

Effective 5/9/2017

**Part 1
General Provisions**

34-52-101 Title.

This chapter is known as "Reducing Barriers to Employment for Individuals with Criminal Records."

Enacted by Chapter 242, 2017 General Session

34-52-102 Definitions.

As used in this chapter:

- (1) "Applicant" means an individual who provides information to a public employer or private employer for the purpose of obtaining employment.
- (2)
 - (a) "Criminal conviction" means a verdict or finding of guilt after a criminal trial or a plea of guilty or nolo contendere to a criminal charge.
 - (b) "Criminal conviction" does not include an expunged criminal conviction.
- (3) "Juvenile adjudication" means:
 - (a) a finding by a court that the facts in a petition or criminal information alleging an individual committed an offense when the individual was younger than 18 years old have been proved; or
 - (b) an admission or plea of no contest under Section 80-6-306.
- (4) "Mental health professional applicant" means an individual who:
 - (a) is licensed under Title 58, Chapter 60, Mental Health Professional Practice Act; and
 - (b) provides information to a public employer or private employer for the purpose of obtaining employment that requires a license under Title 58, Chapter 60, Mental Health Professional Practice Act.
- (5)
 - (a) "Private employer" means a person who has one or more employees employed in the same business, or in or about the same establishment, under any contract of hire, express or implied, oral or written.
 - (b) "Private employer" does not include a public employer.
- (6) "Public employer" means an employer that is:
 - (a) the state or any administrative subunit of the state, including a department, division, board, council, committee, institution, office, bureau, or other similar administrative unit of state government;
 - (b) a state institution of higher education; or
 - (c) a municipal corporation, county, municipality, school district, special district, special service district, or other political subdivision of the state.

Amended by Chapter 16, 2023 General Session

Amended by Chapter 344, 2023 General Session