



PA 21-104—sHB 6505

Judiciary Committee

AN ACT CONCERNING COURT OPERATIONS

SUMMARY: This act makes various unrelated changes in laws related to court procedures and operations.

Among the changes the act makes in laws related to juvenile matters, it:

1. replaces references to “juvenile detention center” with a new term “juvenile residential center” in statutes on juvenile matters (§§ 2-10, 12-14, 24, 27 & 29-33);
2. gives the Judicial Review Council’s members and employees access to certain juvenile records (§§ 25, 26, 39 & 48); and
3. (a) allows certain education and service providers, subject to policies and procedures approved by the chief court administrator, to visit juvenile residential centers and interact with residents and staff without a court order, as required under prior practice; (b) prohibits the providers from disclosing confidential information; and (c) imposes a penalty for violations (§ 54).

Regarding Superior Court and probate court operations, among other things, the act:

1. expressly requires the probate court to hold hearings on new and modified rules of procedure (§ 15) and provides for the expeditious adoption of the state Supreme, Appellate, and Superior courts’ rules under certain circumstances (§ 38);
2. allows other court-designated entities to produce court transcripts (§§ 41 & 42);
3. allows a Superior Court judgment based on default or nonsuit, or a civil judgment or decree, to be opened or set aside within four months after the decision was sent instead of when it was rendered, as under prior law (§§ 43 & 44); and
4. requires the court clerk to promptly schedule a hearing instead of scheduling the matter for a short calendar hearing in matters related to (a) personal property execution claims, (b) child support withholdings where the obligor claims mistake of fact, and (c) judgment debtor exemption claims (§§ 45-47).

Among the changes in laws related to family relations matters, the act:

1. allows the court to make certain findings in these matters without a hearing or requiring the parties’ physical presence in court (§§ 11, 18-22, 34 & 35);
2. allows certain family court findings to be made without a hearing, as prior law required, but instead through a written judgment, order, or memorandum of decision of the court (§§ 11, 23 & 34-36);

OLR PUBLIC ACT SUMMARY

3. requires the court to extend, upon the applicant's request, certain civil protection orders issued ex parte (i.e., without a hearing) up to another 14 days from the originally scheduled hearing date to allow more time for service of process (§ 17);
4. allows parties to include child support, visitation, and custody issues in arbitration agreements, including divorce cases, which prior law prohibited (§§ 21 & 53); and
5. expands the powers and duties of family support magistrates regarding the enforcement and modification of certain child support orders (§ 37).

It makes the following changes in laws affecting crime victims:

1. gives victims and their next of kin access to the private proceedings of juveniles being tried on the adult criminal docket (§§ 1 & 28);
2. makes any member of a crime victim's immediate family eligible to receive certain victim notifications and expands victim compensation eligibility (§§ 51 & 52); and
3. specifies that the court's discretionary vacatur relief available to certain human trafficking victims under PA 21-103 applies to misdemeanor offenses other than prostitution (§ 62).

Among the changes in laws related to crimes and civil and criminal procedures, it:

1. creates the crime of abuse of an oath document as a class D felony (§§ 55 & 56) and addresses agriculture-related violations (§§ 57-59);
2. extends the statute of limitations for malicious prosecution actions by counting the three years from the date the criminal proceeding that is the subject of the action ends (§ 60); and
3. delays, from June 30, 2021, to October 1, 2021, the effective date of a provision in PA 21-102 which expands eligibility for sentence modification (§ 63).

Additionally, the act makes the following unrelated changes:

1. specifies the scope of the Court Support Services Division's (CSSD) and the Board of Pardons and Paroles' (BPP) monitoring of offenders on provisional pardons or certifications of rehabilitation (§§ 49 & 50); and
2. requires (a) the judicial branch to compile and annually report to the Judiciary Committee, starting by January 15, 2023, on arresting officers' requests for a court order to detain an arrested child in a juvenile residential center and (b) arresting officers to attach to the summons a form the chief court administrator prescribes (§ 61).

Lastly, the act corrects a statutory reference (§ 16) and makes other technical and conforming changes.

EFFECTIVE DATE: Upon passage, except as otherwise noted below.

§§ 1 & 28 — VICTIM ACCESS TO JUVENILE PROCEEDINGS

The act allows victims and their next of kin to access the private proceedings of juveniles being tried on the adult criminal docket. It does so by prohibiting the court from excluding them from the proceedings.

