

# HB3647



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3647

by Rep. Sonya M. Harper

### SYNOPSIS AS INTRODUCED:

820 ILCS 75/15

Amends the Job Opportunities for Qualified Applicants Act. Provides that inquiries into a job applicant's criminal history may not inquire into events occurring more than 5 years before the date of the inquiry.

LRB100 09735 JLS 19904 b

A BILL FOR

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Job Opportunities for Qualified Applicants  
5 Act is amended by changing Section 15 as follows:

6 (820 ILCS 75/15)

7 Sec. 15. Employer pre-screening.

8 (a) An employer or employment agency may not inquire about  
9 or into, consider, or require disclosure of the criminal record  
10 or criminal history of an applicant until the applicant has  
11 been determined qualified for the position and notified that  
12 the applicant has been selected for an interview by the  
13 employer or employment agency or, if there is not an interview,  
14 until after a conditional offer of employment is made to the  
15 applicant by the employer or employment agency. An inquiry  
16 regarding an applicant's criminal record or criminal history  
17 authorized under this Act may not inquire into events occurring  
18 more than 5 years before the date of the inquiry.

19 (b) The requirements set forth in subsection (a) of this  
20 Section do not apply for positions where:

21 (1) employers are required to exclude applicants with  
22 certain criminal convictions from employment due to  
23 federal or State law;

1           (2) a standard fidelity bond or an equivalent bond is  
2           required and an applicant's conviction of one or more  
3           specified criminal offenses would disqualify the applicant  
4           from obtaining such a bond, in which case an employer may  
5           include a question or otherwise inquire whether the  
6           applicant has ever been convicted of any of those offenses;  
7           or

8           (3) employers employ individuals licensed under the  
9           Emergency Medical Services (EMS) Systems Act.

10          (c) This Section does not prohibit an employer from  
11          notifying applicants in writing of the specific offenses that  
12          will disqualify an applicant from employment in a particular  
13          position due to federal or State law or the employer's policy.

14          (Source: P.A. 98-774, eff. 1-1-15.)