

1 A bill to be entitled
 2 An act relating to public employment practices;
 3 defining the terms "applicant" and "public employer";
 4 prohibiting a public employer from inquiring into or
 5 considering the criminal history record of an
 6 applicant for public employment until the applicant
 7 has been selected for an interview by the public
 8 employer; providing that the restriction does not
 9 prohibit a public employer from notifying an applicant
 10 that a law or the employer's policy may disqualify the
 11 applicant from employment in a particular position
 12 with the public employer; providing an exemption;
 13 providing an effective date.

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

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 17 Section 1. Public employment; consideration of criminal
 18 records in application process.-

19 (1) As used in this section, the term:

20 (a) "Applicant" means a person who has submitted a written
 21 application for a position with a public employer.

22 (b) "Public employer" means:

- 23 1. A state agency or political subdivision of the state;
 24 2. An instrumentality that is wholly owned by one or more
 25 state agencies or political subdivisions of the state; or
 26 3. An instrumentality that is wholly owned by one or more
 27 state agencies, political subdivisions, or instrumentalities of
 28 the state and one or more state agencies or political

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29 subdivisions of one or more other states.

30 (2) A public employer may not inquire into or consider the
31 criminal history record of an applicant for public employment
32 until the applicant has been selected for an interview by the
33 public employer.

34 (3) This section does not prohibit a public employer from
35 notifying an applicant that a law or the public employer's
36 policy may disqualify the applicant from employment in a
37 particular position with the public employer.

38 (4) This section does not apply to a law enforcement
39 agency or correctional agency.

40 Section 2. This act shall take effect July 1, 2012.