

By Representative Gelber

1 A bill to be entitled
2 An act relating to county and municipal
3 employees; creating s. 125.580, F.S.;
4 authorizing federal criminal records checks for
5 certain county employees or appointees;
6 creating s. 166.0442, F.S.; authorizing federal
7 criminal records checks for certain municipal
8 employees or appointees; amending s. 112.011,
9 F.S.; permitting denial of employment under
10 certain circumstances by counties or
11 municipalities for positions deemed to be
12 critical to security or public safety;
13 providing an effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Section 125.580, Florida Statutes, is
18 created to read:

19 125.580 Federal criminal records checks for certain
20 county employees and appointees.--A county may require, by
21 ordinance, rule, or order, employment screening using the
22 standards for level 2 screening set forth in chapter 435 for
23 any position of county employment or appointment deemed to be
24 critical to security or public safety by the governing body of
25 the county, or for any private contractor, employee of a
26 private contractor, or private person who has access to any
27 public facility or publicly operated facility that is deemed
28 to have critical security or public safety status by the
29 governing body of the county.

30 Section 2. Section 166.0442, Florida Statutes, is
31 created to read:

1 166.0442 Federal criminal records checks for certain
2 municipal employees and appointees.--A municipality may
3 require, by ordinance, rule, or order, employment screening
4 using the standards for level 2 screening set forth in chapter
5 435 for any position of municipal employment or appointment
6 deemed to be critical to security or public safety by the
7 governing body of the municipality, or for any private
8 contractor, employee of a private contractor, or private
9 person who has access to any public facility or publicly
10 operated facility that is deemed to have critical security or
11 public safety status by the governing body of the
12 municipality.

13 Section 3. Paragraph (c) is added to subsection (2) of
14 section 112.011, Florida Statutes, to read:

15 112.011 Felons; removal of disqualifications for
16 employment, exceptions.--

17 (1)(a) Except as provided in s. 775.16, a person shall
18 not be disqualified from employment by the state, any of its
19 agencies or political subdivisions, or any municipality solely
20 because of a prior conviction for a crime. However, a person
21 may be denied employment by the state, any of its agencies or
22 political subdivisions, or any municipality by reason of the
23 prior conviction for a crime if the crime was a felony or
24 first degree misdemeanor and directly related to the position
25 of employment sought.

26 (b) Except as provided in s. 775.16, a person whose
27 civil rights have been restored shall not be disqualified to
28 practice, pursue, or engage in any occupation, trade,
29 vocation, profession, or business for which a license, permit,
30 or certificate is required to be issued by the state, any of
31 its agencies or political subdivisions, or any municipality

1 solely because of a prior conviction for a crime. However, a
2 person whose civil rights have been restored may be denied a
3 license, permit, or certification to pursue, practice, or
4 engage in an occupation, trade, vocation, profession, or
5 business by reason of the prior conviction for a crime if the
6 crime was a felony or first degree misdemeanor and directly
7 related to the specific occupation, trade, vocation,
8 profession, or business for which the license, permit, or
9 certificate is sought.

10 (2)

11 (c) This section shall not be applicable to the
12 employment practices of any county or municipality relating to
13 the hiring of personnel for positions deemed to be critical to
14 security or public safety pursuant to ss. 125.580 and
15 166.0442.

16 Section 4. This act shall take effect upon becoming a
17 law.

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20 HOUSE SUMMARY

21 Authorizes federal criminal records checks for certain
22 county and municipal employees and appointees. Permits
23 denial of employment under certain circumstances by
24 counties or municipalities for positions deemed to be
critical to security or public safety.

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