

U.S. Background Check Laws by State

State	Additional Restrictions	Explanation
Alabama	No additional statewide restrictions outside of the FCRA. *Local Ban the Box laws apply in certain counties/cities in Alabama.	N/A.
Alaska	No additional restrictions outside of the FCRA.	N/A.
Arizona	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history before an initial interview has been conducted.
	*Local Ban the Box laws apply in certain counties/cities in Arizona.	N/A.
Arkansas	*Local Ban the Box laws apply in certain counties/cities in Arkansas.	N/A.
California	Use of Outdated Criminal Charges	An employer may not regard arrests, indictments, misdemeanor complaints, and convictions of crimes that are more than seven years old.
	Use of Outdated Misdemeanor Marijuana Convictions	Employers may not consider an applicant's misdemeanor marijuana convictions that are more than two years old.
	Use of Criminal Charges with no Conviction	An employer may not inquire about an applicant's criminal charges that did not result in a conviction, pre or post-trial diversion programs, or convictions that were sealed or dismissed.



	Ban the Box: Public Sector	A public employer may not inquire about an applicant's conviction history until they have been deemed qualified to meet the position's minimum requirements.
	Ban the Box: Public and Private Sectors	An employer with five or more employees may not inquire about an applicant's criminal history on an initial employment application or before a conditional offer of employment has been made.
	*Local Ban the Box laws apply in certain counties/cities in California.	N/A.
	Use of Juvenile Records	An employer may not inquire about or require an applicant to disclose juvenile record information that occurred while the applicant was subject to juvenile court law.
	Use of Salary History	An employer may not inquire or rely on the salary history information of an applicant as a factor in determining their suitability for employment or to determine their compensation.
	Cost of Background Checks	An employer may not require an applicant to pay for any portion of background checks as a condition for employment.
	Cost of Medical Examinations	An employer may not require an applicant to pay for any portion of medical examinations as a condition for employment.
	Use of Credit Reports	An employer may not use a consumer credit report for employment purposes unless the applicant is applying for a specific position in management, the Department of Justice, or law enforcement, among others.
	Consumer Credit Report Disclosure	An employer must disclose to an applicant that the credit report may influence the employment decision, specify where the credit report was obtained, and provide the applicant with a copy of the report.
	Archive Consumer Credit Reports	Consumer reporting agencies are required to keep generated reports for at least two years.
	Use of Personal Social Media Information	An employer may not require an employee or applicant to disclose any information relating to their personal social media accounts, including usernames and passwords.



Colorado	Use of Credit Reports	An employer may not use a consumer credit report for employment purposes unless the employer is a bank or financial institution, the report is required by law, or the report is substantially linked to the position.
	Ban the Box: Public Sector	A public employer may not inquire about an applicant's conviction history until they have been deemed qualified for the position.
	Ban the Box: Private Sector	An employer with eleven or more employees may not inquire about an applicant's criminal record on an initial employment application.
	*Local Ban the Box laws apply in certain counties/cities in Colorado.	N/A.
Connecticut	Use of Credit Reports	An employer may not use a consumer credit report for employment purposes unless the employer is a financial institution, the employer reasonably believes that the applicant is in violation of the law, or if the report is substantially linked to the position.
	Consumer Credit Report Disclosure	If an employer receives a consumer credit report for an applicant, they must provide the applicant with written notice and a copy of the report.
	Use of Salary History	An employer may not inquire or rely on the salary history information of an applicant as a factor in determining their suitability for employment or to determine their compensation.
	Ban the Box: Public and Private Sectors	An employer may not inquire about an applicant's criminal record on an initial employment application or consider erased records for a prior conviction where they have received a provisional pardon or certificate of rehabilitation.
	Ban the Box: Public Sector	A public employer may not inquire about an applicant's conviction history until they have been considered as a finalist for the position or after a conditional offer of employment has been made.
	*Local Ban the Box laws apply in certain counties/cities in Connecticut.	N/A.



