



Substitute House Bill No. 5248

Public Act No. 22-88

**AN ACT CONCERNING COLLATERAL CONSEQUENCES OF
CRIMINAL CONVICTIONS ON OCCUPATIONAL LICENSING.**

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

Section 1. Subsection (a) of section 19a-14 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The Department of Public Health shall have the following powers and duties with regard to the boards and commissions listed in subsection (b) of this section which are within the Department of Public Health. The department shall:

(1) Control the allocation, disbursement and budgeting of funds appropriated to the department for the operation of the boards and commissions;

(2) Employ and assign such personnel as the commissioner deems necessary for the performance of the functions of the boards and commissions;

(3) Perform all management functions including purchasing, bookkeeping, accounting, payroll, secretarial, clerical and routine housekeeping functions;

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(4) Adopt, with the advice and assistance of the appropriate board or commission, and in accordance with chapter 54, any regulations which are consistent with protecting the public health and safety and which are necessary to implement the purposes of this chapter and chapters 368v, 369 to 375, inclusive, 378 to 381, inclusive, 383 to 388, inclusive, 398 and 399;

(5) Develop and perform all administrative functions necessary to process applications for licenses and certificates;

(6) Determine the eligibility of all applicants for permits, licensure, certification or registration, based upon compliance with the general statutes and administrative regulations. The department may deny the eligibility of an applicant for a permit or for licensure by examination, endorsement, reciprocity or for reinstatement of a license voided pursuant to subsection (f) of section 19a-88, voluntarily surrendered or, by agreement, not renewed or reinstated pursuant to subsection (d) of section 19a-17, or may issue a license pursuant to a consent order containing conditions that must be met by the applicant if the department determines that the applicant:

(A) Has failed to comply with the general statutes and administrative regulations governing the applicant's profession;

(B) [Except] Has been found guilty or convicted as a result of an act which constitutes a felony under (i) the laws of this state, (ii) federal law, or (iii) the laws of another jurisdiction and which, if committed within this state, would have constituted a felony under the laws of this state, except any applicant for licensure as a barber under chapter 386, [or] a hairdresser and cosmetician under chapter 387 [, has been found guilty or convicted as a result of an act which constitutes a felony under (i) the laws of this state, (ii) federal law or (iii) the laws of another jurisdiction and which, if committed within this state, would have constituted a felony under the laws of this state] or an embalmer and funeral director

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under chapter 385;

(C) Is subject to a pending disciplinary action or unresolved complaint before the duly authorized professional disciplinary agency of any state, the District of Columbia, a United States possession or territory, or a foreign jurisdiction;

(D) Has been subject to disciplinary action similar to an action specified in subsection (a) of section 19a-17, as amended by this act, by a duly authorized professional disciplinary agency of any state, the District of Columbia, a United States possession or territory, or a foreign jurisdiction;

(E) Has committed an act which, if the applicant were licensed, would not conform to the accepted standards of practice of the profession, including, but not limited to, incompetence, negligence, fraud or deceit; illegal conduct; procuring or attempting to procure a license, certificate or registration by fraud or deceit; or engaging in, aiding or abetting unlicensed practice of a regulated profession, provided the commissioner, or the commissioner's designee, gives notice and holds a hearing, in accordance with the provisions of chapter 54, prior to denying an application for a permit or a license based on this subparagraph; or

(F) Has a condition which would interfere with the practice of the applicant's profession, including, but not limited to, physical illness or loss of skill or deterioration due to the aging process, emotional disorder or mental illness, abuse or excessive use of drugs or alcohol, provided the commissioner, or the commissioner's designee, gives notice and holds a hearing in accordance with the provisions of chapter 54, prior to denying an application for a permit or a license based on this subparagraph;

(7) Administer licensing examinations under the supervision of the

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appropriate board or commission;

(8) Develop and perform all administrative functions necessary to process complaints against persons licensed by the department;

(9) Consent to the approval or disapproval by the appropriate boards or commissions of schools at which educational requirements shall be met;

(10) Conduct any necessary review, inspection or investigation regarding qualifications of applicants for licenses or certificates, possible violations of statutes or regulations, and disciplinary matters. In connection with any investigation, the Commissioner of Public Health or the commissioner's authorized agent may administer oaths, issue subpoenas, compel testimony and order the production of books, records and documents. If any person refuses to appear, to testify or to produce any book, record or document when so ordered, a judge of the Superior Court may make such order as may be appropriate to aid in the enforcement of this section;

(11) Conduct any necessary investigation and follow-up in connection with complaints regarding persons subject to regulation or licensing by the department. In connection with any such investigation, the department may restrict, suspend or otherwise limit the license or permit of any person subject to regulation or licensing by the department pursuant to an interim consent order entered during the pendency of such investigation;

(12) With respect to any complaint filed with the department on or after October 1, 2010, alleging incompetence, negligence, fraud or deceit by a person subject to regulation or licensing by any board or commission described in subdivision (1) to (8), inclusive, (12) to (14), inclusive, or subdivision (16) of subsection (b) of this section:

(A) Upon request of the person who filed the complaint, provide such

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person with information on the status of the complaint;

(B) Upon request of the person who filed the complaint, provide such person with an opportunity to review, at the department, records compiled as of the date of the request pursuant to any investigation of the complaint, including, but not limited to, the respondent's written response to the complaint, except that such person shall not be entitled to copy such records and the department (i) shall not disclose (I) information concerning a health care professional's referral to, participation in or completion of an assistance program in accordance with sections 19a-12a and 19a-12b, that is confidential pursuant to section 19a-12a, (II) information not related to such person's specific complaint, including, but not limited to, information concerning patients other than such person, or (III) personnel or medical records and similar files the disclosure of which would constitute an invasion of personal privacy pursuant to section 1-210, except for such records or similar files solely related to such person; (ii) shall not be required to disclose any other information that is otherwise confidential pursuant to federal law or state statute, except for information solely related to such person; and (iii) may require up to ten business days written notice prior to providing such opportunity for review;

(C) Prior to resolving the complaint with a consent order, provide the person who filed the complaint with not less than ten business days to submit a written statement as to whether such person objects to resolving the complaint with a consent order;

(D) If a hearing is held with respect to such complaint after a finding of probable cause, provide the person who filed the complaint with a copy of the notice of hearing issued pursuant to section 4-177, which shall include information concerning the opportunity to present oral or written statements pursuant to subsection (b) of section 4-177c; and

(E) Notify the person who filed the complaint of the final disposition

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of such complaint not later than seven business days after such final disposition;

(13) Perform any other function necessary to the effective operation of a board or commission and not specifically vested by statute in the board or commission;

(14) Contract with a third party, if the commissioner deems necessary, to administer licensing examinations and perform all attendant administrative functions in connection with such examination; and

(15) With respect to any investigation of a person subject to regulation, licensing or certification by the department and in any disciplinary proceeding regarding such person, except as required by federal law:

(A) Not be denied access to or use of copies of patient medical records on the grounds that privilege or confidentiality applies to such records; and

(B) Not further disclose patient medical records received pursuant to the provisions of this subdivision or personnel records received during the course of the investigation. Patient records received pursuant to this subdivision or personnel records received during the course of the investigation shall not be subject to disclosure under section 1-210.

