



House of Representatives

General Assembly

File No. 440

January Session, 2005

Substitute House Bill No. 6926

House of Representatives, April 19, 2005

The Committee on Education reported through REP. FLEISCHMANN of the 18th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING CONTRACTORS DOING WORK IN SCHOOLS.

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

1 Section 1. (NEW) (*Effective July 1, 2005*) Each local and regional
2 board of education shall require any person entering into a contract to
3 perform maintenance, repair or landscaping work during the school
4 year at any school or on the grounds of any school and any employee
5 of the contractor or subcontractor performing such work to submit to
6 state and national criminal history records checks conducted in
7 accordance with section 29-17a of the general statutes. The contractor,
8 subcontractor and their employees shall submit to such check no later
9 than fifteen days from the date such contractor or subcontractor enters
10 into such contract and prior to the performance of work under the
11 contract. Prior to the performance of such work, the contractor or
12 subcontractor shall certify to the local or regional board of education
13 that no person performing such work has been found to have a
14 criminal conviction that (1) requires registration as a sexual offender in

15 accordance with the provisions of sections 54-251 to 54-254, inclusive,
16 of the general statutes, (2) includes a violation of subsection (b) of
17 section 21a-278a of the general statutes, or (3) involves violence against
18 a child. Any finding of such a criminal conviction or refusal to submit
19 to the criminal history records checks may result in termination of the
20 contract.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	New section

ED *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Education, Dept.	GF - Cost	See Below	See Below
Public Safety, Dept.	GF - Cost	\$37,000 to \$48,500	\$37,000 to \$48,500

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 06 \$	FY 07 \$
All Municipalities	Cost	See Below	See Below

Explanation

This bill will result in an increased future cost to the state in the school construction grant program. This cost is due to the likelihood that the contractor's cost of criminal background tests being passed on to local school districts and thusly a partial pass on of these costs to the state. The amount of costs to the contractors that will likely be passed on would be minimal in the scope of total school construction costs. Criminal background tests currently cost approximately \$30 per individual.

Additionally the bill would require the Department of Public Safety (DPS) to complete additional background checks. In order to meet this additional workload, DPS would require one additional Processing Technician. The salary range for the Processing Technician is \$37,000 to \$48,500

OLR Bill Analysis

sHB 6926

AN ACT CONCERNING CONTRACTORS DOING WORK IN SCHOOLS**SUMMARY:**

This bill requires boards of education to make contractors, subcontractors, and their employees who will be performing maintenance, repair, or landscaping work at schools or on school grounds during the school year under a contract submit to a state and national criminal history record check. The check must be completed in accordance with Connecticut public safety statutes.

Contractors, subcontractors, and their employees must submit to the checks no later than 15 days after the contract is executed and before work under the contract begins. Before work begins, the bill requires contractors or subcontractors to certify to boards of education that no one performing such work under the contract has a criminal conviction for:

1. a crime that requires registration as a sexual offender, including a crime against a minor, a violent or non-violent sexual offense, a sexual offense in another jurisdiction, or a felony committed for sexual purposes;
2. manufacturing, distributing, selling, prescribing, dispensing, compounding, transporting, or possessing with the intent to sell or dispense, or offering, giving, or administering to another person, any controlled substance in, on, or within 1,500 feet of a public or private elementary or secondary school property, public housing project or a licensed child day care center identified by a clearly posted sign; or
3. violence against a child.

The bill allows boards of education to terminate these contracts if any such criminal conviction is found or if there is failure to submit to the

checks. The criminal records check procedure for subcontractors or employees hired during the course of work is unclear from the bill.

BACKGROUND

Criminal History Record Checks

Existing law requires criminal history record checks for school personnel, including school nurses. Under Connecticut law, the check must request the checks from the State Police Bureau of Investigation. The requesting party must arrange for the fingerprinting or other method of positive identification. The bureau conducts the state check and, if necessary, submits the information to the FBI for a national check. By law, the fee for the state check is \$25.00. The fee for the national check is \$24.00.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 26 Nay 0