

AMENDED IN SENATE AUGUST 24, 2015  
AMENDED IN SENATE JULY 8, 2015  
AMENDED IN ASSEMBLY MAY 18, 2015  
AMENDED IN ASSEMBLY APRIL 16, 2015  
AMENDED IN ASSEMBLY MARCH 26, 2015  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1017**

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**Introduced by Assembly Member Campos  
(Coauthors: Assembly Members Cristina Garcia and Gonzalez)**

February 26, 2015

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An act to add Section 432.3 to the Labor Code, relating to employers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1017, as amended, Campos. Employers.

Existing law imposes various restrictions on employers with respect to applicants for employment. A violation of those restrictions is a misdemeanor.

This bill would prohibit an employer from seeking salary history information ~~from about an applicant for employment and from releasing the salary history of any current or former employee without written authorization from the current or former employee or without first obtaining certification from the prospective employer that the prospective employer has obtained written authorization from the current or former employee to disclose that information.~~ *employment, except as otherwise provided.* The bill would specify that a violation of its provisions would not be subject to the misdemeanor provision.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 432.3 is added to the Labor Code, to  
 2 read:  
 3 432.3. (a) An employer shall ~~not do either of the following:~~  
 4 ~~(1) Orally not, orally~~ or in writing, personally or through an  
 5 agent, seek salary history benefits, including, but not limited  
 6 to, compensation and benefits, ~~from~~ *about* an applicant for  
 7 employment for an interview or as a condition of employment.  
 8 ~~(2) Release the salary history of any current or former employee~~  
 9 ~~to any prospective employer in response to a request as part of an~~  
 10 ~~interview or hiring process without written authorization from the~~  
 11 ~~current or former employee or without first obtaining certification~~  
 12 ~~from the prospective employer that the prospective employer has~~  
 13 ~~obtained written authorization from the current or former employee~~  
 14 ~~to disclose that information.~~  
 15 (b) Section 433 does not apply to this section.  
 16 (c) *This section shall not apply to salary history information*  
 17 *disclosable to the public pursuant to federal or state law, including*  
 18 *but not limited to, the California Public Records Act, Chapter 3.5*  
 19 *(commencing with Section 6250) of Division 7 of Title 1 of the*  
 20 *Government Code, or the federal Freedom of Information Act,*  
 21 *Section 552 of Title 5 of the United States Code.*

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