



General Assembly

Amendment

February Session, 2022

LCO No. 5807



Offered by:

REP. STAFSTROM, 129th Dist.

REP. WALKER, 93rd Dist.

REP. FISHBEIN, 90th Dist.

To: Subst. House Bill No. 5417

File No. 525

Cal. No. 387

**"AN ACT CONCERNING JUVENILE JUSTICE AND SERVICES,
FIREARMS BACKGROUND CHECKS, AND LARCENY OF A MOTOR
VEHICLE."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsections (a) to (e), inclusive, of section 46b-133 of the
4 2022 supplement to the general statutes are repealed and the following
5 is substituted in lieu thereof (*Effective October 1, 2022*):

6 (a) Nothing in this part shall be construed as preventing the arrest of
7 a child, with or without a warrant, as may be provided by law, or as
8 preventing the issuance of warrants by judges in the manner provided
9 by section 54-2a, except that no child shall be taken into custody on such
10 process except on apprehension in the act, or on speedy information, or
11 in other cases when the use of such process appears imperative.
12 Whenever a child is arrested and charged with a delinquent act, such

13 child (1) shall be brought before a judge of the Superior Court not later
14 than the fifth business day after such arrest, unless required sooner
15 pursuant to subsection (e) of this section, and (2) may be required to
16 submit to the taking of his photograph, physical description and
17 fingerprints. Notwithstanding the provisions of section 46b-124, as
18 amended by this act, the name, photograph and custody status of any
19 child arrested for the commission of a capital felony under the
20 provisions of section 53a-54b in effect prior to April 25, 2012, or class A
21 felony may be disclosed to the public.

22 (b) Whenever a child is brought before a judge of the Superior Court,
23 which court shall be the court that has jurisdiction over juvenile matters
24 where the child resides if the residence of such child can be determined,
25 such judge shall immediately have the case proceeded upon as a
26 juvenile matter. Such judge may admit the child to bail or release the
27 child in the custody of the child's parent or parents, the child's guardian
28 or some other suitable person to appear before the Superior Court when
29 ordered. If there is probable cause to believe that the child has
30 committed the acts alleged, the court may consider if the child should
31 be assessed for services. Such assessment shall be held not later than two
32 weeks after the child is arraigned and such child shall have the right to
33 counsel at such assessment. If detention becomes necessary, such
34 detention shall be in the manner prescribed by this chapter, provided
35 the child shall be placed in the least restrictive environment possible in
36 a manner consistent with public safety.

37 (c) (1) Upon the arrest of any child by an officer, such officer may [(1)
38 (A) release the child to the custody of the child's parent or parents,
39 guardian or some other suitable person or agency, [(2) (B) at the
40 discretion of the officer, release the child to the child's own custody, or
41 [(3) (C) using the form prescribed pursuant to section 46b-133p, as
42 amended by this act, seek a court order to detain the child in a juvenile
43 residential center. No child may be placed in a juvenile residential center
44 unless a judge of the Superior Court determines, based on the available
45 facts, that [(A) (i) there is probable cause to believe that the child has
46 committed the acts alleged, [(B) there is no appropriate less restrictive

47 alternative available] (ii) detention of the child is more reasonable than
48 an appropriate less restrictive alternative, and [(C)] (iii) there is [(i)] (I)
49 probable cause to believe that the level of risk that the child poses to
50 public safety if released to the community prior to the court hearing or
51 disposition cannot be managed in a less restrictive setting, [(ii)] (II) a
52 need to hold the child in order to ensure the child's appearance before
53 the court or compliance with court process, as demonstrated by the
54 child's previous failure to respond to the court process, or [(iii)] (III) a
55 need to hold the child for another jurisdiction. No child shall be held in
56 any juvenile residential center unless an order to detain is issued by a
57 judge of the Superior Court. If any such judge declines to detain a child,
58 such judge shall articulate the reasons in writing, upon the form
59 submitted in accordance with subparagraph (C) of this subdivision, for
60 not holding the child in a juvenile residential center.

61 (2) A judge of the Superior Court may order any child who is released
62 into the custody of his or her parent or guardian or some other suitable
63 person or agency after being charged with a second or subsequent
64 delinquency offense involving a motor vehicle, as defined in section
65 46b-133j, as amended by this act, or property theft, to be electronically
66 monitored by using a global positioning system device until such child's
67 case is disposed of or earlier upon order of the court. Any failure by the
68 child to adhere to the judge's order concerning electronic monitoring
69 may result in immediate detention of such child.

70 (d) When a child is arrested for the commission of a delinquent act
71 and the child is not placed in a juvenile residential center or referred to
72 a diversionary program, an officer shall serve a written complaint and
73 summons on the child and the child's parent, guardian or some other
74 suitable person or agency. If such child is released to the child's own
75 custody, the officer shall make reasonable efforts to notify, and to
76 provide a copy of a written complaint and summons to, the parent or
77 guardian or some other suitable person or agency prior to the court date
78 on the summons. If any person so summoned wilfully fails to appear in
79 court at the time and place so specified, the court may issue a warrant
80 for the child's arrest or a *habeas corpus* to assure the appearance in court of such

81 parent, guardian or other person. If a child wilfully fails to appear in
82 response to such a summons, the court may order such child taken into
83 custody and such child may be charged with the delinquent act of wilful
84 failure to appear under section 46b-120, as amended by this act. The
85 court may punish for contempt, as provided in section 46b-121, any
86 parent, guardian or other person so summoned who wilfully fails to
87 appear in court at the time and place so specified.

