

**Department of Planning and Budget**  
**2026 General Assembly Session**  
**State Fiscal Impact Statement**

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**PUBLISHED: 1/30/2026 4:44 PM**

**ORIGINAL**

**Bill Number:** HB1164

**Patron:** Cole, N.T.

**Bill Title:** Prospective employer; prohibited from seeking wage or salary history of prospective employees.

**Bill Summary:** Prohibits a prospective employer from (i) seeking the wage or salary history of a prospective employee; (ii) relying on the wage or salary history of a prospective employee in considering the prospective employee for employment; (iii) relying on the wage or salary history of a prospective employee in determining the wages or salary the prospective employee is to be paid upon hire; (iv) refusing to interview, hire, employ, or promote or otherwise retaliating against a prospective or current employee for not providing wage or salary history or requesting a wage or salary range; (v) failing or refusing to disclose in each public and internal posting for each job, promotion, transfer, or other employment opportunity the wage, salary, or wage or salary range; and (vi) failing to set a wage or salary range in good faith. The bill establishes a cause of action for an aggrieved prospective employee or employee and provides that an employer that violates such prohibitions is liable to the aggrieved prospective employee or employee for statutory damages between \$1,000 and \$10,000 or actual damages, whichever is greater, reasonable attorney fees and costs, and any other legal and equitable relief as may be appropriate.

**Budget Amendment Necessary:** No

**Items Impacted:** N/A

**Explanation:** This bill involves the Department of Labor and Industry (DOLI). No budget amendment is required. However, cumulative workload from this and similar bills may exceed existing agency capacity at DOLI.

**Fiscal Summary:** It is anticipated that, as a stand-alone bill, associated costs can be absorbed. See Fiscal Analysis.

**Fiscal Analysis:** This fiscal impact statement is preliminary and will be updated as additional information is received.

This bill prohibits a prospective employer from certain actions related to wage or salary history of prospective employees; retaliation against a prospective or current employee for not providing wage or salary history or requesting a wage or salary range; failing or refusing to disclose in each public and internal posting for each job, promotion, transfer, or other employment opportunity the wage, salary, or wage or salary range; and failing to set a wage or salary range in good faith.

According to DOLI, this bill expands the agency's responsibilities related to providing technical assistance, guidance, and complaint screening for labor and employment law matters. This bill may result in an increase in workload due to a potential increase in the number of inquiries the agency receives and complaints the

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agency is required to investigate; however, this amount is indeterminate. It is anticipated that any fiscal impact on the agency resulting from this bill, considered in isolation, can be absorbed within existing resources. However, if multiple bills requiring expanded agency responsibilities for labor and employment law matters are enacted during the same period, the cumulative workload may exceed the agency's current capacity and could result in additional resource needs. Any funding provided can be allocated to Item 352 of HB30/SB30, as introduced.

**Other:** The companion to this bill is SB215. This bill is identical to HB636.