

57 (c) if no interview is conducted, requires an applicant to disclose, before making a
58 conditional offer of employment, a criminal conviction.

59 (3) Subject to Subsections (1) and (2), nothing in this section prevents an employer
60 from:

61 (a) asking an applicant for information about an applicant's criminal conviction history
62 during an initial interview or after an initial interview; or

63 (b) considering an applicant's conviction history when making a hiring decision.

64 (4) Subsections (1) and (2) do not apply:

65 (a) if federal, state, or local law, including corresponding administrative rules, requires
66 the consideration of an applicant's criminal conviction history;

67 (b) to a public employer that is a law enforcement agency;

68 (c) to a public employer that is part of the criminal ~~H~~→ or juvenile ~~H~~ justice system;

69 (d) to a public employer seeking a nonemployee volunteer;

70 (e) to a public employer that works with children or vulnerable adults ~~H~~→ [as part of the
71 human services system] ~~H~~ ; ~~S~~→ [and] ~~S~~

72 (f) to the Department of Alcoholic Beverage Control created in Section [32B-2-203](#) ~~S~~→ [~~S~~→
72a ~~]; and ~~S~~~~ ; ~~S~~

72b ~~S~~→ [~~S~~→ ~~(g) to the State Tax Commission.~~ ~~S~~] (g) to the State Tax Commission; and

72c (h) to a public employer whose primary purpose is performing financial or fiduciary
72d functions. ~~S~~