



General Assembly

January Session, 2021

**Raised Bill No. 1019**

LCO No. 4387



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

**AN ACT CONCERNING THE BOARD OF PARDONS AND PAROLES, ERASURE OF CRIMINAL RECORDS FOR CERTAIN MISDEMEANOR AND FELONY OFFENSES, PROHIBITING DISCRIMINATION BASED ON ERASED CRIMINAL HISTORY RECORD INFORMATION AND CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO MISDEMEANOR SENTENCES.**

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

1 Section 1. Subsection (l) of section 54-124a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2021*):

4 (l) The chairperson and executive director shall establish:

5 (1) In consultation with the Department of Correction, a parole  
6 orientation program for all parole-eligible inmates upon their transfer  
7 to the custody of the Commissioner of Correction that will provide  
8 general information on the laws and policies regarding parole release,  
9 calculation of time-served standards, general conditions of release,  
10 supervision practices, revocation and rescission policies, and  
11 procedures for administrative review and panel hearings, and any other

12 information that the board deems relevant for preparing inmates for  
13 parole;

14 (2) An incremental sanctions system for parole violations including,  
15 but not limited to, reincarceration based on the type, severity and  
16 frequency of the violation and specific periods of incarceration for  
17 certain types of violations; [and]

18 (3) A formal training program for members of the board and parole  
19 officers, to be completed annually by each member, that shall include,  
20 but not be limited to, an overview of the criminal justice system, the  
21 parole system including factors to be considered in granting parole,  
22 victim rights and services, reentry strategies, risk assessment, case  
23 management and mental health issues; [. Each member shall complete  
24 such training annually.] and

25 (4) A formal training program to be completed annually by each  
26 member of the board on the pardons process, including information  
27 concerning collateral consequences a person with a criminal record may  
28 face due to having a criminal record, such as when applying for housing  
29 or employment.

30 Sec. 2. Section 54-130a of the general statutes is repealed and the  
31 following is substituted in lieu thereof (*Effective October 1, 2021*):

32 (a) Jurisdiction over the granting of, and the authority to grant,  
33 commutations of punishment or releases, conditioned or absolute, in the  
34 case of any person convicted of any offense against the state and  
35 commutations from the penalty of death shall be vested in the Board of  
36 Pardons and Paroles.

37 (b) The board shall have authority to grant pardons, conditioned,  
38 provisional or absolute, or certificates of rehabilitation for any offense  
39 against the state at any time after the imposition and before or after the  
40 service of any sentence.

41 (c) The board may accept an application for a pardon three years after

42 an applicant's conviction of a misdemeanor or violation and five years  
43 after an applicant's conviction of a felony, except that the board, upon a  
44 finding of extraordinary circumstances, may accept an application for a  
45 pardon prior to such dates.

46 (d) Whenever the board grants an absolute pardon to any person, the  
47 board shall cause notification of such pardon to be made in writing to  
48 the clerk of the court in which such person was convicted, or the Office  
49 of the Chief Court Administrator if such person was convicted in the  
50 Court of Common Pleas, the Circuit Court, a municipal court, or a trial  
51 justice court.

52 (e) Whenever the board grants a provisional pardon or a certificate of  
53 rehabilitation to any person, the board shall cause notification of such  
54 provisional pardon or certificate of rehabilitation to be made in writing  
55 to the clerk of the court in which such person was convicted. The  
56 granting of a provisional pardon or a certificate of rehabilitation does  
57 not entitle such person to erasure of the record of the conviction of the  
58 offense or relieve such person from disclosing the existence of such  
59 conviction as may be required.

60 (f) In the case of any person convicted of a violation for which a  
61 sentence to a term of imprisonment may be imposed, the board shall  
62 have authority to grant a pardon, conditioned, provisional or absolute,  
63 or a certificate of rehabilitation in the same manner as in the case of any  
64 person convicted of an offense against the state.

65 (g) The board shall not deny any application for a pardon, unless the  
66 board provides a statement in writing to the applicant of the factors  
67 considered when determining whether the applicant qualified for the  
68 pardon and an explanation as to which factors were not satisfied.

69 Sec. 3. Section 54-142a of the general statutes is repealed and the  
70 following is substituted in lieu thereof (*Effective October 1, 2021*):

71 (a) Whenever in any criminal case, on or after October 1, 1969, the  
72 accused, by a final judgment, is found not guilty of the charge or the

73 charge is dismissed, all police and court records and records of any  
74 state's attorney pertaining to such charge shall be erased upon the  
75 expiration of the time to file a writ of error or take an appeal, if an appeal  
76 is not taken, or upon final determination of the appeal sustaining a  
77 finding of not guilty or a dismissal, if an appeal is taken. Nothing in this  
78 subsection shall require the erasure of any record pertaining to a charge  
79 for which the defendant was found not guilty by reason of mental  
80 disease or defect or guilty but not criminally responsible by reason of  
81 mental disease or defect.

82 (b) Whenever in any criminal case prior to October 1, 1969, the  
83 accused, by a final judgment, was found not guilty of the charge or the  
84 charge was dismissed, all police and court records and records of the  
85 state's or prosecuting attorney or the prosecuting grand juror pertaining  
86 to such charge shall be erased by operation of law and the clerk or any  
87 person charged with the retention and control of such records shall not  
88 disclose to anyone their existence or any information pertaining to any  
89 charge so erased; provided nothing in this subsection shall prohibit the  
90 arrested person or any one of his heirs from filing a petition for erasure  
91 with the court granting such not guilty judgment or dismissal, or, where  
92 the matter had been before a municipal court, a trial justice, the Circuit  
93 Court or the Court of Common Pleas [with the records center of the  
94 Judicial Department] in the Superior Court where venue would exist for  
95 criminal prosecution and thereupon all police and court records and  
96 records of the state's attorney, prosecuting attorney or prosecuting  
97 grand juror pertaining to such charge shall be erased. Nothing in this  
98 subsection shall require the erasure of any record pertaining to a charge  
99 for which the defendant was found not guilty by reason of mental  
100 disease or defect.

101 (c) (1) Whenever any charge in a criminal case has been nolle in the  
102 Superior Court, or in the Court of Common Pleas, if at least thirteen  
103 months have elapsed since such nolle, all police and court records and  
104 records of the state's or prosecuting attorney or the prosecuting grand  
105 juror pertaining to such charge shall be erased, except that in cases of  
106 nolles entered in the Superior Court, Court of Common Pleas, Circuit

107 Court, municipal court or by a justice of the peace prior to April 1, 1972,  
108 such records shall be deemed erased by operation of law and the clerk  
109 or the person charged with the retention and control of such records  
110 shall not disclose to anyone their existence or any information  
111 pertaining to any charge so erased, provided nothing in this subsection  
112 shall prohibit the arrested person or any one of his heirs from filing a  
113 petition to the court [or to the records center of the Judicial Department,  
114 as the case may be,] to have such records erased, in which case such  
115 records shall be erased.

116 (2) Whenever any charge in a criminal case has been continued at the  
117 request of the prosecuting attorney, and a period of thirteen months has  
118 elapsed since the granting of such continuance during which period  
119 there has been no prosecution or other disposition of the matter, the  
120 charge shall be nolledd upon motion of the arrested person and such  
121 erasure may thereafter be effected or a petition filed therefor, as the case  
122 may be, as provided in this subsection for nolledd cases.

