

Reference No.: CB-090-2023
Draft No.: 1
Committee: Government Operations and Fiscal Policy
Date: 10/12/2023
Action: FAV

REPORT:

Committee Vote: Favorable 3-0-1 (In favor Council Members Burroughs, Oriadha, and Ivey)

Abstain: Council Member Harrison

The Government Operations and Fiscal Policy Committee convened on October 12, 2023, to consider CB-90-2023. The bill seeks to establish equitable standards for screening criminal records in employment practices. This includes restricting certain employers from conducting criminal background checks or asking about an applicant's criminal history until after the initial interview, mandating employers to notify applicants when withdrawing a job offer, ensuring enforcement by the Director of Office Human Rights, and introducing comprehensive regulations for the use of criminal records in the hiring process by specific employers.

The Policy Analysis and Fiscal Impact Statement indicates that there is likely no additional expenditure and no revenue impact. The indirect impact is favorable.

The Office of Law raised questions about the potential correlation between the Federal cannabis laws, which continue to classify marijuana as illegal at the federal level, and the proposed legislation. Cannabis is still considered a Schedule 1 drug and illegal on federal property. That's an issue as it relates to several county agencies and grants received from the federal government and the requirement that we would still need to ask that particular question. The Office of Law representative requested additional time to consider the implications of the Federal cannabis laws as it relates to this legislation.

The bill sponsor clarified that the primary intent of the legislation is to safeguard employees from being compelled to disclose previous cannabis usage. Furthermore, employers are not to inquire about or examine criminal records until after the initial interview.

A Council Member requested additional information about the implications of using medical cannabis, specifically whether it would result in disqualification or if individuals would be allowed to explain their usage.

After discussion, the Government Operations and Fiscal Policy Committee voted favorably 3-0-1 on CB-90-2023.