



# House of Representatives

**File No. 701**

General Assembly

January Session, 2021

**(Reprint of File No. 157)**

Substitute House Bill No. 6417  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 20, 2021

**AN ACT REQUIRING BACKGROUND CHECKS FOR CERTAIN  
EMPLOYEES OF YOUTH CAMPS AND YOUTH SPORTS COACHES,  
TRAINERS AND INSTRUCTORS.**

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

1 Section 1. Section 19a-421 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) No person shall establish, conduct or maintain a youth camp  
4 without a license issued by the office. Applications for such license shall  
5 be made in writing at least thirty days prior to the opening of the youth  
6 camp on forms provided and in accordance with procedures established  
7 by the commissioner and shall be accompanied by a fee of eight  
8 hundred fifteen dollars or, if the applicant is a nonprofit, nonstock  
9 corporation or association, a fee of three hundred fifteen dollars or, if  
10 the applicant is a day camp affiliated with a nonprofit organization, for  
11 no more than five days duration and for which labor and materials are  
12 donated, no fee. All such licenses shall be valid for a period of one year

13 from the date of issuance unless surrendered for cancellation or  
14 suspended or revoked by the commissioner for violation of this chapter  
15 or any regulations adopted under section 19a-428 and shall be  
16 renewable upon payment of an eight-hundred-fifteen-dollar license fee  
17 or, if the licensee is a nonprofit, nonstock corporation or association, a  
18 three-hundred-fifteen-dollar license fee or, if the applicant is a day camp  
19 affiliated with a nonprofit organization, for no more than five days  
20 duration and for which labor and materials are donated, no fee.

21 (b) On and after October 1, 2022, any licensee shall require any  
22 prospective employee eighteen years of age or older, who is applying  
23 for a position at a youth camp that requires the provision of care to a  
24 child or involves unsupervised access to a child, to submit to a  
25 comprehensive background check. The background check shall include,  
26 but not be limited to, a (1) (A) criminal history records check conducted  
27 (i) in accordance with section 29-17a, or (ii) by searching the electronic  
28 criminal record system maintained on the Internet web site of the  
29 Judicial Department for convictions matching the prospective  
30 employee's name and date of birth, (B) state child abuse registry  
31 established pursuant to section 17a-101k, (C) registry established and  
32 maintained pursuant to section 54-257, and (D) National Sex Offender  
33 Registry Public Website maintained by the United States Department of  
34 Justice, or (2) check by a third-party provider of national criminal  
35 history record checks that is conducted through a centralized database  
36 utilizing the prospective employee's fingerprints, provided such  
37 provider appears on a list of such providers published on the Internet  
38 web site of the Office of Early Childhood. Prior to each check of the state  
39 child abuse registry conducted pursuant to this subsection, a licensee  
40 shall submit to the office an authorization for the release of personal  
41 information signed by the prospective employee, on a form prescribed  
42 by the office, and the office shall submit such authorization to the  
43 Department of Children and Families. Any prospective employee who  
44 holds a J-1 visa, H-1B visa or R-1 visa issued by the United States  
45 Department of State shall not be required to submit to a background  
46 check under this section.

47 (c) Pending completion of all comprehensive background check  
48 components described in subsection (b) of this section, a prospective  
49 employee may begin work on a provisional basis, provided such  
50 prospective employee is supervised at all times by an employee who  
51 was subjected to a comprehensive background check described in  
52 subsection (b) of this section within the past five years.

53 (d) Each licensee shall require any employee of a youth camp holding  
54 a position that requires the provision of care to a child or involves  
55 unsupervised access to a child to submit to a comprehensive  
56 background check described in subsection (b) of this section not later  
57 than five years after the date such employee was hired, and at least once  
58 every five years thereafter. Nothing in this section prohibits a licensee  
59 from requiring any such employee to submit to a comprehensive  
60 background check more than once during a five-year period.

