



General Assembly

January Session, 2021

Committee Bill No. 6

LCO No. 5651



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING DOMESTIC VIOLENCE AND CRIMINAL JUSTICE REFORMS.

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

1 Section 1. Section 46b-15 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) Any family or household member, as defined in section 46b-38a,
4 as amended by this act, who has been subjected to: [a] (1) A continuous
5 threat of present physical pain or physical injury, (2) stalking, [or]
6 including, but not limited to, stalking as described in section 53a-181d,
7 (3) a pattern of threatening a family member, a household member or a
8 third person with intent to intimidate such family or household
9 member, including, but not limited to, a pattern of threatening, as
10 described in section 53a-62, or (4) a pattern of coercive controlling
11 behavior, including, but not limited to, intimidation, intentionally
12 causing isolation or exerting financial control with the intent to create
13 dependency, cause fear or cause damage to or destruction of personal
14 property or cruelty or the threat of cruelty to animals, by another family
15 or household member may make an application to the Superior Court
16 for relief under this section. The court shall provide any person who

17 applies for relief under this section with the information set forth in
18 section 46b-15b.

19 (b) The application form shall allow the applicant, at the applicant's
20 option, to indicate whether the respondent holds a permit to carry a
21 pistol or revolver, an eligibility certificate for a pistol or revolver, a long
22 gun eligibility certificate or an ammunition certificate or possesses one
23 or more firearms or ammunition. The application shall be accompanied
24 by [an affidavit made under oath which includes a brief] a statement of
25 the conditions from which relief is sought made under penalty of false
26 statement pursuant to section 53a-157b. Upon receipt of the application
27 the court shall order that a hearing on the application be held not later
28 than fourteen days from the date of the order except that, if the
29 application indicates that the respondent holds a permit to carry a pistol
30 or revolver, an eligibility certificate for a pistol or revolver, a long gun
31 eligibility certificate or an ammunition certificate or possesses one or
32 more firearms or ammunition, and the court orders an ex parte order,
33 the court shall order that a hearing be held on the application not later
34 than seven days from the date on which the ex parte order is issued. The
35 court, in its discretion, may make such orders as it deems appropriate
36 for the protection of the applicant and such dependent children or other
37 persons as the court sees fit. In making such orders ex parte, the court,
38 in its discretion, may consider relevant court records if the records are
39 available to the public from a clerk of the Superior Court or on the
40 Judicial Branch's Internet web site. In addition, at the time of the
41 hearing, the court, in its discretion, may also consider a report prepared
42 by the family services unit of the Judicial Branch that may include, as
43 available: Any existing or prior orders of protection obtained from the
44 protection order registry; information on any pending criminal case or
45 past criminal case in which the respondent was convicted of a violent
46 crime; any outstanding arrest warrant for the respondent; and the
47 respondent's level of risk based on a risk assessment tool utilized by the
48 Court Support Services Division. The report may also include
49 information pertaining to any pending or disposed family matters case
50 involving the applicant and respondent. Any report provided by the

51 Court Support Services Division to the court shall also be provided to
52 the applicant and respondent. Such orders may include temporary child
53 custody or visitation rights, and such relief may include, but is not
54 limited to, an order enjoining the respondent from (1) imposing any
55 restraint upon the person or liberty of the applicant; (2) threatening,
56 harassing, assaulting, molesting, sexually assaulting or attacking the
57 applicant; or (3) entering the family dwelling or the dwelling of the
58 applicant. Such order may include provisions necessary to protect any
59 animal owned or kept by the applicant including, but not limited to, an
60 order enjoining the respondent from injuring or threatening to injure
61 such animal. If an applicant alleges an immediate and present physical
62 danger to the applicant, the court may issue an ex parte order granting
63 such relief as it deems appropriate. If a postponement of a hearing on
64 the application is requested by either party and granted, the ex parte
65 order shall not be continued except upon agreement of the parties or by
66 order of the court for good cause shown. If a hearing on the application
67 is scheduled or an ex parte order is granted and the court is closed on
68 the scheduled hearing date, the hearing shall be held on the next day the
69 court is open and any such ex parte order shall remain in effect until the
70 date of such hearing. If the applicant is under eighteen years of age, a
71 parent, guardian or responsible adult who brings the application as next
72 friend of the applicant may not speak on the applicant's behalf at such
73 hearing unless there is good cause shown as to why the applicant is
74 unable to speak on his or her own behalf, except that nothing in this
75 subsection shall preclude such parent, guardian or responsible adult
76 from testifying as a witness at such hearing. As used in this subsection,
77 "violent crime" includes: (A) An incident resulting in physical harm,
78 bodily injury or assault; (B) an act of threatened violence that constitutes
79 fear of imminent physical harm, bodily injury or assault, including, but
80 not limited to, stalking or a pattern of threatening; (C) verbal abuse or
81 argument if there is a present danger and likelihood that physical
82 violence will occur; and (D) cruelty to animals as set forth in section 53-
83 247.

84 (c) If the court issues an ex parte order pursuant to subsection (b) of

85 this section and service has not been made on the respondent in
86 conformance with subsection (h) of this section, upon request of the
87 applicant, the court shall, based on the information contained in the
88 original application, extend any ex parte order for an additional period
89 not to exceed fourteen days from the originally scheduled hearing date.
90 The clerk shall prepare a new order of hearing and notice containing the
91 new hearing date, which shall be served upon the respondent in
92 accordance with the provisions of subsection (h) of this section.

93 (d) Any ex parte restraining order entered under subsection (b) of this
94 section in which the applicant and respondent are spouses, or persons
95 who have a dependent child or children in common and who live
96 together, may include, if no order exists, and if necessary to maintain
97 the safety and basic needs of the applicant or the dependent child or
98 children in common of the applicant and respondent, in addition to any
99 orders authorized under subsection (b) of this section, any of the
100 following: (1) An order prohibiting the respondent from (A) taking any
101 action that could result in the termination of any necessary utility
102 services or necessary services related to the family dwelling or the
103 dwelling of the applicant, (B) taking any action that could result in the
104 cancellation, change of coverage or change of beneficiary of any health,
105 automobile or homeowners insurance policy to the detriment of the
106 applicant or the dependent child or children in common of the applicant
107 and respondent, or (C) transferring, encumbering, concealing or
108 disposing of specified property owned or leased by the applicant; or (2)
109 an order providing the applicant with temporary possession of an
110 automobile, checkbook, documentation of health, automobile or
111 homeowners insurance, a document needed for purposes of proving
112 identity, a key or other necessary specified personal effects.

113 (e) At the hearing on any application under this section, if the court
114 grants relief pursuant to subsection (b) of this section and the applicant
115 and respondent are spouses, or persons who have a dependent child or
116 children in common and who live together, and if necessary to maintain
117 the safety and basic needs of the applicant or the dependent child or

118 children in common of the applicant and respondent, any orders
119 entered by the court may include, in addition to the orders authorized
120 under subsection (b) of this section, any of the following: (1) An order
121 prohibiting the respondent from (A) taking any action that could result
122 in the termination of any necessary utility services or services related to
123 the family dwelling or the dwelling of the applicant, (B) taking any
124 action that could result in the cancellation, change of coverage or change
125 of beneficiary of any health, automobile or homeowners insurance
126 policy to the detriment of the applicant or the dependent child or
127 children in common of the applicant and respondent, or (C)
128 transferring, encumbering, concealing or disposing of specified
129 property owned or leased by the applicant; (2) an order providing the
130 applicant with temporary possession of an automobile, checkbook,
131 documentation of health, automobile or homeowners insurance, a
132 document needed for purposes of proving identity, a key or other
133 necessary specified personal effects; or (3) an order that the respondent:
134 (A) Make rent or mortgage payments on the family dwelling or the
135 dwelling of the applicant and the dependent child or children in
136 common of the applicant and respondent, (B) maintain utility services
137 or other necessary services related to the family dwelling or the
138 dwelling of the applicant and the dependent child or children in
139 common of the applicant and respondent, (C) maintain all existing
140 health, automobile or homeowners insurance coverage without change
141 in coverage or beneficiary designation, or (D) provide financial support
142 for the benefit of any dependent child or children in common of the
143 applicant and the respondent, provided the respondent has a legal duty
144 to support such child or children and the ability to pay. The court shall
145 not enter any order of financial support without sufficient evidence as
146 to the ability to pay, including, but not limited to, financial affidavits. If
147 at the hearing no order is entered under this subsection or subsection
148 (d) of this section, no such order may be entered thereafter pursuant to
149 this section. Any order entered pursuant to this subsection shall not be
150 subject to modification and shall expire one hundred twenty days after
151 the date of issuance or upon issuance of a superseding order, whichever

152 occurs first. Any amounts not paid or collected under this subsection or
153 subsection (d) of this section may be preserved and collectible in an
154 action for dissolution of marriage, custody, paternity or support.

155 (f) Every order of the court made in accordance with this section shall
156 contain the following language: (1) "This order may be extended by the
157 court beyond one year. In accordance with section 53a-107 of the
158 Connecticut general statutes, entering or remaining in a building or any
159 other premises in violation of this order constitutes criminal trespass in
160 the first degree. This is a criminal offense punishable by a term of
161 imprisonment of not more than one year, a fine of not more than two
162 thousand dollars or both."; and (2) "In accordance with section 53a-223b
163 of the Connecticut general statutes, any violation of subparagraph (A)
164 or (B) of subdivision (2) of subsection (a) of section 53a-223b constitutes
165 criminal violation of a restraining order which is punishable by a term
166 of imprisonment of not more than five years, a fine of not more than five
167 thousand dollars, or both. Additionally, any violation of subparagraph
168 (C) or (D) of subdivision (2) of subsection (a) of section 53a-223b
169 constitutes criminal violation of a restraining order which is punishable
170 by a term of imprisonment of not more than ten years, a fine of not more
171 than ten thousand dollars, or both."

