



General Assembly

January Session, 2001

Amendment

LCO No. 8618

Offered by:

SEN. COLEMAN, 2nd Dist.

To: Subst. House Bill No. 5732

File No. 834

Cal. No. 536

**"AN ACT CONCERNING IDENTIFICATION REQUIRED FOR
CHECK CASHING."**

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

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 Section 10-221d of the general statutes is repealed and the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

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

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

42 (b) If a local or regional board of education requests, a regional
43 educational service center shall arrange for [fingerprinting pursuant to
44 subsection (a) of this section and forward such fingerprints for state
45 and national criminal history records checks] the fingerprinting of any
46 person required to submit to state and national criminal history
47 records checks pursuant to this section or for conducting any other
48 method of positive identification required by the State Police Bureau of
49 Identification or the Federal Bureau of Investigation and shall forward

50 such fingerprints or other positive identifying information to the State
51 Police Bureau of Identification which shall conduct criminal history
52 records checks in accordance with section 29 of this act. Such regional
53 educational service centers shall provide the results of such checks to
54 such local or regional board of education. Such regional educational
55 service centers shall provide such results to any other local or regional
56 board of education or regional educational service center upon the
57 request of [the] such person. [fingerprinted.]

58 (c) State and national criminal history records checks for substitute
59 teachers completed within one year prior to the date of employment
60 with a local or regional board of education and submitted to the
61 employing board of education shall meet the requirements of
62 subdivision (2) of subsection (a) of this section. A local or regional
63 board of education shall not require substitute teachers to submit to
64 state and national criminal history records checks pursuant to
65 subdivision (2) if they are continuously employed by such local or
66 regional board of education. For purposes of this section, substitute
67 teachers shall be deemed to be continuously employed by a local or
68 regional board of education if they are employed at least one day of
69 each school year by such local or regional board of education.

70 (d) The provisions of this section shall not apply to a person
71 required to submit to a criminal history records check pursuant to the
72 provisions of subsection (d) of section 14-44, as amended by this act.
73 The provisions of subsection (a) of this section requiring state and
74 national criminal history records checks shall, at the discretion of a
75 local or regional board of education, apply to a person employed by a
76 local or regional board of education as a teacher for a noncredit adult
77 class or adult education activity, as defined in section 10-67, who is not
78 required to hold a teaching certificate pursuant to section 10-145b for
79 [his] such position.

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

82 Notwithstanding the provisions of section 4-8, the executive director
83 shall, with the advice and consent of the board, appoint unit heads for
84 each of the units created within the division, who shall be exempt from
85 classified service. Each unit head shall be qualified and experienced in
86 the functions to be performed by [him] such unit head. The executive
87 director may employ division stewards for thoroughbred racing,
88 division judges for harness racing, greyhound racing and jai alai, and
89 division veterinarians who shall be exempt from classified service, and
90 may employ, subject to the provisions of chapter 67, such clerks,
91 stenographers, inspectors, agents and other employees, as may be
92 necessary to carry out the provisions of this chapter. [, all of whom
93 shall be fingerprinted before being employed.] The executive director
94 shall require such persons to submit to state and national criminal
95 history records checks before being employed. The criminal history
96 records checks required pursuant to this section shall be conducted in
97 accordance with section 29 of this act. All persons employed pursuant
98 to this section, with the exception of any steward, judge or
99 veterinarian, shall be residents of the state at the time of and during
100 the full term of their employment.

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

103 (b) [Each] The executive director shall require each applicant for a
104 license under subdivision (2) of subsection (a) of this section [shall be
105 fingerprinted] to submit to state and national criminal history records
106 checks before such license is issued. The criminal history records
107 checks required pursuant to this subsection shall be conducted in
108 accordance with section 29 of this act.

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

111 (e) [Each] The executive director shall require each applicant for a
112 casino gaming employee license, casino gaming service license or
113 casino gaming equipment license [shall be fingerprinted] to submit to

114 state and national criminal history records checks before such license is
115 issued. The criminal history records checks required pursuant to this
116 subsection shall be conducted in accordance with section 29 of this act.

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

119 (e) [Each] The executive director shall require each applicant for a
120 casino gaming employee license, casino gaming service license or
121 casino gaming equipment license [shall be fingerprinted] to submit to
122 state and national criminal history records checks before such license is
123 issued. The criminal history records checks required pursuant to this
124 subsection shall be conducted in accordance with section 29 of this act.

