

Kentucky State Background Checks: What You Need to Know [2025]

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Many employers in Kentucky understand the importance of conducting **pre-employment background checks** as a part of their hiring processes.

However, when conducting a Kentucky background check, it is critical for you to understand the laws that govern the process to avoid potential liability and fines.

An employment background check in Kentucky can help you to verify the claims an applicant has made about his or her past employment experience and educational qualifications. It can also help you to screen out applicants who have criminal convictions that directly relate to the position for which you are hiring.

Did you know that a former University of Kentucky student lied about earning a degree

(<https://eu.usatoday.com/story/sports/ncaab/2014/03/26/manhattan-steve-masiello-lying-about-kentucky-degree/6919215/>) ***from the University when he applied for a college coaching position at the University of Florida?***

Conducting background checks allows you to catch misrepresentations people have made on their resumes and applications and can protect you from negligent hiring liability.

Based on our experience conducting background checks for employers in Louisville, Lexington, Frankfort, and many other employers in Jefferson and Fayette Counties, we have written this state guide to help employers learn

about the process of conducting background checks in Kentucky.

Let's start now.

Why Should You Run Background Checks on Potential Hires?

Employers in Kentucky run employment background checks (<https://iprospectcheck.com/background-checks-employment-guide/>) for multiple reasons, including protecting the safety of their employees and clients, protecting their businesses, and mitigating the risk of liability.

Here are some of the most common reasons why you should consider running background checks (<https://iprospectcheck.com/background-checks/>) on your applicants and employees.

1. Screening Applicants for General Positions

Conducting background checks of the final candidates for entry-level jobs can help you to verify their former employment and education and screen out those who have criminal records that disqualify them from consideration for your open positions.

Conducting background checks on all finalists helps you to protect your company's safety and bottom line and be more confident in your hiring decisions.

2. Screening Applicants for Supervisory or Management Positions

Hiring employees to serve in management or supervisory positions requires

you to have a great deal of trust in their ability to handle the responsibilities of their jobs.

Managers and supervisors might have more access to your company's confidential information and have authority over those whom they supervise.

For this reason, many employers who conduct background checks on prospective supervisors and managers often request more thorough background check reports than they do for people who apply to lower-level positions.

3. Screening Applicants and Volunteers to Work with Vulnerable People

If your business provides services to vulnerable people, you are likely required to complete thorough screens of both your applicants and potential volunteers. People who work in jobs with the elderly, disabled, people with mental illnesses, and children are entrusted with protecting the safety of their clients and patients.

Because social services providers also are tasked with protecting the populations they serve, they conduct in-depth background checks, including abuse and neglect registry checks, sex offender registry checks (<https://iprospectcheck.com/sex-offender-background-check/>), criminal background checks, and other types of screens that might not be required for other jobs.

4. Screening Current Employees on an Ongoing Basis

Companies in certain industries are required to conduct regular background checks of their existing employees. (<https://iprospectcheck.com/how-long-is-an-employment-background-check-good-for/>) For example, trucking companies (<https://iprospectcheck.com/truck-driver-background-checks-guide/>) must conduct annual motor vehicle records checks on their commercial drivers.

Manufacturing companies also might conduct random drug tests (<https://iprospectcheck.com/random-drug-testing/>) to keep their facilities safe and prevent accidents.

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Kentucky Background Check Laws 2025

Employers in Kentucky that want to conduct background checks on applicants and employees must follow all of the applicable federal and state laws.

Some of the most important laws can be found below.

Federal Laws on Employment Background Checks

Fair Credit Reporting Act

The federal Fair Credit Reporting Act

(<https://www.ftc.gov/enforcement/statutes/fair-credit-reporting-act>)

protects the privacy of information collected and reported by consumer reporting agencies, including companies that perform background checks. This law also applies to how employers can use the information they receive when they conduct background checks.

Employers in Kentucky are covered by the FCRA. Before you can conduct a background check, you must first provide the applicant or employee with a written disclosure of your intention to do so. You must also secure his or her written permission before moving forward with the background check process.

