

SENATE BILL 110

K3

0lr1096

By: **Senators Lenett and Pugh**

Introduced and read first time: January 15, 2010

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Job and Financial Privacy Protection Act**

3 FOR the purpose of prohibiting an employer from requesting a credit report from
4 certain individuals under certain circumstances; requiring the Commissioner of
5 Labor and Industry to adopt certain regulations; authorizing certain civil
6 actions under certain circumstances; and generally relating to the credit reports
7 of applicants and employees.

8 BY adding to

9 Article – Labor and Employment
10 Section 3–710
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2009 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Labor and Employment**

16 **3–710.**

17 **(A) AN EMPLOYER MAY NOT REQUEST A CREDIT REPORT FROM AN**
18 **APPLICANT FOR EMPLOYMENT OR AN EMPLOYEE UNLESS:**

19 **(1) THE REQUEST HAS A BONA FIDE WORK-RELATED PURPOSE;**
20 **OR**

21 **(2) THE EMPLOYER IS REQUIRED TO REQUEST THE CREDIT**
22 **REPORT UNDER FEDERAL OR STATE LAW.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) THE COMMISSIONER SHALL ADOPT REGULATIONS SPECIFYING**
2 **WHAT IS A BONA FIDE WORK-RELATED PURPOSE.**

3 **(C) IF AN EMPLOYER DENIES EMPLOYMENT TO AN APPLICANT OR**
4 **DISCHARGES AN EMPLOYEE BECAUSE OF A CREDIT REPORT RECEIVED BY THE**
5 **EMPLOYER IN VIOLATION OF SUBSECTION (A) OF THIS SECTION, THE**
6 **APPLICANT OR EMPLOYEE MAY BRING AN ACTION FOR INJUNCTIVE RELIEF,**
7 **DAMAGES, OR OTHER RELIEF.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2010.