

HB 1385 - AS INTRODUCED

2022 SESSION

22-2545

04/11

HOUSE BILL **1385**

AN ACT prohibiting the use of credit history in employment decisions.

SPONSORS: Rep. Read, Rock. 17; Rep. Bouchard, Hills. 11; Rep. Toomey, Hills. 32

COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill prohibits an employer from using an employee's or prospective employee's credit history as a criterion for making certain 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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT prohibiting the use of credit history in employment decisions.

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

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

3 275:37-e Use of Credit History Prohibited. No employer, labor organization, or employment
4 agency shall use or request information in the credit history of a job applicant or employee in
5 connection with or as a criterion for employment decisions related to hiring, termination, promotion,
6 demotion, discipline, compensation, or the terms, conditions, or privileges of employment, unless the
7 employer complies with the notice and consent requirements of the Federal Fair Credit Reporting
8 Act, 15 U.S.C. section 1681 et seq. and one or more of the following apply:

9 I. The employer is required by state or federal law to use individual credit history for
10 employment purposes.

11 II. The applicant's or employee's job duties involve financial management or responsibility.

12 III. The position may render the applicant or employee vulnerable to bribery, fraud, or other
13 financial mismanagement.

14 IV. The employer has a bona fide purpose for requesting or using information in the credit
15 history report that is substantially related to the applicant's or employee's current or potential job

16 2 Effective Date. This act shall take effect 60 days after its passage.