If you learn that an applicant or employee has adverse background information on a background check report, you must complete the adverse action process (<https://www.ftc.gov/business-guidance/resources/using-consumer-reports-what-employers-need-know>) before you make a final decision not to hire him or her or to fire an employee based on that information.

Title VII of the 1964 Civil Rights Act

Title VII of the Civil Rights Act of 1964 (<https://www.eeoc.gov/statutes/title-vii-civil-rights-act-1964>) prohibits workplace discrimination based on their applicants' or employees' protected characteristics. Title VII covers background checks when they reveal that an applicant has a criminal record.

According to the Equal Employment Opportunity Commission, which is the agency that enforces Title VII, employers should complete individual assessments (<https://www.eeoc.gov/laws/guidance/enforcement-guidance-consideration-arrest-and-conviction-records-employment-decisions>) of convictions as they directly relate to the duties required for the positions before making a decision not to hire someone based on the criminal conviction.

Kentucky State Laws on Employment Background Checks

State Ban the Box Law for Executive Branch Positions

In 2017, Gov. Matt Bevin signed an executive order (<https://www.nelp.org/app/uploads/2017/02/Kentucky-Executive-Order.pdf>) prohibiting agencies within the executive branch of Kentucky from asking about their applicants' criminal histories on their applications.

Under this order, executive branch agencies cannot ask about criminal history information until they have contacted the applicants for interviews.

However, this order does not apply to agencies that are required to ask about criminal history information by law.

Louisville Ban the Box Ordinance

In 2014, the Louisville City Council voted unanimously to pass the city's ban-the-box ordinance (<https://louisville.legistar.com/LegislationDetail.aspx?ID=1683793&GUID=E695A63B-7268-4D62-8D91-DEDEAB9F29F7>).

Under this law, the city and its vendors are prohibited from asking applicants about criminal history information on their applications.

Instead, city employers and vendors must wait to conduct criminal background checks for employment until the later phases of the hiring process.

Expungement Law for Misdemeanors

Kentucky has an expungement law located at Ky. Rev. Stat. § 431.078 (<https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=45221>).

Under this law, people who have misdemeanor convictions can petition the court to have their records expunged when five or more years have passed since they have successfully completed their sentences.

If a person successfully expunges his or her misdemeanor record, he or she will not have to state that he or she has a misdemeanor conviction when applying for a job.

Expungement Law for Class D Felony Convictions

Kentucky also has an expungement law for certain class D felony convictions located at Ky. Rev. Stat. § 431.073 (<https://apps.legislature.ky.gov/law/statutes/InvalidStatute.aspx?statute=431.073&statuteRsn=53904>).

Under this statute, a person who has a qualifying Class D felony on his or her record can petition the court to vacate the judgment and expunge his or her record at least five years after he or she has completed his or her sentence.

Restriction on Criminal History Information Gathered by Consumer Reporting Agencies

Under Ky. Rev. Stat. § 367.310

(<https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=34931>),

consumer reporting agencies that gather criminal history information may not retain information about arrests not resulting in convictions.

Employers to Pay the Costs of Background Checks

Under Ky. Rev. Stat. § 336.220

(<https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=32022>),

employers are prohibited from requiring their applicants or employees to pay any portion of the cost of medical exams or employment background checks.

Instead, the employers are responsible for paying the associated costs.

What Will a Background Check for Employment in Kentucky Reveal?

The types of information that might appear on a Kentucky background check will vary, depending on the types of reports requested. Most employers request criminal records checks, employment verifications, and education verifications.

If you are hiring people to drive as one of their job duties, you might also request driving records checks. Many employers also require pre-employment drug tests (<https://iprospectcheck.com/pre-employment-drug-test/>) as a condition of employment.

In general, a background check in Kentucky might include the following:

- Misdemeanor or felony convictions that have not been expunged
- Arrests that led to convictions
- Listing on the sex offender registry (<https://iprospectcheck.com/sex-offender-background-check/>)
- Listing on the Domestic Terrorist Watch List
- Education history
- Address history
- Employment history

To understand what might appear on a few of the most commonly requested reports, read below.

