



General Assembly

January Session, 2001

Raised Bill No. 1437

LCO No. 5342

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECKS.

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

1 Section 1. Section 10-221d of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) On and after July 1, 1994, each local and regional board of
4 education shall (1) require each applicant for a position in a public
5 school to state whether such person has ever been convicted of a crime
6 or whether criminal charges are pending against such person at the
7 time of [his] such person's application, and (2) require, subject to the
8 provisions of subsection (d) of this section, each person hired by the
9 board after July 1, 1994, to submit to state and national criminal history
10 records checks within ninety days from the date of employment. Any
11 local or regional board of education may require, subject to the
12 provisions of subsection (d) of this section, any person hired prior to
13 said date to submit to state and national criminal history records
14 checks in accordance with subsection (e) of this section. [The board or a
15 regional educational service center pursuant to subsection (b) of this
16 section shall request the state criminal history records check for each

17 such person from the State Police Bureau of Identification. The board
18 or such regional educational service center shall arrange for the
19 fingerprinting of each such person and forward the fingerprints to said
20 bureau which shall submit the fingerprints to the Federal Bureau of
21 Investigation for a national criminal history records check. The board
22 or the regional educational service center may charge each such person
23 a fee for the national criminal history records check which shall not
24 exceed the fee charged by the Federal Bureau of Investigation for
25 performing the check.] If the local or regional board of education
26 receives notice of a conviction of a crime which has not previously
27 been disclosed by such person to the board, the board may (A)
28 terminate the contract of a certified employee, in accordance with the
29 provisions of section 10-151, and (B) dismiss a noncertified employee
30 provided such employee is notified of the reason for such dismissal, is
31 provided the opportunity to file with the board, in writing, any proper
32 answer to such criminal conviction and a copy of the notice of such
33 criminal conviction, the answer and the dismissal order are made a
34 part of the records of the board. The supervisory agent of a private
35 school may require any applicant for a position in such school or any
36 employee of such school to submit to state and national criminal
37 history records checks in accordance with the procedures described in
38 this subsection.

39 (b) If a local or regional board of education requests, a regional
40 educational service center shall arrange for fingerprinting pursuant to
41 subsection [(a)] (e) of this section and forward such fingerprints for
42 state and national criminal history records checks. Such regional
43 educational service centers shall provide the results of such checks to
44 such local or regional board of education. Such regional educational
45 service centers shall provide such results to any other local or regional
46 board of education or regional educational service center upon the
47 request of the person fingerprinted.

48 (c) State and national criminal history records checks for substitute
49 teachers completed within one year prior to the date of employment

50 with a local or regional board of education and submitted to the
51 employing board of education shall meet the requirements of
52 subdivision (2) of subsection (a) of this section. A local or regional
53 board of education shall not require substitute teachers to submit to
54 state and national criminal history records checks pursuant to
55 subdivision (2) if they are continuously employed by such local or
56 regional board of education. For purposes of this section, substitute
57 teachers shall be deemed to be continuously employed by a local or
58 regional board of education if they are employed at least one day of
59 each school year by such local or regional board of education.

60 (d) The provisions of this section shall not apply to a person
61 required to submit to a criminal history records check pursuant to the
62 provisions of subsection (d) of section 14-44. The provisions of
63 subsection (a) of this section requiring state and national criminal
64 history records checks shall, at the discretion of a local or regional
65 board of education, apply to a person employed by a local or regional
66 board of education as a teacher for a noncredit adult class or adult
67 education activity, as defined in section 10-67, who is not required to
68 hold a teaching certificate pursuant to section 10-145b for his position.

69 (e) If criminal history records checks are required pursuant to
70 subsection (a) of this section, such checks shall be requested from the
71 State Police Bureau of Identification and shall be applicable to the
72 person identified on an application for employment made pursuant to
73 this section. The local or regional board of education or the regional
74 educational service center shall arrange for the fingerprinting of the
75 person or for conducting any other method of positive identification
76 required by the State Police Bureau of Identification or Federal Bureau
77 of Investigation. The fingerprints or other positive identifying
78 information shall be forwarded to the State Police Bureau of
79 Identification which shall conduct a state criminal history records
80 check and submit the fingerprints or other positive identifying
81 information to the Federal Bureau of Investigation for a national
82 criminal history records check. Each applicant shall reimburse the

83 Department of Public Safety for the actual cost for a national criminal
84 history records check which shall be equal to the fee charged by the
85 Federal Bureau of Investigation for performing such check.

86 Sec. 2. Section 12-559 of the general statutes is repealed and the
87 following is substituted in lieu thereof:

88 Notwithstanding the provisions of section 4-8, the executive director
89 shall, with the advice and consent of the board, appoint unit heads for
90 each of the units created within the division, who shall be exempt from
91 classified service. Each unit head shall be qualified and experienced in
92 the functions to be performed by [him] such unit head. The executive
93 director may employ division stewards for thoroughbred racing,
94 division judges for harness racing, greyhound racing and jai alai, and
95 division veterinarians who shall be exempt from classified service, and
96 may employ, subject to the provisions of chapter 67, such clerks,
97 stenographers, inspectors, agents and other employees, as may be
98 necessary to carry out the provisions of this chapter. [, all of whom
99 shall be fingerprinted before being employed.] Such persons shall
100 submit to and successfully complete state and national criminal history
101 records checks before being employed. The criminal history records
102 checks required pursuant to this section shall be requested from the
103 State Police Bureau of Identification and shall be applicable to the
104 person identified on an application made pursuant to this section. The
105 executive director shall arrange for the fingerprinting of the person or
106 for conducting any other method of positive identification required by
107 the State Police Bureau of Identification or the Federal Bureau of
108 Investigation. The fingerprints or other positive identifying
109 information shall be forwarded to the State Police Bureau of
110 Identification which shall conduct a state criminal history records
111 check and submit the fingerprints or other positive identifying
112 information to the Federal Bureau of Investigation for a national
113 criminal history records check. A fee shall be charged by the executive
114 director for such national criminal history records check which shall be
115 equal to the fee charged by the Federal Bureau of Investigation for

116 performing such check. The Division of Special Revenue shall
117 reimburse the Department of Public Safety for the actual cost for a
118 national criminal history records check. All persons employed
119 pursuant to this section, with the exception of any steward, judge or
120 veterinarian, shall be residents of the state at the time of and during
121 the full term of their employment.

122 Sec. 3. Subsection (b) of section 12-578 of the general statutes is
123 repealed and the following is substituted in lieu thereof:

124 (b) Each applicant for a license under subdivision (2) of subsection
125 (a) of this section shall [be fingerprinted] submit to and successfully
126 complete state and national criminal history records checks before
127 such license is issued. The criminal history records checks required
128 pursuant to this subsection shall be requested from the State Police
129 Bureau of Identification and shall be applicable to the person identified
130 on an application made pursuant to this section. The executive director
131 shall arrange for the fingerprinting of the person or for conducting any
132 other method of positive identification required by the State Police
133 Bureau of Identification or Federal Bureau of Investigation. The
134 fingerprints or other positive identifying information shall be
135 forwarded to the State Police Bureau of Identification which shall
136 conduct a state criminal history records check and submit the
137 fingerprints or other positive identifying information to the Federal
138 Bureau of Investigation for a national criminal history records check.
139 The executive director shall charge a fee for such national criminal
140 history records check which shall be equal to the fee charged by the
141 Federal Bureau of Investigation for performing such check. The
142 Division of Special Revenue shall reimburse the Department of Public
143 Safety for the actual cost for a national criminal history records check.

