



Senate

General Assembly

File No. 450

February Session, 2022

Senate Bill No. 440

Senate, April 13, 2022

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES.

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

1 Section 1. Subsection (e) of section 3-129f of the 2022 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2022*):

4 (e) Nothing in this section shall permit the Attorney General to assert
5 any claim against a state agency or a state officer or state employee in
6 such officer's or employee's official capacity, regarding actions or
7 omissions of such state agency, state officer or state employee. If the
8 Attorney General determines that a state officer or state employee is not
9 entitled to indemnification under section 5-141d, the Attorney General
10 may, as it relates to such officer or employee, take any action authorized
11 under this section.

12 Sec. 2. Subdivision (1) of subsection (a) of section 4-142a of the 2022
13 supplement to the general statutes is repealed and the following is

14 substituted in lieu thereof (*Effective October 1, 2022*):

15 (a) (1) The Claims Commissioner shall be appointed by the Governor
16 with the advice and consent of the General Assembly to serve for a term
17 of four years from the first day in July in the year of his or her
18 appointment and until his or her successor has been appointed and has
19 qualified. The Claims Commissioner shall be an attorney-at-law and
20 shall have been admitted to practice before the courts of the state of
21 Connecticut for at least five years prior to his or her appointment. The
22 Claims Commissioner serving on June 28, 2021, may continue to serve
23 until the expiration of his or her term. On and after June 28, 2021, each
24 nomination for appointment as Claims Commissioner by the Governor
25 shall be referred, without debate, to the joint standing committee of the
26 General Assembly having cognizance of matters relating to the
27 judiciary, which shall report on each appointment not later than thirty
28 days after the date of reference. Each appointment by the General
29 Assembly of the Claims Commissioner shall be by concurrent
30 resolution.

31 Sec. 3. Subsection (a) of section 4-160 of the 2022 supplement to the
32 general statutes is repealed and the following is substituted in lieu
33 thereof (*Effective October 1, 2022*):

34 (a) Whenever the Claims Commissioner deems it just and equitable,
35 the Claims Commissioner may authorize suit against the state on any
36 claim which, in the opinion of the Claims Commissioner, presents an
37 issue of law or fact under which the state, were it a private person, could
38 be liable. The Claims Commissioner may grant permission to sue for a
39 claim that exclusively seeks permission to sue the state based solely on
40 the notice of claim or any supporting evidence submitted pursuant to
41 section 4-147, or both, without holding a hearing, upon the filing by the
42 attorney or pro se claimant of (1) a motion for approval to assert a claim
43 without a hearing, requesting a ruling based solely on the notice of the
44 claim and any supporting evidence submitted under the provisions of
45 this chapter, and (2) an affidavit attesting to the validity of a claim. Such
46 affidavit [,] shall be signed, notarized and filed by both the attorney and

47 claimant or a pro se claimant, attesting to the following, in the following
48 form: "I have made a reasonable inquiry, as permitted by the
49 circumstances, which has given rise to a good faith belief that grounds
50 exist for a suit against the state. Such inquiry includes [] (provide a brief
51 description of the inquiry made)". The claimant shall serve any motion
52 for approval and affidavit on the office of the Attorney General and any
53 state agency that is a subject of the claim. The state may file an
54 opposition to the motion for approval and the affidavit not later than
55 thirty days after such service of the motion and affidavit. Such
56 opposition shall be limited to opposition of the claim based solely on
57 jurisdictional grounds, including pursuant to section 4-142, or
58 subsection (a) of section 4-148, or prosecutorial, judicial, quasi-judicial
59 or legislative immunity.

60 Sec. 4. Subsection (f) of section 4-160 of the 2022 supplement to the
61 general statutes is repealed and the following is substituted in lieu
62 thereof (*Effective October 1, 2022*):

63 (f) In any claim alleging malpractice against the state, a state hospital
64 or against a physician, surgeon, dentist, podiatrist, chiropractor or other
65 licensed health care provider employed by the state, the attorney or pro
66 se party filing the claim may submit a certificate of good faith to the
67 Office of the Claims Commissioner in accordance with section 52-190a.
68 If such a certificate is submitted, permission to sue the state shall be
69 deemed granted by the Claims Commissioner (1) [upon] on June 28,
70 2021, if the certificate has been filed with the Claims Commissioner prior
71 to June 28, 2021, or (2) upon the filing of the certificate with the Office of
72 the Claims Commissioner, if such certificate is filed on or after June 28,
73 2021. In lieu of filing a notice of claim pursuant to section 4-147, a
74 claimant may commence a medical malpractice action against the state
75 prior to the expiration of the limitation period set forth in section 4-148
76 and authorization for such action against the state shall be deemed
77 granted. Any such action shall be limited to medical malpractice claims
78 only and any such action shall be deemed a suit otherwise authorized
79 by law in accordance with subsection (a) of section 4-142. The provisions
80 of this subsection shall apply to any claim alleging malpractice against

81 the state that was timely filed with the Claims Commissioner and
82 remains pending with said commissioner, regardless of whether such
83 claim was filed before, on or after October 1, 2019.

84 Sec. 5. Section 4-190 of the 2022 supplement to the general statutes is
85 repealed and the following is substituted in lieu thereof (*Effective October*
86 *1, 2022*):

87 As used in this chapter:

88 (1) "Agency" means each state or municipal board, commission,
89 department or officer, other than the legislature, courts, Governor,
90 Lieutenant Governor, Attorney General or town or regional boards of
91 education, which maintains a personal data system.

92 (2) "Attorney" means an attorney at law empowered by a person to
93 assert the confidentiality of or right of access to personal data under this
94 chapter.

95 (3) "Authorized representative" means a parent, or a guardian or
96 conservator, other than an attorney, appointed to act on behalf of a
97 person and empowered by such person to assert the confidentiality of
98 or right of access to personal data under this chapter.

99 (4) "Automated personal data system" means a personal data system
100 in which data is stored, in whole or part, in a computer or in computer
101 accessible files.

102 (5) "Computer accessible files" means any personal data which is
103 stored on-line or off-line, which can be identified by use of electronic
104 means, including, but not limited to, microfilm and microfilm devices,
105 which includes, but is not limited to, magnetic tape, magnetic film,
106 magnetic disks, magnetic drums, internal memory utilized by any
107 processing device, including computers or telecommunications control
108 units, punched cards, optically [scannable] scannable paper or film.

109 (6) "Maintain" means collect, maintain, use or disseminate.

110 (7) "Manual personal data system" means a personal data system
111 other than an automated personal data system.

112 (8) "Person" means an individual of any age concerning whom
113 personal data is maintained in a personal data system, or a person's
114 attorney or authorized representative.

115 (9) "Personal data" means any information about a person's
116 education, finances, medical or emotional condition or history,
117 employment or business history, family or personal relationships,
118 reputation or character which because of name, identifying number,
119 mark or description can be readily associated with a particular person.
120 "Personal data" shall not be construed to make available to a person any
121 record described in subdivision (3) or (18) of subsection (b) of section 1-
122 210.

123 (10) "Personal data system" means a collection of records containing
124 personal data.

125 (11) "Record" means any collection of personal data [, defined in
126 subdivision (9),] which is collected, maintained or disseminated.