123 (d) (1) Whenever prior to October 1, 1974, any person who has been  
124 convicted of an offense in any court of this state has received an absolute  
125 pardon for such offense, such person or any one of his heirs may, at any  
126 time subsequent to such pardon, file a petition with the [superior court]  
127 Superior Court at the location in which such conviction was effected, or  
128 with the [superior court] Superior Court at the location having custody  
129 of the records of such conviction or [with the records center of the  
130 Judicial Department] if such conviction was in the Court of Common  
131 Pleas, Circuit Court, municipal court or by a trial justice court, in the  
132 Superior Court where venue would exist for criminal prosecution, for  
133 an order of erasure, and the Superior Court [or records center of the  
134 Judicial Department] shall direct all police and court records and  
135 records of the state's or prosecuting attorney pertaining to such [case to]  
136 offense be erased.

137 (2) Whenever such absolute pardon was received on or after October  
138 1, 1974, such records shall be erased.

139 (e) (1) Except as provided in subdivision (3) of this subsection,  
140 whenever any person has been convicted in any court of this state of a  
141 classified or unclassified misdemeanor, or a class C, D or E felony or an  
142 unclassified felony offense carrying a term of imprisonment of not more  
143 than ten years, at such time as provided in subdivision (2) of this  
144 subsection, any police or court record and record of the state's or  
145 prosecuting attorney or the prosecuting grand juror pertaining to such  
146 conviction, or any inmate record held by the Department of Correction  
147 arising from such conviction, or any record pertaining to court  
148 obligations arising from such conviction held by the Board of Pardons  
149 and Parole shall be (A) erased, if such record is in an electronic record  
150 other than a scanned copy of a physical document, or (B) deemed erased  
151 by operation of law if such record is a scanned copy of a physical  
152 document or another record that is not electronic.

153 (2) (A) In the case of a misdemeanor offense, any record described in  
154 subdivision (1) of this subsection shall be erased or deemed erased by  
155 operation of law seven years from the date on which the convicted  
156 person's most recent conviction was adjudicated.

157 (B) In the case of a class C felony or an unclassified felony carrying a  
158 term of imprisonment of not more than ten years, but more than five  
159 years, any record described in subdivision (1) of this subsection shall be  
160 erased or deemed erased by operation of law twelve years from the date  
161 on which the convicted person's most recent conviction was  
162 adjudicated.

163 (C) In the case of a class D or E felony or an unclassified felony  
164 carrying a term of imprisonment of not more than five years, any record  
165 described in subdivision (1) of this subsection shall be erased or deemed  
166 erased by operation of law ten years from the date on which the  
167 convicted person's most recent conviction was adjudicated.

168 (3) Convictions for the following offenses shall not be eligible for  
169 erasure pursuant to this subsection:

170 (A) Any conviction designated as a family violence crime, as defined

171 in section 46b-38a; or

172 (B) Any offense that is a nonviolent sexual offense or a sexually  
173 violent offense, each as defined in section 54-250.

174 (4) If a person has been convicted of an offense in any court in this  
175 state and such offense has been decriminalized subsequent to the date  
176 of such conviction, such conviction shall not be considered when  
177 evaluating such person's criminal history record information for the  
178 purposes of this subsection.

179 (5) Nothing in this subsection shall limit any other procedure for  
180 erasure of criminal history record information, as defined in section 54-  
181 142g, as amended by this act, or prohibit a person from participating in  
182 any such procedure, even if such person's criminal history record  
183 information has been erased pursuant to this section.

184 (f) (1) Whenever a person was convicted of one or more  
185 misdemeanors committed while such person was under eighteen years  
186 of age, and the offense or offenses occurred on or after January 1, 1999,  
187 and before July 1, 2012, all police and court records and records of the  
188 state's or prosecuting attorney shall be deemed erased by operation of  
189 law. This subdivision shall not apply to a motor vehicle offense, a  
190 violation under title 14 or a violation of section 51-164r. The clerk of the  
191 court or any law enforcement agency having information contained in  
192 such erased records shall not disclose to anyone, except the subject of  
193 the record, upon submission pursuant to guidelines prescribed by the  
194 Office of the Chief Court Administrator of satisfactory proof of the  
195 subject's identity, information pertaining to any charge erased under  
196 this subdivision and such clerk shall forward a notice of such erasure to  
197 any law enforcement agency and the state's or prosecuting attorney to  
198 which he or she knows information concerning the arrest has been  
199 disseminated directing that all law enforcement and records of the  
200 state's or prosecuting attorney pertaining to such case to be erased.

201 (2) Whenever a person was convicted of one or more misdemeanors  
202 committed while such person was under eighteen years of age, and the

203 offense or offenses occurred before January 1, 1999, such person may file  
204 a petition with the Superior Court at the location in which such  
205 conviction was effected for an order of erasure, and the Superior Court  
206 shall direct all police and court records and records of the state's or  
207 prosecuting attorney pertaining to such case to be erased.

208 (3) Notwithstanding subsection (i) of this section, the provisions of  
209 this subsection shall not apply in cases in which there has been a  
210 conviction for any charge for which erasure would not apply arising  
211 from the same information as any erased conviction.

212 ~~[(e)]~~ (g) (1) The clerk of the court [or any person charged with  
213 retention and control of such records in the records center of the Judicial  
214 Department] or any law enforcement agency having information  
215 contained in such erased records shall not disclose to anyone, except the  
216 subject of the record, upon submission pursuant to guidelines  
217 prescribed by the Office of the Chief Court Administrator of satisfactory  
218 proof of the subject's identity, information pertaining to any charge  
219 erased under any provision of this section and such clerk or person  
220 charged with the retention and control of such records shall forward a  
221 notice of such erasure to any law enforcement agency to which he  
222 knows information concerning the arrest has been disseminated and  
223 such disseminated information shall be erased from the records of such  
224 law enforcement agency. Such clerk or such person, as the case may be,  
225 shall provide adequate security measures to safeguard against  
226 unauthorized access to or dissemination of such records or upon the  
227 request of the accused cause the actual physical destruction of such  
228 records, except that such clerk or such person shall not cause the actual  
229 physical destruction of such records until three years have elapsed from  
230 the date of the final disposition of the criminal case to which such  
231 records pertain.

232 [(2) No fee shall be charged in any court with respect to any petition  
233 under this section.]

234 ~~[(3)]~~ (2) Any person who shall have been the subject of such an



235 erasure shall be deemed to have never been arrested within the meaning  
236 of the general statutes with respect to the proceedings so erased and  
237 may so swear under oath.

238 [(f)] (h) Upon motion properly brought, the court or a judge of such  
239 court, if such court is not in session, shall order disclosure of such  
240 records (1) to a defendant in an action for false arrest arising out of the  
241 proceedings so erased, or (2) to the prosecuting attorney and defense  
242 counsel in connection with any perjury charges which the prosecutor  
243 alleges may have arisen from the testimony elicited during the trial, or  
244 any false statement charges, or any proceeding held pursuant to section  
245 53a-40b, or (3) counsel for the petitioner and the respondent in  
246 connection with any habeas corpus or other collateral civil action in  
247 which evidence pertaining to a nolle or dismissed criminal charge may  
248 become relevant. Such disclosure of such records is subject also to any  
249 records destruction program pursuant to which the records may have  
250 been destroyed. The jury charge in connection with erased offenses may  
251 be ordered by the judge for use by the judiciary, provided the names of  
252 the accused and the witnesses are omitted therefrom.

