

Subject Amending conditions related to employment following conviction for a crime

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Overview

Chapter 364 addresses a state policy of promoting rehabilitation of offenders by allowing access to employment and professional licensing. When a person seeks public employment or licensure, current law states that the applicant must not be disqualified on the basis of a criminal conviction that directly relates to the position if the person can show evidence of rehabilitation and present fitness to perform the duties of the position. When a hiring or licensing authority denies an applicant because of a prior conviction, the authority must notify the applicant of the reason for the denial. In addition, when a conviction is directly related to the position or occupation, a person may present evidence of rehabilitation.

This bill changes the standard for disqualification to allow disqualification in cases where the employee shows evidence of rehabilitation and fitness to perform the duties of the position. It also amends the standards related to reviewing evidence of rehabilitation to specify that evidence relates both to rehabilitation and the person's present fitness to perform the duties of the position. It also clarifies that limits related to reapplication only apply to applying for a position or license issued by a public hiring or licensing authority.

Summary

Section	Description
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1	Evidence of rehabilitation.
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	Authorizes disqualifying a person from public employment based on a criminal conviction regardless of whether the applicant shows evidence of rehabilitation and present fitness to perform the duties of the position. Amends the standard for showing that a person who committed a crime is eligible for public employment to clarify that the factors relate to both evidence of rehabilitation and present fitness.
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Section	Description
	Removes a distinction between documentary evidence from certain third parties and other evidence presented for consideration.
2	Notification upon denial of employment or disqualification from occupation. Clarifies that the limits related to reapplication for employment or licensing relate only to application with a hiring or licensing authority as defined in statute. Makes a grammatical change.



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