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FISCAL IMPACT REPORT

ORIGINAL DATE 01/31/11

SPONSOR Keller LAST UPDATED HB

SHORT TITLE Employment Credit Information Privacy Act SB 72

ANALYST Sanchez, C.

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Regulation and Licensing Department (RLD)

Attorney General's Office (AGO)

SUMMARY

Synopsis of Bill

Section 1: Title of Act

Section 2: Purpose of Act

Section 3: Definitions for Act

Section 4: Complete Prohibition on use of credit information in employment decisions with exception of Section 5.

Section 5: Credit information is only allowed to be used in employment decisions only when good credit information is an established bona fide occupational requirement of a particular position or a particular group of the employer's employees. This section also defines what constitutes a "bona fide occupational requirement".

Section 6: Required notification to employment applicant of employer's use of his/her credit information in determining employment eligibility.

Section 7: Effective date July 1, 2011.

FISCAL IMPLICATIONS

No Fiscal Impact

SIGNIFICANT ISSUES

According to RLD, this Bill prohibits employers from using an employee's or prospective employee's credit information as a basis for employment, recruitment, discharge, or compensation with some exceptions; providing notice to employees or prospective employees when credit information is used by employers or prospective employers as a basis for employment, recruitment, discharge or compensation.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

CS/mew