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S.B. 68
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Williams

Kelly Bomba, Attorney

SUMMARY

- Prohibits a private employer from including on any employment application form any question concerning whether the applicant has been convicted of or pleaded guilty to a felony.

DETAILED ANALYSIS

Inquiring about a felony conviction

The bill prohibits a private employer or any person acting as a private employer's agent from including on any form for application for employment with the employer any question concerning whether the applicant has been convicted of or pleaded guilty to a felony in Ohio or any other jurisdiction. The bill does not include a penalty for violating this prohibition. The bill specifies that nothing in the bill may be construed to prohibit an employer from completing a criminal records check as part of any application process if otherwise permitted by law.¹

Public employers are subject to a similar prohibition under current law. Continuing law prohibits a public employer from including on any employment application form any question concerning an applicant's criminal background. That law allows a public employer to include on any employment application form a statement notifying an applicant of any provision of state or federal law that disqualifies an individual with a particular criminal history from employment in a particular position. For purposes of this prohibition, "public employer" is defined as a state agency or political subdivision.²

¹ R.C. 4113.13.

² R.C. 9.73, not in the bill.

HISTORY

Action	Date
Introduced	02-17-21
