



General Assembly

Substitute Bill No. 6445

January Session, 2021



**AN ACT EXPANDING ECONOMIC OPPORTUNITY IN OCCUPATIONS
LICENSED BY THE DEPARTMENT OF CONSUMER PROTECTION.**

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

1 Section 1. (NEW) (*Effective October 1, 2021*) (a) An occupational or
2 professional license, permit, certification or registration issued by the
3 Department of Consumer Protection shall be issued, in the occupation
4 or profession applied for and at a practice level determined by the
5 department, to a person who is (1) a resident of this state, as defined in
6 section 12-701 of the general statutes, or (2) married to an active duty
7 member of the armed forces of the United States and accompanies such
8 member, pursuant to an official permanent change of station, to a
9 military installation located in this state, if such person:

10 (A) Holds a valid license, permit, certification or registration in at
11 least one other jurisdiction in the occupation or profession applied for;

12 (B) Has practiced under such license, permit, certification or
13 registration for not less than four years;

14 (C) Is in good standing in all jurisdictions in which he or she holds a
15 license, permit, certification or registration and has not had a license,
16 permit, certification or registration revoked or discipline imposed by
17 any jurisdiction, does not have a complaint, allegation or investigation

18 related to unprofessional conduct pending in any jurisdiction and has
19 not voluntarily surrendered a license, permit, certification or
20 registration while under investigation for unprofessional conduct in any
21 jurisdiction;

22 (D) Satisfies any background check or character and fitness check
23 required of other applicants for the license, permit, certification or
24 registration;

25 (E) Pays all fees required of other applicants for the license, permit,
26 certification or registration; and

27 (F) Takes and passes all or a portion of any examination required of
28 other persons applying for the license, permit, certification or
29 registration.

30 (b) Any person issued a license, permit, certification or registration
31 pursuant to this section shall be subject to the laws of this state and the
32 jurisdiction of the Department of Consumer Protection.

33 (c) Notwithstanding the other provisions of this section, the
34 Commissioner of Consumer Protection may deny an occupational or
35 professional license, permit, certification or registration if the
36 commissioner finds such denial is in the best interest of the state.

37 (d) A person applying for a license, permit, certification or
38 registration that is not required to practice an occupation or profession
39 in at least twenty-five states who relocates to this state from another
40 state that did not require a license, permit, certification or registration to
41 practice the person's occupation or profession may be considered to
42 have satisfied the conditions of subparagraphs (A) and (B) of
43 subdivision (2) of subsection (a) of this section if he or she establishes to
44 the satisfaction of the Department of Consumer Protection that he or she
45 has three or more years of related work experience with a substantially
46 similar scope of practice within the four years preceding the date of
47 application to said department.

48 Sec. 2. Section 20-333 of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective October 1, 2021*):

50 (a) To obtain a license under this chapter, an applicant shall have
51 attained such applicant's eighteenth birthday and shall furnish such
52 evidence of competency as the appropriate board or the Commissioner
53 of Consumer Protection shall require. A recommendation for review
54 issued pursuant to section 31-22u shall be sufficient to demonstrate such
55 competency. The applicant shall satisfy such board or the commissioner
56 that such applicant [is of good moral character,] possesses a diploma or
57 other evidence of graduation from the eighth grade of grammar school,
58 or possesses an equivalent education to be determined on examination
59 and has the requisite skill to perform the work in the trade for which
60 such applicant is applying for a license and can comply with all other
61 requirements of this chapter and the regulations adopted under this
62 chapter. A recommendation for review issued pursuant to section 31-
63 22u shall be sufficient to demonstrate that an applicant possesses such
64 requisite skill and can comply with all other requirements of this chapter
65 and the regulations adopted under this chapter. For any application
66 submitted pursuant to this section that requires a hearing or other action
67 by the applicable examining board or the commissioner, such hearing
68 or other action by the applicable examining board or the commissioner
69 shall occur not later than thirty days after the date of submission for
70 such application. Upon application for any such license, the applicant
71 shall pay to the department a nonrefundable application fee of ninety
72 dollars for a license under subdivisions (2) and (3) of subsection (a) and
73 subdivision (4) of subsection (e) of section 20-334a, or a nonrefundable
74 application fee of one hundred fifty dollars for a license under
75 subdivision (1) of subsection (a), subdivisions (1) and (2) of subsection
76 (b), subdivision (1) of subsection (c) and subdivisions (1), (2) and (3) of
77 subsection (e) of section 20-334a. Any such application fee shall be
78 waived for persons who present a recommendation for review issued
79 pursuant to section 31-22u.

