

**Proposed Substitute
Bill No. 5466**

LCO No. 3258

**AN ACT CONCERNING CRIMINAL HISTORY RECORDS CHECKS FOR
HOUSEHOLD MEMBERS OF A FAMILY CHILD CARE HOME AND
PROVIDING CHILD CARE FOR ASSISTANCE RECIPIENTS
ENROLLED IN APPROVED HIGHER EDUCATION PROGRAMS.**

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

1 Section 1. Subsection (c) of section 19a-87b of the 2016 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective from passage*):

4 (c) The commissioner, within available appropriations, shall require
5 each initial applicant or prospective employee of a family child care
6 home in a position requiring the provision of care to a child, including
7 an assistant or substitute staff member and each household member
8 who is sixteen years of age or older, to submit to state and national
9 criminal history records checks. The criminal history records checks
10 required pursuant to this subsection shall be conducted in accordance
11 with section 29-17a. The commissioner shall also request a check of the
12 state child abuse registry established pursuant to section 17a-101k. The
13 commissioner shall notify each licensee of the provisions of this
14 subsection. For purposes of this subsection, "household member"
15 means any person, other than the person who is licensed to conduct,
16 operate or maintain a family child care home, who resides in the
17 family child care home, such as the licensee's spouse or children,

18 boarders and any other occupant.

19 Sec. 2. Subsection (a) of section 19a-87e of the 2016 supplement to
20 the general statutes is repealed and the following is substituted in lieu
21 thereof (*Effective from passage*):

22 (a) The Commissioner of Early Childhood may (1) refuse to license
23 under section 19a-87b, as amended by this act, a person to own,
24 conduct, operate or maintain a family child care home, as defined in
25 section 19a-77, (2) refuse to approve under section 19a-87b, as
26 amended by this act, a person to act as an assistant or substitute staff
27 member in a family child care home, as defined in section 19a-77, or (3)
28 suspend or revoke the license or approval or take any other action that
29 may be set forth in regulation that may be adopted pursuant to section
30 19a-79 if the person who owns, conducts, maintains or operates the
31 family child care home, the person who acts as an assistant or
32 substitute staff member in a family child care home, [or] a person
33 employed in such family child care home in a position connected with
34 the provision of care to a child receiving child care services or a
35 household member, as defined in subsection (c) of section 19a-87b, as
36 amended by this act, who is sixteen years of age or older and resides
37 therein, has been convicted, in this state or any other state of a felony,
38 as defined in section 53a-25, involving the use, attempted use or
39 threatened use of physical force against another person, or has a
40 criminal record in this state or any other state that the commissioner
41 reasonably believes renders the person unsuitable to own, conduct,
42 operate or maintain or be employed by a family child care home, or act
43 as an assistant or substitute staff member in a family child care home,
44 or if such persons or [a person residing in the household] a household
45 member has been convicted in this state or any other state of cruelty to
46 persons under section 53-20, injury or risk of injury to or impairing
47 morals of children under section 53-21, abandonment of children
48 under the age of six years under section 53-23, or any felony where the
49 victim of the felony is a child under eighteen years of age, a violation
50 of section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b or 53a-73a,
51 illegal manufacture, distribution, sale, prescription, dispensing or

52 administration under section 21a-277 or 21a-278, or illegal possession
53 under section 21a-279, or if such person, a person who acts as assistant
54 or substitute staff member in a family child care home, [or] a person
55 employed in such family child care home in a position connected with
56 the provision of care to a child receiving child care services, either fails
57 to substantially comply with the regulations adopted pursuant to
58 section 19a-87b, as amended by this act, or conducts, operates or
59 maintains the home in a manner which endangers the health, safety
60 and welfare of the children receiving child care services. Any refusal of
61 a license or approval pursuant to this section shall be rendered in
62 accordance with the provisions of sections 46a-79 to 46a-81, inclusive.
63 Any person whose license or approval has been revoked pursuant to
64 this section shall be ineligible to apply for a license or approval for a
65 period of one year from the effective date of revocation.

