STATE OF NEW YORK

8789

IN SENATE

January 8, 2026

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to the definition of the term employer and to the requesting or use for employment purposes of the consumer credit history of an applicant for employment or employee by an employer, labor organization, employment agency or any agent thereof; and to repeal certain provisions of a chapter of the laws of 2025 amending the general business law relating to prohibiting the disclosure or use of a person's consumer credit history to an employer, labor organization, employment agency or agent thereof for purposes of employment decisions

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 380-a of the general business law is amended by adding a new subdivision (x) to read as follows:

(x) The term "employer" means any individual, partnership, corporation or association engaged in a business who has employees including the state and its political subdivisions.

§ 2. Subparagraph (iii) of paragraph 2 of subdivision (d) of section 380-b of the general business law, as added by a chapter of the laws of 2025 amending the general business law relating to prohibiting the disclosure or use of a person's consumer credit history to an employer, labor organization, employment agency or agent thereof for purposes of employment decisions, as proposed in legislative bills numbers S. 3072 and A. 1316, is amended to read as follows:

(iii) persons in a position that is subject to background investigation by a state agency[~~, provided, however, that the appointing agency may not use consumer credit history information for employment purposes unless the position is an appointed position in which a high degree of public trust, as defined by the commission in rules, has been reposed.~~]~~;~~

§ 3. Section 3 of a chapter of the laws of 2025 amending the general business law relating to prohibiting the disclosure or use of a person's consumer credit history to an employer, labor organization, employment

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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agency or agent thereof for purposes of employment decisions, as proposed in legislative bills numbers S. 3072 and A. 1316, is REPEALED.

§ 4. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2025 amending the general business law relating to prohibiting the disclosure or use of a person's consumer credit history to an employer, labor organization, employment agency or agent thereof for purposes of employment decisions, as proposed in legislative bills numbers S. 3072 and A. 1316, takes effect.