



General Assembly

January Session, 2013

Raised Bill No. 969

LCO No. 3533



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING FEES CHARGED FOR CRIMINAL HISTORY RECORDS CHECKS.

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

1 Section 1. Section 29-11 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) The bureau in the Division of State Police within the Department
4 of Emergency Services and Public Protection known as the State Police
5 Bureau of Identification shall be maintained for the purposes of (1) [of]
6 providing an authentic record of each person sixteen years of age or
7 over who is charged with the commission of any crime involving
8 moral turpitude, (2) [of] providing definite information relative to the
9 identity of each person so arrested, (3) [of] providing a record of the
10 final judgment of the court resulting from such arrest, unless such
11 record has been erased pursuant to section 54-142a, and (4) [for]
12 maintaining a central repository of complete criminal history record
13 disposition information. The Commissioner of Emergency Services and
14 Public Protection is directed to maintain the State Police Bureau of
15 Identification, which bureau shall receive, classify and file in an

16 orderly manner all fingerprints, pictures and descriptions, including
17 previous criminal records as far as known of all persons so arrested,
18 and shall classify and file in a like manner all identification material
19 and records received from the government of the United States and
20 from the various state governments and subdivisions thereof, and shall
21 cooperate with such governmental units in the exchange of
22 information relative to criminals. The State Police Bureau of
23 Identification shall accept fingerprints of applicants for admission to
24 the bar of the state and, to the extent permitted by federal law, shall
25 exchange state, multistate and federal criminal history records with the
26 State Bar Examining Committee for purposes of investigation of the
27 qualifications of any applicant for admission as an attorney under
28 section 51-80. The record of all arrests reported to the bureau after
29 March 16, 1976, shall contain information of any disposition within
30 ninety days after the disposition has occurred.

31 (b) Any cost incurred by the State Police Bureau of Identification in
32 conducting any name search and fingerprinting of applicants for
33 admission to the bar of the state shall be paid from fees collected by the
34 State Bar Examining Committee.

35 (c) The Commissioner of Emergency Services and Public Protection
36 shall charge the following fees for the service indicated: (1) [Name
37 search, thirty-six dollars; (2) fingerprint] Fingerprint search, fifty
38 dollars; [(3)] (2) personal record search, fifty dollars; [(4)] (3) letters of
39 good conduct search, fifty dollars; [(5)] (4) bar association search, fifty
40 dollars; [(6)] (5) fingerprinting, fifteen dollars; (6) additional copy of
41 fingerprints requested at the time of initial fingerprinting, five dollars;
42 and (7) criminal history record information search, fifty dollars. The
43 provisions of this subsection shall apply to any individual seeking to
44 be licensed or otherwise approved for any occupation or position for
45 which a provision of the general statutes requires that a criminal
46 history records check be conducted pursuant to section 29-17a, as
47 amended by this act. Except as provided in subsection (b) of this
48 section, the provisions of this subsection shall not apply to any federal,

49 state or municipal agency if the individual identified in the request is
50 seeking employment with the requesting agency.

51 (d) The Commissioner of Emergency Services and Public Protection
52 may adopt regulations, in accordance with the provisions of chapter
53 54, necessary to implement the provisions of the National Child
54 Protection Act of 1993, the Violent Crime Control and Law
55 Enforcement Act of 1994, the Volunteers for Children Act of 1998, and
56 the National Crime Prevention and Privacy Compact as provided in
57 section 29-164f to provide for national criminal history records checks
58 to determine an employee's or volunteer's suitability and fitness to care
59 for the safety and well-being of children, the elderly and individuals
60 with disabilities.

61 Sec. 2. Section 29-17a of the general statutes is repealed and the
62 following is substituted in lieu thereof (*Effective October 1, 2013*):

63 (a) If a criminal history records check is required pursuant to any
64 provision of the general statutes, such check shall be requested from
65 the State Police Bureau of Identification and shall be applicable to the
66 individual identified in the request. The requesting party shall arrange
67 for the fingerprinting of the individual or for conducting any other
68 method of positive identification required by the State Police Bureau of
69 Identification and, if a national criminal history records check is
70 requested, by the Federal Bureau of Investigation. The fingerprints or
71 other positive identifying information shall be forwarded to the State
72 Police Bureau of Identification which shall conduct a state criminal
73 history records check. If a national criminal history records check is
74 requested, the State Police Bureau of Identification shall submit the
75 fingerprints or other positive identifying information to the Federal
76 Bureau of Investigation for a national criminal history records check,
77 unless the Federal Bureau of Investigation permits direct submission of
78 the fingerprints or other positive identifying information by the
79 requesting party.

80 (b) The Commissioner of Emergency Services and Public Protection

81 may charge fees for conducting criminal history background checks as
82 follows:

83 (1) Except as provided in subdivision (2) of this subsection, for a
84 person requesting (A) a state criminal history records check, the fee
85 charged by the Department of Emergency Services and Public
86 Protection for performing such check, and (B) a national criminal
87 history records check, the fee charged by the Federal Bureau of
88 Investigation for performing such check.

89 (2) For a state agency requesting (A) a state criminal history records
90 check of a person to be employed by such agency, no fee, (B) a state
91 criminal history records check of a person not to be employed by such
92 agency, the fee charged by the Department of Emergency Services and
93 Public Protection for performing such check, and (C) a national
94 criminal history records check of a person, the fee charged by the
95 Federal Bureau of Investigation for performing such check. The state
96 agency shall reimburse the Department of Emergency Services and
97 Public Protection for [such cost] the fee paid by the department
98 pursuant to subparagraph (C) of this subdivision. Unless otherwise
99 provided by the provision of the general statutes requiring the
100 criminal history records check, the state agency may charge the person
101 a fee equal to the amount paid by the state agency under this
102 subdivision.

103 (c) The Commissioner of Emergency Services and Public Protection
104 may provide an expedited service for persons requesting criminal
105 history records checks in accordance with this section. Such expedited
106 service shall include making the results of such records checks
107 available to the requesting party through the Internet. The
108 commissioner may enter into a contract with any person, firm or
109 corporation to establish and administer such expedited service. The
110 commissioner shall charge, in addition to the fees charged pursuant to
111 subsection (b) of this section, a fee of fifty dollars for each expedited
112 criminal history record check provided. The fee charged pursuant to
113 subsection (b) of this section and the expedited service fee charged

114 pursuant to this subsection shall be paid by the requesting party in
115 such manner as may be required by the commissioner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	29-11
Sec. 2	<i>October 1, 2013</i>	29-17a

PS

Joint Favorable C/R

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