Unit within the Department of Correction of the filing of such application or petition on a form prescribed by the Office of the Chief Court Administrator. Notwithstanding any provision of the general statutes, no such application or petition shall be considered unless such person has notified the Office of Victim Services and the Victim Services Unit within the Department of Correction pursuant to this subsection and provides proof of such notice as part of the application or petition.

Sec. 23. Subsection (b) of section 54-228 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(b) Any victim of a [criminal offense against a victim who is a minor, a nonviolent sexual offense or a sexually violent offense] tier one offense, tier two offense or tier three offense, as those terms are defined in section 54-250, as amended by this act, or a felony found by the sentencing court to have been committed for a sexual purpose, as provided in section 54-254, as amended by this act, who desires to be notified whenever the person who was convicted or found not guilty by reason of mental disease or defect of such offense files an application with the court to be exempted from the registration requirements of section [54-251 pursuant to subsection (b) or (c) of said section] 2 or 3 of this act or files a petition with the court pursuant to section 54-255, as amended by this act, for an order restricting the dissemination of the registration information, or removing such restriction, may complete and file a request for notification with the Office of Victim Services or the Victim Services Unit within the Department of Correction.





Sec. 24. Subsection (b) of section 54-230 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Upon receipt of notice from a person pursuant to subsection (b) of section 54-227, as amended by this act, the Office of Victim Services shall notify by certified mail all persons who have requested to be notified pursuant to subsection (b) of section 54-228, as amended by this act, whenever such person files an application with the court to be exempted from the registration requirements of section [54-251 pursuant to subsections (b) or (c) of said section] 2 or 3 of this act or files a petition with the court pursuant to section 54-255, as amended by this act, for an order restricting the dissemination of the registration information, or removing such restriction. Such notice shall be in writing and notify each person of the nature of the exemption or of the restriction or removal of the restriction being applied for, the address and telephone number of the court to which the application or petition by the person was made, and the date and place of the hearing or session, if any, scheduled on the application or petition.

Sec. 25. Subsection (b) of section 54-230a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) Upon receipt of notice from a person pursuant to subsection (b) of section 54-227, as amended by this act, the Victim Services Unit within the Department of Correction shall notify by certified mail all persons who have requested to be notified pursuant to subsection (b) of section 54-228, as amended by this act, whenever such person files an application with the court to be exempted from the registration requirements of section [54-251 pursuant to subsections (b) or (c) of said section] 2 or 3 of this act or files a petition with the court pursuant to section 54-255, as amended by this act, for an order restricting the dissemination of the registration information, or removing such restriction. Such notice shall be in writing and notify each person of the nature of the exemption or of the restriction or the removal of the restriction being applied for, the address and telephone number of the court to which the application or petition by the person was made, and the date and place of the hearing or session, if any, scheduled on the application or petition.

Sec. 26. Section 54-260b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) For the purposes of this section:

(1) "Basic subscriber information" means: (A) Name, (B) address, (C) age or date of birth, (D) electronic mail address, instant message address or other similar Internet



communication identifier, and (E) subscriber number or identity, including any assigned Internet protocol address;

(2) "Electronic communication" means "electronic communication" as defined in 18 USC 2510, as amended from time to time;

(3) "Electronic communication service" means "electronic communication service" as defined in 18 USC 2510, as amended from time to time;

(4) "Registrant" means a person required to register under section [54-251, 54-252,] 2, 3 or 4 of this act or section 54-253, as amended by this act, or section 54-254, as amended by this act;

(5) "Remote computing service" means "remote computing service" as defined in section 18 USC 2711, as amended from time to time; and

(6) "Wire communication" means "wire communication" as defined in 18 USC 2510, as amended from time to time.

(b) The Commissioner of [Public Safety] Emergency Services and Public Protection shall designate a sworn law enforcement officer to serve as liaison between the Department of [Public Safety] Emergency Services and Public Protection and providers of electronic communication services or remote computing services to facilitate the exchange of non-personally-identifiable information concerning registrants.

(c) Whenever such designated law enforcement officer ascertains from such exchange of non-personally-identifiable information that there are subscribers, customers or users of such providers who are registrants, such officer shall initiate a criminal investigation to determine if such registrants are in violation of the registration requirements of section [54-251, 54-252,] 2, 3 or 4 of this act or section 54-253, as amended by this act, or section 54-254, as amended by this act, or of the terms and conditions of their parole or probation by virtue of being subscribers, customers or users of such providers.

(d) Such designated law enforcement officer may request an ex parte order from a judge of the Superior Court to compel a provider of electronic communication service or remote computing service to disclose basic subscriber information pertaining to subscribers, customers or users who have been identified by such provider to be registrants. The judge shall grant such order if the law enforcement officer offers specific and articulable facts showing that there are reasonable grounds to believe that the basic subscriber information sought is relevant and material to the ongoing criminal investigation. The order shall state upon its face the case number assigned to such



investigation, the date and time of issuance and the name of the judge authorizing the order. The law enforcement officer shall have any ex parte order issued pursuant to this subsection signed by the authorizing judge within forty-eight hours or not later than the next business day, whichever is earlier.

(e) A provider of electronic communication service or remote computing service shall disclose basic subscriber information to such designated law enforcement officer when an order is issued pursuant to subsection (d) of this section.

(f) A provider of electronic communication service or remote computing service that provides information in good faith pursuant to an order issued pursuant to subsection (d) of this section shall be afforded the legal protections provided under 18 USC 3124, as amended from time to time, with regard to such actions.

Sec. 27. Section 54-102g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any person who has been convicted of a [criminal offense against a victim who is a minor, a nonviolent sexual offense or a sexually violent offense] tier one offense, tier two offense or tier three offense, as those terms are defined in section 54-250, as amended by this act, or a felony, and has been sentenced on that conviction to the custody of the Commissioner of Correction shall, prior to release from custody and at such time as the commissioner may specify, submit to the taking of a blood or other biological sample for DNA (deoxyribonucleic acid) analysis to determine identification characteristics specific to the person. If any person required to submit to the taking of a blood or other biological sample pursuant to this subsection refuses to do so, the Commissioner of Correction or the commissioner's designee shall notify the Department of Public Safety within thirty days of such refusal for the initiation of criminal proceedings against such person.

(b) Any person who is convicted of a [criminal offense against a victim who is a minor, a nonviolent sexual offense or a sexually violent offense] tier one offense, tier two offense or tier three offense, as those terms are defined in section 54-250, as amended by this act, or a felony and is not sentenced to a term of confinement shall, as a condition of such sentence and at a time and place specified by the Court Support Services Division of the Judicial Department, submit to the taking of a blood or other biological sample for DNA (deoxyribonucleic acid) analysis to determine identification characteristics specific to the person.

(c) Any person who has been found not guilty by reason of mental disease or defect pursuant to section 53a-13 of a [criminal offense against a victim who is a minor, a



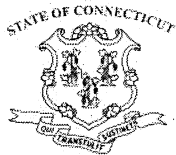
nonviolent sexual offense or a sexually violent offense] tier one offense, tier two offense or tier three offense, as those terms are defined in section 54-250, as amended by this act, or a felony, and is in custody as a result of that finding, shall, prior to discharge from custody in accordance with subsection (e) of section 17a-582, section 17a-588 or subsection (g) of section 17a-593 and at such time as the Commissioner of Mental Health and Addiction Services or the Commissioner of Developmental Services with whom such person has been placed may specify, submit to the taking of a blood or other biological sample for DNA (deoxyribonucleic acid) analysis to determine identification characteristics specific to the person.

(d) Any person who has been convicted of a [criminal offense against a victim who is a minor, a nonviolent sexual offense or a sexually violent offense] tier one offense, tier two offense or tier three offense, as those terms are defined in section 54-250, as amended by this act, or a felony, and is serving a period of probation or parole, and who has not submitted to the taking of a blood or other biological sample pursuant to subsection (a), (b) or (c) of this section, shall, prior to discharge from the custody of the Court Support Services Division or the Department of Correction and at such time as said division or department may specify, submit to the taking of a blood or other biological sample for DNA (deoxyribonucleic acid) analysis to determine identification characteristics specific to the person.

