



Senate

General Assembly

February Session, 2014

File No. 177

Senate Bill No. 294

Senate, March 27, 2014

The Committee on Children reported through SEN. BARTOLOMEO of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING CRIMINAL BACKGROUND CHECKS AND THE DEPARTMENTS OF CHILDREN AND FAMILIES AND DEVELOPMENTAL SERVICES.

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

1 Section 1. Section 17a-227a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2014*):

3 (a) The Commissioner of Developmental Services shall require (1)
4 each applicant for employment in a Department of Developmental
5 Services program that provides direct services to persons with
6 intellectual disability to submit to a check of such applicant's state
7 criminal background, and (2) each employee in a Department of
8 Developmental Services program that provides direct services to
9 persons with intellectual disability to submit to an annual check of
10 such employee's state criminal background.

11 (b) The commissioner may require private sector service providers
12 under contract with or licensed by the department to provide

13 residential, day or support services to persons with intellectual
 14 disability, to require each applicant for employment who will have
 15 direct and ongoing contact with persons and families receiving such
 16 services to submit to a check of such applicant's state criminal
 17 background. If the department requires such providers to have such
 18 applicants submit to such checks, the administrative costs associated
 19 with such checks shall be considered an allowable cost on the annual
 20 cost report.

21 (c) If such checks are conducted, no applicant shall be hired by the
 22 department or a private sector service provider until the results of such
 23 checks are available.

24 Sec. 2. Section 17a-6a of the general statutes is repealed and the
 25 following is substituted in lieu thereof (*Effective October 1, 2014*):

26 (a) The Commissioner of Children and Families shall (1) require
 27 each applicant for a position with the department to state in writing
 28 whether such person has ever been convicted of a crime or whether
 29 criminal charges are pending against such person at the time such
 30 person submits an application, and (2) require each applicant to submit
 31 to state and national criminal history records checks, in accordance
 32 with section 29-17a. The commissioner shall also check the state child
 33 abuse registry established pursuant to section 17a-101k for the name of
 34 such applicant.

35 (b) The Commissioner of Children and Families shall require each
 36 employee in a Department of Children and Families program that
 37 provides direct services to children and youths in the care or custody
 38 of the department to submit to an annual check of such employee's
 39 state criminal background, in accordance with section 29-17a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	17a-227a
Sec. 2	<i>October 1, 2014</i>	17a-6a

KID *Joint Favorable*

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:

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Department of Emergency Services and Public Protection	GF - Potential Cost	Less than 30,000	Less than 30,000

Municipal Impact: None

Explanation

The bill, which requires certain employees within the Departments of Developmental Services (DDS) and Children and Families (DCF) to undergo an annual state criminal background check, is anticipated to result in a potential cost to the Department of Emergency Services and Public Protection (DESPP) of less than \$30,000 in FY 15 and annually thereafter.

The bill is anticipated to result in approximately 2,400 additional checks for DDS employees and 2,200 additional checks for DCF employees. By statute, DESPP is unable to charge state agencies a fee for state criminal background checks and must bear the costs of performing such checks. Given that DESPP performed approximately 105,000 criminal history checks in calendar year 2013, the additional checks required under this bill represent a 4% increase; an amount that may require overtime to process.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**SB 294*****AN ACT CONCERNING CRIMINAL BACKGROUND CHECKS AND THE DEPARTMENTS OF CHILDREN AND FAMILIES AND DEVELOPMENTAL SERVICES.*****SUMMARY:**

This bill requires the Department of Developmental Service (DDS) and Department of Children and Families (DCF) commissioners to require certain employees to submit to annual state criminal background checks. It applies to employees working in a (1) DDS program that provides direct services to people with intellectual disabilities or (2) DCF program that provides direct services to children or youths in DCF care or custody.

By law, applicants for (1) such DDS positions must submit to a state criminal background check and (2) any DCF positions must submit to a state and national criminal history records check.

EFFECTIVE DATE: October 1, 2014

COMMITTEE ACTION

Committee on Children

Joint Favorable

Yea 12 Nay 0 (03/11/2014)