80 (b) The department shall conduct such written, oral and practical

81 examinations as the appropriate board, with the consent of the
82 commissioner, deems necessary to test the knowledge of the applicant
83 in the work for which a license is being sought. The department shall
84 allow any applicant, who has not participated in an apprenticeship
85 program but presents a recommendation for review issued pursuant to
86 section 31-22u, to sit for any such examination. Any person completing
87 the required apprentice training program for a journeyman's license
88 under section 20-334a shall, within thirty days following such
89 completion, apply for a licensure examination given by the department.
90 If an applicant does not pass such licensure examination, the
91 commissioner shall provide each failed applicant with information on
92 how to retake the examination and a report describing the applicant's
93 strengths and weaknesses in such examination. Any apprentice permit
94 issued under section 20-334a to an applicant who fails three licensure
95 examinations in any one-year period shall remain in effect if such
96 applicant applies for and takes the first licensure examination given by
97 the department following the one-year period from the date of such
98 applicant's third and last unsuccessful licensure examination.
99 Otherwise, such permit shall be revoked as of the date of the first
100 examination given by the department following expiration of such
101 one-year period.

102 (c) The Commissioner of Consumer Protection, subject to section 46a-
103 80, may deny a license or may issue a license pursuant to a consent order
104 containing conditions that shall be met by the applicant if the applicant
105 reports that he or she has been found guilty or convicted as a result of
106 an act which constitutes a felony under (1) the laws of this state at the
107 time of application for such license, (2) federal law at the time of
108 application for such license, or (3) the laws of another jurisdiction, and
109 which, if committed within this state, would constitute a felony under
110 the laws of this state.

111 ~~[(c)]~~ (d) When an applicant has qualified for a license, the department
112 shall, upon receipt of the license fee or upon waiver of such fee pursuant
113 to section 20-335, issue to such applicant a license entitling such

114 applicant to engage in the work or occupation for which a license was
115 sought and shall register each successful applicant's name and address
116 in the roster of licensed persons authorized to engage in the work or
117 occupation within the appropriate board's authority. All fees and other
118 moneys collected by the department shall be promptly transmitted to
119 the State Treasurer as provided in section 4-32.

120 Sec. 3. (Effective October 1, 2021) The Departments of Administrative
121 Services, Agriculture, Consumer Protection, Correction, Emergency
122 Services and Public Protection and Public Health, the Labor
123 Department, and the Office of Early Childhood shall, not later than
124 January 1, 2022, report to the Secretary of the Office of Policy and
125 Management on (1) the number of employees who perform background
126 checks related to the department's or office's licensing functions, the job
127 classifications of such employees, and the type or level of clearance of
128 the background checks that are being performed, (2) the number of
129 hours each such employee spends on average per week performing
130 background checks, and (3) for any licenses in which some education or
131 training is required of the applicant prior to obtaining a license, the
132 feasibility of establishing a preclearance assessment of criminal history
133 prior to potential applicants beginning such education or training. Such
134 recommendations shall additionally assess the feasibility of centralizing
135 and standardizing background checks performed by state government
136 agencies and shall address any related issues of delegation of authority
137 by such agencies.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2021	New section
Sec. 2	October 1, 2021	20-333
Sec. 3	October 1, 2021	New section

Statement of Legislative Commissioners:
Section 1(a) was reorganized for clarity.

GL *Joint Favorable Subst.*