88 (e) When a child is arrested for the commission of a delinquent act
89 and is placed in a juvenile residential center pursuant to subsection (c)
90 of this section, such child may be detained pending a hearing which
91 shall be held on the business day next following the child's arrest. No
92 child may be detained after such hearing unless the court determines,
93 based on the available facts, that (1) there is probable cause to believe
94 that the child has committed the acts alleged, (2) there is no less
95 restrictive alternative available, and (3) through the use of the detention
96 risk screening instrument developed pursuant to section 46b-133g, that
97 there is (A) probable cause to believe that the level of risk the child poses
98 to public safety if released to the community prior to the court hearing
99 or disposition cannot be managed in a less restrictive setting, [;] (B) a
100 need to hold the child in order to ensure the child's appearance before
101 the court or compliance with court process, as demonstrated by the
102 child's previous failure to respond to the court process, or (C) a need to
103 hold the child for another jurisdiction. Such probable cause may be
104 shown by sworn affidavit in lieu of testimony. No child shall be released
105 from a juvenile residential center who is alleged to have committed a
106 serious juvenile offense except by order of a judge of the Superior Court.
107 The court may, in its discretion, consider as an alternative to detention
108 a suspended detention order with graduated sanctions to be imposed
109 based on the detention risk screening for such child, using the
110 instrument developed pursuant to section 46b-133g. Any child confined
111 in a community correctional center or lockup shall be held in an area
112 separate and apart from any adult detainee, except in the case of a
113 nursing infant, and no child shall at any time be held in solitary
114 confinement. [or] No such child may be held for a period that exceeds

115 six hours, except such child may be held for a period that does not
116 exceed eight hours in a case where an officer has submitted an
117 application for an order of detention and the judge has not yet ruled on
118 such application, or if such officer has been unable to contact such
119 child's parent or guardian. When a female child is held in custody, she
120 shall, as far as possible, be in the charge of a woman attendant.

121 Sec. 2. Section 46b-133d of the general statutes is repealed and the
122 following is substituted in lieu thereof (*Effective October 1, 2022*):

123 (a) For the purposes of this section, "special juvenile probation"
124 means a period of probation imposed by the superior court for juvenile
125 matters upon a child in a proceeding designated as a serious homicide,
126 firearm or sexual offender prosecution during which the child is
127 supervised by a juvenile probation officer prior to such child attaining
128 eighteen years of age and by an adult probation officer after such child
129 attains eighteen years of age.

130 (b) Whenever a child is referred for (1) the commission of any crime
131 of (A) murder or manslaughter in the first degree, (B) a violation of
132 section 53a-56a, 53a-60a, 53a-60c, 53a-92a, 53a-94a, 53a-102a, 53a-103a or
133 53a-212, or (C) a violation of section 53a-59, 53a-101 or 53a-136a if such
134 violation involved the use of a firearm, or (2) the commission of any
135 crime of a sexual nature, and such case is not transferred to the regular
136 criminal docket pursuant to section 46b-127, the prosecutorial official
137 may request the court to designate the proceeding as a serious homicide,
138 firearm or sexual offender prosecution.

139 (c) If a prosecutorial official requests that a proceeding be designated
140 as a serious homicide, firearm or sexual offender prosecution, the court
141 shall hold a hearing not later than thirty days after the filing of such
142 request unless good cause is shown by the prosecutorial official or by
143 the child as to why the hearing should not be held within such period.
144 If good cause is shown, the hearing shall be held not later than ninety
145 days after the filing of such request. The court shall decide whether to
146 designate the proceeding as a serious homicide, firearm or sexual

147 offender prosecution not later than thirty days after the completion of
148 such hearing. The court shall grant the request to designate the
149 proceeding as a serious homicide, firearm or sexual offender
150 prosecution if the court finds probable cause to believe the child has
151 committed the felony act charged and the prosecutorial official shows
152 by [a preponderance of the] clear and convincing evidence that such
153 designation will serve the public safety. The decision to designate the
154 proceeding as a serious homicide, firearm or sexual offender
155 prosecution shall not be a final judgment for purposes of appeal.

156 (d) A proceeding designated as a serious homicide, firearm or sexual
157 offender prosecution pursuant to subsection (c) of this section shall be
158 held before the court without a jury provided the child has waived the
159 right to a trial by jury. If a child is convicted of or pleads guilty or nolo
160 contendere to a charge in a proceeding that has been designated as a
161 serious homicide, firearm or sexual offender prosecution, the court
162 shall: (1) Sentence the child in accordance with section 46b-140,
163 provided such sentence may be extended for a period not to exceed sixty
164 months, (2) sentence the child to a period of special juvenile probation
165 of at least five years, to commence upon the release of the child from the
166 institution, agency or program in whose care the child had been placed,
167 and (3) sentence the child in accordance with section 53a-28 with the
168 execution of such sentence stayed on the condition that the child not
169 violate the conditions of the sentence imposed pursuant to subdivisions
170 (1) and (2) of this subsection or commit a subsequent crime.

