

By Senator Wilson

33-1184A-07

1 A bill to be entitled
 2 An act relating to the employment of
 3 ex-offenders; providing legislative intent;
 4 requiring state agencies to submit to
 5 legislative officers and committees a report
 6 that states current restrictions on the
 7 employment of ex-offenders and possible
 8 alternatives that are compatible with
 9 protecting the public safety; requiring that
 10 such a report be submitted biennially;
 11 providing an effective date.

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

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 15 Section 1. Restrictions on the employment of
 16 ex-offenders; legislative intent; state agency reporting
 17 requirements.--

18 (1) The Legislature declares that it is the policy of
 19 this state to provide to prospective employees a clear
 20 statement of which crimes would disqualify ex-offenders from
 21 which occupations. It is the intent of the Legislature to make
 22 opportunities for employment available to ex-offenders so that
 23 they will be less likely to revert to criminal behavior,
 24 insofar as the employment of such persons does not detract
 25 from the safety of the public. The Legislature further
 26 declares that state agencies should clearly state all
 27 restrictions imposed by the agencies or by boards that
 28 regulate professions and occupations on the employment of
 29 persons who have committed crimes and have paid their debts to
 30 society and should make an effort to establish that each such
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1 restriction is as limited as possible while continuing to
2 support the goal of public safety.

3 (2) Each state agency, including, but not limited to,
4 professional and occupational regulatory boards, shall, by
5 December 31, 2007, submit to the President of the Senate, the
6 Speaker of the House of Representatives, and the chairs of the
7 appropriate legislative committees a report that includes:

8 (a) A list of all laws, rules, policies, and practices
9 followed by the agency or imposed by the board which
10 disqualify from employment persons who have been convicted of
11 a crime and have completed any incarceration and restitution
12 to which they have been sentenced for such a crime.

13 (b) The conclusions resulting from a review of these
14 laws, rules, policies, and practices which the agency has
15 conducted, including, for each such law, rule, policy, and
16 practice, documentation of whether it is clearly stated in
17 writing and is readily available to prospective employees and
18 a statement of any less restrictive way to protect the safety
19 of the public while simultaneously providing employment
20 opportunities for ex-offenders.

21 (c) If the restriction is based on a standard of good
22 moral character, crimes or acts of moral turpitude, or crimes
23 related to a specific occupation, proposed alternative wording
24 of laws, rules, and policies which more precisely describes
25 the basis for denial of employment.

26 (d) Proposed ways of removing unnecessary barriers to
27 the employment of ex-offenders which barriers are not mandated
28 by statute.

29 (e) Proposed statutory amendments that would reduce
30 undesirable barriers to employment, render the remaining
31 barriers optimally consistent among jobs that have very

1 similar characteristics and require nearly identical degrees
2 of trustworthiness and responsibility, and improve the clarity
3 of requirements applicable to an ex-offender who seeks
4 employment with a state agency or in an occupation regulated
5 by a state board.

6 (3) Beginning in 2009, each state agency shall submit
7 a report in accordance with subsection (2) biennially by
8 December 31 of each odd-numbered year.

9 Section 2. This act shall take effect July 1, 2007.

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12 SENATE SUMMARY

13 Provides legislative intent relating to the employment of
14 ex-offenders. Requires state agencies to submit to
15 legislative officers and committees a report that states
16 current restrictions on the employment of ex-offenders
17 and possible alternatives that are compatible with
18 protecting the public safety. Requires that such a report
19 be submitted biennially on December 31 of odd-numbered
20 years.
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