

THE SURETY & FIDELITY ASSOCIATION OF AMERICA

MEMORANDUM

TO: Government Affairs Advisory Committee

FROM: Daniel Wanke

RE: Fidelity Bond Legislation

DATE: December 29, 2014

Most states expedite their legislative process by permitting bills to be drafted and introduced before the legislative session begins. The pre-filing process varies greatly among the states in terms of the time period bills can be pre-filed, who can pre-file bills and how many bills each legislator may pre-file. In all states except New Jersey and Virginia, the 2015 sessions are the start of a new two-year session and if a state permits pre-filing, they allow it at the start of a new session. The following report compiles and summarizes pre-filed and introduced fidelity bond legislation that SFAA is tracking as of December 29, 2014. The text for all pre-filed bills, however, is not always available before the session starts. For additional information on how SFAA is addressing these bills, as necessary, with the AIA, the local surety associations and other interested parties, please visit the Government Relations page of the SFAA website at www.surety.org.

Jurisdiction	Bill Number(s)	Recent History	Issue	SFAA Summary
GA	HB 9	11/21/2014 Pre-filed for 2015.	Fidelity Bond— Criminal Background Checks Ban the Box	HB 9 would prohibit employers from inquiring on a job application or orally whether the applicant has ever been arrested for, charged with, or convicted of any crime, unless the position is for law enforcement. The bill would make an exception to this prohibition if the position requires the applicant to obtain a fidelity bond in connection with the job and the conviction of one or more criminal offenses would disqualify the applicant from obtaining the bond required for the job. The bill also would permit employers to inquire about an applicant's criminal history in connection with the first interview or if federal or state law or regulation creates a mandatory or presumptive disqualification from employment based on a person's conviction.

MT	SB 53	12/10/2014 Pre-filed for 2015.	Fidelity Bond— Credit Unions	SB 53 would revise the requirements of the members of the board of directors for a credit union to eliminate an option granted under current law to provide the blanket fidelity bond coverage required under current law only for its treasurer that otherwise is required to cover the credit union's directors, officers, employees, members of an official committee, or other agents.
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