



House of Representatives

General Assembly

File No. 513

February Session, 2026

House Bill No. 5311

House of Representatives, April 8, 2026

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE NONISSUANCE OF A STANDING CRIMINAL PROTECTIVE ORDER IN THE CASE OF A FAMILY VIOLENCE CRIME.

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

1 Section 1. Subsection (a) of section 53a-40e of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2026*):

4 (a) If any person is convicted of, or found not guilty by reason of
5 mental disease or defect of, (1) a violation of section 53a-70b of the
6 general statutes, revision of 1958, revised to January 1, 2019, or
7 subdivision (1) or (2) of subsection (a) of section 53-21, section 53a-59,
8 53a-59a, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-70, 53a-70a, 53a-70c, 53a-
9 71, 53a-72a, 53a-72b, 53a-73a, 53a-181c, 53a-181d, 53a-181e, 53a-182b or
10 53a-183, subdivision (2) of subsection (a) of section 53a-192a, section 53a-
11 223, 53a-223a or 53a-223b or attempt or conspiracy to violate any of said
12 sections or section 53a-54a, or (2) any crime that the court determines
13 constitutes a family violence crime, as defined in section 46b-38a, or

14 attempt or conspiracy to commit any such crime, the court may, in
 15 addition to imposing the sentence authorized for the crime under
 16 section 53a-35a or 53a-36, if the court is of the opinion that the history
 17 and character and the nature and circumstances of the criminal conduct
 18 of such offender indicate that a standing criminal protective order will
 19 best serve the interest of the victim and the public, issue a standing
 20 criminal protective order which shall remain in effect for a duration
 21 specified by the court until modified or revoked by the court for good
 22 cause shown. If any person is convicted of, or found not guilty by reason
 23 of mental disease or defect of, any crime not specified in subdivision (1)
 24 or (2) of this subsection, the court may, for good cause shown, issue a
 25 standing criminal protective order pursuant to this subsection. In any
 26 case that the court does not issue a standing criminal protective order
 27 against a person convicted of, or found not guilty by reason of mental
 28 disease or defect of a crime specified in subdivision (2) of this
 29 subsection, the court shall state on the record its reasons for not issuing
 30 such order.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	53a-40e(a)

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which requires a court to state its reasons for not issuing a standing criminal protective order in certain circumstances, does not result in a fiscal impact to the state.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**HB 5311*****AN ACT CONCERNING THE NONISSUANCE OF A STANDING CRIMINAL PROTECTIVE ORDER IN THE CASE OF A FAMILY VIOLENCE CRIME.*****SUMMARY**

This bill requires a Superior Court, if it does not issue a standing criminal protective order against someone convicted, or found not guilty due to mental disease or defect, of a family violence crime, to state its reasons for not doing so on the record.

Existing law allows a Superior Court to independently issue, on a victim's behalf, a standing criminal protective order if the (1) defendant is convicted, or found not guilty due to mental disease or defect, of certain specified crimes or a crime that constitutes a family violence crime and (2) court determines that the offender's criminal conduct indicates that the order will best serve the victim's and public's interest. The order stays in place for the period the court sets, unless the court modifies or revokes it. For other crimes, the court may issue this order for good cause shown.

EFFECTIVE DATE: October 1, 2026

BACKGROUND***Family Violence Crimes***

By law, a "family violence crime" is a crime, but not a delinquent act, which, with its other elements, has as an element a family violence act to a family or household member, including a (1) 1st or 2nd degree violation of conditions of release or (2) criminal violation of a protective order, a standing criminal protective order, or a restraining order. It does not include acts by parents or guardians disciplining minor children unless they constitute abuse (CGS § 46b-38a(3)).

“Family violence” is an incident causing physical harm, bodily injury, or assault, or an act of threatened violence that creates fear of imminent physical harm, bodily injury, or assault, including stalking or a pattern of threatening, between family or household members. Verbal abuse or argument is not family violence unless there is present danger and the likelihood of physical violence (CGS § 46b-38a(1)).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (03/24/2026)