



General Assembly

**Amendment**

January Session, 2023

LCO No. **9833**



Offered by:

REP. CANDELORA V., 86<sup>th</sup> Dist.

REP. PERILLO J., 113<sup>th</sup> Dist.

REP. O'DEA, 125<sup>th</sup> Dist.

REP. ZUPKUS, 89<sup>th</sup> Dist.

REP. RUTIGLIANO, 123<sup>rd</sup> Dist.

REP. FISHBEIN, 90<sup>th</sup> Dist.

REP. ACKERT, 8<sup>th</sup> Dist.

To: Subst. House Bill No. **6888**

File No. 758

Cal. No. 407

(As Amended)

**"AN ACT CONCERNING JUVENILE JUSTICE."**

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

3 "Section 1. Subsection (b) of section 46b-128 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective October*  
5 *1, 2023*):

6 (b) Upon the filing of a delinquency petition, the court may, either  
7 forthwith or after investigation, cause a summons, which summons  
8 shall have a copy of said verified petition attached thereto, signed by the  
9 judge or by the clerk or assistant clerk of such court, to be issued,  
10 requiring the child and the parent or parents, guardian or other person  
11 having control of the child to appear in court at the time and place

12 therein specified. In the case of a child accused of having committed a  
13 violent offense, a violation of section 53a-119c, a sexual offense or an  
14 offense involving the use of a firearm, such case shall be adjudicated in  
15 the court in the geographical area, as defined in section 54-1d, in which  
16 the crime was alleged to have been committed. Whenever it appears to  
17 the judge that orders addressed to an adult, as set forth in section 46b-  
18 121, are necessary for the welfare of such child, a similar summons shall  
19 be issued and served upon such adult if such adult is not already in  
20 court. Service of summons, together with a copy of the verified petition,  
21 may be made by any one of the following methods: (1) By the delivery  
22 of a true and attested copy thereof to the person summoned, or at such  
23 person's usual place of abode; (2) by restricted delivery addressed to the  
24 person summoned, return receipt requested; or (3) by first class mail  
25 addressed to the person summoned. Any notice sent by first class mail  
26 shall include a provision informing the party that appearance in court  
27 as a result of the notice may subject the appearing party to the  
28 jurisdiction of the court. If service is made by first class mail and the  
29 party does not appear, no order may be entered by the court in the case.  
30 If, after reasonable effort, personal service has not been made, such  
31 substitute service, by publication or otherwise, as the judge may order,  
32 shall be sufficient. Service may be made by any officer authorized by  
33 law to serve process, or by a probation officer, probation aide or  
34 indifferent person, and the court may allow suitable expenses and a  
35 reasonable fee therefor. The court may punish for contempt, as provided  
36 in section 46b-121, any parent, guardian or other person so summoned  
37 who fails to appear in court at the time and place so specified.

38 Sec. 2. Subsection (b) of section 46b-133 of the general statutes is  
39 repealed and the following is substituted in lieu thereof (*Effective October*  
40 *1, 2023*):

41 (b) Whenever a child is brought before a judge of the Superior Court,  
42 which court shall be the court that has jurisdiction over juvenile matters  
43 where the child resides if the residence of such child can be determined,  
44 such judge shall immediately have the case proceeded upon as a  
45 juvenile matter. Such judge may admit the child to bail or release the

46 child in the custody of the child's parent or parents, unless the court  
47 finds that the parent or parents lack control over the child and such  
48 custody is not reasonably likely to be effective to prevent the child from  
49 reoffending, the child's guardian or some other suitable person to  
50 appear before the Superior Court when ordered. If there is probable  
51 cause to believe that the child has committed the acts alleged, the court  
52 may consider if the child should be assessed for services. Such  
53 assessment shall be held not later than two weeks after the child is  
54 arraigned and such child shall have the right to counsel at such  
55 assessment. If detention becomes necessary, such detention shall be in  
56 the manner prescribed by this chapter, provided the child shall be  
57 placed in the least restrictive environment possible in a manner  
58 consistent with public safety.

59 Sec. 3. Subsection (d) of section 46b-140 of the general statutes is  
60 repealed and the following is substituted in lieu thereof (*Effective October*  
61 *1, 2023*):

62 (d) If the child has engaged in conduct which results in property  
63 damage or personal injury, including, but not limited to, larceny of a  
64 motor vehicle pursuant to section 53a-119c, the court may order the  
65 child or the parent or parents or guardian of the child, if such parent or  
66 parents or guardian had knowledge of and condoned the conduct of the  
67 child, or both the child and the parent or parents or guardian, to make  
68 restitution to the victim of such offense, provided the liability of such  
69 parent or parents or guardian shall be limited to an amount not  
70 exceeding the amount such parent or parents or guardian would be  
71 liable for in an action under section 52-572. Restitution may consist of  
72 monetary reimbursement for the damage or injury, based on the child's  
73 or the parent's, parents' or guardian's ability to pay, as the case may be,  
74 in the form of a lump sum or installment payments, paid to the court  
75 clerk or such other official designated by the court for distribution to the  
76 victim.

77 Sec. 4. Subdivision (1) of section 54-201 of the general statutes is  
78 repealed and the following is substituted in lieu thereof (*Effective October*

79 1, 2023):

80 (1) "Victim" means a person who is injured or killed as provided in  
81 section 54-209, or qualifies for compensation pursuant to section 5 of this  
82 act;

83 Sec. 5. (NEW) (*Effective October 1, 2023*) (a) Any victim of a property  
84 crime committed by a person under eighteen years of age, including, but  
85 not limited to, a violation of section 53a-119c of the general statutes, may  
86 apply in accordance with the procedures for application for victim  
87 compensation under chapter 968 of the general statutes for  
88 compensation that does not exceed the value of the damage done to the  
89 victim's property or the value of the property loss, less any amount paid  
90 to the victim for restitution.

91 (b) A victim may file an application with the Office of Victim Services  
92 for compensation under this section within two years after the date the  
93 victim suffered loss of or damage to the property subject to the  
94 application.

95 (c) The Office of Victim Services or a victim compensation  
96 commissioner may order the payment of compensation in accordance  
97 with the procedures established under sections 54-201 to 54-218,  
98 inclusive, of the general statutes, as amended by this act."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	46b-128(b)
Sec. 2	<i>October 1, 2023</i>	46b-133(b)
Sec. 3	<i>October 1, 2023</i>	46b-140(d)
Sec. 4	<i>October 1, 2023</i>	54-201(1)
Sec. 5	<i>October 1, 2023</i>	New section