61 (e) The Commissioner of Early Childhood shall have the discretion to  
62 refuse to license under sections 19a-420 to 19a-429, inclusive, a person  
63 to establish, conduct or maintain a youth camp, as described in section  
64 19a-420, or to suspend or revoke the license or take any other action set  
65 forth in any regulation adopted pursuant to section 19a-428 if, the  
66 person who establishes, conducts or maintains such youth camp or a  
67 person employed therein in a position connected with the provision of  
68 care to a child or involving unsupervised access to a child, has been  
69 convicted in this state or any other state of a felony as defined in section  
70 53a-25 involving the use, attempted use or threatened use of physical  
71 force against another person, of cruelty to persons under section 53-20,  
72 injury or risk of injury to or impairing morals of children under section  
73 53-21, abandonment of children under the age of six years under section  
74 53-23, or any felony where the victim of the felony is a child under  
75 eighteen years of age, or of a violation of section 53a-70b of the general  
76 statutes, revision of 1958, revised to January 1, 2019, 53a-70, 53a-70a,  
77 53a-71, 53a-72a, 53a-72b or 53a-73a, or has a criminal record in this state  
78 or any other state that the commissioner reasonably believes renders the  
79 person unsuitable to establish, conduct or maintain or be employed by  
80 a youth camp. However, no refusal of a license shall be rendered except

81 in accordance with the provisions of sections 46a-79 to 46a-81, inclusive.

82 (f) Any person who is licensed to establish, operate or maintain a  
83 youth camp shall notify the Commissioner of Early Childhood if such  
84 licensee or any person employed by such youth camp is convicted of a  
85 crime listed in subsection (e) of this section, if such licensee or person  
86 employed by such youth camp is employed in a position connected with  
87 the provision of care to a child or involving unsupervised access to a  
88 child, immediately upon obtaining knowledge of the conviction. Failure  
89 to comply with the notification requirement may result in the  
90 suspension or revocation of the license or the imposition of any action  
91 set forth in regulation, and shall subject the licensee to a civil penalty of  
92 not more than one hundred dollars per day for each day after the  
93 licensee obtained knowledge of the conviction, provided such civil  
94 penalty shall not exceed the aggregate sum of four thousand five  
95 hundred dollars.

96 (g) Each licensee shall maintain, and make available for inspection  
97 upon request of the Office of Early Childhood, any documentation  
98 associated with a comprehensive background check described in  
99 subsection (b) of this section, for a period of not less than five years from  
100 the date of (1) completion of such background check, if the subject of the  
101 comprehensive background check was not hired by the licensee, or (2)  
102 separation from employment, if the subject of the comprehensive  
103 background check was hired by the licensee.

104 Sec. 2. Section 21a-432 of the general statutes is repealed and the  
105 following is substituted in lieu thereof (*Effective October 1, 2021*):

106 (a) For purposes of this section:

107 (1) "Youth athletic activity" means an organized athletic activity  
108 involving participants of not less than seven years of age, except as  
109 provided in subsections (d) to (f), inclusive, of this section, and not more  
110 than nineteen years of age, who (A) (i) engage in an organized athletic  
111 game or competition against another team, club or entity or in practice  
112 or preparation for an organized game or competition against another

113 team, club or entity, or (ii) attend an organized athletic camp or clinic  
114 the purpose of which is to train, instruct or prepare such participants to  
115 engage in an organized athletic game or competition, and (B) (i) pay a  
116 fee to participate in such organized athletic game or competition or  
117 attend such camp or clinic, or (ii) whose cost to participate in such  
118 athletic game or competition or attend such camp or clinic is sponsored  
119 by a municipality, business or nonprofit organization. "Youth athletic  
120 activity" does not include any college or university athletic activity, or  
121 an athletic activity that is incidental to a nonathletic program or lesson;  
122 and

123 (2) "Operator" means any municipality, business or nonprofit  
124 organization that conducts, coordinates, organizes or otherwise  
125 oversees any youth athletic activity but shall not include any  
126 municipality, business or nonprofit organization solely providing access  
127 to, or use of, any field, court or other recreational area, whether for  
128 compensation or not.