Criminal Record Reports

On a criminal background check in Kentucky, an applicant with non-expunged convictions will have criminal records reports (<https://iprospectcheck.com/criminal-background-checks-for-employment/>) that show the following:

- Date of the offense
- Type/nature of the offense
- Severity level of the offense (felony or misdemeanor)

- Disposition of the charge
- Date of the disposition
- Sentence

Expunged misdemeanors or felonies will not be reported.

Education History

On an education verification (<https://iprospectcheck.com/education-verification/>) report, the following types of information will appear:

- Each school attended
- Attendance dates at each institution
- Diplomas, certificates, or degrees earned

Asking for education verification helps you to confirm the claims made by an applicant about his or her education so that you can verify that the applicant has the qualifications needed for the job and is trustworthy.

Employment History

When you ask for an employment verification (<https://iprospectcheck.com/employment-verification/>) report, the following information will be reported:

- Each past employer
- Employment dates
- Titles and positions held

How Far Back Do Background Checks for Employment go in Kentucky?

How far back Kentucky background checks can go is restricted by both the FCRA and Kentucky's expungement laws. There is a seven-year rule under the FCRA for jobs offering salaries of less than \$75,000 per year. Under this rule, the following information cannot be reported when it is seven or more years old:

- Arrests not resulting in convictions
- Liens
- Civil lawsuits
- Bankruptcies (<https://iprospectcheck.com/do-bankruptcies-show-up-on-background-checks/>)
- Civil judgments

The FCRA's seven-year restriction does not apply to jobs paying \$75,000 or more per year or to criminal conviction records.

Under Kentucky's expungement laws, expunged misdemeanor and felony convictions cannot be reported regardless of how old they might be. CRAs also cannot maintain records about charges and arrests that did not result in convictions even if they were dismissed within the past seven years.

These restrictions on the length of time a background check report can cover in Kentucky do not apply to other relevant background information about an applicant's former jobs, education, or credentials.

They also do not apply to non-expunged conviction records, which can be reported no matter how old they might be.

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How do I get a Kentucky Background Check?

You can request criminal background check reports from the Kentucky Court of Justice (<https://kycourts.gov/AOC/Information-and-Technology/Pages/Background-Checks.aspx>) or the Kentucky State Police (<https://kentuckystatepolice.org/background-checks/>).

However, requesting background checks from the state judiciary or the state police will only return information about criminal convictions that occurred within the state of Kentucky and will not report conviction information for convictions that occurred in other states or in federal court.

State criminal background checks will also not report information about your applicants' past employment, education, or other key data.

Some companies try a do-it-yourself method

(<https://iprospectcheck.com/full-service-background-check-companies-vs-diy-background-checks/>) of conducting background checks by submitting requests to several agencies, colleges and schools, and former employers. They might also contact references and perform online searches. This method might take several weeks to complete, and you might not receive comprehensive information or background details that comply with the FCRA.

The best method of getting a background check for employment in Kentucky is to work with a reliable third-party provider (<https://iprospectcheck.com/how-to-choose-the-most-reliable-background-check-service/>) like iprospectcheck.

We always conduct FCRA-compliant, comprehensive, and reliable background checks for our clients.

How Can I Run Compliant Background Checks in Kentucky?

You must comply with all relevant laws when you conduct background checks for employment in Kentucky.

If you violate the laws, you could be fined, penalized, and subjected to lawsuits from applicants.

To ensure you remain compliant, follow the tips below.

1. Don't Ask About Criminal History on Your Applications.

While Kentucky's ban-the-box laws currently only apply to executive branch employees and the city of Louisville and its vendors, it is still a good idea to refrain from asking about criminal history information on your applications.

More cities, counties (<https://iprospectcheck.com/county-background-check/>), and states are enacting ban-the-box laws, so removing these types of questions can help you stay ahead of the curve.

2. Assess Any Criminal Conviction as it Relates to the Job.

If an applicant has a criminal record, assess it as it relates directly to the position for which the applicant has applied before deciding not to hire him or her based on that information.

3. Send a Pre-Adverse Action Notice.

If the information on a background check makes you want to not hire an applicant, you must send him or her a pre-adverse action notice. In your notice, identify the adverse information and provide a copy of the report. Give the applicant a deadline for clarifying the information.

