

# Hall of the House of Representatives

90th General Assembly - Regular Session, 2015

## Amendment Form

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### Subtitle of House Bill No. 1618

TO LIMIT THE USE OF CRIMINAL RECORDS CHECKS INFORMATION; AND TO INCREASE  
OPPORTUNITIES FOR EMPLOYMENT FOR PERSONS WITH CRIMINAL RECORDS.

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### Amendment No. 2 to House Bill No. 1618

Amend House Bill No. 1618 as engrossed, H3/10/15 (version: 03/10/2015 10:30:45 AM):

Page 1, delete lines 26 through 36, and substitute the following:

"(a) An employer shall not conduct or obtain a criminal background check for an applicant for employment until the applicant becomes the finalist or one (1) of the finalists for a position or the employer has extended a conditional offer of employment to the applicant.

(b)(1)(A) If the applicant becomes the finalist or one (1) of the finalists for a position or an employer offers an applicant a position of employment, the employer may inquire into and consider a criminal conviction or arrest.

(B) However, with respect to an arrest, the employer shall make an inquiry into whether the conduct underlying the arrest makes the applicant unfit for the position.

(2) An applicant shall not be excluded from employment based solely on the fact of an arrest.

(c) An employer shall not withhold or withdraw an offer of employment based on an"

AND

Page 2, delete lines 1 through 3

AND

Page 2, line 6 delete "to withdraw" and substitute "to withhold or withdraw"

AND

Page 2, delete line 8, and substitute the following:

"(1) The nature of the applicant's offense, including without limitation whether the offense is categorized as a felony or misdemeanor;"



AND

Page 2, delete line 13, and substitute the following:

"commission of a similar offense or the offense is otherwise relevant to the job duties of the position;"

AND

Page 2, delete line 17, and substitute the following:

"(e) The employer may require that supplemental information provided by or for the applicant be submitted on a timely basis to avoid delay in the hiring process.

(f) The employer may consider whether an applicant has truthfully disclosed criminal history information if the applicant's criminal history is requested during the application process.

(g) This section does not apply to a criminal background check"

The Amendment was read \_\_\_\_\_  
By: Representative Copeland  
MGF/RJW - 03-11-2015 09:21:47  
MGF249

\_\_\_\_\_  
Chief Clerk