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# SENATE BILL No. 391

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-5-6.

**Synopsis:** Employer inquiries into convictions and arrests. Provides that an employer may not inquire whether an employee or potential employee has been: (1) arrested or charged with a misdemeanor or felony that did not lead to a conviction; (2) convicted of or pleaded guilty to a misdemeanor if five years have passed since the date the person completes the person's sentence and satisfies any other obligations imposed on the person as a part of the sentence; or (3) adjudicated a delinquent for an act that would have been a crime if committed by an adult.

**Effective:** July 1, 2011.

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### Taylor

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January 11, 2011, read first time and referred to Committee on Pensions and Labor.

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First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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# SENATE BILL No. 391



A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 22-5-6 IS ADDED TO THE INDIANA CODE AS  
 2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
 3 1, 2011]:  
 4 **Chapter 6. Employer Inquiries Into Conviction and Arrest**  
 5 **Records**  
 6 **Sec. 1. An employer or potential employer may not inquire**  
 7 **whether an employee or potential employee has been:**  
 8 (1) **arrested or charged with a misdemeanor or felony that did**  
 9 **not lead to a conviction;**  
 10 (2) **convicted of or pleaded guilty to a misdemeanor if five (5)**  
 11 **years have passed since the date the person completed the**  
 12 **person's sentence and has satisfied any other obligations**  
 13 **imposed on the person as a part of the sentence; or**  
 14 (3) **adjudicated a delinquent child for an act that would have**  
 15 **been a crime if committed by an adult.**