Sec. 2. Subsection (a) of section 19a-17 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) Each board or commission established under chapters 369 to 376, inclusive, 378 to 381, inclusive, and 383 to 388, inclusive, and the Department of Public Health with respect to professions under its jurisdiction that have no board or commission may take any of the

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following actions, singly or in combination, based on conduct that occurred prior or subsequent to the issuance of a permit or a license upon finding the existence of good cause:

- (1) Revoke a practitioner's license or permit;
- (2) Suspend a practitioner's license or permit;
- (3) Censure a practitioner or permittee;
- (4) Issue a letter of reprimand to a practitioner or permittee;
- (5) Restrict or otherwise limit practice to those areas prescribed by the board, commission or department;
- (6) Place a practitioner or permittee on probationary status and require the practitioner or permittee to:
 - (A) Report regularly to such board, commission or department upon the matters which are the basis of probation;
 - (B) Limit practice to those areas prescribed by such board, commission or department; and
 - (C) Continue or renew professional education until a satisfactory degree of skill has been attained in those areas which are the basis for the probation;
- (7) Assess a civil penalty of up to twenty-five thousand dollars;
- (8) In those cases involving persons or entities licensed or certified pursuant to sections 20-341d, 20-435, 20-436, 20-437, 20-438, 20-475, as amended by this act, and 20-476, require that restitution be made to an injured property owner; or
- (9) Summarily take any action specified in this subsection against a practitioner's license or permit upon receipt of proof that such

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practitioner has been:

(A) Found guilty or convicted as a result of an act which constitutes a felony under (i) the laws of this state, (ii) federal law, or (iii) the laws of another jurisdiction and which, if committed within this state, would have constituted a felony under the laws of this state, except for a practitioner who is a social worker under chapter 383b, an art therapist under chapter 383g, a dietitian-nutritionist under chapter 384b, an embalmer or funeral director under chapter 385, a barber under chapter 386, a hairdresser, cosmetician, esthetician, eyelash technician or nail technician under chapter 387; or

(B) Subject to disciplinary action similar to that specified in this subsection by a duly authorized professional agency of any state, the federal government, the District of Columbia, a United States possession or territory or a foreign jurisdiction. The applicable board or commission, or the department shall promptly notify the practitioner or permittee that his license or permit has been summarily acted upon pursuant to this subsection and shall institute formal proceedings for revocation within ninety days after such notification.

Sec. 3. Section 20-195o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) Application for licensure shall be on forms prescribed and furnished by the commissioner. Each applicant shall furnish evidence satisfactory to the commissioner that he or she has met the requirements of section 20-195n. The application fee for a clinical social worker license shall be three hundred fifteen dollars. The application fee for a master social worker license shall be two hundred twenty dollars.

(b) Notwithstanding the provisions of section 20-195n concerning examinations, on or before October 1, 2015, the commissioner may issue a license without examination, to any master social worker applicant

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who demonstrates to the satisfaction of the commissioner that, on or before October 1, 2013, he or she held a master's degree from a social work program accredited by the Council on Social Work Education or, if educated outside the United States or its territories, completed an educational program deemed equivalent by the council.

(c) Each person licensed pursuant to this chapter may apply for renewal of such licensure in accordance with the provisions of subsection (e) of section 19a-88. A fee of one hundred ninety-five dollars shall accompany each renewal application for a licensed master social worker or a licensed clinical social worker. Each such applicant shall furnish evidence satisfactory to the commissioner of having satisfied the continuing education requirements prescribed in section 20-195u.

(d) (1) An individual who has been convicted of any criminal offense may request, in writing, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a license issued or conferred by the commissioner pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information provided,

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such individual is disqualified from receiving or holding a license issued or conferred pursuant to this chapter.

(4) The commissioner is not bound by a determination made under this subsection, if, upon further investigation, the commissioner determines that an individual's criminal conviction differs from the information presented in the determination request.

Sec. 4. Section 20-195p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

The commissioner may deny an application of an individual or take any action set forth in section 19a-17, as amended by this act, if the license holder fails to conform to the accepted standards of the social work profession, including, but not limited to, the following: Conviction of a felony, provided any action taken is based upon (1) the nature of the conviction and its relationship to the license holder's ability to safely or competently perform the duties or responsibilities associated with such license, (2) information pertaining to the degree of rehabilitation of the license holder, and (3) the time elapsed since the conviction or release; fraud or deceit in obtaining or seeking reinstatement of a license to practice clinical social work; fraud or deceit in the practice of social work; negligent, incompetent or wrongful conduct in professional activities; emotional disorder or mental illness; physical illness, including, but not limited to, deterioration through the aging process; abuse or excessive use of drugs, including alcohol, narcotics or chemicals; wilful falsification of entries in any hospital, patient or other record pertaining to social work; violation of any provision of this chapter or any regulation adopted hereunder. The Commissioner of Public Health may order a license holder to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is the subject of an investigation. Said commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to said section 19a-17, as

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amended by this act. Notice of any contemplated action under said section 19a-17, as amended by this act, of the cause therefor and the date of hearing thereon, shall be given and an opportunity for hearing afforded as provided in the regulations adopted by the commissioner.

Sec. 5. Section 20-195cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The Commissioner of Public Health shall grant a license (1) as a professional counselor to any applicant who furnishes evidence satisfactory to the commissioner that such applicant has met the requirements of section 20-195dd, and (2) as a professional counselor associate to any applicant who furnishes evidence satisfactory to the commissioner that such applicant has met the requirements of section 20-195dd. The commissioner shall develop and provide application forms. The application fee for a professional counselor shall be three hundred fifteen dollars. The application fee for a professional counselor associate shall be two hundred twenty dollars.

(b) Licenses issued to professional counselors and professional counselor associates under this section may be renewed annually pursuant to section 19a-88. The fee for such renewal shall be one hundred ninety-five dollars. Each licensed professional counselor and professional counselor associate applying for license renewal shall furnish evidence satisfactory to the commissioner of having participated in continuing education programs. The commissioner shall adopt regulations, in accordance with chapter 54, to (1) define basic requirements for continuing education programs that shall include (A) not less than one contact hour of training or education each registration period on the topic of cultural competency, (B) on and after January 1, 2016, not less than two contact hours of training or education during the first renewal period in which continuing education is required and not less than once every six years thereafter on the topic of mental health conditions common to veterans and family members of veterans,

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including (i) determining whether a patient is a veteran or family member of a veteran, (ii) screening for conditions such as post-traumatic stress disorder, risk of suicide, depression and grief, and (iii) suicide prevention training, and (C) on and after January 1, 2018, not less than three contact hours of training or education each registration period on the topic of professional ethics, (2) delineate qualifying programs, (3) establish a system of control and reporting, and (4) provide for a waiver of the continuing education requirement for good cause.

