

By: Senator(s) Witherspoon

To: Judiciary, Division B;  
Labor

SENATE BILL NO. 2112

1 AN ACT TO BAN CRIMINAL HISTORY CHECKS AS PART OF THE  
2 PRELIMINARY JOB APPLICATION PROCESS EXCEPT AS REQUIRED BY LAW; AND  
3 FOR RELATED PURPOSES.

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

5 **SECTION 1.** (1) A public or private employer may not inquire  
6 into or consider or require disclosure of the criminal record or  
7 criminal history of an applicant for employment until the  
8 applicant has been selected for an interview by the employer or,  
9 if there is not an interview, before a conditional offer of  
10 employment is made to the applicant.

11 (2) This section does not apply to the Department of  
12 Corrections or to employers who have a statutory duty to conduct a  
13 criminal history background check or otherwise take into  
14 consideration a potential employee's criminal history during the  
15 hiring process.

16 (3) This section does not prohibit an employer from  
17 notifying applicants that law or the employer's policy will



18 disqualify an individual with a particular criminal history  
19 background from employment in particular positions.

20 (4) This section shall be repealed from and after January 1,  
21 2023.

22 **SECTION 2.** This act shall take effect and be in force from  
23 and after July 1, 2020.

