OHIO LEGISLATIVE SERVICE COMMISSION

www.lsc.ohio.gov

Office of Research and Drafting

Legislative Budget Office

H.B. 688
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Tims and Brent

Paul Luzzi, Senior Attorney

SUMMARY

- Prohibits a private-sector employer from including in any application for employment with the employer any question concerning an applicant's criminal background.

DETAILED ANALYSIS

Questions concerning an applicant's criminal background

The bill prohibits an employer from including on any application for employment with the employer any question concerning an applicant's criminal background. The bill specifies that it does not prohibit an employer from including on an application a statement notifying an applicant of any provision of Ohio or federal law that disqualifies an individual with a particular criminal history from employment in a particular position.

The bill does not apply to a state agency or a political subdivision. However, current law includes a nearly identical prohibition for these employers.[1]

Under the bill, a person may report an alleged violation of the prohibition to the Director of Commerce. If the Director determines reasonable grounds exist to believe a violation occurred, the bill requires the Director to investigate the alleged violation within a reasonable amount of time. After the investigation and a hearing conducted in accordance with the Administrative Procedure Act,[2] if the Director finds that a violation occurred, the Director may assess a fine against the employer in a reasonable amount, as determined by the Director.[3]

[1] R.C. 4113.87(A) (B), and (C), by reference to R.C. 9.73, not in the bill.

[2] R.C. Chapter 119.

[3] R.C. 4113.87(D).

All money collected under the bill must be deposited to the credit of the Industrial Compliance Operating Fund. Under continuing law, the Director uses money in the Fund to pay operating expenses and administrative costs associated with the Division of Industrial Compliance. The Division is responsible for enforcing wage and hour requirements and conducting inspections in the construction and certain manufacturing industries.[4]

HISTORY

Action	Date
Introduced	02-10-26

ANHB0688IN-136/ks

[4] R.C. 4113.87(E), by reference to R.C. 121.084, not in the bill; see also Ohio Department of Commerce, About Industrial Compliance.