

# A Guide to Salary History Laws at State and City Levels

Legislation that may impact private or government employers



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| States with Salary History Restrictions | Applicable Law or Executive Order                       | Code Section                               | Enactment Date  | Public and/or Government Employers |
|---|---|--|---|------------------------------------|
| Alabama                                 | <a href="#">HB225</a>                                   | N/A  | 9/1/2019  | All Employers                      |
| California                              | <a href="#">CA AB 168</a>                               | Section 432.3 to the California Labor Code | 10/12/2017  | All Employers                      |
| Colorado                                | <a href="#">Senate Bill 19-085</a>                      | N/A  | 1/1/2021 (unless a referendum petition is filed by 8/10/2019, in which case CO voters will decide in the November 2020 general election whether the bill will become law) | All Employers                      |
| Connecticut                             | <a href="#">CT 18-8</a>                                 | Section 31-40z                             | 5/22/2018   | All Employers                      |
| Delaware                                | <a href="#">DE HB 1</a>                                 | 19 Del. C. § 709B                          | 6/14/2017   | Does not specify                   |
| Hawaii                                  | <a href="#">S.B. NO. 2351</a>                           | Section 378-2.3, Hawaii Revised Statutes   | 7/5/2018  | All Employers                      |
| Illinois                                | <a href="#">Illinois H.B. 834</a>                       | The Equal Pay Act of 2003                  | 7/31/19   | All Employers                      |
| Massachusetts                           | <a href="#">MA SB 2119. Massachusetts Equal Pay Act</a> | Mass. General Laws c. 149 section 105A     | 8/1/2016  | All Employers                      |
| Michigan                                | <a href="#">Executive Directive No. 2019-10</a>         | N/A  | 1/8/2019  | Government Employers               |

# Salary History Bans by State



| States with Salary History Restrictions | Applicable Law or Executive Order                | Code Section  | Enactment Date                   | Public and/or Government Employers |
|---|--|---|----------------------------------|------------------------------------|
| New Jersey                              | <a href="#">Assembly No. 1094</a>                | Amending New Jersey Statutes Title 10. Civil Rights | 7/25/2019                        | All Employers                      |
| New York                                | <a href="#">Executive Order No. 161</a>          | N/A   | 1/9/2017                         | Government Employers               |
| North Carolina                          | <a href="#">Executive Order No. 93</a>           | N/A   | 4/2/2019                         | Government Employers               |
| Oregon                                  | OR HB 2005, Oregon Equal Pay Act of 2017         | ORS 652.210   | 6/1/2017                         | All Employers                      |
| Pennsylvania                            | <a href="#">Executive Order 2018-18-03</a>       | N/A   | 9/6/18                           | Government Employers               |
| Puerto Rico                             | <a href="#">Act 16 Puerto Rico Equal Pay Act</a> | —   | 3/8/2017                         | Does Not Specify                   |
| Vermont                                 | <a href="#">VT HB 294</a>                        | 21 V.S.A. § 495m                                    | 5/11/2018                        | Does Not Specify                   |
| Washington                              | <a href="#">House Bill 1696</a>                  | RCW 49.58   | Expanded Law Effective 7/28/2019 | All Employers                      |

| Cities with Salary Restrictions | Applicable Law or Executive Order             | Code Section   | Enactment Date  | Public and/or Government Employers     |
|---------------------------------|---|--|---|--|
| Atlanta, GA                     | <a href="#">Mayor's Office Communications</a> | N/A  | 2/18/19   | Government Employers                   |
| Chicago, IL                     | <a href="#">Executive Order 2018-1</a>        | N/A  | 4/10/2018   | Government Employers                   |
| Cincinnati, OH                  | <a href="#">Ordinance No. 83</a>              | N/A  | 3/12/19   | Private Employers & City of Cincinnati |
| Columbia, SC                    | <a href="#">Ordinance No: 2019-022</a>        | Amends 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2 Administration | 8/6/19  | Government Employers                   |
| Jackson, MS                     | Equal Pay Ordinance                           | N/A  | 6/13/2019   | Government Employers                   |
| Kansas City, MO                 | <a href="#">Resolution No. 180519</a>         | N/A  | 7/26/18   | Government Employers                   |
|                                 | <a href="#">Ordinance No. 190380</a>          | Amending Chapter 38, Human Relations, Sections 38-1, 38-101 and creating Section 38-102          | Enacted 5/23; Effective 10/31/2019                            | Private Employers                      |
| Louisville, KY                  | <a href="#">Ordinance No. 066</a>             | N/A  | 5/17/18   | Government Employers                   |
| New Orleans, LA                 | <a href="#">Executive Order</a>               | N/A  | 1/25/2017   | Government Employers                   |
| New York City, NY               | <a href="#">NYC 1253-A</a>                    | Human Rights Law, Title 8 of the Administrative Code of the City of New York                     | 4/5/2017  | All Employers                          |
| Philadelphia, PA                | <a href="#">Bill No. 160840</a>               | Regulation of Businesses, Trades, and Professions Title 9 of The Philadelphia Code               | 1/23/2017<br>Note: Multiple lawsuits delaying effective date. | Private Employers                      |

| Cities with Salary Restrictions | Applicable Law or Executive Order                        | Code Section  | Enactment Date                                 | Public and/or Government Employers       |
|---------------------------------|--|---|--|--|
| Pittsburgh, PA                  | <a href="#">Ordinance 2017-1121</a>                      | Article XI: Personnel, Chapter 181: General Provisions, by adding a new Section, "Section 181.13: Ensuring Wage Equity" | 1/24/2017                                      | Government Employers                     |
| Salt Lake City, UT              | <a href="#">3.02.01 Compensation &amp; Pay Practices</a> | N/A   | 3/1/2018                                       | Government Employers                     |
| San Francisco, CA               | <a href="#">Ordinance 142-17</a>                         | Administrative Code, Article 33J - Employer Consideration of Applicant's Salary History Ban                             | 7/11/2017                                      | All Employers                            |
| Toledo, OH                      | <a href="#">Ordinance File #: O-173-19</a>               | Toledo Municipal Code Chapter 768   | Enacted June 26, 2019; Effective June 25, 2020 | Private Employers and the City of Toledo |

# Salary History Bans by County



| Counties with Salary Restrictions | Applicable Law or Executive Order               | Code Section                             | Enactment Date | Public and/or Government Employers                                 |
|-----------------------------------|---|--|----------------|--|
| Montgomery County, Maryland       | <a href="#">Bill No. 4-19</a>                   | N/A                                      | 5/7/2019       | Government employers.  |
| Albany County, NY                 | <a href="#">20171030-PH-16-LL P</a>             | Albany County Human Rights Law           | 11/6/2017      | All employers and employment agencies with four or more employees. |
| Suffolk County, NY                | <a href="#">Intro. Res. No. 1856-2018</a>       | Suffolk County Human Rights Law          | 6/30/2019      | Any employer, employment agency, employee or agent thereof.        |
| Westchester County, NY            | <a href="#">Resolution: RES-2018-28</a>         | The Wage History Anti-Discrimination Law | 4/9/2018       | All employers.   |
| Richland County, SC               | <a href="#">City Council Request for Action</a> |  | 5/23/2019      | Government employers.  |