127 Sec. 6. Subsection (a) of section 7-51a of the 2022 supplement to the
128 general statutes is repealed and the following is substituted in lieu
129 thereof (*Effective October 1, 2022*):

130 (a) Any person eighteen years of age or older may purchase certified
131 copies of marriage and death records, and certified copies of records of
132 births or fetal deaths which are at least one hundred years old, in the
133 custody of any registrar of vital statistics. The department may issue
134 uncertified copies of death certificates for deaths occurring less than one
135 hundred years ago, and uncertified copies of birth, marriage, death and
136 fetal death certificates for births, marriages, deaths and fetal deaths that
137 occurred at least one hundred years ago, to researchers approved by the
138 department pursuant to section 19a-25, and to state and federal agencies
139 approved by the department. During all normal business hours,
140 members of genealogical societies incorporated or authorized by the

141 Secretary of the State to do business or conduct affairs in this state shall
142 (1) have full access to all vital records in the custody of any registrar of
143 vital statistics, including certificates, ledgers, record books, card files,
144 indexes and database printouts, except for those records containing
145 Social Security numbers protected pursuant to 42 USC 405 (c)(2)(C), and
146 confidential files on adoptions, gender change, surrogacy agreements [,]
147 and parentage, (2) be permitted to make notes from such records, (3) be
148 permitted to purchase certified copies of such records, and (4) be
149 permitted to incorporate statistics derived from such records in the
150 publications of such genealogical societies. For all vital records
151 containing Social Security numbers that are protected from disclosure
152 pursuant to federal law, the Social Security numbers contained on such
153 records shall be redacted from any certified copy of such records issued
154 to a genealogist by a registrar of vital statistics.

155 Sec. 7. Section 8-265c of the 2022 supplement to the general statutes,
156 as amended by section 13 of public act 21-32, is repealed and the
157 following is substituted in lieu thereof (*Effective January 1, 2023*):

158 The authority shall require that occupancy of all housing financed or
159 otherwise assisted under this chapter be open to all persons regardless
160 of race, creed, color, national origin or ancestry, sex, [or] gender identity
161 or expression or erased criminal history record information, as defined
162 in section 46a-80a, and that the contractors and subcontractors engaged
163 in the construction or rehabilitation of such housing shall take
164 affirmative action to provide equal opportunity for employment
165 without discrimination as to race, creed, color, national origin or
166 ancestry, sex, gender identity or expression or erased criminal history
167 record information.

168 Sec. 8. Subsection (a) of section 22-4c of the 2022 supplement to the
169 general statutes is repealed and the following is substituted in lieu
170 thereof (*Effective October 1, 2022*):

171 (a) The Commissioner of Agriculture may: (1) Adopt, amend or
172 repeal, in accordance with the provisions of chapter 54, such standards,
173 criteria and regulations, and such procedural regulations as are

174 necessary and proper to carry out the commissioner's functions, powers
175 and duties; (2) enter into contracts with any person, firm, corporation or
176 association to do all things necessary or convenient to carry out the
177 functions, powers and duties of the department; (3) initiate and receive
178 complaints as to any actual or suspected violation of any statute,
179 regulation, permit or order administered, adopted or issued by the
180 commissioner. The commissioner may hold hearings, administer oaths,
181 take testimony and subpoena witnesses and evidence, enter orders and
182 institute legal proceedings including, but not limited to, suits for
183 injunctions and for the enforcement of any statute, regulation, order or
184 permit administered, adopted or issued by the commissioner. The
185 commissioner, or the commissioner's agent, may issue a citation in
186 accordance with section 51-164n for any infraction or violation
187 established in any provision of the general statutes that is under the
188 commissioner's authority; (4) provide an advisory opinion, upon
189 request of any municipality, state agency, tax assessor or any landowner
190 as to what constitutes agriculture or farming pursuant to subsection (q)
191 of section 1-1, or regarding classification of land as farm land or open
192 space land pursuant to sections 12-107b to 12-107f, inclusive; (5) in
193 accordance with constitutional limitations, enter at all reasonable times,
194 without liability, upon any public or private property, except a private
195 residence, for the purpose of inspection and investigation to ascertain
196 possible violations of any statute, regulation, order or permit
197 administered, adopted or issued by the commissioner and the owner,
198 managing agent or occupant of any such property shall permit such
199 entry, and no action for trespass shall lie against the commissioner for
200 such entry, or the commissioner may apply to any court having criminal
201 jurisdiction for a warrant to inspect such premises to determine
202 compliance with any statute, regulation, order or permit or methods of
203 manufacture or production ascertained by the commissioner during, or
204 as a result of, any inspection, investigation or hearing; (6) undertake any
205 studies, inquiries, surveys or analyses the commissioner may deem
206 relevant, through the personnel of the department or in cooperation
207 with any public or private agency, to accomplish the functions, powers
208 and duties of the commissioner; (7) require the posting of sufficient

209 performance bond or other security to assure compliance with any
210 permit or order; (8) provide by notice printed on any form that any false
211 statement made thereon or pursuant thereto is punishable as a criminal
212 offense under section 53a-157b; and (9) by regulations adopted in
213 accordance with the provisions of chapter 54, require the payment of a
214 fee sufficient to cover the reasonable cost of acting upon an application
215 for and monitoring compliance with the terms and conditions of any
216 state or federal permit, license, registration, order, certificate or
217 approval. Such costs may include, but are not limited to, the costs of (A)
218 public notice, (B) reviews, inspections and testing incidental to the
219 issuance of and monitoring of compliance with such permits, licenses,
220 orders, certificates and approvals, and (C) surveying and staking
221 boundary lines. The applicant shall pay the fee established in
222 accordance with the provisions of this section prior to the final decision
223 of the commissioner on the application. The commissioner may
224 postpone review of an application until receipt of the payment.

225 Sec. 9. Subdivision (2) of subsection (c) of section 27-103 of the 2022
226 supplement to the general statutes is repealed and the following is
227 substituted in lieu thereof (*Effective October 1, 2022*):

228 (2) All initial appointments to the board shall be made not later than
229 December 1, 2021, and shall terminate on November [31] 30, 2023, or
230 November [31] 30, 2024, as applicable, regardless of when the initial
231 appointment was made. Any member of the board may serve more than
232 one term.

233 Sec. 10. Subsection (a) of section 30-89 of the 2022 supplement to the
234 general statutes is repealed and the following is substituted in lieu
235 thereof (*Effective October 1, 2022*):

236 (a) Any person to whom the sale of alcoholic liquor is by law
237 forbidden who purchases or attempts to purchase such liquor or who
238 makes any false statement for the purpose of procuring such liquor shall
239 be fined not less than two hundred dollars or more than five hundred
240 dollars.

241 Sec. 11. Section 31-232c of the general statutes is repealed and the
242 following is substituted in lieu thereof (*Effective October 1, 2022*):

243 Except when the result would be inconsistent with the other
244 provisions of subsection (d) of section 31-222 and sections 31-231b, 31-
245 232b to 31-232k, inclusive, [31-236(a)(8)] subdivision (8) of subsection (a)
246 of section 31-236 and section 31-250, as provided in the regulations of
247 the administrator, the provisions of this chapter, which apply to claims
248 for, or the payment of, regular benefits, including benefits for partial
249 unemployment, shall apply to claims for, and the payment of, extended
250 benefits.

251 Sec. 12. Section 31-232h of the general statutes is repealed and the
252 following is substituted in lieu thereof (*Effective October 1, 2022*):

253 No individual shall receive both extended benefits and additional
254 benefits during or in respect to the same week. An individual may
255 become eligible to receive additional benefits under section 31-232a with
256 respect to a week of unemployment only if he is not eligible to receive
257 extended benefits under subsection (d) of section 31-222 and sections 31-
258 231b, 31-232b to 31-232k, inclusive, [31-236(a)(8)] subdivision (8) of
259 subsection (a) of section 31-236 and section 31-250 with respect to such
260 week.

261 Sec. 13. Section 31-232i of the general statutes is repealed and the
262 following is substituted in lieu thereof (*Effective October 1, 2022*):

263 In the administration of the provisions of subsection (d) of section 31-
264 222 and sections 31-231b, 31-232b to 31-232k, inclusive, [31-236(a)(8)]
265 subdivision (8) of subsection (a) of section 31-236 and section 31-250,
266 which are enacted to conform with the requirements of the Federal-State
267 Extended Unemployment Compensation Act of 1970, the administrator
268 shall take such action as may be necessary (1) to ensure that the
269 provisions are so interpreted and applied as to meet the requirements
270 of such federal act as interpreted by the United States Department of
271 Labor, and (2) to secure to this state the full reimbursement of the federal
272 share of extended benefits paid under said sections that are

273 reimbursable under the federal act.

