



General Assembly

**Amendment**

January Session, 2013

LCO No. 7138

**\*HB0551607138HDO\***

Offered by:

REP. FOX, 146<sup>th</sup> Dist.

REP. CANDELORA, 86<sup>th</sup> Dist.

REP. REBIMBAS, 70<sup>th</sup> Dist.

To: House Bill No. 5516

File No. 659

Cal. No. 451

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

1 Strike lines 110 to 150, inclusive, in their entirety and substitute the  
2 following in lieu thereof:

3 "(i) (1) Any individual whose name has been placed on the state  
4 child abuse and neglect registry pursuant to this section may file an  
5 application with the Department of Children and Families, on such  
6 form as the department prescribes, for removal of such individual's  
7 name from the registry, unless such person is required to register as a  
8 sexual offender with the Commissioner of Emergency Services and  
9 Public Protection. The department shall include in such application  
10 form a provision that allows the applicant to indicate good cause for  
11 removing the applicant's name from the registry and a provision under  
12 which the applicant shall indicate, under penalty of false statement,  
13 whether the applicant is required to register as a sexual offender with  
14 the Commissioner of Emergency Services and Public Protection. Such

15 good cause for removing the applicant's name from the registry shall  
16 include, but need not be limited to:

17 (A) The rehabilitation of the applicant, as demonstrated by: (i) The  
18 applicant's personal conduct, (ii) the absence of a criminal conviction  
19 for any conduct related to a family member of the applicant or a child  
20 during the five-year period prior to the date of the application, (iii) the  
21 absence of a criminal conviction for violent conduct, as determined by  
22 the commissioner, related to any person other than a family member of  
23 the applicant or a child during the five-year period prior to the date of  
24 the application, (iv) the absence of a conviction under section 53-247  
25 during the five-year period prior to the date of the application, and (v)  
26 the letters in support of the application that are required under  
27 subparagraph (D) of this subdivision;

28 (B) The applicant's acceptance of personal responsibility for actions  
29 and omissions that resulted in the applicant's name being placed on  
30 the registry;

31 (C) A bona fide need for removal of the applicant's name from the  
32 registry, such as the applicant's need to obtain or retain employment,  
33 licensure or engage in activities involving direct contact with children;  
34 and

35 (D) At least two letters in support of the application, each from a  
36 person with knowledge of the applicant's successful rehabilitation,  
37 such as a licensed physician or mental health professional.

38 (2) Such application may be filed not earlier than five years after the  
39 date of the final decision, as defined in section 4-166, that resulted in  
40 the placement of the applicant's name on the registry.

41 (3) The Commissioner of Children and Families may approve such  
42 application upon finding (A) good cause, and (B) the applicant is not  
43 required to register as a sexual offender with the Commissioner of  
44 Emergency Services and Public Protection. Upon approving such  
45 application, the commissioner shall accurately reflect the information

46 concerning the finding in the child abuse and neglect registry  
47 maintained pursuant to subsection (a) of this section. If the  
48 commissioner denies such application, the applicant shall be entitled to  
49 a hearing and appeal therefrom in accordance with subsections (d) and  
50 (e) of this section.

51 (4) Nothing in this subsection shall prevent a person from filing an  
52 application under this subsection, or prevent the commissioner from  
53 approving an application filed under this subsection, if such person  
54 has at any time been required to register as a sexual offender with the  
55 Commissioner of Emergency Services and Public Protection, but is no  
56 longer required to register as a sexual offender on the date of  
57 application.

58 (5) Upon the request of the Commissioner of Children and Families,  
59 the Commissioner of Emergency Services and Public Protection shall  
60 provide such information to the Commissioner of Children and  
61 Families as the Commissioner of Children and Families requires to  
62 verify whether an applicant is required to register as a sexual offender  
63 with the Commissioner of Emergency Services and Public Protection.

64 (6) Any applicant whose application is denied after a final decision,  
65 as defined in section 4-166, may file a new application in accordance  
66 with subdivisions (1), (2) and (4) of this subsection, without limitation,  
67 not earlier than two years after the date of such final decision,  
68 provided such application indicates good cause that has occurred since  
69 the date of the final decision and such person is not required to register  
70 as a sexual offender with the Commissioner of Emergency Services  
71 and Public Protection."