



General Assembly

February Session, 2024

Raised Bill No. 5258

LCO No. 1554



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT REQUIRING STATE COURTS TO EXTEND FULL FAITH AND CREDIT TO MILITARY PROTECTION ORDERS.

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

1 Section 1. Section 46b-15a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 (a) [For the purposes of this section, "foreign order of protection"] As
4 used in this section:

5 (1) "Foreign order of protection" means any protection order, as
6 defined in 18 USC 2266, as from time to time amended, or similar
7 restraining or protective order issued by a court of another state, the
8 District of Columbia, a commonwealth, territory or possession of the
9 United States, [or] an Indian tribe or an appropriate military authority.
10 "Foreign order of protection" includes a military protection order.

11 (2) "Military protection order" means a protection order issued by a
12 commanding officer in the armed forces of the United States or the
13 Connecticut National Guard against a person under such officer's
14 command.

15 (b) A valid foreign order of protection that is consistent with 18 USC
16 2265, as from time to time amended, shall be accorded full faith and
17 credit by a court of this state and may be enforced as if it were the order
18 of a court in this state. A foreign order of protection shall be presumed
19 valid if such order appears authentic on its face. The fact that a foreign
20 order of protection has not been entered into the automated registry of
21 protective orders maintained pursuant to section 51-5c, the Connecticut
22 on-line law enforcement communication teleprocessing system
23 maintained by the Department of Emergency Services and Public
24 Protection or the National Crime Information Center (NCIC)
25 computerized index of criminal justice information shall not be grounds
26 for refusing to enforce such order in this state.

27 (c) A law enforcement officer shall enforce a foreign order of
28 protection in accordance with its terms and the law of this state, and
29 shall arrest any person suspected of violating such order and charge
30 such person with a violation of section 53a-223b. Nothing in this
31 subsection shall affect the responsibility of a law enforcement officer to
32 make an arrest pursuant to section 46b-38b.

33 (d) It shall be an affirmative defense in any action seeking
34 enforcement of a foreign order of protection or any criminal prosecution
35 involving the violation of a foreign order of protection that such order
36 is not consistent with or entitled to full faith and credit pursuant to 18
37 USC 2265, as from time to time amended.

38 (e) A child custody provision in a foreign order of protection may be
39 enforced in this state if such provision (1) complies with the Uniform
40 Child Custody Jurisdiction Act or the Uniform Child Custody
41 Jurisdiction and Enforcement Act, and (2) is consistent with the Parental
42 Kidnapping Prevention Act of 1980, 28 USC 1738A, as from time to time
43 amended.

44 (f) A foreign order of protection may be registered in this state by
45 sending to the Superior Court in this state: (1) A letter or other document
46 requesting registration; (2) two copies, including one certified copy, of

47 the foreign order of protection sought to be registered and a statement
48 under penalty of perjury that, to the best of the knowledge and belief of
49 the petitioner, the order has not been modified; and (3) the name and
50 address of the person seeking registration, except if the disclosure of
51 such name and address would jeopardize the safety of such person.

52 (g) On receipt of the documents required in subsection (f) of this
53 section, the registering court shall: (1) Cause the foreign order of
54 protection to be filed as a foreign judgment, together with one copy of
55 any accompanying documents and information, regardless of their
56 form; and (2) cause the foreign order of protection to be entered in the
57 automated registry of protective orders maintained pursuant to section
58 51-5c, together with any accompanying information required or
59 permitted to be contained in the registry of protective orders pursuant
60 to the procedures adopted by the Chief Court Administrator under
61 section 51-5c.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	46b-15a

Statement of Purpose:

To require state courts to extend full faith and credit to military protection orders.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]