129 (b) Not later than January 1, 2016, and annually thereafter, each  
130 operator of a youth athletic activity shall make available a written or  
131 electronic statement regarding concussions to each youth athlete and a  
132 parent or legal guardian of each youth athlete participating in the youth  
133 athletic activity. Such written or electronic statement shall be made  
134 available upon registration of each youth athlete and shall be consistent  
135 with the most recent information provided by the National Centers for  
136 Disease Control and Prevention regarding concussions. Such written or  
137 electronic statement shall include educational content addressing, at a  
138 minimum: (1) The recognition of signs or symptoms of a concussion, (2)  
139 the means of obtaining proper medical treatment for a person suspected  
140 of sustaining a concussion, (3) the nature and risks of concussions,  
141 including the danger of continuing to engage in youth athletic activity  
142 after sustaining a concussion, and (4) the proper procedures for  
143 allowing a youth athlete who has sustained a concussion to return to  
144 athletic activity.

145 (c) No operator, or designee of such operator, shall be subject to civil

146 liability for failing to make available the written or electronic statement  
147 regarding concussions pursuant to subsection (b) of this section.

148 (d) Notwithstanding the provisions of subsection (a) of this section,  
149 for purposes of this subsection and subsections (e) and (f) of this section,  
150 youth athletic activity also includes an organized athletic activity  
151 involving participants less than seven years of age. On and after October  
152 1, 2022, an operator shall require any prospective employee or  
153 volunteer, except as provided in subsection (f) of this section, who is  
154 eighteen years of age or older and applying for a position as a coach or  
155 instructor of a youth athletic activity or as an athletic trainer, licensed  
156 under chapter 375a, to submit to a comprehensive background check.  
157 The background check shall include, but not be limited to, a (1) (A)  
158 criminal history records check conducted (i) in accordance with section  
159 29-17a, or (ii) by searching the electronic criminal record system  
160 maintained on the Internet web site of the Judicial Department for  
161 convictions matching the prospective employee's name and date of  
162 birth, (B) check of the state child abuse registry established pursuant to  
163 section 17a-101k, (C) check of the registry established and maintained  
164 pursuant to section 54-257, and (D) search of the National Sex Offender  
165 Registry Public Website maintained by the United States Department of  
166 Justice, or (2) check by a third-party provider of national criminal  
167 history record checks that is conducted in accordance with the national  
168 industry background check standards established by the United States  
169 Olympic and Paralympic Committee. For each check of the state child  
170 abuse registry conducted pursuant to this subsection, an operator shall  
171 submit to the Department of Children and Families an authorization for  
172 the release of personal information signed by the prospective employee  
173 or volunteer. The provisions of this subsection shall not apply to an  
174 athletic coach of intramural or interscholastic athletics who is employed  
175 by a local or regional board of education, provided such board satisfies  
176 the requirements relating to state and national criminal history records  
177 checks applicable to employees of such board pursuant to section 10-  
178 221d. Pending completion of all background check components  
179 described in this subsection, a prospective employee or volunteer may

180 begin work on a provisional basis, provided such prospective employee  
181 or volunteer is supervised at all times by an employee or volunteer who  
182 was subjected to a background check described in this subsection within  
183 the previous five years.

184 (e) The comprehensive background checks required pursuant to  
185 subsection (d) of this section shall be conducted at least once every five  
186 years for each coach, instructor or athletic trainer employed by or  
187 volunteering for an operator.