172 (g) No order of the court shall exceed one year, except that an order
173 may be extended by the court upon motion of the applicant for such
174 additional time as the court deems necessary. If the respondent has not
175 appeared upon the initial application, service of a motion to extend an
176 order may be made by first-class mail directed to the respondent at the
177 respondent's last-known address.

178 (h) (1) The applicant shall cause notice of the hearing pursuant to
179 subsection (b) of this section and a copy of the application and the
180 applicant's [affidavit] statement of the specific facts that form the basis
181 for relief made under penalty of false statement pursuant to section 53a-
182 157b and of any ex parte order issued pursuant to subsection (b) of this
183 section to be served on the respondent not less than three days before

184 the hearing. A proper officer responsible for executing such service shall
185 accept all documents in an electronic format, if presented to such officer
186 in such format. The cost of such service shall be paid for by the Judicial
187 Branch.

188 (2) When (A) an application indicates that a respondent holds a
189 permit to carry a pistol or revolver, an eligibility certificate for a pistol
190 or revolver, a long gun eligibility certificate or an ammunition certificate
191 or possesses one or more firearms or ammunition, and (B) the court has
192 issued an ex parte order pursuant to this section, the proper officer
193 responsible for executing service shall, whenever possible, provide in-
194 hand service and, prior to serving such order, shall (i) provide notice to
195 the law enforcement agency for the town in which the respondent will
196 be served concerning when and where the service will take place, and
197 (ii) send, or cause to be sent by facsimile or other means, a copy of the
198 application, the applicant's [affidavit] statement of the specific facts that
199 form the basis for relief made under penalty of false statement pursuant
200 to section 53a-157b, the ex parte order and the notice of hearing to such
201 law enforcement agency, and (iii) request that a police officer from the
202 law enforcement agency for the town in which the respondent will be
203 served be present when service is executed by the proper officer. Upon
204 receiving a request from a proper officer under the provisions of this
205 subdivision, the law enforcement agency for the town in which the
206 respondent will be served may designate a police officer to be present
207 when service is executed by the proper officer.

208 (3) Upon the granting of an ex parte order, the clerk of the court shall
209 provide two copies of the order to the applicant. Upon the granting of
210 an order after notice and hearing, the clerk of the court shall provide
211 two copies of the order to the applicant and a copy to the respondent.
212 Every order of the court made in accordance with this section after
213 notice and hearing shall be accompanied by a notification that is
214 consistent with the full faith and credit provisions set forth in 18 USC
215 2265(a), as amended from time to time. Immediately after making
216 service on the respondent, the proper officer shall (A) send or cause to

217 be sent, by facsimile or other means, a copy of the application, or the
218 information contained in such application, stating the date and time the
219 respondent was served, to the law enforcement agency or agencies for
220 the town in which the applicant resides, the town in which the applicant
221 is employed and the town in which the respondent resides, and (B) as
222 soon as possible, but not later than two hours after the time that service
223 is executed, input into the Judicial Branch's Internet-based service
224 tracking system the date, time and method of service. If, prior to the date
225 of the scheduled hearing, service has not been executed, the proper
226 officer shall input into such service tracking system that service was
227 unsuccessful. The clerk of the court shall send, by facsimile or other
228 means, a copy of any ex parte order and of any order after notice and
229 hearing, or the information contained in any such order, to the law
230 enforcement agency or agencies for the town in which the applicant
231 resides, the town in which the applicant is employed and the town in
232 which the respondent resides, within forty-eight hours of the issuance
233 of such order. If the victim, or victim's minor child protected by such
234 order, is enrolled in a public or private elementary or secondary school,
235 including a technical education and career school, or an institution of
236 higher education, as defined in section 10a-55, the clerk of the court
237 shall, upon the request of the victim, send, by facsimile or other means,
238 a copy of such ex parte order or of any order after notice and hearing, or
239 the information contained in any such order, to such school or
240 institution of higher education, the president of any institution of higher
241 education at which the victim, or victim's minor child protected by such
242 order, is enrolled and the special police force established pursuant to
243 section 10a-156b, if any, at the institution of higher education at which
244 the victim, or victim's minor child protected by such order, is enrolled,
245 if the victim provides the clerk with the name and address of such school
246 or institution of higher education.

247 (i) A caretaker who is providing shelter in his or her residence to a
248 person sixty years or older shall not be enjoined from the full use and
249 enjoyment of his or her home and property. The Superior Court may
250 make any other appropriate order under the provisions of this section.

251 (j) When a motion for contempt is filed for violation of a restraining
252 order, there shall be an expedited hearing. Such hearing shall be held
253 within five court days of service of the motion on the respondent,
254 provided service on the respondent is made not less than twenty-four
255 hours before the hearing. If the court finds the respondent in contempt
256 for violation of an order, the court may impose such sanctions as the
257 court deems appropriate.

258 (k) An action under this section shall not preclude the applicant from
259 seeking any other civil or criminal relief.

260 (l) For purposes of this section, "police officer" means a state police
261 officer or a sworn member of a municipal police department and "law
262 enforcement agency" means the Division of State Police within the
263 Department of Emergency Services and Public Protection or any
264 municipal police department.

265 Sec. 2. Section 51-27h of the general statutes is repealed and the
266 following is substituted in lieu thereof (*Effective October 1, 2021*):

267 The Chief Court Administrator shall provide in each court where
268 family matters or family violence matters are heard or where a domestic
269 violence docket, as defined in section 51-181e, is located a secure room
270 for victims of family violence crimes and advocates for victims of family
271 violence crimes which is separate from any public or private area of the
272 court intended to accommodate the respondent or defendant or the
273 respondent's or defendant's family, friends, attorneys or witnesses and
274 separate from the office of the state's attorney, provided such a room is
275 available and the use of such room is practical, except that any
276 courthouse constructed on or after July 1, 2021, shall include such a
277 room.

278 Sec. 3. Section 51-27i of the general statutes is repealed and the
279 following is substituted in lieu thereof (*Effective October 1, 2021*):

280 (a) As used in this section:

281 (1) "Domestic violence agency" means any office, shelter, host home
282 or agency offering assistance to victims of domestic violence through
283 crisis intervention, emergency shelter referral and medical and legal
284 advocacy, and which meets the Department of Social Services' criteria
285 of service provision for such agencies.

286 (2) "Family violence victim advocate" means a person (A) who is
287 employed by and under the control of a direct service supervisor of a
288 domestic violence agency, (B) who has undergone a minimum of twenty
289 hours of training which shall include, but not be limited to, the
290 dynamics of domestic violence, crisis intervention, communication
291 skills, working with diverse populations, an overview of the state
292 criminal justice and civil family court systems and information about
293 state and community resources for victims of domestic violence, (C)
294 who is certified as a counselor by the domestic violence agency that
295 provided such training, and (D) whose primary purpose is the
296 rendering of advice, counsel and assistance to, and the advocacy of the
297 cause of, victims of domestic violence.

298 (b) The Chief Court Administrator shall permit one or more family
299 violence victim advocates to provide services to victims of domestic
300 violence in (1) the Family Division of the Superior Court in [one or more
301 judicial districts] each judicial district, and (2) each geographical area
302 court in the state.

303 (c) Notwithstanding any provision of the general statutes, upon
304 request, a family violence victim advocate providing services in the
305 Family Division of the Superior Court or a geographical area court shall
306 be provided with a copy of any police report in the possession of the
307 state's attorney, the Division of State Police within the Department of
308 Emergency Services and Public Protection, any municipal police
309 department or any other law enforcement agency that the family
310 violence victim advocate requires to perform the responsibilities and
311 duties set forth in subsection (b) of this section.

312 Sec. 4. Subdivision (3) of section 46b-38a of the general statutes is

313 repealed and the following is substituted in lieu thereof (*Effective October*
314 *1, 2021*):

315 (3) "Family violence crime" means a crime as defined in section 53a-
316 24, other than a delinquent act, as defined in section 46b-120, which, in
317 addition to its other elements, contains as an element thereof an act of
318 family violence to a family or household member. "Family violence
319 crime" includes any violation of section 53a-222, 53a-222a, 53a-223, 53a-
320 223a or 53a-223b when the condition of release or court order is issued
321 for an act of family violence or a family violence crime. "Family violence
322 crime" does not include acts by parents or guardians disciplining minor
323 children unless such acts constitute abuse.

324 Sec. 5. Subdivision (5) of subsection (g) of section 46b-38b of the
325 general statutes is repealed and the following is substituted in lieu
326 thereof (*Effective July 1, 2021*):

327 (5) (A) On and after July 1, [2010] 2021, each law enforcement agency
328 shall designate at least one officer with supervisory duties to
329 expeditiously process, upon request of a victim of family violence or
330 other crime who is applying for U Nonimmigrant Status [(A)] (i) a
331 certification of helpfulness on Form I-918, Supplement B, or any
332 subsequent corresponding form designated by the United States
333 Department of Homeland Security, confirming that the victim of family
334 violence or other crime has been helpful, is being helpful [,] or is likely
335 to be helpful in the investigation or prosecution of the criminal activity,
336 and [(B)] (ii) any subsequent certification required by the victim. As
337 used in this subparagraph, "expeditiously" means not later than sixty
338 days after the date of receipt of the request for certification of
339 helpfulness, or not later than fourteen days after the date of receipt of
340 such request if (I) the victim is in federal immigration removal
341 proceedings or detained, or (II) the victim's child, parents or siblings
342 would become ineligible for an immigration benefit by virtue of the
343 victim or the sibling of such victim attaining the age of eighteen years,
344 or the victim's child attaining the age of twenty-one years.

345 (B) By signing a certification of helpfulness, the officer or agency is
346 not making a determination of eligibility for U Nonimmigrant Status.
347 The officer or agency is solely providing information required by the
348 United States Department of Homeland Security on such form as is
349 required by said department and certifying that: (i) The requesting
350 individual or his or her family member is a victim of one of the
351 enumerated crimes eligible for U Nonimmigrant Status, (ii) the victim
352 possesses or possessed information regarding that crime, (iii) the victim
353 has been, is being or is likely to be helpful in an investigation of that
354 crime, and (iv) the victim has not failed or refused to provide reasonably
355 requested information or assistance. A current or ongoing investigation,
356 filing of criminal charges, prosecution or conviction are not required for
357 a victim to request and obtain certification under this subdivision.