	Use of Personal Social Media Information	An employer may not require an employee or applicant to disclose any information relating to their personal social media accounts, including usernames and passwords.
Delaware	Ban the Box: Public Sector	A public employer may not inquire about an applicant's past convictions or credit history on the initial application, before the first interview, and before a conditional job offer is made.
	Use of Salary History	An employer may not inquire or rely on the salary history information of an applicant as a factor in determining their suitability for employment or to determine their compensation.
	Use of Personal Social Media Information	An employer may not require an employee or applicant to disclose any information relating to their personal social media accounts, including usernames and passwords.
Florida	No additional statewide restrictions outside of the FCRA. *Local Ban the Box laws apply in certain counties/cities in Florida.	N/A.
Georgia	Disclosure of Criminal Records	If an employer decides not to hire an applicant based on their criminal record, the employer must inform the applicant of the record's origin, the content of the record, and its effect on the employer's hiring decision.
	Ban the Box: Public Sector	A public employer may not inquire about the criminal history of an applicant on the initial employment application.
	*Local Ban the Box laws apply in certain counties/cities in Georgia.	N/A.
Hawaii	Use of Credit Report	An employer may not consider an applicant's credit information to inform an employment decision unless it is specifically linked to the nature of the position.



	Use of Criminal Records	An employer may use an applicant's criminal record to make an employment decision if the conviction reasonably relates to the position, but only after a conditional offer of employment has been made and if the conviction occurred within the previous seven years.
	Ban the Box: Public and Private Sectors	An employer may not inquire about an applicant's criminal history until after a conditional offer of employment has been made.
	Use of Salary History	An employer may not inquire or rely on the salary history information of an applicant as a factor in determining their suitability for employment or to determine their compensation.
Idaho	No additional restrictions outside of the FCRA.	N/A.
Illinois	Use of Credit History	An employer may not consider an applicant's credit information to inform an employment decision unless it is specifically linked to the nature of the position.
	Use of Criminal Records Without a Conviction	An employer may not consider an arrest that did not lead to a conviction or a criminal record that has been expunged, sealed, or impounded to inform an employment decision.
	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history until after the applicant has been selected for the interview or a conditional offer of employment has been made.
	Ban the Box: Private Sector	A private employer may not inquire about an applicant's criminal history until the candidate has been deemed eligible for the position.
	Use of Personal Social Media Information	An employer may not require an employee or applicant to disclose any information relating to their personal social media accounts, including usernames and passwords.
	*Local Ban the Box laws apply in certain counties/cities in Alallinoisbama.	N/A.



Indiana	Ban the Box: Public and Private Sectors	An employer may not inquire about an applicant's criminal history before a conditional offer of employment has been made.
	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history for Executive Branch positions unless the crime precludes the applicant from the position.
Iowa	No additional statewide restrictions outside of the FCRA. *Local Ban the Box laws apply in certain counties/cities in Iowa.	N/A.
Kansas	Use of Criminal Records	Consumer reporting agencies may not produce reports with criminal information older than seven years unless the applicant earns above \$20 000 per year.
	Ban the Box: Public Sector	Relevant employers may not inquire about an applicant's criminal record on an initial employment application and cannot disqualify a candidate from receiving an interview based on their criminal record.
	*Local Ban the Box laws apply in certain counties/cities in Kansas.	N/A.
Kentucky	Cost of Background Screening	An employer may not require an applicant to pay for any portion of background checks or medical examinations as a condition for employment.
	CRA Records Restriction	Consumer reporting agencies may only retain criminal charge files if the charge resulted in a conviction.
	Ban the Box: Public Sector	A public sector, executive branch employer may not inquire about an applicant's criminal history before they have been offered an interview for the position.
	*Local Ban the Box laws apply in certain counties/cities in Kentucky.	N/A.



