Department of Planning and Budget
2017 Fiscal Impact Statement

1. **Bill Number:** SB1171

House of Origin	☒	Introduced	☐	Substitute	☐	Engrossed
Second House	☐	In Committee	☐	Substitute	☐	Enrolled

2. **Patron:** Dance

3. **Committee:** General Laws and Technology

4. **Title:** Public employment; inquiries by state agencies and localities regarding criminal convictions, charges, and arrests

5. **Summary:** Prohibits state agencies from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime, subject to certain exceptions. A prospective employee may not be asked if he has ever been convicted of any crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if the prospective employee has a conviction record that directly relates to the duties and responsibilities of the position. A prospective employee may not be asked if he has ever been arrested or charged with a crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if (i) the prospective employee's criminal arrest or charge resulted in the prospective employee's conviction of a crime and (ii) the crime of which he was convicted directly relates to the duties and responsibilities of the position. The prohibition does not apply to applications for employment with law-enforcement agencies or certain positions designated as sensitive or in instances where a state agency is expressly permitted to inquire into an individual's criminal history for employment purposes pursuant to any provision of federal or state law. The bill also authorizes localities to prohibit such inquiries.

6. **Budget Amendment Necessary**: No.

7. **No Fiscal Impact**

8. **Fiscal Implications:** None.

9. **Specific Agency or Political Subdivisions Affected:** All state agencies and localities.

10. **Technical Amendment Necessary:** No.

11. **Other Comments:** This bill codifies current policies implemented in April of 2015 as a result of Executive Order 41 (2015). This bill is a companion to House Bill 2323 (Aird).