



General Assembly

February Session, 2010

Raised Bill No. 5207

LCO No. 978

00978 _____ LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING CRIMINAL BACKGROUND CHECKS FOR PROSPECTIVE STATE EMPLOYEES.

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

1 Section 1. Section 46a-80 of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2010*):

4 (a) Except as provided in subsection (b) of this section, subsection
5 (b) of section 46a-81 and section 36a-489, and notwithstanding any
6 other provisions of law to the contrary, a person shall not be
7 disqualified from employment by the state of Connecticut or any of its
8 agencies, nor shall a person be disqualified to practice, pursue or
9 engage in any occupation, trade, vocation, profession or business for
10 which a license, permit, certificate or registration is required to be
11 issued by the state of Connecticut or any of its agencies solely because
12 of a prior conviction of a crime.

13 (b) A person may be denied employment by the state or any of its
14 agencies, or a person may be denied a license, permit, certificate or
15 registration to pursue, practice or engage in an occupation, trade,

16 vocation, profession or business by reason of the prior conviction of a
17 crime if after considering (1) the nature of the crime and its
18 relationship to the job for which the person has applied; (2)
19 information pertaining to the degree of rehabilitation of the convicted
20 person; and (3) the time elapsed since the conviction or release, the
21 state, or any of its agencies determines that the applicant is not suitable
22 for the position of employment sought or the specific occupation,
23 trade, vocation, profession or business for which the license, permit,
24 certificate or registration is sought.

25 (c) Except as provided in subsection (a) of this section, no employer,
26 as defined in section 5-270, shall inquire about a prospective
27 employee's past convictions using a consumer report, as defined in
28 section 31-51i, until such prospective employee has been deemed
29 qualified for the position and a conditional offer of employment has
30 been made to the prospective employee.

31 ~~[(c)]~~ (d) If a conviction of a crime is used as a basis for rejection of an
32 applicant, such rejection shall be in writing and specifically state the
33 evidence presented and reasons for rejection. A copy of such rejection
34 shall be sent by registered mail to the applicant.

35 ~~[(d)]~~ (e) In no case may records of arrest, which are not followed by
36 a conviction, or records of convictions, which have been erased, be
37 used, distributed or disseminated by the state or any of its agencies in
38 connection with an application for employment or for a permit, license,
39 certificate or registration.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	46a-80

Statement of Purpose:

To require state employers to make conditional offers of employment to individuals prior to inquiring about their past criminal convictions.

[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.]