(e) Any person who has been convicted or found not guilty by reason of mental disease or defect in any other state or jurisdiction of a felony or of any crime, the essential elements of which are substantially the same as a [criminal offense against a victim who is a minor, a nonviolent sexual offense or a sexually violent offense] tier one offense, tier two offense or tier three offense, as those terms are defined in section 54-250, as amended by this act, and is in the custody of the Commissioner of Correction, is under the supervision of the Judicial Department or the Board of Pardons and Paroles or is under the jurisdiction of the Psychiatric Security Review Board, shall, prior to discharge from such custody, supervision or jurisdiction submit to the taking of a blood or other biological sample for DNA (deoxyribonucleic acid) analysis to determine identification characteristics specific to the person.

(f) The analysis shall be performed by the Division of Scientific Services within the Department of [Public Safety] Emergency Services and Public Protection. The identification characteristics of the profile resulting from the DNA analysis shall be stored and maintained by the division in a DNA data bank and shall be made available only as provided in section 54-102j.

(g) Any person who refuses to submit to the taking of a blood or other biological sample pursuant to this section shall be guilty of a class D felony. Any person required to



submit to the taking of a blood or other biological sample pursuant to subsection (b) of this section who refuses to submit to the taking of such sample within five business days of the time specified by the Court Support Services Division may be arrested pursuant to a warrant issued under section 54-2a.

Sec. 28. Sections 54-251 and 54-252 of the general statutes are repealed. (*Effective October 1, 2011*)

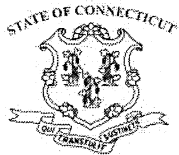
This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	54-250
Sec. 2	October 1, 2013	New section
Sec. 3	October 1, 2013	New section
Sec. 4	October 1, 2013	New section
Sec. 5	October 1, 2013	54-253
Sec. 6	October 1, 2013	54-254
Sec. 7	October 1, 2013	New section
Sec. 8	October 1, 2013	New section
Sec. 9	October 1, 2013	54-255
Sec. 10	October 1, 2013	54-256
Sec. 11	October 1, 2013	54-257
Sec. 12	October 1, 2013	54-258(a)
Sec. 13	July 1, 2013	54-259a
Sec. 14	October 1, 2013	New section
Sec. 15	October 1, 2013	53-21
Sec. 16	October 1, 2013	New section
Sec. 17	October 1, 2013	New section
Sec. 18	October 1, 2013	8-45a



Sec. 19	October 1, 2013	18-78b
Sec. 20	October 1, 2013	20-327b(d)(2)(G)
Sec. 21	October 1, 2013	53a-30(a)
Sec. 22	October 1, 2013	54-227(b)
Sec. 23	October 1, 2013	54-228(b)
Sec. 24	October 1, 2013	54-230(b)
Sec. 25	October 1, 2013	54-230a(b)
Sec. 26	October 1, 2013	54-260b
Sec. 27	October 1, 2013	54-102g
Sec. 28	October 1, 2013	Repealer section

**Statement of Purpose:**

*[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.]*



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**aac Regulation of Firearms despp 13-6**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:**

**Department of Emergency Services and Public Protection**

Liaison: Steve Spellman

Phone: 860-685-8000

E-mail: steven.spellman@ct.gov

Lead agency division requesting this proposal: DESPP Special Licensing and Firearms Unit.

Agency Analyst/Drafter of Proposal:

collective

**Title of Proposal**

**AAC Regulation of Firearms**

**Statutory Reference:**

Section 1- CGS 53-206d

Section 2 and 4- CGS 29-33 and 29-37

Section 3- CGS 29-36g

Section 5- CGS 29-37g

**Proposal Summary**

Section 1- Conforms statute prohibiting carrying a firearm while under the influence of intoxicating liquor or drug to .08

Sections 2 and 4- Adds date of birth and place of birth to the statutorily mandated paperwork as stated in C.G.S. 29-33(e) and 29-37 (b).

Section 3- Adds language to Sec 29-36g regarding the fees as necessary for submission of fingerprints to Federal Bureau of Investigation as well as Connecticut's State Police Bureau of Identification where fees are required to process fingerprints.

Section 5- Changes to the Gun Show Requirements: Language has been added that would require a gun show promoter to also notify the Commissioner of Emergency Service and Public Protection not later than thirty days before commencement of a gun show, of the date, time, duration and location of a planned gun show. Requirements for notifying local authorities remain unchanged.



## PROPOSAL BACKGROUND

- Reason for Proposal

Section 1: Statute prohibiting carrying a firearm while under the influence of intoxicating liquor or drug should have the same standard as other statutory prohibitions in order to provide consistency between this statute and similar legal limits for determining intoxication within section 14-227a, Operation While Under the Influence of Liquor or Drug or While having an Elevated Blood Alcohol Content.

Sections 2 and 4: All forms presently require date of birth (DOB) and place of birth (POB). This would legally make that addition to the receipt required by C.G.S. 29-33. Federal procedural regulations have been re-defined for the National Instant Background System (NICS), which is requiring the place of birth for every firearm sale transaction. Adding the DOB and POB fields alongside name, address, make, serial number, model, etc will further define mandatory fields required.

Section 3: Adds the fees required by the FBI and State of Connecticut for the processing of fingerprints. The FBI will not accept fingerprints without the attached fee required. Additional language in subsection (b), allows for the same time frame as subsection (a) allowing issuance only after the state and federal results have been returned. It also eliminates the necessity of a temporary eligibility certificate, which have never been issued.

Section 5: Requires gun show promoters to notify the Commissioner of Emergency Services and Public Protection within thirty days before commencement of a gun show of the date, time, duration and location of the gun show. The purpose of this is simply to make sure the agency has qualified personnel assigned to work during hours of shows, which are often on weekends. This requirement would be in addition to and not in place of the current requirement that the promoter notify the chief of police, warden of the borough or the first selectman of the town in which the gun show is to take place not later than thirty days before the commencement of the planned gun show. The Department of Emergency Services and Public Protection is tasked with the safety and regulation of firearms sales, as well as the issuance of permits to carry pistols or revolvers within Connecticut. The department must be able to determine the eligibility of permit and firearms owners or applicants for the purchase of firearms. Without being notified or aware of planned gun shows, agency personnel may be unavailable to make the proper determinations, to ensure that the laws regarding firearms sales are adhered to, and to offer assistance to the firearms dealers in attendance, as firearms dealers from other states often attend, but are unfamiliar with Connecticut firearms laws, procedures, and the forms they must abide by.

- Origin of Proposal

\_\_\_ New Proposal

\_\_X\_\_ Resubmission





This bill (SB 64) passed unanimously out of the Public Safety and Security Committee and with only one "No" vote out of the Judiciary Committee. The bill passed the Senate on consent but was not taken up in the House before sine die.

## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: N/A

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal    ☐ YES    ☐ NO    ☐ Talks Ongoing

### Summary of Affected Agency's Comments

Will there need to be further negotiation?    ☐ YES    ☐ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

#### Municipal (please include any municipal mandate that can be found within legislation)

Section 1: None

Section 2: None

Section 3: None

Section 4: None

Section 5: None

#### State

Section 1: Minimal, can be absorbed; some revenue gain

Section 2: None

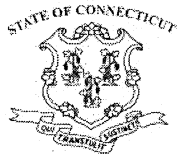
Section 3: None

Section 4: None

Section 5: None

#### Federal

Section 1: None



Section 2: None  
Section 3: None  
Section 4: None  
Section 5: None

Additional notes on fiscal impact

• **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

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

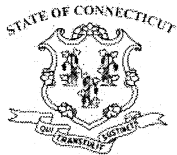
Sec. 1. Section 53-206d of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2013):

(a) (1) No person shall carry a pistol, revolver, machine gun, shotgun, rifle or other firearm, which is loaded and from which a shot may be discharged, upon his person (A) while under the influence of intoxicating liquor or any drug, or both, or (B) while the ratio of alcohol in the blood of such person is [ten-hundredths] eight-hundredths of one per cent or more of alcohol, by weight.