Louisiana	Cost of Background Screening	An employer may not require an applicant to pay for any portion of background checks or medical examinations as a condition for employment.
	Ban the Box: Public and Private Sector	An employer may not use an applicant's criminal record as a basis for denying employment unless the criminal record has a direct adverse relationship to the position.
	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history on the initial application form, before they have had an interview, or before a conditional offer of employment has been made.
	*Local Ban the Box laws apply in certain counties/cities in Louisiana.	N/A.
Maine	Ban the Box: Public and Private Sectors	An employer (with some exceptions) may not inquire about an applicant's criminal history on an initial application form, but may inquire during an interview or once the candidate has been deemed otherwise qualified for the position.
	Ban the Box: Public Sector	A public employer (with some exceptions) may not inquire about an applicant's criminal history in an application form for a position in the state government.
Maryland	Use of Credit Reports	An employer may only inquire about an applicant's credit record after a conditional offer of employment has been made or if the employer has a legitimate, job-related reason for requiring a credit report, in which case they are required to disclose this in writing to the applicant.
	CRA Reporting Restrictions	Consumer reporting agencies may not report on criminal information older than seven years unless the report is in connection with a transaction involving over \$50 000, including life insurance policies, or salaries above \$20 000 per year.
	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history before the candidate has been interviewed.
	Ban the Box: Private Sector	A private employer may not inquire about an applicant's criminal record before an initial interview has been conducted.



	*Local Ban the Box laws apply in certain counties/cities in Maryland.	N/A.
Massachusetts	Credit Report Disclosure	If an employer denies an applicant employment as a result of their credit report, the employer must notify the applicant in writing within ten days of the adverse decision.
	CRA Reporting Restrictions	Credit reporting agencies may not report on criminal records that are older than seven years, or if they contain information about an applicant's bankruptcy if the judgment is more than fourteen years old, with a few exceptions.
	Criminal Offender Record Information	An employer who receives criminal offender record information from the DJCIS must meet special requirements under the CORI reform legislation.
	Criminal Offender Record Information Policy Requirements	If an employer performs more than five background checks per year, they must have a written criminal record policy in place and share it with applicants if requested.
	Use of Salary History	An employer may not inquire or rely on the salary history information of an applicant as a factor in determining their suitability for employment or to determine their compensation.
	Ban the Box: Public and Private Sectors	An employer may not inquire about an applicant's criminal history on an initial job application, and if employment is denied, the employer must provide the candidate with the specific information that resulted in the decision.
	*Local Ban the Box laws apply in certain counties/cities in Massachusetts.	N/A.
Michigan	Use of Arrest Records with No Conviction	An employer may not inquire about an applicant's misdemeanor arrests, detentions, or dispositions that did not result in convictions.
	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history on an initial job application, before an initial interview, or before a conditional offer of employment has been made.



	*Local Ban the Box laws apply in certain counties/cities in Michigan.	N/A.
Minnesota	Background Screening Requirements	Before conducting a background check, an employer must provide the applicant with written disclosure, must include a box on the document for the applicant to check once received, and provide a copy of the report if requested.
	Cost of Background Screening	Apart from provisions stated by Section 123B.03 or other specific legal provisions, an employer may not require an applicant to pay for any portion of background checks or medical examinations as a condition for employment.
	Ban the Box: Public and Private Sectors	An employer may not inquire about an applicant's criminal history before the initial interview, or before a conditional offer of employment has been made.
	*Local Ban the Box laws apply in certain counties/cities in Minnesota.	N/A.
Mississippi	No additional restrictions outside of the FCRA.	N/A.
Missouri	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history on the initial job application for Executive Branch positions unless the conviction would preclude the candidate from the position.
	*Local Ban the Box laws apply in certain counties/cities in Missouri.	N/A.
Montana	Use of Obsolete Criminal Information	An employer may not consider criminal information that is older than seven years, or if it contains information about an applicant's bankruptcy where the judgment is more than fourteen years old.
Nebraska	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history before they have met the minimum employment qualifications.



Nevada	Use of Credit Reports	An employer may not use a credit report to disqualify an applicant from an employment position if the candidate did not consent to the report as a condition of employment unless the credit report is required by law, the employer believes the applicant to be engaged in illegal activity, or the report is significantly related to the position.
	Ban the Box: Public Sector	A public employer may not consider an applicant's criminal history before the final in-person interview or before a conditional offer of employment has been made.
	*Local Ban the Box laws apply in certain counties/cities in Nevada.	N/A.
New Hampshire	Use of Obsolete Criminal Information	Background checks may not include criminal information older than seven years unless the report is in connection with a transaction involving over \$50 000, including life insurance policies, or salaries above \$20 000 per year.
New Jersey	Ban the Box: Public and Private Sectors	An employer with fifteen or more employees may not inquire about an applicant's criminal history until after the first interview, and may not consider expunged or pardoned convictions.
New Mexico	CRA Reporting Restrictions	Credit reporting agencies may not report on an applicant's bankruptcy information if it is older than fourteen years, and may not include arrest records that did not result in a conviction, or any other information that is more than seven years old.
	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history before the candidate has been deemed a finalist for the position, and may not consider arrest records that did not result in a conviction or misdemeanor convictions not involving moral turpitude.
	Ban the Box: Private Sector	A private employer may not inquire about an applicant's criminal history before the application has been reviewed and employment has been discussed with the candidate.



