

Fiscal Estimate Narratives

DOC 5/11/2011

LRB Number	11-1960/1	Introduction Number	SB-086	Estimate Type	Original
Description Permitting an educational agency to refuse to employ or to terminate from employment an unpardoned felon					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, discrimination in employment based on conviction record is prohibited, subject to certain exceptions. For instance, current law specifies that it is not employment discrimination because of conviction record to refuse to employ or to terminate from employment an individual who has been convicted of a felony, misdemeanor, or other offense, the circumstances of which substantially relate to the circumstances of the particular job.

This bill specifies that it is not employment discrimination because of conviction record for an educational agency to refuse to employ or to terminate from employment an individual who has been convicted of a felony and who has not been pardoned for that felony, whether or not the circumstances of the felony substantially relate to the circumstances of the particular job. Under the bill, an "educational agency" includes state prisons and juvenile correctional facilities.

The Department of Corrections already has stringent requirements for personnel screening and does not hire applicants who possess a conviction record when the conviction relates to the circumstances of the particular job. Also, discontinuance of employment occurs based on offense conviction record when the conviction relates to the circumstances of the job. It is not anticipated that there will be any fiscal impact on the Department as a result of this legislation.

The definition of "educational agencies," in the bill does not extend to local county jails, and therefore has no fiscal impact on those facilities.

Long-Range Fiscal Implications