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

127 (a) The executive director of the Division of Special Revenue may
128 issue occupational licenses to employees of the Connecticut Lottery
129 Corporation. In determining whether to grant a license to any such
130 employee, the executive director may require the applicant to submit
131 information as to such applicant's: (1) Financial standing and credit
132 which shall, at the discretion of the executive director, be updated
133 annually; (2) moral character; (3) criminal record, if any; (4) previous
134 employment; (5) corporate, partnership or association affiliations; (6)
135 ownership of personal assets; and (7) such other information as the
136 executive director deems pertinent to the issuance of such license,
137 provided the submission of such other information will assure the
138 integrity of the state lottery.

139 (b) The executive director shall require each applicant for an
140 occupational license to submit to state and national criminal history
141 records checks before such license is issued. The criminal history
142 records checks required pursuant to this subsection shall be conducted
143 in accordance with section 29 of this act.

144 (c) The executive director may reject for good cause an application

145 for a license and [he] may suspend or revoke for good cause any
146 license issued by [him] said executive director after a hearing held in
147 accordance with the provisions of chapter 54. Except as otherwise
148 provided in this section, such occupational license shall remain in
149 effect and not be subject to renewal throughout the term of
150 employment of any such employee holding such a license. Any
151 employee of the Connecticut Lottery Corporation whose license is
152 suspended or revoked, or any such applicant aggrieved by the action
153 of the executive director concerning an application for a license, may
154 appeal to the Gaming Policy Board not later than fifteen days after
155 such decision.

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

158 [No] The executive director of the Division of Special Revenue shall
159 require the person or business organization awarded the primary
160 contract by the Connecticut Lottery Corporation to provide facilities,
161 components, goods or services which are necessary for the operation of
162 the activities of said corporation [may do so] to submit to state and
163 national criminal history records checks. No such person or business
164 organization may provide such facilities, components, goods or
165 services unless such person or business organization submits to [and
166 successfully completes] a state police background investigation in
167 accordance with subsection (i) of section 12-574 or is issued a vendor
168 license by the executive director of the Division of Special Revenue.
169 The criminal history records checks required pursuant to this section
170 shall be conducted in accordance with section 29 of this act.

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

173 (d) Prior to issuing an operator's license bearing a school
174 endorsement, the commissioner shall [request a state criminal history
175 records check for each applicant from the State Police Bureau of
176 Identification. The commissioner shall forward the fingerprints

177 obtained pursuant to the provisions of subsection (b) of this section to
178 said bureau which shall submit the fingerprints to the Federal Bureau
179 of Investigation for a national criminal history records check. A fee
180 shall be charged by the commissioner for each such national criminal
181 history records check which shall be equal to the fee charged by the
182 Federal Bureau of Investigation for performing such check] require
183 each applicant to submit to state and national criminal history records
184 checks. The criminal history records checks required pursuant to this
185 subsection shall be conducted in accordance with section 29 of this act.
186 If notice of a state criminal history record is received, the commissioner
187 may refuse to issue an operator's license bearing such endorsement
188 and, in such case, shall immediately notify the applicant, in writing, of
189 such refusal. Subject to the provisions of section 46a-80, if notice of a
190 national criminal history record is received, the commissioner may
191 withdraw the operator's license bearing a school endorsement
192 immediately and, in such case, shall immediately notify the holder of
193 such license and [his] the holder's employer, in writing, of such
194 withdrawal.

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

197 (a) The Commissioner of Children and Families shall investigate the
198 conditions stated in each application made [to him] under the
199 provisions of section 17a-145 and [request a criminal records check for
200 any person applying under said section] shall require any person
201 applying under said section to submit to state and national criminal
202 history records checks. The commissioner shall investigate the
203 conditions in each application under the provisions of section 17a-149
204 and, if the commissioner finds such conditions suitable for the proper
205 care of children, or for the placing out of children, under such
206 standards for the promotion of the health, safety, morality and well-
207 being of such children as [he] the commissioner prescribes, shall issue
208 such license as is required as promptly as possible, without expense to
209 the licensee. If, after [his] such investigation, the commissioner finds
210 that the applicant, notwithstanding good faith efforts, is not able to