144 Sec. 4. Subsection (e) of section 12-586f of the general statutes is
145 repealed and the following is substituted in lieu thereof:

146 (e) Each applicant for a casino gaming employee license, casino
147 gaming service license or casino gaming equipment license shall [be

148 fingerprinted] submit to and successfully complete state and national
149 criminal history records checks before such license is issued. The
150 criminal history records checks required pursuant to this subsection
151 shall be requested from the State Police Bureau of Identification and
152 shall be applicable to the person identified on an application made
153 pursuant to this section. The executive director shall arrange for the
154 fingerprinting of the person or for conducting any other method of
155 positive identification required by the State Police Bureau of
156 Identification or Federal Bureau of Investigation. The fingerprints or
157 other positive identifying information shall be forwarded to the State
158 Police Bureau of Identification which shall conduct a state criminal
159 history records check and submit the fingerprints or other positive
160 identifying information to the Federal Bureau of Investigation for a
161 national criminal history records check. The executive director shall
162 charge a fee for such national criminal history records check which
163 shall be equal to the fee charged by the Federal Bureau of Investigation
164 for performing such check. The Division of Special Revenue shall
165 reimburse the Department of Public Safety for the actual cost for a
166 national criminal history records check.

167 Sec. 5. Subsection (e) of section 12-586g of the general statutes is
168 repealed and the following is substituted in lieu thereof:

169 (e) Each applicant for a casino gaming employee license, casino
170 gaming service license or casino gaming equipment license shall [be
171 fingerprinted] submit to and successfully complete state and national
172 criminal history records checks before such license is issued. The
173 criminal history records checks required pursuant to this subsection
174 shall be requested from the State Police Bureau of Identification and
175 shall be applicable to the person identified on an application made
176 pursuant to this section. The executive director shall arrange for the
177 fingerprinting of the person or for conducting any other method of
178 positive identification required by the State Police Bureau of
179 Identification or Federal Bureau of Investigation. The fingerprints or
180 other positive identifying information shall be forwarded to the State

181 Police Bureau of Identification which shall conduct a state criminal
182 history records check and submit the fingerprints or other positive
183 identifying information to the Federal Bureau of Investigation for a
184 national criminal history records check. The executive director shall
185 charge a fee for such national criminal history records check which
186 shall be equal to the fee charged by the Federal Bureau of Investigation
187 for performing such check. The Division of Special Revenue shall
188 reimburse the Department of Public Safety for the actual cost for a
189 national criminal history records check.

190 Sec. 6. Section 12-802b of the general statutes is repealed and the
191 following is substituted in lieu thereof:

192 (a) The executive director of the Division of Special Revenue may
193 issue occupational licenses to employees of the Connecticut Lottery
194 Corporation. In determining whether to grant a license to any such
195 employee, the executive director may require the applicant to submit
196 information as to such applicant's: (1) Financial standing and credit
197 which shall, at the discretion of the executive director, be updated
198 annually; (2) moral character; (3) criminal record, if any; (4) previous
199 employment; (5) corporate, partnership or association affiliations; (6)
200 ownership of personal assets; and (7) such other information as the
201 executive director deems pertinent to the issuance of such license,
202 provided the submission of such other information will assure the
203 integrity of the state lottery.

204 (b) Each applicant for an occupational license shall submit to and
205 successfully complete state and national criminal history records
206 checks before such license is issued. The criminal history records
207 checks required pursuant to this subsection shall be requested from the
208 State Police Bureau of Identification and shall be applicable to the
209 person identified on an application made pursuant to this section. The
210 executive director shall arrange for the fingerprinting of the person or
211 for conducting any other method of positive identification required by
212 the State Police Bureau of Identification or Federal Bureau of

213 Investigation. The fingerprints or other positive identifying
214 information shall be forwarded to the State Police Bureau of
215 Identification which shall conduct a state criminal history records
216 check and submit the fingerprints or other positive identifying
217 information to the Federal Bureau of Investigation for a national
218 criminal history records check. The executive director shall charge a
219 fee for such national criminal history records check which shall be
220 equal to the fee charged by the Federal Bureau of Investigation for
221 performing such check. The Division of Special Revenue shall
222 reimburse the Department of Public Safety for the actual cost for a
223 national criminal history records check.

224 (c) The executive director may reject for good cause an application
225 for a license and [he] may suspend or revoke for good cause any
226 license issued by [him] said executive director after a hearing held in
227 accordance with the provisions of chapter 54. Except as otherwise
228 provided in this section, such occupational license shall remain in
229 effect and not be subject to renewal throughout the term of
230 employment of any such employee holding such a license. Any
231 employee of the Connecticut Lottery Corporation whose license is
232 suspended or revoked, or any such applicant aggrieved by the action
233 of the executive director concerning an application for a license, may
234 appeal to the Gaming Policy Board not later than fifteen days after
235 such decision.

236 Sec. 7. Section 12-815a of the general statutes is repealed and the
237 following is substituted in lieu thereof:

238 [No] The executive director of the Division of Special Revenue shall
239 require state and national criminal history records checks for the
240 person or business organization awarded the primary contract by the
241 Connecticut Lottery Corporation to provide facilities, components,
242 goods or services which are necessary for the operation of the activities
243 of said corporation. [may do so] No such person or business
244 organization may provide such facilities, components, goods or

245 services unless such person or business organization submits to and
246 successfully completes a state police background investigation in
247 accordance with subsection (i) of section 12-574 and state and national
248 criminal history records checks or is issued a vendor license by the
249 executive director of the Division of Special Revenue. The criminal
250 history records checks required pursuant to this section shall be
251 requested from the State Police Bureau of Identification and shall be
252 applicable to the person identified on an application made pursuant to
253 this section. The executive director shall arrange for the fingerprinting
254 of the person or for conducting any other method of positive
255 identification required by the State Police Bureau of Identification or
256 Federal Bureau of Investigation. The fingerprints or other positive
257 identifying information shall be forwarded to the State Police Bureau
258 of Identification which shall conduct a state criminal history records
259 check and submit the fingerprints or other positive identifying
260 information to the Federal Bureau of Investigation for a national
261 criminal history records check. The executive director shall charge a
262 fee for such national criminal history records check which shall be
263 equal to the fee charged by the Federal Bureau of Investigation for
264 performing such check. The Division of Special Revenue shall
265 reimburse the Department of Public Safety for the actual cost for a
266 national criminal history records check.

267 Sec. 8. Subsection (d) of section 14-44 of the general statutes is
268 repealed and the following is substituted in lieu thereof:

269 (d) Prior to issuing an operator's license bearing a school
270 endorsement, the commissioner shall [request a state criminal history
271 records check for each applicant from the State Police Bureau of
272 Identification. The commissioner shall forward the fingerprints
273 obtained pursuant to the provisions of subsection (b) of this section to
274 said bureau which shall submit the fingerprints to the Federal Bureau
275 of Investigation for a national criminal history records check. A fee
276 shall be charged by the commissioner for each] require state and
277 national criminal history records checks for each applicant. The

278 criminal history records checks required pursuant to this subsection
279 shall be requested from the State Police Bureau of Identification and
280 shall be applicable to the person identified on an application made
281 pursuant to this section. The commissioner shall arrange for the
282 fingerprinting of the person or for conducting any other method of
283 positive identification required by the State Police Bureau of
284 Identification or Federal Bureau of Investigation. The fingerprints or
285 other positive identifying information shall be forwarded to the State
286 Police Bureau of Identification which shall conduct a state criminal
287 history records check and submit the fingerprints or other positive
288 identifying information to the Federal Bureau of Investigation for a
289 national criminal history records check. The commission shall charge a
290 fee for such national criminal history records check which shall be
291 equal to the fee charged by the Federal Bureau of Investigation for
292 performing such check. The Department of Motor Vehicles shall
293 reimburse the Department of Public Safety for the actual cost for a
294 national criminal history records check. If notice of a state criminal
295 history record is received, the commissioner may refuse to issue an
296 operator's license bearing such endorsement and, in such case, shall
297 immediately notify the applicant, in writing, of such refusal. Subject to
298 the provisions of section 46a-80, if notice of a national criminal history
299 record is received, the commissioner may withdraw the operator's
300 license bearing a school endorsement immediately and, in such case,
301 shall immediately notify the holder of such license and his employer,
302 in writing, of such withdrawal.