(c) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a license issued or conferred by the commissioner pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license issued or conferred pursuant to this chapter.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information

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presented in the determination request.

Sec. 6. Section 20-195ee of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

The Commissioner of Public Health may deny an application of an individual or take any disciplinary action set forth in section 19a-17, as amended by this act, against a professional counselor or professional counselor associate for any of the following reasons: (1) Failure to conform to the accepted standards of the profession; (2) conviction of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the license holder's ability to safely or competently practice professional counseling, (B) information pertaining to the degree of rehabilitation of the license holder, and (C) the time elapsed since the conviction or release; (3) fraud or deceit in obtaining or seeking reinstatement of a license to practice professional counseling; (4) fraud or deceit in the practice of professional counseling; (5) negligent, incompetent or wrongful conduct in professional activities; (6) physical, mental or emotional illness or disorder resulting in an inability to conform to the accepted standards of the profession; (7) alcohol or substance abuse; (8) wilful falsification of entries in any hospital, patient or other record pertaining to professional counseling; or (9) violation of any provision of sections 20-195aa to 20-195dd, inclusive, or any regulation adopted pursuant to section 20-195ff. The commissioner may order a license holder to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to said section 19a-17, as amended by this act. The commissioner shall give notice and an opportunity to be heard on any contemplated action under said section 19a-17, as amended by this act.

Sec. 7. Section 20-195ooo of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) On and after October 1, 2019, the Commissioner of Public Health shall grant a license as an art therapist to any applicant who, except as provided in subsections (b) and (c) of this section, furnishes evidence satisfactory to the commissioner that such applicant (1) has earned a graduate degree in art therapy or a related field from an accredited institution of higher education, and (2) holds a current credential or certification as an art therapist from the Art Therapy Credentials Board, or any successor of said board. The commissioner shall develop and provide application forms. The application fee shall be three hundred fifteen dollars.

(b) An applicant for licensure by endorsement shall present evidence satisfactory to the commissioner that the applicant is licensed or certified as an art therapist, or as a person entitled to perform similar services under a different designation, in another state or jurisdiction that has requirements for practicing in such capacity that are substantially similar to, or higher than, those of this state and that there are no disciplinary actions or unresolved complaints pending in this state or any other state.

(c) Licenses issued under this section shall be renewed annually pursuant to section 19a-88. The fee for such renewal shall be one hundred ninety dollars. Each licensed art therapist applying for license renewal shall furnish evidence satisfactory to the commissioner of having a current credential or certification with the Art Therapy Credentials Board, or any successor of said board, and having obtained continuing education units for such credential or certification as required by said board.

(d) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from

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obtaining a license issued or conferred by the commissioner pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual. An individual making such request shall include (i) details of the individual's criminal conviction, and (ii) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(2) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license issued pursuant to this chapter.

(3) The commissioner is not bound by a determination made under this subsection, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 8. Section 20-195qqq of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

The Commissioner of Public Health may deny an application of an individual or take any disciplinary action set forth in section 19a-17, as amended by this act, against an art therapist for any of the following reasons: (1) Failure to conform to the accepted standards of the profession; (2) conviction of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the license holder's ability to safely or competently practice as an art therapist, (B) information pertaining to the degree of rehabilitation of the license

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holder, and (C) the time elapsed since the conviction or release; (3) fraud or deceit in obtaining or seeking reinstatement of a license to practice art therapy; (4) fraud or deceit in the practice of art therapy; (5) negligent, incompetent or wrongful conduct in professional activities; (6) physical, mental or emotional illness or disorder resulting in an inability to conform to the accepted standards of the profession; (7) alcohol or substance abuse; or (8) wilful falsification of entries in any hospital, patient or other record pertaining to art therapy. The commissioner may order a license holder to submit to a reasonable physical or mental examination if his or her physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17, as amended by this act. The commissioner shall give notice and an opportunity to be heard on any contemplated action under section 19a-17, as amended by this act.

Sec. 9. Section 20-206n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The department may, upon receipt of an application and fee of one hundred ninety dollars, issue a certificate as a dietitian-nutritionist to any applicant who has presented to the commissioner satisfactory evidence that (1) such applicant is certified as a registered dietitian by the Commission on Dietetic Registration, or (2) such applicant has (A) successfully passed a written examination prescribed by the commissioner, and (B) received a master's degree or doctoral degree, from an institution of higher education accredited to grant such degree by a regional accrediting agency recognized by the United States Department of Education, with a major course of study which focused primarily on human nutrition or dietetics and which included a minimum of thirty graduate semester credits, twenty-one of which shall be in not fewer than five of the following content areas: (i) Human nutrition or nutrition in the life cycle, (ii) nutrition biochemistry, (iii)

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nutrition assessment, (iv) food composition or food science, (v) health education or nutrition counseling, (vi) nutrition in health and disease, and (vii) community nutrition or public health nutrition.

(b) No certificate shall be issued under this section to any applicant against whom a professional disciplinary action is pending or who is the subject of an unresolved professional complaint.

(c) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a certificate issued or conferred by the commissioner pursuant this section based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the department. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a certificate issued pursuant to this section.

(4) The department is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

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Sec. 10. Section 20-206s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

The department may deny an application of an individual or take any action set forth in section 19a-17, as amended by this act, if the certificate holder fails to conform to the accepted standards of the dietitian-nutritionist profession, including, but not limited to, the following: Conviction of a felony, provided any action taken is based upon (1) the nature of the conviction and its relationship to the certificate holder's ability to safely or competently perform the duties or responsibilities associated with such certificate, (2) information pertaining to the degree of rehabilitation of the certificate holder, and (3) the time elapsed since the conviction or release; fraud or deceit in professional practice; illegal conduct; negligent, incompetent or wrongful conduct in professional activities; emotional disorder or mental illness; physical illness including, but not limited to, deterioration through the aging process; abuse or excessive use of drugs, including alcohol, narcotics or chemicals; wilful falsification of entries in any client or patient record; misrepresentation or concealment of a material fact in the obtaining or reinstatement of a dietitian-nutritionist certificate; or violation of any provision of sections 20-206m to 20-206t, inclusive.

