



Senate

General Assembly

File No. 632

January Session, 2011

Substitute Senate Bill No. 1179

Senate, April 26, 2011

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE REMOVAL OF INDIVIDUALS FROM THE STATE CHILD ABUSE AND NEGLECT REGISTRY.

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

1 Section 1. (NEW) (*Effective July 1, 2011*) (a) Any individual whose
2 name has been placed on the state child abuse and neglect registry
3 established pursuant to section 17a-101k of the general statutes may
4 file an application with the Department of Children and Families, on
5 such form as the department prescribes, for removal of such
6 individual's name from the registry. The department shall include in
7 such form a provision that allows the applicant to indicate good cause
8 for removing the applicant's name from the registry. Such good cause
9 may include, but need not be limited to: (1) Rehabilitation of the
10 applicant; (2) the applicant's acceptance of personal responsibility for
11 actions or omissions that resulted in the applicant's name being placed
12 on the registry; (3) a bona fide need for removal of the applicant's
13 name from the registry; and (4) at least two letters in support of the
14 application, each from a competent adult.

15 (b) Such application may be filed no earlier than five years after the
16 date of the final decision, as defined in section 4-166 of the general
17 statutes, that resulted in the placement of the applicant's name on the
18 registry.

19 (c) The Commissioner of Children and Families may grant such
20 application upon finding good cause. If the commissioner denies an
21 application filed in accordance with subsections (a) and (b) of this
22 section, the applicant shall be entitled to a hearing in accordance with
23 chapter 54 of the general statutes.

24 (d) Any applicant whose application is denied after a final decision,
25 as defined in section 4-166 of the general statutes, may reapply in
26 accordance with subsections (a) and (b) of this section, without
27 limitation, not less than two years after the date of such final decision.
28 Such application shall indicate good cause that has occurred since the
29 date of the final decision.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2011	New section

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which requires the Department of Children and Families (DCF) to develop a form and process by which individuals may seek to remove themselves from the state child abuse and neglect registry, does not result in a fiscal impact to DCF.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 1179*****AN ACT CONCERNING THE REMOVAL OF INDIVIDUALS FROM THE STATE CHILD ABUSE AND NEGLECT REGISTRY.*****SUMMARY:**

By law, the Department of Children and Families (DCF) commissioner maintains a registry of names and basic information about people whom she has found to be responsible for child abuse or neglect. She discloses limited information from the registry when DCF receives lawful requests for background checks used in conjunction with employment, licensure, and benefit decisions.

This bill establishes a procedure for individuals whose names have been on the registry for at least five years to show good cause for removal. Under the bill, good cause includes:

1. the applicant has been rehabilitated,
2. the person has accepted personal responsibility for the acts or omissions that resulted in his or her being included in the registry,
3. a bona fide need to remove his or her name, and
4. at least two supporting letters from competent adults.

DCF must develop the application and include space for the applicant to specify the basis for his or her good clause claim. The applicant is entitled to a contested case hearing if DCF denies the request. Those whose applications are denied can reapply every two years, indicating on each subsequent application good cause that has arisen since the last.

EFFECTIVE DATE: July 1, 2011

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 41 Nay 0