



General Assembly

February Session, 2010

Amendment

LCO No. 3678

HB0520703678HDO

Offered by:

REP. RYAN, 139th Dist.
REP. NOUJAIM, 74th Dist.
SEN. PRAGUE, 19th Dist.
REP. O'BRIEN, 24th Dist.

To: Subst. House Bill No. 5207

File No. 358

Cal. No. 191

"AN ACT CONCERNING CRIMINAL BACKGROUND CHECKS FOR PROSPECTIVE STATE EMPLOYEES."

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

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4 statutes is repealed and the following is substituted in lieu thereof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

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

13 registration is required to be issued by the state [of Connecticut] or any
14 of its agencies solely because of a prior conviction of a crime.

15 (b) Except for a position for which any provision of the general
16 statutes specifically disqualifies a person from employment by the
17 state or any of its agencies because of a prior conviction of a crime, no
18 employer, as defined in section 5-270, shall inquire about a prospective
19 employee's past convictions until such prospective employee has been
20 deemed otherwise qualified for the position.

21 [(b)] (c) A person may be denied employment by the state or any of
22 its agencies, or a person may be denied a license, permit, certificate or
23 registration to pursue, practice or engage in an occupation, trade,
24 vocation, profession or business by reason of the prior conviction of a
25 crime if after considering (1) the nature of the crime and its
26 relationship to the job for which the person has applied; (2)
27 information pertaining to the degree of rehabilitation of the convicted
28 person; and (3) the time elapsed since the conviction or release, the
29 state, or any of its agencies determines that the applicant is not suitable
30 for the position of employment sought or the specific occupation,
31 trade, vocation, profession or business for which the license, permit,
32 certificate or registration is sought.

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

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

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2010	46a-80
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