Sec. 11. Subsection (i) of section 20-265b of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(i) The Commissioner of Public Health may deny an application of an individual or take any disciplinary action set forth in section 19a-17, as amended by this act, against an esthetician for failure to conform to the accepted standards of the profession, including, but not limited to: (1) Conviction of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the license holder's ability to safely or competently practice as an esthetician, (B) information pertaining to the degree of rehabilitation of the license holder, and (C)

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the time elapsed since the conviction or release; (2) fraud or deceit in obtaining or seeking reinstatement of a license to practice as an esthetician; (3) fraud or deceit in the practice of an esthetician; (4) negligent, incompetent or wrongful conduct in professional activities; (5) physical, mental or emotional illness or disorder resulting in an inability to conform to the accepted standards of the profession; or (6) abuse or excessive use of drugs, including, alcohol, narcotics or chemicals. The commissioner may order a license holder to submit to a reasonable physical or mental examination if his or her physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17, as amended by this act. The commissioner shall give notice and an opportunity to be heard on any contemplated action under section 19a-17, as amended by this act.

Sec. 12. Section 20-265b of the general statutes is amended by adding subsection (k) as follows (*Effective October 1, 2022*):

(NEW) (k) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a certificate issued or conferred by the commissioner pursuant to this section based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The

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commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a certificate issued pursuant to this section.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 13. Subsection (i) of section 20-265c of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(i) The Commissioner of Public Health may deny an application of an individual or take any disciplinary action set forth in section 19a-17, as amended by this act, against an eyelash technician for failure to conform to the accepted standards of the profession, including, but not limited to: (1) Conviction of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the license holder's ability to safely or competently practice as an eyelash technician, (B) information pertaining to the degree of rehabilitation of the license holder, and (C) the time elapsed since the conviction or release; (2) fraud or deceit in obtaining or seeking reinstatement of a license to practice as an eyelash technician; (3) fraud or deceit in the practice of an eyelash technician; (4) negligent, incompetent or wrongful conduct in professional activities; (5) physical, mental or emotional illness or disorder resulting in an inability to conform to the accepted standards of the profession; or (6) abuse or excessive use of drugs, including, alcohol, narcotics or chemicals. The commissioner may order a license holder to submit to a reasonable physical or mental

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examination if his or her physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17, as amended by this act. The commissioner shall give notice and an opportunity to be heard on any contemplated action under section 19a-17, as amended by this act.

Sec. 14. Section 20-265c of the general statutes is amended by adding subsection (k) as follows (*Effective October 1, 2022*):

(NEW) (k) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a certificate issued or conferred by the commissioner pursuant to this section based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a certificate issued pursuant to this section.

(4) The commissioner is not bound by a determination made under

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this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 15. Subsection (i) of section 20-265d of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(i) The Commissioner of Public Health may deny an application of an individual or take any disciplinary action set forth in section 19a-17, as amended by this act, against a nail technician for failure to conform to the accepted standards of the profession, including, but not limited to: (1) Conviction of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the license holder's ability to safely or competently practice as an nail technician, (B) information pertaining to the degree of rehabilitation of the license holder, and (C) the time elapsed since the conviction or release; (2) fraud or deceit in obtaining or seeking reinstatement of a license to practice as a nail technician; (3) fraud or deceit in the practice of a nail technician; (4) negligent, incompetent or wrongful conduct in professional activities; (5) physical, mental or emotional illness or disorder resulting in an inability to conform to the accepted standards of the profession; or (6) abuse or excessive use of drugs, including, alcohol, narcotics or chemicals. The commissioner may order a license holder to submit to a reasonable physical or mental examination if his or her physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17, as amended by this act. The commissioner shall give notice and an opportunity to be heard on any contemplated action under section 19a-17, as amended by this act.

Sec. 16. Section 20-265d of the general statutes is amended by adding subsection (k) as follows (*Effective October 1, 2022*):

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(NEW) (k) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a license issued or conferred by the commissioner pursuant to this section based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license issued pursuant to this section.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the department determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 17. Section 20-280e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The State Board of Accountancy shall issue a Connecticut Certified Public Accountant's Certificate to any person who has been granted the designation "certified public accountant" and who submits an

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application and pays the applicable fee for an initial certified public accountant certificate. No person issued an initial certificate, pursuant to this section, shall engage in the practice of public accountancy or use the title or designation "certified public accountant", or the abbreviations "CPA", or any other title, designation, words, letters, abbreviation, sign, card or device tending to indicate that such person is a certified public accountant, except as permitted in accordance with sections 20-280 and 20-281g.

(b) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the board determine whether such individual's criminal conviction disqualifies the individual from obtaining a certificate or license issued or conferred by the board pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the board. The board may charge a fee of not more than fifteen dollars for each request made under this subsection. The board may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the board shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license issued pursuant to this chapter.

(4) The board is not bound by a determination made under this section, if, upon further investigation, the board determines that the individual's criminal conviction differs from the information presented

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in the determination request.

Sec. 18. Section 20-281a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) After notice and hearing pursuant to section 20-280c, the board may revoke any certificate, license or permit issued under section 20-281c, 20-281d or 20-281e or the practice privilege of an individual who qualifies under section 20-281n; suspend any such certificate, registration, license, practice privilege or permit or refuse to renew any such certificate, license or permit; reprimand, censure, or limit the scope of practice of any licensee or individual that qualifies for the practice privilege; impose a civil penalty not exceeding fifty thousand dollars upon licensees, individuals who qualify for the practice privilege or others violating provisions of section 20-281g; [or] place any licensee or individual that qualifies for the practice privilege on probation, all with or without terms, conditions and limitations; or deny an application of an individual, for any one or more of the following reasons:

(1) Fraud or deceit in obtaining a certificate, registration, license, practice privilege or permit;

(2) Cancellation, revocation, suspension or refusal to renew authority to engage in the practice of public accountancy in any other state for any cause;

(3) Failure, on the part of a holder of a license or permit under section 20-281d or 20-281e, to maintain compliance with the requirements for issuance or renewal of such license or permit or to report changes to the board under subsection (h) of section 20-281d or subsection (f) of section 20-281e;

(4) Revocation, limitation or suspension of the right to practice before any state or federal agency or the Public Company Accounting Oversight Board under the Sarbanes-Oxley Act of 2002, or any of the

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following actions taken by any such state or federal agency or said board against a licensee or individual who qualifies for the practice privilege: (A) Suspension of or barring a licensee from serving as a corporate officer or director, (B) requiring such individual or licensee to disgorge funds, or (C) suspension or barring such individual or a licensee from association with a public accounting firm;

(5) Dishonesty, fraud or negligence in the practice of public accountancy or in the filing or failure to file his own income tax returns;

(6) Violation of any provision of sections 20-279b to 20-281m, inclusive, or regulation adopted by the board under said sections;

(7) Violation of any rule of professional conduct adopted by the board under subdivision (4) of subsection (g) of section 20-280;

(8) (A) Conviction of a felony, provided any action taken is based upon (i) the nature of the conviction and its relationship to the certificate or license holder's ability to safely or competently engage in the practice of public accountancy, (ii) information pertaining to the degree of rehabilitation of the certificate or license holder, and (iii) the time elapsed since the conviction or release, or (B) of any crime an element of which is dishonesty or fraud, under the laws of the United States, of this state, or of any other state if the acts involved would have constituted a crime under the laws of this state, subject to the provisions of section 46a-80;

(9) Performance of any fraudulent act while holding a registration, certificate, license, practice privilege or permit issued under sections 20-279b to 20-281m, inclusive, or prior law;

(10) Any conduct reflecting adversely upon the licensee's fitness to engage in the practice of public accountancy; and

(11) Violation by anyone of any provision of section 20-281g.

