

1                   A bill to be entitled  
 2           An act relating to public employment; creating s.  
 3           112.0115, F.S.; providing that a public employer may not  
 4           use an application that inquires about an applicant's  
 5           arrests or convictions or otherwise inquire into or  
 6           consider the criminal record or criminal history of an  
 7           applicant for employment until the applicant has been  
 8           selected for an interview; providing exceptions; providing  
 9           that an employer may notify applicants of policies  
 10          concerning disqualification from employment for applicants  
 11          with particular criminal history backgrounds; providing an  
 12          effective date.

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

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 16          Section 1.   Section 112.0115, Florida Statutes, is created  
 17          to read:

18          112.0115   Public employment; consideration of criminal  
 19          records.—

20          (1)   Except as provided in subsection (2), a public  
 21          employer, as defined in s. 440.102, may not use an application  
 22          that inquires about an applicant's arrests or convictions or  
 23          otherwise inquire into or consider the criminal record or  
 24          criminal history of an applicant for employment with that public  
 25          employer until the applicant has been selected for an interview  
 26          by the employer.

27          (2)   This section does not apply to the Department of  
 28          Corrections or to a public employer that has a statutory duty to

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29 conduct a criminal history records check or otherwise take into  
30 consideration a potential employee's criminal history during the  
31 hiring process.

32 (3) This section does not prohibit a public employer from  
33 notifying applicants that the law or the employer's policy will  
34 disqualify an individual with a particular criminal history  
35 background from employment in particular positions.

36 Section 2. This act shall take effect July 1, 2011.