



Substitute Senate Bill No. 996

Public Act No. 19-132

AN ACT CONCERNING REVISIONS TO VARIOUS STATUTES CONCERNING THE CRIMINAL JUSTICE SYSTEM AND REVISING PROVISIONS CONCERNING JAILHOUSE WITNESSES.

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

Section 1. Section 1-102 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

No person, committee, association, organization or corporation shall employ any salaried commissioner or deputy commissioner of this state, or any person receiving a salary or pay from the state for services rendered and performed at Hartford, or shall give to any such person any advantage, aid, emolument, entertainment, money or other valuable thing for appearing for, on behalf of or in opposition to, any measure, bill, resolution or petition pending before the General Assembly or any committee thereof, or for advancing, supporting, advocating, or seeking to secure the passage, defeat or amendment of any such measure, bill, resolution or petition pending in or before the General Assembly or any committee thereof; nor shall any such salaried commissioner, deputy commissioner or other person described in this section accept any such employment or perform any such service for another, or accept aid, emolument, entertainment, money, advantage or other valuable thing for or in consideration of

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any such service. Any person, committee, association, organization or corporation, or any such salaried commissioner, deputy commissioner or person receiving a salary or pay from the state for services rendered and performed at Hartford, who violates any of the provisions of this section, shall be fined not less than one hundred or more than one thousand dollars. All complaints for the violation of this section shall be made to the [state's attorney for the judicial district of New Britain, and said state's attorney] Chief State's Attorney, who shall, upon proof of probable guilt being shown, cause the arrest of any such offender and present such offender or cause such offender to be presented for trial before the [superior court for the judicial district of New Britain] Superior Court.

Sec. 2. Section 46b-150d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

An order that a minor is emancipated shall have the following effects: (1) The minor may consent to medical, dental or psychiatric care, without parental consent, knowledge or liability; (2) the minor may enter into a binding contract; (3) the minor may sue and be sued in such minor's own name; (4) the minor shall be entitled to such minor's own earnings and shall be free of control by such minor's parents or guardian; (5) the minor may establish such minor's own residence; (6) the minor may buy and sell real and personal property; (7) the minor may not thereafter be the subject of (A) a petition under section 46b-129 as an abused, neglected or uncared for child or youth, (B) a petition under section 46b-128 or 46b-133 as a delinquent child for any act committed before the date of the order, or (C) a petition under section 46b-149 alleging that the minor is a child from a family with service needs; (8) the minor may enroll in any school or college, without parental consent; (9) the minor shall be deemed to be over eighteen years of age for purposes of securing an operator's license under section 14-36 and a marriage license under section 46b-20a; (10)

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the minor shall be deemed to be over eighteen years of age for purposes of registering a motor vehicle under section 14-12; (11) the parents of the minor shall no longer be the guardians of the minor under section 45a-606; (12) the parents of a minor shall be relieved of any obligations respecting such minor's school attendance under section 10-184; (13) the parents shall be relieved of all obligation to support the minor; (14) the minor shall be emancipated for the purposes of parental liability for such minor's acts under section 52-572; (15) the minor may execute releases in such minor's own name; [under section 14-118;] (16) the minor may enlist in the armed forces of the United States without parental consent; and (17) the minor may access or obtain a certified copy of a birth certificate under section 7-51.

Sec. 3. Subdivision (1) of subsection (b) of section 52-570d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(1) Any federal, state or local criminal law enforcement official or agent of any such official who in the lawful performance of [his duties] such official or agent's duties, or at the request or direction of such official or agent in the performance of such official or agent's duties, records telephonic communications;

Sec. 4. Subsection (b) of section 53a-60a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(b) Assault in the second degree with a firearm is (1) a class D felony, or (2) if the offense resulted in serious physical injury, a class C felony, for which, in either case under subdivision (1) or subdivision (2) of this subsection, one year of the sentence imposed may not be suspended or reduced by the court.

Sec. 5. Section 53a-214 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) A landlord or lessor of a [dwelling] residential or nonresidential unit subject to the provisions of chapter 830 [,] or 832, or an owner of such a unit, or the agent of such landlord, lessor or owner is guilty of criminal lockout when, without benefit of a court order, he or she deprives a tenant, as defined in subsection (l) of section 47a-1, or a lessee of a nonresidential unit, of access to [his dwelling] his or her residential or nonresidential unit or his [personal] or her possessions.

(b) Criminal lockout is a class C misdemeanor.

Sec. 6. Subsection (d) of section 1 of public act 19-131 is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(d) For the purposes of this section, "benefit" means any plea bargain, bail consideration, reduction or modification of sentence or any other leniency, immunity, financial payment, reward or amelioration of current or future conditions of incarceration offered or provided in connection with, or in exchange for, testimony that is offered or provided by a jailhouse witness; and "jailhouse witness" means a person who [is incarcerated at the time that he or she offers or provides testimony concerning statements made by a person suspected as the perpetrator of an offense or a defendant] offers or provides testimony concerning statements made to such person by another person with whom he or she was incarcerated, or an incarcerated person who offers or provides testimony concerning statements made to such person by another person who is suspected of or charged with committing a criminal offense.

Sec. 7. Section 2 of public act 19-131 is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) In any criminal prosecution of a defendant for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d, 53a-70, 53a-70a or 53a-70c of

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the general statutes, upon a motion of the defendant before the start of a trial on any such offense, the court shall conduct a hearing at which hearsay or secondary evidence shall be admissible to determine whether any jailhouse witness's testimony is reliable and admissible. The court shall make [such] a prima facie determination concerning the reliability of [the witness] such testimony after evaluation of the evidence submitted at the hearing and the information or material disclosed pursuant to subdivisions (1) to (5), inclusive, of subsection (a) of section 1 of [this act] public act 19-131, and may consider the following factors:

(1) The extent to which the jailhouse witness's testimony is confirmed by other evidence;

(2) The specificity of the testimony;

(3) The extent to which the testimony contains details known only by the perpetrator of the alleged offense;

(4) The extent to which the details of the testimony could be obtained from a source other than the defendant; and

(5) The circumstances under which the jailhouse witness initially provided information supporting such testimony to a sworn member of a municipal police department, a sworn member of the Division of State Police within the Department of Emergency Services and Public Protection or a prosecutorial official, including whether the jailhouse witness was responding to a leading question.

(b) If the prosecutorial official fails to [show by a preponderance of the evidence] make a prima facie showing that the jailhouse witness's testimony is reliable, the court shall not allow the testimony to be admitted.

(c) For the purposes of this section, "jailhouse witness" means

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jailhouse witness, as defined in section 1 of [this act] public act 19-131.

Sec. 8. Sections 13a-69 and 13b-305 of the general statutes are repealed. (*Effective October 1, 2019*)