274 Sec. 14. Subdivision (9) of subsection (a) of section 31-236 of the 2022
275 supplement to the general statutes is repealed and the following is
276 substituted in lieu thereof (*Effective October 1, 2022*):

277 (9) If the administrator finds that the individual has retired and that
278 such retirement was voluntary, until the individual has again become
279 employed and has been paid wages in an amount required as a
280 condition of eligibility as set forth in subdivision (3) of subsection (a) of
281 section 31-235; except that the individual is not ineligible on account of
282 such retirement if the administrator finds (A) that the individual has
283 retired because (i) such individual's work has become unsuitable
284 considering such individual's physical condition and the degree of risk
285 to such individual's health and safety, and (ii) such individual has
286 requested of such individual's employer other work that is suitable, and
287 (iii) such individual's employer did not offer such individual such work,
288 or (B) that the individual has been involuntarily retired;

289 Sec. 15. Subsection (b) of section 31-237d of the general statutes is
290 repealed and the following is substituted in lieu thereof (*Effective October*
291 *1, 2022*):

292 (b) In any appeal to the board the board or any of its members may
293 hear the appeal, except that the full board shall hear and decide cases
294 requiring the application of [subsection (a)(3)] subdivision (3) of
295 subsection (a) of section 31-236 and cases in which a party has
296 specifically requested in writing a hearing by the full board, provided
297 the decision on all appeals shall be by a majority vote of the full board.
298 The board shall approve or reject, by a majority vote, each request for a
299 hearing before the full board in accordance with the criteria for granting
300 such requests established in regulations adopted pursuant to section 31-
301 237g. In any case before the board, the board may delegate to a referee
302 or other qualified employee of the appeals division the taking or hearing
303 of evidence.

304 Sec. 16. Subdivision (1) of subsection (f) of section 31-374 of the

305 general statutes is repealed and the following is substituted in lieu
306 thereof (*Effective October 1, 2022*):

307 (f) (1) Any employee or representative of employees who believes
308 that there is a violation of an occupational safety or health standard or
309 that there is an imminent danger of physical harm may request an
310 inspection by giving notice to the commissioner or his authorized
311 representative of such violation or danger. Any such notice shall be
312 reduced to writing and shall set forth with reasonable particularity the
313 grounds for the notice, and shall be signed by the employees or the
314 representative of employees. A copy of such notice shall be provided to
315 the employer or the employer's agent no later than the time of the
316 inspection, provided, upon the request of the person giving such notice,
317 his or her name and the names of individual employees referred to
318 therein shall not appear in such copy or on any record published,
319 released or made available pursuant to subsection (g) of this section.
320 Upon the request of an individual employee whose name is not
321 included in such notice, but who at any time provides information to
322 the commissioner concerning the violation or danger alleged in such
323 notice, the name of such individual employee shall not appear on any
324 record published, released or made available pursuant to subsection (g)
325 of this section. If upon receipt of such notification the commissioner
326 determines there are reasonable grounds to believe that such violation
327 or danger exists, he shall make an inspection in accordance with the
328 provisions of this section as soon as practicable to determine if such
329 violation or danger exists. Such inspection may be limited to the alleged
330 violation or danger. If the commissioner determines there are no
331 reasonable grounds to believe that such violation or danger exists, he
332 shall notify the employer, employee or representative of employees in
333 writing of such determination. Such notification shall not preclude
334 future enforcement action if conditions change.

335 Sec. 17. Section 45a-186b of the 2022 supplement to the general
336 statutes is repealed and the following is substituted in lieu thereof
337 (*Effective October 1, 2022*):

338 In an appeal taken under section 45a-186 from a matter heard on the
339 record in the Probate Court under section 17a-498, 17a-543, 17a-543a,
340 17a-685 [] or 19a-131b, sections 45a-644 to 45a-667v, inclusive, or section
341 51-72 or 51-73, the Superior Court shall not substitute its judgment for
342 that of the Probate Court as to the weight of the evidence on questions
343 of fact. The Superior Court shall affirm the decision of the Probate Court
344 unless the Superior Court finds that substantial rights of the person
345 appealing have been prejudiced because the findings, inferences,
346 conclusions or decisions are: (1) In violation of the federal or state
347 constitution or the general statutes, (2) in excess of the statutory
348 authority of the Probate Court, (3) made on unlawful procedure, (4)
349 affected by other error of law, (5) clearly erroneous in view of the
350 reliable, probative and substantial evidence on the whole record, or (6)
351 arbitrary or capricious or characterized by abuse of discretion or clearly
352 unwarranted exercise of discretion. If the Superior Court finds such
353 prejudice, the Superior Court shall sustain the appeal and, if
354 appropriate, may render a judgment that modifies the Probate Court's
355 order, denial or decree or remand the case to the Probate Court for
356 further proceedings. For the purposes of this section, a remand is a final
357 judgment.

358 Sec. 18. Subdivision (2) of section 45a-604 of the 2022 supplement to
359 the general statutes is repealed and the following is substituted in lieu
360 thereof (*Effective October 1, 2022*):

361 (2) "Father" means a man who is a parent as defined [by] in section
362 46b-451;

363 Sec. 19. Subdivision (15) of section 46a-54 of the 2022 supplement to
364 the general statutes is repealed and the following is substituted in lieu
365 thereof (*Effective October 1, 2022*):

366 (15) To require an employer having three or more employees to (A)
367 post in a prominent and accessible location information concerning the
368 illegality of sexual harassment and remedies available to victims of
369 sexual harassment, (B) provide, not later than three months after the
370 employee's start date with the employer, a copy of the information

371 concerning the illegality of sexual harassment and remedies available to
372 victims of sexual harassment to each employee by electronic mail with
373 a subject line that includes the words "Sexual Harassment Policy" or
374 words of similar import, if (i) the employer has provided an electronic
375 mail account to the employee, or (ii) the employee has provided the
376 employer with an electronic mail address, provided if an employer has
377 not provided an electronic mail account to the employee, the employer
378 shall post the information concerning the illegality of sexual harassment
379 and remedies available to victims of sexual harassment on the
380 employer's Internet web site, if the employer maintains such an Internet
381 web site. An employer may comply with the requirements of this
382 subparagraph, by providing an employee with the link to the
383 commission's Internet web site concerning the illegality of sexual
384 harassment and the remedies available to victims of sexual harassment
385 by electronic mail, text message or in writing; and (C) provide two hours
386 of training and education to employees within one year of October 1,
387 2019, provided any employer who has provided such training and
388 education to any such employees after October 1, 2018, shall not be
389 required to provide such training and education a second time. An
390 employer having (i) three or more employees, shall provide such
391 training and education to an employee hired on or after October 1, 2019,
392 not later than six months after the date of his or her hire, provided the
393 commission has developed and made available such training and
394 education materials in accordance with the provisions of subdivision (8)
395 of subsection (a) of section 46a-56; or (ii) less than three employees shall
396 provide such training and education to all supervisory employees
397 within one year of October 1, 2019, and to all new supervisory
398 employees within six months of their assumption of a supervisory
399 position, provided any employer who has provided such training and
400 education to any such supervisory employees after October 1, 2018, shall
401 not be required to provide such training and education a second time.
402 Any supervisory employee hired on or after October 1, 2019, by an
403 employer having less than three employees, shall receive such training
404 and education not later than six months after the date of his or her hire,
405 provided the commission has developed and made available such

