



INSTITUTE FOR JUSTICE

March 11, 2025

**Testimony of the Institute for Justice in Support of HB 87**

Dear Chair Adams and Members of the Senate Licensing and Occupations Committee:

My name is Meagan Forbes, and I am Senior Legislative Counsel at the Institute for Justice. We are a nonprofit law firm that works to protect civil liberties, including economic liberty. We have also studied the burdens of occupational licensing, particularly on lower-income workers and people with criminal records. We support this bill because it will increase transparency in licensing and access to economic opportunity for people with criminal records.

Research shows that a job is one of the best ways to reduce recidivism, but strict occupational licensing laws can make it difficult and sometimes even impossible for returning citizens to find work.

A couple of years ago, the Institute for Justice published *Barred from Working*, a comprehensive study of the collateral consequences of occupational licensing restrictions for people with criminal records.<sup>1</sup> The study used 10 criteria to grade all 50 states on their laws for licensing applicants with criminal records. In our report, Kentucky scored low on its due process protections for people with criminal records in licensing.<sup>2</sup> We ultimately found that Kentucky lacked a transparent process for people with criminal records to learn whether their criminal record would disqualify them from getting the license.

This bill addresses this problem. It allows people with criminal records to apply to a licensing board for a determination about whether their criminal record would disqualify them from getting a license. They can do this even before meeting the personal qualifications for a license so they can know with certainty whether it makes sense to pursue the license. This reform helps make sure people have the best chance of success with re-entry, and it ensures that people aren't being arbitrarily excluded from the workforce. Today, 24 states have fully implemented similar processes.

These reforms are good for returning citizens and good for the state. They help address labor shortages and promote public safety. Research shows that states that have lower licensing burdens for returning citizens also have lower rates of recidivism.<sup>3</sup>



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We encourage the committee to support this bill. Thank you for your consideration of this important issue.

Sincerely,

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Institute for Justice  
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<sup>1</sup> Sibilla, N., *Barred from Working: A Nationwide Study of Occupational Licensing Barriers for Ex-Offenders* (“*Barred from Working*”), Institute for Justice (June 2020), <https://ij.org/report/barred-from-working/>.

<sup>2</sup> See *Barred from Working*, at “State Grades,” <https://ij.org/report/barred-from-working/state-grades/>.

<sup>3</sup> Slivinski, S., *Turning Shackles Into Bootstraps: Why Occupational Licensing Reform is the Missing Piece of Criminal Justice Reform*, Center for the Study of Economic Liberty at Arizona State University (Nov. 2016), <https://cseel.asu.edu/sites/default/files/2019-09/csel-policy-report-2016-01-turning-shackles-into-bootstraps.pdf>.