

By Senator Clemens

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1 A bill to be entitled
2 An act relating to discrimination in employment
3 screening; creating s. 760.105, F.S.; prohibiting an
4 employer from inquiring into or considering an
5 applicant's criminal history on an initial employment
6 application unless required to do so by law; providing
7 an effective date.

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9 WHEREAS, reducing barriers to employment for people who
10 have a criminal history and lowering unemployment rates in
11 communities that have concentrated numbers of people who have a
12 criminal history are issues of statewide concern, and

13 WHEREAS, restricting an employer from inquiring into or
14 considering an applicant's criminal history on an initial
15 employment application increases employment opportunities for
16 those who have a criminal history, thereby reducing the rate of
17 recidivism and improving economic stability, NOW, THEREFORE,

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Section 760.105, Florida Statutes, is created to
22 read:

23 760.105 Unlawful employment screening.—Unless otherwise
24 required by law, an employer may not inquire into or consider an
25 applicant's criminal history on an initial employment
26 application. An employer may inquire into or consider an
27 applicant's criminal history only after the applicant's
28 qualifications have been screened and the employer has
29 determined that the applicant meets the minimum employment

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30 requirements specified for a given position.

31 Section 2. This act shall take effect July 1, 2015.