171 (e) Whenever [it appears] there is probable cause to believe that a
172 child who has been sentenced pursuant to subsection (d) of this section
173 has violated the conditions of the sentence imposed pursuant to
174 subdivision (2) of said subsection or has committed a subsequent crime,
175 the court may [, without notice, order that the child be immediately]
176 issue a warrant for the arrest of the child for a violation of the conditions
177 of the sentence imposed pursuant to subsection (d) of this section and
178 may order that the child be taken into custody in accordance with the
179 provisions of sections 46b-125 and 53a-32. If such violation of probation
180 or subsequent crime occurs prior to the person attaining eighteen years

181 of age, the matter shall be handled by the superior court for juvenile
182 matters. If such violation of probation or subsequent crime occurs after
183 the person has attained eighteen years of age, the matter shall be
184 handled by the regular criminal docket of the Superior Court. Whenever
185 such matter is handled by the superior court for juvenile matters, the
186 court shall notify the child and such child's parent or guardian and the
187 attorney of record, if any, in writing of the reasons alleged to exist for
188 the lifting of the stay of execution of the sentence imposed pursuant to
189 subdivision (3) of subsection (d) of this section. If the child challenges
190 such reasons, the court shall hold a hearing at which the child shall be
191 entitled to be heard and be represented by counsel. After such hearing,
192 if the court finds that (1) the child has violated the conditions of the
193 sentence imposed pursuant to subdivision (2) of subsection (d) of this
194 section, [or] (2) committed a subsequent crime, or (3) by clear and
195 convincing evidence that the best interest of the community cannot be
196 served by continued supervision by the superior court for juvenile
197 matters or in the community, it shall order the child to serve a sentence
198 not to exceed that imposed pursuant to subdivision (3) of subsection (d)
199 of this section unless it determines there are mitigating circumstances
200 that justify continuing the stay of execution and specifically states such
201 mitigating circumstances in writing for the record. The child shall
202 receive credit against any sentence imposed pursuant to subdivision (3)
203 of subsection (d) of this section for time served in a juvenile facility
204 pursuant to the sentence imposed pursuant to subdivision (1) of said
205 subsection.

206 (f) When a proceeding has been designated as a serious homicide,
207 firearm or sexual offender prosecution pursuant to subsection (c) of this
208 section and the child does not waive the right to a trial by jury, the court
209 shall transfer the case from the docket for juvenile matters to the regular
210 criminal docket of the Superior Court. Upon transfer, such child shall
211 stand trial and be sentenced, if convicted, as if such child were eighteen
212 years of age, subject to the provisions of section 54-91g, except that no
213 such child shall be placed in a correctional facility but shall be
214 maintained in a facility for children and youths until such child attains

215 eighteen years of age or until such child is sentenced, whichever occurs
216 first. Such child shall receive credit against any sentence imposed for
217 time served in a juvenile facility prior to the effectuation of the transfer.
218 A child who has been transferred may enter a guilty plea to a lesser
219 offense if the court finds that such plea is made knowingly and
220 voluntarily. Any child transferred to the regular criminal docket who
221 pleads guilty to a lesser offense shall not resume such child's status as a
222 juvenile regarding such offense. If the action is dismissed or nolleed or if
223 such child is found not guilty of the charge for which such child was
224 transferred, the child shall resume such child's status as a juvenile until
225 such child attains eighteen years of age.

226 Sec. 3. Subsection (c) of section 29-33 of the general statutes is
227 repealed and the following is substituted in lieu thereof (*Effective October*
228 *1, 2022*):

229 (c) No person, firm or corporation shall sell, deliver or otherwise
230 transfer any pistol or revolver except upon written application on a form
231 prescribed and furnished by the Commissioner of Emergency Services
232 and Public Protection. Such person, firm or corporation shall ensure that
233 all questions on the application are answered properly prior to releasing
234 the pistol or revolver and shall retain the application, which shall be
235 attached to the federal sale or transfer document, for at least twenty
236 years or until such vendor goes out of business. Such application shall
237 be available for inspection during normal business hours by law
238 enforcement officials. No sale, delivery or other transfer of any pistol or
239 revolver shall be made unless the person making the purchase or to
240 whom the same is delivered or transferred is personally known to the
241 person selling such pistol or revolver or making delivery or transfer
242 thereof or provides evidence of his identity in the form of a motor
243 vehicle operator's license, identity card issued pursuant to section 1-1h
244 or valid passport. No sale, delivery or other transfer of any pistol or
245 revolver shall be made until the person, firm or corporation making
246 such transfer obtains an authorization number from the Commissioner
247 of Emergency Services and Public Protection. Said commissioner shall
248 perform the national instant criminal background check and make a

249 reasonable effort to determine whether there is any reason that would
250 prohibit such applicant from possessing a pistol or revolver as provided
251 in section 53a-217c. If the commissioner determines the existence of such
252 a reason, the commissioner shall (1) deny the sale and no pistol or
253 revolver shall be sold, delivered or otherwise transferred by such
254 person, firm or corporation to such applicant, and (2) inform the chief of
255 police of the town in which the applicant resides, or, where there is no
256 chief of police, the warden of the borough or the first selectman of the
257 town, as the case may be, that there exists a reason that would prohibit
258 such applicant from possessing a pistol or revolver.