(2) Any person who violates any provision of this subsection shall be guilty of a class B misdemeanor.

(b) (1) No person shall engage in hunting while under the influence of intoxicating liquor or any drug, or both, or while impaired by the consumption of intoxicating liquor. A person shall be deemed under the influence when at the time of the alleged offense the person (A) is under the influence of intoxicating liquor or any drug, or both, or (B) has an elevated blood alcohol content. For the purposes of this subdivision, "elevated blood alcohol content" means (i) a ratio of alcohol in the blood of such person that is [ten-hundredths] eight-hundredths of one per cent or more of alcohol, by weight, or (ii) if such person has been convicted of a violation of this subsection, a ratio of alcohol in the blood of such person that is seven-hundredths of one per cent or more of alcohol, by weight. A person shall be deemed impaired when at the time of the alleged offense the ratio of alcohol in the blood of such person was more than seven-hundredths of one per cent of alcohol, by weight, but less than [ten-hundredths] eight-hundredths of one per cent of alcohol, by weight.

(2) Any person who violates any provision of this subsection shall be guilty of a class A misdemeanor.



(3) Enforcement officers of the Department of Environmental Protection are empowered to arrest for a violation of the provisions of this subsection.

Sec. 2. Subsection (e) of section 29-33 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(e) Upon the sale, delivery or other transfer of any pistol or revolver, the person making the purchase or to whom the same is delivered or transferred shall sign a receipt for such pistol or revolver which shall contain the name, date and place of birth, and address of such person, the date of sale, the caliber, make, model and manufacturer's number and a general description of such pistol or revolver, the identification number of such person's permit to carry pistols or revolvers, issued pursuant to subsection (b) of section 29-28, permit to sell at retail pistols or revolvers, issued pursuant to subsection (a) of said section, or eligibility certificate for a pistol or revolver, issued pursuant to section 29-36f, if any, and the authorization number designated for the transfer by the Department of Emergency Services and Public Protection. The person, firm or corporation selling such pistol or revolver or making delivery or transfer thereof shall give one copy of the receipt to the person making the purchase of such pistol or revolver or to whom the same is delivered or transferred, shall retain one copy of the receipt for at least five years, and shall send, by first class mail, or electronically transmit, within forty-eight hours of such sale, delivery or other transfer, one copy of the receipt to the Commissioner of Emergency Services and Public Protection and one copy of the receipt to the chief of police or, where there is no chief of police, the warden of the borough or the [first selectman] chief executive officer of the town, as the case may be, of the town in which the transferee resides.

Sec. 3. Section 29-36g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Requests for eligibility certificates under section 29-36f shall be submitted to the Commissioner of Emergency Services and Public Protection on application forms prescribed by the commissioner. No eligibility certificate for a pistol or revolver shall be issued under the provisions of said section unless the applicant for such certificate gives to the Commissioner of Emergency Services and Public Protection, upon the commissioner's request, full information concerning the applicant's criminal record and relevant information concerning the applicant's mental health history. The commissioner shall require each applicant to submit to state and national criminal history records checks in accordance with section 29-17a. The commissioner shall take a full description of such applicant. The commissioner shall take the fingerprints of such applicant or conduct any other method of positive identification required by the State Police Bureau of Identification or the Federal Bureau of Investigation. The commissioner shall record the date the fingerprints were taken in the applicant's file and shall conduct criminal history records checks in accordance with section 29-17a. The commissioner shall, within sixty days of receipt of the national criminal history records check from the Federal Bureau of Investigation, either approve the application and issue the eligibility certificate or deny the application and notify the applicant of the reason for such denial in writing.

(b) (1) With respect to any application for an eligibility certificate filed with the Commissioner of Emergency Services and Public Protection on or before July 1, 1995, the commissioner shall, not later



than October 1, 1995, (A) approve the application and issue the eligibility certificate, (B) issue a temporary eligibility certificate, or (C) deny the application and notify the applicant of the reason for such denial in writing.

(2) With respect to any application for an eligibility certificate filed with the Commissioner of Emergency Services and Public Protection after July 1, 1995, the commissioner shall, [within ninety days] not later than sixty days after notification from the Federal Bureau of Investigation, (A) approve the application and issue the eligibility certificate, [(B) issue a temporary eligibility certificate,] or [(C)] (B) deny the application and notify the applicant of the reason for such denial in writing.

[(3) A temporary certificate issued under this subsection shall be valid until such time as the commissioner either approves or denies the application.]

(c) An eligibility certificate for a pistol or revolver shall be of such form and content as the commissioner may prescribe, shall be signed by the certificate holder and shall contain an identification number, the name, address, place and date of birth, height, weight and eye color of the certificate holder and a full-face photograph of the certificate holder.

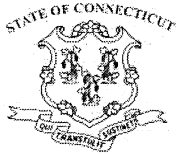
(d) A person holding an eligibility certificate issued by the commissioner shall notify the commissioner [within] not later than two business days [of] after any change of [his] address. The notification shall include [his] both the old address and [his] new address of the certificate holder.

(e) Notwithstanding the provisions of sections 1-210 and 1-211, the name and address of a person issued an eligibility certificate for a pistol or revolver under the provisions of section 29-36f shall be confidential and shall not be disclosed, except (1) such information may be disclosed to law enforcement officials acting in the performance of their duties, (2) the Commissioner of Emergency Services and Public Protection may disclose such information to the extent necessary to comply with a request made pursuant to section 29-33, as amended by this act, for verification that such certificate is still valid and has not been suspended or revoked, and (3) such information may be disclosed to the Commissioner of Mental Health and Addiction Services to carry out the provisions of subsection (c) of section 17a-500.

(f) An eligibility certificate for a pistol or revolver shall not authorize the holder thereof to carry a pistol or revolver upon his person in circumstances for which a permit to carry a pistol or revolver issued pursuant to subsection (b) of section 29-28 is required under section 29-35.

Sec. 4. Subsection (b) of section 29-37a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

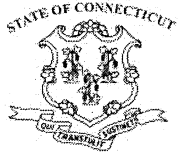
(b) Upon the delivery of the firearm, the purchaser shall sign in triplicate a receipt for such firearm which shall contain the name, date and place of birth and address of such purchaser, the date of sale, caliber, make, model and manufacturer's number and a general description thereof. Not later than twenty-four hours after such delivery, the vendor shall send by first class mail or electronically transfer one receipt to the Commissioner of Emergency Services and Public Protection and one receipt to the chief of police or, where there is no chief of police, the warden of the borough or the first selectman, of the town in which the purchaser resides, and shall retain one receipt, together with the original application, for at least five years. The waiting period specified in subsection (a) of this section during which delivery may not be



made and the provisions of this subsection shall not apply to any federal marshal, parole officer or peace officer, or to the delivery at retail of (1) any firearm to a holder of a valid state permit to carry a pistol or revolver issued under the provisions of section 29-28 or a valid eligibility certificate issued under the provisions of section 29-36f, (2) any firearm to an active member of the armed forces of the United States or of any reserve component thereof, (3) any firearm to a holder of a valid hunting license issued pursuant to chapter 490, or (4) antique firearms. For the purposes of this section, "antique firearm" means any firearm which was manufactured in or before 1898 and any replica of such firearm provided such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition except rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and not readily available in the ordinary channel of commercial trade.

Sec. 5 Section 29-37g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

- (a) For the purposes of this section, (1) "gun show" means any event (A) at which fifty or more firearms are offered or exhibited for sale, transfer or exchange to the public, and (B) at which two or more persons are exhibiting one or more firearms for sale, transfer or exchange to the public; and (2) "gun show promoter" means any person who organizes, plans, promotes or operates a gun show.
- (b) Not later than thirty days before commencement of a gun show, the gun show promoter shall notify the Commissioner of Emergency Services and Public Protection and the chief of police of the town in which the gun show is to take place or, where there is no chief of police, the warden of the borough or the first selectman of the town in which the gun show is to take place of the date, time, duration and location of the gun show.
- (c) No person, firm or corporation shall sell, deliver or otherwise transfer a firearm at a gun show until such person, firm or corporation has complied with the provisions of section 29-36/.



