



General Assembly

Amendment

January Session, 2023

LCO No. 6872



Offered by:
REP. D'AGOSTINO, 91st Dist.

To: Subst. House Bill No. 6767

File No. 229

Cal. No. 167

"AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING LICENSING AND ENFORCEMENT."

1 Strike section 3 in its entirety and substitute the following in lieu
2 thereof:

3 "Sec. 3. Subsection (b) of section 20-280e of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective from*
5 *passage*):

6 (b) (1) Any individual who has been convicted of any criminal offense
7 may request, at any time, that the [board] Department of Consumer
8 Protection determine whether such individual's criminal conviction
9 disqualifies [the] such individual from obtaining a certificate or license
10 issued or conferred [by the board] pursuant to this chapter based on (A)
11 the nature of the conviction and its relationship to [the] such
12 individual's ability to safely or competently perform the duties or
13 responsibilities associated with such certificate or license, (B)
14 information pertaining to the degree of rehabilitation of [the] such

15 individual, and (C) the time elapsed since the conviction or release of
16 [the] such individual.

17 (2) An individual making [such] a request under subdivision (1) of
18 this subsection shall [include (A)] make such request on a form, and in
19 a manner, prescribed by the Commissioner of Consumer Protection,
20 which form shall require the individual to (A) submit to state and
21 national criminal history records checks conducted in accordance with
22 section 29-17a, and (B) provide details of the individual's criminal
23 conviction, [, and (B) any payment required by the board. The board
24 may charge a fee of not more than fifteen dollars for each request made
25 under this subsection. The board may waive such fee.]

26 (3) Not later than thirty days after receiving a complete request under
27 subdivisions (1) and (2) of this subsection, the [board] department shall
28 inform the individual making such request whether, based on the
29 criminal record information submitted, such individual is disqualified
30 from receiving or holding a certificate or license issued pursuant to this
31 chapter.

32 (4) The [board] department is not bound by a determination made
33 under this section [,] if, upon further investigation, the [board]
34 department determines that the individual's criminal conviction differs
35 from the information presented in [the] such individual's determination
36 request made under this subsection."

37 Strike section 4 in its entirety and substitute the following in lieu
38 thereof:

39 "Sec. 4. Subsection (b) of section 20-291 of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective from*
41 *passage*):

42 (b) (1) Any individual who has been convicted of any criminal offense
43 may request, at any time, that the [commissioner] Department of
44 Consumer Protection determine whether such individual's criminal
45 conviction disqualifies [the] such individual from obtaining a certificate

46 or license issued or conferred [by the commissioner] pursuant to this
47 chapter based on (A) the nature of the conviction and its relationship to
48 [the] such individual's ability to safely or competently perform the
49 duties or responsibilities associated with such certificate or license, (B)
50 information pertaining to the degree of rehabilitation of [the] such
51 individual, and (C) the time elapsed since the conviction or release of
52 [the] such individual.

53 (2) An individual making [such] a request under subdivision (1) of
54 this subsection shall [include (A)] make such request on a form, and in
55 a manner, prescribed by the Commissioner of Consumer Protection,
56 which form shall require the individual to (A) submit to state and
57 national criminal history records checks conducted in accordance with
58 section 29-17a, and (B) provide details of the individual's criminal
59 conviction. [, and (B) any payment required by the commissioner. The
60 commissioner may charge a fee of not more than fifteen dollars for each
61 request made under this subsection. The commissioner may waive such
62 fee.]

63 (3) Not later than thirty days after receiving a complete request under
64 subdivisions (1) and (2) of this subsection, the [commissioner]
65 department shall inform the individual making such request whether,
66 based on the criminal record information submitted, such individual is
67 disqualified from receiving or holding a certificate or license issued
68 pursuant to this chapter.

69 (4) The [commissioner] department is not bound by a determination
70 made under this section [,] if, upon further investigation, the
71 [commissioner] department determines that the individual's criminal
72 conviction differs from the information presented in [the] such
73 individual's determination request made under this subsection."

74 Strike section 6 in its entirety and substitute the following in lieu
75 thereof:

76 "Sec. 6. Subsection (d) of section 20-334 of the general statutes is
77 repealed and the following is substituted in lieu thereof (*Effective from*

78 *passage*):

79 (d) (1) Any individual who has been convicted of any criminal offense
80 may request, at any time, that the [commissioner] Department of
81 Consumer Protection determine whether such individual's criminal
82 conviction disqualifies [the] such individual from obtaining a [license
83 or] certificate or license issued or conferred [by the commissioner]
84 pursuant to this chapter based on (A) the nature of the conviction and
85 its relationship to [the] such individual's ability to safely or competently
86 perform the duties or responsibilities associated with such certificate or
87 license, (B) information pertaining to the degree of rehabilitation of [the]
88 such individual, and (C) the time elapsed since the conviction or release
89 of [the] such individual.