253 [(g)] (i) The provisions of this section shall not apply to any police or  
254 court records or the records of any state's attorney or prosecuting  
255 attorney with respect to any information or indictment containing more  
256 than one count (1) while the criminal case is pending, or (2) when the  
257 criminal case is disposed of unless and until all counts are entitled to  
258 erasure in accordance with the provisions of this section, except that  
259 when the criminal case is disposed of, electronic records or portions of  
260 electronic records released to the public that reference a charge that  
261 would otherwise be entitled to erasure under this section shall be erased  
262 in accordance with the provisions of this section. Nothing in this section  
263 shall require the erasure of any information contained in the registry of  
264 protective orders established pursuant to section 51-5c. For the purposes  
265 of this subsection, "electronic record" means any police or court record  
266 or the record of any state's attorney or prosecuting attorney that is an  
267 electronic record, as defined in section 1-267, or a computer printout.

268        (j) No fee shall be charged in any court with respect to any petition  
269        under this section.

270        [(h)] (k) For the purposes of this section, "court records" shall not  
271        include a record or transcript of the proceedings made or prepared by  
272        an official court reporter, assistant court reporter or monitor.

273        Sec. 4. Section 54-142d of the general statutes is repealed and the  
274        following is substituted in lieu thereof (*Effective October 1, 2021*):

275        Whenever any person has been convicted of an offense in any court  
276        in this state and such offense has been decriminalized subsequent to the  
277        date of such conviction, such person may file a petition with the superior  
278        court at the location in which such conviction was effected, or with the  
279        superior court at the location having custody of the records of such  
280        conviction [or with the records center of the Judicial Department] if such  
281        conviction was in the Court of Common Pleas, Circuit Court, municipal  
282        court or by a trial justice, in the Superior Court where venue would  
283        currently exist for criminal prosecution, for an order of erasure, and the  
284        Superior Court [or records center of the Judicial Department] shall  
285        immediately direct all police and court records and records of the state's  
286        or prosecuting attorney pertaining to such [case] offense to be physically  
287        destroyed.

288        Sec. 5. (NEW) (*Effective January 1, 2023*) (a) The Department of  
289        Emergency Services and Public Protection, in consultation with the  
290        Judicial Branch and the Criminal Justice Information System Governing  
291        Board established pursuant to section 54-142q of the general statutes,  
292        shall develop and implement automated processes for erasure pursuant  
293        to section 54-142a of the general statutes, as amended by this act.

294        (b) The department may, within available appropriations,  
295        disseminate information, including posting information on its Internet  
296        web site, regarding records that are subject to erasure under the  
297        provisions of this section.

298        (c) Nothing in this section shall be construed to require the

299 destruction of paper records.

300 Sec. 6. Section 54-142e of the general statutes is repealed and the  
301 following is substituted in lieu thereof (*Effective October 1, 2021*):

302 (a) Notwithstanding the provisions of subsection [(e)] (g) of section  
303 54-142a, as amended by this act, and section 54-142c, with respect to any  
304 person, including, but not limited to, a consumer reporting agency as  
305 defined in subsection (i) of section 31-51i, as amended by this act, or a  
306 background screening provider or similar data-based service or  
307 company, that purchases criminal matters of public record, as defined  
308 in said subsection (i), from the Judicial Department or any criminal  
309 justice agency pursuant to subsection (b) of section 54-142g, as amended  
310 by this act, the department shall make available to such person  
311 information concerning such criminal matters of public record that have  
312 been erased pursuant to section 54-142a, as amended by this act. Such  
313 information may include docket numbers or other information that  
314 permits the person to identify and permanently delete records that have  
315 been erased pursuant to section 54-142a, as amended by this act.

316 (b) Each person, including, but not limited to, a consumer reporting  
317 agency or background screening provider or similar data-based service  
318 or company, that has purchased records of criminal matters of public  
319 record from the Judicial Department or any criminal justice agency  
320 shall, prior to disclosing such records, (1) purchase from the Judicial  
321 Department or any criminal justice agency, on a monthly basis or on  
322 such other schedule as the Judicial Department or any criminal justice  
323 agency may establish, any updated criminal matters of public record or  
324 information available for the purpose of complying with this section,  
325 and (2) update its records of criminal matters of public record to  
326 permanently delete such erased records not later than thirty calendar  
327 days after receipt of information on the erasure of criminal records  
328 pursuant to section 54-142a, as amended by this act. Such person shall  
329 not further disclose such erased records.

330 Sec. 7. Subsection (c) of section 29-11 of the general statutes is

331 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
332 *2021*):

333 (c) ~~(1)~~ The Commissioner of Emergency Services and Public  
334 Protection shall charge the following fees for the service indicated: ~~[(1)]~~  
335 ~~(A)~~ Name search, thirty-six dollars; ~~[(2)]~~ ~~(B)~~ fingerprint search, seventy-  
336 five dollars; ~~[(3)]~~ ~~(C)~~ personal record search, seventy-five dollars; ~~[(4)]~~  
337 ~~(D)~~ letters of good conduct search, seventy-five dollars; ~~[(5)]~~ ~~(E)~~ bar  
338 association search, seventy-five dollars; ~~[(6)]~~ ~~(F)~~ fingerprinting, fifteen  
339 dollars; ~~[(7)]~~ ~~(G)~~ criminal history record information search, seventy-five  
340 dollars. Except as provided in subsection (b) of this section, the  
341 provisions of this subsection shall not apply to any federal, state or  
342 municipal agency.

343 (2) The commissioner may waive fees imposed under subparagraph  
344 (G) of subdivision (1) of this subsection for any applicant requesting a  
345 criminal history record information search for the purpose of applying  
346 for a pardon authorized pursuant to section 54-124a, as amended by this  
347 act, provided such applicant completes a form prescribed by the  
348 Department of Emergency Services and Public Protection representing  
349 such person's indigency.

350 Sec. 8. Section 18-82 of the general statutes is repealed and the  
351 following is substituted in lieu thereof (*Effective from passage*):

352 The Commissioner of Correction shall appoint and may remove the  
353 following administrators, all of whom shall serve at the pleasure of the  
354 commissioner and shall be exempt from the classified service: All  
355 correctional wardens, including any warden with oversight of a district,  
356 a correctional institution, parole and community services, population  
357 management, programs and treatment, security and academy training  
358 or staff development. Such wardens shall possess skill and experience  
359 in correctional administration. The commissioner may designate a  
360 deputy warden to serve as director of reentry services.

361 Sec. 9. (NEW) (*Effective July 1, 2021*) (a) There is established a reentry  
362 employment advisory committee that shall advise the Commissioner of

363 Correction on alignment of education and job training programs offered  
364 by the Department of Correction with the needs of employers in the  
365 community, including, but not limited to (1) the vocational education  
366 curricula used by Unified School District #1, established under section  
367 18-99a of the general statutes, (2) the types of licenses and certifications  
368 that employers are looking for in job applicants, (3) the availability of  
369 apprenticeships for incarcerated and formerly incarcerated individuals  
370 in the community, and (4) the types of products and services that should  
371 be offered by institution industries established and maintained  
372 pursuant to section 18-88 of the general statutes.

373 (b) (1) The reentry employment advisory committee shall consist of:

374 (A) The Commissioner of Correction, or the commissioner's designee;

375 (B) The superintendent of Unified School District #1;

376 (C) The superintendent of institution industries within the  
377 Department of Correction; and

378 (D) One representative appointed by the Commissioner of Correction  
379 from each of the following:

380 (i) An association representing businesses and industries in this state;

381 (ii) An association representing construction industries in this state;

382 (iii) The state affiliate of a national organization representing human  
383 resource professionals;

384 (iv) A state council of building and construction trades;

385 (v) The Technical Education and Career System established pursuant  
386 to section 10-95 of the general statutes; and

387 (vi) A regional workforce development board established pursuant  
388 to section 31-3k of the general statutes.

389 (2) In addition to the membership provided for under subdivision (1)

390 of this subsection, the Commissioner of Correction may appoint up to  
391 three additional members.