406 training and education materials in accordance with the provisions of
407 subdivision (8) of subsection (a) of section 46a-56. Such training and
408 education shall include information concerning the federal and state
409 statutory provisions concerning sexual harassment and remedies
410 available to victims of sexual harassment. If an employee has received
411 in-person training provided by the commission or has taken the no cost
412 online training provided by the commission on its Internet web site in
413 accordance with the provisions of subdivision (8) of subsection (a) of
414 section 46a-56 [.] while employed by a different employer within the two
415 years preceding the date of hire, an employer may consider such prior
416 training to satisfy the training requirements of this [section] subdivision.
417 An employer who is required to provide training under this subdivision
418 shall provide periodic supplemental training that updates all
419 supervisory and nonsupervisory employees on the content of such
420 training and education not less than every ten years. As used in this
421 subdivision, "sexual harassment" has the same meaning as provided in
422 subdivision (8) of subsection (b) of section 46a-60 and "employer"
423 includes the General Assembly and "employee" means any individual
424 employed by an employer, including an individual employed by such
425 individual's parent, spouse or child;

426 Sec. 20. Section 46a-79 of the 2022 supplement to the general statutes,
427 as amended by section 30 of public act 21-32, is repealed and the
428 following is substituted in lieu thereof (*Effective January 1, 2023*):

429 The General Assembly finds that the public is best protected when
430 criminal offenders are rehabilitated and returned to society prepared to
431 take their places as productive citizens and that the ability of returned
432 offenders to find meaningful employment is directly related to their
433 normal functioning in the community. It is therefore the policy of this
434 state to encourage all employers to give favorable consideration to
435 providing jobs to qualified individuals, including those who may have
436 conviction information, as defined in section 54-142g. Nothing in this
437 section shall be construed to permit any employer to refuse to hire or
438 employ or to bar or to discharge from employment or to discriminate
439 against an individual in compensation or in terms of employment on the

440 basis of [that person's] such individual's erased criminal history record
441 information, as defined in section 46a-80a.

442 Sec. 21. Subsection (b) of section 46a-170 of the 2022 supplement to
443 the general statutes is repealed and the following is substituted in lieu
444 thereof (*Effective October 1, 2022*):

445 (b) The council shall consist of the following members: (1) The Chief
446 State's Attorney, or a designee; (2) the Chief Public Defender, or a
447 designee; (3) the Commissioner of Emergency Services and Public
448 Protection, or the commissioner's designee; (4) the Labor Commissioner,
449 or the commissioner's designee; (5) the Commissioner of Social Services,
450 or the commissioner's designee; (6) the Commissioner of Public Health,
451 or the commissioner's designee; (7) the Commissioner of Mental Health
452 and Addiction Services, or the commissioner's designee; (8) the
453 Commissioner of Children and Families, or the commissioner's
454 designee; (9) the Commissioner of Consumer Protection, or the
455 commissioner's designee; (10) the director of the Basic Training Division
456 of the Police Officer Standards and Training Council, or the director's
457 designee; (11) the Child Advocate, or the Child Advocate's designee;
458 (12) the Victim Advocate, or the Victim Advocate's designee; (13) a
459 chairperson of the Commission on Women, Children, Seniors, Equity
460 and Opportunity, or the chairperson's designee; (14) one representative
461 of the Office of Victim Services of the Judicial Branch appointed by the
462 Chief Court Administrator; (15) a municipal police chief appointed by
463 the Connecticut Police Chiefs Association, or a designee; (16) the
464 Commissioner of Education, or the commissioner's designee; (17) an
465 adult victim of trafficking, appointed by the Governor; (18) a judge of
466 the Superior Court, appointed by the Chief Court Administrator; (19) a
467 state's attorney appointed by the Chief State's Attorney; (20) a public
468 defender appointed by the Chief Public Defender; and (21) fifteen public
469 members appointed as follows: The Governor shall appoint three
470 members, one of whom shall represent victims of commercial
471 exploitation of children, one of whom shall represent sex trafficking
472 victims who are children and one of whom shall represent a coalition of
473 children's advocacy centers and multidisciplinary teams that are

474 dedicated to serving child abuse victims and their families, the president
475 pro tempore of the Senate shall appoint two members, one of whom
476 shall represent the Connecticut Alliance to End Sexual Violence and one
477 of whom shall represent an organization that provides civil legal
478 services to low-income individuals, the speaker of the House of
479 Representatives shall appoint two members, one of whom shall
480 represent the Connecticut Coalition Against Domestic Violence and one
481 of whom shall represent the Connecticut Lodging Association, the
482 majority leader of the Senate shall appoint two members, one of whom
483 shall represent an organization that deals with behavioral health needs
484 of women and children and one of whom shall represent the
485 Connecticut Coalition to [end] End Homelessness, the majority leader
486 of the House of Representatives shall appoint two members, one of
487 whom shall represent an organization that advocates on social justice
488 and human rights issues and one of whom shall represent the
489 Connecticut Criminal Defense Lawyers Association, the minority leader
490 of the Senate shall appoint two members, one of whom shall represent
491 the Connecticut Immigrant and Refugee Coalition and one of whom
492 shall represent massage therapists, and the minority leader of the House
493 of Representatives shall appoint two members, one of whom shall
494 represent the Motor Transport Association of Connecticut, Inc. and one
495 of whom shall represent an organization that works with adult victims
496 of trafficking.

497 Sec. 22. Subsection (b) of section 46b-1 of the 2022 supplement to the
498 general statutes is repealed and the following is substituted in lieu
499 thereof (*Effective October 1, 2022*):

500 (b) As used in this title, "domestic violence" means: (1) A continuous
501 threat of present physical pain or physical injury against a family or
502 household member, as defined in section 46b-38a; (2) stalking,
503 including, but not limited to, stalking as described in section 53a-181d,
504 of such family or household member; (3) a pattern of threatening,
505 including, but not limited to, a pattern of threatening as described in
506 section 53a-62, of such family or household member or a third party that
507 intimidates such family or household member; or (4) coercive control of

508 such family or household member, which is a pattern of behavior that
509 in purpose or effect unreasonably interferes with a person's free will and
510 personal liberty. "Coercive control" includes, but is not limited to,
511 unreasonably engaging in any of the following:

512 (A) Isolating the family or household member from friends, relatives
513 or other sources of support;

514 (B) Depriving the family or household member of basic necessities;

515 (C) Controlling, regulating or monitoring the family or household
516 member's movements, communications, daily behavior, finances,
517 economic resources or access to services;

518 (D) Compelling the family or household member by force, threat or
519 intimidation, including, but not limited to, threats based on actual or
520 suspected immigration status, to (i) engage in conduct from which such
521 family or household member has a right to abstain, or (ii) abstain from
522 conduct that such family or household member has a right to pursue;

523 (E) Committing or threatening to commit cruelty to animals that
524 intimidates the family or household member; or

525 (F) Forced sex acts, or threats of a sexual nature, including, but not
526 limited to, threatened acts of sexual conduct, threats based on a person's
527 sexuality or threats to release sexual images.

528 Sec. 23. Subsection (a) of section 46b-15e of the 2022 supplement to
529 the general statutes, as amended by section 2 of public act 21-67, is
530 repealed and the following is substituted in lieu thereof (*Effective June 1,*
531 *2022*):

532 (a) (1) The [office] Office of the Chief Court Administrator shall revise
533 and simplify the process for filing an application for relief under section
534 46b-15. The [office] Office of the Chief Court Administrator shall ensure
535 that any person seeking to file an application for relief is provided with
536 a one-page, plain language explanation of how to apply for relief under
537 section 46b-15.

538 (2) The [office] Office of the Chief Court Administrator shall develop
539 and make available to the public educational materials concerning the
540 risk protection order and warrant processes set forth in section 29-38c
541 relating to a person who poses a risk of imminent personal injury to
542 himself or herself or to another person. The [office] Office of the Chief
543 Court Administrator shall develop and make available to the public in
544 hard copy and electronically on the Internet web site of the Judicial
545 Branch a form to enable a family or household member or medical
546 professional, each as defined in section 29-38c, to apply to have a risk
547 protection order investigation ordered and a one-page, plain language
548 explanation of how to apply for such order. The form shall contain
549 questions designed to solicit information significant to a determination.
550 The public educational materials and form shall prominently advise the
551 applicant that a risk protection order or warrant may be sought through
552 and with the assistance of a municipal or state police agency or a state's
553 attorney's office, and of the benefits of doing so.

