



# House of Representatives

General Assembly

**File No. 660**

February Session, 2014

Substitute House Bill No. 5466

*House of Representatives, April 22, 2014*

The Committee on Finance, Revenue and Bonding reported through REP. WIDLITZ of the 98th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING DEPARTMENT OF REVENUE SERVICES' PROCEDURES FOR BACKGROUND CHECKS FOR JOB APPLICANTS AND TAXATION OF COMPRESSED NATURAL GAS UNDER THE MOTOR VEHICLE FUELS TAX.***

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

1 Section 1. (NEW) (*Effective from passage*) The Commissioner of  
2 Revenue Services shall, subject to the provisions of section 31-51i of the  
3 general statutes, require each applicant for a position of employment  
4 with, and each employee applying for transfer to, the Department of  
5 Revenue Services, to (1) state in writing whether such applicant or  
6 employee has ever been convicted of a crime or whether criminal  
7 charges are pending against such applicant or employee at the time of  
8 application for employment or transfer and, if so, to identify the  
9 charges and court in which such charges are pending, and (2) be  
10 fingerprinted and submit to state and national criminal history records  
11 checks. The criminal history records checks required by this section  
12 shall be conducted in accordance with section 29-17a of the general

13 statutes.

14 Sec. 2. (NEW) (*Effective from passage*) The Commissioner of Revenue  
 15 Services, in consultation with the Commissioner of Energy and  
 16 Environmental Protection, shall, on or before June 15, 2014, and on or  
 17 before each June fifteenth thereafter, issue information concerning the  
 18 computation of the motor vehicle fuels tax on compressed natural gas.  
 19 Such information shall include the conversion factor to be used to  
 20 determine the liquid gallon equivalent of compressed natural gas to  
 21 liquid motor vehicle fuels. Such conversion factor shall be consistent  
 22 with the applicable federal standard, and shall be applicable for the  
 23 twelve-month period beginning on the succeeding July first.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section

**FIN** 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.

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 15 \$</b>	<b>FY 16 \$</b>
Department of Revenue Services	TF - Revenue Loss	150,000	150,000

**Municipal Impact:** None

**Explanation**

**Section 1** clarifies the procedure by which the Department of Revenue Services (DRS) may evaluate prospective employees. This does not result in any fiscal impact as it codifies current agency practice.

**Section 2** requires DRS, in consultation with the Department of Energy and Environmental Protection, to issue information concerning reconfiguring the tax on motor vehicle fuels concerning natural gas. This information will be used to calculate the liquid gallon conversion factor on natural gas, and will result in an annual revenue loss to the Special Transportation Fund of approximately \$150,000.

**The Out Years**

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

**OLR Bill Analysis****sHB 5466*****AN ACT CONCERNING DEPARTMENT OF REVENUE SERVICES' PROCEDURES FOR BACKGROUND CHECKS FOR JOB APPLICANTS AND TAXATION OF COMPRESSED NATURAL GAS UNDER THE MOTOR VEHICLE FUELS TAX.*****SUMMARY:**

This bill requires prospective Department of Revenue Services (DRS) employees to (1) disclose their criminal convictions and pending charges, (2) be fingerprinted, and (3) submit to state and national criminal history record checks under Connecticut's uniform criminal record check procedure. These requirements apply to (1) non-state employees applying for employment with DRS and (2) state employees seeking to transfer to the DRS. DRS must enforce the requirements consistent with the law prohibiting employers from requiring prospective employees to disclose information in certain erased criminal records (see BACKGROUND).

Under the bill, prospective DRS employees must state in writing whether (1) they have ever been convicted of a crime or (2) charges are pending against them on the date they apply for a DRS position. If charges are pending, the applicant must identify them and the court in which they are pending.

By June 15, 2014 and annually thereafter, the bill also requires the DRS commissioner, in consultation with the energy and environmental protection commissioner, to issue information about how the motor vehicle fuels tax on compressed natural gas is calculated. The information must include the conversion factor used to determine the liquid gallon equivalent of natural gas to liquid motor vehicle fuels. The factor must be consistent with applicable federal standards and be applied to the 12-month period beginning on the following July 1.

EFFECTIVE DATE: Upon passage

## **BACKGROUND**

### ***Nondisclosure of Information Contained in Erased Criminal Records***

The law prohibits all employers, including the state and its political subdivisions, from requiring prospective and current employees to disclose records of erased arrests, criminal charges, or convictions (CGS § 31-51i). It similarly prohibits employers from denying employment, or discharging an employee, solely because of information contained in such records. The records that the law covers relate to delinquency; family with service needs or youth offender status; criminal charges that have been dismissed, nolle, or resulted in not guilty findings; and absolute pardons.

Employment application forms requesting criminal history data must contain a statement informing applicants that (1) they are not required to disclose criminal history data subject to erasure, (2) the erasure of this data deems they were never arrested for the associated crime, and (3) they can swear under oath that they were never arrested for those crimes.

### ***Federal Standards on Natural Gas Conversion Factors***

The National Institute of Standards and Technology's *Uniform Laws and Regulations in Areas of Legal Metrology and Engine Fuel Quality Handbook 130* (2013) specifies that a gallon of gasoline is equivalent to 2.567 kg (5.660 lb) of natural gas.

## **COMMITTEE ACTION**

Finance, Revenue and Bonding Committee

Joint Favorable Substitute

Yea 50 Nay 0 (04/01/2014)