392 (c) The Commissioner of Correction shall appoint a chairperson from  
393 amongst the membership of the reentry employment advisory  
394 committee. The committee shall meet not fewer than two times per year,  
395 and at such other times as the committee deems necessary.

396 Sec. 10. Subsection (a) of section 54-142e of the general statutes is  
397 repealed and the following is substituted in lieu thereof (*Effective October*  
398 *1, 2021*):

399 (a) Notwithstanding the provisions of subsection [(e)] (g) of section  
400 54-142a, as amended by this act, and section 54-142c, with respect to any  
401 person, including, but not limited to, a consumer reporting agency as  
402 defined in subsection (i) of section 31-51i, as amended by this act, that  
403 purchases criminal matters of public record, as defined in said  
404 subsection (i), from the Judicial Department, the department shall make  
405 available to such person information concerning such criminal matters  
406 of public record that have been erased pursuant to section 54-142a, as  
407 amended by this act. Such information may include docket numbers or  
408 other information that permits the person to identify and permanently  
409 delete records that have been erased pursuant to section 54-142a, as  
410 amended by this act.

411 Sec. 11. Subsection (d) of section 54-142k of the general statutes is  
412 repealed and the following is substituted in lieu thereof (*Effective October*  
413 *1, 2021*):

414 (d) Nonconviction information shall be available to the subject of the  
415 information and to the subject's attorney pursuant to this subsection and  
416 subsection (e) of this section. Any person shall, upon satisfactory proof  
417 of the person's identity, be entitled to inspect, for purposes of  
418 verification and correction, any nonconviction information relating to  
419 the person and upon the person's request shall be given a computer  
420 printout or photocopy of such information for which a reasonable fee  
421 may be charged, provided no erased record may be released except as

422 provided in subsection [(f)] (h) of section 54-142a, as amended by this  
423 act. Before releasing any exact reproductions of nonconviction  
424 information to the subject of the information, the agency holding such  
425 information may remove all personal identifying information from such  
426 reproductions.

427 Sec. 12. (NEW) (*Effective October 1, 2021*) For purposes of this section,  
428 sections 14, 15 and 19 to 27, inclusive, of this act and section 29 of this  
429 act, sections 8-265c and 8-315 of the general statutes, as amended by this  
430 act, subsection (b) of section 10a-6 of the general statutes, as amended  
431 by this act, and sections 31-51i, 38a-358, 38a-447, 46a-74, 46a-79, 46a-80  
432 and 46a-81 of the general statutes, as amended by this act:

433 (1) "Commission" means the Commission on Human Rights and  
434 Opportunities created by section 46a-52 of the general statutes;

435 (2) "Criminal history record information" means court records and  
436 information obtained from the Judicial Department relating to arrests,  
437 releases, detentions, indictments, informations or other formal criminal  
438 charges or any events and outcomes arising from those arrests, releases,  
439 detentions, including pleas, trials, sentences, appeals, incarcerations,  
440 correctional supervision, paroles and releases, outstanding judgments  
441 and any other conviction information, as defined in section 54-142g of  
442 the general statutes, as amended by this act;

443 (3) "Employer" includes the state and all political subdivisions of the  
444 state and means any person or employer with one or more persons in  
445 such person's or employer's employ;

446 (4) "Erased criminal history record information" means (A) criminal  
447 history record information that has been erased pursuant to section 54-  
448 142a of the general statutes, as amended by this act, or section 54-760 of  
449 the general statutes, or any other provision of the general statutes or  
450 other operation of law; (B) information relating to persons granted  
451 youthful offender status pursuant to section 46b-146 of the general  
452 statutes; and (C) continuances of a criminal case that are more than  
453 thirteen months old; and

454 (5) "Place of public accommodation, resort or amusement" means any  
455 establishment that caters or offers its services or facilities or goods to the  
456 general public, including, but not limited to, any commercial property  
457 or building lot on which it is intended that a commercial building will  
458 be constructed or offered for sale or rent.

459 Sec. 13. Subdivisions (7) and (8) of section 46a-51 of the general  
460 statutes are repealed and the following is substituted in lieu thereof  
461 (*Effective October 1, 2021*):

462 (7) "Discriminatory employment practice" means any discriminatory  
463 practice specified in subsection (b), (d), (e) or (f) of section 31-51i, as  
464 amended by this act, or section 46a-60 or 46a-81c;

465 (8) "Discriminatory practice" means a violation of section 4a-60, 4a-  
466 60a, 4a-60g, 31-40y, subsection (b) of section 31-51i, as amended by this  
467 act, subsection (d), (e) or (f) of section 31-51i, as amended by this act,  
468 subparagraph (C) of subdivision (15) of section 46a-54, subdivisions (16)  
469 and (17) of section 46a-54, section 46a-58, 46a-59, 46a-60, 46a-64, 46a-64c,  
470 46a-66, 46a-68, 46a-68c to 46a-68f, inclusive, or 46a-70 to 46a-78,  
471 inclusive, subsection (a) of section 46a-80, as amended by this act, or  
472 sections 46a-81b to 46a-81o, inclusive;

473 Sec. 14. (NEW) (*Effective October 1, 2021*) It shall be a discriminatory  
474 practice under subdivision (8) of section 46a-51 of the general statutes,  
475 as amended by this act, for any person to subject, or cause to be  
476 subjected, any other person to the deprivation of any rights, privileges  
477 or immunities, secured or protected by the Constitution or laws of this  
478 state or of the United States, on account of a person's erased criminal  
479 history record information.

480 Sec. 15. (NEW) (*Effective October 1, 2021*) (a) It shall be a  
481 discriminatory practice under subdivision (8) of section 46a-51 of the  
482 general statutes, as amended by this act:

483 (1) To refuse to sell or rent after the making of a bona fide offer, or to  
484 refuse to negotiate for the sale or rental of, or otherwise make



485 unavailable or deny, a dwelling to any person on the basis of the erased  
486 criminal history record information of (A) such buyer or renter, (B) a  
487 person residing in or intending to reside in such dwelling after it is so  
488 sold, rented or made available, or (C) any person associated with such  
489 buyer or renter;

490 (2) To discriminate against any person in the terms, conditions or  
491 privileges of the sale or rental of a dwelling, or in the provision of  
492 services or facilities in connection therewith, on the basis of the erased  
493 criminal history record information of (A) such buyer or renter, (B) a  
494 person residing in or intending to reside in such dwelling after it is so  
495 sold, rented or made available, or (C) any person associated with such  
496 buyer or renter;

497 (3) To make, print or publish, or cause to be made, printed or  
498 published any notice, statement or advertisement, with respect to the  
499 sale or rental of a dwelling that indicates any preference, limitation or  
500 discrimination, or to intend to make any such preference, limitation or  
501 discrimination, based on the erased criminal history record information  
502 of (A) a potential buyer or renter, (B) a person intending to reside in such  
503 dwelling after it is sold, rented or made available, or (C) any person  
504 associated with such potential buyer or renter;

505 (4) To represent to any person that any dwelling is not available for  
506 inspection, sale or rental when such dwelling is in fact so available, on  
507 the basis of the erased criminal history record information of (A) a  
508 potential buyer or renter, (B) a person intending to reside in such  
509 dwelling after it is so sold, rented or made available, or (C) any person  
510 associated with such potential buyer or renter;

511 (5) For profit, to induce or attempt to induce any person to sell or rent  
512 any dwelling by representations regarding the entry or prospective  
513 entry into the neighborhood of a person or persons with erased criminal  
514 history record information;

515 (6) For any person or other entity engaging in residential real estate-  
516 related transactions to discriminate against any person in making

517 available such a transaction, or in the terms or conditions of such a  
518 transaction, on the basis of the erased criminal history record  
519 information of (A) the other party in the transaction, (B) a person  
520 residing in or intending to reside in a dwelling with such other party, or  
521 (C) any person associated with such other party;

522 (7) To deny any person access to or membership or participation in  
523 any multiple-listing service, real estate brokers' organization or other  
524 service, organization or facility relating to the business of selling or  
525 renting dwellings, or to discriminate against that person in the terms or  
526 conditions of such access, membership or participation, on account of  
527 that person's erased criminal history record information; or

528 (8) To coerce, intimidate, threaten or interfere with any person in the  
529 exercise or enjoyment of, or on account of that person having exercised  
530 or enjoyed, or on account of that person having aided or encouraged  
531 any other person in the exercise or enjoyment of, any right granted or  
532 protected by this section.

