

By Senator Clemens

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1 A bill to be entitled
2 An act relating to discrimination in employment
3 screening; creating s. 760.105, F.S.; prohibiting a
4 public employer from inquiring into or considering an
5 applicant's criminal history on an initial employment
6 application unless required to do so by law; providing
7 an effective date.

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9 WHEREAS, reducing barriers to employment for people who
10 have a criminal history and reducing unemployment rates in
11 communities that have concentrations of people who have a
12 criminal history are issues of statewide concern, and

13 WHEREAS, restricting an employer from inquiring into or
14 considering an applicant's criminal history on an initial
15 employment application increases employment opportunities for
16 those who have a criminal history, thereby reducing the rate of
17 recidivism and improving economic stability, NOW, THEREFORE,

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Section 760.105, Florida Statutes, is created to
22 read:

23 760.105 Unlawful employment screening.—Unless otherwise
24 required by law, a public employer, as defined in s. 440.102,
25 may not inquire into or consider an applicant's criminal history
26 on an initial employment application. A public employer may
27 inquire into or consider an applicant's criminal history only
28 after the applicant's qualifications have been screened and the
29 employer has determined that the applicant meets the minimum

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30 employment requirements specified for a given position.

31 Section 2. This act shall take effect July 1, 2016.