## Agency Legislative Proposal - 2013 Session

**Document Name: DESPP 2013.doc**

**aac bail enforcement agents, professional and surety bondsmen despp13-7**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency: Department of Emergency Services and Public Protection**

**Liaison: Steve Spellman**

**Phone: 860-685-8500**

**E-mail: steven.spellman@ct.gov**

**Lead agency division requesting this proposal: DESPP Special Licensing and Firearms Unit**

**Agency Analyst/Drafter of Proposal:**

**Collective**

### **Title of Proposal**

**AAC Bail Enforcement Agents, Professional and Surety Bondsmen**

### **Statutory Reference**

Section 1-29-145

Section 2- 29-147

Section 3- 29-152f

Section 4 – 29-152i

Section 5 – 29-152 l

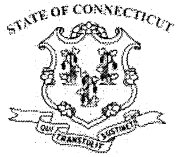
Section 6- 29-152m

Section 7-new

Section 8-new

### **Proposal Summary**

Sections 1, 3 and 5 would require bail enforcement agents and professional bondsmen to be a minimum age of 21 and have a high school diploma. Sections 2 and 4 would allow revocation of license of bail enforcement agents or professional bondsmen if licensee is subject to a restraining order or protective order involving use or threatened use of physical force against another person and allow commissioner to approve badges for bail enforcement agents. Sections 6, 7, and 8 add Annual Firearms Refresher Training and DESPP Approval of Instructors to the Bail Enforcement Agent Licensing and Permit to Carry Firearm Statutes: Additions are made to the bail enforcement agent licensing and special permit to carry firearm application process that would mandate annual firearms refresher training for armed bail enforcement agents, professional bondsmen and surety bail bond agents. Proposal would also require DESPP approval of instructors and allow for the suspension or revocation of such approval for cause.



Please attach a copy of fully drafted bill (required for review)

## PROPOSAL BACKGROUND

- Reason for Proposal

Applicants to be a bondsman or bail enforcement agent should have at least high school education. Ability to issue infraction for use of badge not approved by commissioner will help prevent use of badges designed to look like licensee is an officer of the state of Connecticut. Section 6, 7 and 8 add Annual Firearms Refresher Training and DESPP Approval of Instructors to the Bail Enforcement Agent Licensing and Permit to Carry Firearm Statutes: Proposal would mandate annual firearms refresher training for bail enforcement agents, professional bondsmen and surety bail bond agents, providing consistency with firearms training requirements for armed security officers. Proposal would also require DESPP approval of instructors and allow for the suspension or revocation of such approval for cause.

- Origin of Proposal ☐ New Proposal ☒ Resubmission

This bill (HB 5382) was unanimously voted out of the Public Safety and Security Committee and then died in the Judiciary Committee.

## PROPOSAL IMPACT

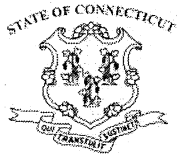
- Agencies Affected (please list for each affected agency)

Agency Name: Department of Insurance  
Agency Contact (name, title, phone): Deb Korta  
Date Contacted: Sept 29

Approve of Proposal ☒ YES ☐ NO ☐ Talks Ongoing

### Summary of Affected Agency's Comments

Will there need to be further negotiation? ☐ YES ☒ NO



- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

<b>Municipal</b> (please include any municipal mandate that can be found within legislation)- None
<b>State- minimal gain</b>
<b>Federal-none</b>
Additional notes on fiscal impact

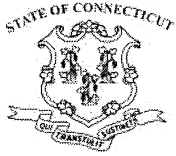
- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

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Section 1. Section 29-145 of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person desiring to engage in the business of a professional bondsman shall apply to the Commissioner of Emergency Services and Public Protection for a license. Such application shall set forth under oath the full name, age, residence, telephone number and occupation of the applicant, whether the applicant intends to engage in the business of a professional bondsman individually or in partnership or association with another or others, and, if so, the identity of each. It shall also set forth under oath a statement of the assets and liabilities of the applicant, and whether the applicant has been charged with or convicted of a crime, and such other information, including fingerprints and photographs, as said commissioner from time to time may require. The commissioner shall require the applicant to submit proof that he or she is at least twenty-one years of





age and has received a high school diploma or an equivalent academic education. The commissioner shall require the applicant to submit to state and national criminal history records checks. The criminal history records checks required pursuant to this section shall be conducted in accordance with section 29-17a. No person who has been convicted of a felony shall be licensed to do business as a professional bondsman in this state. No person engaged in law enforcement or vested with police powers shall be licensed to do business as a professional bondsman. No person who has not attained twenty-one years of age or has not received a high school diploma or an equivalent academic education shall be licensed to do business as a professional bondsman.

Sec. 2. Section 29-147 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Each professional bondsman licensed under the provisions of this chapter may apply for a renewal of his license upon renewal application forms provided by the Commissioner of Emergency Services and Public Protection and requiring the disclosure of such information as said commissioner requires in determining whether or not such professional bondsman's financial responsibility remains unimpaired or whether for any other reason such bondsman's fitness to continue in such business has been otherwise altered since the issuance of any prior license. Said commissioner may suspend for a definite term or revoke any license issued under the provisions of this chapter if it appears to said commissioner that : (1) such licensee has been convicted of a felony in this state or elsewhere; [or] (2) such licensee is engaged in any unlawful activity affecting his fitness to continue in the business of professional bondsman; [or that his] (3) the financial responsibility of such licensee has been substantially impaired; or, (4) such licensee is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person.

Sec. 3. Section 29-152f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person desiring to engage in the business of a bail enforcement agent shall apply to the Commissioner of Emergency Services and Public Protection for a license therefore. Such application shall set forth under oath the full name, age, date and place of birth, residence and occupation of the applicant. It shall also set forth under oath a statement of whether the applicant has been charged with or convicted of a crime, and such other information, including fingerprints and photographs, as required by the commissioner. The commissioner shall require



the applicant to submit proof that he or she is at least twenty-one years of age and has received a high school diploma or an equivalent academic education. The commissioner shall require the applicant to submit to state and national criminal history records checks. The criminal history records checks required pursuant to this section shall be conducted in accordance with section 29-17a. Within five years prior to the date of application, the applicant shall have successfully completed a course in the criminal justice system consisting of not less than twenty hours of study approved by the commissioner. No person who has been convicted of a felony or any misdemeanor under section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173, 53a-175, 53a-176, 53a-178 or 53a-181d shall be licensed to do business as a bail enforcement agent in this state. No person engaged in law enforcement or vested with police powers shall be licensed to do business as a bail enforcement agent. No person who has not attained twenty-one years of age or has not received a high school diploma or an equivalent academic education shall be licensed to do business as a bail enforcement agent.

Sec. 4. Section 29-152i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

The Commissioner of Emergency Services and Public Protection may suspend, revoke or refuse to renew the license of any bail enforcement agent, provided notice shall have been given to the licensee to appear before the commissioner to show cause why the license should not be suspended, revoked or refused renewal, upon a finding by the commissioner that: (1) The licensee has violated any of the terms or provisions of sections 29-152e to 29-152m, inclusive, as amended by this act, or section 38a-660a or any of the regulations adopted under section 29-152o; (2) the licensee has practiced fraud, deceit or misrepresentation; (3) the licensee has made a material misstatement in the application for issuance or renewal of such license; (4) the licensee has demonstrated incompetence or untrustworthiness in the conduct of the licensee's business; (5) the licensee is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person; (6) the licensee has been convicted of a felony, a misdemeanor specified in section 29-152f, as amended by this act, or other crime affecting the licensee's honesty, integrity or moral fitness; or [(6)] (7) the licensee is unsuitable. The suspension or revocation of, or the refusal to renew, any bail enforcement agent's license shall also constitute the revocation of the bail enforcement agent's firearms permit issued pursuant to section 29-152m, as amended by this act. Any bail enforcement agent who fails to surrender such license within five days of



notification in writing of the suspension or revocation of, or refusal to renew, such license shall be guilty of a class C misdemeanor. Any party aggrieved by an order of the commissioner under this section may appeal therefrom in accordance with the provisions of section 4-183, except venue for such appeal shall be in the judicial district of Hartford.