554 Sec. 24. Subsection (b) of section 46b-16a of the 2022 supplement to
555 the general statutes is repealed and the following is substituted in lieu
556 thereof (*Effective October 1, 2022*):

557 (b) The application shall be accompanied by an affidavit made by the
558 applicant under oath that includes a statement of the specific facts that
559 form the basis for relief. If the applicant attests that disclosure of the
560 applicant's location information would jeopardize the health, safety or
561 liberty of the applicant or the applicant's children, the applicant may
562 request, on a form prescribed by the Chief Court Administrator, that his
563 or her location information not be disclosed. Upon receipt of the
564 application, if the allegations set forth in the affidavit meet the
565 requirements of subsection (a) of this section, the court shall schedule a
566 hearing not later than fourteen days from the date of the application. If
567 a postponement of a hearing on the application is requested by either
568 party, no ex parte order shall be continued except upon agreement of
569 the parties or by order of the court for good cause shown. If the court is
570 closed on the scheduled hearing date, the hearing shall be held on the
571 next day the court is open and any ex parte order that was issued shall

572 remain in effect until the date of such hearing. If the applicant is under
573 eighteen years of age, a parent, guardian or responsible adult who
574 brings the application as next friend of the applicant may not speak on
575 the applicant's behalf at such hearing unless there is good cause shown
576 as to why the applicant is unable to speak on his or her own behalf,
577 except that nothing in this subsection shall preclude such parent,
578 guardian or responsible adult from testifying as a witness at such
579 hearing. If the court finds that there are reasonable grounds to believe
580 that the respondent has committed acts constituting grounds for
581 issuance of an order under this section and will continue to commit such
582 acts, or acts designed to intimidate or retaliate against the applicant, the
583 court, in its discretion, may make such orders as it deems appropriate
584 for the protection of the applicant. If the court finds that there are
585 reasonable grounds to believe that an imminent danger exists to the
586 applicant, the court may issue an ex parte order granting such relief as
587 it deems appropriate. In making such orders, the court, in its discretion,
588 may consider relevant court records if the records are available to the
589 public from a clerk of the Superior Court or on the Judicial Branch's
590 Internet web site. Such orders may include, but are not limited to, an
591 order enjoining the respondent from: (1) Imposing any restraint upon
592 the person or liberty of the applicant; (2) threatening, harassing,
593 assaulting, molesting, sexually assaulting or attacking the applicant;
594 and (3) entering the dwelling of the applicant.

595 Sec. 25. Subdivision (5) of subsection (m) of section 46b-231 of the
596 2022 supplement to the general statutes is repealed and the following is
597 substituted in lieu thereof (*Effective October 1, 2022*):

598 (5) Venue for proceedings to establish parentage in IV-D support
599 cases shall be in accordance with the provisions of subsection [(d)] (e) of
600 section 46b-461, as amended by this act. The matter shall be heard and
601 determined by a family support magistrate in accordance with the
602 provisions of chapter 815y.

603 Sec. 26. Subdivisions (4) and (5) of subsection (s) of section 46b-231 of
604 the 2022 supplement to the general statutes are repealed and the

605 following is substituted in lieu thereof (*Effective October 1, 2022*):

606 (4) Review child support orders (A) in non-TFA IV-D support cases
607 (i) at the request of either parent or custodial party subject to a support
608 order, or (ii) upon receipt of information indicating a substantial change
609 in circumstances of any party to the support order, (B) in TFA cases, at
610 the request of the Office of Child Support Services, or (C) as necessary
611 to comply with federal requirements for the child support enforcement
612 program mandated by Title IV-D of the Social Security Act, and initiate
613 an action before a family support magistrate to modify such support
614 order if it is determined upon such review that the order substantially
615 deviates from the child support guidelines established pursuant to
616 section 46b-215a. A requesting party under subparagraph (A)(i) or (B)
617 of this subdivision shall have a right to such review every three years
618 without proving a substantial change in circumstances, but more
619 frequent reviews shall be made only if such requesting party
620 demonstrates a substantial change in circumstances. There shall be a
621 rebuttable presumption that any deviation of less than fifteen per cent
622 from the child support guidelines is not substantial and any deviation
623 of fifteen per cent or more from the guidelines is substantial.
624 Modification may be made of such support order without regard to
625 whether the order was issued before, on or after May 9, 1991. In
626 determining whether to modify a child support order based on a
627 substantial deviation from such child support guidelines, consideration
628 shall be given to the division of real and personal property between the
629 parties set forth in any final decree entered pursuant to chapter 815j and
630 the benefits accruing to the child as the result of such division. No order
631 for periodic payment of support may be subject to retroactive
632 modification, except that the family support magistrate may order
633 modification with respect to any period during which there is a pending
634 motion for modification of a support order from the date of service of
635 notice of such pending motion to the opposing party pursuant to section
636 52-50; [.] and

637 (5) In proceedings before the Family Support Magistrate Division
638 under the Uniform Interstate Family Support Act (A) perform clerical,

639 administrative and other nonjudicial functions on behalf of the Family
640 Support Magistrate Division; (B) maintain a registry of support orders
641 and judgments; and (C) assist the IV-D agency in performing its
642 functions under sections 46b-398 to 46b-410, inclusive.

643 Sec. 27. Subsection (e) of section 46b-461 of the 2022 supplement to
644 the general statutes is repealed and the following is substituted in lieu
645 thereof (*Effective October 1, 2022*):

646 (e) In IV-D support cases, as defined in section 46b-231, as amended
647 by this act, and in petitions brought under sections 46b-301 to 46b-425,
648 inclusive, venue for a proceeding to adjudicate parentage is in the
649 Family Support Magistrate Division serving the judicial district where
650 the parent who gave birth or the alleged parent resides.

651 Sec. 28. Subsection (e) of section 46b-489 of the 2022 supplement to
652 the general statutes is repealed and the following is substituted in lieu
653 thereof (*Effective October 1, 2022*):

654 (e) A presumption of parentage under subdivision (3) of subsection
655 (a) of section 46b-488, can be challenged if such other parent openly held
656 out the child as the presumed parent's child due to duress, coercion or
657 threat of harm. Evidence of duress, coercion or threat of harm may
658 include: (1) Whether within the ten-year period preceding the date of
659 the proceeding, the presumed parent: (A) Has been convicted of
660 domestic assault, sexual assault or sexual exploitation of the child or a
661 parent of the child; (B) has been convicted of a family violence crime, as
662 defined in section 46b-38a; (C) is or has been subject to an order of
663 protection pursuant to [sections] section 46b-15, 46b-16a, as amended by
664 this act, 46b-38c [.] or 54-1k; (D) was found to have committed abuse
665 against the child or a parent of the child; or (E) was substantiated for
666 abuse against the child or a parent of the child; (2) a sworn affidavit from
667 a domestic violence counselor or sexual assault counselor, as defined in
668 section 52-146k, provided the person who had confidential
669 communications with the domestic violence counselor or sexual assault
670 counselor has waived the privilege, in which case disclosure shall be
671 made pursuant to section 52-146k; or (3) other credible evidence of

672 abuse against the parent of the child or the child, including, but not
673 limited to, the parent's or child's sworn affidavit or an affidavit from a
674 social service provider, health care provider, clergy person, attorney, or
675 other professional from whom the parent or child sought assistance
676 regarding the abuse.