303 Sec. 9. Section 17a-151 of the general statutes is repealed and the
304 following is substituted in lieu thereof:

305 (a) The Commissioner of Children and Families shall investigate the
306 conditions stated in each application made [to him] under the
307 provisions of section 17a-145 and [request a criminal records check]
308 shall require state and national criminal history records checks for any
309 person applying under said section. The commissioner shall
310 investigate the conditions in each application under the provisions of

311 section 17a-149 and, if the commissioner finds such conditions suitable
312 for the proper care of children, or for the placing out of children, under
313 such standards for the promotion of the health, safety, morality and
314 well-being of such children as [he] the commissioner prescribes, shall
315 issue such license as is required as promptly as possible, without
316 expense to the licensee. If, after [his] such investigation, the
317 commissioner finds that the applicant, notwithstanding good faith
318 efforts, is not able to fully comply with all the requirements [he] the
319 commissioner prescribes, but compliance can be achieved with
320 minimal efforts, the commissioner may issue a provisional license for a
321 period not to exceed sixty days. The provisional license may be
322 renewed for additional sixty-day periods, but in no event shall the
323 total of such periods be for longer than one year. Before issuing any
324 license, the commissioner shall give to the selectmen of the town
325 wherein such licensee proposes to carry on the licensed activity ten
326 days' notice in writing that the issuance of such license is proposed,
327 but such notice shall not be required in case of intention to issue such
328 license to any corporation incorporated for the purpose of caring for or
329 placing such children. Each license so issued shall specify whether it is
330 granted for child-caring or child-placing purposes, shall state the
331 number of children who may be cared for, shall be in force twenty-four
332 months from date of issue, and shall be renewed for the ensuing
333 twenty-four months, if conditions continue to be satisfactory to the
334 commissioner. The commissioner shall also provide such periodical
335 inspections and review as shall safeguard the well-being, health and
336 morality of all children cared for or placed under a license issued by
337 [him hereunder] the commissioner under this section and shall visit
338 and consult with each such child and with the licensee as often as [he]
339 the commissioner deems necessary but at intervals of not more than
340 ninety days. Each licensee under the provisions of this section shall file
341 annually with the commissioner a report containing such information
342 concerning its functions, services and operation, including financial
343 data, as the commissioner requires. Any license issued under this
344 section may be revoked, suspended or limited by the commissioner for

345 cause, after notice given to the person or entity concerned and after
346 opportunity for a hearing thereon. Any party whose application is
347 denied or whose license is revoked, suspended or limited by the
348 commissioner may appeal from such adverse decision in accordance
349 with the provisions of section 4-183. Appeals under this section shall
350 be privileged in respect to the order of trial assignment.

351 (b) The criminal history records [check] checks required pursuant to
352 subsection (a) of this section shall be requested from the State Police
353 Bureau of Identification and shall be applicable to the person or
354 persons identified on the application made pursuant to section 17a-
355 145. The Commissioner of Children and Families shall arrange for the
356 fingerprinting of such persons or for conducting any other method of
357 positive identification required by the State Police Bureau of
358 Identification or Federal Bureau of Identification. The fingerprints [of
359 such persons] or other positive identifying information shall be
360 forwarded to the State Police Bureau of Identification which shall
361 conduct a state criminal history records check and submit the
362 fingerprints or other positive identifying information to the Federal
363 Bureau of Investigation for a national criminal history records check.
364 The commissioner shall charge a fee for such national criminal history
365 records check which shall be equal to the fee charged by the Federal
366 Bureau of Investigation for performing such check. The Department of
367 Children and Families shall reimburse the Department of Public Safety
368 for the actual cost for a national criminal history records check.

369 (c) The commissioner shall adopt regulations, in accordance with
370 chapter 54, to establish a staggered schedule for the renewal of licenses
371 issued pursuant to sections 17a-145 and 17a-149.

372 Sec. 10. Subsection (a) of section 17b-749k of the general statutes is
373 repealed and the following is substituted in lieu thereof:

374 (a) [On and after January 1, 1998, the] The Commissioner of Social
375 Services shall, within available appropriations, [request a criminal
376 records check] require state and national criminal history records

377 checks for any person, other than a relative, providing child care
378 services to a child in the child's home who receives a child care subsidy
379 from the Department of Social Services. [Such criminal records check]
380 The criminal history records checks required pursuant to this
381 subsection shall be requested from the State Police Bureau of
382 Identification, [and the Federal Bureau of Investigation.] The
383 Commissioner of Social Services shall arrange for the fingerprinting of
384 the person or for conducting any other method of positive
385 identification required by the State Police Bureau of Identification or
386 Federal Bureau of Investigation. The fingerprints or other positive
387 identifying information shall be forwarded to the State Police Bureau
388 of Identification which shall conduct a state criminal history records
389 check and submit the fingerprints or other positive identifying
390 information to the Federal Bureau of Investigation for a national
391 criminal history records check. The commissioner shall also [request]
392 require a check of the state child abuse registry established pursuant to
393 section 17a-101k. [A fee shall be charged by the commissioner for each]
394 The commissioner shall charge a fee for such national criminal history
395 records check which shall be equal to the fee charged by the Federal
396 Bureau of Investigation for performing such check. The Department of
397 Social Services shall reimburse the Department of Public Safety for the
398 actual cost for a national criminal history records check.

399 Sec. 11. Section 17b-750 of the general statutes is repealed and the
400 following is substituted in lieu thereof:

401 No child care subsidy shall be paid to an unlicensed child care
402 provider if such provider has been convicted of any crime involving
403 sexual assault of a minor or serious physical injury to a minor or any
404 crime committed in any other state or jurisdiction the essential
405 elements of which are substantially the same as such crimes. If the
406 commissioner has reason to believe that a provider of child care
407 services has been so convicted, [he] the commissioner may demand
408 that such provider be subject to state and national criminal history
409 checks. [The commissioner shall request the state criminal history

410 records check for such provider] If criminal history records checks are
411 required pursuant to this section, such checks shall be requested from
412 the State Police Bureau of Identification. The commissioner shall
413 arrange for the fingerprinting of such provider [and forward the
414 fingerprints to said bureau which shall submit the fingerprints] or for
415 conducting any other method of positive identification required by the
416 State Police Bureau of Identification or Federal Bureau of Investigation.
417 The fingerprints or other positive identifying information shall be
418 forwarded to the State Police Bureau of Identification which shall
419 conduct a state criminal history records check and submit the
420 fingerprints or other positive identifying information to the Federal
421 Bureau of Investigation for a national criminal history records check.
422 The commissioner may charge such provider a fee for the national
423 criminal history records check which shall not exceed the fee charged
424 by the Federal Bureau of Investigation for performing the check. The
425 Department of Social Services shall reimburse the Department of
426 Public Safety for the actual cost for a national criminal history records
427 check.

