**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41‑1‑115 SO AS TO PROHIBIT AN INDIVIDUAL’S CREDIT SCORE FROM BEING THE BASIS OF ANY PERSONNEL ACTION, TO PROVIDE PENALTIES, AND TO DEFINE NECESSARY TERMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 1, Title 41 of the 1976 Code is amended by adding:

“Section 41‑1‑115. (A) An individual’s credit score must not be the basis of any personnel action, including, but not limited to, granting an interview to a prospective employee or decisions concerning hiring, terminating, demoting, or promoting an employee. A person who violates the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than ten nor more than fifty dollars or be imprisoned not less than ten nor more than thirty days.

(B) For the purposes of this article:

(1) ‘Consumer’ means an individual person.

(2) ‘Credit report’ means a written, oral, or other communication of any information produced by a consumer reporting agency that bears on a consumer’s creditworthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living that is used or collected to serve as a factor in establishing the consumer’s eligibility for credit.

(3) ‘Credit score’ or ‘risk predictor’ or ‘risk score’ means a numeric value or categorization derived from a statistical tool or modeling system used to predict the likelihood of a consumer’s credit behavior, including default.

(4) ‘Consumer credit reporting agency’ means an organization that regularly engages in the practice of assembling or evaluating consumer credit information, creating consumer credit reports, or creating consumer credit scores for use by third parties.”

SECTION 2. This act takes effect upon approval by the Governor.

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