

335B.020 Disqualification from public or occupational license of ex criminal offenders prohibited -- Exceptions.

- (1) No person shall be disqualified from public employment, nor shall a person be disqualified from pursuing, practicing, or engaging in any occupation for which a license is required solely because of a prior conviction of a crime, unless the crime for which convicted is one described in KRS 335B.010(4) or otherwise directly relates to the position of employment sought or the occupation for which the license is sought.
- (2) In determining if a conviction directly relates to the position of public employment sought or the occupation for which the license is sought, the hiring or licensing authority shall consider:
 - (a) The nature and seriousness of the crime for which the individual was convicted;
 - (b) The relationship of the crime to the purposes of regulating the position of public employment sought or the occupation for which the license is sought;
 - (c) The relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the position of employment or occupation.
- (3) Nothing in KRS 335B.020 to 335B.070 shall be construed so as to limit the power of the hiring or licensing authority to determine that an individual shall be entitled to public employment or a license regardless of that individual's conviction if the hiring or licensing authority determines that the individual has been successfully rehabilitated.

Effective: June 17, 1978

History: Created 1978 Ky. Acts ch. 210, sec. 2, effective June 17, 1978.