ACLU OF RI POSITION: AMEND

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**TESTIMONY ON 24-H 7603,
AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS – RESIDENTIAL SOLAR
ENERGY DISCLOSURE AND HOMEOWNERS BILL OF RIGHTS ACT
March 21, 2024**

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We are appreciative of the opportunity to provide commentary on this legislation which seeks to regulate the registration of solar retailers. Although we do not have a position on the overall intent and substance of this legislation, we wish to offer brief comments on a provision in the bill dealing with criminal records checks, which appears on Page 11.

This legislation requires that all criminal records checks occur in accordance with our state Fair Chance Licensing law, which ensures that justice-involved or formerly incarcerated individuals are not unduly precluded from employment because of irrelevant or outdated offenses on their criminal record. We are very appreciative that this bill explicitly subjects any review of these checks to this important statute.

However, this bill subjects not just the owners and directors of these businesses, but also all sales representatives, to a national criminal records check. We think, insofar as it applies to salespeople, this is unnecessary and overly invasive and burdensome, especially for a position that may have very limited authority in the overall scope of the business. There are hundreds of business entities that rely on salespeople for their business, and we are concerned about the precedent of requiring them to undergo the intrusive (and often inaccurate) requirement of a national criminal record check, along with the expense associated with it. We believe any such requirement should be narrowed to focus only on those who have substantial managerial oversight of the business. At most, salespeople should not be subject to anything more onerous than a statewide BCI check, although even that strikes us as overkill. We therefore encourage the committee to consider revising and narrowing this particular section of the bill.

Thank you for your consideration of our views.