188 (f) A person who is eighteen years of age or older and applies for a  
189 position as a coach, instructor or athletic trainer for a youth athletic  
190 activity in the state shall not be required to submit to such  
191 comprehensive background checks if such person (1) is an employee or  
192 volunteer of an operator of a youth athletic activity in the state, or has  
193 not been separated from employment or volunteer position as a coach,  
194 instructor or athletic trainer for a youth athletic activity in the state for a  
195 period of more than one hundred eighty days, and (2) has successfully  
196 completed such comprehensive background checks in the previous five  
197 years. Nothing in this section prohibits an operator from requiring that  
198 a person applying for a position as a coach, instructor or athletic trainer  
199 submit to comprehensive background checks more than once during a  
200 five-year period.

201 (g) If the comprehensive background check conducted pursuant to  
202 subsection (d) of this section results in a finding that a person who  
203 applied for a position as a coach, instructor or athletic trainer for a youth  
204 athletic activity has been convicted in this state or any other state of a  
205 felony as defined in section 53a-25 involving the use, attempted use or  
206 threatened use of physical force against another person, of cruelty to  
207 persons under section 53-20, injury or risk of injury to or impairing  
208 morals of children under section 53-21, abandonment of children under  
209 the age of six years under section 53-23, or any felony where the victim  
210 of the felony is a child under eighteen years of age, or of a violation of  
211 section 53a-70b of the general statutes, revision of 1958, revised to  
212 January 1, 2019, or section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or

213 53a-73a, or has a criminal record in this state or any other state that the  
214 operator reasonably believes may render the person unsuitable for a  
215 position as a coach, instructor or athletic trainer for a youth athletic  
216 activity, the operator to whom the person has applied shall not employ  
217 the person or accept the person as a volunteer if, after considering (1)  
218 the nature of the crime and its relationship to the position for which the  
219 person has applied; (2) information pertaining to the degree of  
220 rehabilitation of the convicted person; and (3) the time elapsed since the  
221 conviction or release, the operator determines that such person is not  
222 suitable for the position for which such person has applied.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2021	19a-421
Sec. 2	October 1, 2021	21a-432

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:**

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Department of Emergency Services and Public Protection	Applicant Fingerprint Card Submission Account - Potential Revenue Gain	None	See Below
Resources of the General Fund	GF - Potential Revenue Gain	None	See Below

Note: GF=General Fund

**Municipal Impact:**

Municipalities	Effect	FY 22 \$	FY 23 \$
Various Municipalities	STATE MANDATE <sup>1</sup> - Potential Cost	None	See Below

**Explanation**

The bill requires certain municipalities and other youth athletic activity operators and youth camps to conduct comprehensive background checks on certain prospective employees resulting in a potential revenue gain to the state and a potential cost to municipalities.

The Department of Emergency Services and Public Protection (DESPP) conducts state background checks for \$75 per person and to the

<sup>1</sup> State mandate is defined in Sec. 2-32b(2) of the Connecticut General Statutes, "state mandate" means any state initiated constitutional, statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

extent additional background checks are requested there is a potential revenue gain to the state. State background checks require fingerprinting, which DESPP conducts for \$15 per person resulting in a potential revenue gain to the Applicant Fingerprint Card Submission Account<sup>2</sup>.

The bill also results in a potential revenue gain to the state related to a civil penalty of not more than \$100 per day for each day, up to \$4,500, a licensee has knowledge of an employee's conviction and does not report it to the Office of Early Childhood. The extent of the revenue gain depends on the civil penalty imposed and the number of days the licensee fails to meet the notification requirements established by the amendment.

There is a cost to municipalities that will vary based on 1) the number of background checks they conduct, and 2) the vendor they use to conduct them. A town that conducts these background checks via DESPP would incur costs of \$75 per person for the state criminal background check and \$15 per person for fingerprinting. A town that conducts background checks via a third-party vendor could incur costs of \$18 to \$20 per person for both.

A municipality could at least partially offset this cost if it chose to increase any fees it charges for participation in youth athletic activities.

