

FIRST REGULAR SESSION

HOUSE BILL NO. 115

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DAVIS (Sponsor) AND SOLON (Co-sponsor).

0140H.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 285, RSMo, by adding thereto one new section relating to the disclosure of private information to employers.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 285, RSMo, is amended by adding thereto one new section, to be known as section 285.600, to read as follows:

285.600. 1. As used in this section, the following words shall mean:

(1) "Applicant", an applicant for employment;

(2) "Electronic communications device", any device that uses electronic signals to create, transmit, and receive information. Such device shall include computers, telephones, personal digital assistants, and other similar devices;

(3) "Employer", a person engaged in a business, an industry, a profession, a trade, or other enterprise in this state, or a unit of state or local government. Employer shall include an agent, a representative, and a designee of the employer.

2. Subject to subsection 3 of this section, an employer shall not request or require an employee or applicant to disclose any user name, password, or other means for accessing a personal account or service through an electronic communications device.

3. An employer may require an employee to disclose any user name, password, or other means for accessing nonpersonal accounts or services that provide access to the employer's internal computer or information systems.

4. An employer shall not:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **(1) Discharge, discipline, otherwise penalize or threaten to discharge, discipline, or**
17 **otherwise penalize an employee for an employee's refusal to disclose any information**
18 **specified in subsection 2 of this section; or**

19 **(2) Fail or refuse to hire any applicant as a result of the applicant's refusal to**
20 **disclose any information specified in subsection 2 of this section.**

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