

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 26-32—HB 5311**

*Judiciary Committee*

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

**SUMMARY:** This act requires any Superior Court that 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.

By law, the court may independently issue a standing criminal protective order on a victim’s behalf 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 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. The law also allows the court to issue this order for other crimes if there is good cause shown.

EFFECTIVE DATE: October 1, 2026

**BACKGROUND**

*Family Violence Crime*

By law, a “family violence crime” is a crime, but not a delinquent act, which has among its elements 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.

“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).