66 Sec. 3. Subsection (c) of section 19a-87e of the 2016 supplement to
67 the general statutes is repealed and the following is substituted in lieu
68 thereof (*Effective from passage*):

69 (c) Any person who is licensed to conduct, operate or maintain a
70 family child care home or approved to act as an assistant or substitute
71 staff member in a family child care home shall notify the commissioner
72 of any conviction of the owner, conductor, operator or maintainer of
73 the family child care home or of any [person residing in the] household
74 member, as defined in subsection (c) of section 19a-87b, as amended by
75 this act, who is sixteen years of age or older, or any person employed
76 in such family child care home in a position connected with the
77 provision of care to a child receiving child care services, of a crime
78 which affects the commissioner's discretion under subsection (a) of this
79 section, immediately upon obtaining knowledge of such conviction.
80 Failure to comply with the notification requirement of this subsection
81 may result in the suspension or revocation of the license or approval or
82 the taking of any other action against a license or approval set forth in
83 regulation adopted pursuant to section 19a-79 and shall subject the
84 licensee or approved staff member to a civil penalty of not more than
85 one hundred dollars per day for each day after the person obtained

86 knowledge of the conviction.

87 Sec. 4. Subsection (a) of section 17b-749 of the 2016 supplement to
88 the general statutes is repealed and the following is substituted in lieu
89 thereof (*Effective July 1, 2016*):

90 (a) The Commissioner of Early Childhood shall establish and
91 operate a child care subsidy program to increase the availability,
92 affordability and quality of child care services for families with a
93 parent or caretaker who (1) is working or attending high school, or (2)
94 receives cash assistance under the temporary family assistance
95 program from the Department of Social Services and is participating in
96 an [approved] education, training or other job preparation activity
97 approved pursuant to subsection (b) of section 17b-688i, as amended
98 by this act, or section 17b-689d. Services available under the child care
99 program shall include the provision of child care subsidies for children
100 under the age of thirteen or children under the age of nineteen with
101 special needs. The Office of Early Childhood shall open and maintain
102 enrollment for the child care subsidy program and shall administer
103 such program within the existing budgetary resources available. The
104 office shall issue a notice on the office's Internet web site any time the
105 office closes the program to new applications, changes eligibility
106 requirements, changes program benefits or makes any other change to
107 the program's status or terms, provided the office shall not be required
108 to issue such notice when the office expands program eligibility. Any
109 change in the office's acceptance of new applications, eligibility
110 requirements, program benefits or any other change to the program's
111 status or terms for which the office is required to give notice pursuant
112 to this subsection, shall not be effective until thirty days after the office
113 issues such notice.

114 Sec. 5. Subsection (b) of section 17b-688i of the general statutes is
115 repealed and the following is substituted in lieu thereof (*Effective July*
116 *1, 2016*):

117 (b) To the extent permitted under section 17b-688c, the Labor
118 Department shall be responsible for the administration of employment

119 services to recipients of temporary family assistance under the
120 employment services program administered by the Department of
121 Social Services pursuant to section 17-688c. The employment services
122 provided by the Labor Department shall include appropriate basic
123 education and occupational skills training combined with subsidized
124 or unsubsidized work experience and employment, as deemed
125 appropriate by the Labor Department, and any other programs or
126 services deemed appropriate by the Labor Department, to the extent
127 permitted under state and federal law, including, but not limited to,
128 the following: (1) Employment; (2) work-study, internship or
129 apprenticeship opportunities; (3) adult skills training, including
130 literacy, mathematics and language proficiency with curriculum
131 related to job opportunities and job search skills; (4) occupational skills
132 training; (5) case management and counseling in successful work skills;
133 (6) attendance at a two or four-year college or university in pursuit of a
134 degree to increase employability; and ~~[(6)]~~ (7) access to state-
135 subsidized child care and transportation, where needed. Services may
136 be provided by existing service providers, including, but not limited
137 to, local or regional boards of education or regional educational service
138 centers that offer adult education programs, community-technical
139 colleges and technical high schools.

140 Sec. 6. Subsection (b) of section 17b-689d of the general statutes is
141 repealed and the following is substituted in lieu thereof (*Effective July*
142 *1, 2016*):

143 (b) To the extent permissible under federal law, the Labor
144 Commissioner, in consultation with the Commissioner of Social
145 Services, ~~[may]~~ shall approve education courses as required
146 employment activities for a recipient of temporary family assistance.
147 Education courses that may be approved include, but are not limited
148 to: (1) Two-year or four-year college degree programs, and (2) high
149 school graduate equivalency degree or basic education programs for
150 recipients otherwise ineligible to enroll in such programs during their
151 first twenty weekly hours of required employment activities.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	19a-87b(c)
Sec. 2	<i>from passage</i>	19a-87e(a)
Sec. 3	<i>from passage</i>	19a-87e(c)
Sec. 4	<i>July 1, 2016</i>	17b-749(a)
Sec. 5	<i>July 1, 2016</i>	17b-688i(b)
Sec. 6	<i>July 1, 2016</i>	17b-689d(b)