428 Sec. 12. Section 18-811 of the general statutes is repealed and the
429 following is substituted in lieu thereof:

430 (a) The Department of Correction shall (1) require each applicant for
431 a position that will involve direct contact with inmates to state whether
432 such person has ever been convicted of a crime or whether criminal
433 charges are pending against such person at the time of [his] such
434 person's application, and (2) require each applicant to submit to state
435 and national criminal history records checks. [The Department of
436 Correction shall conduct a state criminal history records check for each
437 applicant. Prior to employment, the Department of Correction shall
438 arrange for the fingerprinting of each successful applicant and shall
439 forward such fingerprints to the State Police Bureau of Identification
440 which shall submit the fingerprints to the Federal Bureau of
441 Investigation for a national criminal history records check.]

442 (b) The criminal history records checks required pursuant to
443 subsection (a) of this section shall be requested from the State Police
444 Bureau of Identification and shall be applicable to the person identified
445 on an application made pursuant to this section. The Department of
446 Correction shall arrange for the fingerprinting of each successful
447 applicant or for conducting any other method of positive identification
448 required by the State Police Bureau of Identification or Federal Bureau
449 of Investigation. The fingerprints or other positive identifying
450 information shall be forwarded to the State Police Bureau of
451 Identification which shall conduct a state criminal history records
452 check and submit the fingerprints or other positive identifying
453 information to the Federal Bureau of Investigation for a national
454 criminal history records check. The department may charge each
455 applicant a fee for the national criminal history records check which
456 shall not exceed the fee charged by the Federal Bureau of Investigation
457 for performing the check. The Department of Correction shall
458 reimburse the Department of Public Safety for the actual cost for a
459 national criminal history records check.

460 Sec. 13. Section 19a-77a of the general statutes is repealed and the
461 following is substituted in lieu thereof:

462 (a) Any retail establishment in this state may establish a drop-in
463 supplementary child-care operation on the premises of such retail
464 establishment in accordance with the following requirements:

465 (1) The hours of operation may only be between six o'clock a.m. and
466 nine o'clock p.m.

467 (2) No child receiving care shall be less than three years nor more
468 than ten years of age.

469 (3) A child may not receive more than two hours of care per day.

470 (4) The operation may immediately notify appropriate law
471 enforcement or state agencies if any child receiving care at such

472 operation is not picked up by a parent or guardian after three hours.

473 (5) A parent or guardian shall be on the premises at the retail
474 establishment at all times while the child is receiving care.

475 (6) The retail establishment shall provide a clean and safe area for
476 the drop-in supplementary child-care operation.

477 (7) At all times the operation shall provide (A) at least one child-care
478 staff person for every ten children and (B) at least one child-care staff
479 person who is twenty years of age or older who has experience in child
480 care.

481 [(8) All child-care staff shall be subject to a criminal records check.]

482 (8) The operation shall submit the names of all child-care staff to the
483 Commissioner of Public Health, who shall request a check of such
484 names from the state child abuse registry established pursuant to
485 section 17a-101k.

486 (b) Any retail establishment that establishes a drop-in
487 supplementary child-care operation under subsection (a) of this section
488 shall provide the Commissioner of Public Health with written notice of
489 the establishment of such operation. The commissioner may monitor
490 and inspect any such operation and shall investigate any complaint
491 received by the commissioner concerning any such operation.

492 Sec. 14. Subsection (c) of section 19a-80 of the general statutes is
493 repealed and the following is substituted in lieu thereof:

494 (c) [On and after October 1, 1997, the] The Commissioner of Public
495 Health, within available appropriations, shall [request a fingerprint
496 criminal records check] require state and national criminal history
497 record checks of each prospective employee of a child day care center
498 or group day care home in a position requiring the provision of care to
499 a child. [Such fingerprint criminal records check shall be requested
500 from the State Police Bureau of Identification and the Federal Bureau

501 of Investigation.] The criminal history records checks required
502 pursuant to this subsection shall be requested from the State Police
503 Bureau of Identification and shall be applicable to the person identified
504 on an application made pursuant to this section. The commissioner
505 shall arrange for the fingerprinting of the person or for conducting any
506 other method of positive identification required by the State Police
507 Bureau of Identification or Federal Bureau of Investigation. The
508 fingerprints or other positive identifying information shall be
509 forwarded to the State Police Bureau of Identification which shall
510 conduct a state criminal history records check and, unless submitted
511 by the commissioner, submit the fingerprints or other positive
512 identifying information to the Federal Bureau of Investigation for a
513 national criminal history records check. The commissioner shall also
514 [request] require a check of the state child abuse registry established
515 pursuant to section 17a-101k. [A fee shall be charged by the
516 commissioner for each such national fingerprint] The commissioner
517 shall charge a fee for such national criminal history records check
518 which shall be equal to the fee charged by the Federal Bureau of
519 Investigation for performing such check. The Department of Public
520 Health shall reimburse the Department of Public Safety for the actual
521 cost for a national fingerprint criminal history records check. Pursuant
522 to the interagency agreement provided for in section 10-16s, the
523 Department of Social Services may agree to transfer funds
524 appropriated for [fingerprint] criminal history records checks to the
525 Department of Public Health. [Not more than three months after July
526 1, 1997, the] The commissioner shall notify each licensee of the
527 provisions of this subsection.

528 Sec. 15. Subsection (b) of section 19a-87b of the general statutes is
529 repealed and the following is substituted in lieu thereof:

530 (b) [On and after October 1, 1997, the] The Commissioner of Public
531 Health, within available appropriations, shall [request a fingerprint
532 criminal records check] require state and national criminal history
533 records checks of each initial applicant or prospective employee of a

534 family day care home in a position requiring the provision of care to a
535 child. [Such fingerprint criminal records check shall be requested from
536 the State Police Bureau of Identification and the Federal Bureau of
537 Investigation.] The criminal history records checks required pursuant
538 to this subsection shall be requested from the State Police Bureau of
539 Identification and shall be applicable to the person identified on an
540 application for a license or employment made pursuant to this section.
541 The commissioner shall arrange for the fingerprinting of the person or
542 for conducting any other method of positive identification required by
543 the State Police Bureau of Identification or Federal Bureau of
544 Investigation. The fingerprints or other positive identifying
545 information shall be forwarded to the State Police Bureau of
546 Identification which shall conduct a state criminal history records
547 check and submit the fingerprints or other positive identifying
548 information to the Federal Bureau of Investigation for a national
549 criminal history records check. The commissioner shall also [request]
550 require a check of the state child abuse registry established pursuant to
551 section 17a-101k. [A fee shall be charged by the commissioner for each]
552 The commissioner shall charge a fee for such national [fingerprint]
553 criminal history records check which shall be equal to the fee charged
554 by the Federal Bureau of Investigation for performing such check. The
555 Department of Public Health shall reimburse the Department of Public
556 Safety for the actual cost for a national [fingerprint] criminal history
557 records check. [Not more than three months after July 1, 1997, the] The
558 commissioner shall notify each licensee of the provisions of this
559 subsection.

560 Sec. 16. Subsection (c) of section 19a-491b of the general statutes is
561 repealed and the following is substituted in lieu thereof:

562 [(c) The Division of State Police within the Department of Public
563 Safety shall assist the Department of Public Health in conducting
564 criminal background investigations of persons described in
565 subdivision (1) of subsection (a) of section 19a-491a.]

