

HB 293 - FINAL VERSION

2019 SESSION

19-0814
04/01

HOUSE BILL **293**

AN ACT relative to employee credit privacy.

SPONSORS: Rep. Cushing, Rock. 21; Rep. King, Hills. 33; Rep. D. Ley, Ches. 9; Rep. Rogers, Merr. 28; Rep. O'Brien, Hills. 36; Rep. Mangipudi, Hills. 35; Rep. Berch, Ches. 1; Sen. Feltes, Dist 15; Sen. Cavanaugh, Dist 16; Sen. Fuller Clark, Dist 21

COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill prohibits employers from using credit history in employment decisions.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

In the Year of Our Lord Two Thousand Nineteen

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

Employee Credit Privacy

275:79 Use of Credit History Prohibited. No employer, labor organization, or employment agency shall use or request information in the credit history of a job applicant or employee in connection with or as a criterion for employment decisions related to hiring, termination, promotion,

1 demotion, discipline, compensation, or the terms, conditions, or privileges of employment unless the
2 employer is required by state or federal law to use individual credit history for employment
3 purposes, or the employer has a bona fide purpose for requesting or using information in the credit
4 history report that is substantially related to the employee's current or potential job and the
5 employer complies with the notice and consent requirements of the Federal Fair Credit Reporting
6 Act, 15 U.S.C. section 1681 et seq.

7 275:80 Penalty. Any employer violating any provision of this subdivision shall be subject to a
8 civil penalty, to be imposed by the labor commissioner in accordance with the procedures established
9 in RSA 273:11-a. An employer aggrieved by the commissioner's assessment of such penalty may
10 appeal in accordance with RSA 273:11-c.

11 2 Effective Date. This act shall take effect January 1, 2020.

12
13 VETOED July 10, 2019

14 Veto Sustained September 18, 2019