Sec. 5. Section 29-152l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) No professional bondsman licensed under chapter 533, surety bail bond agent licensed under chapter 700f or bail enforcement agent licensed under sections 29-152f to 29-152i, inclusive, as amended by this act, shall wear, carry or display any uniform, badge, shield or other insignia or emblems that purport to indicate that such bondsman or agent is an employee, officer or agent of the state or any political subdivision of the state or of the federal government.

(b) No bail enforcement agent licensed under sections 29-152f to 29-152i, inclusive, as amended by this act, shall wear, carry or display a badge that indicates that he or she is a bail enforcement agent or performs the duties of a bail enforcement agent unless the Commissioner of Emergency Services and Public Protection has approved such badge. If the commissioner suspends or revokes, or refuses to renew, the license of a bail enforcement agent, such agent shall surrender any badge approved by the commissioner pursuant to this subsection when such agent surrenders such license pursuant to section 29-152i, as amended by this act. Any violation of this subsection shall be an infraction.

Sec. 6. Section 29-152m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) No professional bondsman licensed under chapter 533, surety bail bond agent licensed under chapter 700f or bail enforcement agent licensed under sections 29-152f to 29-152i, inclusive, as amended by this act, shall carry a pistol, revolver or other firearm while engaging in the business of a professional bondsman, surety bail bond agent or bail enforcement agent, as the case may be, or while traveling to or from such business unless such bondsman or agent obtains a special permit from the Commissioner of Emergency Services and Public Protection in accordance with the provisions of subsection (b) of this section. The permit required under this section shall be in addition to the permit requirement imposed under section 29-28 and shall not be issued until the applicant has been issued a permit under section 29-28.



(b) The Commissioner of Emergency Services and Public Protection may grant to any professional bondsman licensed under chapter 533, surety bail bond agent licensed under chapter 700f or bail enforcement agent licensed under sections 29-152f to 29-152i, inclusive, as amended by this act, a permit to carry a pistol or revolver or other firearm while engaging in the business of professional bondsman, surety bail bond agent or bail enforcement agent, as the case may be, or while traveling to or from such business, provided that such bondsman or agent has proven to the satisfaction of the commissioner that such bondsman or agent has successfully completed a course, approved by the commissioner, of training in the safety and use of firearms. The commissioner shall adopt regulations in accordance with the provisions of chapter 54 concerning the approval of schools, institutions or organizations offering such courses, requirements for instructors and the required number of hours and content of such courses.

(c) [Application] An application for a permit [issued] pursuant to this section shall be made on forms provided by the commissioner and shall be accompanied by a [sixty-two-dollar] fee of sixty-two dollars. Such permit shall have an expiration date that coincides with that of the state permit to carry a pistol or revolver issued pursuant to section 29-28.

(d) A permit issued pursuant to this section shall be renewable every five years with a renewal fee of sixty-two dollars. Each holder of a permit issued pursuant to this section shall successfully complete an annual firearms safety refresher course approved by the commissioner as a condition of such renewal. The commissioner shall send, by first class mail, a notice of expiration of the bail enforcement agent firearms permit issued pursuant to this section, together with a notice of expiration of the permit to carry a pistol or revolver issued pursuant to section 29-28, in one combined form. The commissioner shall send such combined notice to the holder of the permits not later than ninety days before the date of the expiration of both permits, and shall enclose a form for renewal of the permits. A bail enforcement agent firearms permit issued pursuant to this section shall be valid for a period of ninety days after the expiration date, except this provision shall not apply if the permit to carry a pistol or revolver has been revoked or revocation is pending pursuant to section 29-32, in which case the bail enforcement agent firearms permit shall also be revoked.

(e) The commissioner shall adopt regulations in accordance with the provisions of chapter 54 concerning the approval of schools, institutions or organizations offering firearms safety courses, the requirements for instructors and the required number of hours and content of such courses.



Sec. 7. (NEW) (*Effective October 1, 2013*) (a) On and after October 1, 2013, no person may be an instructor for a course in the criminal justice system for purposes of section 29-152f of the general statutes, as amended by this act, or a course in the safety and use of firearms for purposes of subsection (b) of section 29-152m of the general statutes, as amended by this act, without the approval of the Commissioner of Emergency Services and Public Protection.

(b) (1) An application for approval as an instructor shall be submitted on a form prescribed by the commissioner. Such application shall be made under oath and contain the following: (A) The applicant's name, address and date and place of birth; (B) the applicant's employment for the five years prior to the date of application; (C) the applicant's education or training in the subject matter of the course required under section 29-152f of the general statutes, as amended by this act, or subsection (b) of section 29-152m of the general statutes, as amended by this act, as applicable; (D) any convictions for violations of the law; and (E) such other information as the commissioner may require by regulation adopted pursuant to this section for purposes of investigating the character, competency and integrity of the applicant.

(2) No person shall be approved as an instructor who (A) has been convicted of a felony or any misdemeanor pursuant to section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173, 53a-175, 53a-176, 53a-178 or 53a-181d of the general statutes, (B) has been denied a license as a professional bondsman, surety bail bond agent or bail enforcement agent, or (C) has had such license suspended or revoked.

(3) If a course conducted by an instructor under section 29-152f of the general statutes, as amended by this act, or subsection (b) of section 29-152m of the general statutes, as amended by this act, is approved by the commissioner on or before October 1, 2012, the instructor of such course shall, notwithstanding subsection (a) of this section, have until April 1, 2013, to apply for approval as an instructor in accordance with this subsection.

(c) Upon being satisfied, after investigation, that the applicant satisfies the requirements of subsection (b) of this section and is a suitable person to be approved as an instructor, the commissioner may issue an approval to such applicant to do business in this state as an approved instructor. The fee for such approval shall be fifty dollars. The term of such approval shall not exceed two years from the date of the initial approval. Any person approved as an instructor under this section shall notify the commissioner of any change in such person's



address not later than two business days after such change. The notification shall include the person's old address and new address.

(d) Each person approved as an instructor under this section may apply for renewal of such approval on a form prescribed by the commissioner that provides for the disclosure of such information as the commissioner may require to determine whether such person's suitability to continue as an instructor has changed since the issuance of the prior approval. The fee for such renewal shall be fifty dollars.

(e) The commissioner may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to implement the provisions of this section.

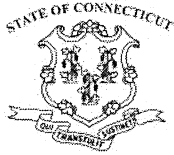
(f) Any person who violates any provision of subsection (a) of this section shall be fined seventy-five dollars for each offense. Each distinct violation of subsection (a) of this section shall be a separate offense and, in the case of a continuing violation, each day thereof shall be deemed a separate offense.

Sec. 8. (NEW) (*Effective October 1, 2013*) The Commissioner of Emergency Services and Public Protection may suspend, revoke or refuse to renew the approval of any instructor issued pursuant to section 7 of this act, provided the commissioner has given notice to the instructor to appear before the commissioner to show cause why the approval should not be suspended, revoked or refused renewal, upon a finding by the commissioner that the instructor: (1) Has violated any of the terms or provisions of section 7 of this act; (2) has practiced fraud, deceit or misrepresentation; (3) has made a material misstatement in the application for issuance or renewal of such approval; (4) has demonstrated incompetence or untrustworthiness in the conduct of the instructor's courses; (5) has been convicted of a felony, a misdemeanor specified in subdivision (2) of subsection (b) of section 7 of this act or any crime affecting the instructor's honesty, integrity or moral fitness; or (6) is otherwise unsuitable. Any party aggrieved by an order of the commissioner under this section may appeal therefrom in accordance with the provisions of section 4-183 of the general statutes, except venue for such appeal shall be in the judicial district of Hartford.

