

FIFTY-THIRD LEGISLATURE
FIRST SESSION, 2017

SB 280/a

March 6, 2017

Mr. President:

Your **CORPORATIONS AND TRANSPORTATION COMMITTEE**, to whom has been referred

SENATE BILL 280

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 18, strike "4" and insert in lieu thereof "5".

2. On page 2, line 5, strike "regarding a person's" and insert in lieu thereof "or provided by a prospective employee to a prospective employer, bearing on the prospective employee's".

3. On page 2, line 11, strike "A" and insert in lieu thereof "Except as provided in Section 4 of the Employee Credit Information Privacy Act, a".

4. On page 2, line 12, after "recruit", insert a comma, strike the second "or" and after "interview", insert "or hire".

5. On page 2, between lines 14 and 15, insert the following new section:

"SECTION 4. [NEW MATERIAL] EXCEPTIONS TO THE PROHIBITION ON THE USE OF CREDIT INFORMATION IN DECISIONS TO RECRUIT, INTERVIEW OR HIRE.--The prohibition in Section 3 of the Employee Credit Information Privacy Act does not prevent a prospective employer from using a prospective employee's credit information to make a decision to recruit, interview or hire that person if good credit information is an established bona fide occupational requirement of a particular position or a particular group of the prospective employer's employees. Information regarding a prospective employee's credit information is not a bona fide occupational requirement unless that person applies for employment:

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- A. that requires federal deposit insurance corporation clearance;
- B. at a financial service institution, including insurance companies, agents and adjusters;
- C. that requires United States security clearance; or
- D. that requires a fiduciary responsibility to the employer, including the authority to issue payments, collect debts, transfer money or enter into contracts."

6. Renumber the succeeding sections accordingly.,
and thence referred to the **JUDICIARY COMMITTEE.**

Respectfully submitted,

SENATOR CLEMENTE SANCHEZ, CHAIRMAN

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 4 For 3 Against
Yes: 4
No: Sharer, White, Woods
Excused: Papen
Absent: None

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