

SB 22 - AS INTRODUCED

2017 SESSION

17-0299

06/10

SENATE BILL **22**

AN ACT relative to employer immunity for disclosure of certain worker employment information.

SPONSORS: Sen. Bradley, Dist 3; Sen. Innis, Dist 24; Rep. Hunt, Ches. 11; Rep. Biggie, Hills. 23

COMMITTEE: Commerce

ANALYSIS

This bill provides immunity from civil liability to an employer who discloses employment information about a worker to a prospective or current employer.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT relative to employer immunity for disclosure of certain worker employment information.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Liability Limited; Disclosure of Employment Information. Amend RSA 508 by
2 inserting after section 22 the following new section:

3 508:23 Liability Limited; Disclosure of Employment Information.

4 I. In this section:

5 (a) "Worker" means any individual, paid or unpaid, in the service of an employer.

6 (b) "Employer" means any individual, partnership, association, joint stock company,
7 trust, corporation, limited liability company, the administrator or executor of the estate of a
8 deceased individual, or the receiver, trustee, or successor of any of the same, employing any worker
9 under any contract of hire or service, express or implied, oral or written, in the state. Employer
10 also includes the state and any political subdivision or any instrumentality of the state.

11 II. Any employer may disclose employment information regarding misconduct, work
12 history, and competency about a worker upon request of a prospective or current employer. An
13 employer, and its directors, officers, and employees, who provide information in good faith and in
14 accordance with this section shall be immune from civil liability for providing the information or for
15 any consequences that results from the disclosure of the information unless it is alleged and proven
16 that the information disclosed was false and disclosed with knowledge that such information was
17 false.

18 2 Effective Date. This act shall take effect January 1, 2018.