

HOUSE BILL NO. 4264

March 18, 2025, Introduced by Reps. Scott, Rogers, Pohutsky, Price, B. Carter, Foreman, Grant, Byrnes, Glanville, Herzberg, Rheingans, Paiz, Steckloff, McKinney, MacDonell, Neeley, Young, Hoskins, Myers-Phillips, Hope, Wilson, Longjohn, Coffia, Brixie, Weiss, Mentzer, O'Neal, Tate, Wegela, Andrews, T. Carter, McFall, Koleszar, Xiong, Conlin, Dievendorf and Breen and referred to Committee on Government Operations.

A bill to prohibit employers from making certain recruiting or hiring decisions based on an individual's credit history; to prohibit employers from making certain inquiries; to prohibit certain waivers; to prohibit retaliation; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "job applicant credit
2 privacy act".

3 Sec. 3. As used in this act:

4 (a) "Credit history" means information that is generally used

1 in evaluating an individual's creditworthiness, credit standing, or
2 credit capacity, such as a debt payment record or a credit score
3 compiled by a consumer credit agency.

4 (b) "Employer" means an individual or entity, or the agent of
5 an individual or entity, that allows 1 or more individuals to work
6 or accepts applications for employment.

7 Sec. 5. (1) Except as otherwise provided in subsection (2), an
8 employer shall not do either of the following:

9 (a) Fail or refuse to hire or to recruit an individual for
10 employment because of the individual's credit history.

11 (b) Inquire about a job applicant's or potential job
12 applicant's credit history.

13 (2) The prohibition in subsection (1) does not prevent an
14 inquiry or employment action if a good credit history is an
15 established bona fide occupational requirement of a particular
16 position or employment classification. Good credit history is
17 considered to be an established bona fide occupational requirement
18 of a particular position or employment classification of any of the
19 following:

20 (a) A state or nationally chartered bank or a bank holding
21 company, or its affiliate or subsidiary.

22 (b) A state or federally chartered savings and loan, savings
23 bank, or credit union, or its affiliate or subsidiary.

24 (c) A person licensed or registered under article 7 of the
25 occupational code, 1980 PA 299, MCL 339.720 to 339.736.

26 (d) A casino.

27 Sec. 7. A person shall not retaliate or discriminate against
28 an individual because the individual has done or was about to do
29 any of the following:

1 (a) Testify, assist, or participate in an investigation,
2 proceeding, or action concerning a violation of this act.

3 (b) Oppose a violation of this act.

4 Sec. 9. An employer shall not require an individual to waive
5 or limit any protection granted under this act as a condition of
6 applying for or receiving an offer of employment. An agreement to
7 waive any right or protection under this act is void.

8 Sec. 11. (1) An individual who is injured by a violation of
9 this act may bring a civil action to obtain damages or injunctive
10 relief, or both.

11 (2) The court shall award costs and reasonable attorney fees
12 to an individual who prevails as a plaintiff in an action
13 authorized under this section.