GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H   1

HOUSE BILL 605

Short Title:	Reduce Unfair Barriers to Public Employment.	(Public)

Sponsors:	Representative R. Johnson (Primary Sponsor).
	For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to:	Judiciary I, if favorable, State Personnel, if favorable, Commerce and Job Development.

April 13, 2015

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 1                           A BILL TO BE ENTITLED
 2   AN ACT TO REDUCE UNFAIR BARRIERS TO PUBLIC EMPLOYMENT BY
 3      REQUIRING THAT A PUBLIC EMPLOYER NEITHER ASK ABOUT NOR
 4      CONSIDER THE CRIMINAL RECORD OF A JOB APPLICANT UNTIL THE
 5      APPLICANT HAS BEEN SELECTED BY THE EMPLOYER FOR AN INTERVIEW.
 6   The General Assembly of North Carolina enacts:
 7           SECTION 1.  Article 5 of Chapter 15A of the General Statutes is amended by
 8   adding a new section to read:
 9   "§ 15A-151.  Public employment; consideration of criminal history record.
10       (a)      Notwithstanding any other provision of law, a public employer shall not inquire into
11   or consider the criminal record or criminal history of an applicant for public employment until
12   the applicant has been selected for an interview by the employer.
13       (b)      This section does not apply to the custody staff of the Divisions of Adult Correction
14   and Juvenile Justice of the Department of Public Safety or to public employers who have a
15   statutory duty to conduct a criminal history record check for a position or otherwise take into
16   consideration a potential employee's criminal history during the hiring process.
17       (c)      This section does not prohibit a public employer from notifying applicants that law
18   or the employer's policy will disqualify an individual with a particular criminal history record
19   from employment in particular positions.
20       (d)      For the purposes of this section, the term "public employer" means the State or a
21   local political subdivision of the State."
22           SECTION 2.  This act becomes effective July 1, 2015, and applies to applications
23   for employment submitted on or after that date.
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