OLR PUBLIC ACT SUMMARY

Under the act (1) a “victim” includes the victim of the crime; his or her parent, guardian, or legal representative; a victim advocate; and the victim’s designee (pursuant to CGS § 1-56r) and (2) “next of kin” is a spouse, adult child, parent, adult sibling, aunt, uncle, or grandparent.

§§ 2-10, 12-14, 24, 27 & 29-33 — JUVENILE RESIDENTIAL CENTER

The act creates a general definition for the term “juvenile residential center” to replace prior references to “juvenile detention center” throughout the statutes on juvenile matters.

Under the act, a “juvenile residential center” is a hardware-secured residential facility operated by CSSD that includes direct staff supervision, surveillance enhancements, and physical barriers that allow for close supervision and controlled movement in a treatment setting for pre-adjudicated juveniles and juveniles adjudicated as delinquent.

EFFECTIVE DATE: January 1, 2022

§§ 11, 18-23 & 34-36 — FAMILY MATTERS WITHOUT PHYSICAL COURT APPEARANCE

The act allows the court to make certain findings without requiring the parties’ physical presence in court. Specifically, it allows the court, as an alternative to an in-person court hearing, to accept an affidavit made under oath stating the requirements in the matter and that no civil restraining order or family violence protective order between the parties is in effect or pending before the court. The act generally provides this option when the court is determining the following family relations matters:

1. cash medical support for children who are public assistance recipients (IV-D support cases) (§ 11);
2. divorce after a marriage has broken down irretrievably (§ 18);
3. waiver of the right to educational support (affidavit must state that the party fully understands the consequences of the waiver) (§ 19);
4. divorce after a legal separation (§ 20);
5. inquiry into the financial resources, needs, and parental fitness of parties who have submitted a final agreement concerning child custody, care, education, and visitation; alimony; or property disposition (§ 21);
6. identifying extraordinary medical and dental expenses for child support orders, including cases where paternity is determined in non-marital cases (§§ 22 & 34); and
7. enforcement orders to support a spouse or minor child (§ 35).

The act also generally allows the court to make its findings from a written judgment, order, or memorandum of decision of the court in addition to from a hearing on the record, as existing law allows, in matters related to:

1. cash and medical support in IV-D cases and cases involving paternity determination, and support enforcement orders (§§ 11 & 34-35).
2. orders (a) for pendente lite (temporary) or permanent alimony or support

and (b) requiring either party to maintain life insurance for the other party or their minor child (§ 23); and

3. rebutting the presumption that a child support amount calculated using the child support guidelines is equitable or appropriate in a particular case, based on the deviation criteria established by the guidelines (§ 36).

The act also expressly states that it does not preclude the court from requiring that the parties attend a hearing and that findings be made on the record in certain matters involving divorce and educational support waivers (§§ 18 & 19).

§ 15 — PROBATE COURT RULES OF PROCEDURE

The law generally requires the probate court administrator to recommend uniform rules of procedure for the probate courts that the state Supreme Court may adopt and promulgate. The act requires the probate court, rather than the state Supreme Court, to hold the public hearing on the rules.

The act specifically requires the probate court administrator to designate at least three probate court judges who must hold a public hearing on any proposed new rule or rule change before it is presented to the state Supreme Court judges for adoption and promulgation. Under the act, reasonable notice of the hearing must be given in the Connecticut Law Journal and otherwise as the probate court administrator deems proper. Similar notice requirements applied under prior law to the public hearing held by the state Supreme Court.

§ 17 — CIVIL PROTECTION ORDERS

By law, a victim of sexual abuse, sexual assault, or stalking may apply for a civil protection order if he or she is not eligible for a civil restraining order (CGS § 46b-16a).

The act adds a provision requiring the court, under specific circumstances, to extend an ex parte order up to another 14 days from the originally scheduled hearing date to allow more time for service of process. Under the act, the court must do so upon the applicant's request and based on the information in the original application. In such a case, the court clerk must prepare a new order with the new hearing date, which must be served on the respondent in the same manner associated with the original application. (Under the law, this same provision already applies to civil restraining orders.)

§§ 21 & 53 — ARBITRATION AWARDS IN DIVORCE CASES

Under the law, an arbitration pursuant to an agreement in divorce cases may proceed only after the court has made certain inquiries and is satisfied with its findings, such as that the agreement was voluntary and without coercion. Under the act, the arbitration award is not enforceable until it has been (1) confirmed, modified, or vacated in accordance with laws on arbitration proceedings, as required under existing law, and (2) incorporated into a court divorce order or decree.