677 Sec. 29. Subsection (b) of section 46b-490 of the 2022 supplement to
678 the general statutes is repealed and the following is substituted in lieu
679 thereof (*Effective October 1, 2022*):

680 (b) A parent of the child may use evidence of duress, coercion or
681 threat of harm to contest an allegation that the parent fostered or
682 supported a bonded and dependent relationship as described in
683 subdivision (6) of subsection (a) of this section. Such evidence may
684 include: (1) Whether within a ten-year period preceding the date of the
685 proceeding, the person seeking to be adjudicated a de facto parent: (A)
686 Has been convicted of domestic assault, sexual assault or sexual
687 exploitation of the child or a parent of the child; (B) has been convicted
688 of a family violence crime, as defined in section 46b-38a; (C) is or has
689 been subject to an order of protection pursuant to [sections] section 46b-
690 15, 46b-16a, as amended by this act, 46b-38c [,] or 54-1k; (D) was found
691 to have committed abuse against the child or a parent of the child; or (E)
692 was substantiated for abuse against the child or a parent of the child; (2)
693 a sworn affidavit from a domestic violence counselor or sexual assault
694 counselor, as defined in section 52-146k, provided the person who had
695 confidential communications with the domestic violence counselor or
696 sexual assault counselor has waived the privilege, in which case
697 disclosure shall be made pursuant to section 52-146k; or (3) other
698 credible evidence of abuse against the parent of the child or the child,
699 including, but not limited to, the parent's or child's sworn affidavit or
700 an affidavit from a social service provider, health care provider, clergy
701 person, attorney, or other professional from whom the parent or child
702 sought assistance regarding the abuse.

703 Sec. 30. Subsection (c) of section 51-217 of the 2022 supplement to the
704 general statutes is repealed and the following is substituted in lieu

705 thereof (*Effective October 1, 2022*):

706 (c) The Jury Administrator shall have the authority to establish and
707 maintain a list of persons to be excluded from the summoning process,
708 which shall consist of (1) persons who are disqualified from serving on
709 jury duty on a permanent basis due to a disability for which a licensed
710 physician, a physician assistant or an advanced practice registered nurse
711 has submitted a letter stating the physician's, physician assistant's or
712 advanced practice registered nurse's opinion that such disability
713 permanently prevents the person from rendering satisfactory jury
714 service, (2) persons seventy-five years of age or older who have
715 requested not to be summoned, (3) elected officials enumerated in
716 subdivision (4) of subsection (a) of this section and judges enumerated
717 in subdivision (5) of subsection (a) of this section during their term of
718 office, and (4) persons excused from jury service pursuant to section 51-
719 217a who have not requested to be summoned for jury service pursuant
720 to said section. Persons requesting to be excluded pursuant to
721 subdivisions (1) and (2) of this subsection [must] shall provide the Jury
722 Administrator with their names, addresses, dates of birth and federal
723 Social Security numbers for use in matching. The request to be excluded
724 may be rescinded at any time with written notice to the Jury
725 Administrator.

726 Sec. 31. Subsection (a) of section 51-277a of the 2022 supplement to
727 the general statutes is repealed and the following is substituted in lieu
728 thereof (*Effective October 1, 2022*):

729 (a) (1) Whenever a peace officer, in the performance of such officer's
730 duties, uses physical force upon another person and such person dies as
731 a result thereof or uses deadly force, as defined in section 53a-3, upon
732 another person, the Division of Criminal Justice shall cause an
733 investigation to be made and the Inspector General shall have the
734 responsibility of determining whether the use of physical force by the
735 peace officer was justifiable under section 53a-22.

736 (2) (A) Except as provided under subdivision (1) of this subsection,
737 whenever a person dies in the custody of a peace officer or law

738 enforcement agency, the Inspector General shall investigate and
739 determine whether physical force was used by a peace officer upon the
740 deceased person, and if so, whether the use of physical force by the
741 peace officer was justifiable under section 53a-22. If the Inspector
742 General determines the deceased person may have died as a result of
743 criminal action not involving the use of force by a peace officer, the
744 Inspector General shall refer such case to the Chief State's Attorney or a
745 state's attorney for potential prosecution.

746 (B) Except as provided under subdivision (1) of this subsection or
747 subparagraph (A) of subdivision (2) of this subsection, whenever a
748 person dies in the custody of the Commissioner of Correction, the
749 Inspector General shall investigate and determine whether the deceased
750 person may have died as a result of criminal action, and, if so, refer such
751 case to the Chief State's Attorney or a state's attorney for potential
752 prosecution.

753 (3) The Inspector General shall request the appropriate law
754 enforcement agency to provide such assistance as is necessary to
755 investigate and make a determination under subdivision (1) or (2) of this
756 subsection.

757 (4) Whenever a peace officer, in the performance of such officer's
758 duties, uses physical force or deadly force upon another person and
759 such person dies as a result thereof, the Inspector General shall complete
760 a preliminary status report that shall include, but need not be limited to,
761 (A) the name of the deceased person, (B) the gender, race, ethnicity and
762 age of the deceased person, (C) the date, time and location of the injury
763 causing such death, (D) the law enforcement agency involved, (E) the
764 status on the toxicology report, if available, and (F) the death certificate,
765 if available. The Inspector General shall complete the report and submit
766 a copy of such report not later than five business days after the cause of
767 the death is available to the Chief State's Attorney and, in accordance
768 with the provisions of section 11-4a, to the joint standing committees of
769 the General Assembly having cognizance of matters relating to the
770 judiciary and public safety.

771 Sec. 32. Subsection (c) of section 54-56e of the 2022 supplement to the
772 general statutes is repealed and the following is substituted in lieu
773 thereof (*Effective October 1, 2022*):

774 (c) This section shall not be applicable: (1) To any person charged
775 with (A) a class A felony, (B) a class B felony, except a violation of
776 subdivision (1), (2) or (3) of subsection (a) of section 53a-122 that does
777 not involve the use, attempted use or threatened use of physical force
778 against another person, or a violation of subdivision (4) of subsection (a)
779 of section 53a-122 that does not involve the use, attempted use or
780 threatened use of physical force against another person and does not
781 involve a violation by a person who is a public official, as defined in
782 section 1-110, or a state or municipal employee, as defined in section 1-
783 110, or (C) a violation of section 53a-70b of the general statutes, revision
784 of 1958, revised to January 1, 2019, or section 14-227a or 14-227m,
785 subdivision (1) or (2) of subsection (a) of section 14-227n, subdivision (2)
786 of subsection (a) of section 53-21 or section 53a-56b, 53a-60d, 53a-70, 53a-
787 70a, 53a-71, except as provided in subdivision (5) of this subsection, 53a-
788 72a, 53a-72b, 53a-90a, 53a-196e or 53a-196f, (2) to any person charged
789 with a crime or motor vehicle violation who, as a result of the
790 commission of such crime or motor vehicle violation, causes the death
791 of another person, (3) to any person accused of a family violence crime
792 as defined in section 46b-38a who (A) is eligible for the pretrial family
793 violence education program established under section 46b-38c, or (B)
794 has previously had the pretrial family violence education program
795 invoked in such person's behalf, (4) to any person charged with a
796 violation of section 21a-267, 21a-279 or 21a-279a, who (A) is eligible for
797 the pretrial drug education and community service program established
798 under section 54-56i or the pretrial drug intervention and community
799 service program established under section 54-56q, as amended by this
800 act, or (B) has previously had (i) the pretrial drug education program,
801 (ii) the pretrial drug education and community service program
802 established under the provisions of section 54-56i, or (iii) the pretrial
803 drug intervention and community service program established under
804 section 54-56q, as amended by this act, invoked on such person's behalf,
805 (5) unless good cause is shown, to (A) any person charged with a class

806 C felony, or (B) any person charged with committing a violation of
807 subdivision (1) of subsection (a) of section 53a-71 while such person was
808 less than four years older than the other person, (6) to any person
809 charged with a violation of section 9-359 or 9-359a, (7) to any person
810 charged with a motor vehicle violation (A) while operating a
811 commercial motor vehicle, as defined in section 14-1, or (B) who holds a
812 commercial driver's license or commercial driver's instruction permit at
813 the time of the violation, (8) to any person charged with a violation of
814 subdivision (6) of subsection (a) of section 53a-60, or (9) to a health care
815 provider or vendor participating in the state's Medicaid program
816 charged with a violation of section 53a-122 or subdivision (4) of
817 subsection (a) of section 53a-123.