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(b) In lieu of or in addition to any remedy specifically provided in subsection (a) of this section, the board may require a licensee or individual who qualifies for a practice privilege to: (1) Submit to a quality review conducted in such fashion as the board may specify; or (2) complete such continuing professional education programs as the board may specify, or both.

(c) In any proceeding in which a remedy provided by subsection (a) or (b) of this section is imposed, the board may also require the respondent to pay the costs of the proceeding.

Sec. 19. Section 20-291 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) No person shall receive a license under the provisions of this chapter until such person has passed an examination in such technical and professional subjects as may be prescribed by the board, with the consent of the Commissioner of Consumer Protection. Each person who applies to the Department of Consumer Protection for a license under the provisions of this chapter shall submit an application, together with evidence of education and training experience as prescribed by the commissioner, in consultation with the board, in regulations adopted in accordance with chapter 54. The board or the commissioner may accept in the case of any architect currently registered or licensed in another state in lieu of the examination (1) a certificate of registration issued by the National Council of Architectural Registration Boards; or (2) evidence satisfactory to the board or the commissioner that such architect is registered in a state having registration requirements substantially equal to the licensure requirements of this state and that such architect has been practicing in such other state for a period of at least ten years. When the applicant has passed such examination to the satisfaction of a majority of the board or the commissioner and has paid to the department the fees prescribed in section 20-292, the department shall enroll the applicant's name and address in the roster of licensed

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architects and issue a license to the applicant, which shall entitle the applicant to practice as an architect in this state.

(b) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a certificate or license issued or conferred by the commissioner pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a certificate or license issued pursuant to this chapter.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 20. Section 20-294 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

The Commissioner of Consumer Protection or the board may

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suspend for a definite period, not to exceed one year, or revoke any license or certificate of authority issued under this chapter, after notice and hearing in accordance with the regulations adopted by the Commissioner of Consumer Protection, or may officially censure any person holding any such license or certificate of authority and may assess a civil penalty of up to one thousand dollars per violation, (1) if it is shown that the license or certificate was obtained through fraud or misrepresentation, (2) if the holder of the license or certificate has been found guilty by the board, the commissioner or by a court of competent jurisdiction of any fraud or deceit in such holder's professional practice or has been convicted of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the certificate or license holder's ability to safely or competently perform the duties or responsibilities with such license or certificate, (B) information pertaining to the degree of rehabilitation of the certificate or license holder, and (C) the time elapsed since the conviction or release, (3) if the holder of the license or certificate has been found guilty by the board or the commissioner of gross incompetency or of negligence in the planning or construction of buildings, or (4) if it is shown to the satisfaction of the board or the commissioner that the holder of the license or certificate has violated any provision of this chapter or any regulation adopted under this chapter. Any such suspension or revocation of a license or certificate by the board shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7. The board or the commissioner may reissue any such license or certificate which has been revoked, and may modify the suspension of any such license or certificate which has been suspended.

Sec. 21. Section 20-334 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

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(a) No person shall engage in, practice or offer to perform the work of any occupation subject to this chapter in this state, including offering to perform such work in any print, electronic, television or radio advertising or listing, unless such person has first obtained a license as provided in section 20-333, or possesses a card of registration from the Labor Department or the board and is subject to all of the regulations adopted under this chapter for the purpose of governing apprenticeship training, or has been issued a license for such particular work under this chapter prior to July 6, 1967.

(b) The Department of Consumer Protection shall furnish to each qualified applicant a license certifying that the holder thereof is entitled to engage in the work or occupation for which the person has been issued a license under this chapter, and the holder of such license shall carry it on his person while engaging in such work or occupation. Such license shall be shown to any properly interested person on request. No such license shall be transferred to or used by any person other than the person to whom the license was issued. Contractors that fail to display their state license number on all commercial vehicles used in their business and in a conspicuous manner on all advertisements, bid proposals, contracts, invoices and on all stationery used in their business may be fined not more than five hundred dollars per violation, but shall not be fined for the first violation. The department shall keep a register in which shall be entered the names of all persons to whom such licenses are issued. The register shall be at all times open to public inspection.

(c) The Commissioner of Consumer Protection and each board established under section 20-331 may deny, suspend or revoke any license or certificate granted or issued by it under this chapter if the holder of such license or certificate (1) is convicted of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the license or certificate holder's ability to safely or competently perform the duties or responsibilities associated with such

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license or certificate, (B) information pertaining to the degree of rehabilitation of the license or certificate holder, and (C) the time elapsed since the conviction or release, (2) is grossly incompetent, (3) engages in malpractice or unethical conduct or knowingly makes false, misleading or deceptive representations regarding his or her work, or (4) violates the regulations adopted under this chapter. Before any such license or certificate is suspended or revoked, such holder shall be given notice and opportunity for hearing as provided in regulations adopted by the Commissioner of Consumer Protection. Any person whose license or certificate has been suspended or revoked may, after ninety days but not more than one hundred eighty days after such suspension or revocation, apply to the board demonstrating good cause to have such license reinstated. Any such suspension or revocation of a license or [certification] certificate by the board shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7.

(d) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a license or certificate issued or conferred by the commissioner pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

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(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license or certificate issued pursuant to this chapter.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 22. Section 20-341gg of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) As used in this section, "major contractor" means (1) any person engaged in the business of construction, structural repair, structural alteration, dismantling or demolition of a structure or addition that exceeds the threshold limits provided in section 29-276b, or (2) any person who, under the direction of a general contractor, performs or offers to perform any work that impacts upon the structural integrity of a structure or addition, including repair, alteration, dismantling or demolition of a structure or addition that exceeds the threshold limits provided in section 29-276b. Such work includes, but is not limited to, roofing, masonry and structural frame work.

