



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2009 Assembly Bill 367**

**Assembly Amendment 1**

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Current law prohibits discrimination in employment on the basis of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, conviction record, military service, or use or nonuse of a lawful product off the employer's premises during nonworking hours. Exceptions apply to discrimination on the basis of arrest record if an employer's inquiry into those items relates to bondability and on the basis of conviction record if the conviction is substantially related to bondability or the circumstances of a particular job.

Assembly Bill 367 prohibits discrimination on the basis of credit history, subject to exceptions for bondability or when credit history is substantially related to the circumstances of a particular job.

Under the bill, "credit history" means information provided in a consumer report, as defined in 15 USC s. 1681a (d).

Assembly Amendment 1 modifies the definition of "credit history." As amended, "credit history" means information bearing an individual's credit worthiness, credit standing, or credit capacity that is provided in a consumer report, as defined in 15 USC s. 1681a (d). The amendment also specifies January 1, 2011, or the day after the day of publication, whichever is later, as the effective date of the bill.

### **Legislative History**

Assembly Amendment 1 was offered by Representative Hixson. On October 22, 2009, the Assembly Committee on Workforce Development recommended adoption of the amendment on a vote of Ayes, 4; Noes, 3. The committee recommended passage of Assembly Bill 367, as amended, by a vote of Ayes, 4; Noes, 3.

SG:ksm