566 (c) State and national criminal history records checks shall be
567 requested from the State Police Bureau of Identification and shall be
568 applicable to the person identified on an initial application for a license
569 made pursuant to subdivision (1) of subsection (a) of section 19a-491a.
570 The Commissioner of Public Health shall arrange for the fingerprinting
571 of the person or for conducting any other method of positive
572 identification required by the State Police Bureau of Identification or
573 Federal Bureau of Investigation. The fingerprints or other positive
574 identifying information shall be forwarded to the State Police Bureau
575 of Identification which shall conduct a state criminal history records
576 check and submit the fingerprints or other positive identifying
577 information to the Federal Bureau of Investigation for a national
578 criminal history records check. The commissioner shall charge a fee for
579 such national criminal history records check which shall be equal to
580 the fee charged by the Federal Bureau of Investigation for performing
581 such check. The Department of Public Health shall reimburse the
582 Department of Public Safety for the actual cost for a national criminal
583 history records check.

584 Sec. 17. Section 21-40 of the general statutes is repealed and the
585 following is substituted in lieu thereof:

586 The selectmen of any town and the chief of police of any city may
587 grant licenses to suitable persons to be pawnbrokers and to carry on
588 the business of lending money on the deposit or pledge of personal
589 property, or of purchasing such property on condition of selling it back
590 again at a stipulated price, or of purchasing such property from a
591 person who is not a wholesaler, in such town or city respectively, and
592 may revoke such licenses for cause; but the selectmen shall not grant
593 such licenses for the carrying on of such business within the limits of
594 any city. The person so licensed shall pay, for the benefit of any such
595 city or town, respectively, to the authority granting such license a
596 license fee of fifty dollars, and twenty-five dollars per year thereafter
597 for renewal of such license, and shall, at the time of receiving such
598 license, file, with the mayor of such city or the first selectman of such

599 town, a bond to such city or town, with competent surety, in the penal
600 sum of two thousand dollars, to be approved by such licensing
601 authority, and conditioned for the faithful performance of the duties
602 and obligations pertaining to the business so licensed. Each such
603 license shall designate the place where such business is to be carried on
604 and shall continue one year unless sooner revoked. No license shall be
605 issued under this section by the selectmen or chief of police to any
606 person who has been convicted of a felony. The selectmen or chief of
607 police may [take the fingerprints of any applicant for such license and,
608 if such fingerprints are taken, shall submit such fingerprints to the
609 Federal Bureau of Investigation for a national criminal history records
610 check] require state and national criminal history records checks of any
611 applicant for a license under this section. If the selectmen or chief of
612 police require such criminal history records checks, such checks shall
613 be requested from the State Police Bureau of Identification and shall be
614 applicable to the person identified on an application made pursuant to
615 this section. The selectmen or chief of police shall arrange for the
616 fingerprinting of the person or for conducting any other method of
617 positive identification required by the State Police Bureau of
618 Identification or Federal Bureau of Investigation. The fingerprints or
619 other positive identifying information shall be forwarded to the State
620 Police Bureau of Identification which shall conduct a state criminal
621 history records check and submit the fingerprints or other positive
622 identifying information to the Federal Bureau of Investigation for a
623 national criminal history records check. The selectmen or chief of
624 police may charge a fee for such national criminal history records
625 check which shall be equal to the fee charged by the Federal Bureau of
626 Investigation for performing such check. The town or city shall
627 reimburse the Department of Public Safety for the actual cost for a
628 national criminal history records check.

629 Sec. 18. Subsection (a) of section 21-100 of the general statutes is
630 repealed and the following is substituted in lieu thereof:

631 (a) No person may engage in or carry on the business of purchasing

632 gold or gold-plated ware, silver or silver-plated ware, platinum ware,
633 watches, jewelry, precious stones or coins unless such person is
634 licensed by the chief of police or, if there is no chief of police, the first
635 selectman of the municipality in which [he] such person intends to
636 carry on such business; except that the provisions of this subsection
637 shall not apply to the purchase of such items from a wholesaler by a
638 manufacturer or retail seller whose primary place of business is located
639 in this state. Such person shall pay an annual fee of ten dollars for such
640 license. The license may be revocable for cause, which shall include,
641 but not be limited to, failure to comply with any requirements for
642 licensure specified by the licensing authority at the time of issuance. A
643 chief of police or first selectman shall refuse to issue a license under
644 this subsection to a person who has been convicted of a felony. A chief
645 of police or first selectman may [take the fingerprints of an applicant
646 for such license and, if such fingerprints are taken, shall submit such
647 fingerprints to the Federal Bureau of Investigation for a national
648 criminal history records check] require state and national criminal
649 history records checks of any applicant for a license under this section.
650 If the chief of police or first selectman requires such criminal history
651 records checks, such checks shall be requested from the State Police
652 Bureau of Identification and shall be applicable to the person identified
653 on an application made pursuant to this section. The chief of police or
654 first selectman shall arrange for the fingerprinting of the person or for
655 conducting any other method of positive identification required by the
656 State Police Bureau of Identification or Federal Bureau of Investigation.
657 The fingerprints or other positive identifying information shall be
658 forwarded to the State Police Bureau of Identification which shall
659 conduct a state criminal history records check and submit the
660 fingerprints or other positive identifying information to the Federal
661 Bureau of Investigation for a national criminal history records check.
662 The chief of police or first selectman may charge a fee for such national
663 criminal history records check which shall be equal to the fee charged
664 by the Federal Bureau of Investigation for performing such check. The
665 town or city shall reimburse the Department of Public Safety for the

666 actual cost for a national criminal history records check. For the
667 purposes of this subsection "wholesaler" means a person in the
668 business of selling tangible personal property to be resold at retail or
669 raw materials to be manufactured into suitable forms for use by
670 consumers.

671 Sec. 19. Subsection (d) of section 22a-6m of the general statutes is
672 repealed and the following is substituted in lieu thereof:

673 (d) In reviewing the application for a permit, registration, certificate
674 or other license under the provisions of this title, the commissioner
675 may require the applicant or, if the applicant is a business entity, any
676 director, officer, partner or owner of more than five per cent of the
677 total outstanding stock of any class of the applicant's business to
678 submit to state and national criminal history records checks. [The
679 commissioner may request a state criminal history records check for
680 each such applicant, director, officer, partner or stockholder from the
681 State Police Bureau of Identification. The commissioner may arrange
682 for each such applicant, director, officer, partner or stockholder to
683 provide the information necessary to conduct such criminal history
684 records checks to the State Police Bureau of Identification which shall
685 submit such information to the Federal Bureau of Investigation for a
686 national criminal history records check.] If criminal history records
687 checks are required, such checks shall be requested from the State
688 Police Bureau of Identification and shall be applicable to the person
689 identified on the application. The commissioner shall arrange for the
690 fingerprinting of the person or for conducting any other method of
691 positive identification required by the State Police Bureau of
692 Identification or Federal Bureau of Investigation. The fingerprints or
693 other positive identifying information shall be forwarded to the State
694 Police Bureau of Identification which shall conduct a state criminal
695 history records check and submit the fingerprints or other positive
696 identifying information to the Federal Bureau of Investigation for a
697 national criminal history records check. The commissioner may charge
698 each such applicant, director, officer, partner or stockholder a fee for

699 the state criminal history records check which shall not exceed the fee
700 the State Police Bureau of Identification is authorized to charge an
701 individual for performing the check and a fee for the national criminal
702 history records check which shall not exceed the fee charged by the
703 Federal Bureau of Investigation for performing the check. The
704 commissioner shall collect such fees and forward such fees to the
705 Department of Public Safety. The review by the commissioner of the
706 criminal history of each such applicant, director, officer, partner or
707 stockholder shall be limited to information regarding criminal
708 convictions related to activities regulated under the environmental
709 protection laws of this state, any other state or the federal government.