211 fully comply with all the requirements [he] the commissioner
212 prescribes, but compliance can be achieved with minimal efforts, the
213 commissioner may issue a provisional license for a period not to
214 exceed sixty days. The provisional license may be renewed for
215 additional sixty-day periods, but in no event shall the total of such
216 periods be for longer than one year. Before issuing any license, the
217 commissioner shall give to the selectmen of the town wherein such
218 licensee proposes to carry on the licensed activity ten days' notice in
219 writing that the issuance of such license is proposed, but such notice
220 shall not be required in case of intention to issue such license to any
221 corporation incorporated for the purpose of caring for or placing such
222 children. Each license so issued shall specify whether it is granted for
223 child-caring or child-placing purposes, shall state the number of
224 children who may be cared for, shall be in force twenty-four months
225 from date of issue, and shall be renewed for the ensuing twenty-four
226 months, if conditions continue to be satisfactory to the commissioner.
227 The commissioner shall also provide such periodical inspections and
228 review as shall safeguard the well-being, health and morality of all
229 children cared for or placed under a license issued by [him hereunder]
230 the commissioner under this section and shall visit and consult with
231 each such child and with the licensee as often as [he] the commissioner
232 deems necessary but at intervals of not more than ninety days. Each
233 licensee under the provisions of this section shall file annually with the
234 commissioner a report containing such information concerning its
235 functions, services and operation, including financial data, as the
236 commissioner requires. Any license issued under this section may be
237 revoked, suspended or limited by the commissioner for cause, after
238 notice given to the person or entity concerned and after opportunity
239 for a hearing thereon. Any party whose application is denied or whose
240 license is revoked, suspended or limited by the commissioner may
241 appeal from such adverse decision in accordance with the provisions
242 of section 4-183. Appeals under this section shall be privileged in
243 respect to the order of trial assignment.

244 (b) The criminal history records [check] checks required pursuant to

245 subsection (a) of this section shall be [requested from the State Police
246 Bureau of Identification and shall be applicable to the persons
247 identified on the application made pursuant to section 17a-145. The
248 Commissioner of Children and Families shall arrange for
249 fingerprinting of such persons. The fingerprints of such persons shall
250 be forwarded to the State Police Bureau of Identification which shall
251 conduct a state criminal history records check and submit the
252 fingerprints to the Federal Bureau of Investigation for a national
253 criminal history records check] conducted in accordance with section
254 29 of this act.

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

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

260 (a) [On and after January 1, 1998, the] The Commissioner of Social
261 Services shall, within available appropriations, [request a criminal
262 records check for] require any person, other than a relative, providing
263 child care services to a child in the child's home who receives a child
264 care subsidy from the Department of Social Services to submit to state
265 and national criminal history records checks. [Such criminal records
266 check] The criminal history records checks required pursuant to this
267 subsection shall be [requested from the State Police Bureau of
268 Identification and the Federal Bureau of Investigation] conducted in
269 accordance with section 29 of this act. The commissioner shall also
270 request a check of the state child abuse registry established pursuant to
271 section 17a-101k. [A fee shall be charged by the commissioner for each
272 such national criminal history records check which shall be equal to
273 the fee charged by the Federal Bureau of Investigation for performing
274 such check. The Department of Social Services shall reimburse the
275 Department of Public Safety for the actual cost for a national criminal
276 history records check.]

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

279 No child care subsidy shall be paid to an unlicensed child care
280 provider if such provider has been convicted of any crime involving
281 sexual assault of a minor or serious physical injury to a minor or any
282 crime committed in any other state or jurisdiction the essential
283 elements of which are substantially the same as such crimes. If the
284 commissioner has reason to believe that a provider of child care
285 services has been so convicted, [he] the commissioner may demand
286 that such provider be subject to state and national criminal history
287 records checks. [The commissioner shall request the state criminal
288 history records check for such provider from the State Police Bureau of
289 Identification. The commissioner shall arrange for the fingerprinting of
290 such provider and forward the fingerprints to said bureau which shall
291 submit the fingerprints to the Federal Bureau of Investigation for a
292 national criminal history records check. The commissioner may charge
293 such provider a fee for the national criminal history records check
294 which shall not exceed the fee charged by the Federal Bureau of
295 Investigation for performing the check.] If criminal history records
296 checks are required pursuant to this section, such checks shall be
297 conducted in accordance with section 29 of this act.

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

300 The Department of Correction shall (1) require each applicant for a
301 position that will involve direct contact with inmates to state whether
302 such person has ever been convicted of a crime or whether criminal
303 charges are pending against such person at the time of [his] such
304 person's application, and (2) require each applicant to submit to state
305 and national criminal history records checks. [The Department of
306 Correction shall conduct a state criminal history records check for each
307 applicant. Prior to employment, the Department of Correction shall
308 arrange for the fingerprinting of each successful applicant and shall
309 forward such fingerprints to the State Police Bureau of Identification

310 which shall submit the fingerprints to the Federal Bureau of
311 Investigation for a national criminal history records check. The
312 department may charge each applicant a fee for the national criminal
313 history records check which shall not exceed the fee charged by the
314 Federal Bureau of Investigation for performing the check.] The
315 criminal history records checks required pursuant to this section shall
316 be conducted in accordance with section 29 of this act.

