

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1135 Session of 2015

INTRODUCED BY GREENLEAF, HAYWOOD, KITCHEN, WAGNER, COSTA,
BARTOLOTTA, FONTANA, FARNESE AND HUGHES, MARCH 7, 2016

REFERRED TO JUDICIARY, MARCH 7, 2016

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in criminal history record
3 information, further providing for use of records for
4 employment.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 9125 of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 9125. Use of records for employment.

10 (a) General rule.--Whenever an employer is in receipt of
11 information which is part of [an employment applicant's] the
12 criminal history record information file of an employment
13 applicant or an employee, it may use that information for the
14 purpose of deciding whether or not to [hire the applicant] begin
15 or continue employment, only in accordance with this section.

16 (b) Use of information.--Felony and misdemeanor convictions
17 may be considered by the employer only to the extent to which
18 they relate to [the applicant's] suitability for employment in
19 the position [for which he has] applied for or held.

1 (c) Notice.--

2 (1) The employer shall notify in writing the applicant
3 if the decision not to hire the applicant is based in whole
4 or in part on criminal history record information.

5 (2) The employer shall notify in writing the employee if
6 an adverse employment decision is based in whole or in part
7 on criminal history record information.

8 Section 2. This act shall take effect in 30 days.