Sec. 9. Section 29-152n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who violates any provision of sections 29-152e to 29-152m, inclusive, as amended by this act, for which no other penalty is provided, shall be guilty of a class D felony.





## Agency Legislative Proposal - 2013 Session

**Document Name:**  
**DESPP\_\_\_\_.doc**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:**  
**Department of Emergency Services and Public Protection**

**Liaison:** Steve Spellman  
**Phone:** 860-685-8614  
**E-mail:** steven.spellman@ct.gov

**Lead agency division requesting this proposal:**  
**State Police Crimes Analysis Unit**

**Agency Analyst/Drafter of Proposal:**  
**Lois Desmarais**

**Title of Proposal**  
**AAC Uniform Crime Reporting and Family Violence Statutes**

**Statutory Reference**  
29-1c  
46b-38b

**Proposal Summary**  
29-1c: Requires DESPP to notify notify OPM the chief elected official of municipalities that are not in compliance with the UCR program. When municipalities apply for state and federal law enforcement grants, OPM will have the authority to deny eligibility for the grants if the municipality is not in compliance.  
  
46b-38b: Deletes the following phrase from CGS 46b-38b: "except a family violence crime involving a dating relationship."

*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

- **Reason for Proposal**

29-1c: There are currently no consequences in CT for law enforcement agencies that are late in their UCR/NIBRS data submissions. Crimes Analysis staff spends hundreds of hours each year calling and emailing agencies that have incomplete and/or inaccurate data. Other states have instituted similar legislation and have seen huge increases in the number of agencies in compliance. The state of New York posts delinquent agencies on their website; they also have the authority to withhold funding. After instituting this system, the state of New York saw UCR compliance go from 60% to 95%. This proposal would result in significant savings to DESPP (about 50% of agencies were untimely as of the end of July 2012), and would free up time to work on further automation of the unit's crime reporting. Further automation would provide the reporting agencies and other users of the data with better information from which to make decisions, and could result in the need for less staff.





46b-38b: Correction to CGS 46b-38b (deletion of one phrase). This language is conflicting with CGS 46b-38a.

- **Origin of Proposal** ☒ **New Proposal** ☐ **Resubmission**

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: OPM

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal ☐ YES ☐ NO ☐ Talks Ongoing

### Summary of Affected Agency's Comments

After discussing this with OPM last year, DESPP decided not to move forward with this proposal with the understanding that this would be given another look this year.

Will there need to be further negotiation? ☐ YES ☐ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

#### Municipal

Possible loss of grant money if not in compliance with the UCR program. However, most municipalities strive to submit their backlogged data when notified that they are not eligible for grant funds, so the outcome is usually positive.

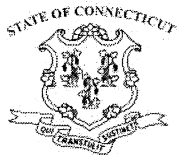
#### State

Savings possible due to the reduction in staff time processing monthly files and to increased automation.

#### Federal

None

Additional notes on fiscal impact



- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

46b-38b: will eliminate the discrepancy between CGS 46b-38b and CGS 46b-38a.

29-1c:

- More complete and accurate data published.

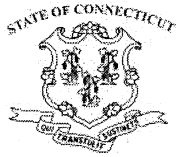
- Reduction in Crimes Analysis Unit staff time spent dealing with agencies that are not in compliance with the UCR Program, thereby freeing up time to further automate the unit's activities.

- CT data received by FBI will be more complete and accurate in their annual Crime in the US publication.

Section 1 (NEW) (*Effective October 1, 2012*) The Commissioner of the Department of Emergency Services and Public Protection shall notify the Criminal Justice Policy and Planning Division within the Office of Policy and Management and the chief elected official of each municipality for which the Uniform Crime Reporting data reported by such municipality is missing, incomplete or incorrect. Data are missing, incomplete or incorrect if so designated by the FBI. In addition, data are missing if they are not submitted within 60 days of the end of the reporting month. The Office of Policy and Management is authorized to deny eligibility for state or federal law enforcement grants if a municipality is not in compliance with the Uniform Crime Reporting Program requirements.

Section 2- 46b-38b. Investigation of family violence crime by peace officer. Arrest. Assistance to victim. Guidelines. Education and training program. Assistance and protocols for victims whose immigration status is questionable. (a) Whenever a peace officer determines upon speedy information that a family violence crime[, except a family violence crime involving a dating relationship,] has been committed within such officer's jurisdiction, such officer shall arrest the person or persons suspected of its commission and charge such person or persons with the appropriate crime. The decision to arrest and charge shall not (1) be dependent on the specific consent of the victim, (2) consider the relationship of the parties, or (3) be based solely on a request by the victim. Whenever a peace officer determines that a family violence crime has been committed, such officer may seize any firearm or electronic defense weapon, as defined in section 53a-3, at the location where the crime is alleged to have been committed that is in the possession of any person arrested for the commission of such crime or suspected of its commission or that is in plain view. Not later than seven days after any such seizure, the law enforcement agency shall return such firearm or electronic defense weapon in its original condition to the rightful owner thereof unless such person is ineligible to possess such firearm or electronic defense weapon or unless otherwise ordered by the court.





## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**AAC Technical Changes to Department of Emergency Services and Public Protection Statutes despp 13-9**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:** Department of Emergency Services and Public Protection

**Liaison:** Steven Spellman

**Phone:** 860 685 8614

**E-mail:** [steven.spellman@ct.gov](mailto:steven.spellman@ct.gov)

**Lead agency division requesting this proposal:** Division of State Police

**Agency Analyst/Drafter of Proposal:**

Steven Spellman

### **Title of Proposal**

**AAC Technical Changes to Various Department of Emergency Services and Public Protection Statutes**

**Statutory Reference** Section 1- CGS 29-161q  
Section 2 CGS 17a-115a

### **Proposal Summary**

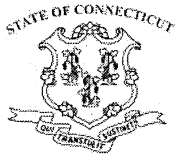
Section 1: this section will put a recent time requirement (within past two years) for mandatory training requirement

Section 2 Technical change to CGS 17a-115a © changing to 5 days from 15 days the time within which a fingerprint based criminal history background check must be performed on any person residing in a home where an emergency placement of a child has been made based upon a name date of birth check. to conform to FBI requirements

*Please attach a copy of fully drafted bill (required for review)*

## **PROPOSAL BACKGROUND**

- Reason for Proposal



**Section 1:** To ensure that the mandatory, specified training required in the statute was undertaken within a reasonable time prior to application (two years) in order to apply for a security guard license.

**Section 2** – this change is to meet FBI requirements and will also increase safety of the child

- **Origin of Proposal**      ☒ **New Proposal**      ☐ **Resubmission**

### PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: as to section 3: DCF

Agency Contact (name, title, phone): Josh Howroyd, Gordon Frasinelli ; Atty Barbara Claire

Date Contacted: September 18, 2012

Approve of Proposal    ☒ **YES**    ☐ **NO**    ☐ **Talks Ongoing**

#### Summary of Affected Agency's Comments

Atty. Barbara Claire: "We definitely need this"

Will there need to be further negotiation?    ☐ **YES**    ☐ **NO**

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

**Municipal** (please include any municipal mandate that can be found within legislation)  
none

State – changes in fee structure in section 1 should have a neutral effect, resulting in no fiscal impact

**Federal**



None
Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

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**Insert fully drafted bill here**

**Section One:**

**Sec. 29-161q. Qualifications of security officers. License. Instructor approval. Registration. Identification card. Prohibition. Penalty.** (a) Any security service or business may employ as many security officers as such security service or business deems necessary for the conduct of the business, provided such security officers are of good moral character and at least eighteen years of age.

(b) No person hired or otherwise engaged to perform work as a security officer, as defined in section 29-152u, shall perform the duties of a security officer prior to being licensed as a security officer by the Commissioner of Public Safety. Each applicant for a license shall complete a minimum of eight hours training in the following areas: Basic first aid, search and seizure laws and regulations, use of force, basic criminal justice and public safety issues. The training shall be approved by the commissioner in accordance with regulations adopted pursuant to section 29-161x.

