



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

---

Legislative Document

No. 1157

---

H.P. 795

House of Representatives, March 31, 2015

### **An Act To Protect Preemployment Credit Privacy**

---

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative HAMANN of South Portland.  
Cosponsored by Senator PATRICK of Oxford and  
Representatives: GILBERT of Jay, HERBIG of Belfast, MARTIN of Eagle Lake,  
MASTRACCIO of Sanford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA §600-A** is enacted to read:

3 **§600-A. Use of credit reports**

4 **1. Prohibition.** An employer or an agent of an employer may not request or use as  
5 part of any hiring process or decision information regarding a prospective employee's  
6 creditworthiness, credit standing, credit capacity, debts or check-writing experience.

7 **2. Exceptions.** This section does not apply to the request of an employer or an agent  
8 of an employer in the following circumstances:

9 A. When the job for which the prospective employee is applying requires  
10 management of the company's finances or a customer's financial assets;

11 B. When the employer is in the financial services industry; or

12 C. When the employer is otherwise required by law to obtain this information.

13 **3. Penalty.** An employer or agent of an employer who violates this section commits  
14 a civil violation for which a fine of not less than \$500 nor more than \$1,000 for each  
15 violation may be adjudged. The director shall enforce this section.

16 **SUMMARY**

17 This bill prohibits employers from obtaining information regarding the  
18 creditworthiness, credit standing, credit capacity, debts or check-writing experience of a  
19 prospective employee as part of the hiring process or decision. There are exceptions from  
20 this prohibition in the bill for circumstances in which the job requires management of the  
21 company's finances or a customer's financial assets, the employer is in the financial  
22 services industry or the employer is otherwise required by law to obtain this information.  
23 Violation of this prohibition is a civil violation for which a fine from \$500 to \$1,000 for  
24 each violation may be adjudged. The prohibition is enforced by the Director of Labor  
25 Standards within the Department of Labor.