



General Assembly

January Session, 2025

***Raised Bill No. 1441***

LCO No. 5769



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING DISCRETIONARY TRANSFER FROM  
JUVENILE TO ADULT COURT.***

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

1       Section 1. Subsection (a) of section 46b-127 of the general statutes is  
2       repealed and the following is substituted in lieu thereof (*Effective October*  
3       *1, 2025*):

4       (a) (1) The court shall automatically transfer from the docket for  
5       juvenile matters to the regular criminal docket of the Superior Court the  
6       case of any child charged with the commission of a capital felony under  
7       the provisions of section 53a-54b in effect prior to April 25, 2012, a class  
8       A felony, or a class B felony, except as provided in subdivision (3) of this  
9       subsection, or a violation of section 53a-54d, provided such offense was  
10      committed after such child attained the age of fifteen years and counsel  
11      has been appointed for such child if such child is indigent. Such counsel  
12      may appear with the child but shall not be permitted to make any  
13      argument or file any motion in opposition to the transfer. The child shall  
14      be arraigned in the regular criminal docket of the Superior Court at the  
15      next court date following such transfer, provided any proceedings held

16 prior to the finalization of such transfer shall be private and shall be  
17 conducted in such parts of the courthouse or the building in which the  
18 court is located that are separate and apart from the other parts of the  
19 court which are then being used for proceedings pertaining to adults  
20 charged with crimes.

21 (2) A state's attorney may, at any time after such arraignment, file a  
22 motion to transfer the case of any child charged with the commission of  
23 a class B felony or a violation of subdivision (2) of subsection (a) of  
24 section 53a-70 to the docket for juvenile matters for proceedings in  
25 accordance with the provisions of this chapter.

26 (3) No case of any child charged with the commission of a serious  
27 firearm offense, as defined in section 53a-3, not subject to automatic  
28 transfer under subdivision (1) of subsection (a) of this section, or a  
29 violation of section 53a-55, 53a-59b, 53a-71 or 53a-94, subdivision (2) of  
30 subsection (a) of section 53a-101, section 53a-112, 53a-122 or 53a-129b,  
31 subdivision (1), (3) or (4) of subsection (a) of section 53a-134, section 53a-  
32 196c, 53a-196d or 53a-252 or subsection (a) of section 53a-301 shall be  
33 transferred from the docket for juvenile matters to the regular criminal  
34 docket of the Superior Court, except as provided in this subdivision.  
35 Upon motion of a prosecutorial official, the superior court for juvenile  
36 matters shall conduct a hearing to determine whether the case of any  
37 child charged with the commission of any such offense shall be  
38 transferred from the docket for juvenile matters to the regular criminal  
39 docket of the Superior Court. The court shall not order that the case be  
40 transferred under this subdivision unless the court finds that (A) such  
41 offense was committed after such child attained the age of fifteen years,  
42 (B) there is probable cause to believe the child has committed the act for  
43 which the child is charged, and (C) the best interests of the child and the  
44 public will not be served by maintaining the case in the superior court  
45 for juvenile matters. In making such findings, the court shall consider (i)  
46 any prior criminal or juvenile offenses committed by the child, (ii) the  
47 seriousness of such offenses, (iii) any evidence that the child has  
48 intellectual disability or mental illness, and (iv) the availability of

49 services in the docket for juvenile matters that can serve the child's  
50 needs. Any motion under this subdivision shall be made, and any  
51 hearing under this subdivision shall be held, not later than thirty days  
52 after the child is arraigned in the superior court for juvenile matters.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2025</i>	46b-127(a)
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***Statement of Purpose:***

To include serious firearm offenses in the list of offenses eligible for discretionary transfer of a juvenile to the regular criminal docket.

***[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.]***