



OHIO LEGISLATIVE SERVICE COMMISSION

Tom Wert

Fiscal Note & Local Impact Statement

Bill: H.B. 187 of the 132nd G.A.

Status: As Introduced

Sponsor: Rep. Dever

Local Impact Statement Procedure Required: No

Subject: Regulates the collection, use, and retention of certain personal information about job applicants

Detailed Fiscal Analysis

The bill may result in a small number of new cases for applicable courts under a provision allowing an aggrieved job applicant to sue an employer for violating any of the bill's provisions regarding the collection, use, and retention of personal information, including Social Security numbers, birthdates, and driver's license numbers. Because the number of new cases would likely be small, any additional costs to applicable courts would likely be negligible.

The bill generally prohibits an employer from requesting, using, or providing the aforementioned information about an applicant for employment to another person before making the applicant an offer of employment. However, employers would still be able to request and use the restricted information under certain situations, including (1) to obtain criminal records checks, credit histories, driving records, or (2) to review internal records to determine whether the applicant was previously employed or previously applied for a job with the employer. The bill also permits an employer to request or use the restricted information and provide it to a government entity to determine an applicant's eligibility for government services, benefits, or programs, or as necessary to comply with law, for purposes of performance review, or in a promotion application.

Under the bill, employers must maintain a policy regarding the retention, disposition, access, and confidentiality of any personal information and give applicants an opportunity to review the policy before asking the applicant to provide the personal information. Finally, the bill prohibits employers from retaining any of the specified information for longer than two years if the applicant is not hired.

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