OLR PUBLIC ACT SUMMARY

Under prior law, agreements to arbitrate could not include issues related to child support, visitation, and custody. The act instead allows arbitration agreements to include these issues. In divorce cases, the act specifically allows the court to enter an arbitration award that concerns child support if the court finds that the award complies with the child support guidelines. Under the act, an arbitration award related to a divorce that is incorporated into a divorce order or decree is as enforceable and modifiable as an agreement of the parties that is incorporated into an order or decree of the court.

EFFECTIVE: October 1, 2021, for the provision on including child support, visitation, and custody issues in arbitration agreements in general (§ 53).

§§ 25, 26, 39 & 48 — JUDICIAL REVIEW COUNCIL’S ACCESS TO JUVENILE RECORDS

The act gives the Judicial Review Council’s members and employees access to certain juvenile records if they need it to perform their council-related duties. This applies to records pertaining to:

1. civil juvenile matters (e.g., child abuse and neglect) and appeals brought from probate court to Superior Court (§ 25);
2. juvenile delinquency proceedings (§ 26); and
3. youthful offender cases (§ 48).

By law, the Judicial Review Council must investigate every written complaint alleging conduct that could be grounds for removal, suspension, or censure of any judge, compensation commissioner, or family support magistrate. In conducting a related investigation, the council may request that a court give the council a record or transcript of court proceedings. The act specifies that this includes records and transcripts of juvenile matters and cases involving youthful offenders (§ 39).

§ 37 — FAMILY SUPPORT MAGISTRATES’ POWERS AND DUTIES

The act expands the powers and duties of family support magistrates regarding the enforcement and modification of certain support orders as described below. It also states that it does not preclude a family support magistrate from modifying an existing support order under any other section of the statutes.

Modification in IV-D Support Cases

The act specifies that agreements to modify or enforce support orders in IV-D support cases may be filed with the assistant clerk of the Family Support Magistrate Division for the judicial district where the child’s mother or father lives and where the parties have submitted to a motion for modification or an application for contempt of an existing support order. The act allows the family support magistrate to approve an agreement to modify support after an inquiry into the parties’ financial needs, resources, and respective abilities.

Under the act, the inquiry may take place on the record at a hearing or be

based on an affidavit from each party, made under oath, stating that (1) each party has the financial resources and other facts satisfying any requirement of the inquiry in question and (2) no civil restraining order or family violence protective order between the parties is in effect or pending before the court. If each party attests to this, a family support magistrate may:

1. determine whether the agreement is fair and equitable under all the circumstances and
2. make any other findings required by this provision.

Obligor Qualified for Disability

The act allows a family support magistrate to reduce a support order to zero dollars or make other changes if the obligor (i.e., person from whom support is due) qualifies for federal Supplemental Security Income (SSI) Program disability benefits.

Under the act, if a support enforcement officer files an affidavit that the Social Security Administration (SSA) or a state agency that awards disability benefits has determined the obligor qualifies for SSI disability benefits, a family support magistrate may (1) modify the existing support order to zero dollars without a hearing, (2) schedule the motion for a hearing, or (3) deny the motion without a hearing.

The act requires the support enforcement officer's affidavit to state:

1. the date the child support obligor qualified for SSI disability benefits;
2. that the officer confirmed this with SSA (or another appropriate federal agency);
3. that a diligent search failed to identify any other income or assets that could be used to satisfy the child support order;
4. that support enforcement services provided notice to the custodial party, consistent with service of process in a civil action, or by certified mail, return receipt requested, about the proposed modification and that the custodial party had the right to object to the proposed modification, generally within 15 days after receiving it; and
5. that support enforcement services did not receive an objection from the custodial party.

The act allows a support order modified based on this provision to be later modified upon a finding of a substantial change in circumstances.

§ 38 — COURT RULES AND FORMS

By law, the state's Supreme Court, Appellate Court, and Superior Court judges must adopt and promulgate, and may occasionally modify or repeal, rules and forms regulating pleading, practice, and procedure in judicial proceedings.

Under prior law, the rules became effective on the date the judges specified but not before 60 days after they were promulgated. The act allows the court to waive this 60-day requirement if a rule must be adopted expeditiously.