358 Sec. 6. Section 17b-105a of the general statutes is repealed and the
359 following is substituted in lieu thereof (*Effective July 1, 2021*):

360 (a) The Commissioner of Social Services shall seek a waiver from
361 federal law to allow persons who live in an area in which (1) the
362 unemployment rate is greater than ten per cent, or (2) there is an
363 insufficient number of jobs to provide such persons with employment,
364 to be exempt from the three-month participation limit of the
365 supplemental nutrition assistance program implemented pursuant to
366 the Food and Nutrition Act of 2008.

367 (b) The Commissioner of Social Services shall implement vehicle
368 evaluation provisions in accordance with 7 CFR 273.8(f)(4).

369 (c) The Commissioner of Social Services, pursuant to 7 USC
370 2014(e)(6), shall implement the federal option to mandate the use of a
371 standard utility allowance, to be used in place of actual utility costs, for
372 purposes of calculating the excess shelter deduction of applicants for, or
373 recipients of, supplemental nutrition assistance program benefits.
374 Pursuant to 7 USC 2014(e)(6)(C)(iii)(III), the commissioner shall not
375 prorate a standard utility allowance based upon the fact that an assisted
376 household shares the utility with an individual who is not a member of

377 the assisted household.

378 (d) The Commissioner of Social Services, to the extent permissible
379 under federal law, shall (1) expedite supplemental nutrition assistance
380 program eligibility determinations for a victim of domestic violence, as
381 defined in section 17b-112a, and (2) provide an eligible victim
382 temporary supplemental nutrition assistance program benefits for not
383 less than ninety days before redetermining eligibility for benefits. In
384 conducting an expedited initial eligibility determination, the
385 commissioner shall subtract from such victim's household income the
386 income of any spouse, domestic partner or other household member
387 credibly accused by such victim of domestic violence. For purposes of
388 this subsection, allegations of domestic violence may be substantiated
389 by the commissioner pursuant to the provisions of subsection (b) of
390 section 17b-112a.

391 Sec. 7. Subsections (b) and (c) of section 17b-749 of the general statutes
392 are repealed and the following is substituted in lieu thereof (*Effective July*
393 *1, 2021*):

394 (b) The commissioner shall establish income standards for applicants
395 and recipients at a level to include a family with gross income up to fifty
396 per cent of the state-wide median income, except the commissioner: (1)
397 [may] May increase the income level up to the maximum level allowed
398 under federal law, (2) upon the request of the Commissioner of Children
399 and Families, may waive the income standards for adoptive families so
400 that children adopted [on or after October 1, 1999,] from the Department
401 of Children and Families are eligible for the child care subsidy program,
402 [and (3) on and after March 1, 2003,] (3) shall waive the income
403 standards for not less than ninety days from the date of application for
404 a victim of domestic violence, as defined in section 17b-112a, at which
405 time the commissioner shall redetermine eligibility based upon the
406 income standards, and (4) shall reduce the income eligibility level to up
407 to fifty-five per cent of the state-wide median income for applicants and
408 recipients who qualify based on their loss of eligibility for temporary

409 family assistance. For purposes of this subsection, allegations of
410 domestic violence may be substantiated by the commissioner pursuant
411 to the provisions of subsection (b) of section 17b-112a. The
412 commissioner may adopt regulations in accordance with chapter 54 to
413 establish income criteria and durational requirements for such waiver
414 of income standards.

415 (c) The commissioner, in consultation with the Commissioner of
416 Social Services, shall establish eligibility and program standards
417 including, but not limited to: (1) A priority intake and eligibility system
418 with preference given to serving (A) victims of domestic violence, as
419 defined in section 17b-112a, (B) recipients of temporary family
420 assistance who are employed or engaged in employment activities
421 under the Department of Social Services' "Jobs First" program, [(B)] (C)
422 working families whose temporary family assistance was discontinued
423 not more than five years prior to the date of application for the child care
424 subsidy program, [(C)] (D) teen parents, [(D)] (E) low-income working
425 families, [(E)] (F) adoptive families of children who were adopted from
426 the Department of Children and Families and who are granted a waiver
427 of income standards under subdivision (2) of subsection (b) of this
428 section, and [(F)] (G) working families who are at risk of welfare
429 dependency; (2) health and safety standards for child care providers not
430 required to be licensed; (3) a reimbursement system for child care
431 services which account for differences in the age of the child, number of
432 children in the family, the geographic region and type of care provided
433 by licensed and unlicensed caregivers, the cost and type of services
434 provided by licensed and unlicensed caregivers, successful completion
435 of fifteen hours of annual in-service training or credentialing of child
436 care directors and administrators, and program accreditation; (4)
437 supplemental payment for special needs of the child and extended
438 nontraditional hours; (5) an annual rate review process for providers
439 which assures that reimbursement rates are maintained at levels which
440 permit equal access to a variety of child care settings; (6) a sliding
441 reimbursement scale for participating families; (7) an administrative
442 appeals process; (8) an administrative hearing process to adjudicate

443 cases of alleged fraud and abuse and to impose sanctions and recover
444 overpayments; (9) an extended period of program and payment
445 eligibility when a parent who is receiving a child care subsidy
446 experiences a temporary interruption in employment or other approved
447 activity; and (10) a waiting list for the child care subsidy program that
448 (A) allows the commissioner to exercise discretion in prioritizing within
449 and between existing priority groups, including, but not limited to,
450 children described in 45 CFR 98.46, as amended from time to time, and
451 households with an infant or toddler, and (B) reflects the priority and
452 eligibility system set forth in subdivision (1) of this subsection [, which
453 is reviewed periodically,] with the inclusion of this information in the
454 annual report required to be issued [annually] by the office to the
455 Governor and the General Assembly in accordance with section 17b-733.
456 Such action will include, but not be limited to, family income, age of
457 child, region of state and length of time on such waiting list.

458 Sec. 8. Subsection (c) of section 17b-191 of the general statutes is
459 repealed and the following is substituted in lieu thereof (*Effective July 1,*
460 *2021*):

461 (c) To be eligible for cash assistance under the program, a person shall
462 (1) be (A) eighteen years of age or older; (B) a minor found by a court to
463 be emancipated pursuant to section 46b-150; or (C) under eighteen years
464 of age and the commissioner determines good cause for such person's
465 eligibility, and (2) not have assets exceeding two hundred fifty dollars
466 or, if such person is married, such person and his or her spouse shall not
467 have assets exceeding five hundred dollars. In determining eligibility,
468 the commissioner shall not consider as income (A) Aid and Attendance
469 pension benefits granted to a veteran, as defined in section 27-103, or the
470 surviving spouse of such veteran, or (B) for a period not less than ninety
471 days from the date of application, the income of a spouse, domestic
472 partner or other household member credibly accused of domestic
473 violence by a victim of domestic violence, as defined in section 17b-112a.
474 The commissioner shall redetermine the eligibility of a victim of
475 domestic violence after ninety days. For purposes of this subsection,

476 allegations of domestic violence may be substantiated by the
477 commissioner pursuant to the provisions of subsection (b) of section
478 17b-112a. No person who is a substance abuser and refuses or fails to
479 enter available, appropriate treatment shall be eligible for cash
480 assistance under the program until such person enters treatment. No
481 person whose benefits from the temporary family assistance program
482 have terminated as a result of time-limited benefits or for failure to
483 comply with a program requirement shall be eligible for cash assistance
484 under the program.

485 Sec. 9. Section 38a-816 of the general statutes is repealed and the
486 following is substituted in lieu thereof (*Effective October 1, 2021*):

487 The following are defined as unfair methods of competition and
488 unfair and deceptive acts or practices in the business of insurance:

489 (1) Misrepresentations and false advertising of insurance policies.
490 Making, issuing or circulating, or causing to be made, issued or
491 circulated, any estimate, illustration, circular or statement, sales
492 presentation, omission or comparison which: (A) Misrepresents the
493 benefits, advantages, conditions or terms of any insurance policy; (B)
494 misrepresents the dividends or share of the surplus to be received, on
495 any insurance policy; (C) makes any false or misleading statements as
496 to the dividends or share of surplus previously paid on any insurance
497 policy; (D) is misleading or is a misrepresentation as to the financial
498 condition of any person, or as to the legal reserve system upon which
499 any life insurer operates; (E) uses any name or title of any insurance
500 policy or class of insurance policies misrepresenting the true nature
501 thereof; (F) is a misrepresentation, including, but not limited to, an
502 intentional misquote of a premium rate, for the purpose of inducing or
503 tending to induce to the purchase, lapse, forfeiture, exchange,
504 conversion or surrender of any insurance policy; (G) is a
505 misrepresentation for the purpose of effecting a pledge or assignment of
506 or effecting a loan against any insurance policy; or (H) misrepresents
507 any insurance policy as being shares of stock.

508 (2) False information and advertising generally. Making, publishing,
509 disseminating, circulating or placing before the public, or causing,
510 directly or indirectly, to be made, published, disseminated, circulated or
511 placed before the public, in a newspaper, magazine or other publication,
512 or in the form of a notice, circular, pamphlet, letter or poster, or over any
513 radio or television station, or in any other way, an advertisement,
514 announcement or statement containing any assertion, representation or
515 statement with respect to the business of insurance or with respect to
516 any person in the conduct of his insurance business, which is untrue,
517 deceptive or misleading.

518 (3) Defamation. Making, publishing, disseminating or circulating,
519 directly or indirectly, or aiding, abetting or encouraging the making,
520 publishing, disseminating or circulating of, any oral or written
521 statement or any pamphlet, circular, article or literature which is false
522 or maliciously critical of or derogatory to the financial condition of an
523 insurer, and which is calculated to injure any person engaged in the
524 business of insurance.

