

**SENATE  
STATE OF MINNESOTA  
SECOND SPECIAL SESSION**

**S.F. No. 38**

(SENATE AUTHORS: CHAMPION and Dziedzic)

<b>DATE</b>	<b>D-PG</b>	<b>OFFICIAL STATUS</b>
07/13/2020	17	Introduction and first reading Referred to Rules and Administration

1.1 A bill for an act

1.2 relating to employment; expanding the ban the box law to include boards,

1.3 commissions, and other similar entities; amending Minnesota Statutes 2018, section

1.4 364.021.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 364.021, is amended to read:

1.7 **364.021 PUBLIC AND PRIVATE EMPLOYMENT; CONSIDERATION OF**

1.8 **CRIMINAL RECORDS.**

1.9 (a) A public or private employer may not inquire into or consider or require disclosure

1.10 of the criminal record or criminal history of an applicant for employment until the applicant

1.11 has been selected for an interview by the employer or, if there is not an interview, before a

1.12 conditional offer of employment is made to the applicant.

1.13 (b) This section does not apply to the Department of Corrections or to employers who

1.14 have a statutory duty to conduct a criminal history background check or otherwise take into

1.15 consideration a potential employee's criminal history during the hiring process.

1.16 (c) This section does not prohibit an employer from notifying applicants that law or the

1.17 employer's policy will disqualify an individual with a particular criminal history background

1.18 from employment in particular positions.

1.19 (d) This section applies to individuals appointed pursuant to chapter 15 to boards,

1.20 commissions, agencies, committees, councils, authorities, courts, advisory task forces, and

1.21 advisory councils.

1.22 **EFFECTIVE DATE.** This section is effective August 1, 2020.