

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.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 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

HB 463

2011

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.