



General Assembly

February Session, 2010

Raised Bill No. 5523

LCO No. 2403

02403_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING REENTRY.

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

1 Section 1. (NEW) (*Effective from passage*) (a) The Commissioner of
2 Revenue Services and the Labor Commissioner shall jointly examine
3 the federal Work Opportunity Tax Credit available to private sector
4 businesses that hire individuals who have been convicted of a crime
5 and have a hiring date that is not more than one year after the last date
6 on which such individual was so convicted or released from prison,
7 and determine the manner in which a matching state tax credit may be
8 implemented and offered to employers who qualify for such federal
9 tax credit, and the revenue impact thereof.

10 (b) The Commissioner of Revenue Services and the Labor
11 Commissioner shall report their findings and recommendations to the
12 joint standing committee of the General Assembly on the judiciary in
13 accordance with section 11-4a of the general statutes not later than
14 January 5, 2011.

15 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than June first of
16 the year in which the federal decennial census is conducted, the

17 Department of Correction and, with respect to persons confined in
18 facilities of the Whiting Forensic Division of the Connecticut Valley
19 Hospital, the Department of Mental Health and Addiction Services
20 shall each submit a report to the Secretary of the State with the
21 following information:

22 (1) The name of each person confined in a facility of the department,
23 on the date for which the census reports population, who completed a
24 census form, responded to a census inquiry or was included in a report
25 to census officials if the form, response or report indicated that the
26 person resided at the facility on that date;

27 (2) The age, gender and race of each person included in the report;
28 and

29 (3) The last address at which the person resided before the person's
30 current confinement.

31 (b) The Secretary of the State shall request each agency that operates
32 a federal facility in this state that confines persons convicted of a
33 criminal offense to provide the Secretary of the State with a report
34 including the information set forth in subsection (a) of this section for
35 persons convicted of an offense in this state.

36 (c) For each person included in a report received under subsections
37 (a) and (b) of this section, the Secretary of the State shall determine the
38 geographic units for which population counts are reported in the
39 federal decennial census that contain the last address at which the
40 person resided before the person's confinement according to the report
41 and, if that address is in this state:

42 (1) Adjust all relevant population counts reported in the census,
43 including populations by age, gender and race, as if the person resided
44 at that address on the date for which the census reports population;
45 and

46 (2) Eliminate the person from all applicable population counts

47 reported in the federal decennial census for the geographic units that
48 include the facility at which the person was confined on the date for
49 which the census reports population.

50 (d) In determining the population of a geographic unit for purposes
51 of the distribution of state or federal funds or other benefits, or for
52 purposes of legislative districting, the population count as adjusted in
53 accordance with subsection (c) of this section shall be used.

54 Sec. 3. Section 31-51i of the general statutes is amended by adding
55 subsection (i) as follows (*Effective October 1, 2010*):

56 (NEW) (i) No employer or an employer's agent, representative or
57 designee may require any prospective employee to complete an
58 employment application form that contains any question concerning
59 the criminal history of the applicant or to disclose the existence of any
60 arrest, criminal charge or conviction, the records of which have not
61 been erased, until such time as such employer, agent, representative or
62 designee has determined that the applicant is otherwise qualified for
63 the position and made an offer of employment to the applicant, which
64 offer may be conditioned on the applicant disclosing his or her
65 criminal history and submitting to a state and national criminal history
66 records check conducted in accordance with section 29-17a. Any denial
67 of employment by the state or any of its agencies based upon the
68 applicant's prior conviction of a crime shall be in accordance with the
69 provisions of section 46a-80. For the purposes of this subsection,
70 "employer" means the state, any political subdivision of the state and
71 any person engaged in business who has one or more employees and
72 with whom the state or any political subdivision of the state enters into
73 a contract to provide goods or services to the state or such political
74 subdivision.

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

Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>October 1, 2010</i>	31-51i

Statement of Purpose:

To consider establishing a state tax credit for private-sector employers who hire persons recently released from prison, adjust census data to count persons incarcerated in correctional institutions in the population count of the towns where they resided prior to incarceration and prohibit the state, political subdivisions of the state and employers that contract with the state and such political subdivisions from inquiring about a job applicant's criminal record until such time as the applicant has been conditionally offered a position.

[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.]