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

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

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

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

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

327 (4) The operation may immediately notify appropriate law
328 enforcement or state agencies if any child receiving care at such
329 operation is not picked up by a parent or guardian after three hours.

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

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

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

338 (8) [All child-care staff shall be subject to a criminal records check.]
339 The operation shall submit the names of all child-care staff to the
340 Commissioner of Public Health, who shall request a check of such
341 names from the state child abuse registry established pursuant to
342 section 17a-101k.

343 (b) Any retail establishment that establishes a drop-in
344 supplementary child-care operation under subsection (a) of this section
345 shall provide the Commissioner of Public Health with written notice of
346 the establishment of such operation. The commissioner may monitor
347 and inspect any such operation and shall investigate any complaint
348 received by the commissioner concerning any such operation.

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

351 (c) [On and after October 1, 1997, the] The Commissioner of Public
352 Health, within available appropriations, shall [request a fingerprint
353 criminal records check of] require each prospective employee of a child
354 day care center or group day care home in a position requiring the
355 provision of care to a child to submit to state and national criminal
356 history records checks. [Such fingerprint criminal records check shall
357 be requested from the State Police Bureau of Identification and the
358 Federal Bureau of Investigation.] The criminal history records checks
359 required pursuant to this subsection shall be conducted in accordance
360 with section 29 of this act. The commissioner shall also request a check
361 of the state child abuse registry established pursuant to section 17a-
362 101k. [A fee shall be charged by the commissioner for each such
363 national fingerprint criminal history records check which shall be
364 equal to the fee charged by the Federal Bureau of Investigation for
365 performing such check. The Department of Public Health shall
366 reimburse the Department of Public Safety for the actual cost for a
367 national fingerprint criminal history records check.] Pursuant to the
368 interagency agreement provided for in section 10-16s, the Department
369 of Social Services may agree to transfer funds appropriated for
370 [fingerprint] criminal history records checks to the Department of

371 Public Health. [Not more than three months after July 1, 1997, the] The
372 commissioner shall notify each licensee of the provisions of this
373 subsection.

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

376 (b) [On and after October 1, 1997, the] The Commissioner of Public
377 Health, within available appropriations, shall [request a fingerprint
378 criminal records check of] require each initial applicant or prospective
379 employee of a family day care home in a position requiring the
380 provision of care to a child to submit to state and national criminal
381 history records checks. [Such fingerprint criminal records check shall
382 be requested from the State Police Bureau of Identification and the
383 Federal Bureau of Investigation.] The criminal history records checks
384 required pursuant to this subsection shall be conducted in accordance
385 with section 29 of this act. The commissioner shall also request a check
386 of the state child abuse registry established pursuant to section 17a-
387 101k. [A fee shall be charged by the commissioner for each such
388 national fingerprint criminal history records check which shall be
389 equal to the fee charged by the Federal Bureau of Investigation for
390 performing such check. The Department of Public Health shall
391 reimburse the Department of Public Safety for the actual cost for a
392 national fingerprint criminal history records check. Not more than
393 three months after July 1, 1997, the] The commissioner shall notify each
394 licensee of the provisions of this subsection.

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

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

401 (c) The Commissioner of Public Health shall require each initial
402 applicant described in subdivision (1) of subsection (a) of section 19a-

403 491a to submit to state and national criminal history records checks.
404 The criminal history records checks required by this subsection shall
405 be conducted in accordance with section 29 of this act.

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

408 The selectmen of any town and the chief of police of any city may
409 grant licenses to suitable persons to be pawnbrokers and to carry on
410 the business of lending money on the deposit or pledge of personal
411 property, or of purchasing such property on condition of selling it back
412 again at a stipulated price, or of purchasing such property from a
413 person who is not a wholesaler, in such town or city respectively, and
414 may revoke such licenses for cause; but the selectmen shall not grant
415 such licenses for the carrying on of such business within the limits of
416 any city. The person so licensed shall pay, for the benefit of any such
417 city or town, respectively, to the authority granting such license a
418 license fee of fifty dollars, and twenty-five dollars per year thereafter
419 for renewal of such license, and shall, at the time of receiving such
420 license, file, with the mayor of such city or the first selectman of such
421 town, a bond to such city or town, with competent surety, in the penal
422 sum of two thousand dollars, to be approved by such licensing
423 authority, and conditioned for the faithful performance of the duties
424 and obligations pertaining to the business so licensed. Each such
425 license shall designate the place where such business is to be carried on
426 and shall continue one year unless sooner revoked. No license shall be
427 issued under this section by the selectmen or chief of police to any
428 person who has been convicted of a felony. The selectmen or chief of
429 police may [take the fingerprints of any applicant for such license and,
430 if such fingerprints are taken, shall submit such fingerprints to the
431 Federal Bureau of Investigation for a national criminal history records
432 check] require any applicant for a license under this section to submit
433 to state and national criminal history records checks. If the selectmen
434 or chief of police require such criminal history records checks, such
435 checks shall be conducted in accordance with section 29 of this act.