90 (2) An individual making [such] a request under subdivision (1) of
91 this subsection shall [include (A)] make such request on a form, and in
92 a manner, prescribed by the Commissioner of Consumer Protection,
93 which form shall require the individual to (A) submit to state and
94 national criminal history records checks conducted in accordance with
95 section 29-17a, and (B) provide details of the individual's criminal
96 conviction, [, and (B) any payment required by the commissioner. The
97 commissioner may charge a fee of not more than fifteen dollars for each
98 request made under this subsection. The commissioner may waive such
99 fee.]

100 (3) Not later than thirty days after receiving a complete request under
101 subdivisions (1) and (2) of this subsection, the [commissioner]
102 department shall inform the individual making such request whether,
103 based on the criminal record information submitted, such individual is
104 disqualified from receiving or holding a [license or] certificate or license
105 issued pursuant to this chapter.

106 (4) The [commissioner] department is not bound by a determination
107 made under this section [,] if, upon further investigation, the
108 [commissioner] department determines that the individual's criminal
109 conviction differs from the information presented in [the] such

110 individual's determination request made under this subsection."

111 Strike section 8 in its entirety and substitute the following in lieu
112 thereof:

113 "Sec. 8. Subsection (d) of section 20-341gg of the general statutes is
114 repealed and the following is substituted in lieu thereof (*Effective from*
115 *passage*):

116 (d) (1) Any individual who has been convicted of any criminal offense
117 may request, at any time, that the [commissioner] Department of
118 Consumer Protection determine whether such individual's criminal
119 conviction disqualifies [the] such individual from obtaining a
120 registration issued or conferred by the commissioner pursuant to this
121 section based on (A) the nature of the conviction and its relationship to
122 [the] such individual's ability to safely or competently perform the
123 duties or responsibilities associated with such [license] registration, (B)
124 information pertaining to the degree of rehabilitation of [the] such
125 individual, and (C) the time elapsed since the conviction or release of
126 [the] such individual.

127 (2) An individual making [such] a request under subdivision (1) of
128 this subsection shall [include (A)] make such request on a form, and in
129 a manner, prescribed by the Commissioner of Consumer Protection,
130 which form shall require the individual to (A) submit to state and
131 national criminal history records checks conducted in accordance with
132 section 29-17a, and (B) provide details of the individual's criminal
133 conviction. [, and (B) any payment required by the commissioner. The
134 commissioner may charge a fee of not more than fifteen dollars for each
135 request made under this subsection. The commissioner may waive such
136 fee.]

137 (3) Not later than thirty days after receiving a complete request under
138 subdivisions (1) and (2) of this subsection, the [commissioner]
139 department shall inform the individual making such request whether,
140 based on the criminal record information submitted, such individual is
141 disqualified from receiving or holding a registration issued pursuant to

142 this section.

143 (4) The [commissioner] department is not bound by a determination
144 made under this section [.] if, upon further investigation, the
145 [commissioner] department determines that the individual's criminal
146 conviction differs from the information presented in [the] such
147 individual's determination request made under this subsection."

148 Strike section 17 in its entirety and substitute the following in lieu
149 thereof:

150 "Sec. 17. Subsection (m) of section 20-540 of the general statutes is
151 repealed and the following is substituted in lieu thereof (*Effective from*
152 *passage*):

153 (m) (1) Any individual who has been convicted of any criminal
154 offense may request, at any time, that the [commissioner] Department
155 of Consumer Protection determine whether such individual's criminal
156 conviction disqualifies [the] such individual from obtaining a certificate
157 or license [or certificate] issued or conferred [by the commissioner]
158 pursuant to this section.

159 (2) An individual making [such] a request under subdivision (1) of
160 this subsection shall [include (A)] make such request on a form, and in
161 a manner, prescribed by the Commissioner of Consumer Protection,
162 which form shall require the individual to (A) submit to state and
163 national criminal history records checks conducted in accordance with
164 section 29-17a, and (B) provide details of the individual's criminal
165 conviction. [, and (B) any payment required by the commissioner. The
166 commissioner may charge a fee of not more than fifteen dollars for each
167 request made under this subsection. The commissioner may waive such
168 fee.]

169 [(2)] (3) Not later than thirty days after receiving a complete request
170 under subdivisions (1) and (2) of this subsection, the [commissioner]
171 department shall inform the individual making such request whether,
172 based on the criminal record information submitted, such individual is

173 disqualified from receiving or holding a [license or] certificate or license
174 issued pursuant to this section.

175 [(3)] (4) The [commissioner] department is not bound by a
176 determination made under this section [,] if, upon further investigation,
177 the [commissioner] department determines that the individual's
178 criminal conviction differs from the information presented in [the] such
179 individual's determination request made under this subsection."

This act shall take effect as follows and shall amend the following sections:		
Sec. 3	<i>from passage</i>	20-280e(b)
Sec. 4	<i>from passage</i>	20-291(b)
Sec. 6	<i>from passage</i>	20-334(d)
Sec. 8	<i>from passage</i>	20-341gg(d)
Sec. 17	<i>from passage</i>	20-540(m)