4. Send a Final Adverse Action Notice.

If you still do not want to hire the applicant after completing the adverse action process, you must send him or her a final notice of adverse action.

Make sure to include information about the applicant's rights under the FCRA and state law with your notice.

What Information Am I Prohibited from Seeking in a Kentucky Background Check?

In Kentucky, you cannot ask for information about expunged misdemeanor or felony convictions.

If an applicant has successfully expunged a misdemeanor or felony conviction, he or she does not have to report it to you, and you cannot inquire about it.

Kentucky also prohibits CRAs from keeping records of charges or arrests that did not result in convictions, so you cannot seek or use information about those.

What Disqualifies You from a Background Check in Kentucky?

Job applicants might be denied employment based on the information contained in background check reports for several reasons.

Some of the most common reasons why an applicant might be turned down for a job are listed below.

1. Misrepresenting Past Jobs

Some applicants think that they will increase their chances of getting a job by lying about their employment dates, titles, or job duties.

They might think that they need to do so when they have had gaps in employment or have held lower-level roles without a substantial degree of responsibilities.

Lies about past employment will show up on employment verifications and will result in fast denials.

2. Lying About Education

Some applicants lie about the schools they have attended or claim to hold degrees they never earned.

Education verification reports show whether applicants have misrepresented their education. Applicants who have lied will likely be denied employment.

How Much is a Background Check in Kentucky?

If you order a background check from the state, you will have to submit a **fee of \$25** per report.

However, this type of background check will not provide all of the information you need about an applicant, including information about his or her past employment or education.

Some employers might see vendors online advertising free background checks. You should not use information from these types of vendors to make employment decisions. The information they report is frequently unreliable and legally non-compliant, and using it can result in legal liability.

An affordable and reliable approach is to work with a company like iprospectcheck. We always comply with the FCRA and return background check reports quickly at an affordable price.

We offer many different types of background check reports, allowing you to select only the reports you need instead of being forced to pay for extraneous information.

If you think your company will need to order 50 or more reports per year, you can also benefit from our deep volume discounts. Contact us today for a free quote.

How Long Does a Background Check Take in Kentucky?

Employers in Kentucky cannot afford background check delays because of the necessity of making fast hiring decisions. How long you might wait for a background check (<https://iprospectcheck.com/how-long-does-a-background-check-take-to-come-back/>) report to come back will depend on how you go about conducting it.

If you try to submit searches online and to multiple agencies, employers, and schools, completing a background check can take weeks.

By working with iprospectcheck, you can greatly speed up the process. We have great access to reliable databases and use cutting-edge research methods to return accurate, comprehensive, and FCRA-compliant background checks (<https://iprospectcheck.com/fcra-background-check/>) in as little as a few hours.

Turn to iprospectcheck for Accurate, Fast, and Affordable Employment Background Checks

Conducting employment background checks can help you to protect your business, its reputation, and the safety of your employees and customers. However, trying to conduct a background check can be difficult when you don't have the necessary time or resources.

At iprospectcheck, we have broad resources and use the latest research methods to conduct accurate, fast, and affordable employment background checks for our clients.

To learn more, contact iprospectcheck today for a free, no-obligation quote.

DISCLAIMER: The resources provided here are for educational purposes only and do not constitute legal advice. Consult your counsel if you have legal questions related to your specific practices and compliance with applicable laws.

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About the Author





Matthew J. Rodgers

Matthew J. Rodgers is a highly accomplished business executive with over 30 years of experience providing strategic vision and leadership to companies ranging from the fortune 500 to iprospectcheck (<https://iprospectcheck.com/about/>), a company which he co-founded over a decade ago. Matthew is a valued consultant who is dedicated to helping companies create and implement efficient, cost effective and compliant employment screening programs. Matt has been a member of the Professional Background Screeners Association (<https://member.thepbsa.org/memberships/cra-org-directory-listings>) since 2009 . When not focused on iprospectcheck, he can be found spending time with his family, fly fishing, or occasionally running the wild rivers of the American west. A lifetime member of American Whitewater, Matt is passionate about protecting and restoring America's whitewater rivers.

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