259 Sec. 4. Subsection (d) of section 29-37a of the general statutes is
260 repealed and the following is substituted in lieu thereof (*Effective October*
261 *1, 2022*):

262 (d) No person, firm or corporation may sell, deliver or otherwise
263 transfer, at retail, any long gun to any person unless such person makes
264 application on a form prescribed and furnished by the Commissioner of
265 Emergency Services and Public Protection, which shall be attached by
266 the transferor to the federal sale or transfer document and filed and
267 retained by the transferor for at least twenty years or until such
268 transferor goes out of business. Such application shall be available for
269 inspection during normal business hours by law enforcement officials.
270 No such sale, delivery or other transfer of any long gun shall be made
271 until the person, firm or corporation making such sale, delivery or
272 transfer has ensured that such application has been completed properly
273 and has obtained an authorization number from the Commissioner of
274 Emergency Services and Public Protection for such sale, delivery or
275 transfer. The Department of Emergency Services and Public Protection
276 shall make every effort, including performing the national instant
277 criminal background check, to determine if the applicant is eligible to
278 receive such long gun. If it is determined that the applicant is ineligible
279 to receive such long gun, the Commissioner of Emergency Services and
280 Public Protection shall immediately notify the (1) person, firm or
281 corporation to whom such application was made and no such long gun
282 shall be sold, delivered or otherwise transferred to such applicant by

283 such person, firm or corporation, and (2) chief of police of the town in
284 which the applicant resides, or, where there is no chief of police, the
285 warden of the borough or the first selectman of the town, as the case
286 may be, that the applicant is not eligible to receive a long gun. When any
287 long gun is delivered in connection with any sale or purchase, such long
288 gun shall be enclosed in a package, the paper or wrapping of which shall
289 be securely fastened, and no such long gun when delivered on any sale
290 or purchase shall be loaded or contain any gunpowder or other
291 explosive or any bullet, ball or shell. Upon the sale, delivery or other
292 transfer of the long gun, the transferee shall sign in triplicate a receipt
293 for such long gun, which shall contain the name, address and date and
294 place of birth of such transferee, the date of such sale, delivery or
295 transfer and the caliber, make, model and manufacturer's number and a
296 general description thereof. Not later than twenty-four hours after such
297 sale, delivery or transfer, the transferor shall send by first class mail or
298 electronically transfer one receipt to the Commissioner of Emergency
299 Services and Public Protection and one receipt to the chief of police or,
300 where there is no chief of police, the warden of the borough or the first
301 selectman, of the town in which the transferee resides, and shall retain
302 one receipt, together with the original application, for at least five years.

303 Sec. 5. Subsection (d) of section 46b-124 of the 2022 supplement to the
304 general statutes is repealed and the following is substituted in lieu
305 thereof (*Effective June 1, 2023*):

306 (d) Records of cases of juvenile matters involving delinquency
307 proceedings shall be available to (1) Judicial Branch employees who, in
308 the performance of their duties, require access to such records, (2) judges
309 and employees of the Probate Court who, in the performance of their
310 duties, require access to such records, and (3) employees and authorized
311 agents of municipal, state or federal agencies involved in (A) the
312 delinquency proceedings, (B) the provision of services directly to the
313 child, or (C) the delivery of court diversionary programs. Such
314 employees and authorized agents include, but are not limited to, law
315 enforcement officials, community-based youth service bureau officials,
316 state and federal prosecutorial officials, school officials in accordance

317 with section 10-233h, court officials including officials of both the
318 regular criminal docket and the docket for juvenile matters and officials
319 of the Division of Criminal Justice, the Division of Public Defender
320 Services, the Department of Children and Families, if the child is
321 committed pursuant to section 46b-129, provided such disclosure shall
322 be limited to (i) information that identifies the child as the subject of the
323 delinquency petition, or (ii) the records of the delinquency proceedings,
324 when the juvenile court orders the department to provide services to
325 said child, the Court Support Services Division and agencies under
326 contract with the Judicial Branch. Such records shall also be available to
327 (I) the attorney representing the child, including the Division of Public
328 Defender Services, in any proceeding in which such records are
329 relevant, (II) the parents or guardian of the child, until such time as the
330 subject of the record reaches the age of majority, (III) the subject of the
331 record, upon submission of satisfactory proof of the subject's identity,
332 pursuant to guidelines prescribed by the Office of the Chief Court
333 Administrator, provided the subject has reached the age of majority,
334 (IV) law enforcement officials and prosecutorial officials conducting
335 legitimate criminal investigations, as provided in subsection (o) of this
336 section or orders to detain pursuant to section 46b-133, as amended by
337 this act, (V) a state or federal agency providing services related to the
338 collection of moneys due or funding to support the service needs of
339 eligible juveniles, provided such disclosure shall be limited to that
340 information necessary for the collection of and application for such
341 moneys, (VI) members and employees of the Board of Pardons and
342 Paroles and employees of the Department of Correction who, in the
343 performance of their duties, require access to such records, provided the
344 subject of the record has been convicted of a crime in the regular
345 criminal docket of the Superior Court and such records are relevant to
346 the performance of a risk and needs assessment of such person while
347 such person is incarcerated, the determination of such person's
348 suitability for release from incarceration or for a pardon, or the
349 determination of the supervision and treatment needs of such person
350 while on parole or other supervised release, and (VII) members and
351 employees of the Judicial Review Council who, in the performance of

352 their duties related to said council, require access to such records.
353 Records disclosed pursuant to this subsection shall not be further
354 disclosed, except that information contained in such records may be
355 disclosed in connection with bail or sentencing reports in open court
356 during criminal proceedings involving the subject of such information,
357 or as otherwise provided by law.

