



General Assembly

Substitute Bill No. 6794

January Session, 2023



AN ACT CONCERNING THE 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. Section 29-11 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) The bureau in the Division of State Police within the Department
4 of Emergency Services and Public Protection known as the State Police
5 Bureau of Identification shall be maintained for the purposes of: (1)
6 Providing an authentic record of each person sixteen years of age or
7 over who is charged with the commission of any crime involving
8 moral turpitude, (2) providing definite information relative to the
9 identity of each person so arrested, (3) providing a record of the final
10 judgment of the court resulting from such arrest, unless such record
11 has been erased pursuant to section 54-142a, and (4) maintaining a
12 central repository of complete criminal history record disposition
13 information. The Commissioner of Emergency Services and Public
14 Protection is directed to maintain the State Police Bureau of
15 Identification, which bureau shall receive, classify and file in an
16 orderly manner all fingerprints, pictures and descriptions, including
17 previous criminal records as far as known of all persons so arrested,
18 and shall classify and file in a like manner all identification material

19 and records received from the government of the United States and
20 from the various state governments and subdivisions thereof, and shall
21 cooperate with such governmental units in the exchange of
22 information relative to criminals. The State Police Bureau of
23 Identification shall accept fingerprints of applicants for admission to
24 the bar of the state and, to the extent permitted by federal law, shall
25 exchange state, multistate and federal criminal history records with the
26 State Bar Examining Committee for purposes of investigation of the
27 qualifications of any applicant for admission as an attorney under
28 section 51-80. The record of all arrests reported to the bureau after
29 March 16, 1976, shall contain information of any disposition within
30 ninety days after the disposition has occurred.

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

35 (c) (1) (A) The Commissioner of Emergency Services and Public
36 Protection shall charge the following fees for the service indicated: (i)
37 Name search, thirty-six dollars; (ii) fingerprint search, seventy-five
38 dollars; (iii) personal record search, seventy-five dollars; (iv) letters of
39 good conduct search, seventy-five dollars; (v) bar association search,
40 seventy-five dollars; (vi) fingerprinting, fifteen dollars; and (vii)
41 criminal history record information search, seventy-five dollars.

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

49 (2) Except as provided in subsection (b) of this section, the
50 provisions of this subsection shall not apply to any (A) federal, state or

51 municipal agency, (B) volunteer fire company or department, or (C)
52 volunteer ambulance service or company. The commissioner shall not
53 require a volunteer fire company or department or a volunteer
54 ambulance service or company to provide proof of insurance as a
55 condition to receiving the waiver of fees pursuant to the provisions of
56 this subsection.

57 (d) (1) The Commissioner of Emergency Services and Public
58 Protection may enter into one or more agreements with independent
59 contractors requiring such contractors to receive and transmit by
60 electronic means fingerprints and demographic information to the
61 State Police Bureau of Identification for the processing of criminal
62 history records checks. The commissioner shall require such
63 contractors to comply with terms and conditions as the commissioner
64 shall prescribe to protect and ensure the security, privacy,
65 confidentiality and value of the fingerprints and demographic
66 information received and transmitted by such contractors. The
67 commissioner may authorize such contractors to charge a convenience
68 fee, which shall not exceed thirty dollars, for fingerprinting.

69 (2) An independent contractor shall not charge an individual the
70 convenience fee authorized under subdivision (1) of this subsection
71 when such individual (A) requests receipt and transmission of
72 fingerprints and demographic information for the processing of a
73 criminal history records check for the purpose of applying for a
74 pardon authorized pursuant to section 54-124a, and (B) applies for a
75 waiver of such fee due to indigency, on a form prescribed by the
76 Department of Emergency Services and Public Protection, and the
77 commissioner approves such waiver. When the commissioner
78 approves such a waiver, the commissioner shall pay such fee to such
79 contractor.

80 (e) The Commissioner of Emergency Services and Public Protection
81 may adopt regulations, in accordance with the provisions of chapter
82 54, necessary to implement the provisions of the National Child
83 Protection Act of 1993, the Violent Crime Control and Law

84 Enforcement Act of 1994, the Volunteers for Children Act of 1998, and
85 the National Crime Prevention and Privacy Compact as provided in
86 section 29-164f to provide for national criminal history records checks
87 to determine an employee's or volunteer's suitability and fitness to care
88 for the safety and well-being of children, the elderly and individuals
89 with disabilities.

90 (f) No processing or distribution fees for providing a criminal
91 history report and no fee associated with electronic preregistration
92 with the Connecticut criminal history request system shall be charged
93 to an individual when such individual (1) is seeking such report or
94 such preregistration for the purpose of applying for a pardon
95 authorized pursuant to section 54-124a, and (2) applies for a waiver of
96 such fees due to indigency, on a form prescribed by the Department of
97 Emergency Services and Public Protection, and the commissioner
98 approves such waiver. If the commissioner waives any fee charged by
99 a municipal police department pursuant to this subsection, the
100 commissioner may, on request from such department, reimburse the
101 department for the waived fee.

102 (g) The commissioner shall make the forms described in
103 subparagraph (B) of subdivision (1) of subsection (c) of this section,
104 subparagraph (B) of subdivision (2) of subsection (d) of this section
105 and subdivision (2) of subsection (f) of this section available on the
106 Internet web site of the State Police Bureau of Identification and
107 provide such forms to each location where a municipal police
108 department provides fingerprinting services. Such forms shall be
109 prominently displayed at such locations, along with other materials
110 and documents necessary to complete an application for a pardon
111 pursuant to section 54-124a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	29-11

Statement of Legislative Commissioners:

In Subsec. (f), "shall, on request from such department, consider reimbursing" was changed to "may, on request from such department, reimburse", for consistency with standard drafting conventions, and in Subsec. (g), "subparagraph (B) of" and "subdivision (2) of" were added for accuracy.

PS *Joint Favorable Subst.*