



General Assembly

Amendment

January Session, 2021

LCO No. 9024



Offered by:

REP. STAFSTROM, 129th Dist.

REP. FISHBEIN, 90th Dist.

To: Subst. House Bill No. 6505

File No. 594

Cal. No. 418

"AN ACT CONCERNING COURT OPERATIONS."

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- 1 Strike section 17 in its entirety and renumber the remaining sections
 - 2 and internal references accordingly
 - 3 In line 1163, strike the opening bracket
 - 4 In line 1164, strike the closing bracket
 - 5 In line 1165, strike "made under penalty of false statement pursuant"
 - 6 In line 1166, strike "to section 53a-157b"
 - 7 In line 1171, strike the opening and closing brackets and strike
 - 8 "statement of the"
 - 9 Strike line 1172 in its entirety
 - 10 In line 1173, strike "statement pursuant to section 53a-157b"
 - 11 In line 1212, strike the opening and closing brackets and strike

12 "statement of the specific facts that form the basis"

13 Strike line 1213 in its entirety

14 In line 1214, strike "157b"

15 After the last section, add the following and renumber sections and
16 internal references accordingly:

17 "Sec. 501. (NEW) (*Effective July 1, 2021, and applicable to any cause of*
18 *action arising from a criminal proceeding terminating prior to, on or after said*
19 *date*) Notwithstanding the provisions of section 52-577 of the general
20 statutes, no action to recover damages for malicious prosecution may be
21 brought later than three years from the date of the termination of the
22 criminal proceeding that is the subject of such action.

23 Sec. 502. (NEW) (*Effective October 1, 2021*) (a) Any law enforcement
24 officer who sought a court order to detain a child pursuant to
25 subdivision (3) of subsection (c) of section 46b-133 of the general
26 statutes, as amended by this act, shall attach, along with the summons,
27 a copy of the completed form to detain that is prescribed by Office of the
28 Chief Court Administrator.

29 (b) The Judicial Branch shall compile data concerning requests by a
30 law enforcement officer to detain a child pursuant to subdivision (3) of
31 subsection (c) of section 46b-133 of the general statutes, as amended by
32 this act. The Judicial Branch shall sort such data by judicial district and
33 categorize such data based on (1) how many such requests were made,
34 and (2) how many such requests were denied. Not later than January 15,
35 2023, and annually thereafter, the Judicial Branch shall, in accordance
36 with the provisions of section 11-4a of the general statutes, report such
37 data from the previous calendar year to the joint standing committee of
38 the General Assembly having cognizance of matters relating to the
39 judiciary.

40 Sec. 503. Subsection (d) of section 54-95c, as amended by section 7 of
41 house bill 6657 of the current session, as amended by House

42 Amendment Schedules "A" and "B", is repealed and the following is
 43 substituted in lieu thereof (*Effective October 1, 2021*):

44 (d) If the defendant proves that he or she was a victim of trafficking
 45 in persons pursuant to section 53a-192a, as amended by [this act] house
 46 bill 6657 of the current session, or a victim of a criminal violation of 18
 47 USC Chapter [433] 77, as amended from time to time, at the time of any
 48 offense described in subsection (a) of this section for which the
 49 defendant has applied for vacatur, (1) the court shall vacate any
 50 judgment of conviction entered for a violation of section 53a-82 and
 51 dismiss the charge related to such conviction, and (2) the court may, in
 52 its discretion, vacate any judgment of conviction entered for any other
 53 misdemeanor offense or a class C, D or E felony or any unclassified
 54 felony offense carrying a term of imprisonment of not more than ten
 55 years for which the defendant has applied for vacatur pursuant to this
 56 section and shall dismiss the charge related to any such conviction.

57 Sec. 504. (*Effective from passage*) Section 28 of substitute house bill 6594
 58 of the current session, as amended by House Amendment Schedule "A",
 59 shall take effect October 1, 2021."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>July 1, 2021, and applicable to any cause of action arising from a criminal proceeding terminating prior to, on or after said date</i>	New section
Sec. 502	<i>October 1, 2021</i>	New section
Sec. 503	<i>October 1, 2021</i>	HB 6657 (current session), Sec. 54-95c, as amended by Sec. 7(d)
Sec. 504	<i>from passage</i>	New section