New York	CRA Reporting Restrictions	A consumer reporting agency may not report on an applicant's criminal information if it is more than seven years old or bankruptcy information older than fourteen years, unless the report is in connection with a transaction involving over \$50 000, including life insurance policies, or salaries above \$25 000 per year.
	Use of Criminal Records	An employer may not discriminate against an applicant who has been convicted of one or more crimes unless the convictions directly impact the position or if the candidate is deemed a danger to the employer, employees, or organization.
	Criminal History Considerations	An employer is required to consider multiple factors when reviewing an applicant who has been convicted of one or more crimes, including the public policy of the state, the duties and responsibilities linked to the position, and the seriousness of the offense, among others.
	Disclosure of a Decision Relating to Criminal Records	If an employer denies employment to an applicant because of their criminal record, the applicant has thirty days to request a written statement that explains the reasons for the denial.
	Use of Credit Records	An employer may not inquire about an applicant's credit history when making an employment decision unless the position falls under a specific exception list.
	Use of Salary History	An employer may not inquire or rely on the salary history information of an applicant as a factor in determining their suitability for employment or to determine their compensation.
	Cost of Medical Examinations	An employer may not require an employee or applicant to pay for any portion of medical examinations as a condition for employment.
	Ban the Box: Public and Private Sectors	<p>An employer may not inquire about an applicant's criminal history before an initial interview has been conducted and may not deny employment based on conviction records unless there is a direct relationship to the position.</p> <p>An employer must provide the candidate with a copy of the background check, and an opportunity to respond.</p>



	*Local Ban the Box laws apply in certain counties/cities in New York.	N/A.
North Carolina	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history on the initial application and before an initial interview.
	*Local Ban the Box laws apply in certain counties/cities in North Carolina.	N/A.
North Dakota	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history before the candidate has been selected for an interview, with exceptions for positions in the Department of Corrections and Rehabilitation.
Ohio	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history on the initial application and may not base employment decisions on the candidate's previous felony convictions.
	*Local Ban the Box laws apply in certain counties/cities in Ohio.	N/A.
Oklahoma	Notice to Subject of Consumer Report	Before requesting a consumer report, an employer must first provide the applicant with written notice to inform them that it will be used and must include a check box for the applicant to mark if they would like to receive a copy of the report. (§24-148)
	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history on the initial application unless a felony conviction will automatically disqualify the candidate.
Oregon	Use of Credit History	An employer may not inquire about an applicant's credit history when making an employment decision unless the position forms part of the specific exemption list. (659A.320)



	Use of Salary History	An employer may not inquire or rely on the salary history information of an applicant as a factor in determining their suitability for employment or to determine their compensation.
	Ban the Box: Public and Private Sectors	An employer may not inquire about an applicant's criminal history before the initial interview or before a conditional offer of employment.
	*Local Ban the Box laws apply in certain counties/cities in Oregon.	N/A.
Pennsylvania	Use of Criminal Records	An employer may only consider an applicant's felony and misdemeanor convictions when making an employment decision only if they relate to the candidate's suitability for employment in the position, The employer must provide a written notice to the applicant if they are disqualified from employment as a result of their criminal record.
	Use of Credit History: Philadelphia	A Philadelphia employer may not inquire about an applicant's credit history when making an employment decision unless the position forms part of the specific exemption list. If an exemption applies, an employer must identify the specific information that informed the employment decision and allow the candidate an opportunity to explain the circumstances.
	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history in the initial application and may only consider pending cases and misdemeanor convictions. An employer may not consider non-convictions or Summary Offences.
	Ban the Box: Public and Private Sectors	An employer must assess whether an applicant's convictions relate to their suitability for the employment position and should only consider felony and misdemeanor convictions and ignore arrests that did not result in convictions. (§ 9125)



