



General Assembly

**Substitute Bill No. 361**

January Session, 2011

\* \_\_\_\_\_SB00361LAB\_\_030211\_\_\_\_\_\*

**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 a  
14 credit inquiry that contains information about the employee's or  
15 prospective employee's credit score, credit account balances, payment  
16 history, savings or checking account balances or savings or checking  
17 account numbers as a condition of employment unless (1) such

18 employer is a financial institution, (2) such report is required by law,  
19 or (3) the employer reasonably believes that the employee has engaged  
20 in specific activity that constitutes a violation of the law related to the  
21 employee's employment.

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 (b) 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. An employer shall be liable to the  
27 Labor Department for a civil penalty of three hundred dollars for each  
28 inquiry made in violation of subsection (b) of this section.

29 (d) The Attorney General, upon complaint of the Labor  
30 Commissioner, shall institute civil actions to recover the penalties  
31 provided for under subsection (c) of this section. Any amount  
32 recovered shall be deposited in the General Fund and credited to a  
33 separate nonlapsing appropriation to the Labor Department, for other  
34 current expenses, and may be used by the Labor Department to  
35 enforce the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section

**LAB**      *Joint Favorable Subst.*