

By Senator Bracy

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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 an
4 employer from inquiring into or considering an
5 applicant's criminal history on an initial employment
6 application unless otherwise required to do so by law;
7 providing an effective date.

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

13 WHEREAS, restricting employers from inquiring into or
14 considering an applicant's criminal history on initial
15 employment applications 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 to do so by law, an employer may not inquire into or
25 consider an applicant's criminal history on an initial
26 employment application. An employer may inquire into or consider
27 an applicant's criminal history only after the applicant's
28 qualifications have been screened and the employer has
29 determined that the applicant meets the minimum employment

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30 requirements specified for a given position.

31 Section 2. This act shall take effect July 1, 2018.