



AN ACT PROVIDING CERTAIN LEGAL PROTECTIONS FOR PRIVATE EMPLOYERS REGARDING EMPLOYMENT OF INDIVIDUALS WITH CRIMINAL BACKGROUNDS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Legal protections in relation to employing individuals with criminal records. A private employer who acts reasonably and complies in good faith with this section may not be held liable regarding claims of negligent hiring or negligent employment for acts committed by an employee with a criminal record if the acts are committed outside the scope of the employment and:

- (1) the employer reviewed an arrest record prior to hiring that did not show a disposition of the case or that indicated an acquittal or a dismissal;
- (2) the conviction was for:
 - (a) a misdemeanor offense; or
 - (b) an offense that was not related to the employment; or
- (3) the employee with a criminal record is under the supervision of the probation and parole division of the department of corrections and the employment has been approved by the supervising officer.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 39, chapter 2, and the provisions of Title 39, chapter 2, apply to [section 1].

Section 3. Effective date. [This act] is effective July 1, 2017.

- END -

I hereby certify that the within bill,
SB 0325, originated in the Senate.

President of the Senate

Signed this _____ day
of _____, 2017.

Secretary of the Senate

Speaker of the House

Signed this _____ day
of _____, 2017.

SENATE BILL NO. 325

INTRODUCED BY B. HOVEN

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