710 Sec. 20. Subsection (c) of section 22a-6o of the general statutes is
711 repealed and the following is substituted in lieu thereof:

712 (c) If the commissioner finds that the information submitted for a
713 registration of a license transfer under this section is insufficient for
714 purposes of determining whether the proposed transferee is able to
715 comply with the terms and conditions of the license, the commissioner
716 may require such transferee to submit such additional information as
717 the commissioner deems necessary to make such determination,
718 including, but not limited to, any information necessary to complete
719 [a] state and national criminal history records [check under] checks in
720 accordance with subsection (d) of section 22a-6m, as amended by this
721 act.

722 Sec. 21. Section 29-29 of the general statutes is repealed and the
723 following is substituted in lieu thereof:

724 (a) No permit for carrying any pistol or revolver shall be issued
725 under the provisions of section 29-28 unless the applicant for [the
726 same] such permit gives to the issuing authority, upon its request, full
727 information concerning [his] such person's criminal record [, and such]
728 and submits to and successfully completes state and national criminal
729 history records checks. The issuing authority shall [thereupon] take a
730 full description of such applicant and make an investigation

731 concerning [his] such person's suitability to carry any such weapons.

732 (b) The issuing authority shall take the fingerprints of such
733 applicant or conduct any other method of positive identification
734 required by the State Police Bureau of Identification or the Federal
735 Bureau of Identification, unless the issuing authority determines that
736 the fingerprints of such applicant have been previously taken and [his]
737 such person's identity established and such applicant presents
738 identification that the issuing authority verifies as valid. The issuing
739 authority shall record the date the fingerprints were taken in the
740 applicant's file and, within five business days of such date, shall
741 forward such fingerprints or other positive identifying information to
742 the State Police Bureau of Identification which shall conduct a state
743 criminal history records check and submit the fingerprints or other
744 positive identifying information to the Federal Bureau of Investigation
745 for a national criminal history records check. The Department of Public
746 Safety may charge an applicant a fee for such state criminal history
747 records check which shall not exceed the fee charged by the
748 Department of Public Safety for performing such check, and a fee for
749 such national criminal history records check which shall not exceed the
750 fee charged by the Federal Bureau of Investigation for performing such
751 check.

752 (c) The issuing authority may, in [his] its discretion, issue such
753 permit before a report from said bureau relative to such applicant's
754 record has been received. Upon receipt of such report, the issuing
755 authority shall inform the applicant and render a decision on the
756 application within one week of the receipt of the report. If such report
757 has not been received within eight weeks after a sufficient application
758 for a permit has been made, the issuing authority shall inform the
759 applicant of such delay, in writing. No permit shall be issued if the
760 issuing authority has reason to believe the applicant has ever been
761 convicted of a felony.

762 Sec. 22. Subsection (a) of section 29-36g of the general statutes is

763 repealed and the following is substituted in lieu thereof:

764 (a) Requests for eligibility certificates under section 29-36f shall be
765 submitted to the Commissioner of Public Safety on application forms
766 prescribed by the commissioner. No eligibility certificate for a pistol or
767 revolver shall be issued under the provisions of said section unless the
768 applicant for the same gives to the Commissioner of Public Safety,
769 upon [his] the commissioner's request, full information concerning the
770 applicant's criminal record and relevant information concerning the
771 applicant's mental health history, and [the] submits to and successfully
772 completes state and national criminal history records checks. The
773 commissioner shall [thereupon] take a full description [and the
774 fingerprints] of such applicant. The commissioner shall take the
775 fingerprints of such applicant or conduct any other method of positive
776 identification required by the State Police Bureau of Identification or
777 the Federal Bureau of Identification. The commissioner shall record the
778 date the fingerprints were taken in the applicant's file. [and shall
779 forward] The State Police Bureau of Identification shall conduct a state
780 criminal history records check and submit such fingerprints or other
781 positive identifying information to the Federal Bureau of Investigation
782 for a national criminal history records check. [and to the State Police
783 Bureau of Identification for a state criminal history records check.] The
784 commissioner may charge an applicant a fee for such state criminal
785 history records check which shall not exceed the fee charged by the
786 Department of Public Safety for performing such check, and a fee for
787 such national criminal history records check which shall not exceed the
788 fee charged by the Federal Bureau of Investigation for performing such
789 check. The commissioner shall, within sixty days of receipt of the
790 national criminal history records check from the Federal Bureau of
791 Investigation, either approve the application and issue the eligibility
792 certificate or deny the application and notify the applicant of the
793 reason for such denial in writing.

794 Sec. 23. Section 29-145 of the general statutes is repealed and the
795 following is substituted in lieu thereof:

796 Any person desiring to engage in the business of a professional
797 bondsman shall apply to the Commissioner of Public Safety for a
798 license therefor. Such application shall set forth under oath the full
799 name, age, residence and occupation of the applicant, whether the
800 applicant intends to engage in the business of a professional bondsman
801 individually or in partnership or association with another or others,
802 and, if so, the identity of each. It shall also set forth under oath a
803 statement of the assets and liabilities of the applicant, and whether [he]
804 the applicant has been charged with or convicted of crime, and such
805 other information, including fingerprints and photographs, as said
806 commissioner from time to time may require. The commissioner shall
807 require state and national criminal history records checks for the
808 applicant. The criminal history records checks required pursuant to
809 this section shall be applicable to the person identified on an
810 application made pursuant to this section. The commissioner shall
811 fingerprint the person or conduct any other method of positive
812 identification required by the State Police Bureau of Identification or
813 Federal Bureau of Investigation. The State Police Bureau of
814 Identification shall conduct a state criminal history records check and
815 submit the fingerprints or other positive identifying information to the
816 Federal Bureau of Investigation for a national criminal history records
817 check. The commissioner may charge an applicant a fee for such state
818 criminal history records check which shall not exceed the fee charged
819 by the Department of Public Safety for performing such check, and a
820 fee for such national criminal history records check which shall not
821 exceed the fee charged by the Federal Bureau of Investigation for
822 performing such check. No person who has been convicted of a felony
823 shall be licensed to do business as a professional bondsman in this
824 state. No person engaged in law enforcement or vested with police
825 powers shall be licensed to do business as a professional bondsman.

