
OLR Bill Analysis

sSB 509 (File 596, as amended by Senate "A")*

AN ACT CONCERNING ADDRESS VERIFICATION REFORMS FOR REGISTRANTS.

SUMMARY

This bill makes various changes to laws on sex offender registration, including those related to registration violations and address verification. The bill creates an affirmative defense for when circumstances beyond the person's control generally prevent him or her from complying with the registration requirements.

It also makes various changes to the address verification requirements, such as (1) creating a new requirement for registrants to submit proof of residency to the Department of Emergency Services and Public Protection (DESPP) within a specified timeframe, (2) allowing the form to be returned in person, (3) specifying the documents that may be used for this purpose, and (4) requiring DESPP to mail the address verification form to the registrants who do not submit proof of residency.

It also modifies the types of "sexually violent offenses" subject to the sex offender registry law as it relates to 3rd degree sexual assault. Specifically, it excludes engaging in sexual intercourse with certain relatives and instead includes subjecting a person to sexual contact when the person is mentally incapacitated or impaired because of mental disability or disease and is unable to consent a sexually violent offense under the law (§ 1).

Lastly, the bill makes minor, technical, and conforming changes.

***Senate Amendment "A":**

1. eliminates provisions in the underlying bill (a) reducing the penalty for a registration violation from a class D felony to a class

- C misdemeanor, (b) requiring the court to enter a decision to not prosecute if the person had no prior conviction for the violation, (c) extending the deadline for returning the address verification form from 10 days after its mailing date to 30 days after its postmark date, and (d) allowing registrants to request an address verification form if they do not receive one from DESPP;
2. adds the provisions that create a new process for registrants to submit proof of residency to DESPP within a certain time period after the initial registration and makes related conforming changes;
 3. modifies the affirmative defense provision, principally by limiting it to people who comply with the sex offender registry law within 20 business days after the circumstances that prevented them from complying no longer exist, instead of as soon as possible after that time; and
 4. makes minor and conforming changes.

EFFECTIVE DATE: October 1, 2026

AFFIRMATIVE DEFENSE FOR VIOLATING SEXUAL OFFENDER REGISTRATION LAW

By law, certain offenders must register as sex offenders for a specified period of time (see BACKGROUND), and they generally must do so within three days after release, as directed by the Department of Correction commissioner, or without undue delay after moving to Connecticut. By law, these offenders:

1. must register their name, identifying factors (including a photograph and fingerprints), criminal history record, residential address, and email and instant message addresses and other similar Internet communication identifiers, and
2. are subject to (a) address verification and the retaking of photographs and (b) the notification provisions that apply to victims and certain students and employees.

For those prosecuted for failure to comply with the registration requirements, the bill creates an affirmative defense that:

1. circumstances beyond the person's control prevented him or her from complying,
2. the person played no part in creating the circumstances, and
3. the person became compliant within 20 business days after the circumstances no longer existed.

By law, unchanged by the bill, a violation of the sex offender registration requirements is a class D felony, punishable by up to 5 years in prison, a fine up to \$5,000, or both.

ADDRESS VERIFICATION

Proof of Residency

Under current law, DESPP generally must verify each registrant's residential address every 90 days after his or her initial registration by mailing a non-forwardable verification form ("address verification form" under the bill) to the registrant's last reported address.

The bill instead requires (1) registrants to submit proof of residency by mail, fax, email, or in person to DESPP within at least 75 days and up to a maximum of 90 days after the initial registration date and (2) DESPP to mail the address verification form only to the registrants who fail to submit the proof of residency within this time frame. It applies these same requirements to subsequent address verifications which, by law, are required every 90 days.

Documents That Prove Residency

Under the bill, DESPP must accept any of the following documents as proof of residency, if they contain the registrant's residence address and are dated within 30 days before they are submitted to the department:

1. a utility bill, including electricity, gas, water, or Internet service bills;

2. a financial statement, such as a bank or credit card statement;
3. a homeowner's, renter's, or motor vehicle insurance bill or statement;
4. official correspondence from a state or federal government agency; and
5. any other document the department deems sufficient for this purpose.

As under current law, if the registrant lives at an address where there is no residential mail delivery, the local police department or state police troop in whose jurisdiction the registrant resides must verify the registrant's residential address in person.

Address Verification Form

Form Return Method and Deadline. Under current law, the address verification form must require the registrant to (1) sign a statement that the registrant continues to live at the last reported address and (2) return the form by fax, email, or mail by 10 days after the form's mailing date. The bill (1) gives the registrant the added option to return the form in person and (2) specifies that the 10-day deadline is measured from the form's postmark date.

Form Content. Under current law, the form must contain a statement that failure to return it or providing false information is a violation of the applicable sex offender registration requirement. The bill additionally requires the form to include a statement printed in bold text (1) explaining that the form may be returned to the department by mail, fax, email, or in person and (2) showing the respective addresses and fax number for the form's return.

Failure to Return Form or Provide Proof of Residency

Under existing law, if a registrant fails to return the address verification form, DESPP must notify the local or appropriate state police troop, and that agency must, in turn, apply for an arrest warrant. The bill specifies that DESPP and the police must take these actions if

the registrant fails to return an address verification form or submit proof of residency as described above.

BACKGROUND

Sex Offender Required Registration

Connecticut law recognizes four categories of sex crimes for sex offender registration purposes:

1. criminal offenses against minor victims (CGS § 54-251);
2. non-violent sexual offenses (CGS § 54-251);
3. sexually violent offenses (CGS § 54-252); and
4. felonies committed for sexual purposes (CGS §§ 54-250(2), (5), (11), and (12); CGS § 54-254).

Those convicted of crimes in the first three categories must register as sex offenders; courts may require registration of those in the fourth.

The law also requires registration for persons convicted of a sexual offense in another jurisdiction (CGS § 54-253).

Registration is with DESPP, which maintains an online, searchable registry.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 26 Nay 10 (03/24/2026)