## Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2016 Regular Session

## **Part I: Measure Information**

Bill Request #: 92
Bill #: SB 77
Bill Subject/Title: An Act relating to offender reentry.
Sponsor: Senator Gerald Neal
Unit of Government: <a href="mailto:x">x</a> City <a href="mailto:x">x</a> County <a href="mailto:x">x</a> County <a href="mailto:x">x</a> Urban-County Unified Local <a href="mailto:x">x</a> Charter County <a href="mailto:x">x</a> Consolidated Local <a href="mailto:x">x</a> Government
Office(s) Impacted: Local Governments
Requirement: x Mandatory Optional
Effect on  Powers & Duties:x _ Modifies Existing Adds Newx _ Eliminates Existing

## Part II: Purpose and Mechanics

KRS Chapter 335B (Licensing and Public Employment Qualifications) prohibits public employment hiring discrimination based on an applicant's prior criminal conviction, unless the crime is directly related to the position of employment sought. SB 77 of 2016 is similar to SB 18 of 2015 in that it narrows the class of offenses which are applicable to the chapter. It extends discrimination protection to individuals applying for licenses and requires a hiring or licensing authority to provide an individual with written notice and an opportunity to be heard if the authority determines that a prior conviction disqualifies the applicant. The bill sets forth an appeals process for criminal history discrimination claims relating to public hiring and the denial of licenses. SB 77 also delineates in detail the process for petitioning for expungement of a felony (Class D) record.

## Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

The fiscal impact of SB 77 is expected to be minimal. SB 77 would not appreciably impact local governments. Under current law, public employers are prohibited from discriminating against an applicant for employment based on prior criminal convictions. SB 77 narrows the categories of offenses, extends protection to licensure applicants, and provides for a process for petitioning for expungement of class D felony records. Any cost to local governments would result from conforming local ordinances to state law.

Data Source	. ,	C staff; Administrative Offic	e of the Courts; Kentucl	ky Justice	and and	
Preparer:	H. Marks	Reviewer:	JWN	Date:	1/11/16	