



# Ohio Legislative Service Commission

## Bill Analysis

Kelly Bomba

### S.B. 79

131st General Assembly  
(As Introduced)

**Sens.** Williams, Brown, Tavares, Yuko

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## BILL SUMMARY

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

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## CONTENT AND OPERATION

### Inquiring about a felony conviction

The bill prohibits an employer from including any question on any form for application for employment with the employer 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. An "employer" is any person who has one or more employees and includes a public employer.<sup>1</sup>

Public employers are subject to a similar prohibition under current law. Continuing law prohibits a public employer from including on any form for application for employment with the public employer 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

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<sup>1</sup> R.C. 4113.13, by reference to R.C. 4113.51, not in the bill.

in a particular position. For purposes of this prohibition, "public employer" is defined as a state agency or political subdivision.<sup>2</sup>

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## HISTORY

ACTION	DATE
Introduced	02-23-15

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<sup>2</sup> R.C. 9.73, not in the bill.

