

HOUSE BILL 424

By Hakeem

AN ACT to amend Tennessee Code Annotated, Title 39;
Title 40; Title 41 and Title 50, relative to
employment discrimination.

WHEREAS, criminal convictions prevent individuals from finding stable employment following release; and

WHEREAS, employers may neglect to check the criminal history of an offender before denying employment; and

WHEREAS, an offender who finds employment following release from custody is less likely to reoffend; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, Part 1, is amended by adding the following new section:

- (a) Employers shall not access sealed or expunged criminal records when conducting a criminal background check.
- (b) Employers shall not ask applicants about any previous conviction during the application process other than convictions specifically related to the position.
- (c) Employers may use a conviction relevant to the position as justification for not hiring an applicant.
- (d) Employers shall send a letter of denial informing an unsuccessful applicant how the employer reached the hiring decision if the decision was based on a prior conviction. The letter of denial may be sent electronically.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.