

Legislative History for Connecticut Act

SB 305 PA 96 1996

Senate : 1409-1412, 2530-2531,
2623-2624 (8)

House : 1298, 1467, 1651-1654 (6)

Judiciary 0 14

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
and House of Representatives Proceedings

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is that the bill doesn't say that.

And while those authorities do have regulatory authority, it's important to establish, as Senator Gunther has established, that the agencies involved do not have the authority to implement this legislation unless and until they have promulgated regulations defining those terms.

I take it from Senator Gunther that that's what's intended. Therefore, I take it from Senator Gunther that that's what it says here and that there will be no imposition of this licensure requirement until such time as those regulations have been promulgated by the respective agencies.

THE CHAIR:

Thank you, Senator. Will you remark further on the bill as amended? Will you remark further? Senator Gunther.

SEN. GUNTHER:

If there's no objection, may we put this on the Consent Calendar.

THE CHAIR:

Motion is to refer this item to the Consent Calendar. Without objection, so ordered.

THE CLERK:

Page 4, Calendar 198, File 224, SB305, An Act

Concerning the Termination or Reinstatement of Forfeited Bail Bonds. Received a Favorable Report from the Committee on Judiciary. The Clerk has an amendment.

THE CHAIR:

Senator Upson.

SEN. UPSON:

Yes, thank you, Madam President. I will withdraw that amendment. And I'd like to move for the acceptance of the Joint Committee's Favorable Report and permission to summarize and adoption of the bill.

THE CHAIR:

The question is on passage of the bill. Will you remark?

SEN. UPSON:

Yes. Madam President, this has to do with bond forfeiture in criminal cases. There was some ambiguity. For example, under current law when someone has forfeited a bond, the question is, would that bond be reinstated when that person is actually brought back into court.

And what this bill does, it has definite procedures for reinstating. For example, the court shall vacate the forfeiture order and may in its discretion either terminate the bond thereby releasing

the surety, that would be the bail bondsman, or reinstate the bond, thereby obligating the surety so that there is some specificity and the courts therefore will not be able to, at their discretion, either release a bondsman or reinstate a new bondsman, excuse me, the same bondsman.

Since it's only in those cases where it's \$500 or more, and when there's been a bond forfeiture. And if there's no objection, there was an amendment. I withdrew it. If there's no objection, I'd move this to the Consent Calendar.

THE CHAIR:

The motion is to refer this item to the Consent Calendar. Without objection, so ordered.

At this time we will vote on the Consent Calendar. Would the Clerk please call the Consent Calendar.

THE CLERK:

Items on Consent Calendar 1.

Page 2, SB 225
Calendar 152.

Page 4, SB 305, SB 231
Calendar 198, Calendar 201.

Page 8, SB 597
Calendar 286.

Page 9, SB 246, SB 291, SB 299
Calendar 303, Calendar 304, Calendar 306.

Page 10, SB 420, SB 608
Calendar 308, Calendar 309.

Page 11, SB 430
Calendar 318.

Page 12, SB 313
Calendar 321.

Page 16, SB 432
Calendar 174.

This concludes the call of the Consent Calendar.

THE CHAIR:

Would the Clerk please announce a roll call vote.

The machine will be open.

THE CLERK:

Your attention please. There will be a roll call vote in the Senate. Would all Senators please report to the Chamber.

There will be an immediate roll call vote in the Senate. Would all Senators please report to the Chamber. Thank you.

THE CHAIR:

Have all the members voted? If all members have voted, the machine will be locked. The Clerk please take a tally. The Clerk please announce the tally.

THE CLERK:

Total number voting, 35; necessary for passage, 18. Those voting "yea", 35; those voting "nay", zero.

THE CHAIR:

The Consent Calendar is adopted. The Clerk please return to the Call of the Calendar.

THE CLERK:

Page 6, Calendar 227, File 295, Substitute for

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Page 19 under Disagreeing Actions, Calendar 198, File 224 and 675, SB305, An Act Concerning the Termination or Reinstatement of Forfeited Bail Bonds, as amended by House Amendment Schedule "A", LCO4564. This received a Favorable Report from the Joint Committee on Judiciary. The Clerk has an amendment.

THE CHAIR:

Senator Upson.

SEN. UPSON:

Madam President, I move acceptance of the Joint Committee's Favorable Report and also as amended by House Amendment Schedule "A" and in concurrence with the House.

THE CHAIR:

The question is on passage of the bill in concurrence with the House. Will you remark?

