

Amendment to HB 1385

1 Amend the bill by replacing section 1 with the following:

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3 1 New Section; Labor; Protective Legislation; Use of Credit History Prohibited. Amend RSA 275
4 by inserting after section 37-d the following new section:

5 275:37-e Use of Credit History Prohibited. No employer, labor organization or employment
6 agency, or independent contractor doing business in this state shall use or request information in the
7 credit history of a job applicant, employee, or independent contractor in connection with or as a
8 criterion for employment decisions related to hiring, termination, promotion, demotion, discipline,
9 compensation, or the terms, conditions, or privileges of employment in this state, unless the
10 employer, labor organization, employment agency, or independent contractor complies with the
11 notice and consent requirements of the Federal Fair Credit Reporting Act, 15 U.S.C. section 1681 et
12 seq. and one or more of the following apply:

13 I. The employer or independent contractor is required by state or federal law to use
14 individual credit history for employment purposes.

15 II. The applicant's, employee's, or independent contractor's job duties involve financial
16 management or responsibility.

17 III. The position may render the applicant, employee, or independent contractor vulnerable
18 to bribery, fraud, or other financial mismanagement.

19 IV. The employer or independent contractor has a bona fide purpose related to addressing a
20 threat of harm to the business for requesting or using information in the credit history report and is
21 substantially related to the applicant's or employee's current or potential job.