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

438 (a) No person may engage in or carry on the business of purchasing
439 gold or gold-plated ware, silver or silver-plated ware, platinum ware,
440 watches, jewelry, precious stones or coins unless such person is
441 licensed by the chief of police or, if there is no chief of police, the first
442 selectman of the municipality in which [he] such person intends to
443 carry on such business; except that the provisions of this subsection
444 shall not apply to the purchase of such items from a wholesaler by a
445 manufacturer or retail seller whose primary place of business is located
446 in this state. Such person shall pay an annual fee of ten dollars for such
447 license. The license may be revocable for cause, which shall include,
448 but not be limited to, failure to comply with any requirements for
449 licensure specified by the licensing authority at the time of issuance. A
450 chief of police or first selectman shall refuse to issue a license under
451 this subsection to a person who has been convicted of a felony. A chief
452 of police or first selectman may [take the fingerprints of an applicant
453 for such license and, if such fingerprints are taken, shall submit such
454 fingerprints to the Federal Bureau of Investigation for a national
455 criminal history records check] require any applicant for a license to
456 submit to state and national criminal history records checks. If the
457 chief of police or first selectman requires such criminal history records
458 checks, such checks shall be conducted in accordance with section 29 of
459 this act. For the purposes of this subsection "wholesaler" means a
460 person in the business of selling tangible personal property to be
461 resold at retail or raw materials to be manufactured into suitable forms
462 for use by consumers.

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

465 (d) In reviewing the application for a permit, registration, certificate
466 or other license under the provisions of this title, the commissioner
467 may require the applicant or, if the applicant is a business entity, any
468 director, officer, partner or owner of more than five per cent of the

469 total outstanding stock of any class of the applicant's business to
470 submit to state and national criminal history records checks. [The
471 commissioner may request a state criminal history records check for
472 each such applicant, director, officer, partner or stockholder from the
473 State Police Bureau of Identification. The commissioner may arrange
474 for each such applicant, director, officer, partner or stockholder to
475 provide the information necessary to conduct such criminal history
476 records checks to the State Police Bureau of Identification which shall
477 submit such information to the Federal Bureau of Investigation for a
478 national criminal history records check. The commissioner may charge
479 each such applicant, director, officer, partner or stockholder a fee for
480 the state criminal history records check which shall not exceed the fee
481 the State Police Bureau of Identification is authorized to charge an
482 individual for performing the check and a fee for the national criminal
483 history records check which shall not exceed the fee charged by the
484 Federal Bureau of Investigation for performing the check. The
485 commissioner shall collect such fees and forward such fees to the
486 Department of Public Safety.] If criminal history records checks are
487 required, such checks shall be conducted in accordance with section 29
488 of this act. The review by the commissioner of the criminal history of
489 each such applicant, director, officer, partner or stockholder shall be
490 limited to information regarding criminal convictions related to
491 activities regulated under the environmental protection laws of this
492 state, any other state or the federal government.

493 Sec. 20. Subsection (c) of section 22a-60 of the general statutes is
494 repealed and the following is substituted in lieu thereof:

495 (c) If the commissioner finds that the information submitted for a
496 registration of a license transfer under this section is insufficient for
497 purposes of determining whether the proposed transferee is able to
498 comply with the terms and conditions of the license, the commissioner
499 may require such transferee to submit such additional information as
500 the commissioner deems necessary to make such determination,
501 including, but not limited to, any information necessary to complete
502 [a] state and national criminal history records [check under] checks in

503 accordance with subsection (d) of section 22a-6m, as amended by this
504 act.

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

507 (a) No permit for carrying any pistol or revolver shall be issued
508 under the provisions of section 29-28 unless the applicant for [the
509 same] such permit gives to the issuing authority, upon its request, full
510 information concerning [his] such person's criminal record. [, and
511 such] The issuing authority shall require the applicant to submit to
512 state and national criminal history records checks. The issuing
513 authority shall [thereupon] take a full description of such applicant
514 and make an investigation concerning [his] such person's suitability to
515 carry any such weapons.