§ 40 — SUBPOENA TO TESTIFY BEFORE THE JUDICIAL REVIEW BOARD

By law, anyone can be compelled, by subpoena, to testify before the state Supreme Court or the Judicial Review Council in relation to a complaint against a judge, compensation commissioner, or family support magistrate.

By law, this pertains to conduct that could be grounds for removal or censure (e.g., mental infirmity or willful and persistent failure to perform the duty of a judge). The act also applies this to matters before the council that pertain to a judge becoming so permanently incapacitated that he or she is unable to adequately fulfill the duties of the office and may be retired by the Judicial Review Council.

EFFECTIVE DATE: October 1, 2021

§§ 41 & 42 — COURT TRANSCRIPTS

The act allows the chief court administrator to designate any other entity, in addition to an official court reporter or a court recording monitor, to produce transcripts. It does so by expanding the definition of the term “transcript” to also mean the official written record of a proceeding by any other entity designated by the chief court administrator, instead of only one made by an official court reporter or court recording monitor as under prior law.

The act also eliminates the \$2.00 per page rate paid to official court reporters and court reporting monitors when they type transcripts for a judicial officer or judicial branch employee. Under prior law, in addition to a salary, court reporters and court recording monitors could charge any public official \$2.00 per page ordered and transcribed from the official record. By law, unchanged by the act, the charge to public officials is generally \$0.75 per page for each transcript page previously produced.

EFFECTIVE DATE: July 1, 2022

§§ 49 & 50 — CERTIFICATE OF REHABILITATION AND PROVISIONAL PARDONS

By law, a “certificate of rehabilitation” is a form of relief, other than a provisional pardon, from barriers or forfeitures to employment or the issuance of licenses, that is granted to an eligible offender by the (1) Board of Pardons and Paroles (BPP) or (2) judicial branch’s Court Support Services Division (CSSD) (CGS § 54-130e(3)).

A “provisional pardon” is granted to eligible offenders by BPP as a form of relief from barriers or forfeitures to employment or the issuance of licenses (CGS § 54-130e(8)).

Court Support Services Division (§ 49)

By law, CSSD may (1) issue a certificate of rehabilitation to an eligible

offender who is under the division's supervision while on probation or other supervised release, (2) issue a new certificate to enlarge the relief previously granted, or (3) revoke a certificate as allowed under the law. The act specifies that the division is not required to continue monitoring the criminal activity of anyone to whom the division issued a certificate of rehabilitation but who is no longer under its supervision.

Board of Pardons and Paroles (§ 50)

By law, BPP may issue a provisional pardon or certificate of rehabilitation before an eligible offender has completed his or her term of incarceration, probation, or parole. The act extends these provisions to offenders who are on special parole (i.e., a period of parole supervision after completing his or her maximum prison sentence) and makes the corresponding conforming changes.

Under the law, certificates of rehabilitation are temporary and may be revoked. The act specifies that this also applies to provisional pardons. Prior law required BPP to revoke a provisional pardon or certificate of rehabilitation if, after it was issued, the person who received it was convicted of a crime. The act instead allows, not requires, BPP to revoke a permanent provisional pardon or certificate of rehabilitation if the board becomes aware of the conviction. The act specifies that BPP is not required to continue monitoring the criminal activity of anyone to whom it has issued a provisional pardon or certificate of rehabilitation but who is no longer under parole or special parole supervision.

§ 51 — FAMILY VIOLENCE VICTIM COMPENSATION

The act expands eligibility for victim compensation by expanding the types of professionals that victims of eligible crimes may report to.

Family Violence Victims

Under the law, the Office of Victim Services or, on review, a victim compensation commissioner, may order compensation to be paid to certain victims if the (1) personal injury has been disclosed to certain professionals, such as a doctor, police officer, or licensed marriage or family therapist, and (2) office or commissioner reasonably concludes that the violation occurred. However, to be eligible for compensation, prior law required that the victims of family violence disclosed their alleged personal injury to a domestic violence or sexual assault counselor. The act instead allows family violence victims to report to the same list of professionals the law allows for reporting personal injury from other crimes.

Crime Victims Disclosure to Professional

For all eligible crime victims, the act adds child advocacy center employees to the list of professionals to whom the victim, including a family violence victim, may disclose the alleged personal injury. The crimes include 1st, 2nd, 3rd, and 4th

degree sexual assault; 1st degree aggravated sexual assault; aggravated sexual assault of a minor; 3rd degree sexual assault with a firearm; prostitution; and human trafficking.

