

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 254

FINAL READING

Introduced by McCollister, 20; Blood, 3; Chambers, 11; Howard, 9; Hunt, 8; Kolowski, 31; Pansing Brooks, 28; Quick, 35; Walz, 15; Wishart, 27.

Read first time January 14, 2019

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to labor; to adopt the Fair Chance Hiring Act.
- 2 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 3 of this act shall be known and may be
2 cited as the Fair Chance Hiring Act.

3 Sec. 2. For purposes of the Fair Chance Hiring Act:

4 (1) Applicant means (a) any individual considered for, or who
5 requests to be considered for, employment by an employer, or (b) any
6 employee considered for, or who requests to be considered for, another
7 employment position with his or her employer;

8 (2) Employee means an individual employed by an employer;

9 (3) Employer means any person having in his or her employ fifteen or
10 more employees for each working day in each of twenty or more calendar
11 weeks in the current or preceding calendar year, and any person acting
12 for or in the interest of an employer, directly or indirectly but such
13 term does not include (a) the United States, (b) a corporation wholly
14 owned by the government of the United States, (c) an Indian tribe, or (d)
15 the State of Nebraska, state or local governmental agencies, or political
16 subdivisions;

17 (4) Employment agency means any person regularly undertaking with or
18 without compensation to procure employees for an employer or to procure
19 for employees opportunities to work for an employer and includes an agent
20 of such a person, but does not include an agency of the United States,
21 except that such term does include the United States Employment Service
22 and the system of state and local employment services receiving federal
23 assistance; and

24 (5) Person includes one or more individuals, partnerships, limited
25 liability companies, associations, corporations, business trusts, legal
26 representatives, or any organized group of persons.

27 Sec. 3. An employer or employment agency that asks an applicant to
28 disclose, orally or in writing, information concerning the applicant's
29 criminal record or history, including any inquiry on any employment
30 application, shall afford the applicant an opportunity to explain the
31 information and the circumstances regarding any convictions or other

1 criminal history, including the applicant's rehabilitation.