358 Sec. 6. (NEW) (*Effective October 1, 2022*) (a) The Chief State's Attorney
359 shall develop, implement and update, as necessary, a training program
360 on a uniform process for applying for and seeking the issuance of a
361 detention order pursuant to section 46b-133 of the general statutes, as
362 amended by this act. The Chief State's Attorney shall administer such
363 program and any updated program to those persons required to
364 complete such program pursuant to subsection (b) of this section in a
365 manner and frequency determined by said administrator.

366 (b) Each prosecutorial official and peace officer, as defined in section
367 53a-3 of the general statutes, except any judicial marshal or adult
368 probation officer, shall complete the training program pursuant to
369 subsection (a) of this section and as directed by the Chief State's
370 Attorney.

371 Sec. 7. Section 46b-133p of the 2022 supplement to the general statutes
372 is repealed and the following is substituted in lieu thereof (*Effective*
373 *October 1, 2022*):

374 (a) Any law enforcement officer or prosecutorial official who sought
375 a court order to detain a child pursuant to subparagraph (C) of
376 subdivision [(3)] (1) of subsection (c) of section 46b-133, as amended by
377 this act, shall attach, along with the summons, a copy of the completed
378 form to detain that is prescribed by Office of the Chief Court
379 Administrator. On and after October 1, 2022, such form shall instruct
380 any judge who declines to detain such child to articulate in writing,
381 upon such form, the reasons for such declination.

382 (b) The Judicial Branch, the Division of Criminal Justice, the Division
383 of State Police within the Department of Emergency Services and Public

384 Protection and each municipal police department shall compile data
385 concerning requests by a law enforcement officer to detain a child
386 pursuant to subdivision (3) of subsection (c) of section 46b-133, as
387 amended by this act. The Judicial Branch, the Division of Criminal
388 Justice, the Division of State Police within the Department of Emergency
389 Services and Public Protection and each municipal police department
390 shall sort such data by judicial district and categorize such data based
391 on (1) how many such requests were made, and (2) how many such
392 requests were denied. Not later than January 15, 2023, and annually
393 thereafter, the Judicial Branch shall, in accordance with the provisions
394 of section 11-4a, report such data from the previous calendar year to the
395 joint standing committee of the General Assembly having cognizance of
396 matters relating to the judiciary.

397 Sec. 8. Section 53a-122 of the general statutes is repealed and the
398 following is substituted in lieu thereof (*Effective October 1, 2022*):

399 (a) A person is guilty of larceny in the first degree when [he] such
400 person commits larceny, as defined in section 53a-119, and: (1) The
401 property or service, regardless of its nature and value, is obtained by
402 extortion, (2) the value of the property or service exceeds twenty
403 thousand dollars, [(3) the property consists of a motor vehicle, the value
404 of which exceeds twenty thousand dollars, or (4)] or (3) the property is
405 obtained by defrauding a public community, and the value of such
406 property exceeds two thousand dollars.

407 [(b) For purposes of this section, "motor vehicle" means any motor
408 vehicle, construction equipment, agricultural tractor or farm implement
409 or major component part of any of the above. In any prosecution under
410 subdivision (3) of subsection (a) of this section, evidence of (1) forcible
411 entry, (2) forcible removal of ignition, or (3) alteration, mutilation or
412 removal of a vehicle identification number shall be prima facie evidence
413 (A) that the person in control or possession of such motor vehicle knows
414 or should have known that such motor vehicle is stolen, and (B) that
415 such person possesses such motor vehicle with larcenous intent.]

416 [(c)] (b) Larceny in the first degree is a class B felony.

417 Sec. 9. Section 53a-123 of the general statutes is repealed and the
418 following is substituted in lieu thereof (*Effective October 1, 2022*):

419 (a) A person is guilty of larceny in the second degree when [he] such
420 person commits larceny, as defined in section 53a-119, and: (1) The
421 [property consists of a motor vehicle, the value of which exceeds ten
422 thousand dollars, (2) the] value of the property or service exceeds ten
423 thousand dollars, [(3)] (2) the property, regardless of its nature or value,
424 is taken from the person of another, [(4)] (3) the property is obtained by
425 defrauding a public community, and the value of such property is two
426 thousand dollars or less, [(5)] (4) the property, regardless of its nature or
427 value, is obtained by embezzlement, false pretenses or false promise and
428 the victim of such larceny is sixty years of age or older, or is a conserved
429 person, as defined in section 45a-644, or is blind or physically disabled,
430 as defined in section 1-1f, or [(6)] (5) the property, regardless of its value,
431 consists of wire, cable or other equipment used in the provision of
432 telecommunications service and the taking of such property causes an
433 interruption in the provision of emergency telecommunications service.

434 [(b) For purposes of this section, "motor vehicle" means any motor
435 vehicle, construction equipment, agricultural tractor or farm implement
436 or major component part of any of the above. In any prosecution under
437 subdivision (1) of subsection (a) of this section, evidence of (1) forcible
438 entry, (2) forcible removal of ignition, or (3) alteration, mutilation or
439 removal of a vehicle identification number shall be prima facie evidence
440 (A) that the person in control or possession of such motor vehicle knows
441 or should have known that such motor vehicle is stolen, and (B) that
442 such person possesses such motor vehicle with larcenous intent.]

