

# Regulatory Updates

10.31.24

## States

### California

- 10.01.24 - Governor Newsom will soon prohibit California employers from telling job applicants that a driver's license will be required for a job unless the position meets a two-part test.

#### **LA County:**

- 10.17.24 – Los Angeles County Fair Chance Ordinance - <https://www.jdsupra.com/legalnews/complying-with-the-los-angeles-county-8220092>

Businesses in unincorporated LA County must comply with new background check laws, starting September 3.

- The new law requires changes to job postings, offer letters, notices, and the background check adjudication process.
- LA County will soon publish forms and FAQs to assist with compliance.

<https://www.bakerlaw.com/insights/la-county-employers-must-update-job-postings-offer-letters-and-background-check-processes-by-september-3/>

#### **Sand Diego County:**

- 10.17.24 – Fair Chance Ordinance- New rules to follow when hiring a new employee. <https://www.jdsupra.com/legalnews/complying-with-the-los-angeles-county-8220092>

### Colorado

- 07.01.24 – Clean Slate Act. The state will begin determining what criminal records to expunge and when this will start to take place.

### Delaware

- 29,000 criminal records expunged under the “Clean Slate Act”.

### Illinois

- How To Navigate The Illinois Human Rights Act's Protection Of Criminal Convictions [https://www.mondaq.com/unitedstates/employee-rights-labour-relations/1498264/how-to-navigate-the-illinois-human-rights-acts-protection-of-criminal-convictions?email\\_access=on](https://www.mondaq.com/unitedstates/employee-rights-labour-relations/1498264/how-to-navigate-the-illinois-human-rights-acts-protection-of-criminal-convictions?email_access=on)
- On Aug. 9, 2024, Illinois Gov. Pritzker signed into law HB3733, which amends the Illinois Human Rights Act (IHRA) to cover employer use of artificial intelligence (AI).

Effective Jan. 1, 2026, the amendments will add to existing requirements for employers that use AI to analyze video interviews of applicants for positions in Illinois.

### **New York**

- Proposed Rule Change
- Statement of Basis and Purpose of Proposed Rule The New York City Commission on Human Rights (“the Commission”) is proposing to amend its rules concerning prohibitions on employment discrimination based on criminal history to account for amendments to the Human Rights Law pursuant to Local Law 4 of 2021, in addition to other clarifying changes. The proposed rules amend portions of Chapter 1 of Title 47 of the Rules of the City of New York to (i) clarify when party signatures are required and (ii) streamline the complaint filing process and clarify when service may be made by email. The proposed rules also amend portions of Chapter 2 of Title 47 of the Rules of the City of New York. The proposed rules will amend section 2-01 to update some existing definitions and to add several others. In addition, the proposed rules amend section 2-03 to reflect more fully the process under the NYC Human Rights Law for places of public accommodation that request exemptions from the prohibition against gender-based discrimination. The rules also amend section 2-04 to address key changes to the Human Rights Law, including but not limited to: (i) extending from 3 to 5 business days the time that employers, employment agencies, and their agents must allow job applicants to respond to a Fair Chance Employment Analysis of their criminal history; (ii) adding new protections for people with certain types of cases, including pending criminal cases, unsealed violations, unsealed non-criminal offenses, and adjournments in contemplation of dismissal; (iii) adding new Fair Chance Employment protections for current employees; and 3 (iv) removing the early resolution process for Commission-initiated Fair Chance Employment complaints to make the enforcement of Fair Chance Employment protections consistent with that of other protections under the Human Rights Law and reflect that the Law has been in effect for a significant amount of time

### **New Jersey**

- 10.24.2024 – State working on a bill regarding procedures and processes involved in criminal record expungement and the risk of these records being included in background check reports before expungement.

### **Utah**

- 07.01.2024 - SLC cleans up approximately 74,000 criminal records under new “Clean Slate Law”.

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