826 Sec. 24. Section 29-152f of the general statutes is repealed and the
827 following is substituted in lieu thereof:

828 Any person desiring to engage in the business of a bail enforcement

829 agent shall apply to the Commissioner of Public Safety for a license
830 therefor. Such application shall set forth under oath the full name, age,
831 date and place of birth, residence and occupation of the applicant. It
832 shall also set forth under oath a statement of whether the applicant has
833 been charged with or convicted of crime, and such other information,
834 including fingerprints and photographs, as required by the
835 commissioner. [The commissioner shall submit the applicant's
836 fingerprints to the Federal Bureau of Investigation for a national
837 criminal history record check.] The commissioner shall require state
838 and national criminal history records checks for the applicant. The
839 criminal history records checks required pursuant to this section shall
840 be applicable to the person identified on an application made pursuant
841 to this section. The commissioner shall fingerprint the person or
842 conduct any other method of positive identification required by the
843 State Police Bureau of Identification or Federal Bureau of Investigation.
844 The State Police Bureau of Identification shall conduct a state criminal
845 history records check and submit the fingerprints or other positive
846 identifying information to the Federal Bureau of Investigation for a
847 national criminal history records check. The commissioner may charge
848 an applicant a fee for such state criminal history records check which
849 shall not exceed the fee charged by the Department of Public Safety for
850 performing such check, and a fee for such national criminal history
851 records check which shall not exceed the fee charged by the Federal
852 Bureau of Investigation for performing such check. Within five years
853 prior to the date of application, the applicant shall have successfully
854 completed a course in the criminal justice system consisting of not less
855 than twenty hours of study approved by the commissioner. No person
856 who has been convicted of a felony or any misdemeanor under section
857 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173, 53a-
858 175, 53a-176, 53a-178 or 53a-181d, shall be licensed to do business as a
859 bail enforcement agent in this state. No person engaged in law
860 enforcement or vested with police powers shall be licensed to do
861 business as a bail enforcement agent.

862 Sec. 25. Subsection (b) of section 29-155 of the general statutes is

863 repealed and the following is substituted in lieu thereof:

864 (b) The commissioner shall require state and national criminal
865 history records checks for any applicant for a license under this
866 section. The criminal history records checks required pursuant to this
867 section shall be requested from the State Police Bureau of Identification
868 and shall be applicable to the person identified on an application made
869 pursuant to this section. Each applicant and, in the case of an
870 association, corporation or partnership, each individual composing
871 such association, corporation or partnership, shall submit with the
872 application two complete sets of fingerprints on forms specified and
873 furnished by the commissioner and two photographs, two inches wide
874 by three inches high, taken within six months prior to the application.
875 The commissioner shall conduct any other method of positive
876 identification required by the State Police Bureau of Identification or
877 Federal Bureau of Investigation. The State Police Bureau of
878 Identification shall conduct a state criminal history records check and
879 submit the fingerprints or other positive identifying information to the
880 Federal Bureau of Investigation for a national criminal history records
881 check. The commissioner may charge an applicant a fee for such state
882 criminal history records check which shall not exceed the fee charged
883 by the Department of Public Safety for performing such check, and a
884 fee for such national criminal history records check which shall not
885 exceed the fee charged by the Federal Bureau of Investigation for
886 performing such check.

887 Sec. 26. Section 29-156a of the general statutes is repealed and the
888 following is substituted in lieu thereof:

889 (a) Any licensee may employ as many agents, operators, assistants,
890 guards, watchmen or patrolmen as [he] such licensee deems necessary
891 for the conduct of [his] such licensee's business, provided such
892 employees shall be of good moral character and at least eighteen years
893 of age.

894 (b) Immediately upon hiring an agent, operator, assistant, guard,

895 watchman or patrolman, the licensee shall make application to register
896 such employee with the Commissioner of Public Safety. Such
897 application shall be made on forms furnished by the commissioner,
898 and, under oath of the employee, shall give [his] the employee's name,
899 address, date and place of birth, employment for the past five years,
900 experience in the position applied for, any convictions for violations of
901 the law and such other information as the commissioner may require,
902 by regulation, to properly investigate the character, competency and
903 integrity of the employee.

904 (c) The Commissioner of Public Safety shall require state and
905 national criminal history records checks for any applicant for
906 registration under this section. The criminal history records checks
907 required pursuant to this section shall be requested from the State
908 Police Bureau of Identification and shall be applicable to the person
909 identified on the application for registration under this section. The
910 application for registration shall be accompanied by two sets of
911 fingerprints of the employee and two photographs of the employee,
912 two inches wide by two inches high, full-face, with and without head
913 covering, taken within six months prior thereto, and a thirteen-dollar
914 registration fee payable to the state. The commissioner shall conduct
915 any other method of positive identification required by the State Police
916 Bureau of Identification or Federal Bureau of Investigation. The State
917 Police Bureau of Identification shall conduct a state criminal history
918 records check and submit the fingerprints or other positive identifying
919 information to the Federal Bureau of Investigation for a national
920 criminal history records check. The Commissioner of Public Safety
921 may charge an applicant a fee for such state criminal history records
922 check which shall not exceed the fee charged by the Department of
923 Public Safety for performing such check, and a fee for such national
924 criminal history records check which shall not exceed the fee charged
925 by the Federal Bureau of Investigation for performing such check.
926 Subject to the provisions of section 46a-80, no person shall be approved
927 for employment who has been convicted of a felony, any sexual
928 offense or any crime that would tend to question [his] such person's

929 honesty and integrity, or who has been refused a license under the
930 provisions of this chapter for any reason except minimum experience,
931 or whose license, having been granted, has been revoked or is under
932 suspension. Upon being satisfied of the suitability of the applicant for
933 employment, the commissioner shall register the employee and so
934 notify the licensee and place [his] the registration form and all related
935 material on file with the Division of State Police within the Department
936 of Public Safety.

937 (d) The licensee shall notify the commissioner within five days of
938 the termination of employment of any registered employees.

939 (e) The commissioner may waive state and national criminal history
940 records checks and the submission of fingerprints and photographs for
941 any employee who has been employed by a licensed private detective
942 or security service or agency within the previous six months.

943 Sec. 27. Section 29-349 of the general statutes is repealed and the
944 following is substituted in lieu thereof:

945 (a) The Commissioner of Public Safety shall have exclusive
946 jurisdiction in the preparation of and may enforce reasonable
947 regulations for the safe and convenient storage, transportation and use
948 of explosives and blasting agents used in connection therewith, which
949 regulations shall deal in particular with the quantity and character of
950 explosives and blasting agents to be stored, transported and used, the
951 proximity of such storage to inhabited dwellings or other occupied
952 buildings, public highways and railroad tracks, the character and
953 construction of suitable magazines for such storage, protective
954 measures to secure such stored explosives and blasting agents and the
955 abatement of any hazard that may arise incident to the storage,
956 transportation or use of such explosives and blasting agents.

957 (b) No person, firm or corporation shall engage in any activity
958 concerning the storage, transportation or use of explosives unless such
959 person, firm or corporation has obtained a license therefor from the

960 Commissioner of Public Safety. Such license shall be issued upon
961 payment of a fee of fifty dollars and upon submission by the applicant
962 of evidence of good moral character and of competence in the control
963 and handling of explosives, provided, if such license is for the use of
964 explosives, it may be issued only to an individual person after
965 demonstration that [he] such individual is technically qualified to
966 detonate explosives. Any such license to use explosives shall bear both
967 the fingerprints of the licensee obtained by the Commissioner of Public
968 Safety at the time of licensing, and [his] the licensee's photograph,
969 furnished by [him] the licensee, of a size specified by the commissioner
970 and taken not more than one year prior to the issuance of the license.
971 Each such license shall be valid for one year from the date of its
972 issuance, unless sooner revoked or suspended, and may be renewed
973 annually thereafter upon a payment of thirty dollars.

974 (c) The Commissioner of Public Safety shall require state and
975 national criminal history records checks for any applicant for a license
976 under this section. The criminal history records checks required
977 pursuant to this subsection shall be applicable to the person identified
978 on the application for a license. The commissioner shall conduct any
979 other method of positive identification required by the State Police
980 Bureau of Identification or Federal Bureau of Investigation. The State
981 Police Bureau of Identification shall conduct a state criminal history
982 records check and submit the fingerprints or other positive identifying
983 information to the Federal Bureau of Investigation for a national
984 criminal history records check. The commissioner may charge an
985 applicant a fee for such state criminal history records check which shall
986 not exceed the fee charged by the Department of Public Safety for
987 performing such check, and a fee for such national criminal history
988 records check which shall not exceed the fee charged by the Federal
989 Bureau of Investigation for performing such check.

