Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 4 Senators Chambers, Crawford, Hansen, Howard
Nay: 3 Senators Albrecht, Halloran, Lowe
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:
John McCollister
Kenneth Ackerman
Jasmine Harris
William Hamilton
Douglas Shockley
Taliesha Goodwin
Julia Tse
Fran Kaye
Omaid Zabih
John Gibbs
Steven Howard
Joe Nigro
Amy Miller
Joanna Lindberg
Marge Schlitt

Representing:
Introducer
Self
Self
Black Men United
Fearless Group; self
Be'ton Rose Living, Inc.; self
Voices for Children in Nebraska
Re-Entry Alliance of Nebraska
Staff Attorney, Immigrants & Communities Program, Nebraska Appleseed
Self
Nebraska AFL-CIO
Nebraska Criminal Defense Attorneys Association; Lancaster County Public Defender
Legal Director, ACLU of Nebraska
League of Women Voters of Greater Omaha
Nebraskans for Peace

Opponents:
Robert Hallstrom

Representing:
National Federation of Independent Business (NFIB); Nebraska Bankers Association (NBA)

Neutral:

Summary of purpose and/or changes:
In 2014, the Nebraska Legislature passed a criminal justice omnibus bill, which included "ban the box" provisions (LB 932). The law prohibits public employers, the State of Nebraska or its political or governmental subdivisions, from requesting criminal background or histories from employment applicants until it has determined that the applicant meets the minimum qualifications.
Sec. 1. creates the Fair Chance Hiring Act.

Sec. 2. definition section. Defines applicant, employee, employer, employment agency, law enforcement agency, and person. Employer means any person employing fifteen or more employees for each working day in each of twenty or more calendar weeks, and includes the State of Nebraska, governmental agencies, and political subdivisions, regardless of the number of employees. Employer does not include the United States, a corporation wholly owned by the U.S. government, an Indian tribe, or a law enforcement agency.

Sec. 3. extends the prohibition of asking an applicant to disclose information regarding his or her criminal history to employers and employment agencies as opposed to only public employers. Prior to determining whether an applicant meets the minimum qualifications, an employer or employment agency may ask about the applicant's criminal record if federal or state law requires a criminal history check, federal or state law disqualifies an applicant with a criminal background, and the request for disclosure is limited to the types of criminal offenses the employer is required to conduct a check for or that disqualifies the applicant.

If an employer or employment agency requests disclosure and the applicant is still eligible for the position, the employer must afford the applicant an opportunity to explain the information and circumstances regarding any convictions, including rehabilitation.

Amendment (AM 553)

The committee amendment includes private, denominational, or parochial schools to the list of entities not prevented from requiring an applicant to disclose his/her criminal record or history related to sexual or physical abuse.

Explanation of amendments:
The committee amendment includes private, denominational, or parochial schools to the list of entities not prevented from requiring an applicant to disclose his/her criminal record or history related to sexual or physical abuse.

Joni Albrecht, Chairperson