

116TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend the Federal Deposit Insurance Act to provide exceptions to the prohibition on participation by individuals convicted of certain offenses, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. JONES (for himself, Mr. TILLIS, Mr. MANCHIN, and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Federal Deposit Insurance Act to provide exceptions to the prohibition on participation by individuals convicted of certain offenses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Hiring in Bank-  
5 ing Act”.

1 **SEC. 2. PENALTY FOR UNAUTHORIZED PARTICIPATION BY**  
2 **CONVICTED INDIVIDUAL.**

3 Section 19(a) of the Federal Deposit Insurance Act  
4 (12 U.S.C. 1829(a)) is amended by adding at the end the  
5 following:

6 “(3) PRIOR WRITTEN CONSENT NOT RE-  
7 QUIRED.—

8 “(A) IN GENERAL.—Except as provided in  
9 subparagraph (B), the prior written consent of  
10 the Corporation shall not be required under  
11 paragraph (1) for any person who has been con-  
12 victed of an offense referred to in paragraph  
13 (1)(A) or has agreed to enter into a pretrial di-  
14 version or similar program with a prosecution  
15 for such an offense—

16 “(i) after the 7-year period beginning  
17 on the date that the sentencing or program  
18 requirements in connection with the convic-  
19 tion or pretrial diversion or similar pro-  
20 gram have been completed;

21 “(ii) after the 30-month period begin-  
22 ning on the date that the sentencing or  
23 program requirements in connection with  
24 the conviction or pretrial diversion or simi-  
25 lar program have been completed if the

1 person who committed the offense was  
2 under 21 years of age; or

3 “(iii) if the conviction or agreement  
4 for such offense has been pardoned, sealed,  
5 or expunged even if any record of the con-  
6 viction or program entry remain accessible  
7 by courts, law enforcement, or in connec-  
8 tion with the employment or application  
9 for employment of the person in a position  
10 where a criminal background check is re-  
11 quired by law.

12 “(B) EXCEPTIONS.—Subparagraph (A)  
13 shall not apply to —

14 “(i) any offense described in para-  
15 graph (2)(A);

16 “(ii) any person who intends to ac-  
17 quire control of any insured depository in-  
18 stitution; or

19 “(iii) any person who seeks to become  
20 a director or executive officer of any in-  
21 sured depository institution.

22 “(C) DEFINITIONS.—In this paragraph—

23 “(i) the term ‘control’ has the mean-  
24 ing given the term in section 7(j)(8); and

1                   “(ii) the term ‘executive officer’ has  
2                   the meaning given the term in section  
3                   22(h) of the Federal Reserve Act (12  
4                   U.S.C. 375b(h)).”.