



General Assembly

January Session, 2023

***Raised Bill No. 6794***

LCO No. 4612



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:  
(PS)

***AN ACT CONCERNING THE USE OF BACKGROUND CHECKS FOR MULTIPLE PERMIT, LICENSE AND OTHER CREDENTIAL APPLICATIONS AND WAIVER OF CERTAIN CRIMINAL HISTORY RECORDS CHECK FEES FOR AN INDIGENT PERSON SEEKING A PARDON.***

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

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) For purposes of this  
2 section:

3 (1) "Completed investigation" means an investigation of an  
4 individual's background that is required by a provision of the general  
5 statutes as part of an initial application, for which a state agency or other  
6 state entity has complete results.

7 (2) "Initial application" means an application by an individual to any  
8 state agency or other state entity for a permit, license or other credential  
9 for which a provision of the general statutes requires the applicant to  
10 submit to an investigation of the individual's background, which may  
11 include a criminal history records check conducted pursuant to section  
12 29-17a of the general statutes.

13 (3) "Subsequent application" means an application by an individual  
14 for a permit, license or other credential for which a provision of the  
15 general statutes requires the applicant to submit to an investigation of  
16 the individual's background, which may include a criminal history  
17 records check conducted pursuant to section 29-17a of the general  
18 statutes, when such application is submitted not later than five years  
19 after a completed investigation from an initial application submitted by  
20 such individual.

21 (b) Notwithstanding any provision of the general statutes, unless  
22 otherwise required by federal law, whenever an individual previously  
23 submitted an initial application and is the subject of a completed  
24 investigation related to such initial application, and such individual  
25 submits a subsequent application, the results of the completed  
26 investigation shall satisfy the requirement of any provision of the  
27 general statutes for an investigation of the individual's background for  
28 the permit, license or credential that is the subject of the subsequent  
29 application, provided:

30 (1) The individual submitting a subsequent application shall request  
31 that a state agency or other state entity that retains the results of a  
32 completed investigation provide a copy of such results to the state  
33 agency or other state entity which received the individual's subsequent  
34 application, and

35 (2) If any provision of the general statutes related to such subsequent  
36 application requires additional investigatory requirements that were  
37 not performed as part of the completed investigation, such additional  
38 investigations shall be performed.

39 (c) Any state agency or other state entity with the results of a  
40 completed investigation shall retain such results for not less than five  
41 years.

42 Sec. 2. Section 29-11 of the general statutes is repealed and the  
43 following is substituted in lieu thereof (*Effective July 1, 2023*):

44 (a) The bureau in the Division of State Police within the Department  
45 of Emergency Services and Public Protection known as the State Police  
46 Bureau of Identification shall be maintained for the purposes of: (1)  
47 Providing an authentic record of each person sixteen years of age or over  
48 who is charged with the commission of any crime involving moral  
49 turpitude, (2) providing definite information relative to the identity of  
50 each person so arrested, (3) providing a record of the final judgment of  
51 the court resulting from such arrest, unless such record has been erased  
52 pursuant to section 54-142a, and (4) maintaining a central repository of  
53 complete criminal history record disposition information. The  
54 Commissioner of Emergency Services and Public Protection is directed  
55 to maintain the State Police Bureau of Identification, which bureau shall  
56 receive, classify and file in an orderly manner all fingerprints, pictures  
57 and descriptions, including previous criminal records as far as known  
58 of all persons so arrested, and shall classify and file in a like manner all  
59 identification material and records received from the government of the  
60 United States and from the various state governments and subdivisions  
61 thereof, and shall cooperate with such governmental units in the  
62 exchange of information relative to criminals. The State Police Bureau of  
63 Identification shall accept fingerprints of applicants for admission to the  
64 bar of the state and, to the extent permitted by federal law, shall  
65 exchange state, multistate and federal criminal history records with the  
66 State Bar Examining Committee for purposes of investigation of the  
67 qualifications of any applicant for admission as an attorney under  
68 section 51-80. The record of all arrests reported to the bureau after March  
69 16, 1976, shall contain information of any disposition within ninety days  
70 after the disposition has occurred.

71 (b) Any cost incurred by the State Police Bureau of Identification in  
72 conducting any name search and fingerprinting of applicants for  
73 admission to the bar of the state shall be paid from fees collected by the  
74 State Bar Examining Committee.