525 (4) Boycott, coercion and intimidation. Entering into any agreement
526 to commit, or by any concerted action committing, any act of boycott,
527 coercion or intimidation resulting in or tending to result in unreasonable
528 restraint of, or monopoly in, the business of insurance.

529 (5) False financial statements. Filing with any supervisory or other
530 public official, or making, publishing, disseminating, circulating or
531 delivering to any person, or placing before the public, or causing,
532 directly or indirectly, to be made, published, disseminated, circulated or
533 delivered to any person, or placed before the public, any false statement
534 of financial condition of an insurer with intent to deceive; or making any
535 false entry in any book, report or statement of any insurer with intent to
536 deceive any agent or examiner lawfully appointed to examine into its
537 condition or into any of its affairs, or any public official to whom such
538 insurer is required by law to report, or who has authority by law to
539 examine into its condition or into any of its affairs, or, with like intent,

540 wilfully omitting to make a true entry of any material fact pertaining to
541 the business of such insurer in any book, report or statement of such
542 insurer.

543 (6) Unfair claim settlement practices. Committing or performing with
544 such frequency as to indicate a general business practice any of the
545 following: (A) Misrepresenting pertinent facts or insurance policy
546 provisions relating to coverages at issue; (B) failing to acknowledge and
547 act with reasonable promptness upon communications with respect to
548 claims arising under insurance policies; (C) failing to adopt and
549 implement reasonable standards for the prompt investigation of claims
550 arising under insurance policies; (D) refusing to pay claims without
551 conducting a reasonable investigation based upon all available
552 information; (E) failing to affirm or deny coverage of claims within a
553 reasonable time after proof of loss statements have been completed; (F)
554 not attempting in good faith to effectuate prompt, fair and equitable
555 settlements of claims in which liability has become reasonably clear; (G)
556 compelling insureds to institute litigation to recover amounts due under
557 an insurance policy by offering substantially less than the amounts
558 ultimately recovered in actions brought by such insureds; (H)
559 attempting to settle a claim for less than the amount to which a
560 reasonable man would have believed he was entitled by reference to
561 written or printed advertising material accompanying or made part of
562 an application; (I) attempting to settle claims on the basis of an
563 application which was altered without notice to, or knowledge or
564 consent of the insured; (J) making claims payments to insureds or
565 beneficiaries not accompanied by statements setting forth the coverage
566 under which the payments are being made; (K) making known to
567 insureds or claimants a policy of appealing from arbitration awards in
568 favor of insureds or claimants for the purpose of compelling them to
569 accept settlements or compromises less than the amount awarded in
570 arbitration; (L) delaying the investigation or payment of claims by
571 requiring an insured, claimant, or the physician of either to submit a
572 preliminary claim report and then requiring the subsequent submission
573 of formal proof of loss forms, both of which submissions contain

574 substantially the same information; (M) failing to promptly settle claims,
575 where liability has become reasonably clear, under one portion of the
576 insurance policy coverage in order to influence settlements under other
577 portions of the insurance policy coverage; (N) failing to promptly
578 provide a reasonable explanation of the basis in the insurance policy in
579 relation to the facts or applicable law for denial of a claim or for the offer
580 of a compromise settlement; (O) using as a basis for cash settlement with
581 a first party automobile insurance claimant an amount which is less than
582 the amount which the insurer would pay if repairs were made unless
583 such amount is agreed to by the insured or provided for by the
584 insurance policy.

585 (7) Failure to maintain complaint handling procedures. Failure of any
586 person to maintain complete record of all the complaints which it has
587 received since the date of its last examination. This record shall indicate
588 the total number of complaints, their classification by line of insurance,
589 the nature of each complaint, the disposition of these complaints, and
590 the time it took to process each complaint. For purposes of this
591 [subsection] subdivision "complaint" means any written
592 communication primarily expressing a grievance.

593 (8) Misrepresentation in insurance applications. Making false or
594 fraudulent statements or representations on or relative to an application
595 for an insurance policy for the purpose of obtaining a fee, commission,
596 money or other benefit from any insurer, producer or individual.

597 (9) Any violation of any one of sections 38a-358, 38a-446, 38a-447, as
598 amended by this act, 38a-488, 38a-825, 38a-826, 38a-828 and 38a-829.
599 None of the following practices shall be considered discrimination
600 within the meaning of section 38a-446 or 38a-488 or a rebate within the
601 meaning of section 38a-825: (A) Paying bonuses to policyholders or
602 otherwise abating their premiums in whole or in part out of surplus
603 accumulated from nonparticipating insurance, provided any such
604 bonuses or abatement of premiums shall be fair and equitable to
605 policyholders and for the best interests of the company and its

606 policyholders; (B) in the case of policies issued on the industrial debit
607 plan, making allowance to policyholders who have continuously for a
608 specified period made premium payments directly to an office of the
609 insurer in an amount which fairly represents the saving in collection
610 expense; (C) readjustment of the rate of premium for a group insurance
611 policy based on loss or expense experience, or both, at the end of the
612 first or any subsequent policy year, which may be made retroactive for
613 such policy year.

614 (10) Notwithstanding any provision of any policy of insurance,
615 certificate or service contract, whenever such insurance policy or
616 certificate or service contract provides for reimbursement for any
617 services which may be legally performed by any practitioner of the
618 healing arts licensed to practice in this state, reimbursement under such
619 insurance policy, certificate or service contract shall not be denied
620 because of race, color or creed nor shall any insurer make or permit any
621 unfair discrimination against particular individuals or persons so
622 licensed.

623 (11) Favored agent or insurer: Coercion of debtors. (A) No person
624 may (i) require, as a condition precedent to the lending of money or
625 extension of credit, or any renewal thereof, that the person to whom
626 such money or credit is extended or whose obligation the creditor is to
627 acquire or finance, negotiate any policy or contract of insurance through
628 a particular insurer or group of insurers or producer or group of
629 producers; (ii) unreasonably disapprove the insurance policy provided
630 by a borrower for the protection of the property securing the credit or
631 lien; (iii) require directly or indirectly that any borrower, mortgagor,
632 purchaser, insurer or producer pay a separate charge, in connection
633 with the handling of any insurance policy required as security for a loan
634 on real estate or pay a separate charge to substitute the insurance policy
635 of one insurer for that of another; or (iv) use or disclose information
636 resulting from a requirement that a borrower, mortgagor or purchaser
637 furnish insurance of any kind on real property being conveyed or used
638 as collateral security to a loan, when such information is to the

639 advantage of the mortgagee, vendor or lender, or is to the detriment of
640 the borrower, mortgagor, purchaser, insurer or the producer complying
641 with such a requirement.

642 (B) (i) Subparagraph (A)(iii) of this subdivision shall not include the
643 interest which may be charged on premium loans or premium
644 advancements in accordance with the security instrument. (ii) For
645 purposes of subparagraph (A)(ii) of this subdivision, such disapproval
646 shall be deemed unreasonable if it is not based solely on reasonable
647 standards uniformly applied, relating to the extent of coverage required
648 and the financial soundness and the services of an insurer. Such
649 standards shall not discriminate against any particular type of insurer,
650 nor shall such standards call for the disapproval of an insurance policy
651 because such policy contains coverage in addition to that required. (iii)
652 The commissioner may investigate the affairs of any person to whom
653 this subdivision applies to determine whether such person has violated
654 this subdivision. If a violation of this subdivision is found, the person in
655 violation shall be subject to the same procedures and penalties as are
656 applicable to other provisions of section 38a-815, subsections (b) and (e)
657 of section 38a-817 and this section. (iv) For purposes of this section,
658 "person" includes any individual, corporation, limited liability
659 company, association, partnership or other legal entity.

660 (12) Refusing to insure, refusing to continue to insure or limiting the
661 amount, extent or kind of coverage available to an individual or
662 charging an individual a different rate for the same coverage because of
663 physical disability, mental or nervous condition as set forth in section
664 38a-488a or intellectual disability, except where the refusal, limitation or
665 rate differential is based on sound actuarial principles or is related to
666 actual or reasonably anticipated experience.

667 (13) Refusing to insure, refusing to continue to insure or limiting the
668 amount, extent or kind of coverage available to an individual or
669 charging an individual a different rate for the same coverage solely
670 because of blindness or partial blindness. For purposes of this

671 subdivision, "refusal to insure" includes the denial by an insurer of
672 disability insurance coverage on the grounds that the policy defines
673 "disability" as being presumed in the event that the insured is blind or
674 partially blind, except that an insurer may exclude from coverage any
675 disability, consisting solely of blindness or partial blindness, when such
676 condition existed at the time the policy was issued. Any individual who
677 is blind or partially blind shall be subject to the same standards of sound
678 actuarial principles or actual or reasonably anticipated experience as are
679 sighted persons with respect to all other conditions, including the
680 underlying cause of the blindness or partial blindness.

681 (14) Refusing to insure, refusing to continue to insure or limiting the
682 amount, extent or kind of coverage available to an individual or
683 charging an individual a different rate for the same coverage because of
684 exposure to diethylstilbestrol through the female parent.

685 (15) (A) Failure by an insurer, or any other entity responsible for
686 providing payment to a health care provider pursuant to an insurance
687 policy, to pay accident and health claims, including, but not limited to,
688 claims for payment or reimbursement to health care providers, within
689 the time periods set forth in subparagraph (B) of this subdivision, unless
690 the Insurance Commissioner determines that a legitimate dispute exists
691 as to coverage, liability or damages or that the claimant has fraudulently
692 caused or contributed to the loss. Any insurer, or any other entity
693 responsible for providing payment to a health care provider pursuant
694 to an insurance policy, who fails to pay such a claim or request within
695 the time periods set forth in subparagraph (B) of this subdivision shall
696 pay the claimant or health care provider the amount of such claim plus
697 interest at the rate of fifteen per cent per annum, in addition to any other
698 penalties which may be imposed pursuant to sections 38a-11, 38a-25,
699 38a-41 to 38a-53, inclusive, 38a-57 to 38a-60, inclusive, 38a-62 to 38a-64,
700 inclusive, 38a-76, 38a-83, 38a-84, 38a-117 to 38a-124, inclusive, 38a-129
701 to 38a-140, inclusive, 38a-146 to 38a-155, inclusive, 38a-283, 38a-288 to
702 38a-290, inclusive, 38a-319, 38a-320, 38a-459, 38a-464, 38a-815 to 38a-819,
703 inclusive, 38a-824 to 38a-826, inclusive, and 38a-828 to 38a-830,

704 inclusive. Whenever the interest due a claimant or health care provider
705 pursuant to this section is less than one dollar, the insurer shall deposit
706 such amount in a separate interest-bearing account in which all such
707 amounts shall be deposited. At the end of each calendar year each such
708 insurer shall donate such amount to The University of Connecticut
709 Health Center.

