



House of Representatives

General Assembly

File No. 15

February Session, 2022

Substitute House Bill No. 5129

House of Representatives, March 15, 2022

The Committee on Higher Education and Employment Advancement reported through REP. ELLIOTT of the 88th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT PROHIBITING THE CONSIDERATION OF CRIMINAL HISTORY DURING THE ADMISSIONS PROCESS AT AN INSTITUTION OF HIGHER EDUCATION OR PRIVATE OCCUPATIONAL SCHOOL OR BY AN EDUCATIONAL OR VOCATIONAL PROGRAM.

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

1 Section 1. (NEW) (*Effective July 1, 2022*) Unless otherwise required by
2 an applicable state or federal law, no institution of higher education or
3 private occupational school in the state shall (1) inquire about a
4 prospective student's prior arrests, criminal charges or convictions (A)
5 on an application for admission to such institution, or (B) for enrollment
6 in any program of study offered by such institution, or (2) consider a
7 student's prior arrests, criminal charges or convictions in (A) the
8 admissions process for such student, or (B) determining the eligibility of
9 such student for any form of financial aid, grant or scholarship program,
10 including, but not limited to, institutional financial aid, but not
11 including any financial aid, grant or scholarship program granted on the
12 basis of a recipient's prior arrest, criminal charge or conviction.

13 Sec. 2. Subsection (a) of section 46a-75 of the general statutes is
14 repealed and the following is substituted in lieu thereof (*Effective July 1,*
15 *2022*):

16 (a) All educational, counseling, and vocational guidance programs
17 and all apprenticeship and on-the-job training programs of state
18 agencies, or in which state agencies participate, shall be open to all
19 qualified persons, without regard to race, color, religious creed, sex,
20 gender identity or expression, marital status, age, national origin,
21 ancestry, intellectual disability, mental disability, learning disability,
22 physical disability, including, but not limited to, blindness, [or] status
23 as a veteran or criminal history.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	New section
Sec. 2	<i>July 1, 2022</i>	46a-75(a)

HED Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which prohibits various education institutions and programs from inquiring about applicant criminal history during the admissions process, results in no fiscal impact to the state, including the constituent units. The bill is not anticipated to alter the level of enrollment at affected programs and therefore, no funding effects in terms of tuition revenues or state grants are expected.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5129*****AN ACT PROHIBITING THE CONSIDERATION OF CRIMINAL HISTORY DURING THE ADMISSIONS PROCESS AT AN INSTITUTION OF HIGHER EDUCATION OR PRIVATE OCCUPATIONAL SCHOOL OR BY AN EDUCATIONAL OR VOCATIONAL PROGRAM.*****SUMMARY**

This bill prohibits Connecticut colleges, universities, and private occupational schools from asking about or considering a student's prior arrests, criminal charges, or convictions under the following circumstances:

1. on an admissions application and during the admissions process;
2. for enrollment in any program of study; or
3. when determining eligibility for any form of financial, grant, scholarship, or institutional aid program, except for aid granted based on a prior arrest, charge, or conviction.

It specifies that these prohibitions do not apply when state or federal law requires these criminal disclosures.

Current law prohibits discrimination against individuals in educational and vocational programs, based upon various factors such as race, age, and gender identity. The bill expands this prohibition to also include discrimination against individuals with a criminal history.

EFFECTIVE DATE: July 1, 2022

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable Substitute

Yea 22 Nay 1 (03/03/2022)