(1) On and after October 1, 2008, no person or employee of an association, corporation or partnership shall conduct such training without the approval of the commissioner except as provided in subdivision (2) of this subsection. Application for such approval shall be submitted on forms prescribed by the commissioner and accompanied by a fee of forty dollars. Such application shall be made under oath and shall contain the applicant's name, address, date and place of birth, employment for the previous five years, education or training in the subjects

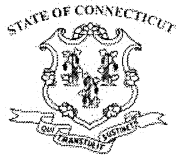


required to be taught under this subsection, any convictions for violations of the law and such other information as the commissioner may require by regulation adopted pursuant to section 29-161x to properly investigate the character, competency and integrity of the applicant. No person shall be approved as an instructor for such training who has been convicted of a felony, a sexual offense or a crime of moral turpitude or who has been denied approval as a security service licensee, a security officer or instructor in the security industry by any licensing authority, or whose approval has been revoked or suspended. The term for such approval shall not exceed two years. Not later than two business days after a change of address, any person approved as an instructor in accordance with this section shall notify the commissioner of such change and such notification shall include both the old and new addresses.

(2) If a security officer training course described in this subsection is approved by the commissioner on or before September 30, 2008, the instructor of such course shall have until April 1, 2009, to apply for approval as an instructor in accordance with subdivision (1) of this subsection.

(3) Each person approved as an instructor in accordance with this section may apply for the renewal of such approval on a form approved by the commissioner, accompanied by a fee of forty dollars. Such form may require the disclosure of any information necessary for the commissioner to determine whether the instructor's suitability to serve as an instructor has changed since the issuance of the prior approval. The term of such renewed approval shall not exceed two years.

(c) [Upon] Not later than 2 years after successful completion of the training pursuant to subsection (b) of this section, the applicant may submit an application for a license as a security officer on forms furnished by the commissioner and, under oath, shall give the applicant's name, address, date and place of birth, employment for the previous five years, experience in the position applied for, any convictions for violations of the law and such other information as the commissioner may require, by regulation, to properly investigate the character, competency and integrity of the applicant. Applicants shall submit with their application two sets of fingerprints of the employee and the Commissioner of [Public Safety] Emergency Services and Public Protection shall require any applicant for a license under this section to submit to state and national criminal history records checks conducted in accordance with section 29-17a. Applicants shall submit with their application two sets of their fingerprints and two full-face photographs of them, two inches wide by two inches high, taken not earlier than six months prior to the date of application, and a one-hundred-dollar licensing fee, made payable to the state. Subject to the provisions of section 46a-80, no person shall be approved for a license who has been convicted of a felony, any sexual offense or any crime involving moral turpitude, or who has been refused a license under the provisions of sections 29-161g to 29-161x, inclusive, for any reason except minimum experience, or whose license, having been granted, has been revoked or is under suspension. Upon being satisfied of the suitability of the applicant for licensure, the commissioner may license the applicant as a security officer. Such license shall be renewed every five years for a one-hundred-dollar fee.



(d) Upon the security officer's successful completion of training and licensing by the commissioner, or immediately upon hiring a licensed security officer, the security service employing such security officer shall apply to register such security officer with the commissioner on forms provided by the commissioner. Such application shall be accompanied by payment of a forty-dollar application fee payable to the state. The Division of State Police within the Department of [Public Safety] Emergency Services and Public Protection shall keep on file the completed registration form and all related material. An identification card with the name, date of birth, address, full-face photograph, physical descriptors and signature of the applicant shall be issued to the security officer, and shall be carried by the security officer at all times while performing the duties associated with the security officer's employment. Registered security officers, in the course of performing their duties, shall present such card for inspection upon the request of a law enforcement officer.

(e) The security service shall notify the commissioner not later than five days after the termination of employment of any registered employee.

## Section Two:

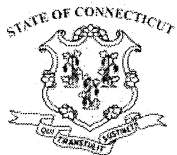
**Sec. 17a-115a. Emergency placement of children. Criminal history records checks.** (a) For purposes of this section, "emergency placement" means the placement of a child by the Department of Children and Families in the home of a private individual, including a neighbor, friend or relative of a child, as a result of the sudden unavailability of the child's primary caretaker.

(b) When the Department of Children and Families makes an emergency placement, the department may request a criminal justice agency to perform a federal name-based criminal history search of any person residing in the home. The results of such name-based search shall be provided to the department.

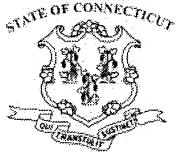
(c) No later than [fifteen] five calendar days after the date such name-based search is performed pursuant to subsection (b) of this section, the department shall request the State Police Bureau of Identification to perform a state and national criminal history records check in accordance with section 29-17a of any person residing in the home. Such criminal history records checks shall be deemed as required by this section for purposes of said section 29-17a and the department may request that such records checks be performed in accordance with subsection (c) of section 29-17a. The results of such criminal history records checks shall be provided to the department. If any person refuses to provide fingerprints or other positive identifying information for purposes of such checks when requested, the department shall immediately remove the child from the home.

(d) If the department denies emergency placement or removes a child from a home based on the results of a federal name-based criminal history search performed pursuant to subsection (b) of this section, the person whose name-based search was the basis for such denial or removal may contest





such denial or removal by requesting that a full criminal history records check be performed in accordance with subsection (c) of this section.



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**aac lifetime registration for certain sexual offenders despp 13-10**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:**

**Department of Emergency Services and Public Protection**

**Liaison:** Steve Spellman

**Phone:** 860-685-8064

**E-mail:** steven.spellman@ct.gov

**Lead agency division requesting this proposal:**

**Sex Offender Registry**

**Agency Analyst/Drafter of Proposal:**

**Sgt. Karen Gabianelli**

**Title of Proposal**

**AAC Lifetime Registration for Certain Sexual Offenders**

**Statutory Reference**

53a-72a Under Subsection (a)(3)

**Proposal Summary**

*Adds a subsection to 53a-72a Under Subsection (a)(3) requiring that Sexual offenders who are parents and step parents or grandparents and step grandparents be subject to a lifetime registration on the Sex Offender Registry as opposed to the current 10 registration.*

*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

### • Reason for Proposal

Sexual assault in the first degree 53a-70 subsection (2) is committed when there is sexual intercourse and the victim is under 13 with the actor more than 2 years older. This offense is a lifetime registration.

When there is sexual intercourse with a victim who is related to the offender under 46b-21 (kindred) the registry is for only 10 years. This part of the statute falls under Criminal offense against a victim who is a minor as defined in 54-250. The kindred definition is broad. By adding a subsection stating that when the victim is a child or step child or grandchild or step grandchild children are better protected. This subsection should fall under an exception in 54-251 and require a lifetime registration. It seems that it is a bigger breach of trust when crimes like this happen in what is should be a “safe” atmosphere from a family member. Also, this addition will protect victims in the 14-17 age brackets unlike 53a-70.



- **Origin of Proposal**      ☒ **New Proposal**      ☐ **Resubmission**

*If this is a resubmission, please share:*

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Chief State's Attorney  
Agency Contact (name, title, phone): Wil Blanchette  
Date Contacted: Sept 29

Approve of Proposal    ☐ YES    ☐ NO    ☐ Talks Ongoing

### Summary of Affected Agency's Comments

Will there need to be further negotiation?    ☐ YES    ☐ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

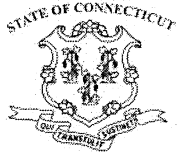
**Municipal** (please include any municipal mandate that can be found within legislation)  
None

**State**  
None

**Federal**  
None

Additional notes on fiscal impact

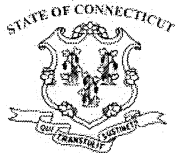
- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



**Sec. 53a-72a. Sexual assault in the third degree: Class D or C felony.** (a) A person is guilty of sexual assault in the third degree when such person (1) compels another person to submit to sexual contact (A) by the use of force against such other person or a third person, or (B) by the threat of use of force against such other person or against a third person, which reasonably causes such other person to fear physical injury to himself or herself or a third person, or (2) engages in sexual intercourse with another person whom the actor knows to be related to him or her within any of the degrees of kindred specified in section 46b-21. (3) engages in sexual intercourse with a person who is the actors child, grandchild or stepchild or grand stepchild

(b) Sexual assault in the third degree is a class D felony or, if the victim of the offense is under sixteen years of age, a class C felony.