533 (b) The provisions of this section shall not apply to (1) the rental of a  
534 room or rooms in a unit in a dwelling if the owner actually maintains  
535 and occupies part of such unit as the owner's residence, or (2) a unit in  
536 a dwelling containing not more than four units if the owner actually  
537 maintains and occupies one of such other units as the owner's residence.

538 (c) Nothing in this section limits the applicability of any reasonable  
539 state statute or municipal ordinance restricting the maximum number  
540 of persons permitted to occupy a dwelling.

541 (d) Nothing in this section prohibits a person engaged in the business  
542 of furnishing appraisals of real property to take into consideration  
543 factors other than a person's erased criminal history record.

544 Sec. 16. Section 8-265c of the general statutes is repealed and the  
545 following is substituted in lieu thereof (*Effective October 1, 2021*):

546 The authority shall require that occupancy of all housing financed or

547 otherwise assisted under this chapter be open to all persons regardless  
548 of race, creed, color, national origin or ancestry, sex or gender identity  
549 or expression or erased criminal history record information, as defined  
550 in section 12 of this act, and that the contractors and subcontractors  
551 engaged in the construction or rehabilitation of such housing shall take  
552 affirmative action to provide equal opportunity for employment  
553 without discrimination as to race, creed, color, national origin or  
554 ancestry, sex, [or] gender identity or expression or erased criminal  
555 history record information.

556 Sec. 17. Section 8-315 of the general statutes is repealed and the  
557 following is substituted in lieu thereof (*Effective October 1, 2021*):

558 The municipality shall take all necessary steps to insure that  
559 occupancy of all housing financed or otherwise assisted pursuant to this  
560 chapter be open to all persons regardless of race, creed, color, national  
561 origin or ancestry, sex, gender identity or expression, age, [or] physical  
562 disability or erased criminal history record information, as defined in  
563 section 12 of this act.

564 Sec. 18. Section 31-51i of the general statutes is repealed and the  
565 following is substituted in lieu thereof (*Effective October 1, 2021*):

566 (a) For the purposes of this section, "employer" means [any person  
567 engaged in business who has one or more employees, including the state  
568 or any political subdivision of the state] employer, as defined in section  
569 12 of this act.

570 (b) No employer shall inquire about a prospective employee's prior  
571 arrests, criminal charges or convictions on an initial employment  
572 application, unless (1) the employer is required to do so by an applicable  
573 state or federal law, or (2) a security or fidelity bond or an equivalent  
574 bond is required for the position for which the prospective employee is  
575 seeking employment.

576 (c) No employer or employer's agent, representative or designee may  
577 require an employee or prospective employee to disclose the existence

578 of [any arrest, criminal charge or conviction, the records of which have  
579 been erased pursuant to section 46b-146, 54-76o or 54-142a] erased  
580 criminal history record information, as defined in section 12 of this act.

581 (d) An employment application form that contains any question  
582 concerning the criminal history of the applicant shall contain a notice, in  
583 clear and conspicuous language: (1) That the applicant is not required  
584 to disclose the existence of any [arrest, criminal charge or conviction, the  
585 records of which have been erased pursuant to section 46b-146, 54-76o  
586 or 54-142a] erased criminal history record information, (2) that [criminal  
587 records subject to erasure pursuant to section 46b-146, 54-76o or 54-142a]  
588 erased criminal history record information are records pertaining to a  
589 finding of delinquency or that a child was a member of a family with  
590 service needs, an adjudication as a youthful offender, a criminal charge  
591 that has been dismissed or nolle, a criminal charge for which the  
592 person has been found not guilty or a conviction for which the person  
593 received an absolute pardon or criminal records that are erased  
594 pursuant to statute or by other operation of law, and (3) that any person  
595 [whose criminal records have been erased pursuant to section 46b-146,  
596 54-76o or 54-142a] with erased criminal history record information shall  
597 be deemed to have never been arrested within the meaning of the  
598 general statutes with respect to the proceedings so erased and may so  
599 swear under oath.

600 (e) No employer or employer's agent, representative or designee shall  
601 deny employment to a prospective employee solely on the basis that the  
602 prospective employee [had a prior arrest, criminal charge or conviction,  
603 the records of which have been erased pursuant to section 46b-146, 54-  
604 76o or 54-142a] has erased criminal history record information or that  
605 the prospective employee had a prior conviction for which the  
606 prospective employee has received a provisional pardon or certificate of  
607 rehabilitation pursuant to section 54-130a, as amended by this act, or a  
608 certificate of rehabilitation pursuant to section 54-108f.

609 (f) No employer or employer's agent, representative or designee shall  
610 discharge, or cause to be discharged, or in any manner discriminate

611 against, any employee solely on the basis that the employee [had, prior  
612 to being employed by such employer, an arrest, criminal charge or  
613 conviction, the records of which have been erased pursuant to section  
614 46b-146, 54-76o or 54-142a] has erased criminal history record  
615 information or that the employee had, prior to being employed by such  
616 employer, a prior conviction for which the employee has received a  
617 provisional pardon or certificate of rehabilitation pursuant to section 54-  
618 130a, as amended by this act, or a certificate of rehabilitation pursuant  
619 to section 54-108f.

620 (g) The portion of an employment application form that contains  
621 information concerning the criminal history record of an applicant or  
622 employee shall only be available to the members of the personnel  
623 department of the company, firm or corporation or, if the company, firm  
624 or corporation does not have a personnel department, the person in  
625 charge of employment, and to any employee or member of the  
626 company, firm or corporation, or an agent of such employee or member,  
627 involved in the interviewing of the applicant.

628 (h) Notwithstanding the provisions of subsection (g) of this section,  
629 the portion of an employment application form that contains  
630 information concerning the criminal history record of an applicant or  
631 employee may be made available as necessary to persons other than  
632 those specified in said subsection (g) by:

633 (1) A broker-dealer or investment adviser registered under chapter  
634 672a in connection with (A) the possible or actual filing of, or the  
635 collection or retention of information contained in, a form U-4 Uniform  
636 Application for Securities Industry Registration or Transfer, (B) the  
637 compliance responsibilities of such broker-dealer or investment adviser  
638 under state or federal law, or (C) the applicable rules of self-regulatory  
639 organizations promulgated in accordance with federal law;

640 (2) An insured depository institution in connection with (A) the  
641 management of risks related to safety and soundness, security or  
642 privacy of such institution, (B) any waiver that may possibly or actually

643 be sought by such institution pursuant to section 19 of the Federal  
644 Deposit Insurance Act, 12 USC 1829(a), (C) the possible or actual  
645 obtaining by such institution of any security or fidelity bond, or (D) the  
646 compliance responsibilities of such institution under state or federal  
647 law; and

648 (3) An insurance producer licensed under chapter 701a in connection  
649 with (A) the management of risks related to security or privacy of such  
650 insurance producer, or (B) the compliance responsibilities of such  
651 insurance producer under state or federal law.