§ 52 — CRIME VICTIM NOTIFICATION

The act allows a member of a crime victim's immediate family to request that the judicial branch's Office of Victim Services (OVS) or the Department of Correction's (DOC) Victim Services Unit (VSU) notify them about certain events, such as when:

1. an inmate applies to the Board of Pardons and Paroles, DOC, the sentencing court or judge, or review division for a review of sentence;
2. an inmate is scheduled to be released from a correctional institution other than on furlough; or
3. certain felony or sexual offenders or offenders against minor victims file to be exempt from registration on the sex offender registry.

Existing law allows crime victims to request these same notifications. And as is the case for crime victims under the law, the act makes the family member responsible for notifying OVS and VSU of his or her current mailing address and telephone number, which is kept confidential.

EFFECTIVE DATE: July 1, 2021

§ 54 — JUVENILE RESIDENTIAL CENTER VISITS AND INTERACTIONS

Individuals Allowed to Visit and Enter Centers

The act authorizes the judicial branch, subject to policies and procedures approved by the chief court administrator, to allow the following individuals to enter, physically or virtually, a juvenile residential center and interact with the staff and juveniles without a court order, if the entry and interaction is required for the individual to perform his or her duties:

1. judicial branch employees or officials;
2. employees or authorized agents of the organization or agency providing educational services in the center;
3. Division of Public Defender Services employees;
4. attorneys representing a juvenile;
5. Department of Children and Families (DCF) employees or officials;
6. employees or authorized agents of an organization or agency contracted with the judicial branch to provide direct services to juveniles;
7. individuals who the judicial branch authorized to provide training, enrichment, recreational, or religious services to the juveniles; and
8. individuals the judicial branch authorized to repair or maintain the center.

Under prior judicial branch practice, anyone seeking entry into a juvenile residential facility had to make a request to the judicial branch, stating the purpose for the entry. If the chief court administrator decided to grant the request, he would issue a court order granting entry for that specific purpose.

Court's Authorization to Allow Entry. The act allows a Superior Court judge,

upon finding that an individual is not authorized to enter but has a legitimate interest in entering a juvenile residential center, to order they be allowed to enter.

Confidentiality. The act prohibits an individual who is allowed to enter a juvenile residential center from disclosing any information that specifically identifies a juvenile, unless authorized by court order or otherwise provided by law. Under the act, individuals who violate this confidentiality provision are guilty of a class B misdemeanor, punishable by a fine up to \$100, and up to six months in prison.

§§ 55 & 56 — ADMINISTERING OATHS

Abuse of an Oath Document (§ 55)

The act creates the crime of abuse of an oath document, and makes a person guilty of the crime when he or she disseminates the oath document, executed subsequent to an oath taken by a judicial officer, by telegraph, mail, computer network, fax, or any other form of written communication, with the intent to defraud, deceive, intimidate, injure, or harass a judicial officer.

Under the act, abuse of an oath document is a class D felony (see Table on Penalties).

Means of Administering Oaths (§ 56)

The act allows a Judicial Department official authorized to administer oaths to do so using an interactive audiovisual device or other remote technology to any party, counsel, witness, or other participant in a court proceeding or appearing before the official for a purpose related to a court process.

EFFECTIVE DATE: October 1, 2021, for the abuse of an oath document provision.

§§ 57-59 — AGRICULTURE-RELATED VIOLATIONS

The act expands the agriculture commissioner's authority by expressly allowing him, or his agent, to issue citations for infractions or violations of statutes that are under the commissioner's authority (§ 57).

The act reduces the penalty for violating Connecticut's seed law (e.g., labeling, sales, and record keeping requirements). Previously the penalty was a class D misdemeanor with specified fines of \$100 for a first offense and \$200 for a subsequent offense. The act eliminates the misdemeanor penalty, leaving only the specified monetary fines in place (§ 59).

The act adds the agriculture-related violations shown in the table below to the list of violations handled by the Superior Court's Centralized Infractions Bureau, which processes payments or not guilty pleas for committing infractions or violations (§ 58). Generally, anyone who is alleged to have committed an infraction or a violation may either plead not guilty or pay the established fine and any additional fee or cost for the infraction or the violation.