SEN. UPSON:

Yes. It's my understanding that we have an amendment but that Senator Looney is going to withdraw same.

THE CHAIR:

Senator Looney.

SEN. LOONEY:

Yes, Madam President. If that amendment might be withdrawn.

THE CHAIR:

Senator Upson.

SEN. UPSON:

Yes, on the bill as amended, this did come out of this Committee and there was an amendment that was added to it, it was agreed upon by the state's attorney's office and the bail bondsmen and the need for this is, there was an inconsistent interpretation of bond forfeiture. So the attorney general's office, excuse me, chief state's attorney's office has worked this out, so it requires, especially this new amendment, requires instead of allows, forfeited bonds to be terminated and new release conditions forth when a defendant is rearrested.

As I said, it's been agreed upon by the two groups and I would urge its passage.

THE CHAIR:

The question is on passage of the bill.

SEN. UPSON:

If there's no objection, I'd ask that it be on the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

Page 22, under Favorable Reports Resolutions,

received a notice on your desk that in the Lieutenant Governor's office there is the opportunity to say goodbye to George, who will be going back to the Old State House. It is an original Gilbert Stewart and I would encourage you all to come by and say farewell to George Washington again.

Are there other announcements? Senator Fleming.

SEN. FLEMING:

Yes, Madam President. Have we run the Consent Calendar for the day?

THE CHAIR:

No, we have not.

SEN. FLEMING:

Could I ask then that we run the Consent Calendar.

THE CHAIR:

Would the Clerk please announce a roll call vote on the Consent Calendar.

THE CLERK:

Your attention please. An immediate roll call vote has been ordered in the Senate on the Consent Calendar. Would all Senators please return to the Chamber.

An immediate roll call vote has been ordered in the Senate on the Consent Calendar. Would all Senators please return to the Chamber. Thank you.

Consent Calendar for Thursday, April 25, 1996,

Calendar 1.

Page 1, SJ33 SJ34 SJ35
Calendar 472, 473 and 474.

Page 2, Calendar 475, 476. SJ36 SR51

Page 6, Calendar 365, Calendar 367. No, I'm sorry,
just Calendar 365. SB 264

Page 10, Calendar 439. HB5417

Page 12, Calendar 131 and 137. SB 328 SB 286

Page 16, Calendar 322. SB 563

Page 18, Calendar 362. HB5311

Page 19, Calendar 198. SB 305

Page 22, Calendar 471. SR47

This completes the Call of the Consent Calendar.

THE CHAIR:

Thank you, Mr. Clerk. The machine will be open.
Would you please again announce a roll call vote.

THE CLERK:

Have all members voted? If so, the machine will
be locked. The Clerk please take a tally.

THE CLERK:

Total number voting, 35; necessary for adoption,
18. Those voting "yea", 35; those voting "nay", zero.

THE CHAIR:

The Consent Calendar is adopted. Are there other
announcements or points of personal privilege? Senator

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House of Representatives

Tuesday, April 16, 1996

Calendar. Okay.

REP. GODFREY: (110TH)

There seems to be some confusion, Mr. Speaker. We are just moving bills to the Consent Calendar for tomorrow. We are not calling bills.

SPEAKER RITTER:

We will put it up there.

REP. GODFREY: (110TH)

As I was saying, Calendar 375, Substitute for House Bill Number 5453, AN ACT CONCERNING DISTRIBUTION OF ASSETS FOR INOPERATIVE TRUSTS; Calendar Number 390, Senate Bill Number 239, AN ACT CONCERNING GRAND LIST REPORTS; Calendar Number 394, Senate Bill Number 358, AN ACT CONCERNING THE FURNISHING OF HEALTH RECORDS AND VETERANS' INFORMATION; Calendar Number 396, Substitute for Senate Bill Number 396, AN ACT CONCERNING MEMBERSHIP ON THE CERTIFIED CONNECTICUT MUNICIPAL TAX COLLECTOR COMMITTEE; Calendar 400, Senate Bill Number 463, AN ACT CONCERNING EMERGENCY TREATMENT FOR ALCOHOL AND DRUG ABUSE; Calendar 402, Senate Bill Number 507, AN ACT CONCERNING THE ECONOMIC REGULATION OF HOUSEHOLD GOODS CARRIERS; Calendar Number 405, Senate Bill Number 593, AN ACT CONCERNING STATE TRIAL REFEREES; Calendar Number 427, Senate Bill Number 305, AN ACT CONCERNING THE TERMINATION OR REINSTATEMENT OF FORFEITED BILL

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House of Representatives Wednesday, April 17, 1996

LOCAL HOUSING AUTHORITIES. Favorable Report of the
Committee on Finance, Revenue and Bonding.

