

Int. No. 857

By Council Members Lander, Dromm, Comrie, Barron, Brewer, Chin, Dickens, Eugene, Ferreras, Garodnick, Gonzalez, Jackson, James, Koppell, Mark-Viverito, Mendez, Palma, Recchia, Reyna, Rose, Vann, Williams, Wills, Levin, Arroyo, Cabrera, Rodriguez, Nelson, Foster, Van Bramer, Gentile, Lappin, Koslowitz, King and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting discrimination based on one's consumer credit history.

Be it enacted by the Council as follows:

Section 1. Section 8-102 of chapter one of title eight of the administrative code of the city of New York, as amended by local law number 39 for the year 1991, is amended by adding a new subdivision 26 to read as follows:

26. The term "consumer credit history" means any information bearing on an individual's credit worthiness, credit standing, or credit capacity, including but not limited to an individual's credit score, credit account and other consumer account balances, and payment history.

§2. Section 8-107 of chapter one of title eight of the administrative code of the city of New York, as amended by local law number 39 for the year 1991, is amended by adding a new subdivision 21 to read as follows:

21. Employment; consumer credit history. (a) Except as provided in paragraph b, it is an unlawful discriminatory practice for an employer, labor organization, employment agency or licensing agency to request or to use for employment purposes information contained in the consumer credit history of an applicant for employment or to retaliate or otherwise discriminate against an applicant or an employee with regard to hiring, termination, promotion, demotion, discipline, compensation or the terms, conditions or privileges of employment based on information in the consumer credit history of the applicant or employee.

(b) Paragraph a of this subdivision shall not apply to employers that are required by state

or federal law to use an individual's consumer credit history for employment purposes.

§ 3. This local law shall take effect immediately upon enactment.

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