516 (b) The issuing authority shall take the fingerprints of such
517 applicant or conduct any other method of positive identification
518 required by the State Police Bureau of Identification or the Federal
519 Bureau of Investigation, unless the issuing authority determines that
520 the fingerprints of such applicant have been previously taken and [his]
521 such person's identity established and such applicant presents
522 identification that the issuing authority verifies as valid. The issuing
523 authority shall record the date the fingerprints were taken in the
524 applicant's file and, within five business days of such date, shall
525 forward such fingerprints [to the Federal Bureau of Investigation for a
526 national criminal history records check] or other positive identifying
527 information to the State Police Bureau of Identification which shall
528 conduct criminal history records checks in accordance with section 29
529 of this act.

530 (c) The issuing authority may, in [his] its discretion, issue such
531 permit before a report from said bureau relative to such applicant's
532 record has been received. Upon receipt of such report, the issuing
533 authority shall inform the applicant and render a decision on the
534 application within one week of the receipt of the report. If such report

535 has not been received within eight weeks after a sufficient application
536 for a permit has been made, the issuing authority shall inform the
537 applicant of such delay, in writing. No permit shall be issued if the
538 issuing authority has reason to believe the applicant has ever been
539 convicted of a felony.

540 Sec. 22. Subsection (a) of section 29-36g of the general statutes is
541 repealed and the following is substituted in lieu thereof:

542 (a) Requests for eligibility certificates under section 29-36f shall be
543 submitted to the Commissioner of Public Safety on application forms
544 prescribed by the commissioner. No eligibility certificate for a pistol or
545 revolver shall be issued under the provisions of said section unless the
546 applicant for [the same] such certificate gives to the Commissioner of
547 Public Safety, upon [his] the commissioner's request, full information
548 concerning the applicant's criminal record and relevant information
549 concerning the applicant's mental health history. [, and the] The
550 commissioner shall require each applicant to submit to state and
551 national criminal history records checks. The commissioner shall
552 [thereupon] take a full description [and the fingerprints] of such
553 applicant. The commissioner shall take the fingerprints of such
554 applicant or conduct any other method of positive identification
555 required by the State Police Bureau of Identification or the Federal
556 Bureau of Investigation. The commissioner shall record the date the
557 fingerprints were taken in the applicant's file [and shall forward such
558 fingerprints to the Federal Bureau of Investigation for a national
559 criminal history records check and to the State Police Bureau of
560 Identification for a state criminal history records check] and shall
561 conduct criminal history records checks in accordance with section 29
562 of this act. The commissioner shall, within sixty days of receipt of the
563 national criminal history records check from the Federal Bureau of
564 Investigation, either approve the application and issue the eligibility
565 certificate or deny the application and notify the applicant of the
566 reason for such denial in writing.

567 Sec. 23. Section 29-145 of the general statutes is repealed and the

568 following is substituted in lieu thereof:

569 Any person desiring to engage in the business of a professional
570 bondsman shall apply to the Commissioner of Public Safety for a
571 license therefor. Such application shall set forth under oath the full
572 name, age, residence and occupation of the applicant, whether the
573 applicant intends to engage in the business of a professional bondsman
574 individually or in partnership or association with another or others,
575 and, if so, the identity of each. It shall also set forth under oath a
576 statement of the assets and liabilities of the applicant, and whether [he]
577 the applicant has been charged with or convicted of crime, and such
578 other information, including fingerprints and photographs, as said
579 commissioner from time to time may require. The commissioner shall
580 require the applicant to submit to state and national criminal history
581 records checks. The criminal history records checks required pursuant
582 to this section shall be conducted in accordance with section 29 of this
583 act. No person who has been convicted of a felony shall be licensed to
584 do business as a professional bondsman in this state. No person
585 engaged in law enforcement or vested with police powers shall be
586 licensed to do business as a professional bondsman.

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

589 Any person desiring to engage in the business of a bail enforcement
590 agent shall apply to the Commissioner of Public Safety for a license
591 therefor. Such application shall set forth under oath the full name, age,
592 date and place of birth, residence and occupation of the applicant. It
593 shall also set forth under oath a statement of whether the applicant has
594 been charged with or convicted of crime, and such other information,
595 including fingerprints and photographs, as required by the
596 commissioner. [The commissioner shall submit the applicant's
597 fingerprints to the Federal Bureau of Investigation for a national
598 criminal history record check.] The commissioner shall require the
599 applicant to submit to state and national criminal history records
600 checks. The criminal history records checks required pursuant to this

601 section shall be conducted in accordance with section 29 of this act.
602 Within five years prior to the date of application, the applicant shall
603 have successfully completed a course in the criminal justice system
604 consisting of not less than twenty hours of study approved by the
605 commissioner. No person who has been convicted of a felony or any
606 misdemeanor under section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62,
607 53a-63, 53a-96, 53a-173, 53a-175, 53a-176, 53a-178 or 53a-181d, shall be
608 licensed to do business as a bail enforcement agent in this state. No
609 person engaged in law enforcement or vested with police powers shall
610 be licensed to do business as a bail enforcement agent.

