

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Workforce

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Matthew Germer, Administrator

Meeting Dates: 5/20

WHAT THE MEASURE DOES: Establishes unlawful employment practice for employer in the following cases: use of a job application form that inquires about applicant’s conviction history; inquiring about or considering an applicant’s conviction history prior to an interview; or inquiring about or considering an applicant’s conviction history prior to making a conditional offer of employment when no interview is conducted. Creates right of civil action for violation.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

BACKGROUND: After release, ex-offenders are expected to reintegrate into society by obtaining suitable housing, complying with court-ordered payment of debts such as restitution and/or child support in arrears, and supporting themselves, all of which being predicated on their ability to secure gainful employment. Studies have also found that employment can reduce recidivism. According to the National Conference of State Legislatures (NCSL), at least 27 states limit or prohibit the use of criminal records for public or private employment and/or licensing eligibility. NCSL also reports that 13 states, plus the District of Columbia, have enacted “Ban the Box” legislation restricting or prohibiting employers from using applicant’s criminal history in employment consideration, with few exceptions.