

House File 425 - Introduced

HOUSE FILE 425
BY ABDUL-SAMAD

A BILL FOR

1 An Act prohibiting public employers from seeking information
2 regarding felony convictions from job applicants unless
3 required by law.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 70A.40 Hiring — prohibited
2 information.

3 1. For purposes of this section:

4 a. "*Felony*" means a conviction in a court of this or any
5 other state or of the United States, of an offense classified
6 as a felony by the law under which the defendant was convicted
7 at the time of the defendant's conviction.

8 b. "*Public employer*" means the state, its boards,
9 commissions, agencies, and departments, and its political
10 subdivisions, including counties, cities, school districts, and
11 other special purpose districts.

12 2. Unless required to do so by a state law or a federal
13 law, regulation, or policy, a public employer shall not seek
14 information in an employment application regarding whether
15 an applicant has been convicted of a felony. Where seeking
16 such information is required by a state law or a federal law,
17 regulation, or policy, a public employer shall not implement
18 the state law or the federal law, regulation, or policy in a
19 manner that exceeds the specific requirements of the state law
20 or the federal law, regulation, or policy.

21 EXPLANATION

22 This bill prohibits a public employer from seeking
23 information in an employment application regarding whether
24 an applicant has been convicted of a felony, unless the
25 employer is required to do so by a state law or a federal law,
26 regulation, or policy. The bill provides that where seeking
27 such information is required by a state law or a federal law,
28 regulation, or policy, a public employer shall not implement
29 the state law or the federal law, regulation, or policy in a
30 manner that exceeds the specific requirements of the state law
31 or the federal law, regulation, or policy.