SPEAKER RITTER:

The Honorable Representative, Representative
Godfrey.

REP. GODFREY: (110TH)

Thank you, Mr. Speaker. Mr. Speaker, today's
Consent Calendar consists of Calendar Numbers 241, 369,
~~HB5732~~ ~~HB5453~~ ~~SB234~~ ~~SB338~~ ~~SB376~~ ~~SB507~~ ~~SB413~~ ~~SB305~~ ~~SB430~~
371, 375, 390, 394, 396, 402, 405, 427, and 431 as

published. At this time, I would like to remove

Calendar 427, Senate Bill Number 305 from the Consent

Calendar. And then I would like to yield to

Representative Knierim.

SPEAKER RITTER:

Representative Knierim, do you accept the yield,
sir?

REP. KNIERIM: (16TH)

Thank you, Mr. Speaker, I do. I would request the
removal also of Calendar Number 375 from the Consent
Calendar. ~~HB5453~~

SPEAKER RITTER:

Okay, 375 will be taken off the Consent Calendar.

Anybody else? If not, staff and guests please come to
the well of the House. The machine will be opened.

CLERK:

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House of Representatives Wednesday, April 17, 1996

opened.

CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting by roll call. Members to the Chamber, please.

SPEAKER RITTER:

Have all the members voted? Please check the roll call machine to make sure your vote is properly cast. If it has, the machine will be locked. Clerk, please take the tally.

Clerk, please announce the tally.

CLERK:

House Bill 5476, as amended by House "A"

Total Number Voting	141
Necessary for Passage	71
Those Voting Yea	141
Those Voting Nay	0
Those absent and not voting	9

SPEAKER RITTER:

The bill, as amended passes.

Clerk, please call Calendar 427.

CLERK:

On page 3, Calendar 427, Senate Bill Number 305,
AN ACT CONCERNING THE TERMINATION OR REINSTATEMENT OF
FORFEITED BAIL BONDS. Favorable Report of the

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Committee on Judiciary.

SPEAKER RITTER:

Representative Lawlor.

REP. LAWLOR: (99TH)

Thank you, Mr. Speaker. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER RITTER:

The motion is on acceptance and passage, in concurrence with the Senate. Please proceed, sir.

REP. LAWLOR: (99TH)

Thank you, Mr. Speaker. The Clerk has LCO Number 4564. I would ask that the Clerk call and I be permitted to summarize.

SPEAKER RITTER:

The Clerk has amendment LCO 4564. If he may call and then Representative Lawlor would like to summarize.

CLERK:

LCO Number 4564, House "A" offered by
Representative Lawlor.

REP. LAWLOR: (99TH)

Thank you, Mr. Speaker. This amendment essentially rewrites the bill. This is intended only to solve a procedural problem which is confronted by court staff and bail bondsmen as they are trying to

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deal with cases where persons do not show up in court, when they are out on a cash or money bond.

Under this new language, the principle, who is the person who is arrested, the defendant in the case, if he does not show up in court, it essentially establishes a two-day window of opportunity where and if the person returns to court, voluntarily during that period of time, the bond can be reinstated.

Otherwise the bond shall be terminated in all circumstances and that if the person thereafter returned to the court, the court shall order new conditions of releases if he were being arrested in the first instance and the person who had posted the bond, shall have -- if that person returns the person to the court, they are released from the bond.

I urge adoption.

SPEAKER RITTER:

The question is on adoption. Will you remark further on the adoption of House "A"? If not, all in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed, no. House "A" is adopted.

Will you remark further on this bill, as amended?

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If not, staff and guests, please come to the well of the House. The machine will be opened.

CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting by roll call. Members to the Chamber, please.

SPEAKER RITTER:

Have all the members voted? Please check the roll call machine to make sure your vote is properly cast. Has everybody voted? The machine will be locked. The machine will be locked. Clerk, please take the tally.

Clerk, please announce the tally.

CLERK:

Senate Bill Number 305, as amended by House "A"

Total Number Voting	139
Necessary for Passage	70
Those voting Yea	139
Those voting Nay	0
Those absent and not voting	11

SPEAKER RITTER:

The bill, as amended passes. Clerk, please call the Emergency Certified Bill.

CLERK:

The Emergency Certified Bill Number 705, AN ACT
AUTHORIZING THE CITY OF WATERBURY TO ISSUE CERTAIN