710 (B) Each insurer or other entity responsible for providing payment to
711 a health care provider pursuant to an insurance policy subject to this
712 section, shall pay claims not later than:

713 (i) For claims filed in paper format, sixty days after receipt by the
714 insurer of the claimant's proof of loss form or the health care provider's
715 request for payment filed in accordance with the insurer's practices or
716 procedures, except that when there is a deficiency in the information
717 needed for processing a claim, as determined in accordance with section
718 38a-477, the insurer shall (I) send written notice to the claimant or health
719 care provider, as the case may be, of all alleged deficiencies in
720 information needed for processing a claim not later than thirty days
721 after the insurer receives a claim for payment or reimbursement under
722 the contract, and (II) pay claims for payment or reimbursement under
723 the contract not later than thirty days after the insurer receives the
724 information requested; and

725 (ii) For claims filed in electronic format, twenty days after receipt by
726 the insurer of the claimant's proof of loss form or the health care
727 provider's request for payment filed in accordance with the insurer's
728 practices or procedures, except that when there is a deficiency in the
729 information needed for processing a claim, as determined in accordance
730 with section 38a-477, the insurer shall (I) notify the claimant or health
731 care provider, as the case may be, of all alleged deficiencies in
732 information needed for processing a claim not later than ten days after
733 the insurer receives a claim for payment or reimbursement under the
734 contract, and (II) pay claims for payment or reimbursement under the
735 contract not later than ten days after the insurer receives the information

736 requested.

737 (C) As used in this subdivision, "health care provider" means a person
738 licensed to provide health care services under chapter 368d, chapter
739 368v, chapters 370 to 373, inclusive, 375 to 383c, inclusive, 384a to 384c,
740 inclusive, or chapter 400j.

741 (16) Failure to pay, as part of any claim for a damaged motor vehicle
742 under any automobile insurance policy where the vehicle has been
743 declared to be a constructive total loss, an amount equal to the sum of
744 (A) the settlement amount on such vehicle plus, whenever the insurer
745 takes title to such vehicle, (B) an amount determined by multiplying
746 such settlement amount by a percentage equivalent to the current sales
747 tax rate established in section 12-408. For purposes of this subdivision,
748 "constructive total loss" means the cost to repair or salvage damaged
749 property, or the cost to both repair and salvage such property, equals or
750 exceeds the total value of the property at the time of the loss.

751 (17) Any violation of section 42-260, by an extended warranty
752 provider subject to the provisions of said section, including, but not
753 limited to: (A) Failure to include all statements required in subsections
754 (c) and (f) of section 42-260 in an issued extended warranty; (B) offering
755 an extended warranty without being (i) insured under an adequate
756 extended warranty reimbursement insurance policy or (ii) able to
757 demonstrate that reserves for claims contained in the provider's
758 financial statements are not in excess of one-half the provider's audited
759 net worth; (C) failure to submit a copy of an issued extended warranty
760 form or a copy of such provider's extended warranty reimbursement
761 policy form to the Insurance Commissioner.

762 (18) With respect to an insurance company, hospital service
763 corporation, health care center or fraternal benefit society providing
764 individual or group health insurance coverage of the types specified in
765 subdivisions (1), (2), (4), (5), (6), (10), (11) and (12) of section 38a-469,
766 refusing to insure, refusing to continue to insure or limiting the amount,
767 extent or kind of coverage available to an individual or charging an

768 individual a different rate for the same coverage because such
769 individual has been a victim of [family] domestic violence, as defined in
770 section 17b-112a.

771 (19) With respect to a property and casualty insurer delivering,
772 issuing for delivery, renewing, amending, continuing or endorsing a
773 property or casualty insurance policy, making any distinction or
774 discrimination against an individual in delivering, issuing for delivery,
775 renewing, amending, continuing, endorsing, offering, withholding,
776 cancelling or setting premiums for such policy, or in the terms of such
777 policy, because the individual has been a victim of domestic violence, as
778 defined in section 17b-112a.

779 [(19)] (20) With respect to an insurance company, hospital service
780 corporation, health care center or fraternal benefit society providing
781 individual or group health insurance coverage of the types specified in
782 subdivisions (1), (2), (3), (4), (6), (9), (10), (11) and (12) of section 38a-469,
783 refusing to insure, refusing to continue to insure or limiting the amount,
784 extent or kind of coverage available to an individual or charging an
785 individual a different rate for the same coverage because of genetic
786 information. Genetic information indicating a predisposition to a
787 disease or condition shall not be deemed a preexisting condition in the
788 absence of a diagnosis of such disease or condition that is based on other
789 medical information. An insurance company, hospital service
790 corporation, health care center or fraternal benefit society providing
791 individual health coverage of the types specified in subdivisions (1), (2),
792 (3), (4), (6), (9), (10), (11) and (12) of section 38a-469, shall not be
793 prohibited from refusing to insure or applying a preexisting condition
794 limitation, to the extent permitted by law, to an individual who has been
795 diagnosed with a disease or condition based on medical information
796 other than genetic information and has exhibited symptoms of such
797 disease or condition. For the purposes of this [subsection] subdivision,
798 "genetic information" means the information about genes, gene
799 products or inherited characteristics that may derive from an individual
800 or family member.

801 ~~[(20)]~~ (21) Any violation of sections 38a-465 to 38a-465q, inclusive, as
802 amended by this act.

803 ~~[(21)]~~ (22) With respect to a managed care organization, as defined in
804 section 38a-478, failing to establish a confidentiality procedure for
805 medical record information, as required by section 38a-999.

806 ~~[(22)]~~ (23) Any violation of sections 38a-591d to 38a-591f, inclusive.

807 ~~[(23)]~~ (24) Any violation of section 38a-472j.

808 Sec. 10. Section 38a-447 of the general statutes is repealed and the
809 following is substituted in lieu thereof (*Effective October 1, 2021*):

810 No life insurance company doing business in this state may: (1) Make
811 any distinction or discrimination between persons on the basis of race
812 or status as a victim of domestic violence, as to the premiums or rates
813 charged for policies upon the lives of such persons; (2) demand or
814 require greater premiums from persons of one race than such as are at
815 that time required by that company from persons of another race, or
816 from persons who have been victims of domestic violence than such as
817 are at that time required by that company from persons who have not
818 been victims of domestic violence, of the same age, sex, general
819 condition of health and hope of longevity; or (3) make or require any
820 rebate, diminution or discount on the basis of race, or status as a victim
821 of domestic violence, upon the sum to be paid on any policy in case of
822 the death of any person insured, nor insert in the policy any condition,
823 nor make any stipulation whereby such person insured shall bind
824 [himself, his] such person, such person's heirs, executors, administrators
825 or assigns to accept any sum less than the full value or amount of such
826 policy, in case of a claim accruing thereon by reason of the death of such
827 person insured, other than such as are imposed upon all persons in
828 similar cases; and each such stipulation or condition so made or inserted
829 shall be void. For the purposes of this section, "victim of domestic
830 violence" has the same meaning as provided in section 17b-112a.

831 Sec. 11. Section 38a-465 of the general statutes is repealed and the
832 following is substituted in lieu thereof (*Effective October 1, 2021*):

833 As used in sections 38a-465 to 38a-465q, inclusive, and subdivision
834 [(20)] (21) of section 38a-816, as amended by this act:

835 (1) "Advertisement" means any written, electronic or printed
836 communication or any communication by means of recorded telephone
837 messages or transmitted on radio, television, the Internet or similar
838 communications media, including, but not limited to, film strips, motion
839 pictures and videos, published, disseminated, circulated or placed
840 before the public, directly or indirectly, for the purpose of creating an
841 interest in or inducing a person to purchase or sell, assign, devise,
842 bequest or transfer the death benefit or ownership of a life insurance
843 policy or an interest in a life insurance policy pursuant to a life
844 settlement contract.

845 (2) "Broker" means a person who, on behalf of an owner and for a fee,
846 commission or other valuable consideration, offers or attempts to
847 negotiate life settlement contracts between an owner and one or more
848 providers. "Broker" does not include an attorney, certified public
849 accountant or financial planner accredited by a nationally recognized
850 accreditation agency retained to represent the owner, whose
851 compensation is not paid directly or indirectly by a provider or any
852 other person except the owner.

853 (3) "Business of life settlements" means an activity involved in, but
854 not limited to, offering to enter into, soliciting, negotiating, procuring,
855 effectuating, monitoring or tracking of life settlement contracts.

856 (4) "Chronically ill" means: (A) Being unable to perform at least two
857 activities of daily living, including, but not limited to, eating, toileting,
858 transferring, bathing, dressing or continence; (B) requiring substantial
859 supervision to protect from threats to health and safety due to severe
860 cognitive impairment; or (C) having a level of disability similar to that
861 described in subparagraph (A) of this subdivision as determined by the

862 federal Secretary of Health and Human Services.

863 (5) "Commissioner" means the Insurance Commissioner.

864 (6) (A) "Financing entity" means an underwriter, placement agent,
865 lender, purchaser of securities, purchaser of a policy or certificate from
866 a provider, credit enhancer, or any entity that has a direct ownership in
867 a policy or certificate that is the subject of a life settlement contract:

868 (i) Whose principal activity related to the transaction is providing
869 funds to effect the life settlement contract or purchase of one or more
870 policies; and

871 (ii) Who has an agreement in writing with one or more providers to
872 finance the acquisition of life settlement contracts.

