

SENATE BILL SUMMARY

Prepared by the Division of Legislative Information for the Senate Bill **AS ORIGINALLY FILED**. For more detail, see Senate Bill Analyses, if available, prepared by the Senate's professional committee staff.

SB 340

Ex-offenders/Restrictions on Licensing and Employment/ Criminal History Records by Senator Wilson

Requires state agencies and regulatory boards to submit reports to the Governor and legislative officers that identify and evaluate restrictions on the licensing and employment of ex-offenders and alternatives to disqualifying policies.

Prohibits state agencies from denying an application for a license, permit, certificate, or employment based on a person's lack of civil rights. Provides that the prohibition does not apply to applications for a license to carry a concealed weapon or firearm.

Requires an employer to review the results of a criminal background investigation and ensure that the employee will not be assigned to particular work that will place the employee in a position in which conduct similar to the employee's past criminal conduct is facilitated. Requires an employer to determine that information revealed by the investigation did not demonstrate the unsuitability of the employee for the particular work to be performed or the context of the employment in general.

Clarifies under what circumstances a person may legally deny the existence of an expunged criminal history record. Authorizes the disclosure of the contents of an expunged record upon receipt of a written, notarized request from the subject of the record.

Requires each website for the office of a clerk of court to include information relating to procedures to seal or expunge criminal history records.

Authorizes a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged if that person obtains a certificate from the Department of Law Enforcement (FDLE). Directs the FDLE to issue the certificate only if that person has not been arrested during the 5-year period following the date of the court order for the initial expunction or sealing. (See bill for details)