	*Local Ban the Box laws apply in certain counties/cities in Pennsylvania.	N/A.
Rhode Island	Ban the Box: Public and Private Sectors	Public employers and private employers with four or more employees may not inquire about an applicant's criminal history before the initial interview with the candidate.
	*Local Ban the Box laws apply in certain counties/cities in Rhode Island.	N/A.
South Carolina	No additional statewide restrictions outside of the FCRA. *Local Ban the Box laws apply in certain counties/cities in South Carolina.	N/A.
South Dakota	No additional restrictions outside of the FCRA.	N/A.
Tennessee	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history on the initial job application. If an applicant will automatically be disqualified from a position based on their criminal history, the job announcement must include a statement disclosing that candidates will be subject to a background check.
	*Local Ban the Box laws apply in certain counties/cities in Tennessee.	N/A.
Texas	No additional statewide restrictions outside of the FCRA. *Local Ban the Box laws apply in certain counties/cities in Texas.	N/A.



Utah	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history before the initial interview, or before a conditional offer of employment has been made.
Vermont	Use of Credit History	An employer may not inquire about an applicant's credit history when making an employment decision unless the position forms part of the specific exemption list, and credit reports cannot be the sole reason for denying employment in the exemption cases.
	Consent for Credit Records	An employer must obtain consent to request the credit information for applicants and employees, must disclose the reason for the request, and may not require the candidate to pay for any costs associated with the credit report.
	Cost of Criminal Records	An employer may not require an applicant to pay for any portion of a criminal record report if a report is requested from the Vermont Crime Information Center.
	Ban the Box: Public and Private Sectors	An employer may not inquire about an applicant's criminal history before an interview or before the candidate has been deemed "otherwise qualified" for the position.
Virginia	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history before the candidate has been deemed "otherwise qualified" and is being considered for the position.
	Ban the Box: Public Sector - Localities	A locality may not inquire about an applicant's criminal history on the initial job application or before an initial interview, except for certain positions, including law enforcement, local school boards, and "sensitive" positions as defined by the law.
	Ban the Box: Public and Private Sectors	An employer may not inquire about or require an applicant to disclose information about an arrest, criminal charge, or conviction related to the simple possession of marijuana, but may inquire about offenses related to the distribution of or intent to distribute marijuana.
	*Local Ban the Box laws apply in certain counties/cities in Virginia.	N/A.



Washington	CRA Reporting Restrictions	Consumer reporting agencies may not report on criminal information older than seven years unless the report is in connection with a transaction involving over \$50 000, including life insurance policies, or salaries above \$20 000 per year.
	Use of Credit Reports	An employer may not obtain a credit report for employment purposes unless they are required to by law or the information is substantially related to the position, in which case the employer must disclose the reason for obtaining the credit report to the candidate in writing.
	Ban the Box: Public and Private Sectors	An employer may not inquire about an applicant's criminal history before the candidate has been deemed "otherwise qualified" for the position.
	*Local Ban the Box laws apply in certain counties/cities in Washington.	N/A.
Washington, D.C.	Cost of Criminal Records	An employer may not require an applicant to provide an arrest record at their own expense.
	Use of Credit Records	An employer may not inquire about or consider an applicant's credit information to inform an employment decision, with few exceptions.
	Ban the Box: Public and Private Sectors	An employer with ten or more employees may not inquire about an applicant's criminal history before a conditional offer of employment has been made. An employer may only inquire about criminal convictions and pending cases and must provide full disclosure to the candidate if employment is denied based on their criminal record.
West Virginia	No additional restrictions outside of the FCRA.	N/A.
Wisconsin	Ban the Box: Public Sector	A public employer may not inquire about an applicant's criminal history before the candidate has been certified for the position.



	Ban the Box: Public and Private Sectors	An employer may not deny employment to a qualified applicant based on their conviction record unless the offense is substantially related to the circumstances of the position.
	*Local Ban the Box laws apply in certain counties/cities in Wisconsin.	N/A.
Wyoming	No additional restrictions outside of the FCRA.	N/A.