818 Sec. 33. Subsection (b) of section 54-56k of the 2022 supplement to the
819 general statutes, as amended by section 172 of public act 21-1 of the June
820 special session, is repealed and the following is substituted in lieu
821 thereof (*Effective October 1, 2022*):

822 (b) There shall be deposited in the pretrial account (1) all evaluation
823 fees collected pursuant to subsection (a) of section 54-56g and subsection
824 (b) of section 54-56i, (2) all program fees collected pursuant to
825 subsections (c) and (e) of section 54-56g and subsections (g) and (i) of
826 section 54-56i funds appropriated in subsection (a) of section 47 of
827 special act 01-1 of the June special session, (3) fees collected pursuant to
828 subdivision (2) of subsection (b), subdivision (1) of subsection (e) and
829 subparagraph (A) of subdivision (2) of subsection (k) of section 54-56q,
830 and (4) the evaluation fee collected pursuant to subdivision (2) of
831 subsection (b), and fees collected pursuant to subdivision (1) of
832 subsection (f) and subparagraph (A) of subdivision (2) of subsection (m)
833 of section 54-56r.

834 Sec. 34. Subdivision (1) of subsection (c) of section 54-56q of the 2022
835 supplement to the general statutes is repealed and the following is
836 substituted in lieu thereof (*Effective October 1, 2022*):

837 (c) (1) The court, after consideration of the recommendation of the
838 state's attorney, assistant state's attorney or deputy assistant state's

839 attorney in charge of the case, may [, in its discretion,] grant the
840 application for, and place the applicant in, the pretrial drug intervention
841 and community service program for a period of one year, subject to
842 confirmation of the applicant's eligibility to participate in the program.

843 Sec. 35. Subsection (a) of section 54-56r of the 2022 supplement to the
844 general statutes is repealed and the following is substituted in lieu
845 thereof (*Effective October 1, 2022*):

846 (a) (1) There is established a pretrial impaired driving intervention
847 program for persons charged with a violation of section 14-227a,
848 [section] 14-227g, [section] 14-227m, [section] 14-227n, subsection (d) of
849 section 15-133 or section 15-140n. The program shall consist of a twelve-
850 session alcohol education component or a substance use treatment
851 component of not less than fifteen sessions, and may also include a
852 victim impact component, as ordered by the court pursuant to
853 subsection (d) of this section.

854 (2) The provisions of this section shall not apply to any person:

855 (A) Who has been placed in the pretrial impaired driving intervention
856 program under this section or the pretrial alcohol education program
857 established under section 54-56g, within ten years immediately
858 preceding the application;

859 (B) Who has been convicted of a violation of section 14-227a, [section]
860 14-227g, [section] 14-227m, [section] 14-227n, [section] 15-132a,
861 subsection (d) of section 15-133 [,] or section 15-140l, [section] 15-140n,
862 [section] 53a-56b or [section] 53a-60d;

863 (C) Who has been convicted in any other state at any time of an
864 offense the essential elements of which are substantially the same as any
865 statutory provision set forth in subparagraph (B) of this subdivision;

866 (D) Who is charged with a violation of section 14-227a, 14-227g, 14-
867 227m or 14-227n (i) and held a commercial driver's license or
868 commercial driver's instruction permit at the time of the violation; or (ii)
869 while operating a commercial motor vehicle, as defined in section 14-1;

870 or

871 (3) Whose alleged violation caused the serious physical injury, as
872 defined in section 53a-3, of another person, unless good cause is shown.

873 Sec. 36. Subdivision (1) of subsection (m) of section 54-56r of the 2022
874 supplement to the general statutes is repealed and the following is
875 substituted in lieu thereof (*Effective October 1, 2022*):

876 (m) (1) Any person whose participation in the program is terminated
877 may ask the court to reinstate such person into the program up to two
878 times. If a person requests reinstatement into the program, the Court
879 Support Services Division shall verify that such person is eligible for
880 such reinstatement. If a person requesting reinstatement into the
881 program is eligible for reinstatement, the court may [, in its discretion,]
882 grant such person reinstatement into the program. When granting such
883 reinstatement, the court shall order the defendant to participate in an
884 appropriate alcohol education, substance use treatment or victim impact
885 component of the program.

886 Sec. 37. Subdivision (2) of subsection (o) of section 54-56r of the 2022
887 supplement to the general statutes is repealed and the following is
888 substituted in lieu thereof (*Effective October 1, 2022*):

889 (2) For any person charged with a violation of section 14-227a,
890 [section] 14-227g, [section] 14-227m or [section] 14-227n whose charges
891 were dismissed pursuant to the provisions of this section, the division
892 shall transmit to the Department of Motor Vehicles the record of such
893 person's participation in the program. The Department of Motor
894 Vehicles shall maintain the record of any person's participation in such
895 program as part of such person's driving record for a period of ten years.

896 Sec. 38. Subsections (a) and (b) of section 54-64a of the 2022
897 supplement to the general statutes are repealed and the following is
898 substituted in lieu thereof (*Effective October 1, 2022*):

899 (a) (1) Except as provided in subdivision (2) of this subsection and
900 subsection (b) of this section, when any arrested person is presented

901 before the Superior Court, said court shall, in bailable offenses,
902 promptly order the release of such person upon the first of the following
903 conditions of release found sufficient to reasonably ensure the
904 appearance of the arrested person in court: (A) Upon execution of a
905 written promise to appear without special conditions, (B) upon
906 execution of a written promise to appear with nonfinancial conditions,
907 (C) upon execution of a bond without surety in no greater amount than
908 necessary, or (D) upon execution of a bond with surety in no greater
909 amount than necessary, but in no event shall a judge prohibit a bond
910 from being posted by surety. In addition to or in conjunction with any
911 of the conditions enumerated in subparagraphs (A) to (D), inclusive, of
912 this subdivision the court may, when it has reason to believe that the
913 person is drug-dependent and where necessary, reasonable and
914 appropriate, order the person to submit to a urinalysis drug test and to
915 participate in a program of periodic drug testing and treatment. The
916 results of any such drug test shall not be admissible in any criminal
917 proceeding concerning such person.

918 (2) If the arrested person is charged with no offense other than a
919 misdemeanor, the court shall not impose financial conditions of release
920 on the person unless (A) the person is charged with a family violence
921 crime, as defined in section 46b-38a, or (B) the person requests such
922 financial conditions, or (C) the court makes a finding on the record that
923 there is a likely risk that (i) the arrested person will fail to appear in
924 court, as required, or (ii) the arrested person will obstruct or attempt to
925 obstruct justice, or threaten, injure or intimidate or attempt to threaten,
926 injure or intimidate a prospective witness or juror, or (iii) the arrested
927 person will engage in conduct that threatens the safety of himself or
928 herself or another person. In making a finding described in this
929 subsection, the court may consider past criminal history, including any
930 prior record of failing to appear as required in court that resulted in any
931 conviction for a violation of section 53a-172 or any conviction during the
932 previous ten years for a violation of section 53a-173 and any other
933 pending criminal cases of the person charged with a misdemeanor.

