

By Senator Wilson

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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  
 4           and regulatory boards to submit to legislative  
 5           officers and committees a report that states current  
 6           restrictions on the employment of ex-offenders and  
 7           possible alternatives that are compatible with  
 8           protecting public safety; requiring that a report be  
 9           submitted biennially; 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 place the safety of  
 22 the public at risk. The Legislature further declares that state  
 23 agencies should clearly state all restrictions on employment  
 24 which are imposed by agencies or boards that regulate  
 25 professions and occupations and should make an effort to  
 26 establish that each restriction is as limited as possible while  
 27 continuing to support the goal of public safety.

28           (2) Each state agency, including, but not limited to,  
 29 professional and occupational regulatory boards, shall, by

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30 December 31, 2009, submit to the President of the Senate, the  
31 Speaker of the House of Representatives, and the chairs of the  
32 appropriate legislative committees a report that includes:

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

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

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

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

53 (e) Proposed statutory amendments that would reduce  
54 barriers to employment, render the remaining barriers optimally  
55 consistent among jobs that have very similar characteristics and  
56 require nearly identical degrees of trustworthiness and  
57 responsibility, and improve the clarity of requirements  
58 applicable to an ex-offender who seeks employment with a state

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59 agency or in an occupation regulated by a state board.

60 (3) Beginning in 2012, each state agency shall submit a  
61 report in accordance with subsection (2) by December 31 of each  
62 odd-numbered year.

63 Section 2. This act shall take effect July 1, 2009.