**Additional Violations that May be Handled
Through the Centralized Infractions Bureau**

Statute (CGS §)	Violation
22-30	Using a brand name without written permission
22-61j	Violating certain seed labeling, sale, and record keeping requirements
22-61l(n)(1)	Producing hemp without a license or with a suspended or revoked license
22-61m(f)(1)	Manufacturing hemp without a license or with a suspended or revoked license
22-96	Violating imported nursery stock certificate of inspection requirements
22-277(c)	Violating livestock recordkeeping and records inspection requirements
22-278	Violating orders and regulations for controlling livestock diseases
22-344(g)	Failing to maintain a kennel, pet shop, shelter, or grooming or training facility in proper condition or operating these facilities without a license or registration
22-344b(b)(2)	Failing to post required statement of customer rights in pet shops
22-344c(d)	Keeping at least 10 unneutered or unspayed dogs capable of breeding without a license
22-344d(d)	Failing to post required signage in pet shops
22-344f	Violating veterinarian examination and recordkeeping requirements by animal importers
22-350a	Tethering a dog to a stationary object or mobile device for an unreasonable period of time or in violation of specified requirements
22-354	Violating specified pet shop licensee requirements, including limitations on breeders

The act also removes certain violations from the list of violations handled by the bureau, making it no longer able to process their associated fines. The act removes violations associated with (1) certain kennel owners' and keepers' failure to get a town-issued license (CGS § 22-342) and (2) animal shelters' failure to register and maintain their facilities in accordance with the animal shelter regulations (CGS § 22-344(f)).

EFFECTIVE DATE: October 1, 2021

§ 60 — CIVIL ACTION FOR MALICIOUS PROSECUTION

The act extends the statute of limitations for malicious prosecution actions. Under prior law, these tort actions had to be brought within three years from the date of the act or omission complained of (CGS § 52-577).

The act instead begins the three-year statute of limitations from the date the criminal proceeding that is the subject of the malicious prosecution action ends. In doing so, the act provides additional time for an aggrieved criminal defendant to bring a civil action against the person who falsely prosecuted him or her.

By law, a person commits “malicious prosecution” when he or she falsely prosecutes another person for a criminal charge, without probable cause and with malicious intent unjustly to vex and trouble the other person. Offenders are subject to a fine of up to \$100 or up to one year in prison (CGS § 53-39).

EFFECTIVE DATE: July 1, 2021, and applicable to any cause of action arising from a criminal proceeding terminating before, on, or after that date.

§ 61 — FILINGS AND REPORTING ON REQUESTS TO DETAIN CHILDREN

The act requires a law enforcement officer who requests a court order to detain an arrested child in a juvenile detention center to attach, along with the summons, a copy of the completed form to detain prescribed by the Office of the Chief Court Operator.

Under the act, the judicial branch must (1) compile data concerning officers’ requests for these court orders, (2) sort the data by judicial district, and (3) categorize it based on how many requests were made and denied. Starting by January 15, 2023, the judicial branch must annually report this data from the previous calendar year to the Judiciary Committee.

EFFECTIVE DATE: October 1, 2021

§ 62 — VACATUR RELIEF FOR CERTAIN HUMAN TRAFFICKING VICTIMS

The law requires the court to vacate a conviction for prostitution (a class A misdemeanor) and dismiss the charge if the defendant proves that his or her participation in the offense was a result of having been a victim of another person’s conduct that constitutes a violation of trafficking in persons crimes under state and federal laws.

PA 21-103 additionally gives the court discretionary power to vacate any judgment of conviction for any misdemeanor offense; class C, D, or E felony; or unclassified felony offense carrying up to a 10-year prison term applied for by a human trafficking victim. This act (1) specifies that the court’s discretionary vacatur relief available to certain human trafficking victims under PA 21-103 applies to misdemeanor offenses other than prostitution and (2) corrects a statutory reference to a federal law.

EFFECTIVE DATE: October 1, 2021

§ 63 — SENTENCE MODIFICATION

PA 21-102 (§ 25) expands eligibility for sentence modification (i.e., sentence reduction, defendant discharge, or placement of the defendant on probation or conditional discharge) by generally allowing the court, without an agreement between the defendant and the state, to modify plea agreements, including those with an agreed upon sentence range, that include seven years or less of actual incarceration. This act delays this provision's effective date from June 30, 2021, to October 1, 2021.

BACKGROUND

Related Acts

PA 21-155 (§ 5) contains an identical provision reducing the penalty for violating Connecticut's seed law (see §59).

PA 21-89 (§ 2) contains an identical provision making a violation of the state hemp law (CGS § 22-61*l*), which is an infraction, payable by mail through the Central Infractions Bureau (see § 58).