443 [(c)] (b) Larceny in the second degree is a class C felony.

444 Sec. 10. Section 53a-124 of the general statutes is repealed and the
445 following is substituted in lieu thereof (*Effective October 1, 2022*):

446 (a) A person is guilty of larceny in the third degree when [he] such

447 person commits larceny, as defined in section 53a-119, and: (1) The
448 [property consists of a motor vehicle, the value of which is ten thousand
449 dollars or less; (2) the] value of the property or service exceeds two
450 thousand dollars; [(3)] (2) the property consists of a public record,
451 writing or instrument kept, held or deposited according to law with or
452 in the keeping of any public office or public servant; or [(4)] (3) the
453 property consists of a sample, culture, microorganism, specimen,
454 record, recording, document, drawing or any other article, material,
455 device or substance which constitutes, represents, evidences, reflects or
456 records a secret scientific or technical process, invention or formula or
457 any phase or part thereof. A process, invention or formula is "secret"
458 when it is not, and is not intended to be, available to anyone other than
459 the owner thereof or selected persons having access thereto for limited
460 purposes with his consent, and when it accords or may accord the owner
461 an advantage over competitors or other persons who do not have
462 knowledge or the benefit thereof.

463 [(b) For purposes of this section, "motor vehicle" means any motor
464 vehicle, construction equipment, agricultural tractor or farm implement
465 or major component part of any of the above. In any prosecution under
466 subdivision (1) of subsection (a) of this section, evidence of (1) forcible
467 entry, (2) forcible removal of ignition, or (3) alteration, mutilation or
468 removal of a vehicle identification number shall be prima facie evidence
469 (A) that the person in control or possession of such motor vehicle knows
470 or should have known that such motor vehicle is stolen, and (B) that
471 such person possesses such motor vehicle with larcenous intent.]

472 [(c)] (b) Larceny in the third degree is a class D felony.

473 Sec. 11. (*Effective from passage*) (a) The Commissioner of Children and
474 Families and the executive director of the Court Support Services
475 Division of the Judicial Branch shall identify each juvenile delinquency
476 or justice service provided to children by the Department of Children
477 and Families at the time of the passage of public act 18-31. Said
478 commissioner and executive director shall determine how such services
479 were transferred from the department to the Court Support Services

480 Division and identify any services that were merged into other services,
481 eliminated or otherwise not transferred.

482 (b) Said commissioner and executive director shall report, not later
483 than December 31, 2022, in accordance with the provisions of section 11-
484 4a of the general statutes, their findings pursuant to the provisions of
485 subsection (a) of this section, to the joint standing committee of the
486 General Assembly having cognizance of matters relating to the
487 judiciary.

488 Sec. 12. (*Effective from passage*) (a) Not later than thirty days after the
489 effective date of this section, the executive director of the Court Support
490 Services Division of the Judicial Branch shall review the (1) staffing
491 levels of juvenile probation officers, (2) name, number and location of
492 juvenile pretrial and diversionary programs, the content of such
493 programs and their efficacy at reducing recidivism, and (3) availability
494 and efficiency of juvenile job training programs and juvenile drug
495 treatment programs.

496 (b) Not later than December 31, 2022, the executive director of the
497 Court Support Services Division of the Judicial Branch shall report, in
498 accordance with the provisions of section 11-4a of the general statutes,
499 on the review conducted pursuant to subsection (a) of this section and
500 any resulting recommendations for legislation to the joint standing
501 committee of the General Assembly having cognizance of matters
502 relating to the judiciary.

503 Sec. 13. (NEW) (*Effective October 1, 2022*) (a) A person is guilty of
504 larceny of a motor vehicle when such person commits larceny, as
505 defined in section 53a-119 of the general statutes, and the property
506 consists of a motor vehicle.

507 (b) For purposes of this section, "motor vehicle" means any motor
508 vehicle, construction equipment, agricultural tractor or farm implement
509 or major component part of any of the above. In any prosecution under
510 subsection (a) of this section, evidence of (1) forcible entry, (2) forcible
511 removal of ignition, or (3) alteration, mutilation or removal of a vehicle

512 identification number shall be prima facie evidence that (A) the person
513 in control or possession of such motor vehicle knows or should have
514 known that such motor vehicle is stolen, and (B) such person possesses
515 such motor vehicle with larcenous intent.

516 (c) Larceny of a motor vehicle is (1) a class E felony for a first offense,
517 (2) a class D felony for a second offense, and (3) a class B felony for any
518 subsequent offense.

519 Sec. 14. Subsection (a) of section 46b-133j of the general statutes is
520 repealed and the following is substituted in lieu thereof (*Effective October*
521 *1, 2022*):

522 (a) For purposes of this section: (1) "Delinquency offense involving a
523 motor vehicle" means any offense under (A) subdivision (1) of
524 subsection (a) of section 53a-119b, (B) section 53a-126a, (C) section 53a-
525 126b, when the property consists of a motor vehicle, or (D) [subdivision
526 (3) of subsection (a) of section 53a-122, (E) subdivision (1) of subsection
527 (a) of section 53a-123, or (F) subdivision (1) of subsection (a) of section
528 53a-124] section 13 of this act; and (2) "child" means child, as defined in
529 section 46b-120, as amended by this act.

