

HB3277



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3277

Introduced 2/18/2025, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

820 ILCS 70/10

Amends the Employee Credit Privacy Act. Provides that an employer shall not order or obtain an applicant's social security number, except for the purpose of conducting a background check of the applicant at the time the background check is completed. Provides that the provision does not prohibit an employer from obtaining an employee's social security number after the employee has been hired.

LRB104 08394 SPS 18445 b

A BILL FOR

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Employee Credit Privacy Act is amended by
5 changing Section 10 as follows:

6 (820 ILCS 70/10)

7 Sec. 10. Employment based on credit history or credit
8 report not permitted.

9 (a) Except as provided in this Section, an employer shall
10 not do any of the following:

11 (1) Fail or refuse to hire or recruit, discharge, or
12 otherwise discriminate against an individual with respect
13 to employment, compensation, or a term, condition, or
14 privilege of employment because of the individual's credit
15 history or credit report.

16 (2) Inquire about an applicant's or employee's credit
17 history.

18 (3) Order or obtain an applicant's or employee's
19 credit report from a consumer reporting agency.

20 (4) Order or obtain an applicant's social security
21 number, except for the purpose of conducting a background
22 check of the applicant at the time the background check is
23 completed.

1 (b) The prohibition in subsection (a) of this Section does
2 not prevent an inquiry or employment action if a satisfactory
3 credit history is an established bona fide occupational
4 requirement of a particular position or a particular group of
5 an employer's employees. A satisfactory credit history is not
6 a bona fide occupational requirement unless at least one of
7 the following circumstances is present:

8 (1) State or federal law requires bonding or other
9 security covering an individual holding the position.

10 (2) The duties of the position include custody of or
11 unsupervised access to cash or marketable assets valued at
12 \$2,500 or more.

13 (3) The duties of the position include signatory power
14 over business assets of \$100 or more per transaction.

15 (4) The position is a managerial position which
16 involves setting the direction or control of the business.

17 (5) The position involves access to personal or
18 confidential information, financial information, trade
19 secrets, or State or national security information.

20 (6) The position meets criteria in administrative
21 rules, if any, that the U.S. Department of Labor or the
22 Illinois Department of Labor has promulgated to establish
23 the circumstances in which a credit history is a bona fide
24 occupational requirement.

25 (7) The employee's or applicant's credit history is
26 otherwise required by or exempt under federal or State

1 law.

2 (c) The prohibition in paragraph (4) of subsection (a)
3 does not prohibit an employer from obtaining an employee's
4 social security number after the employee has been hired.

5 (Source: P.A. 96-1426, eff. 1-1-11.)