
OLR Bill Analysis

SB 502

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

SUMMARY

This bill makes various changes to laws on the discretionary transfer of cases from juvenile court to adult criminal court for children aged 15 and over at the time of the alleged offense. It:

1. includes all serious firearm offenses, including misdemeanors (see below), in the list of offenses that make a case eligible for discretionary transfer, at a prosecutor's request, from the juvenile court to the adult court after a hearing (except for those offenses that are already subject to automatic transfer);
2. requires the prosecutor's motion and the transfer hearing on a case involving serious firearm offenses that are not subject to automatic transfer to be within 15 days of the child's arraignment, rather than 30 days as is the case for other offenses under current law; and
3. requires the juvenile court's chief administrative judge, or her designee, to annually report to the Judiciary Committee on the number of transfer motions sought, the offenses charged in each case, and the motions' disposition for the previous year.

It also makes minor and technical changes.

EFFECTIVE DATE: October 1, 2026

DISCRETIONARY TRANSFER TO ADULT COURT

By law, the juvenile court must automatically transfer a delinquency case to the adult criminal court docket if the child is at least age 15 at the time of the offense and charged with a class A felony, certain class B

felonies, or arson murder. Otherwise, transferring a case where a juvenile (at least age 15) is charged with a felony is at the court's discretion and may occur only if the prosecutor makes a motion and the court makes certain findings at the transfer hearing (discretionary transfer).

The bill adds to the list of crimes that are subject to a discretionary transfer upon the prosecutor's request, any serious firearm offense (see below) that is not subject to an automatic transfer. In doing so, it includes certain misdemeanors that would not otherwise be subject to discretionary transfer.

Serious Firearm Offense

Under the law, a "serious firearm offense" is a violation involving (1) the alteration of a firearm identification mark, serial number, or name; (2) the manufacture of a firearm or possession of one without a unique serial number or other identification (including ghost guns); (3) the prohibited sale, transfer, or possession of a large capacity magazine; (4) the possession of a stolen firearm or a firearm that is altered in a way that makes it unlawful; or (5) any crime of which an essential element is that the person discharged, used, or was armed with, and threatened the use of, a firearm (CGS § 53a-3(24)). A "firearm" is any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, whether loaded or unloaded, from which a shot may be discharged (CGS § 53a-3(19)).

In most cases, these are felonies and are already subject to discretionary transfer (or automatic transfer in certain cases). But some serious firearm offenses are misdemeanors that are not subject to transfer to adult court under current law. This includes the following, if committed by someone who is not ineligible to possess a firearm under state or federal law: (1) violation of the "ghost gun" law and related provisions or (2) possession of a large capacity magazine.

Date of the Transfer Hearing

Under existing law, the prosecutor's motion to transfer the case must be made, and the hearing held, within 30 days after the child's

arraignment in juvenile court. The bill makes an exception when a child is arraigned for a serious firearm offense. In that case, the motion must be made, and the hearing held within 15 days after the child is arraigned.

Juvenile Court Report on Prosecutors' Motions for Case Transfer

Starting by January 15, 2027, the bill requires the juvenile court's chief administrative judge or her designee, to annually report to the Judiciary Committee on the number of motions the court received from prosecutors to transfer a juvenile case to the regular adult criminal court. This applies to the discretionary transfer of class C, D, E, or unclassified felonies, certain class B felonies, and serious firearm offenses that are not subject to automatic transfer.

The report must also include the offenses charged in these cases and the disposition of the motions during the previous calendar year.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (03/24/2026)