The Department of Children and Families (DCF) is in the process of implementing an automated Child Abuse and Neglect Registry system, which will be in place before the bill becomes effective, therefore, no fiscal impact to the agency is anticipated from the bill. DCF does not charge a fee for a check of the Registry.

House "A" strikes the underlying bill and its associated fiscal impact

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<sup>2</sup> Funds in the Applicant Fingerprint Card Submission Account are used for IT support and maintenance for the fingerprinting systems.

resulting in the impact described above.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of background checks and inflation.

**OLR Bill Analysis****sHB 6417 (as amended by House "A")\******AN ACT REQUIRING BACKGROUND CHECKS FOR CERTAIN EMPLOYEES OF YOUTH CAMPS.*****SUMMARY**

Starting October 1, 2022, this bill requires youth camps licensed by the Office of Early Childhood (OEC) (see BACKGROUND) to require prospective employees age 18 or older to submit to comprehensive background checks if they are applying for positions that provide care or involve unsupervised access to any child in the youth camp.

Similarly, the bill requires certain municipalities, businesses, and nonprofit organizations operating youth athletic activities ("operators"), starting October 1, 2022, to require prospective employees or volunteers who are age 18 or older and applying for a position as coach, instructor, or athletic trainer to submit to comprehensive background checks.

The bill establishes specifications for these background checks, including specifying who may conduct them, what databases must be checked, the frequency of the checks, the exemptions from the requirements; the crimes that are generally disqualifying; the required protocols when a criminal record or certain convictions are found; notification requirements and associated penalties for failure to report; and record retention requirements.

\*House Amendment "A" adds the provisions that pertain to youth sports coaches, trainers, and instructors; sets the circumstances under which a third-party provider may conduct the background check; adds the option to search the Judicial Branch's electronic criminal system for convictions; exempts certain visa-holders; requires licensees to maintain background check records and make them available to OEC upon

request; establishes protocols for the finding of a criminal record or conviction of specified crimes; establishes a licensee's duty to report convictions to OEC and imposes a penalty for failure to report; and makes other minor changes.

EFFECTIVE DATE: October 1, 2021

## **COMPREHENSIVE BACKGROUND CHECKS FOR YOUTH CAMP EMPLOYEES**

### ***Background Check Options***

The bill provides two options to meet the background check requirement. Under the first option, the background check must include the following:

1. a criminal history records check conducted by (a) the State Police Bureau of Identification in accordance with existing law (see BACKGROUND) or (b) searching the electronic criminal record system for convictions maintained on the Judicial Department's website matching the prospective employee's name and birth date;
2. a check of the state child abuse registry;
3. a check of the state sex offender registry; and
4. a search of the National Sex Offender Registry public website maintained by the U.S. Department of Justice.

Alternatively, a background check may be done by a third-party provider of national criminal history record checks conducted through a centralized database using the prospective employee's fingerprints. The provider must be on the list of providers OEC publishes on its website.

### ***Release of Information***

Under the bill, prior to conducting a child abuse registry check, (1) the youth camps must submit to OEC a form signed by the prospective

employee authorizing the release of personal information and (2) OEC must submit this signed form to the Department of Children and Families (DCF). The bill requires OEC to prescribe the form.

### ***Provisional Employment***

Under the bill, prospective employees may begin working on a provisional basis while the comprehensive background check is pending. Their work must always be supervised by an employee who was subjected to the comprehensive background check within the previous five years.

### ***Exemptions for Certain Visa Holders***

The bill exempts prospective employees who hold J-1, H-1B, or R-1 visas issued by the U.S. Department of State from this background check requirement.

### ***Frequency of Background Checks***

Under the bill, licensees must require any youth camp employees holding a position that requires the provision of care to a child or involves unsupervised access to a child to submit to the bill's comprehensive background check within five years after their hiring date and at least once every five years after that. The bill specifies that licensees are not prohibited from requiring such employees to submit to a comprehensive background check more than once every five years.