873 (B) "Financing entity" does not include a nonaccredited investor or a
874 purchaser.

875 (7) "Financing transaction" means any transaction in which a
876 provider obtains financing from a financing entity, including, but not
877 limited to, any secured or unsecured financing, any securitization
878 transaction or any securities offering which is registered or exempt from
879 registration under federal or state securities law.

880 (8) "Insured" means the person covered under the policy being
881 considered for sale in a life settlement contract.

882 (9) "Life expectancy" means the arithmetic mean of the number of
883 months the insured under the life insurance policy to be settled can be
884 expected to live as determined by a life expectancy company, life
885 settlement company or investor considering medical records and
886 experiential data.

887 (10) "Life insurance producer" means any person licensed in this state
888 as a resident or nonresident insurance producer who has received
889 qualification or authority for life insurance coverage or a life line

890 coverage pursuant to chapter 702.

891 (11) (A) "Life settlement contract" means:

892 (i) A written agreement entered into between a provider and an
893 owner, establishing the terms under which compensation or anything
894 of value will be paid, which compensation or thing of value is less than
895 the expected death benefit of the insurance policy or certificate, in return
896 for the owner's assignment, transfer, sale, devise or bequest of the death
897 benefit or any portion of an insurance policy or certificate of insurance
898 for compensation, provided the minimum value for a life settlement
899 contract shall be greater than a cash surrender value or accelerated
900 death benefit available at the time of an application for a life settlement
901 contract;

902 (ii) The transfer for compensation or value of ownership or beneficial
903 interest in a trust, or other entity that owns such policy, if the trust or
904 other entity was formed or availed of for the principal purpose of
905 acquiring one or more life insurance contracts, which life insurance
906 contract insures the life of a person residing in this state;

907 (iii) A written agreement for a loan or other lending transaction,
908 secured primarily by an individual or group life insurance policy; or

909 (iv) A premium finance loan made for a policy on or before the date
910 of issuance of the policy where (I) the loan proceeds are not used solely
911 to pay premiums for the policy and any costs or expenses incurred by
912 the lender or the borrower in connection with the financing, (II) the
913 owner receives, on the date of the premium finance loan, a guarantee of
914 the future life settlement value of the policy, or (III) the owner agrees on
915 the date of the premium finance loan to sell the policy, or any portion of
916 its death benefit, on any date following the issuance of the policy.

917 (B) "Life settlement contract" does not include:

918 (i) A policy loan by a life insurance company pursuant to the terms
919 of the life insurance policy or accelerated death provisions contained in

920 the life insurance policy, whether issued with the original policy or as a
921 rider;

922 (ii) A premium finance loan, as defined in subparagraph (A)(iv) of
923 this subdivision, or any loan made by a bank or other licensed financial
924 institution, provided neither default on such loan or the transfer of the
925 policy, in connection with such default, is pursuant to an agreement or
926 understanding with any other person for the purpose of evading
927 regulation under this part;

928 (iii) A collateral assignment of a life insurance policy by an owner;

929 (iv) A loan made by a lender that does not violate sections 38a-162 to
930 38a-170, inclusive, provided such loan is not described in subparagraph
931 (A) of this subdivision and is not otherwise within the definition of life
932 settlement contract;

933 (v) An agreement where all the parties are closely related to the
934 insured by blood or law or have a lawful substantial economic interest
935 in the continued life, health and bodily safety of the person insured, or
936 are trusts established primarily for the benefit of such parties;

937 (vi) Any designation, consent or agreement by an insured who is an
938 employee of an employer in connection with the purchase by the
939 employer, or trust established by the employer, of life insurance on the
940 life of the employee;

941 (vii) A bona fide business succession planning arrangement: (I)
942 Between one or more shareholders in a corporation or between a
943 corporation and one or more of its shareholders or one or more trusts
944 established by its shareholders; (II) between one or more partners in a
945 partnership or between a partnership and one or more of its partners or
946 one or more trusts established by its partners; or (III) between one or
947 more members in a limited liability company or between a limited
948 liability company and one or more of its members or one or more trusts
949 established by its members;

950 (viii) An agreement entered into by a service recipient or a trust
951 established by the service recipient, and a service provider or a trust
952 established by the service provider, that performs significant services
953 for the service recipient's trade or business; or

954 (ix) Any other contract, transaction or arrangement from the
955 definition of life settlement contract that the commissioner determines
956 is not of the type intended to be regulated by this part.

957 (12) "Net death benefit" means the amount of the life insurance policy
958 or certificate to be settled less any outstanding debts or liens.

959 (13) "Owner" means the owner of a life insurance policy or a
960 certificate holder under a group policy, with or without a terminal
961 illness, who enters or seeks to enter into a life settlement contract. For
962 the purposes of this part, an owner shall not be limited to an owner of a
963 life insurance policy or a certificate holder under a group policy that
964 insures the life of an individual with a terminal or chronic illness or
965 condition, except where specifically addressed. "Owner" does not
966 include: (A) Any provider or other licensee under this part; (B) a
967 qualified institutional buyer, as defined in Rule 144A of the federal
968 Securities Act of 1933, as amended from time to time; (C) a financing
969 entity; (D) a special purpose entity; or (E) a related provider trust.

970 (14) "Patient identifying information" means an insured's address,
971 telephone number, facsimile number, electronic mail address,
972 photograph or likeness, employer, employment status, Social Security
973 number or any other information that is likely to lead to the
974 identification of the insured.

975 (15) "Person" means a natural person or a legal entity, including, but
976 not limited to, an individual, partnership, limited liability company,
977 association, trust or corporation.

978 (16) "Policy" means an individual or group policy, group certificate,
979 contract or arrangement of life insurance owned by a resident of this

980 state, regardless of whether delivered or issued for delivery in this state.

981 (17) "Premium finance loan" means a loan made primarily for the
982 purposes of making premium payments on a life insurance policy,
983 which loan is secured by an interest in such life insurance policy.

984 (18) "Provider" means a person, other than an owner, who enters into
985 or effectuates a life settlement contract with an owner. "Provider" does
986 not include:

987 (A) Any bank, savings bank, savings and loan association or credit
988 union;

989 (B) A licensed lending institution, creditor or secured party pursuant
990 to a premium finance loan agreement that takes an assignment of a life
991 insurance policy or certificate issued pursuant to a group life insurance
992 policy as collateral for a loan;

993 (C) The insurer of a life insurance policy or rider providing
994 accelerated death benefits or riders pursuant to section 38a-457 or cash
995 surrender value;

996 (D) A natural person who enters into or effectuates no more than one
997 agreement in a calendar year for the transfer of a life insurance policy or
998 certificate issued pursuant to a group life insurance policy, for
999 compensation or any value less than the expected death benefit payable
1000 under the policy;

1001 (E) A purchaser;

1002 (F) An authorized or eligible insurer that provides stop loss coverage
1003 to a provider, purchaser, financing entity, special purpose entity or
1004 related provider trust;

1005 (G) A financing entity;

1006 (H) A special purpose entity;

1007 (I) A related provider trust;

1008 (J) A broker; or

1009 (K) An accredited investor or a qualified institutional buyer, as
1010 defined in Rule 501 of Regulation D or Rule 144A, respectively, of the
1011 federal Securities Act of 1933, as amended from time to time, who
1012 purchases a life settlement policy from a provider.

1013 (19) "Purchased policy" means a policy or group certificate that has
1014 been acquired by a provider pursuant to a life settlement contract.

1015 (20) "Purchaser" means a person who pays compensation or anything
1016 of value as consideration for a beneficial interest in a trust that is vested
1017 with, or for the assignment, transfer or sale of, an ownership or other
1018 interest in a life insurance policy or a certificate issued pursuant to a
1019 group life insurance policy that is the subject of a life settlement contract.

1020 (21) "Related provider trust" means a titling trust or other trust
1021 established by a licensed provider or a financing entity for the sole
1022 purpose of holding the ownership or beneficial interest in purchased
1023 policies in connection with a financing transaction.

1024 (22) "Settled policy" means a life insurance policy or certificate that
1025 has been acquired by a provider pursuant to a life settlement contract.

1026 (23) "Special purpose entity" means a corporation, partnership, trust,
1027 limited liability company or other similar entity formed solely to
1028 provide, either directly or indirectly, access to institutional capital
1029 markets (A) for a financing entity or provider, (B) in connection with a
1030 transaction in which the securities in the special purpose entity are
1031 acquired by the owner or by a qualified institutional buyer, as defined
1032 in Rule 144A of the federal Securities Act of 1933, as amended from time
1033 to time, or (C) the securities pay a fixed rate of return commensurate
1034 with established asset-backed institutional capital markets.

1035 (24) "Stranger-originated life insurance" means an act, practice or

1036 arrangement to initiate a life insurance policy for the benefit of a third-
1037 party investor who, at the time of policy origination, has no insurable
1038 interest in the insured. Such practices include, but are not limited to,
1039 cases in which life insurance is purchased with resources or guarantees
1040 from or through a person or entity, who, at the time of policy inception,
1041 could not lawfully initiate the policy himself or itself, and where, at the
1042 time of inception, there is an arrangement or agreement, whether verbal
1043 or written, to directly or indirectly transfer the ownership of the policy
1044 or the policy benefits to a third-party. Trusts created to give the
1045 appearance of insurable interest and used to initiate policies for
1046 investors violate insurable interest laws and the prohibition against
1047 wagering on life. Stranger-originated life insurance arrangements do
1048 not include those practices set forth in subparagraph (B) of subdivision
1049 (11) of this section.

1050 (25) "Terminally ill" means having an illness or sickness that can
1051 reasonably be expected to result in death in twenty-four months or less.

