



General Assembly

January Session, 2011

**Committee Bill No. 361**

LCO No. 2563

\*02563SB00361LAB\*

Referred to Committee on Labor and Public Employees

Introduced by:  
(LAB)

**AN ACT PREVENTING THE USE OF CREDIT SCORES BY CERTAIN EMPLOYERS IN HIRING DECISIONS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2011*) (a) As used in this  
2 section:

3 (1) "Employee" means any person engaged in service to an employer  
4 in a business of his employer;

5 (2) "Employer" means any person engaged in business who has one  
6 or more employees, including the state or any political subdivision of  
7 the state; and

8 (3) "Financial institution" means any state bank and trust company,  
9 national banking association, state or federally chartered savings bank,  
10 state or federally chartered savings and loan association or state or  
11 federally chartered credit union.

12 (b) No employer or employer's agent, representative or designee  
13 may require an employee or prospective employee to consent to the  
14 creation of a credit report that contains information about the

15 employee's or prospective employee's credit score, credit account  
16 balances, payment history, savings or checking account balances or  
17 savings or checking account numbers as a condition of employment  
18 unless (1) such employer is a financial institution, (2) such report is  
19 required by law, or (3) the employer reasonably believes that the  
20 employee has engaged in specific activity that constitutes a violation of  
21 the law.

22 (c) Any employee or prospective employee may file a complaint  
23 with the Labor Commissioner alleging a violation of the provisions of  
24 subsection (a) of this section. At the request of either party, the  
25 commissioner shall hold a hearing, in accordance with the provisions  
26 of chapter 54 of the general statutes. Any employer who violates  
27 subsection (a) of this section shall be liable to the Labor Department for  
28 a civil penalty pursuant to section 31-69a of the general statutes, as  
29 amended by this act. Any party aggrieved by a decision of the  
30 commissioner may appeal the decision to the Superior Court in  
31 accordance with the provisions of chapter 54 of the general statutes.

32 Sec. 2. Section 31-69a of the general statutes is repealed and the  
33 following is substituted in lieu thereof (*Effective October 1, 2011*):

34 (a) In addition to the penalties provided in this chapter and chapter  
35 568, any employer, officer, agent or other person who violates any  
36 provision of this chapter, chapter 563a, chapter 557, section 1 of this act  
37 or subsection (g) of section 31-288 shall be liable to the Labor  
38 Department for a civil penalty of three hundred dollars for each  
39 violation of said chapters and for each violation of subsection (g) of  
40 section 31-288, except that (1) any person who violates (A) a stop work  
41 order issued pursuant to subsection (c) of section 31-76a shall be liable  
42 to the Labor Department for a civil penalty of one thousand dollars  
43 and each day of such violation shall constitute a separate offense, and  
44 (B) any provision of section 31-12, 31-13 or 31-14, subsection (a) of  
45 section 31-15 or section 31-18, 31-23 or 31-24 shall be liable to the Labor  
46 Department for a civil penalty of six hundred dollars for each violation

47 of said sections, and (2) a violation of subsection (g) of section 31-288  
48 shall constitute a separate offense for each day of such violation.

49 (b) The Attorney General, upon complaint of the Labor  
50 Commissioner, shall institute civil actions to recover the penalties  
51 provided for under subsection (a) of this section. Any amount  
52 recovered shall be deposited in the General Fund and credited to a  
53 separate nonlapsing appropriation to the Labor Department, for other  
54 current expenses, and may be used by the Labor Department to  
55 enforce the provisions of chapter 557, chapter 563a, this chapter and  
56 subsection (g) of section 31-288 and to implement the provisions of  
57 section 31-4.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	New section
Sec. 2	October 1, 2011	31-69a

**Statement of Purpose:**

To increase job opportunities for individuals with some credit issues who are applying for jobs with employers who are not financial institutions.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. LOONEY, 11th Dist.

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