75 (c) (1) (A) The Commissioner of Emergency Services and Public  
76 Protection shall charge the following fees for the service indicated: (i)  
77 Name search, thirty-six dollars; (ii) fingerprint search, seventy-five

78 dollars; (iii) personal record search, seventy-five dollars; (iv) letters of  
79 good conduct search, seventy-five dollars; (v) bar association search,  
80 seventy-five dollars; (vi) fingerprinting, fifteen dollars; and (vii)  
81 criminal history record information search, seventy-five dollars.

82 (B) The commissioner may waive fees imposed under subparagraph  
83 (A)(vii) of this subdivision for any applicant requesting a criminal  
84 history record information search for the purpose of applying for a  
85 pardon authorized pursuant to section 54-124a, provided such applicant  
86 completes a form prescribed by the Department of Emergency Services  
87 and Public Protection representing such person's indigency.

88 (2) Except as provided in subsection (b) of this section, the provisions  
89 of this subsection shall not apply to any (A) federal, state or municipal  
90 agency, (B) volunteer fire company or department, or (C) volunteer  
91 ambulance service or company. The commissioner shall not require a  
92 volunteer fire company or department or a volunteer ambulance service  
93 or company to provide proof of insurance as a condition to receiving the  
94 waiver of fees pursuant to the provisions of this subsection.

95 (d) (1) The Commissioner of Emergency Services and Public  
96 Protection may enter into one or more agreements with independent  
97 contractors requiring such contractors to receive and transmit by  
98 electronic means fingerprints and demographic information to the State  
99 Police Bureau of Identification for the processing of criminal history  
100 records checks. The commissioner shall require such contractors to  
101 comply with terms and conditions as the commissioner shall prescribe  
102 to protect and ensure the security, privacy, confidentiality and value of  
103 the fingerprints and demographic information received and transmitted  
104 by such contractors. The commissioner may authorize such contractors  
105 to charge a convenience fee, which shall not exceed thirty dollars, for  
106 fingerprinting.

107 (2) An independent contractor shall not charge an individual the  
108 convenience fee authorized under subdivision (1) of this subsection  
109 when such individual (A) requests receipt and transmission of

110 fingerprints and demographic information for the processing of a  
111 criminal history records check for the purpose of applying for a pardon  
112 authorized pursuant to section 54-124a, and (B) applies for a waiver of  
113 such fee due to indigency, on a form prescribed by the Department of  
114 Emergency Services and Public Protection, and the commissioner  
115 approves such waiver. When the commissioner approves such a waiver,  
116 the commissioner shall pay such fee to such contractor.

117 (e) The Commissioner of Emergency Services and Public Protection  
118 may adopt regulations, in accordance with the provisions of chapter 54,  
119 necessary to implement the provisions of the National Child Protection  
120 Act of 1993, the Violent Crime Control and Law Enforcement Act of  
121 1994, the Volunteers for Children Act of 1998, and the National Crime  
122 Prevention and Privacy Compact as provided in section 29-164f to  
123 provide for national criminal history records checks to determine an  
124 employee's or volunteer's suitability and fitness to care for the safety  
125 and well-being of children, the elderly and individuals with disabilities.

126 (f) No processing or distribution fees for providing a criminal history  
127 report and no fee associated with electronic preregistration with the  
128 Connecticut criminal history request system shall be charged to an  
129 individual when such individual (1) is seeking such report or such  
130 preregistration for the purpose of applying for a pardon authorized  
131 pursuant to section 54-124a, and (2) applies for a waiver of such fees due  
132 to indigency, on a form prescribed by the Department of Emergency  
133 Services and Public Protection, and the commissioner approves such  
134 waiver. If the commissioner waives any fee charged by a municipal  
135 police department pursuant to this subsection, the commissioner shall,  
136 on request from such department, consider reimbursing the department  
137 for the waived fee.

138 (g) The commissioner shall make the forms described in  
139 subparagraph (B) of subdivision (1) of subsection (c) of this section,  
140 subdivision (2) of subsection (d) of this section and subsection (f) of this  
141 section available on the Internet web site of the State Police Bureau of  
142 Identification and provide such forms to each location where a

143 municipal police department provides fingerprinting services. Such  
144 forms shall be prominently displayed at such locations, along with other  
145 materials and documents necessary to complete an application for a  
146 pardon pursuant to section 54-124a.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2023</i>	New section
Sec. 2	<i>July 1, 2023</i>	29-11

***Statement of Purpose:***

To allow (1) the result of a background check related to an application for a permit, license or other credential to be used when applying for another permit, license or other credential within five years, and (2) the waiver of certain criminal history records check fees for an indigent person who is seeking a pardon.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*