



General Assembly

Substitute Bill No. 7209

January Session, 2007

* HB07209GL 030907 *

**AN ACT CONCERNING CONSUMER REPORTING AGENCIES AND
PUBLIC RECORD INFORMATION REPORTING.**

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

1 Section 1. Section 31-51i of the general statutes is amended by
2 adding subsections (h) to (j), inclusive, as follows (*Effective from*
3 *passage*):

4 (NEW) (h) A consumer reporting agency, as defined in section 38a-
5 976, that furnishes a consumer report for employment purposes and
6 includes in such report matters of public record concerning the
7 consumer shall, at the time the agency furnishes such report to the
8 user, notify the consumer that the agency is reporting matters of public
9 record, together with the name and address of the person to whom
10 such information is being reported. For purposes of this section,
11 "matters of public record" means information obtained from the
12 Judicial Department relating to arrests, indictments, convictions,
13 erased records, pardons and outstanding judgments.

14 (NEW) (i) In an action against a consumer reporting agency
15 pursuant to this section, it shall be an affirmative defense that such
16 agency supplied the same consumer public record information as such
17 agency obtained from the Judicial Department.

18 (NEW) (j) Subsection (a) of this section shall not apply in the case of

19 an agency or department of the United States government seeking to
20 obtain and use a consumer report for employment purposes if the
21 head of the agency or department makes a written finding pursuant to
22 15 USC 1681b(b)(4)(A).

23 Sec. 2. (NEW) (*Effective from passage*) The Judicial Department shall:
24 (1) Update its criminal history record information not later than two
25 business days after a criminal record is erased, modified or corrected
26 or when a pardon is granted; (2) post a notice on any criminal record
27 information disseminated by said department that the information
28 contained in such notice may change daily due to erasures, corrections,
29 pardons and other changes to individual records and that the accuracy
30 of the data cannot be confirmed other than on the day of the posting;
31 and (3) only post updated information on said department's web site
32 that is available to the public through the State Police Bureau of
33 Identification and not information available through the Offender
34 Based Tracking System.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	31-51i
Sec. 2	<i>from passage</i>	New section

GL *Joint Favorable Subst.*