

HB 1087 -- CIVIL LIABILITY FOR EMPLOYERS HIRING EX-OFFENDERS

SPONSOR: Gallick

This bill establishes the "Civil Liability for Employers Hiring Ex-Offenders Act", which provides that a cause of action cannot be brought against an employer, general contractor, premises owner, or other third party for hiring an employee or independent contractor who has been convicted of an offense, excluding certain violent and sexual offenses specified in the bill.

In an action for negligent hiring against an employer, general contractor, premises owner, or other third party for acts of an employee or independent contractor that is based on a theory of liability not covered by this bill, the fact that the employee or independent contractor was convicted of a nonviolent, nonsexual offense before the employee or independent contractor's employment or contractual obligation with the employer, general contractor, premises owner, or other third party, will be inadmissible as evidence.

The bill will not preclude any existing cause of action for failure of an employer to provide adequate supervision of an employee or independent contractor, except that the conviction of a nonviolent, nonsexual offense can only be admissible as evidence in such action based upon conditions described in the bill.

The bill sets forth certain grounds where protections do not apply to an employer, general contractor, premises owner, or third party in an action that is brought.

The provisions of this bill will not be interpreted as implying a cause of action exists for negligent hiring of an individual convicted of an offense in situations not covered in the bill.

This bill is the same as HB 1969 (2024) and HB 720 (2023); and similar to SB 352 (2023).