AN ACT TO PROHIBIT EMPLOYERS FROM INQUIRING EITHER ORALLY OR IN WRITING REGARDING AN APPLICANT'S CRIMINAL HISTORY; TO PROVIDE EXCEPTIONS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. It shall be an unlawful employment practice for any employer, except for law enforcement agency positions or positions related to law enforcement agencies, to inquire either orally or in writing whether the applicant has ever been arrested, charged or convicted of any crime; provided that:

(a) If a federal or state law or regulation creates a mandatory or presumptive disqualification from employment based on a person's conviction of one or more specified criminal offenses, an employer may include a question or otherwise inquire whether the applicant has ever been convicted of any of those offenses; or

(b) If a standard fidelity bond or an equivalent bond is required for the position for which the applicant is seeking employment and his or her conviction of one or more specified criminal offenses would disqualify the applicant from obtaining
such a bond, an employer may include a question or otherwise inquire whether the applicant has ever been convicted of any of those offenses; and

(c) Notwithstanding the foregoing any employer may ask an applicant for information about his or her criminal convictions at the first interview or thereafter, in accordance with all applicable state and federal laws.

SECTION 2. This act shall take effect and be in force from and after July 1, 2015.