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## **OLR Bill Analysis**

### **sHB 6511**

#### ***AN ACT REQUIRING BACKGROUND CHECKS FOR YOUTH SPORTS COACHES, TRAINERS AND INSTRUCTORS.***

#### **SUMMARY**

This bill requires certain municipalities, businesses, and nonprofit organizations operating youth athletic activities (“operators”), starting October 1, 2022, to require prospective employees who are age 18 or older and applying for a position as coach, instructor, or athletic trainer to submit to a comprehensive background check, including state and national criminal history records checks and a check of the state child abuse registry. It also requires employees in these positions to submit to the same background checks at least once every five years.

The bill applies this requirement to youth athletic activities organized for certain participants age 19 and under.

It exempts from the comprehensive background check requirement applicants for coach, instructor, or athletic trainer positions who are operators’ employees, certain former employees, or certain local or regional board of education athletic coaches.

Under the bill, the required criminal history records check must be conducted by (1) the State Police Bureau of Identification in accordance with existing law (see BACKGROUND) or (2) a third-party provider of criminal history records checks, including checks through a centralized disciplinary database established by an independent national safe sport organization.

The bill (1) requires the criminal history background checks to be completed within five business days after the request is received by the party conducting them and (2) generally allows prospective employees to begin working on a provisional basis while the request is pending. This work must always be supervised by an employee who was

subjected to the comprehensive background check within the previous five years.

It also specifies that it does not prohibit an operator from requiring an applicant for a position as a coach, instructor, or athletic trainer to submit to comprehensive background checks more often than once every five years.

EFFECTIVE DATE: October 1, 2021

### **EXEMPTIONS**

The bill does not apply to applicants for a position as a coach, instructor, or athletic trainer for a youth athletic activity who:

1. are employees of an operator of a youth athletic activity in the state or have not been separated from employment as a coach, instructor, or athletic trainer for more than 180 days and have successfully completed the comprehensive background check in the previous five years; or
2. are athletic coaches of intramural or interscholastic athletics who are employed by a local or regional board of education, provided the board satisfies the state and national criminal history records checks requirements for board employees under existing law.

### **DEFINITIONS**

#### ***Operator***

By law, an “operator” is any municipality, business, or nonprofit organization that conducts, coordinates, organizes, or otherwise oversees any youth athletic activity. It does not include any of these entities, whether or not compensated, that solely provide access to, or use of, a field, court, or other recreational area.

#### ***Youth Athletic Activity***

Under existing law, a youth athletic activity is an organized athletic activity involving participants who:

1. (a) engage in, or practice or prepare for, an organized athletic game or competition against another team, club, or entity or (b) attend an organized athletic camp or clinic that trains, instructs, or prepares these participants and
2. pay a fee to participate in such an organized athletic game or competition or attend such a camp or clinic, or whose fee is sponsored by a municipality, business, or nonprofit organization.

It does not include any college or university athletic activity, or one that is incidental to a nonathletic program or lesson.

Under current law, youth athletic activities participants are ages seven through 19. The bill additionally applies its background check provisions to youth athletic activities in which participants are under age seven.

## **BACKGROUND**

### ***Criminal History Records Checks***

By law, if a criminal history records check is required by state law, it must be requested from the State Police Bureau of Identification and must apply to the individual identified in the request. The requesting party must arrange for the fingerprinting of the individual or for conducting any other method of positive identification required by the State Police Bureau of Identification and, if a national criminal history records check is requested, by the Federal Bureau of Investigation (CGS § 29-17a).

### ***Related Bill***

sHB 6417 (LCO 5023), favorably reported by the Children's Committee, requires licensed youth camp prospective employees who are age 18 or older applying for positions that require the provision of care to a child or involve unsupervised access to any child to submit to comprehensive background checks, starting October 1, 2022.

## **COMMITTEE ACTION**

Committee on Children

Joint Favorable Substitute

Yea 13 Nay 0 (03/11/2021)