

By Senator Wilson

33-02741-08

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

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

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13 Section 1. Restrictions on the employment of ex-offenders;
14 legislative intent; state agency reporting requirements.--

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

29 (2) Each state agency, including, but not limited to,

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30 professional and occupational regulatory boards, shall, by
31 December 31, 2008, submit to the President of the Senate, the
32 Speaker of the House of Representatives, and the chairs of the
33 appropriate legislative committees a report that includes:

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

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

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

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

54 (e) Proposed statutory amendments that would reduce
55 undesirable barriers to employment, render the remaining barriers
56 optimally consistent among jobs that have very similar
57 characteristics and require nearly identical degrees of
58 trustworthiness and responsibility, and improve the clarity of

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59 requirements applicable to an ex-offender who seeks employment
60 with a state agency or in an occupation regulated by a state
61 board.

62 (3) Beginning in 2011, each state agency shall submit a
63 report in accordance with subsection (2) biennially by December
64 31 of each odd-numbered year.

65 Section 2. This act shall take effect July 1, 2008.