652 (i) (1) For the purposes of this subsection: (A) "Consumer reporting  
653 agency" means any person who regularly engages, in whole or in part,  
654 in the practice of assembling or preparing consumer reports for a fee,  
655 which reports compile and report items of information on consumers  
656 that are matters of public record and are likely to have an adverse effect  
657 on a consumer's ability to obtain employment, but does not include any  
658 public agency; (B) "consumer report" means any written, oral or other  
659 communication of information bearing on an individual's credit  
660 worthiness, credit standing, credit capacity, character, general  
661 reputation, personal characteristics or mode of living; and (C) "criminal  
662 matters of public record" means information obtained from the Judicial  
663 Department relating to arrests, indictments, convictions, outstanding  
664 judgments [,] and any other conviction information, as defined in  
665 section 54-142g, as amended by this act.

666 (2) Each consumer reporting agency that issues a consumer report  
667 that is used or is expected to be used for employment purposes and that  
668 includes in such report criminal matters of public record concerning the  
669 consumer shall:

670 (A) At the time the consumer reporting agency issues such consumer  
671 report to a person other than the consumer who is the subject of the  
672 report, provide the consumer who is the subject of the consumer report  
673 (i) notice that the consumer reporting agency is reporting criminal  
674 matters of public record, and (ii) the name and address of the person to

675 whom such consumer report is being issued;

676 (B) Maintain procedures designed to ensure that any criminal matter  
677 of public record reported is complete and up-to-date as of the date the  
678 consumer report is issued, which procedures shall, at a minimum,  
679 conform to the requirements set forth in section 54-142e, as amended by  
680 this act.

681 (3) This subsection shall not apply in the case of an agency or  
682 department of the United States government seeking to obtain and use  
683 a consumer report for employment purposes if the head of the agency  
684 or department makes a written finding pursuant to 15 USC  
685 1681b(b)(4)(A).

686 (j) An employee or prospective employee may file a complaint with  
687 the Labor Commissioner alleging an employer's violation of subsection  
688 (a), (c), (g), (h) or (i) of this section. For any alleged violation by an  
689 employer of subsection (b), (d), (e) or (f) of this section, an employee or  
690 prospective employee may file a complaint with the Commission on  
691 Human Rights and Opportunities pursuant to section 46a-82 or may  
692 bring an action in the Superior Court against the employer for violating  
693 this section for declaratory or injunctive relief, damages or any other  
694 remedy available under law, at the sole election of the employee or  
695 prospective employee.

696 Sec. 19. (NEW) (*Effective October 1, 2021*) It shall be a discriminatory  
697 practice under subdivision (8) of section 46a-51 of the general statutes,  
698 as amended by this act: (1) For an employer or employer's agent,  
699 representative or designee to discriminate against that person in  
700 compensation or in terms, conditions or privileges of employment on  
701 the basis of that person's erased criminal history record information, (2)  
702 for any employment agency to fail or refuse to classify properly or refer  
703 for employment or otherwise to discriminate against any person on the  
704 basis of that person's erased criminal history record information, (3) for  
705 a labor organization, on the basis of the erased criminal history record  
706 information of any person, to exclude from full membership rights or to

707 expel from its membership that person or to discriminate in any way  
708 against any of its members or against any employer or any individual  
709 employed by an employer, or (4) for any person, employer, employment  
710 agency or labor organization, to advertise employment opportunities in  
711 such a manner as to restrict such employment so as to discriminate  
712 against persons on the basis of their erased criminal history record  
713 information.

714 Sec. 20. (NEW) (*Effective October 1, 2021*) (a) It shall be a  
715 discriminatory practice under subdivision (8) of section 46a-51 of the  
716 general statutes, as amended by this act, for any association, board or  
717 other organization the principal purpose of which is the furtherance of  
718 the professional or occupational interests of its members, whose  
719 profession, trade or occupation requires a state license, to refuse to  
720 accept a person as a member of such association, board or organization  
721 solely on the basis of that person's erased criminal history record  
722 information.

723 (b) Any association, board or other organization that violates the  
724 provisions of this section shall be fined not less than one hundred  
725 dollars or more than five hundred dollars.

726 Sec. 21. (NEW) (*Effective October 1, 2021*) State officials and  
727 supervisory personnel shall recruit, appoint, assign, train, evaluate and  
728 promote state personnel on the basis of merit and qualifications, without  
729 regard for erased criminal history record information.

730 Sec. 22. (NEW) (*Effective October 1, 2021*) No state department, board  
731 or agency may grant, deny or revoke the license or charter of any person  
732 on the basis of that person's erased criminal history record information.

733 Sec. 23. (NEW) (*Effective October 1, 2021*) All educational, counseling  
734 and vocational guidance programs and all apprenticeship and on-the-  
735 job training programs of state agencies, or in which state agencies  
736 participate, shall be open to all qualified persons, without regard to a  
737 person's erased criminal history record information.



738 Sec. 24. (NEW) (*Effective October 1, 2021*) Erased criminal history  
739 record information shall not be considered as a limiting factor in state-  
740 administered programs involving the distribution of funds to qualify  
741 applicants for benefits authorized by law.

742 Sec. 25. (NEW) (*Effective October 1, 2021*) All services of every state  
743 agency shall be performed without discrimination on the basis of erased  
744 criminal history record information.

745 Sec. 26. (NEW) (*Effective October 1, 2021*) It shall be a discriminatory  
746 practice under subdivision (8) of section 46a-51 of the general statutes,  
747 as amended by this act, to:

748 (1) Deny any person within the jurisdiction of this state full and equal  
749 accommodations in any place of public accommodation, resort or  
750 amusement on the basis of that person's erased criminal history record  
751 information, subject only to the conditions and limitations established  
752 by law and applicable alike to all persons; or

753 (2) Discriminate, segregate or separate on account of erased criminal  
754 history record information.

755 Sec. 27. (NEW) (*Effective October 1, 2021*) It shall be a discriminatory  
756 practice under subdivision (8) of section 46a-51 of the general statutes,  
757 as amended by this act, for the state system of higher education to deny  
758 a person the opportunity for higher education on the basis of erased  
759 criminal history record information.

760 Sec. 28. Subsection (b) of section 10a-6 of the general statutes is  
761 repealed and the following is substituted in lieu thereof (*Effective October*  
762 *1, 2021*):

763 (b) Within the limits of authorized expenditures, the policies of the  
764 state system of higher education shall be consistent with (1) the  
765 following goals: (A) To ensure that no qualified person be denied the  
766 opportunity for higher education on the basis of age, sex, gender  
767 identity or expression, ethnic background or social, physical or

768 economic condition, or erased criminal history record information, as  
769 defined in section 12 of this act, (B) to protect academic freedom, (C) to  
770 provide opportunities for education and training related to the  
771 economic, cultural and educational development of the state, (D) to  
772 assure the fullest possible use of available resources in public and  
773 private institutions of higher education, (E) to maintain standards of  
774 quality ensuring a position of national leadership for state institutions  
775 of higher education, (F) to apply the resources of higher education to the  
776 problems of society, and (G) to foster flexibility in the policies and  
777 institutions of higher education to enable the system to respond to  
778 changes in the economy, society, technology and student interests; and  
779 (2) the goals for higher education in the state identified in section 10a-  
780 11c. Said board shall review recent studies of the need for higher  
781 education services, with special attention to those completed pursuant  
782 to legislative action, and to meet such needs shall initiate additional  
783 programs or services through one or more of the constituent units.

