

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **Senate Substitute for Senate Substitute for HB 2386**, on page 1, following line 6, by inserting:

"New Section 1. (a) An employer shall not inquire into an applicant's conviction history on an application for employment.

(b) An employer shall not conduct a background check on an applicant unless the employer has made a good faith determination that the relevant position is of such sensitivity that a background check is warranted or if a background check is required by any federal or state law.

(c) As used in this section:

(1) "Applicant" means any person considered for, or who requests to be considered for, employment or any employee considered for, or who requests to be considered for, another employment position by the employer.

(2) "Employer" means any person regularly employing five or more persons; any person acting as an agent of an employer, directly or indirectly; any person undertaking procurement of employees for compensation or opportunities for employment; or the state of Kansas, a state agency or a municipality.

(3) "Employment" means any occupation, vocation, job or work for pay, including temporary or seasonal work, contracted work, contingent work and work through the services of a temporary or

other employment agency; or any form of vocational or educational training with or without pay.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after "to" by inserting "applications for employment; fair consideration for persons with a record of criminal convictions;"

Senator _____