

Bill No. SB 2152



421090

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/1/2008	.	
	.	
	.	

1 The Committee on Criminal Justice (Wilson) recommended the
 2 following **amendment**:

Senate Amendment (with title amendment)

Between line(s) 68 and 69

insert:

Section 2. Subsection (1) of section 760.10, Florida Statutes, is amended to read:

760.10 Unlawful employment practices.--

(1) It is an unlawful employment practice for an employer:

(a) To discharge or to fail or refuse to hire any

individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color,

Bill No. SB 2152



421090

15 religion, sex, national origin, age, handicap, or marital
16 status.

17 (b) To limit, segregate, or classify employees or
18 applicants for employment in any way which would deprive or tend
19 to deprive any individual of employment opportunities, or
20 adversely affect any individual's status as an employee, because
21 of such individual's race, color, religion, sex, national
22 origin, age, handicap, or marital status.

23 (c) With regard to an application for employment to
24 request any information, to make or keep a record of such
25 information, to use any form of application or application blank
26 which requests such information, or to exclude, limit or
27 otherwise discriminate against any person by reason of his or
28 her failure to furnish such information through a written
29 application or oral inquiry or otherwise regarding:

30 1. an arrest, detention, or disposition regarding any
31 violation of law in which no conviction resulted;

32 2. a first and only conviction for any misdemeanor of the
33 second degree; or

34 3. any conviction of a misdemeanor where the date of such
35 conviction or the completion of any period of incarceration
36 resulting there from, whichever date is later, occurred five or
37 more years prior to the date of such application for employment
38 or such request for information, unless such person has been
39 convicted of any offense within five years immediately preceding
40 the date of such application for employment or such request for
41 information.



421090

43 No applicant for employment shall be held under any provision of
 44 any law to be guilty of perjury or of otherwise giving a false
 45 statement by reason of his failure to recite or acknowledge such
 46 information as he has a right to withhold by this subsection.

47
 48 (Redesignate Subsequent Section.)

49
 50 ===== T I T L E A M E N D M E N T =====

51 And the title is amended as follows:

52 On line 11, after the semicolon,
 53 insert:

54 amending s. 760.10, F.S., prohibiting employers from
 55 requesting, making or keeping certain criminal history
 56 records; prohibiting the criminal prosecution for perjury
 57 in certain circumstances;