530 Sec. 15. Subsection (c) of section 54-56e of the 2022 supplement to the
531 general statutes is repealed and the following is substituted in lieu
532 thereof (*Effective October 1, 2022*):

533 (c) This section shall not be applicable: (1) To any person charged
534 with (A) a class A felony, (B) a class B felony, except a violation of
535 subdivision (1) [, or] (2) [or (3)] of subsection (a) of section 53a-122, as
536 amended by this act, that does not involve the use, attempted use or
537 threatened use of physical force against another person, or a violation
538 of subdivision [(4)] (3) of subsection (a) of section 53a-122, as amended
539 by this act, that does not involve the use, attempted use or threatened
540 use of physical force against another person and does not involve a
541 violation by a person who is a public official, as defined in section 1-110,
542 or a state or municipal employee, as defined in section 1-110, or (C) a
543 violation of section 53a-70b of the general statutes, revision of 1958,

544 revised to January 1, 2019, or section 14-227a or 14-227m, subdivision (1)
545 or (2) of subsection (a) of section 14-227n, subdivision (2) of subsection
546 (a) of section 53-21 or section 53a-56b, 53a-60d, 53a-70, 53a-70a, 53a-71,
547 except as provided in subdivision (5) of this subsection, 53a-72a, 53a-
548 72b, 53a-90a, 53a-196e or 53a-196f, (2) to any person charged with a
549 crime or motor vehicle violation who, as a result of the commission of
550 such crime or motor vehicle violation, causes the death of another
551 person, (3) to any person accused of a family violence crime as defined
552 in section 46b-38a who (A) is eligible for the pretrial family violence
553 education program established under section 46b-38c, or (B) has
554 previously had the pretrial family violence education program invoked
555 in such person's behalf, (4) to any person charged with a violation of
556 section 21a-267, 21a-279 or 21a-279a, who (A) is eligible for the pretrial
557 drug education and community service program established under
558 section 54-56i or the pretrial drug intervention and community service
559 program established under section 54-56q, or (B) has previously had (i)
560 the pretrial drug education program (ii) the pretrial drug education and
561 community service program established under the provisions of section
562 54-56i, or (iii) the pretrial drug intervention and community service
563 program established under section 54-56q, invoked on such person's
564 behalf, (5) unless good cause is shown, to (A) any person charged with
565 a class C felony, or (B) any person charged with committing a violation
566 of subdivision (1) of subsection (a) of section 53a-71 while such person
567 was less than four years older than the other person, (6) to any person
568 charged with a violation of section 9-359 or 9-359a, (7) to any person
569 charged with a motor vehicle violation (A) while operating a
570 commercial motor vehicle, as defined in section 14-1, or (B) who holds a
571 commercial driver's license or commercial driver's instruction permit at
572 the time of the violation, (8) to any person charged with a violation of
573 subdivision (6) of subsection (a) of section 53a-60, or (9) to a health care
574 provider or vendor participating in the state's Medicaid program
575 charged with a violation of section 53a-122, as amended by this act, or
576 subdivision [(4)] (3) of subsection (a) of section 53a-123, as amended by
577 this act.

578 Sec. 16. Subsection (j) of section 14-112 of the general statutes is
579 repealed and the following is substituted in lieu thereof (*Effective October*
580 *1, 2022*):

581 (j) To entitle any person to receive or retain a motor vehicle operator's
582 license or a certificate of registration of any motor vehicle when, in the
583 opinion of the commissioner, such person has committed larceny of a
584 motor vehicle, the value of which exceeds ten thousand dollars, or
585 violated any of the provisions of the following-named sections and
586 subsections: Section 14-44, section 14-80h or 14-80i, sections 14-110, 14-
587 147, 14-217, 14-219, sections 14-228, 14-275 to 14-281, inclusive, or
588 [subdivision (1) of subsection (a) of section 53a-123 or] any similar
589 provision of the laws of any other state or any territory, or who has been
590 convicted of, or has forfeited any bond taken for appearance for, or has
591 received a suspended judgment or sentence for, a violation of any of
592 said provisions, or a violation of any of the provisions of sections 14-230
593 to 14-247, inclusive, and 38a-371, within a twelve-month period
594 following a violation of any of said sections, the commissioner may
595 require from such person proof of financial responsibility to satisfy any
596 claim for damages by reason of personal injury to, or the death of, any
597 one person, of twenty-five thousand dollars, or by reason of personal
598 injury to, or the death of, more than one person on account of any
599 accident, of at least fifty thousand dollars, and for damage to property
600 of at least twenty-five thousand dollars. When the commissioner
601 requires proof of financial responsibility from an operator or owner of
602 any motor vehicle, he may require proof in the amounts herein specified
603 for each vehicle operated or owned by such person. If any person fails
604 to furnish such proof, the commissioner shall, until such proof is
605 furnished, suspend or revoke the license of such person to operate a
606 motor vehicle or refuse to return any license which has been suspended
607 or revoked in accordance with the provisions of section 14-111 or
608 suspend or revoke the registration of any such motor vehicle or vehicles
609 or refuse thereafter to register any motor vehicle owned by such person
610 or refuse to register any motor vehicle transferred by such person if it
611 does not appear to the commissioner's satisfaction that such transfer is

612 a bona fide sale, or, if such person is not a resident of this state, withdraw
613 from such person the privilege of operating any motor vehicle in this
614 state and the privilege of operation within this state of any motor vehicle
615 owned by such person. Prior to such suspension, revocation or
616 withdrawal, notice thereof shall be given by the commissioner by a
617 notice forwarded by bulk certified mail to the address of such person as
618 shown by the records of the commissioner. No appeal taken from the
619 judgment of any court shall act as a stay to any action of the
620 commissioner authorized by the provisions of this section.