784       Sec. 29. (NEW) (*Effective October 1, 2021*) It shall be a discriminatory  
785 practice under subdivision (8) of section 46a-51 of the general statutes,  
786 as amended by this act, for any creditor to discriminate on the basis of  
787 expunged criminal record history information, against any person  
788 eighteen years of age or over in any credit transaction.

789       Sec. 30. Section 38a-358 of the general statutes is repealed and the  
790 following is substituted in lieu thereof (*Effective October 1, 2021*):

791       The declination, cancellation or nonrenewal of a policy for private  
792 passenger nonfleet automobile insurance is prohibited if the declination,  
793 cancellation or nonrenewal is based: (1) On the race, religion, nationality  
794 or ethnicity of the applicant or named insured; (2) solely on the lawful  
795 occupation or profession of the applicant or named insured, except that  
796 this provision shall not apply to any insurer which limits its market to  
797 one lawful occupation or profession or to several related lawful  
798 occupations or professions; (3) on the principal location of the insured  
799 motor vehicle unless such decision is for a business purpose which is  
800 not a mere pretext for unfair discrimination; (4) solely on the age, sex,

801 gender identity or expression, [or] marital status or erased criminal  
802 history record information, as defined in section 12 of this act, of an  
803 applicant or an insured, except that this subdivision shall not apply to  
804 an insurer in an insurer group if one or more other insurers in the group  
805 would not decline an application for essentially similar coverage based  
806 upon such reasons; (5) on the fact that the applicant or named insured  
807 previously obtained insurance coverage through a residual market; (6)  
808 on the fact that another insurer previously declined to insure the  
809 applicant or terminated an existing policy in which the applicant was  
810 the named insured; (7) the first or second accident within the current  
811 experience period in relation to which the applicant or insured was not  
812 convicted of a moving traffic violation and was not at fault; or (8) solely  
813 on information contained in an insured's or applicant's credit history or  
814 credit rating or solely on an applicant's lack of credit history. For the  
815 purposes of subdivision (8) of this section, an insurer shall not be  
816 deemed to have declined, cancelled or nonrenewed a policy if coverage  
817 is available through an affiliated insurer.

818 Sec. 31. Section 38a-447 of the general statutes is repealed and the  
819 following is substituted in lieu thereof (*Effective October 1, 2021*):

820 No life insurance company doing business in this state may: (1) Make  
821 any distinction or discrimination between persons on the basis of race  
822 or erased criminal history record information, as defined in section 12  
823 of this act, as to the premiums or rates charged for policies upon the  
824 lives of such persons; (2) demand or require greater premiums from  
825 persons of one race than such as are at that time required by that  
826 company from persons of another race of the same age, sex, general  
827 condition of health and hope of longevity; (3) demand or require greater  
828 premiums from persons with erased criminal history record  
829 information than such as are at that time required by that company from  
830 persons without erased criminal history record information of the same  
831 age, sex, general conditions of health and hope of longevity; or [(3)] (4)  
832 make or require any rebate, diminution or discount on the basis of race  
833 or erased criminal history record information upon the sum to be paid  
834 on any policy in case of the death of any person insured, nor insert in

835 the policy any condition, nor make any stipulation whereby such person  
836 insured shall bind himself, his heirs, executors, administrators or  
837 assigns to accept any sum less than the full value or amount of such  
838 policy, in case of a claim accruing thereon by reason of the death of such  
839 person insured, other than such as are imposed upon all persons in  
840 similar cases; and each such stipulation or condition so made or inserted  
841 shall be void.

842 Sec. 32. Section 46a-74 of the general statutes is repealed and the  
843 following is substituted in lieu thereof (*Effective October 1, 2021*):

844 No state department, board or agency may permit any  
845 discriminatory practice in violation of section 46a-59, 46a-64, [or] 46a-  
846 64c or section 14, 15, 18, 19, 20, 27 or 29 of this act.

847 Sec. 33. Section 46a-79 of the general statutes is repealed and the  
848 following is substituted in lieu thereof (*Effective October 1, 2021*):

849 The General Assembly finds that the public is best protected when  
850 criminal offenders are rehabilitated and returned to society prepared to  
851 take their places as productive citizens and that the ability of returned  
852 offenders to find meaningful employment is directly related to their  
853 normal functioning in the community. It is therefore the policy of this  
854 state to encourage all employers to give favorable consideration to  
855 providing jobs to qualified individuals, including those who may have  
856 [criminal conviction records] conviction information, as defined in  
857 section 54-142g, as amended by this act. Nothing in this section shall be  
858 construed to permit any employer to refuse to hire or employ or to bar  
859 or to discharge from employment or to discriminate against an  
860 individual in compensation or in terms on the basis of that person's  
861 erased criminal history record information, as defined in section 12 of  
862 this act.

863 Sec. 34. Section 46a-80 of the general statutes is repealed and the  
864 following is substituted in lieu thereof (*Effective October 1, 2021*):

865 (a) Except as provided in subsection (c) of this section, subsection (b)

866 of section 46a-81, as amended by this act, and section 36a-489, and  
867 notwithstanding any other provisions of law to the contrary, a person  
868 shall not be disqualified from employment by the state or any of its  
869 agencies, nor shall a person be disqualified to practice, pursue or engage  
870 in any occupation, trade, vocation, profession or business for which a  
871 license, permit, certificate or registration is required to be issued by the  
872 state or any of its agencies solely [because of a prior conviction of a  
873 crime] on the basis of that person's conviction information, as defined in  
874 section 54-142g, as amended by this act.

875 (b) Except for a position for which any provision of the general  
876 statutes specifically disqualifies a person from employment by the state  
877 or any of its agencies [because of a prior conviction of a crime] on the  
878 basis of that person's conviction information, no employer, as defined in  
879 section [5-270] 12 of this act, shall inquire about a prospective  
880 employee's [past convictions] conviction information until such  
881 prospective employee has been deemed otherwise qualified for the  
882 position in accordance with the provisions of section 31-51i, as amended  
883 by this act.

884 (c) A person may be denied employment by the state or any of its  
885 agencies, or a person may be denied a license, permit, certificate or  
886 registration to pursue, practice or engage in an occupation, trade,  
887 vocation, profession or business [by reason of the prior conviction of a  
888 crime] on the basis of that person's conviction information if, after  
889 considering (1) the nature of the crime and its relationship to the job for  
890 which the person has applied; (2) information pertaining to the degree  
891 of rehabilitation of the convicted person; and (3) the time elapsed since  
892 the conviction or release, the state or any of its agencies determines that  
893 the applicant is not suitable for the position of employment sought or  
894 the specific occupation, trade, vocation, profession or business for which  
895 the license, permit, certificate or registration is sought. In making a  
896 determination under this subsection, the state or any of its agencies shall  
897 give consideration to a provisional pardon issued pursuant to section  
898 54-130e, or a certificate of rehabilitation issued pursuant to section 54-  
899 108f or 54-130e, and such provisional pardon or certificate of

900 rehabilitation shall establish a presumption that such applicant has been  
901 rehabilitated. If an application is denied based on [a] conviction  
902 information for which the applicant has received a provisional pardon  
903 or certificate of rehabilitation, the state or any of its agencies, as the case  
904 may be, shall provide a written statement to the applicant of its reasons  
905 for such denial.

906 (d) If [a conviction of a crime] conviction information is used as a  
907 basis for rejection of an applicant, such rejection shall be in writing and  
908 specifically state the evidence presented and reasons for rejection. A  
909 copy of such rejection shall be sent by registered mail to the applicant.