990 ~~[(c)]~~ (d) No person shall manufacture, keep, store, sell or deal in any
991 explosives unless [he] such person has a valid license under the
992 provisions of subsection (b) of this section and obtains from the

993 Commissioner of Public Safety or from the fire marshal of the town
994 where such business is conducted a written permit therefor, which
995 permit shall not be valid for more than one year and for which [he]
996 such person shall pay a fee of twenty-five dollars. If the permit is
997 issued by the Commissioner of Public Safety, the commissioner shall
998 forward a copy thereof to the local fire marshal. Such permit so
999 granted shall definitely state the location of the building where such
1000 business is to be carried on or such explosive deposited and shall state
1001 that such building or premises complies with the regulations provided
1002 for in this section.

1003 [(d)] (e) No person shall procure, transport or use any explosives
1004 unless [he] such person has a valid license under subsection (b) of this
1005 section and has obtained a written permit therefor signed by the
1006 Commissioner of Public Safety or by the fire marshal of the town
1007 where such explosive is to be used, specifying the name of the
1008 purchaser, the amount to be purchased and transported and the
1009 purpose for which it is to be used. Any such permit to use explosives
1010 shall state the number of years [he] the permittee has been engaged in
1011 blasting activity. Such permit shall be valid for such period, not longer
1012 than one year, as is required to accomplish the purpose for which it
1013 was obtained. No carrier shall transport any such explosive until the
1014 vehicle transporting the explosive has been inspected and approved by
1015 the Department of Public Safety and unless such written permit
1016 accompanies the same and no person shall have in [his] such person's
1017 possession any such explosive unless [he] such person has a license
1018 and permit therefor. The fee for such inspection shall be twenty-five
1019 dollars. The fee for such permit shall be twenty dollars. Each person
1020 who has in [his] such person's custody or possession any explosive or
1021 any detonating caps for explosives shall keep the same either under
1022 personal observation or securely locked up.

1023 [(e)] (f) Any license or permit issued under the provisions of this
1024 section may be suspended or revoked by the issuing authority for
1025 violation by the licensee or permittee of any provision of law or

1026 regulation relating to explosives or conviction of such licensee or
1027 permittee of any felony or misdemeanor. Suspension or revocation of a
1028 license shall automatically suspend or revoke the permit and the
1029 suspension or revocation of a permit shall automatically suspend or
1030 revoke the license.

1031 [(f)] (g) Any person who, by himself or herself or by [his] such
1032 person's employee or agent or as the employee or agent of another,
1033 violates any provision of this section, or any regulation made by the
1034 Commissioner of Public Safety pursuant to the provisions of this
1035 section, shall be fined not more than ten thousand dollars or
1036 imprisoned not more than ten years or both.

1037 [(g)] (h) As used in this section, "blasting agent" means any material,
1038 composition or mixture intended for blasting, consisting substantially
1039 of a fuel and oxidizer, none of the ingredients of which is an explosive,
1040 as defined in section 29-343, and the finished product of which as
1041 mixed and packaged for use or shipment cannot be detonated by the
1042 test procedure established by regulations adopted by the
1043 Commissioner of Public Safety in accordance with chapter 54.

1044 [(h)] (i) Notwithstanding the provisions of this section, the Labor
1045 Commissioner shall regulate the storage, transportation and use of
1046 explosives and blasting agents in places of employment insofar as such
1047 activities relate to employee health and safety, provided such
1048 regulations shall be no less stringent than those prepared and enforced
1049 by the Commissioner of Public Safety pursuant to this section.

1050 Sec. 28. Subsection (h) of section 38a-660 of the general statutes is
1051 repealed and the following is substituted in lieu thereof:

1052 (h) In addition to all other requirements prescribed in this section,
1053 each applicant for a license shall furnish satisfactory evidence to the
1054 commissioner that: (1) The applicant is at least eighteen years of age;
1055 (2) the applicant is a citizen of the United States; and (3) the applicant
1056 has never been convicted of a felony or any misdemeanor under

1057 section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173,
1058 53a-175, 53a-176, 53a-178 or 53a-181d. Such applicant shall also submit
1059 to [a background investigation, including an investigation of any prior
1060 criminal activity, to be conducted by the Division of Criminal Justice
1061 utilizing the Federal Bureau of Investigation and other law
1062 enforcement agencies. All processing fees incurred as a result of such
1063 investigation shall be paid by the applicant] state and national criminal
1064 history records checks. Such criminal history records checks shall be
1065 requested by the Division of Criminal Justice from the State Police
1066 Bureau of Identification and shall be applicable to the person identified
1067 on an application made pursuant to this section. If any other method of
1068 positive identification is required by the State Police Bureau of
1069 Identification or Federal Bureau of Investigation, the commissioner
1070 shall arrange for conducting such other method of positive
1071 identification of such applicant. The fingerprints or other positive
1072 identifying information shall be forwarded to the State Police Bureau
1073 of Identification which shall conduct a state criminal history records
1074 check and submit the fingerprints or other positive identifying
1075 information to the Federal Bureau of Investigation for a national
1076 criminal history records check. The Commissioner of Public Safety
1077 may charge an applicant a fee for fingerprinting and such state
1078 criminal history records check which shall not exceed the fee charged
1079 by the Department of Public Safety for performing such fingerprinting
1080 and check, and a fee for such national criminal history records check
1081 which shall not exceed the fee charged by the Federal Bureau of
1082 Investigation for performing such check.

1083 Sec. 29. (NEW) (a) If a criminal history records check is required
1084 pursuant to any provision of the general statutes, such check shall be
1085 requested from the State Police Bureau of Identification and shall be
1086 applicable to the individual identified in the request. The requesting
1087 party shall arrange for the fingerprinting of the individual or for
1088 conducting any other method of positive identification required by the
1089 State Police Bureau of Identification and, if a national criminal history
1090 records check is requested, by the Federal Bureau of Investigation. The

1091 fingerprints or other positive identifying information shall be
1092 forwarded to the State Police Bureau of Identification which shall
1093 conduct a state criminal history records check. If a national criminal
1094 history records check is requested, the State Police Bureau of
1095 Identification shall submit the fingerprints or other positive identifying
1096 information to the Federal Bureau of Investigation for a national
1097 criminal history records check, unless the Federal Bureau of
1098 Investigation permits direct submission of the fingerprints or other
1099 positive identifying information by the requesting party.

1100 (b) The Commissioner of Public Safety may charge fees for
1101 conducting criminal history background checks as follows:

1102 (1) For a person applying directly to the State Police Bureau of
1103 Identification, for a state criminal history records check, the fee
1104 charged by the Department of Public Safety for performing such check,
1105 and, for a national criminal history records check, the fee charged by
1106 the Federal Bureau of Investigation for performing such check.

1107 (2) For a state agency requesting a national criminal history records
1108 check of a person, the fee charged by the Federal Bureau of
1109 Investigation for performing such check. The state agency shall
1110 reimburse the Department of Public Safety for such cost. Unless
1111 otherwise provided by the other section, the state agency may charge
1112 the person a fee equal to the amount paid by the state agency under
1113 this subdivision.

1114 Sec. 30. This act shall take effect July 1, 2001.

Statement of Purpose:

To clarify and unify provisions requiring state and national criminal history records checks.

[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.]