



## 2011 SENATE BILL 309

November 28, 2011 – Introduced by Senator TAYLOR, cosponsored by Representatives C. TAYLOR, ZAMARRIPA, POCAN, PASCH, ROYS, BERCEAU, FIELDS, HEBL and KESSLER. Referred to Committee on Labor, Public Safety, and Urban Affairs.

1     **AN ACT** *to create* 111.335 (1) (am) of the statutes; **relating to:** prohibiting  
2             consideration of the conviction record of an applicant for employment before the  
3             applicant has been selected for an interview.

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### ***Analysis by the Legislative Reference Bureau***

Current law, subject to certain exceptions, prohibits discrimination in employment based on conviction record. Current law specifies, however, that it is not employment discrimination because of conviction record to refuse to employ an individual who has been convicted of a felony, misdemeanor, or other offense, the circumstances of which substantially relate to the circumstances of the particular job.

This bill provides that employment discrimination because of conviction record includes requesting an applicant for employment, on an application form or otherwise, to supply information regarding the conviction record of the applicant, or otherwise inquiring into or considering the conviction record of an applicant for employment, before the applicant has been selected for an interview by the prospective employer.

The bill, however, does not prohibit an employer from notifying applicants for employment that an individual with a particular conviction record may be disqualified by law or the employer's policies from employment in particular positions.

