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LEGISLATIVE ACTION

Senate

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House

Senator Clemens moved the following:

Senate Amendment (with title amendment)

Between lines 37 and 38

insert:

Section 2. Section 448.102, Florida Statutes, is amended to read:

448.102 Prohibitions.—

(1) An employer may not take any retaliatory personnel action against an employee because the employee has:

(a) ~~(1)~~ Disclosed, or threatened to disclose, to any appropriate governmental agency, under oath, in writing, an



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12 activity, policy, or practice of the employer which ~~that~~ is in
13 violation of a law, rule, or regulation. However, this
14 subsection does not apply unless the employee has, in writing,
15 brought the activity, policy, or practice to the attention of a
16 supervisor or the employer and has afforded the employer a
17 reasonable opportunity to correct the activity, policy, or
18 practice.

19 (b) ~~(2)~~ Provided information to, or testified before, any
20 appropriate governmental agency, person, or entity conducting an
21 investigation, hearing, or inquiry into an alleged violation of
22 a law, rule, or regulation by the employer.

23 (c) ~~(3)~~ Objected to, or refused to participate in, any
24 activity, policy, or practice of the employer which is in
25 violation of a law, rule, or regulation.

26 (2) Unless otherwise required by law, an employer may not
27 inquire into or consider an applicant's criminal history on an
28 initial employment application until after the applicant's
29 qualifications have been screened and the employer has
30 determined that the applicant meets the minimum employment
31 requirements specified for a given position.

32
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Delete lines 2 - 4

36 and insert:

37 An act relating to employment; amending s. 34.01,
38 F.S.; expanding the original jurisdiction of county
39 courts; amending s. 448.102, F.S.; prohibiting an
40 employer from inquiring into or considering an



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41 applicant's criminal history on an initial employment
42 application until a certain time; creating s. 448.115,
43 F.S.; defining the term