611 Sec. 25. Subsection (b) of section 29-155 of the general statutes is
612 repealed and the following is substituted in lieu thereof:

613 (b) The commissioner shall require any applicant for a license under
614 this section to submit to state and national criminal history records
615 checks. Each applicant and, in the case of an association, corporation or
616 partnership, each individual composing such association, corporation
617 or partnership, shall submit with the application two complete sets of
618 fingerprints on forms specified and furnished by the commissioner
619 and two photographs, two inches wide by three inches high, taken
620 within six months prior to the application. The criminal history records
621 checks required pursuant to this subsection shall be conducted in
622 accordance with section 29 of this act.

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

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

630 (b) Immediately upon hiring an agent, operator, assistant, guard,
631 watchman or patrolman, the licensee shall make application to register
632 such employee with the Commissioner of Public Safety. Such

633 application shall be made on forms furnished by the commissioner,
634 and, under oath of the employee, shall give [his] the employee's name,
635 address, date and place of birth, employment for the past five years,
636 experience in the position applied for, any convictions for violations of
637 the law and such other information as the commissioner may require,
638 by regulation, to properly investigate the character, competency and
639 integrity of the employee.

640 (c) The Commissioner of Public Safety shall require any applicant
641 for a license under this section to submit to state and national criminal
642 history records checks. The criminal history records checks required
643 pursuant to this section shall be conducted in accordance with section
644 29 of this act. The application for registration shall be accompanied by
645 two sets of fingerprints of the employee and two photographs of the
646 employee, two inches wide by two inches high, full-face, with and
647 without head covering, taken within six months prior thereto, and a
648 thirteen-dollar registration fee payable to the state. Subject to the
649 provisions of section 46a-80, no person shall be approved for
650 employment who has been convicted of a felony, any sexual offense or
651 any crime that would tend to question [his] such person's honesty and
652 integrity, or who has been refused a license under the provisions of
653 this chapter for any reason except minimum experience, or whose
654 license, having been granted, has been revoked or is under suspension.
655 Upon being satisfied of the suitability of the applicant for employment
656 the commissioner shall register the employee and so notify the licensee
657 and place [his] the registration form and all related material on file
658 with the Division of State Police within the Department of Public
659 Safety.

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

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

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

668 (a) The Commissioner of Public Safety shall have exclusive
669 jurisdiction in the preparation of and may enforce reasonable
670 regulations for the safe and convenient storage, transportation and use
671 of explosives and blasting agents used in connection therewith, which
672 regulations shall deal in particular with the quantity and character of
673 explosives and blasting agents to be stored, transported and used, the
674 proximity of such storage to inhabited dwellings or other occupied
675 buildings, public highways and railroad tracks, the character and
676 construction of suitable magazines for such storage, protective
677 measures to secure such stored explosives and blasting agents and the
678 abatement of any hazard that may arise incident to the storage,
679 transportation or use of such explosives and blasting agents.

680 (b) No person, firm or corporation shall engage in any activity
681 concerning the storage, transportation or use of explosives unless such
682 person, firm or corporation has obtained a license therefor from the
683 Commissioner of Public Safety. Such license shall be issued upon
684 payment of a fee of fifty dollars and upon submission by the applicant
685 of evidence of good moral character and of competence in the control
686 and handling of explosives, provided, if such license is for the use of
687 explosives, it may be issued only to an individual person after
688 demonstration that [he] such individual is technically qualified to
689 detonate explosives. Any such license to use explosives shall bear both
690 the fingerprints of the licensee obtained by the Commissioner of Public
691 Safety at the time of licensing, and [his] the licensee's photograph,
692 furnished by [him] the licensee, of a size specified by the commissioner
693 and taken not more than one year prior to the issuance of the license.
694 Each such license shall be valid for one year from the date of its
695 issuance, unless sooner revoked or suspended, and may be renewed
696 annually thereafter upon a payment of thirty dollars.

697 (c) The Commissioner of Public Safety shall require any applicant
698 for a license under this section to submit to state and national criminal

699 history records checks. The criminal history records checks required
700 pursuant to this subsection shall be conducted in accordance with
701 section 29 of this act.

