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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT " " to H.P. 1488, L.D. 2087, Bill, "An Act Relating to Fair Chance in Employment"

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 26 MRSA §600-A is enacted to read:

§600-A. Criminal history record information; employment application

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Criminal history record information" has the same meaning as in Title 16, section 703, subsection 3.

B. "Employer" means a person in this State who employs individuals. "Employer" includes municipalities and political subdivisions of the State, but does not include an employer of an individual who holds a position in the legislative, executive or judicial branch of State Government or a position with a quasi-independent state entity or public instrumentality of the State. "Employer" includes a person acting in the interest of an employer directly or indirectly.

2. Initial employee application form. Except as provided in subsection 3, an employer may not:

A. Request criminal history record information on the employer's initial employee application form; or

B. State on an initial employee application form or advertisement or specify prior to determining a person is otherwise qualified for the position that a person with a criminal history may not apply or will not be considered for a position.

An employer may inquire about a prospective employee's criminal history record information during an interview or once the prospective employee has been determined otherwise qualified for the position.

COMMITTEE AMENDMENT