**Sec. 54-251. Registration of person who has committed a criminal offense against a victim who is a minor or a nonviolent sexual offense.** (a) Any person who has been convicted or found not guilty by reason of mental disease or defect of a criminal offense against a victim who is a minor or a nonviolent sexual offense, and is released into the community on or after October 1, 1998, shall, within three days following such release or, if such person is in the custody of the Commissioner of Correction, at such time prior to release as the commissioner shall direct, and whether or not such person's place of residence is in this state, register such person's name, identifying factors, criminal history record, residence address and electronic mail address, instant message address or other similar Internet communication identifier, if any, with the Commissioner of Public Safety, on such forms and in such locations as the commissioner shall direct, and shall maintain such registration for ten years except that any person who has one or more prior convictions of any such offense or who is convicted of a violation of subdivision (2) of subsection (a) of section 53a-70 and subdivision (3) of subsection (a) of 53a-72a shall maintain such registration for life. Prior to accepting a plea of guilty or nolo contendere from a person with respect to a criminal offense against a victim who is a minor or a nonviolent sexual offense, the court shall (1) inform the person that the entry of a finding of guilty after acceptance of the plea will subject the person to the registration requirements of this section, and (2) determine that the person fully understands the consequences of the plea. If any person who is subject to registration under this section changes such person's name, such person shall, without undue delay, notify the Commissioner

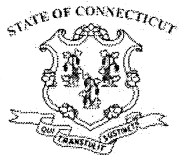


of Public Safety in writing of the new name. If any person who is subject to registration under this section changes such person's address, such person shall, without undue delay, notify the Commissioner of Public Safety in writing of the new address and, if the new address is in another state, such person shall also register with an appropriate agency in that state, provided that state has a registration requirement for such offenders. If any person who is subject to registration under this section establishes or changes an electronic mail address, instant message address or other similar Internet communication identifier, such person shall, without undue delay, notify the Commissioner of Public Safety in writing of such identifier. If any person who is subject to registration under this section is employed at, carries on a vocation at or is a student at a trade or professional institution or institution of higher learning in this state, such person shall, without undue delay, notify the Commissioner of Public Safety of such status and of any change in such status. If any person who is subject to registration under this section is employed in another state, carries on a vocation in another state or is a student in another state, such person shall, without undue delay, notify the Commissioner of Public Safety and shall also register with an appropriate agency in that state provided that state has a registration requirement for such offenders. During such period of registration, each registrant shall complete and return forms mailed to such registrant to verify such registrant's residence address and shall submit to the retaking of a photographic image upon request of the Commissioner of Public Safety.

(b) Notwithstanding the provisions of subsection (a) of this section, the court may exempt any person who has been convicted or found not guilty by reason of mental disease or defect of a violation of subdivision (1) of subsection (a) of section 53a-71 from the registration requirements of this section if the court finds that such person was under nineteen years of age at the time of the offense and that registration is not required for public safety.

(c) Notwithstanding the provisions of subsection (a) of this section, the court may exempt any person who has been convicted or found not guilty by reason of mental disease or defect of a violation of subdivision (2) of subsection (a) of section 53a-73a or subdivision (2) of subsection (a) of section 53a-189a, from the registration requirements of this section if the court finds that registration is not required for public safety.

(d) Any person who files an application with the court to be exempted from the registration requirements of this section pursuant to subsection (b) or (c) of this section shall, pursuant to subsection (b) of section 54-227, notify the Office of Victim Services and the Victim Services Unit within the Department of Correction of the filing of such application. The Office of Victim Services or the Victim Services Unit within the Department of Correction, or both, shall, pursuant to section 54-230 or 54-230a, notify any victim who has requested notification of the filing of such application. Prior to granting or denying such application, the court shall consider any information or statement provided by the victim.



(e) Any person who violates the provisions of subsection (a) of this section shall be guilty of a class D felony, except that, if such person violates the provisions of this section by failing to notify the Commissioner of Public Safety without undue delay of a change of name, address or status or another reportable event, such person shall be subject to such penalty if such failure continues for five business days.

**Sec. 54-252. Registration of person who has committed a sexually violent offense.** (a) Any person who has been convicted or found not guilty by reason of mental disease or defect of a sexually violent offense, and (1) is released into the community on or after October 1, 1988, and prior to October 1, 1998, and resides in this state, shall, on October 1, 1998, or within three days of residing in this state, whichever is later, or (2) is released into the community on or after October 1, 1998, shall, within three days following such release or, if such person is in the custody of the Commissioner of Correction, at such time prior to release as the commissioner shall direct, register such person's name, identifying factors and criminal history record, documentation of any treatment received by such person for mental abnormality or personality disorder, and such person's residence address and electronic mail address, instant message address or other similar Internet communication identifier, if any, with the Commissioner of Public Safety on such forms and in such locations as said commissioner shall direct, and shall maintain such registration for life. Prior to accepting a plea of guilty or nolo contendere from a person with respect to a sexually violent offense, the court shall (A) inform the person that the entry of a finding of guilty after acceptance of the plea will subject the person to the registration requirements of this section, and (B) determine that the person fully understands the consequences of the plea. If any person who is subject to registration under this section changes such person's name, such person shall, without undue delay, notify the Commissioner of Public Safety in writing of the new name. If any person who is subject to registration under this section changes such person's address, such person shall, without undue delay, notify the Commissioner of Public Safety in writing of the new address and, if the new address is in another state, such person shall also register with an appropriate agency in that state, provided that state has a registration requirement for such offenders. If any person who is subject to registration under this section establishes or changes an electronic mail address, instant message address or other similar Internet communication identifier, such person shall, without undue delay, notify the Commissioner of Public Safety in writing of such identifier. If any person who is subject to registration under this section is employed at, carries on a vocation at or is a student at a trade or professional institution or institution of higher learning in this state, such person shall, without undue delay, notify the Commissioner of Public Safety of such status and of any change in such status. If any person who is subject to registration under this section is employed in another state, carries on a vocation in another state or is a student in another state, such person shall, without undue delay, notify the Commissioner of Public Safety and shall also register with an appropriate agency in that state, provided that state has a registration requirement for such offenders. During such period of registration, each registrant shall complete and return forms mailed to such registrant to verify such registrant's residence address and shall submit to the retaking of a photographic image upon request of the



Commissioner of Public Safety.

(b) Any person who has been subject to the registration requirements of section 54-102r of the general statutes, revised to January 1, 1997, as amended by section 1 of public act 97-183, shall, not later than three working days after October 1, 1998, register under this section and thereafter comply with the provisions of sections 54-102g and 54-250 to 54-258a, inclusive, except that any person who was convicted or found not guilty by reason of mental disease or defect of an offense that is classified as a criminal offense against a victim who is a minor under subdivision (2) of section 54-250 and that is subject to a ten-year period of registration under section 54-251 shall maintain such registration for ten years.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, during the initial registration period following October 1, 1998, the Commissioner of Public Safety may phase in completion of the registration procedure for persons released into the community prior to said date over the first three months following said date, and no such person shall be prosecuted for failure to register under this section during those three months provided such person complies with the directives of said commissioner regarding registration procedures.

(d) Any person who violates the provisions of this section shall be guilty of a class D felony, except that, if such person violates the provisions of this section by failing to notify the Commissioner of Public Safety without undue delay of a change of name, address or status or another reportable event, such person shall be subject to such penalty if such failure continues for five business days.