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HOUSE BILL 426

Short Title:	Public Emp. Applicants/Criminal Convictions. (Public)

Sponsors:	Representatives Pierce and L. Hall (Primary Sponsors).
	For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to:	Rules, Calendar, and Operations of the House.

March 27, 2013

1   A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE OFFICE OF STATE PERSONNEL TO ESTABLISH
3   POLICIES IDENTIFYING THE SPECIFIC OCCUPATIONAL CATEGORIES FOR
4   WHICH A CRIMINAL CONVICTION IS A BAR TO EMPLOYMENT AND TO
5   AUTHORIZE THAT, FOR THOSE CATEGORIES, THE HIRING AUTHORITY MAY
6   REQUIRE DISCLOSURE OF A PRIOR CONVICTION ON INITIAL APPLICATION
7   FOR EMPLOYMENT; AND TO PROVIDE THAT, FOR ALL OTHER
8   OCCUPATIONAL PROCESS, MAKE AN INQUIRY REGARDING A CRIMINAL
9   CONVICTION ON THE CONSIDERATION OF A CONVICTION AFTER THE
10   APPLICANT HAS BEEN SELECTED AS A FINALIST FOR THAT POSITION.
11 The General Assembly of North Carolina enacts:
12   **SECTION 1.** The Office of State Personnel shall adopt rules to:
13   (1)   Identify the specific occupational categories for which a criminal conviction
14   is a bar to State employment, and authorize for those categories the hiring
15   authority to require disclosure of prior criminal convictions on the initial
16   application for State employment.
17   (2)   Provide that, for all other occupational categories, State employment hiring
18   authorities may not during the hiring process make an inquiry regarding a
19   conviction on the initial application for employment and may only take into
20   consideration a criminal conviction after the applicant has been selected as a
21   finalist for that position.
22   **SECTION 2.** The Office of State Personnel shall develop a protocol for State
23 agencies, departments, and institutions to collect and track application and hiring rates of
24 individuals with criminal convictions.
25   **SECTION 3.** This act is effective when it becomes law.