



General Assembly

**Amendment**

January Session, 2023

LCO No. 7948



Offered by:

REP. STAFSTROM, 129<sup>th</sup> Dist.

SEN. WINFIELD, 10<sup>th</sup> Dist.

REP. FISHBEIN, 90<sup>th</sup> Dist.

To: Subst. House Bill No. 6918

File No. 639

Cal. No. 416

**"AN ACT CONCERNING ERASURE OF CRIMINAL HISTORY RECORDS."**

- 
- 1      In line 100, strike "until the expiration of such registration  
2      requirement"
- 3      In line 103, strike "until the expiration of"
- 4      In line 104, strike "any such standing criminal protective order"
- 5      In line 109, insert an opening bracket before "police"
- 6      In line 111, strike the opening bracket before "with"
- 7      In line 111, before "referencing" insert "criminal history record  
8      information, as defined in section 54-142g,"
- 9      In line 148, after "purchases" insert "records of or files mass requests  
10     under the provisions of chapter 14 for information pertaining to"

11 In line 159, after "records of" insert "or filed a mass request under the  
12 provisions of chapter 14 for information pertaining to"

13 In line 170, after "records" insert the following:

14 ", except to the subject of the records as required under 15 USC 1681g,  
15 as amended from time to time, or as otherwise required by applicable  
16 law. This subsection shall not apply to persons or entities filing a mass  
17 request under the provisions of chapter 14 for information pertaining to  
18 criminal matters of public record if the person or entity making the  
19 request is only obtaining information that does not personally identify  
20 the subjects of the criminal matters of public records and is not using the  
21 information for commercial purposes.

22 (c) If any consumer reporting agency, background screening provider  
23 or similar data-based service or company discloses an erased record in  
24 violation of subsection (b) of this section after thirty calendar days from  
25 the date such agency, provider, service or company received notice  
26 pursuant to subsection (a) of this section that such record had been  
27 erased, the Attorney General may send notice ordering such agency,  
28 provider, service or company to remove such erased record from any  
29 such disclosure not later than five business days following receipt of  
30 such order.

31 (d) For purposes of this section, "mass request" means a request  
32 concerning fifty or more criminal matters of public record.

33 (e) Any violation of any provision of this section shall be deemed an  
34 unfair or deceptive trade practice under subsection (a) of section 42-  
35 110b"

36 Strike lines 171 to 180, inclusive, in their entirety

37 Strike lines 243 to 252, inclusive, in their entirety and insert the  
38 following in lieu thereof:

39 "(g) On and after January 1, 2024, if a person (1) believes any of such  
40 person's criminal history record information was required to be deemed

41 erased by operation of law pursuant to the provisions of subsection (e)  
42 of section 54-142a, as amended by this act, and (2) submits a copy of  
43 such person's criminal history record information search demonstrating  
44 that such criminal history record information has not been marked as  
45 erased to the Department of Emergency Services and Public Protection  
46 in a form and manner determined by the department, the department  
47 shall, following a contested hearing, make a determination on whether  
48 such criminal history information should be deemed erased by  
49 operation of law. Such determination shall constitute a final decision for  
50 the purposes of the provisions of chapter 54."