(b) No person shall engage in or offer to perform the work of any major contractor in this state on any proposed structure or existing structure or addition that exceeds the threshold limits contained in section 29-276b unless such person has first obtained a license or certificate of registration as required under the provisions of chapter 539 or a registration from the Department of Consumer Protection in accordance with the provisions of this section. Individuals licensed under chapter 393 shall be exempt from the provisions of this chapter while engaging in work that they are licensed to perform. The

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department shall issue a certificate of registration to any person who is prequalified pursuant to section 4a-100 who applies for registration in accordance with this section. Such prequalified person shall not be required to pay a fee for such registration at any time that the person maintains valid prequalification. If the individual or the firm, company, partnership or corporation employing such individual is engaged in work on a structure or addition that exceeds the threshold limits contained in section 29-276b and requires licensure under chapter 393, the firm, company, partnership or corporation shall be exempt from the provisions of this chapter concerning registration of major contractors, if the firm, company, partnership or corporation employs an individual who is licensed as a contractor under chapter 393 to perform such work. The department shall furnish to each qualified applicant a registration certifying that the holder of such registration is entitled to engage in the work for which the person has been issued a registration under this subsection, and the holder of such registration shall carry it on his person while engaging in such work. Such registration shall be shown to any properly interested person upon request. No such registration shall be transferred to or used by any person other than the person to whom the registration was issued. The department shall maintain rosters of registrants and shall update such rosters annually. The department may provide copies of rosters to the public for an appropriate fee. The department may deny, suspend or revoke any registration issued by the department if the holder of such registration (1) is convicted of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the registration holder's ability to safely or competently perform the work under such registration, (B) information pertaining to the degree of rehabilitation of the registration holder, and (C) the time elapsed since the conviction or release, (2) is grossly incompetent, (3) is disqualified, pursuant to section 4a-100 or whose prequalification certificate has been revoked pursuant to section 4a-100, (4) engages in malpractice or unethical conduct or knowingly makes false, misleading or deceptive representations

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regarding his work, or (5) violates any regulation adopted under subsection (c) of this section. Before any registration is suspended or revoked, such holder shall be given notice and an opportunity for hearing as provided in regulations adopted under subsection (c) of this section. The Commissioner of Consumer Protection shall provide written notice of any suspension or revocation of a registration to the Commissioner of Administrative Services not later than ten days after such suspension or revocation.

(c) The Commissioner of Consumer Protection shall adopt regulations, in accordance with chapter 54, to implement the provisions of this section. Such regulations shall (1) establish the registration requirements for major contractors, (2) specify application and registration fees, and (3) establish occupational standards for the preservation of the public safety.

(d) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining registration issued or conferred by the commissioner pursuant to this section based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such

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request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a registration issued pursuant to this section.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 23. Section 20-361 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) Except as provided in section 20-365, no person shall be licensed as a sanitarian who does not prove to the satisfaction of the commissioner that such person holds a degree from an accredited college or university following four years of study and has two years of full-time experience, or the equivalent, in the field of environmental health acceptable to the commissioner. An applicant who successfully completes a special training course in environmental health approved by the commissioner may substitute such course for six months of such required experience in the field of environmental health. The applicant shall also be required to pass a written or oral examination in the science of environmental health as determined by the commissioner. An applicant for licensure shall not be required to be licensed while completing the work experience requirements of this section, provided, on and after January 1, 1998, such experience shall be completed under the supervision of a sanitarian licensed pursuant to this chapter or licensed, certified or registered in the jurisdiction in which such experience was completed.

(b) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a license issued or conferred by the commissioner under this

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chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license issued pursuant to this chapter.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 24. Section 20-363 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

The commissioner may refuse to issue or renew or may suspend or revoke a license or take any of the actions set forth in section 19a-17, as amended by this act, upon proof that the applicant or license holder (1) has employed or knowingly cooperated in fraud or material deception in order to obtain a license or has engaged in fraud or material deception in the course of professional services or activities at any place; (2) has been guilty of illegal, incompetent or negligent conduct in his or her practice; (3) has violated any provision of this chapter or any regulation

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adopted under this chapter; (4) has been found guilty or convicted as a result of an act which constitutes a felony under (A) the laws of this state, (B) federal law, or (C) the laws of another jurisdiction and which, if committed within this state, would have constituted a felony under the laws of this state, provided any action taken is based upon (i) the nature of the conviction and its relationship to the applicant's or license holder's ability to safely or competently perform the work under such license, (ii) information pertaining to the degree of rehabilitation of the license, and (iii) the time elapsed since the conviction or release; or (5) has been subject to disciplinary action similar to that specified in section 19a-17, as amended by this act, by a duly authorized professional disciplinary agency of any state, the District of Columbia, a United States possession or territory, or a foreign jurisdiction. The commissioner may petition the superior court for the judicial district of Hartford to enforce any action taken pursuant to section 19a-17, as amended by this act. Before the commissioner may suspend, revoke or refuse to renew a license or take such other action, the commissioner shall give the applicant or license holder notice and opportunity for hearing as provided in the regulations adopted by the commissioner.

Sec. 25. Section 20-442a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The department may deny an application of an individual or take any action set forth in section 19a-17, as amended by this act, and subsection (f) of section 19a-88 against a person or entity licensed or certified pursuant to chapter 400a for reasons including, but not limited to, the following: (1) Conviction of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the license or certificate holder's ability to safely or competently perform the work under such license, (B) information pertaining to the degree of rehabilitation of the license or certificate holder, and (C) the time elapsed since the conviction or release; (2) fraud or deceit in the practice of such

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person's or entity's profession; (3) negligent, incompetent or wrongful conduct in professional activities; (4) misrepresentation or concealment of a material fact in the obtaining, reinstatement or renewal of a license or certificate; or (5) violation of any provision of chapter 400a, or any regulation adopted thereunder. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17, as amended by this act. Notice of any contemplated action under section 19a-17, as amended by this act, the cause of action and the date of a hearing on the action shall be given and an opportunity for hearing afforded in accordance with the provisions of chapter 54.

(b) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a license or certificate issued or conferred by the commissioner pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license or certificate issued pursuant to this chapter.

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(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 26. Section 20-475 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) On and after the effective date of regulations adopted pursuant to section 20-478, no entity shall hold itself out as a lead abatement contractor or lead consultant contractor, or to principally engage in such work in this state without a license issued by the Commissioner of Public Health. Applications for such license shall be made to the department on forms provided by it, and shall be accompanied by a fee of six hundred twenty-five dollars, and shall contain such information regarding the applicant's qualifications as the department may require in regulations adopted pursuant to said section 20-478 including, but not limited to, demonstrating that all employees of any applicant who require certification pursuant to subsections (e) and (f) of section 19a-88, and sections 20-474 to 20-482, inclusive, are certified by the department. The department shall review the technical, equipment and personnel resources of each applicant. No person shall be issued a license to act as a lead abatement contractor or lead consultant contractor unless such person obtains such approval. The commissioner may issue a license under this section to any person who is licensed in another state under a law which provides standards which are equal to or higher than those of Connecticut and is not subject to any unresolved complaints or pending disciplinary actions. Licenses issued pursuant to this section shall be renewed annually in accordance with the provisions of section 19a-88 upon payment of a fee of six hundred twenty-five dollars.

