



February 17, 2017

SENATE BILL No. 312

DIGEST OF SB 312 (Updated February 15, 2017 11:49 am - DI 84)

Citations Affected: IC 22-2.

Synopsis: Use of criminal history information in hiring. Provides that a political subdivision may not prohibit an employer from obtaining or using criminal history information during the hiring process to the extent allowed by federal or state law, rules, or regulations. Provides that a political subdivision may not prohibit an employer, at the time an individual makes an initial application for employment, from making an inquiry regarding the individual's criminal history information or requiring the individual to disclose criminal history information.

Effective: July 1, 2017.

Boots

January 9, 2017, read first time and referred to Committee on Pensions and Labor.
February 16, 2017, reported favorably — Do Pass.

SB 312—LS 6726/DI 102



February 17, 2017

First Regular Session 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

SENATE BILL No. 312

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 22-2-17 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2017]:
4 **Chapter 17. Use of Criminal History Information in**
5 **Employment Decisions**
6 **Sec. 1. As used in this chapter, "criminal history information"**
7 **has the meaning set forth in IC 5-2-4-1(1).**
8 **Sec. 2. As used in this chapter, "political subdivision" has the**
9 **meaning set forth in IC 36-1-2-13.**
10 **Sec. 3. Unless federal or state law provides otherwise, a political**
11 **subdivision may not prohibit an employer from:**
12 **(1) obtaining or using criminal history information during the**
13 **hiring process to the extent allowed by federal or state law,**
14 **rules, or regulations; or**
15 **(2) at the time an individual makes an initial application for**
16 **employment:**
17 **(A) making an inquiry regarding the individual's criminal**

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1 **history information; or**
2 **(B) requiring the individual to disclose the individual's**
3 **criminal history information.**



COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 312, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 312 as introduced.)

BOOTS, Chairperson

Committee Vote: Yeas 7, Nays 3

