

Bill No. SB 2152



787270

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**:

3
 4 **Senate Amendment (with title amendment)**

5 Between lines line(s) 14 and 15,
 6 insert:

7
 8 Section 1. Restrictions on the employment of ex-offenders;
 9 legislative intent; state agency reporting requirements.--

10 (1) The Legislature declares that it is the policy of this
 11 state to provide to prospective employees a clear statement of
 12 which crimes would disqualify ex-offenders from which
 13 occupations. It is the intent of the Legislature to make
 14 opportunities for employment available to ex-offenders so that
 15 they will be less likely to revert to criminal behavior, insofar



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16 as the employment of such persons does not detract from the
17 safety of the public. The Legislature further declares that
18 state agencies should clearly state all restrictions imposed by
19 the agencies or by boards that regulate professions and
20 occupations on employment and should make an effort to establish
21 that each such restriction is as limited as possible while
22 continuing to support the goal of public safety.

23 (2) Each state agency, including, but not limited to,
24 professional and occupational regulatory boards, shall, by
25 December 31, 2008, submit to the President of the Senate, the
26 Speaker of the House of Representatives, and the chairs of the
27 appropriate legislative committees a report that includes:

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

33 (b) The conclusions resulting from a review of these laws,
34 rules, policies, and practices which the agency has conducted,
35 including, for each such law, rule, policy, and practice,
36 documentation of whether it is clearly stated in writing and is
37 readily available to prospective employees, and a statement of
38 any less restrictive way to protect the safety of the public
39 while simultaneously providing employment opportunities for ex-
40 offenders.

41 (c) If the restriction is based on a standard of good
42 moral character, crimes or acts of moral turpitude, or crimes
43 related to a specific occupation, proposed alternative wording



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44 of laws, rules, and policies which more precisely describes the
45 basis for denial of employment.

46 (d) Proposed ways of removing barriers to the employment
47 of ex-offenders which are not mandated by statute.

48 (e) Proposed statutory amendments that would reduce
49 barriers to employment, render the remaining barriers optimally
50 consistent among jobs that have very similar characteristics and
51 require nearly identical degrees of trustworthiness and
52 responsibility, and improve the clarity of requirements
53 applicable to an ex-offender who seeks employment with a state
54 agency or in an occupation regulated by a state board.

55 (3) Beginning in 2011, each state agency shall submit a
56 report in accordance with subsection (2) biennially by December
57 31 of each odd-numbered year.

58 ===== T I T L E A M E N D M E N T =====

59 And the title is amended as follows:

60 Delete line(s) 2

61 and insert:

62 An act relating to criminal justice; providing legislative
63 intent; requiring state agencies and regulatory boards to
64 submit to legislative officers and committees a report
65 that states current restrictions on the employment of ex-
66 offenders and possible alternatives that are compatible
67 with protecting the public safety; requiring that such a
68 report be submitted biennially;