



General Assembly

February Session, 2024

Raised Bill No. 138

LCO No. 1035



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

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 Section 29-11 of the general statutes is repealed and the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, 2024*):

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 over
7 who is charged with the commission of any crime involving moral
8 turpitude, (2) providing definite information relative to the identity of
9 each person so arrested, (3) providing a record of the final judgment of
10 the court resulting from such arrest, unless such record has been erased
11 pursuant to section 54-142a, and (4) maintaining a central repository of
12 complete criminal history record disposition information. The
13 Commissioner of Emergency Services and Public Protection is directed
14 to maintain the State Police Bureau of Identification, which bureau shall
15 receive, classify and file in an orderly manner all fingerprints, pictures

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

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

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

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

47 (2) Except as provided in subsection (b) of this section, the provisions

48 of this subsection shall not apply to any (A) federal, state or municipal
49 agency, (B) volunteer fire company or department, or (C) volunteer
50 ambulance service or company. The commissioner shall not require a
51 volunteer fire company or department or a volunteer ambulance service
52 or company to provide proof of insurance as a condition to receiving the
53 waiver of fees pursuant to the provisions of this subsection.

54 (d) (1) The Commissioner of Emergency Services and Public
55 Protection may enter into one or more agreements with independent
56 contractors requiring such contractors to receive and transmit by
57 electronic means fingerprints and demographic information to the State
58 Police Bureau of Identification for the processing of criminal history
59 records checks. The commissioner shall require such contractors to
60 comply with terms and conditions as the commissioner shall prescribe
61 to protect and ensure the security, privacy, confidentiality and value of
62 the fingerprints and demographic information received and transmitted
63 by such contractors. [The] Except as provided in subdivision (2) of this
64 subsection, the commissioner may authorize such contractors to charge
65 a convenience fee, which shall not exceed thirty dollars, for
66 fingerprinting.

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

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

81 1994, the Volunteers for Children Act of 1998, and the National Crime
82 Prevention and Privacy Compact as provided in section 29-164f to
83 provide for national criminal history records checks to determine an
84 employee's or volunteer's suitability and fitness to care for the safety
85 and well-being of children, the elderly and individuals with disabilities.

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

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

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | July 1, 2024 | 29-11 |

PS *Joint Favorable*