1052 Sec. 12. (NEW) (*Effective from passage*) (a) There is established a grant
1053 program to provide individuals who are indigent with access to legal
1054 assistance when making an application for a restraining order under
1055 section 46b-15 of the general statutes, as amended by this act. The
1056 program shall be administered by the organization that administers the
1057 program for the use of interest earned on lawyers' clients' funds
1058 accounts pursuant to section 51-81c of the general statutes.

1059 (b) Not later than three months after receiving funding in any year
1060 pursuant to section 13 of this act, the organization administering the
1061 program shall issue a request for proposals from nonprofit entities
1062 whose principal purpose is providing legal services to individuals who
1063 are indigent, for the purpose of awarding grants to provide counsel to
1064 indigent individuals who express an interest in applying for a
1065 restraining order pursuant to section 46b-15 of the general statutes, as
1066 amended by this act, and, to the extent practicable within the funding
1067 awarded, representing such individuals throughout the process of

1068 applying for such restraining order, including at prehearing conferences
1069 and at the hearing on an application. A nonprofit entity responding to
1070 the request for proposals may partner with law schools or other non-
1071 profit entities or publicly funded organizations that are not
1072 governmental entities, for the provision of services pursuant to a grant.
1073 Each response to the request for proposals shall specify the judicial
1074 district courthouse, or courthouses, for which services will be provided.

1075 (c) The organization administering the program may only award a
1076 grant (1) to provide services in the judicial districts of Bridgeport,
1077 Hartford, New Haven, Stamford or Waterbury, and (2) in an amount
1078 not to exceed two hundred thousand dollars, except that a grant to
1079 provide services in the judicial district with the highest average number
1080 of applications for restraining orders under section 46b-15 of the general
1081 statutes, as amended by this act, over the previous three fiscal years may
1082 receive a grant of not more than four hundred thousand dollars. Grants
1083 may not be used to provide services to individuals who are not indigent.

1084 (d) The organization administering the program may only award a
1085 grant to a nonprofit entity whose principal purpose is providing legal
1086 services to individuals who are indigent, if such nonprofit entity
1087 demonstrates the ability to:

1088 (1) Verify at the time of meeting with an individual that such
1089 potential client is indigent and meets applicable household income
1090 eligibility requirements set by the entity;

1091 (2) Arrange for at least one individual who has the relevant training
1092 or experience and is authorized to provide legal counsel to individuals
1093 who express an interest in applying for a restraining order, to be present
1094 in the courthouse or courthouses identified in response to the request
1095 for proposals during all business hours;

1096 (3) Provide continued representation to individuals throughout the
1097 restraining order process, including in court for the hearing on the
1098 restraining order, to the greatest extent practicable within the funding

1099 awarded and if requested to do so by an individual after providing
1100 assistance with a restraining order application;

1101 (4) Provide any individual in the courthouse who expresses an
1102 interest in applying for a restraining order with all applicable forms that
1103 may be necessary to apply for a restraining order; and

1104 (5) Track and report to the organization administering the program
1105 on the services provided pursuant to the program, including (A) the
1106 procedural outcomes of restraining order applications filed, (B) the
1107 number of instances where legal counsel was provided prior to the filing
1108 of an application but not during the remainder of the restraining order
1109 process, and the reasons causing the duration of such representation,
1110 and (C) information on any other legal representation provided to
1111 individuals pursuant to the program on matters that were ancillary to
1112 the circumstances that supported the application for a restraining order.

1113 (e) In awarding grants, the organization administering the program
1114 shall give preference to nonprofit entities (1) that demonstrate the ability
1115 to provide legal representation to clients regarding matters ancillary to
1116 the circumstances that supported the application for a restraining order;
1117 (2) with experience offering legal representation to individuals during
1118 the restraining order process; or (3) that can provide quality remote
1119 services should courthouses be closed to the public.

1120 (f) The Chief Court Administrator shall (1) provide each grant
1121 recipient with office space in the judicial district courthouse or
1122 courthouses served by such recipient under the grant program to
1123 conduct intake interviews and assist clients with applications for
1124 restraining orders, and (2) require court clerks at such courthouses, prior
1125 to accepting an application for a restraining order pursuant to section
1126 46b-15 of the general statutes, as amended by this act, to inform each
1127 individual filing such application, or inquiring about filing such an
1128 application, that pro bono legal services are available from the grant
1129 recipient for income-eligible individuals and where the grant recipient
1130 is located in the courthouse.

1131 (g) The Chief Court Administrator shall post on the Internet web site
1132 of the Judicial Branch where instructions for filing a restraining order
1133 pursuant to section 46b-15 of the general statutes, as amended by this
1134 act, are provided, information on the pro bono legal services available
1135 from grant recipients for income-eligible individuals at the applicable
1136 courthouses.

1137 (h) For each year that funding is provided for the program under this
1138 section, the organization administering the program shall either
1139 conduct, or partner with an academic institution or other qualified
1140 entity for the purpose of conducting, an analysis of the impact of the
1141 program, including, but not limited to, (1) the procedural outcomes for
1142 applications filed in association with services provided by grant
1143 recipients under the program, (2) the types and extent of legal services
1144 provided to individuals served pursuant to the program, including on
1145 matters ancillary to the restraining order application, and (3) the
1146 number of cases where legal services were provided before an
1147 application was filed but legal representation did not continue during
1148 the restraining order process and the reasons for such limited
1149 representations. Not later than July first of the year following any year
1150 in which the program received funding, the organization administering
1151 the program shall submit a report on the results of such analysis in
1152 accordance with the provisions of section 11-4a of the general statutes,
1153 to the joint standing committee of the General Assembly having
1154 cognizance of matters relating to the judiciary.

1155 Sec. 13. (NEW) (*Effective from passage*) During each of the fiscal years
1156 ending June 30, 2022, and June 30, 2023, the Attorney General, utilizing
1157 transfer invoices, shall remit one million two hundred fifty thousand
1158 dollars to the organization administering the program established
1159 pursuant to section 12 of this act, from moneys received by the Office of
1160 the Attorney General in connection with the settlement of any lawsuit
1161 to which the state is a party. Such remittal in the fiscal year ending June
1162 30, 2023, shall occur no later than one year following the date of the
1163 remittal in the previous fiscal year. Moneys remitted to the organization

1164 pursuant to this section shall be used for purposes of the program
1165 established in section 12 of this act. Up to five per cent of the total
1166 amount received by such organization may be used for the reasonable
1167 costs of administering the program, including the completion of the
1168 analysis and report required by subsection (h) of section 12 of this act.

1169 Sec. 14. Section 54-64a of the general statutes is repealed and the
1170 following is substituted in lieu thereof (*Effective October 1, 2021*):

1171 (a) (1) Except as provided in subdivision (2) of this subsection and
1172 subsection (b) of this section, when any arrested person is presented
1173 before the Superior Court, said court shall, in bailable offenses,
1174 promptly order the release of such person upon the first of the following
1175 conditions of release found sufficient to reasonably ensure the
1176 appearance of the arrested person in court: (A) Upon execution of a
1177 written promise to appear without special conditions, (B) upon
1178 execution of a written promise to appear with nonfinancial conditions,
1179 (C) upon execution of a bond without surety in no greater amount than
1180 necessary, (D) upon execution of a bond with surety in no greater
1181 amount than necessary, but in no event shall a judge prohibit a bond
1182 from being posted by surety. In addition to or in conjunction with any
1183 of the conditions enumerated in subparagraphs (A) to (D), inclusive, of
1184 this subdivision the court may, when it has reason to believe that the
1185 person is drug-dependent and where necessary, reasonable and
1186 appropriate, order the person to submit to a urinalysis drug test and to
1187 participate in a program of periodic drug testing and treatment. The
1188 results of any such drug test shall not be admissible in any criminal
1189 proceeding concerning such person.

1190 (2) If the arrested person is charged with no offense other than a
1191 misdemeanor, the court shall not impose financial conditions of release
1192 on the person unless (A) the person is charged with a family violence
1193 crime, as defined in section 46b-38a, as amended by this act, or a
1194 violation of section 53a-222a when the condition of release was issued
1195 for a family violence crime, or (B) the person requests such financial

1196 conditions, or (C) the court makes a finding on the record that there is a
1197 likely risk that (i) the arrested person will fail to appear in court, as
1198 required, or (ii) the arrested person will obstruct or attempt to obstruct
1199 justice, or threaten, injure or intimidate or attempt to threaten, injure or
1200 intimidate a prospective witness or juror, or (iii) the arrested person will
1201 engage in conduct that threatens the safety of himself or herself or
1202 another person. In making a finding described in this subsection, the
1203 court may consider past criminal history, including any prior record of
1204 failing to appear as required in court that resulted in any conviction for
1205 a violation of section 53a-172 or any conviction during the previous ten
1206 years for a violation of section 53a-173 and any other pending criminal
1207 cases of the person charged with a misdemeanor.

1208 (3) The court may, in determining what conditions of release will
1209 reasonably ensure the appearance of the arrested person in court,
1210 consider the following factors: (A) The nature and circumstances of the
1211 offense, (B) such person's record of previous convictions, (C) such
1212 person's past record of appearance in court, (D) such person's family
1213 ties, (E) such person's employment record, (F) such person's financial
1214 resources, character and mental condition, [and] (G) such person's
1215 community ties, and (H) in cases of a violation of section 53a-222a when
1216 the condition of release was issued for a family violence crime, as
1217 defined in section 46b-38a, as amended by this act, the heightened risk
1218 posed to alleged victims of family violence by violations of conditions
1219 of release.

