

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0618.01 Kristen Forrestal x4217

HOUSE BILL 18-1377

HOUSE SPONSORSHIP

Coleman and Pettersen,

SENATE SPONSORSHIP

(None),

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MAKING IT AN UNFAIR EMPLOYMENT PRACTICE FOR AN
102 EMPLOYER TO SEEK EARNINGS HISTORY ABOUT AN APPLICANT
103 FOR EMPLOYMENT.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill makes it an unfair employment practice for an employer to seek wage or salary history information, including compensation and benefits, about an applicant for employment, unless the employer notifies the applicant of the wage or salary range for the current employment opening or the applicant agrees to discuss his or her wage or salary

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

history.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-402, **add** (1)(j)
3 as follows:

4 **24-34-402. Discriminatory or unfair employment practices.**

5 (1) It shall be a discriminatory or unfair employment practice:

6 (j) FOR AN EMPLOYER TO, ORALLY OR IN WRITING, SEEK WAGE OR
7 SALARY HISTORY INFORMATION, INCLUDING COMPENSATION AND
8 BENEFITS, ABOUT AN APPLICANT FOR EMPLOYMENT; UNLESS THE
9 EMPLOYER HAS DOCUMENTED THAT:

10 (I) THE EMPLOYER NOTIFIED THE APPLICANT OF THE WAGE OR
11 SALARY RANGE FOR THE CURRENT EMPLOYMENT OPENING; OR

12 (II) THE APPLICANT VOLUNTARILY AGREED TO DISCUSS HIS OR HER
13 SALARY HISTORY WITH THE EMPLOYER.

14 **SECTION 2. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2018 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.