### ***Record Retention***

The bill requires licensees to maintain, and make available upon OEC's request, any documentation associated with a comprehensive background check for at least five years from the date the (1) background check was completed, if the subject of the comprehensive background check was not hired, or (2) employment ended, if the licensee had hired the subject of the comprehensive background check.

### ***OEC Enforcement Powers***

The bill gives the OEC commissioner the express authorization to (1) refuse to license a person to establish, conduct, or maintain a youth

camp; (2) suspend or revoke the license; or (3) take any other action authorized under regulation if the person who establishes, conducts, or maintains the youth camp or an employee in a position connected with the provision of care to a child or involving unsupervised access to a child has been convicted in this state or any other state of certain felonies.

This applies to a felony involving the following:

1. use, attempted use, or threatened use of physical force against another person;
2. cruelty to persons;
3. injury or risk of injury to or impairing morals of children;
4. abandonment of children under age six;
5. any felony where the victim is a child under age 18;
6. sexual assault in a spousal or cohabitating relationship;
7. 1st, 2nd, 3rd, or 4th degree sexual assault;
8. 3rd degree sexual assault with a firearm; or
9. 1st degree aggravated sexual assault.

Under the bill, the OEC commissioner may also take the enforcement actions described above if the person has a criminal record in this state or any other state that the commissioner reasonably believes renders the person unsuitable to establish, conduct, or maintain or be employed by a youth camp.

Under the bill, the OEC commissioner's refusal to issue a license must be in accordance with the statutes that apply to post-conviction hiring.

***Notification by Licensee to OEC of Certain Criminal Convictions***

The bill requires any person licensed to establish, operate, or

maintain a youth camp to notify the OEC commissioner if the licensee or youth camp employee is convicted of any of the crimes listed above and is employed in a position connected with the provision of care to a child or involving unsupervised access to a child. The licensee or employee must notify OEC immediately upon learning about the conviction.

### ***Penalty for Failure to Notify***

Under the bill, failure to comply with the notification requirement (1) may result in license suspension or revocation or the imposition of any action authorized by regulation and (2) subjects the licensee to a civil penalty of up to \$100 per day for each day after the licensee learned of the conviction, up to \$4,500 total.

## **COMPREHENSIVE BACKGROUND CHECKS FOR YOUTH SPORTS COACHES, TRAINERS, AND INSTRUCTORS**

This bill requires certain municipalities, businesses, and nonprofit organizations operating youth athletic activities (“operators”), starting October 1, 2022, to require prospective employees or volunteers who are age 18 or older and applying for a position as coach, instructor, or athletic trainer to submit to a comprehensive background check.

The bill applies this requirement to youth athletic activities organized for participants age 19 and under.

### ***Background Check Options***

The bill provides two options to meet the background check requirement. Under the first option, the background check must include the following:

1. a criminal history records check conducted by (a) the State Police Bureau of Identification in accordance with existing law (see BACKGROUND) or (b) searching the electronic criminal record system for convictions maintained on the Judicial Department’s website matching the prospective employee's name and birth date;

2. a check of the state child abuse registry;
3. a check of the state sex offender registry; and
4. a search of the National Sex Offender Registry public website maintained by the U.S. Department of Justice.

Alternatively, the background check requirement can be conducted by a third-party provider of national criminal history record checks in accordance with the national industry background check standards established by the United States Olympic and Paralympic Committee.

### ***Release of Information***

For each check of the state child abuse registry conducted in accordance with this provision, an operator must submit to DCF an authorization for the release of personal information signed by the prospective employee or volunteer.

### ***Provisional Employment***

The bill generally allows prospective employees and volunteers to begin working on a provisional basis while the background check is pending. This work must always be supervised by an employee or volunteer who was subjected to the comprehensive background check within the previous five years.

### ***Frequency of Background Checks***

The bill requires employees and volunteers in these positions to submit to the same background checks at least once every five years.