702 [(c)] (d) No person shall manufacture, keep, store, sell or deal in any
703 explosives unless [he] such person has a valid license under the
704 provisions of subsection (b) and obtains from the Commissioner of
705 Public Safety or from the fire marshal of the town where such business
706 is conducted a written permit therefor, which permit shall not be valid
707 for more than one year and for which [he] such person shall pay a fee
708 of twenty-five dollars. If the permit is issued by the Commissioner of
709 Public Safety, the commissioner shall forward a copy thereof to the
710 local fire marshal. Such permit so granted shall definitely state the
711 location of the building where such business is to be carried on or such
712 explosive deposited and shall state that such building or premises
713 complies with the regulations provided for in this section.

714 [(d)] (e) No person shall procure, transport or use any explosives
715 unless [he] such person has a valid license under subsection (b) and
716 has obtained a written permit therefor signed by the Commissioner of
717 Public Safety or by the fire marshal of the town where such explosive
718 is to be used, specifying the name of the purchaser, the amount to be
719 purchased and transported and the purpose for which it is to be used.
720 Any such permit to use explosives shall state the number of years [he]
721 the permittee has been engaged in blasting activity. Such permit shall
722 be valid for such period, not longer than one year, as is required to
723 accomplish the purpose for which it was obtained. No carrier shall
724 transport any such explosive until the vehicle transporting the
725 explosive has been inspected and approved by the Department of
726 Public Safety and unless such written permit accompanies the same
727 and no person shall have in [his] such person's possession any such
728 explosive unless [he] such person has a license and permit therefor.
729 The fee for such inspection shall be twenty-five dollars. The fee for
730 such permit shall be twenty dollars. Each person who has in [his] such
731 person's custody or possession any explosive or any detonating caps
732 for explosives shall keep the same either under personal observation or

733 securely locked up.

734 [(e)] (f) Any license or permit issued under the provisions of this
735 section may be suspended or revoked by the issuing authority for
736 violation by the licensee or permittee of any provision of law or
737 regulation relating to explosives or conviction of such licensee or
738 permittee of any felony or misdemeanor. Suspension or revocation of a
739 license shall automatically suspend or revoke the permit and the
740 suspension or revocation of a permit shall automatically suspend or
741 revoke the license.

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

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

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

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

763 (h) In addition to all other requirements prescribed in this section,

764 each applicant for a license shall furnish satisfactory evidence to the
765 commissioner that: (1) The applicant is at least eighteen years of age;
766 (2) the applicant is a citizen of the United States; and (3) the applicant
767 has never been convicted of a felony or any misdemeanor under
768 section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173,
769 53a-175, 53a-176, 53a-178 or 53a-181d. [Such applicant shall also] The
770 commissioner shall require each applicant to submit to a background
771 investigation, including an investigation of any prior criminal activity,
772 to be conducted by the Division of Criminal Justice, [utilizing the
773 Federal Bureau of Investigation and other law enforcement agencies.
774 All processing fees incurred as a result of such investigation shall be
775 paid by the applicant.] The Division of Criminal Justice shall require
776 each applicant to submit to state and national criminal history records
777 checks. Such criminal history records checks shall be conducted in
778 accordance with section 29 of this act.

779 Sec. 29. (NEW) (a) If a criminal history records check is required
780 pursuant to any provision of the general statutes, such check shall be
781 requested from the State Police Bureau of Identification and shall be
782 applicable to the individual identified in the request. The requesting
783 party shall arrange for the fingerprinting of the individual or for
784 conducting any other method of positive identification required by the
785 State Police Bureau of Identification and, if a national criminal history
786 records check is requested, by the Federal Bureau of Investigation. The
787 fingerprints or other positive identifying information shall be
788 forwarded to the State Police Bureau of Identification which shall
789 conduct a state criminal history records check. If a national criminal
790 history records check is requested, the State Police Bureau of
791 Identification shall submit the fingerprints or other positive identifying
792 information to the Federal Bureau of Investigation for a national
793 criminal history records check, unless the Federal Bureau of
794 Investigation permits direct submission of the fingerprints or other
795 positive identifying information by the requesting party.

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

798 (1) Except as provided in subdivision (2) of this subsection, for a
799 person requesting (A) a state criminal history records check, the fee
800 charged by the Department of Public Safety for performing such check,
801 and (B) a national criminal history records check, the fee charged by
802 the Federal Bureau of Investigation for performing such check.

803 (2) For a state agency requesting a national criminal history records
804 check of a person, the fee charged by the Federal Bureau of
805 Investigation for performing such check. The state agency shall
806 reimburse the Department of Public Safety for such cost. Unless
807 otherwise provided by the provision of the general statutes requiring
808 the criminal history records check, the state agency may charge the
809 person a fee equal to the amount paid by the state agency under this
810 subdivision.

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