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EMBARGOED MATERIAL



April 16, 2024

Independent Regulatory Review Commission  
333 Market Street, 14th Floor  
Harrisburg, PA 17101

RECEIVED

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Independent Regulatory  
Review Commission

**Re: Regulation No. 16A-66: Consideration of Criminal Convictions**

To the Honorable Members of the Independent Regulatory Review Commission:

I write on behalf of the Pennsylvania Chamber of Business and Industry (PA Chamber) in response to the Pennsylvania Department of State's (the Department) November 19, 2022 proposed regulation to implement Act 53 of 2020, known as the Occupational Licensing Reform law. Thank you for the opportunity to submit these comments.

The PA Chamber first submitted comments in response to this proposed regulation on Dec. 19, 2022. We described workforce challenges Pennsylvania employers and the economy in general face and our ongoing efforts to encourage individuals into employment. We outlined our support for criminal justice reform measures as part of a broad workforce agenda, including Senate Bill 637, the Occupational Licensing Reform legislation, during the 2019-2020 legislative session.

The legislation sought to establish a standardized process for agencies evaluating criminal history in the context of occupational license applications, stipulating that a license could only be denied if the record was directly related to the occupation. This mirrored the approach taken by employers when assessing job applicants with criminal records and was deemed appropriate for application in this context.

We concluded our comments by urging the Department to work closely with stakeholders to ensure that reasonable concerns raised with respect to the proposed regulation are addressed and that the final regulations truly achieve the goals of Act 53 of 2020.

We understand that stakeholders have expressed support for the final occupational licensing reform regulations, particularly the extent to which the lists of disqualifying offenses more closely relate to the performance of occupations, and the fact that the regulations now contain time limits on how long an offense is directly related.

These regulations will allow people with criminal records who do not present risk to obtain occupational licenses and fill job vacancies. We support the final regulations.

Thank you for considering our views on this important matter.

Sincerely

A handwritten signature in black ink that reads "Alex J. Halper". The signature is written in a cursive style with a large initial "A" and "H".

Alex Halper  
SVP, Governments Affairs

cc: Cynthia K. Montgomery, Deputy Chief Counsel  
Department of State, Primary Contact  
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