(b) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from

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obtaining a license or certificate issued or conferred by the commissioner pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license issued by the department pursuant to this chapter.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 27. Section 20-481 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The department may deny an application of an individual or take any action set forth in section 19a-17, as amended by this act, against a person or entity issued a license or certificate pursuant to sections 20-474 to 20-482, inclusive, and subsections (e) and (f) of section 19a-88 for reasons including, but not limited to, the following: Conviction of a felony, provided any action taken is based upon (1) the nature of the

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conviction and its relationship to the license or certificate holder's ability to safely or competently perform the work under such license or certificate, (2) information pertaining to the degree of rehabilitation of the license or certificate holder, and (3) the time elapsed since the conviction or release; fraud or deceit in the practice of his profession; negligent, incompetent or wrongful conduct in professional activities; misrepresentation or concealment of a material fact in the obtaining, reinstatement or renewal of a license; or violation of any provision of sections 20-474 to 20-482, inclusive, and subsections (e) and (f) of section 19a-88 or any regulation adopted thereunder. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to said section 19a-17, as amended by this act. Notice of any contemplated action under said section 19a-17, as amended by this act, the cause of action and the date of a hearing on the action shall be given and an opportunity for hearing afforded in accordance with the provisions of chapter 54.

Sec. 28. Subsection (i) of section 20-540 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(i) The Department of Consumer Protection may deny, suspend or revoke an application of a certificate granted or issued by it pursuant to this section if the holder of such certificate is (1) convicted of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the certificate holder's ability to safely or competently perform work under such certificate, (B) information pertaining to the degree of rehabilitation of the certificate holder, and (C) the time elapsed since the conviction or release, (2) is grossly incompetent, (3) engages in malpractice or unethical conduct, or (4) knowingly makes false, misleading or deceptive representations regarding his work. Prior to such suspension or revocation, such holder shall be given notice and an opportunity for hearing as provided in

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regulations adopted by the Commissioner of Consumer Protection. Any person whose certificate has been suspended may, after ninety days, apply to the department to have such certificate reinstated.

Sec. 29. Section 20-540 of the general statutes is amended by adding subsection (m) as follows (*Effective October 1, 2022*):

(NEW) (m) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a license or certificate issued or conferred by the commissioner pursuant to this section. An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(2) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license or certificate issued pursuant to this section.

(3) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 30. Section 22a-66e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The grounds for denial, revocation or suspension of a registration shall include, but not be limited to:

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(1) Violation of any provision of this chapter, as amended, or any regulation, permit, certificate, registration or order adopted, administered or issued pursuant thereto;

(2) Inclusion of false or misleading information in an application or failure to notify the commissioner of a change as required by section 22a-66c;

(3) Inclusion of false or misleading information in records required to be maintained pursuant to section 22a-66g, the failure to maintain such records, or the failure to provide the commissioner with the records required by said section;

(4) Use of a pesticide in a manner inconsistent with the registered labeling or with state or federal restrictions on the use of such pesticide;

(5) Application of pesticides generally known in the trade to be ineffective or improper for the intended use;

(6) Operation of faulty or unsafe equipment which may result in improper application or harm to the environment, the applicator or others from the pesticide;

(7) Application of a pesticide in a faulty, careless or negligent manner;

(8) Aiding or abetting a certified or uncertified person to evade the provisions of this chapter, as amended, or any regulation, permit, certificate, registration or order adopted, administered or issued pursuant thereto;

(9) The making of a false or misleading statement during an inspection or investigation concerning an infestation of pests, an accident in applying a pesticide, misuse of a pesticide, or violation of a statute, regulation, certificate, registration or order;

(10) The performance of work, whether or not for compensation, in a

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category for which the applicator is not certified; and

(11) The conviction of the applicant or owner of a pesticide application business of a felony, as defined in section 53a-25, provided any action taken is based upon (A) the nature of the conviction and its relationship to the applicant's or owner's ability to safely or competently perform the work under such registration, (B) information pertaining to the degree of rehabilitation of the applicant or owner, and (C) the time elapsed since the conviction or release.

(b) Any pesticide application business whose certificate of registration is denied, suspended or revoked shall not be eligible for a new certificate until such time has elapsed from the date of the denial, suspension or revocation as has been established by the commissioner.

(c) A new certificate or renewal of a certificate shall not be issued to a commercial applicator unless the applicant has submitted the summary required pursuant to subsection (d) of section 22a-58, for the previous calendar year.

(d) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining registration issued or conferred by the commissioner pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The

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commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a registration issued pursuant to this chapter.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 31. Section 23-61i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The Commissioner of Energy and Environmental Protection shall, after review of a complete application submitted in accordance with the provisions of section 23-61h, issue or deny a certificate of registration. The commissioner shall inform an applicant of a denial of a certificate of registration by certified mail, return receipt requested. The commissioner shall briefly state the reasons, as listed in subsection (c) of this section, for such denial. Any applicant aggrieved by the commissioner's decision to deny a certificate of registration may, not later than thirty days after the date of such decision, request a hearing before the commissioner. Such hearing shall be held in accordance with the provisions of chapter 54.

(b) The commissioner may revoke or suspend a certificate of registration in accordance with the provisions of subsection (c) of this section and section 4-182.

(c) The grounds for denial, revocation or suspension of a certificate of registration shall include the following:

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(1) Violation of any provision of this chapter or chapter 441 or any regulation, permit, certificate, registration or order adopted, issued or administered or issued pursuant to this chapter and chapter 441;

(2) Inclusion of false or misleading information in an application or the failure to notify the commissioner of a change, as required by section 23-61h;

(3) Inclusion of false or misleading information in records required to be maintained pursuant to section 23-61k, or the failure to maintain such records or provide the commissioner with the records required by section 23-61k;

(4) Use of a pesticide in a manner inconsistent with the registered labeling or with state or federal restrictions on the use of such pesticide;

(5) Application of pesticides generally known in the trade to be ineffective or improper for the intended use;

(6) Operation of faulty or unsafe equipment which may result in improper pesticide application or harm to the environment, a worker or other persons;

(7) Application of a pesticide or performance of arboriculture in a faulty, careless or negligent manner;

(8) Aiding or abetting a licensed or unlicensed person to evade the provisions of this chapter or chapter 441 or any regulation, permit, certificate, registration or order adopted, issued or administered pursuant to this chapter and chapter 441;

(9) The making of a false or misleading statement during an inspection or investigation concerning an infestation of pests, an accident in applying a pesticide, misuse of a pesticide, or violation of a statute, regulation, certificate, registration or order;

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(10) The performance of arboriculture which does not meet generally accepted industry standards;

(11) The performance of work, whether or not for compensation, in a category for which the arborist is not certified; and

(12) The conviction of the applicant of a felony, as defined in section 53a-25, provided any action taken is based upon (A) the nature of the conviction and its relationship to the applicant's or certificate holder's ability to safely or competently perform the work under such certification, (B) information pertaining to the degree of rehabilitation of the applicant or certificate holder, and (C) the time elapsed since the conviction or release.

(d) Any arborist business whose certificate of registration is denied, suspended or revoked shall not be eligible to reapply for a certificate of registration until the commissioner determines that such applicant may reapply.