910 (e) In no case may [records of arrest, which are not followed by a  
911 conviction, or records of convictions, which have been erased] erased  
912 criminal history record information, as defined in section 12 of this act,  
913 nonconviction information, as defined in section 54-142g, as amended  
914 by this act, or criminal history record information, as defined in section  
915 54-142g, as amended by this act, apart from conviction information, be  
916 used, distributed or disseminated by the state or any of its agencies in  
917 connection with an application for employment or for a permit, license,  
918 certificate or registration.

919 (f) Nothing in this section shall permit any employer to discriminate  
920 on the basis of erased criminal history record information in violation of  
921 section 31-51i, as amended by this act, or section 20 of this act.

922 Sec. 35. Subsection (a) of section 46a-81 of the general statutes is  
923 repealed and the following is substituted in lieu thereof (*Effective October*  
924 *1, 2021*):

925 (a) Except as provided in section 36a-489, the provisions of sections  
926 46a-79 to 46a-81, inclusive, as amended by this act, shall prevail over any  
927 other provisions of law which purport to govern the denial of licenses,  
928 permits, certificates, registrations, or other means to engage in an  
929 occupation, trade, vocation, business or profession, on the grounds of a  
930 lack of good moral character, or which purport to govern the suspension  
931 or revocation of a license, permit, certificate or registration on the

932 grounds of conviction [of a crime] information, as defined in section 54-  
933 142g, as amended by this act.

934 Sec. 36. Subsection (b) of section 54-142g of the general statutes is  
935 repealed and the following is substituted in lieu thereof (*Effective October*  
936 *1, 2021*):

937 (b) "Criminal justice agency" means any court with criminal  
938 jurisdiction, the Department of Motor Vehicles or any other  
939 governmental agency created by statute which is authorized by law and  
940 engages, in fact, as its principal function in activities constituting the  
941 administration of criminal justice, including, but not limited to,  
942 organized municipal police departments, the Division of Criminal  
943 Justice, the Department of Emergency Services and Public Protection,  
944 including the Division of State Police, the Department of Correction, the  
945 Court Support Services Division, the Office of Policy and Management,  
946 the state's attorneys, assistant state's attorneys and deputy assistant  
947 state's attorneys, the Board of Pardons and Paroles, the Chief Medical  
948 Examiner and the Office of the Victim Advocate. "Criminal justice  
949 agency" includes any component of a public, noncriminal justice agency  
950 if such component is created by statute and is authorized by law and, in  
951 fact, engages in activities constituting the administration of criminal  
952 justice as its principal function.

953 Sec. 37. Section 52-180b of the general statutes is repealed and the  
954 following is substituted in lieu thereof (*Effective October 1, 2021*):

955 There shall be a rebuttable presumption against admission of  
956 evidence of the prior criminal conviction of an applicant or employee in  
957 an action alleging that an employer has been negligent in hiring an  
958 applicant or retaining an employee, or in supervising the employer's  
959 agent, representative or designee with respect to hiring an applicant or  
960 retaining an employee, if the applicant or employee held a valid  
961 provisional pardon or certificate of rehabilitation at the time such  
962 alleged negligence occurred and a party establishes, by a preponderance  
963 of the evidence, that the employer knew that the applicant or employee

964 held a valid provisional pardon or certificate of rehabilitation at the time  
 965 such alleged negligence occurred. For the purposes of this section,  
 966 "employer" has the same meaning as provided in section [31-51i] 12 of  
 967 this act.

968       Sec. 38. (NEW) (*Effective October 1, 2021*) (a) Notwithstanding any  
 969 provision of the general statutes, any offense which constitutes a breach  
 970 of any law of this state for which a person may be sentenced to a term  
 971 of imprisonment of up to but not exceeding one year shall be punishable  
 972 by imprisonment for a period not to exceed three hundred sixty-four  
 973 days. A misdemeanor conviction for which a person was sentenced to a  
 974 term of imprisonment of one year shall continue to be deemed a  
 975 misdemeanor conviction after the maximum term of imprisonment is  
 976 reduced pursuant to this section.

977       (b) The provisions of this section apply to any term of imprisonment  
 978 for which a person was sentenced to before, on or after October 1, 2021.

979       (c) Any person sentenced to a term of imprisonment of one year, prior  
 980 to October 1, 2021, for any offense previously punishable by a term of  
 981 imprisonment of up to but not exceeding one year, may apply to the  
 982 court that entered the judgment of conviction to have the term of  
 983 sentence modified to the maximum term of imprisonment for a period  
 984 not to exceed three hundred sixty-four days. Any such application may  
 985 be filed at any time and the court shall issue such modification  
 986 regardless of the date of conviction, provided the record of such  
 987 sentence has not been destroyed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	54-124a(l)
Sec. 2	<i>October 1, 2021</i>	54-130a
Sec. 3	<i>October 1, 2021</i>	54-142a
Sec. 4	<i>October 1, 2021</i>	54-142d
Sec. 5	<i>January 1, 2023</i>	New section
Sec. 6	<i>October 1, 2021</i>	54-142e
Sec. 7	<i>July 1, 2021</i>	29-11(c)



Sec. 8	<i>from passage</i>	18-82
Sec. 9	<i>July 1, 2021</i>	New section
Sec. 10	<i>October 1, 2021</i>	54-142e(a)
Sec. 11	<i>October 1, 2021</i>	54-142k(d)
Sec. 12	<i>October 1, 2021</i>	New section
Sec. 13	<i>October 1, 2021</i>	46a-51(7) and (8)
Sec. 14	<i>October 1, 2021</i>	New section
Sec. 15	<i>October 1, 2021</i>	New section
Sec. 16	<i>October 1, 2021</i>	8-265c
Sec. 17	<i>October 1, 2021</i>	8-315
Sec. 18	<i>October 1, 2021</i>	31-51i
Sec. 19	<i>October 1, 2021</i>	New section
Sec. 20	<i>October 1, 2021</i>	New section
Sec. 21	<i>October 1, 2021</i>	New section
Sec. 22	<i>October 1, 2021</i>	New section
Sec. 23	<i>October 1, 2021</i>	New section
Sec. 24	<i>October 1, 2021</i>	New section
Sec. 25	<i>October 1, 2021</i>	New section
Sec. 26	<i>October 1, 2021</i>	New section
Sec. 27	<i>October 1, 2021</i>	New section
Sec. 28	<i>October 1, 2021</i>	10a-6(b)
Sec. 29	<i>October 1, 2021</i>	New section
Sec. 30	<i>October 1, 2021</i>	38a-358
Sec. 31	<i>October 1, 2021</i>	38a-447
Sec. 32	<i>October 1, 2021</i>	46a-74
Sec. 33	<i>October 1, 2021</i>	46a-79
Sec. 34	<i>October 1, 2021</i>	46a-80
Sec. 35	<i>October 1, 2021</i>	46a-81(a)
Sec. 36	<i>October 1, 2021</i>	54-142g(b)
Sec. 37	<i>October 1, 2021</i>	52-180b
Sec. 38	<i>October 1, 2021</i>	New section

**Statement of Purpose:**

To (1) require certain training to members of the Board of Pardons and Paroles and to require the board to provide a written explanation when denying a pardon, to streamline record erasure in the case of misdemeanors and certain felonies, (2) waive certain fees for applicants for a pardon, (3) allow for appointment of a deputy warden to serve as director of reentry services, (4) establish a reentry employment advisory committee, (5) prohibit discrimination against a person based on such person's erased criminal history record information, and (6) enact the

Connecticut Sentencing Commission's recommendations with respect to misdemeanor offenses.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*