934 (3) The court may, in determining what conditions of release will

935 reasonably ensure the appearance of the arrested person in court,
936 consider the following factors: (A) The nature and circumstances of the
937 offense, (B) such person's record of previous convictions, (C) such
938 person's past record of appearance in court, (D) such person's family
939 ties, (E) such person's employment record, (F) such person's financial
940 resources, character and mental condition, (G) such person's community
941 ties, and (H) in the case of a violation of section 53a-222a when the
942 condition of release was issued for a family violence crime, as defined
943 in section 46b-38a, the heightened risk posed to victims of family
944 violence by violations of conditions of release.

945 (b) (1) When any arrested person charged with the commission of a
946 class A felony, a class B felony, except a violation of section 53a-86 or
947 53a-122, a class C felony, except a violation of section 53a-87, 53a-152 or
948 53a-153, or a class D felony under sections 53a-60 to 53a-60c, inclusive,
949 section 53a-72a, 53a-95, 53a-103, 53a-103a, 53a-114, 53a-136 or 53a-216,
950 or a family violence crime, as defined in section 46b-38a, is presented
951 before the Superior Court, said court shall, in bailable offenses,
952 promptly order the release of such person upon the first of the following
953 conditions of release found sufficient to reasonably ensure the
954 appearance of the arrested person in court and that the safety of any
955 other person will not be endangered: (A) Upon such person's execution
956 of a written promise to appear without special conditions, (B) upon such
957 person's execution of a written promise to appear with nonfinancial
958 conditions, (C) upon such person's execution of a bond without surety
959 in no greater amount than necessary, or (D) upon such person's
960 execution of a bond with surety in no greater amount than necessary,
961 but in no event shall a judge prohibit a bond from being posted by
962 surety. In addition to or in conjunction with any of the conditions
963 enumerated in subparagraphs (A) to (D), inclusive, of this subdivision,
964 the court may, when it has reason to believe that the person is drug-
965 dependent and where necessary, reasonable and appropriate, order the
966 person to submit to a urinalysis drug test and to participate in a program
967 of periodic drug testing and treatment. The results of any such drug test
968 shall not be admissible in any criminal proceeding concerning such
969 person.

970 (2) The court may, in determining what conditions of release will
971 reasonably ensure the appearance of the arrested person in court and
972 that the safety of any other person will not be endangered, consider the
973 following factors: (A) The nature and circumstances of the offense, (B)
974 such person's record of previous convictions, (C) such person's past
975 record of appearance in court after being admitted to bail, (D) such
976 person's family ties, (E) such person's employment record, (F) such
977 person's financial resources, character and mental condition, (G) such
978 person's community ties, (H) the number and seriousness of charges
979 pending against the arrested person, (I) the weight of the evidence
980 against the arrested person, (J) the arrested person's history of violence,
981 (K) whether the arrested person has previously been convicted of
982 similar offenses while released on bond, (L) the likelihood based upon
983 the expressed intention of the arrested person that such person will
984 commit another crime while released, and (M) the heightened risk
985 posed to victims of family violence by violations of conditions of release
986 and court orders of protection.

987 (3) When imposing conditions of release under this subsection, the
988 court shall state for the record any factors under subdivision (2) of this
989 subsection that it considered and the findings that it made as to the
990 danger, if any, that the arrested person might pose to the safety of any
991 other person upon the arrested person's release that caused the court to
992 impose the specific conditions of release that it imposed.

993 Sec. 39. Subdivision (1) of section 54-125j of the 2022 supplement to
994 the general statutes is repealed and the following is substituted in lieu
995 thereof (*Effective October 1, 2022*):

996 (1) Outcomes of preliminary hearings, including whether (A)
997 probable cause of a parole violation was found and that the alleged
998 violation was serious enough to warrant revocation of parole, (B)
999 probable cause of a parole violation was found, but the alleged violation
1000 was not serious enough to warrant revocation of parole, and (C) no
1001 probable cause of a parole violation was found;

1002 Sec. 40. Section 54-142d of the 2022 supplement to the general

1003 statutes, as amended by section 4 of public act 21-32, is repealed and the
 1004 following is substituted in lieu thereof (*Effective January 1, 2023*):

1005 Whenever any person has been convicted of an offense in any court
 1006 in this state and such offense has been decriminalized subsequent to the
 1007 date of such conviction, such person may file a petition with the
 1008 [superior court] Superior Court at the location in which such conviction
 1009 was effected, or with the [superior court] Superior Court at the location
 1010 having custody of the records of such conviction if such conviction was
 1011 in the Court of Common Pleas, Circuit Court, municipal court or by a
 1012 trial justice, in the Superior Court where venue would currently exist for
 1013 criminal prosecution, for an order of erasure, and the Superior Court
 1014 shall immediately direct all police and court records and records of the
 1015 state's or prosecuting attorney pertaining to such offense to be
 1016 physically destroyed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	3-129f(e)
Sec. 2	<i>October 1, 2022</i>	4-142a(a)(1)
Sec. 3	<i>October 1, 2022</i>	4-160(a)
Sec. 4	<i>October 1, 2022</i>	4-160(f)
Sec. 5	<i>October 1, 2022</i>	4-190
Sec. 6	<i>October 1, 2022</i>	7-51a(a)
Sec. 7	<i>January 1, 2023</i>	8-265c
Sec. 8	<i>October 1, 2022</i>	22-4c(a)
Sec. 9	<i>October 1, 2022</i>	27-103(c)(2)
Sec. 10	<i>October 1, 2022</i>	30-89(a)
Sec. 11	<i>October 1, 2022</i>	31-232c
Sec. 12	<i>October 1, 2022</i>	31-232h
Sec. 13	<i>October 1, 2022</i>	31-232i
Sec. 14	<i>October 1, 2022</i>	31-236(a)(9)
Sec. 15	<i>October 1, 2022</i>	31-237d(b)
Sec. 16	<i>October 1, 2022</i>	31-374(f)(1)
Sec. 17	<i>October 1, 2022</i>	45a-186b
Sec. 18	<i>October 1, 2022</i>	45a-604(2)
Sec. 19	<i>October 1, 2022</i>	46a-54(15)
Sec. 20	<i>January 1, 2023</i>	46a-79

Sec. 21	<i>October 1, 2022</i>	46a-170(b)
Sec. 22	<i>October 1, 2022</i>	46b-1(b)
Sec. 23	<i>June 1, 2022</i>	46b-15e(a)
Sec. 24	<i>October 1, 2022</i>	46b-16a(b)
Sec. 25	<i>October 1, 2022</i>	46b-231(m)(5)
Sec. 26	<i>October 1, 2022</i>	46b-231(s)(4) and (5)
Sec. 27	<i>October 1, 2022</i>	46b-461(e)
Sec. 28	<i>October 1, 2022</i>	46b-489(e)
Sec. 29	<i>October 1, 2022</i>	46b-490(b)
Sec. 30	<i>October 1, 2022</i>	51-217(c)
Sec. 31	<i>October 1, 2022</i>	51-277a(a)
Sec. 32	<i>October 1, 2022</i>	54-56e(c)
Sec. 33	<i>October 1, 2022</i>	54-56k(b)
Sec. 34	<i>October 1, 2022</i>	54-56q(c)(1)
Sec. 35	<i>October 1, 2022</i>	54-56r(a)
Sec. 36	<i>October 1, 2022</i>	54-56r(m)(1)
Sec. 37	<i>October 1, 2022</i>	54-56r(o)(2)
Sec. 38	<i>October 1, 2022</i>	54-64a(a) and (b)
Sec. 39	<i>October 1, 2022</i>	54-125j(1)
Sec. 40	<i>January 1, 2023</i>	54-142d

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill makes technical changes to the general statutes and does not result in a fiscal impact.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**SB 440****AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES.****SUMMARY**

This bill corrects certain statutory references and makes various other technical changes throughout the general statutes.

EFFECTIVE DATE: October 1, 2022, except June 1, 2022 (§ 23) and January 1, 2023 (§§ 7, 20 & 40) for certain provisions to conform to other statutory changes taking effect on those dates.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 39 Nay 0 (03/29/2022)