

Ban the Box laws, also commonly known as fair-chance hiring laws, are measures taken to remove the section or “checkbox” from job applications that asks applicants if they have been convicted of a crime. These laws prohibit some or all employers in a jurisdiction from asking about an individual’s criminal history until the final stages of the hiring process. Each state and local law has varied requirements that outline what can be asked and when it can be asked. Some of these laws also require additional obligations from employers regarding the inquiry into and information on an applicant’s criminal history when hiring.

STATE	MAJOR MUNICIPALITIES	WHO IS AFFECTED	NOTES
Arizona		All state agencies	Criminal record checks allowed only after initial interview
California		All employers with five or more employees	Criminal background inquiries are prohibited until after a conditional job offer
	Compton	All contractors doing business with the city	Background check allowed only after conditional job offer
	Los Angeles	All employers with 10 or more employees	Criminal history questions are allowed only after a conditional job offer
	Richmond	Private employers with 10 or more employees that contract with city	Applies regardless of where the employer is based
	San Francisco	Applies to employers with five or more employees	Bans criminal inquiries, or requiring disclosure of conviction history, until a conditional job offer has been made
Colorado		Effective September 1, 2019 for employers with 11 or more employees; effective on or after September 1, 2021 for all employers	
Connecticut		All private employers	
	Hartford	Any contractors doing business with the city	Background checks allowed only after a conditional employment offer
	New Haven	Any contractors doing business with the city	Background checks allowed only after a conditional employment offer
District of Columbia		All employers with more than 10 employees	Background checks allowed only after a conditional employment offer
Hawaii		All private employers	Criminal history inquiries not allowed prior to a conditional employment offer
Illinois		Private employers with 15 or more employees	No criminal history inquiries prior to job interview, or until after conditional job offer if no interview occurs
	Chicago	Private employers with less than 15 employees	Bans criminal history questions prior to job interview, or until after conditional job offer if no interview occurs
	Cook County	Private employers with less than 15 employees	Mirrors Chicago’s criminal history ordinance
Indiana	Indianapolis	All contractors doing business with the city	Criminal history questions not allowed until after first interview
Kentucky	Louisville	All contractors doing business with the city	City prefers vendors that ban the box on job applications and may terminate contracts with those that do not
Louisiana	New Orleans	All contractors doing business with the city	City contractors may not ask criminal history questions on initial job applications

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Maryland	Baltimore	All employers with 10 or more employees	Criminal record checks or inquiries not allowed until after a conditional job offer has been made
Maryland	Montgomery County	All employers with 15 or more employees in the county	Criminal history questions or background checks not permitted until after first interview
	Prince George's County	Any employer with 25 or more full-time employees in the county	Criminal history questions or background checks not permitted until after first interview
Massachusetts		All private employers	
	Boston	All contractors or vendors doing business with the city	
	Cambridge	All contractors or vendors doing business with the city	
	Worcester	All contractors or vendors doing business with the city	
Michigan	Detroit	All contractors doing business with the city when the contract is worth more than \$25,000	No criminal conviction questions until contractor interviews applicant or determines applicant is qualified
	Kalamazoo	All contractors doing business with the city when the contract is worth more than \$25,000 or those seeking tax abatement	Must show commitment that they don't use criminal history to discriminate in employment
Minnesota		All private employers	
Missouri	Columbia	All employers within city limits	Criminal history questions prohibited until after a conditional job offer is made
Missouri	Kansas City	All private employers with six or more employees	No criminal history inquiries until after job interview
New Jersey		All employers with 15 or more employees over 20 calendar weeks	Includes provision preempting local laws, most notably this supersedes a Newark law which applied to employers with five or more employees
New Mexico		All private employers	Private employers can consider a conviction after reviewing an application and discussing employment with the applicant.
New York	Buffalo	Private employers with 15 or more employees and all contractors doing business with the city	Criminal history questions banned on initial job applications
	New York City	All employers with four or more employees	Criminal inquiries prior to conditional job offer are prohibited
	Rochester	All employers with four or more employees and contractors doing business with city	Criminal history inquiries prohibited until after initial job interview or conditional job offer
	Syracuse	All city contractors	Criminal inquiries prior to conditional job offer are prohibited
Oregon		All private employers	
	Portland	All employers with six or more employees	Asking about or accessing criminal records before conditional job offer is prohibited

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Pennsylvania	Philadelphia	Employers with at least one employee in the city	Criminal background checks prohibited prior to conditional job offer
	Pittsburgh	Any contractors or vendors doing business with the city	Criminal history inquiries banned until applicant is deemed otherwise qualified for a position
Rhode Island		All employers with four or more employees	
Tennessee			Law prohibits cities and counties from extending state ban the box law to private employers
Texas	Austin	All employers with 15 or more employees	Criminal history questions or criminal background checks banned until conditional job offer has been made
Vermont		All private employers	
Washington		All private employers	No arrest or conviction questions (or criminal background checks) before job applicant is deemed otherwise qualified for a position
	Seattle	Employers with one or more employees	Legitimate business reason" required to automatically exclude applicants with arrest or conviction record
Washington	Spokane	All private employers	No criminal history questions prior to a job interview
Wisconsin	Madison	All contractors doing business with the city on contracts worth more than \$25,000	Criminal history questions and background checks prohibited until after conditional job offer

This document was updated March 2021. The chart offers a brief description of the "Ban-the-Box" legislation that has passed across the U.S. and is separated by state and major municipalities. This chart is not intended to be legal advice and it is not comprehensive as fair-chance hiring laws are always evolving. While Ban-the-Box laws are similar in many states, each has its own specific provisions. All employers should seek legal counsel to ensure that they are following their city, county, or state's hiring laws.