It also specifies that it does not prohibit an operator from requiring an applicant for a position as a coach, instructor, or athletic trainer to submit to comprehensive background checks more often than once every five years.

### ***Exemptions***

The bill exempts from the comprehensive background check requirement the following applicants for a position as a coach,

instructor, or athletic trainer for a youth athletic activity:

1. employees or volunteers of a youth athletic activity operator in the state or who have not been separated from employment as a youth athletic activity coach, instructor, or athletic trainer in the state for more than 180 days and have successfully completed the comprehensive background check in the previous five years or
2. intramural or interscholastic athletic coaches employed by a local or regional board of education, so long as the board satisfies the state and national criminal history records checks requirements for board employees under existing law.

### ***Criminal Record or Conviction Result***

The bill establishes conditions under which operators may not employ someone or accept them as a volunteer, youth athletic activity coach, instructor, or athletic trainer.

Under the bill, if the comprehensive background check results in a finding that a person who applied for the position (1) has been convicted in this state or any other state of any of the felony crimes listed above (see “OEC Enforcement Powers” above) or (2) has a criminal record in this state or any other state that the operator reasonably believes may render the person unsuitable for the position, the operator must not employ the person or accept them as a volunteer if it determines that he or she is not suitable for the position after considering the following:

1. the nature of the crime and its relationship to the position for which the person has applied,
2. information pertaining to the degree of rehabilitation of the convicted person, and
3. the time elapsed since the conviction or release.

### ***Definitions***

***Operator.*** By law, an “operator” is any municipality, business, or

nonprofit organization that conducts, coordinates, organizes, or otherwise oversees any youth athletic activity. It does not include any of these entities, whether or not compensated, that solely provide access to, or use of, a field, court, or other recreational area.

**Youth Athletic Activity.** Under existing law, a youth athletic activity is an organized athletic activity involving participants who:

1. (a) engage in, or practice or prepare for, an organized athletic game or competition against another team, club, or entity or (b) attend an organized athletic camp or clinic that trains, instructs, or prepares these participants and
2. pay a fee to participate in such an organized athletic game or competition or attend such a camp or clinic, or whose fee is sponsored by a municipality, business, or nonprofit organization.

It does not include any college or university athletic activity, or one that is incidental to a nonathletic program or lesson.

Under current law, youth athletic activities participants are ages seven through 19. The bill additionally applies its background check provisions to youth athletic activities in which participants are under age seven.

## **BACKGROUND**

### ***Youth Camps***

By law, the programs that must be licensed as youth camps are any regularly scheduled programs or organized group activities advertised as a camp or operated only during school vacations or on weekends by a person, partnership, corporation, association, the state, or a municipal agency for recreational or educational purposes and accommodating at least five children, from ages three to 16. These children (1) may not be bona fide personal guests in the private home of an individual and (2) must live apart from their relatives, parents, or legal guardian at least three full or partial days per week unless a relative or guardian is a camp employee. It does not include classroom-based summer instructional

programs, public or private schools' summer educational programs, licensed child care centers, or drop-in programs for children who are at least age six administered by a nationally chartered boys' and girls' club

**Criminal History Records Checks**

By law, if a criminal history records check is required by state law, it must be requested from the State Police Bureau of Identification and must apply to the individual identified in the request. The requesting party must arrange for the fingerprinting of the individual or for conducting any other method of positive identification required by the State Police Bureau of Identification and, if a national criminal history records check is requested, by the Federal Bureau of Investigation (CGS § 29-17a).

**Related Bill**

sHB 6511 (File 166), favorably reported by the Committee on Children, contains similar provisions to the requirements for certain municipalities, businesses, and nonprofit organizations operating youth athletic activities to require prospective employees who are age 18 or older and applying for a position as coach, instructor, or athletic trainer to submit to a comprehensive background check.

**COMMITTEE ACTION**

Committee on Children

Joint Favorable Substitute

Yea 12 Nay 1 (03/11/2021)