(e) The commissioner shall not issue a certificate of registration or a renewal of a certificate of registration to an arborist business unless such arborist business submits the summary required pursuant to subsection (d) of section 22a-58 for the previous calendar year.

(f) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a certificate issued or conferred by the commissioner pursuant to this section based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the

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individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a certificate issued pursuant this section.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 32. Section 29-154a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The commissioner may grant a private detective or private detective agency license to any suitable person, or to any corporation, association or partnership subject to the following qualifications: The applicant for a private detective or private detective agency license shall be not less than twenty-five years of age and of good moral character and shall have had at least five years' experience as a full-time investigator, as determined in regulations adopted by the commissioner pursuant to section 29-161, or shall have had at least ten years' experience as a police officer with a state or organized municipal police department. Employment as a security officer shall not be considered as employment as an investigator. If the applicant is a corporation, association or partnership, the person filing the application on behalf of such corporation, association or partnership shall meet the qualifications set forth in this section for an individual applicant, and shall be an officer of such corporation or member of such association or

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partnership. If the commissioner grants a private detective or private detective agency license to an applicant based on such applicant's experience as an investigator with an organized municipal fire department, such license shall restrict such licensee to performing the same type of investigations as were performed for the municipal fire department.

(b) The commissioner may, at the commissioner's discretion, substitute up to one year of experience for a private detective or private detective agency applicant upon proof of satisfactory participation in a course of instruction pertinent to the license applied for.

(c) No license shall be issued to any person who has been (1) convicted of any felony, (2) convicted of any misdemeanor under section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d, or equivalent conviction in another jurisdiction, within the past seven years, (3) convicted of any offense involving moral turpitude, or (4) discharged from military service under conditions that demonstrate questionable moral character.

(d) Any applicant who has been denied a license may appeal in writing to the commissioner not later than thirty days after receipt of such denial.

(e) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a license or registration issued or conferred by the commissioner pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

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(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license or registration issued pursuant this chapter.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Sec. 33. Section 29-158 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

Any license or registration issued under the provisions of sections 29-153 to 29-161, inclusive, may be suspended or revoked by the commissioner, after giving notice and an opportunity to be heard to the licensee or registrant when the commissioner finds that the licensee or registrant has: (1) Violated any of the terms or provisions of sections 29-153 to 29-161, inclusive, or any of the regulations adopted thereunder; (2) practiced fraud, deceit or misrepresentation in dealing with the clients of the licensee or registrant; (3) made a material misstatement in the application for issuance of such license or registration, or, in the case of a licensee, in the application for renewal of such license; (4) demonstrated incompetence or untrustworthiness in the conduct of the business; or (5) been convicted of a felony or other crime involving moral turpitude, provided any action taken is based upon (A) the nature of the conviction and its relationship to the licensee's or registrant's

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ability to safely or competently perform the work under such license or registration, (B) information pertaining to the degree of rehabilitation of the licensee or registrant, and (C) the time elapsed since the conviction or release. If the licensee or registrant has been convicted under section 53a-61 or 53a-62, the commissioner shall consider the facts and circumstances surrounding such conviction prior to suspending or revoking the license or registration. Any party aggrieved by an order of the commissioner under the provisions of this section may appeal therefrom in accordance with the provisions of section 4-183, except the venue for such appeal shall be the judicial district of New Britain.

Sec. 34. Section 29-161v of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) Any license for a security service or security officer or approval as a security officer instructor may be suspended or revoked by the Commissioner of Emergency Services and Public Protection, provided notice shall have been given to the licensee or instructor to appear before the commissioner to show cause why the license or approval should not be suspended or revoked, upon a finding by the commissioner that: (1) The licensee has violated any of the terms or provisions of sections 29-161g to 29-161x, inclusive, or in the case of an instructor, section 29-161q, or any of the regulations adopted pursuant to section 29-161x; (2) the licensee or instructor has practiced fraud, deceit or misrepresentation; (3) the licensee or instructor has made a material misstatement in the application for issuance or renewal of the license or approval; (4) the licensee or instructor has demonstrated incompetence or untrustworthiness in the conduct of the business; or (5) the licensee or instructor has been convicted of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the licensee's or instructor's ability to safely or competently perform the work under such license or approval, (B) information pertaining to the degree of rehabilitation of the licensee or instructor, and (C) the time

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elapsed since the conviction or release or [other] a crime affecting the licensee's or instructor's honesty [,] or integrity. [or moral fitness.] Any party aggrieved by an order of the commissioner under this section may appeal therefrom in accordance with the provisions of section 4-183, except the venue for such appeal shall be the judicial district of New Britain.

(b) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a license issued or conferred by the commissioner pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license issued pursuant this chapter.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

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Sec. 35. Section 30-47 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The Department of Consumer Protection may, in its discretion, suspend, revoke or refuse to grant or renew a permit for the sale of alcoholic liquor if it has reasonable cause to believe: (1) That the applicant or permittee appears to be financially irresponsible or neglects to provide for his family, or neglects or is unable to pay his just debts; (2) that the applicant or permittee has been provided with funds by any wholesaler or manufacturer or has any forbidden connection with any other class of permittee as provided in this chapter; (3) that the applicant or permittee is in the habit of using alcoholic beverages to excess; (4) that the applicant or permittee has wilfully made any false statement to the department in a material matter; (5) that the applicant or permittee has been convicted of violating any of the liquor laws of this or any other state or the liquor laws of the United States or has been convicted of a felony as such term is defined in section 53a-25, provided any action taken is based upon (A) the nature of the conviction and its relationship to the applicant or permittee's ability to safely or competently perform the duties associated with such permit, (B) information pertaining to the degree of rehabilitation of the applicant or permittee, and (C) the time elapsed since the conviction or release, or has such a criminal record that the department reasonably believes he is not a suitable person to hold a permit, provided no refusal shall be rendered under this subdivision except in accordance with the provisions of sections 46a-80 and 46a-81; (6) that the applicant or permittee has not been delegated full authority and control of the permit premises and of the conduct of all business on such premises; or (7) that the applicant or permittee has violated any provision of this chapter or any regulation adopted under this chapter. Any backer shall be subject to the same disqualifications as provided in this section in the case of an applicant for a permit or a permittee.

(b) The Commissioner of Consumer Protection may, in his or her

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discretion, require a permittee who has had his or her permit for the sale of alcoholic liquor suspended or revoked pursuant to subsection (a) of this section to have such permittee's employees participate in an alcohol seller and server training program approved by the commissioner. The commissioner may require proof of completion of the program from the permittee prior to reactivation or reissuance of such permit.

(c) In lieu of suspending or revoking a permit for the sale of alcoholic liquor pursuant to subsection (a) of this section, the commissioner may require a permittee to have such permittee's employees participate in an alcohol seller and server training program.

(d) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a permit issued or conferred by the department pursuant to this chapter based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such permit, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The department may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a permit issued pursuant to this chapter.

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(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

Approved May 24, 2022