1220 (b) (1) When any arrested person charged with the commission of (A)
1221 a class A felony, (B) a class B felony, except a violation of section 53a-86
1222 or 53a-122, (C) a class C felony, except a violation of (i) section 53a-87,
1223 53a-152 or 53a-153, or (ii) section 53a-222, 53a-223, 53a-223a or 53a-223b
1224 when the condition of release or court order was issued for an act of
1225 family violence or a family violence crime, as defined in section 46b-38a,
1226 as amended by this act, or (D) a class D felony under (i) sections 53a-60
1227 to 53a-60c, inclusive, (ii) section 53a-72a, 53a-95, 53a-103, 53a-103a, 53a-
1228 114, 53a-136 or 53a-216, or (iii) section 53a-222, 53a-222a, 53a-223, 53a-

1229 223a or 53a-223b when the condition of release or court order was issued
1230 for an act of family violence or a family violence crime, or (iv) a family
1231 violence crime, [as defined in section 46b-38a,] is presented before the
1232 Superior Court, said court shall, in bailable offenses, promptly order the
1233 release of such person upon the first of the following conditions of
1234 release found sufficient to reasonably ensure the appearance of the
1235 arrested person in court and that the safety of any other person will not
1236 be endangered: [(A)] (I) Upon such person's execution of a written
1237 promise to appear without special conditions, [(B)] (II) upon such
1238 person's execution of a written promise to appear with nonfinancial
1239 conditions, [(C)] (III) upon such person's execution of a bond without
1240 surety in no greater amount than necessary, [(D)] (IV) upon such
1241 person's execution of a bond with surety in no greater amount than
1242 necessary, but in no event shall a judge prohibit a bond from being
1243 posted by surety. In addition to or in conjunction with any of the
1244 conditions enumerated in subparagraphs [(A) to] (D)(I) to (D)(IV),
1245 inclusive, of this subdivision, the court may, when it has reason to
1246 believe that the person is drug-dependent and where necessary,
1247 reasonable and appropriate, order the person to submit to a urinalysis
1248 drug test and to participate in a program of periodic drug testing and
1249 treatment. The results of any such drug test shall not be admissible in
1250 any criminal proceeding concerning such person.

1251 (2) The court may, in determining what conditions of release will
1252 reasonably ensure the appearance of the arrested person in court and
1253 that the safety of any other person will not be endangered, consider the
1254 following factors: (A) The nature and circumstances of the offense, (B)
1255 such person's record of previous convictions, (C) such person's past
1256 record of appearance in court after being admitted to bail, (D) such
1257 person's family ties, (E) such person's employment record, (F) such
1258 person's financial resources, character and mental condition, (G) such
1259 person's community ties, (H) the number and seriousness of charges
1260 pending against the arrested person, (I) the weight of the evidence
1261 against the arrested person, (J) the arrested person's history of violence,
1262 (K) whether the arrested person has previously been convicted of

1263 similar offenses while released on bond, [and] (L) the likelihood based
1264 upon the expressed intention of the arrested person that such person
1265 will commit another crime while released, and (M) in cases of a violation
1266 of section 53a-222, 53a-222a, 53a-223, 53a-223a or 53a-223b when the
1267 condition of release or court order was issued for an act of family
1268 violence or a family violence crime, as defined in section 46b-38a, as
1269 amended by this act, the heightened risk posed to alleged victims of
1270 family violence by violations of conditions of release or court orders of
1271 protection.

1272 (3) When imposing conditions of release under this subsection, the
1273 court shall state for the record any factors under subdivision (2) of this
1274 subsection that it considered and the findings that it made as to the
1275 danger, if any, that the arrested person might pose to the safety of any
1276 other person upon the arrested person's release that caused the court to
1277 impose the specific conditions of release that it imposed.

1278 (c) If the court determines that a nonfinancial condition of release
1279 should be imposed pursuant to subparagraph (B) of subdivision (1) of
1280 subsection (a) or (b) of this section, the court shall order the pretrial
1281 release of the person subject to the least restrictive condition or
1282 combination of conditions that the court determines will reasonably
1283 ensure the appearance of the arrested person in court and, with respect
1284 to the release of the person pursuant to subsection (b) of this section,
1285 that the safety of any other person will not be endangered, which
1286 conditions may include an order that the arrested person do one or more
1287 of the following: (1) Remain under the supervision of a designated
1288 person or organization; (2) comply with specified restrictions on such
1289 person's travel, association or place of abode; (3) not engage in specified
1290 activities, including the use or possession of a dangerous weapon, an
1291 intoxicant or a controlled substance; (4) provide sureties of the peace
1292 pursuant to section 54-56f under supervision of a designated bail
1293 commissioner or intake, assessment and referral specialist employed by
1294 the Judicial Branch; (5) avoid all contact with an alleged victim of the
1295 crime and with a potential witness who may testify concerning the

1296 offense; (6) maintain employment or, if unemployed, actively seek
1297 employment; (7) maintain or commence an educational program; (8) be
1298 subject to electronic monitoring; or (9) satisfy any other condition that is
1299 reasonably necessary to ensure the appearance of the person in court
1300 and that the safety of any other person will not be endangered. The court
1301 shall state on the record its reasons for imposing any such nonfinancial
1302 condition.

1303 (d) If the arrested person is not released, the court shall order him
1304 committed to the custody of the Commissioner of Correction until he is
1305 released or discharged in due course of law.

1306 (e) The court may require that the person subject to electronic
1307 monitoring pursuant to subsection (c) of this section pay directly to the
1308 electronic monitoring service provider a fee for the cost of such
1309 electronic monitoring services. If the court finds that the person subject
1310 to electronic monitoring is indigent and unable to pay the costs of
1311 electronic monitoring services, the court shall waive such costs. Any
1312 contract entered into by the Judicial Branch and the electronic
1313 monitoring service provider shall include a provision stating that the
1314 total cost for electronic monitoring services shall not exceed five dollars
1315 per day. Such amount shall be indexed annually to reflect the rate of
1316 inflation.

1317 Sec. 15. Subsection (a) of section 53a-181j of the general statutes is
1318 repealed and the following is substituted in lieu thereof (*Effective October*
1319 *1, 2021*):

1320 (a) A person is guilty of intimidation based on bigotry or bias in the
1321 first degree when such person maliciously, and with specific intent to
1322 intimidate or harass another person [because of] motivated in whole or
1323 in substantial part by the actual or perceived race, religion, ethnicity,
1324 disability, sex, sexual orientation or gender identity or expression of
1325 such other person, causes physical injury to such other person or to a
1326 third person.

1327 Sec. 16. Subsection (a) of section 53a-181k of the general statutes is
1328 repealed and the following is substituted in lieu thereof (*Effective October*
1329 *1, 2021*):

1330 (a) A person is guilty of intimidation based on bigotry or bias in the
1331 second degree when such person maliciously, and with specific intent
1332 to intimidate or harass another person or group of persons [because of]
1333 motivated in whole or in substantial part by the actual or perceived race,
1334 religion, ethnicity, disability, sex, sexual orientation or gender identity
1335 or expression of such other person or group of persons, does any of the
1336 following: (1) Causes physical contact with such other person or group
1337 of persons, (2) damages, destroys or defaces any real or personal
1338 property of such other person or group of persons, or (3) threatens, by
1339 word or act, to do an act described in subdivision (1) or (2) of this
1340 subsection, if there is reasonable cause to believe that an act described
1341 in subdivision (1) or (2) of this subsection will occur.

1342 Sec. 17. Subsection (a) of section 53a-181l of the general statutes is
1343 repealed and the following is substituted in lieu thereof (*Effective October*
1344 *1, 2021*):

1345 (a) A person is guilty of intimidation based on bigotry or bias in the
1346 third degree when such person, with specific intent to intimidate or
1347 harass another person or group of persons [because of] motivated in
1348 whole or in substantial part by the actual or perceived race, religion,
1349 ethnicity, disability, sex, sexual orientation or gender identity or
1350 expression of such other person or persons: (1) Damages, destroys or
1351 defaces any real or personal property, or (2) threatens, by word or act,
1352 to do an act described in subdivision (1) of this subsection or advocates
1353 or urges another person to do an act described in subdivision (1) of this
1354 subsection, if there is reasonable cause to believe that an act described
1355 in said subdivision will occur.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2021</i>	46b-15
Sec. 2	<i>October 1, 2021</i>	51-27h
Sec. 3	<i>October 1, 2021</i>	51-27i
Sec. 4	<i>October 1, 2021</i>	46b-38a(3)
Sec. 5	<i>July 1, 2021</i>	46b-38b(g)(5)
Sec. 6	<i>July 1, 2021</i>	17b-105a
Sec. 7	<i>July 1, 2021</i>	17b-749(b) and (c)
Sec. 8	<i>July 1, 2021</i>	17b-191(c)
Sec. 9	<i>October 1, 2021</i>	38a-816
Sec. 10	<i>October 1, 2021</i>	38a-447
Sec. 11	<i>October 1, 2021</i>	38a-465
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>October 1, 2021</i>	54-64a
Sec. 15	<i>October 1, 2021</i>	53a-181j(a)
Sec. 16	<i>October 1, 2021</i>	53a-181k(a)
Sec. 17	<i>October 1, 2021</i>	53a-181l(a)

Statement of Purpose:

To make various changes relating to (1) restraining orders, (2) family violence victim advocates, (3) cash bonds, (4) U Nonimmigrant Status, (5) social services for domestic violence victims, (6) insurance discrimination, (7) counsel for people seeking restraining orders, and (8) crimes based on bigotry or bias.

[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.]

Co-Sponsors: SEN. LOONEY, 11th Dist.; SEN. DUFF, 25th Dist.
 SEN. MCCRORY, 2nd Dist.; SEN. ANWAR, 3rd Dist.
 SEN. CASSANO, 4th Dist.; SEN. SLAP, 5th Dist.
 SEN. LESSER, 9th Dist.; SEN. WINFIELD, 10th Dist.
 SEN. DAUGHERTY ABRAMS, 13th Dist.; SEN. CABRERA, 17th
 Dist.
 SEN. MOORE, 22nd Dist.; SEN. KUSHNER, 24th Dist.
 SEN. HASKELL, 26th Dist.; SEN. FLEXER, 29th Dist.
 SEN. KASSER, 36th Dist.; SEN. BRADLEY, 23rd Dist.
 REP. MICHEL, 146th Dist.; REP. CONLEY, 40th Dist.
 REP. PALM, 36th Dist.; REP. SIMMS, 140th Dist.
 REP. PHIPPS, 100th Dist.; REP. HUGHES, 135th Dist.

S.B. 6