
DIGEST

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HB 265 Original

2016 Regular Session

Marcelle

Abstract: Prohibits state contractors from inquiring about an applicant's criminal history on a job application form unless the application is for a position that requires a criminal background check.

Proposed law applies to procurements, cooperative endeavor agreements, and public contracts for services (such as professional, consulting, or social services) governed by present law under the La. Procurement Code (Chapter 17 of Title 39). Prohibits state contractors from inquiring about a job applicant's criminal history on a job application if state or federal law does not require a criminal background check for the position for which the applicant is applying. Permits the contractor to inquire about an applicant's criminal history after the applicant has been given an opportunity to interview for the position or, if no such interview is to be conducted, after the applicant has been given a conditional offer of employment.

Proposed law requires the state chief procurement officer, prior to approving a proposed contract for professional, personal, consulting, or social services, to determine that the requirements of proposed law have been met.

Proposed law authorizes political subdivisions to adopt all or a part of proposed law and its accompanying regulations.

Proposed law requires a procurement, cooperative endeavor agreement, or public contract entered into pursuant to present law to contain a sworn affidavit by the contractor pledging to comply with proposed law. Proposed law applies to new procurements and public contracts for services and to any such procurement or contracts modified after Aug. 1, 2016.

Proposed law requires the office of state procurement to notify all using agencies of the requirements of proposed law. Further authorizes the office state procurement to adopt rules and regulations necessary to implement the provisions of proposed law.

(Adds R.S. 39:1624(A)(10), 2211 and, 2212)