621 Sec. 17. Subdivision (8) of section 46b-120 of the 2022 supplement to
622 the general statutes is repealed and the following is substituted in lieu
623 thereof (*Effective October 1, 2022*):

624 (8) "Serious juvenile offense" means (A) the violation of, including
625 attempt or conspiracy to violate, section 21a-277, 21a-278, 29-33, as
626 amended by this act, 29-34, 29-35, subdivision (2) or (3) of subsection (a)
627 of section 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive,
628 53a-54a to 53a-57, inclusive, 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-
629 64bb, 53a-70 to 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a,
630 inclusive, 53a-95, 53a-100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to
631 53a-113, inclusive, subdivision (1) of subsection (a) of section 53a-122, as
632 amended by this act, subdivision [(3)] (2) of subsection (a) of section 53a-
633 123, as amended by this act, section 53a-134, 53a-135, 53a-136a or 53a-
634 167c, subsection (a) of section 53a-174, or section 53a-196a, 53a-211, 53a-
635 212, 53a-216 or 53a-217b, or (B) absconding, escaping or running away,
636 without just cause, from any secure residential facility in which the child
637 has been placed by the court as a delinquent child;

638 Sec. 18. Subsection (k) of section 46b-133 of the 2022 supplement to
639 the general statutes is repealed and the following is substituted in lieu
640 thereof (*Effective October 1, 2022*):

641 (k) For purposes of subsections (c) and (e) of this section, a child may
642 be determined to pose a risk to public safety if such child has previously
643 been adjudicated as delinquent for or convicted of or pled guilty or nolo

644 contendere to two or more felony offenses, has had two or more prior
645 dispositions of probation and is charged with commission of a larceny
646 under [subdivision (3) of subsection (a) of section 53a-122 or subdivision
647 (1) of subsection (a) of section 53a-123 or subdivision (1) of subsection
648 (a) of section 53a-124] section 13 of this act.

649 Sec. 19. Section 46b-124 of the 2022 supplement to the general statutes
650 is amended by adding subsection (o) as follows (*Effective June 1, 2022*):

651 (NEW) (o) A law enforcement official conducting a legitimate
652 criminal investigation may have direct electronic access to the following
653 information concerning a child who is subject to such investigation: (1)
654 Pending juvenile delinquency charges; and (2) any suspended detention
655 orders or prior juvenile adjudications during the ninety days prior to the
656 initiation of such investigation.

657 Sec. 20. (*Effective from passage*) Not later than March 1, 2023, the
658 executive director of the Court Support Services Division of the Judicial
659 Branch shall report on the progress being made toward the
660 implementation of the provisions of section 46b-124 of the general
661 statutes, as amended by this act, to the joint standing committee of the
662 General Assembly having cognizance of matters relating to the judiciary
663 in accordance with the provisions of section 11-4a of the general statutes.

664 Sec. 21. Subsection (a) of section 46b-133p of the 2022 supplement to
665 the general statutes is repealed and the following is substituted in lieu
666 thereof (*Effective from passage*):

667 (a) Any law enforcement officer who sought a court order to detain a
668 child pursuant to subdivision (3) of subsection (c) of section 46b-133, as
669 amended by this act, shall attach, along with the summons, a copy of the
670 completed form to detain that is prescribed by Office of the Chief Court
671 Administrator. On and after October 1, 2022, such form shall instruct
672 any judge who declines to detain such child to articulate in writing,
673 upon such form, the reasons for such declination."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	46b-133(a) to (e)
Sec. 2	<i>October 1, 2022</i>	46b-133d
Sec. 3	<i>October 1, 2022</i>	29-33(c)
Sec. 4	<i>October 1, 2022</i>	29-37a(d)
Sec. 5	<i>June 1, 2023</i>	46b-124(d)
Sec. 6	<i>October 1, 2022</i>	New section
Sec. 7	<i>October 1, 2022</i>	46b-133p
Sec. 8	<i>October 1, 2022</i>	53a-122
Sec. 9	<i>October 1, 2022</i>	53a-123
Sec. 10	<i>October 1, 2022</i>	53a-124
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>October 1, 2022</i>	New section
Sec. 14	<i>October 1, 2022</i>	46b-133j(a)
Sec. 15	<i>October 1, 2022</i>	54-56e(c)
Sec. 16	<i>October 1, 2022</i>	14-112(j)
Sec. 17	<i>October 1, 2022</i>	46b-120(8)
Sec. 18	<i>October 1, 2022</i>	46b-133(k)
Sec. 19	<i>June 1, 2022</i>	46b-124
Sec. 20	<i>from passage</i>	New section
Sec. 21	<i>from passage</i>	46b-133p(a)