

119TH CONGRESS
2D SESSION

H. R. 9330

To regulate the business of offering and providing earned wage access services to consumers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2026

Mr. STEIL introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To regulate the business of offering and providing earned wage access services to consumers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Earned Wage Access
5 Consumer Protection Act”.

6 **SEC. 2. EARNED WAGE ACCESS SERVICES.**

7 (a) PROVISION OF EARNED WAGE ACCESS SERV-
8 ICES.—

9 (1) NO-COST OPTION REQUIRED.—If an earned
10 wage access provider offers a consumer the option to

1 receive earned wages in exchange for a fee, such
2 earned wage access provider shall also offer such
3 consumer the option to obtain the same amount of
4 earned wages at no cost to the consumer.

5 (2) REQUIRED DISCLOSURES.—

6 (A) DISCLOSURES PRECEDING AGREE-
7 MENT.—Each earned wage access provider shall
8 disclose the following before entering into an
9 agreement with a consumer:

10 (i) Any limits on access to the earned
11 wages a consumer may request from such
12 provider, including—

13 (I) any limits on the amount of
14 earned wages a consumer may request
15 from the provider each day, pay pe-
16 riod, or other time period;

17 (II) any limits on the frequency
18 or number of disbursements of earned
19 wages a consumer may request from
20 the provider each day, pay period, or
21 other time period;

22 (III) any limits on the amount of
23 earned wages a consumer may request
24 from the provider that are based on a
25 determination by the provider of the

1 ratio between the amount of earned
2 wages requested by the consumer and
3 the total wages earned by the con-
4 sumer, and how such determination is
5 made.

6 (ii) Any fees that such provider may
7 apply, and the amount of such fees.

8 (iii) A clear and conspicuous descrip-
9 tion of how the consumer may obtain
10 earned wages without paying a fee or tip.

11 (iv) An overview of such provider's
12 use of tips that describes—

13 (I) whether such provider will ac-
14 cept tips from the consumer and in
15 what amounts; and

16 (II) whether such provider will
17 suggest the consumer provide tips and
18 in what amounts.

19 (B) DISCLOSURES PRECEDING DISBURSE-
20 MENT OF EARNED WAGES.—Each earned wage
21 access provider shall disclose the following in a
22 clear and conspicuous manner after approving
23 any request from a consumer for access to
24 earned wages but before disbursing such earned
25 wages to such consumer:

1 (i) The account number such provider
2 has assigned to the consumer, if applicable.

3 (ii) The amount of earned wages that
4 will be provided to the consumer by such
5 provider.

6 (iii) The total amount of any fees ap-
7 plied by such provider for such transaction.

8 (iv) A list of any tips the consumer
9 has chosen to provide for such transaction.

10 (v) The amount that such provider ex-
11 pects to receive as payment after dis-
12 bursing the earned wages, the date on
13 which such provider expects to receive such
14 amount or a description of when such pro-
15 vider expects to receive such amount, and
16 the manner in which such provider expects
17 to receive such amount.

18 (C) ADDITIONAL DISCLOSURES RELATING
19 TO FEES AND TIPS.—Each earned wage access
20 provider who, during a calendar year, has dis-
21 bursed earned wages and received a fee or tip
22 from a consumer shall provide the consumer on-
23 going access to the following disclosures:

1 (i) The total amount of fees and tips
2 that the consumer has already paid in the
3 then-current pay period.

4 (ii) The total amount of fees and tips
5 that the consumer has already paid in the
6 calendar year-to-date.

7 (D) ADDITIONAL DISCLOSURES RELATING
8 TO TIPS.—If an earned wage access provider so-
9 licits, charges, or receives a tip from a con-
10 sumer, such provider—

11 (i) shall clearly and conspicuously dis-
12 close to the consumer, before the provider
13 commences the transaction to which the tip
14 is related, that such tip—

15 (I) is voluntary;

16 (II) is not a requirement for re-
17 ceiving earned wage access services;
18 and

19 (III) will not impact—

20 (aa) the amount of such
21 earned wages;

22 (bb) the frequency with
23 which such earned wages are dis-
24 bursed to such consumer; or

1 (cc) the consumer's eligi-
2 bility to use the provider's earned
3 wage access services; and

4 (ii) may not state that such tip will
5 benefit any specific individual or group of
6 individuals other than the provider itself,
7 unless the statement is true.

8 (E) CHANGES TO TERMS.—Each earned
9 wage access provider shall notify each consumer
10 with which such earned wage access provider
11 has entered an agreement to offer earned wage
12 access services of any material changes to the
13 terms and conditions of service used by such
14 provider not less than—

15 (i) 30 days before such material
16 changes take effect; or

17 (ii) a shorter amount of time before
18 such material changes take effect, if the
19 consumer has consented to such shorter
20 amount of time.

21 (3) CANCELLATION OF SERVICES.—If an
22 earned wage access provider makes earned wage ac-
23 cess services available to a consumer on a recurring
24 basis, such earned wage access provider—

1 (A) shall allow such consumer to dis-
2 continue such services if such consumer pro-
3 vides notice to such earned wage access pro-
4 vider that such consumer desires to discontinue
5 such services; and

6 (B) may not impose any financial penalty
7 or cancellation charge on such consumer as a
8 result of any discontinuation of services.

9 (4) DISPUTE PROCESS REQUIRED.—Each
10 earned wage access provider shall develop and imple-
11 ment policies and procedures to respond to questions
12 and complaints from consumers relating to—

13 (A) unauthorized disbursement of earned
14 wages;

15 (B) disbursement of earned wages in an
16 incorrect amount;

17 (C) disbursed earned wages that were not
18 received;

19 (D) payment of disbursed earned wages
20 that was not received or was made in an incor-
21 rect amount; and

22 (E) fees or tips that were not authorized
23 or were made in an incorrect amount.

24 (5) COMPELLING PAYMENT FOR DISBURSED
25 EARNED WAGES.—

1 (A) IN GENERAL.—An earned wage access
2 provider may not seek payment for earned
3 wages disbursed by such provider to a con-
4 sumer, including such disbursed earned wages,
5 or any related fees or tips, by—

6 (i) filing a civil suit against the con-
7 sumer;

8 (ii) initiating arbitration proceedings
9 against the consumer;

10 (iii) using the services of a debt col-
11 lector (as such term is defined in section
12 803 of the Fair Debt Collection Practices
13 Act) to collect amounts from the consumer;
14 or

15 (iv) selling expected payment to a
16 third-party debt buyer for purposes of debt
17 collection from the consumer.

18 (B) EXCEPTION.—Subparagraph (A) shall
19 not apply if an earned wage access provider is
20 seeking payment for earned wages disbursed to
21 a consumer based on information provided by
22 the consumer that the consumer knew was
23 false.

24 (6) REIMBURSEMENT REQUIRED.—If an earned
25 wage access provider seeks payment of disbursed

1 earned wages, a fee, or a tip directly from a deposit
2 account of a consumer, on a date earlier than, or in
3 an amount different from, what was disclosed at the
4 time of authorization and such attempt triggers an
5 overdraft fee or non-sufficient funds fee from the
6 consumer's financial institution (as defined in sec-
7 tion 509 of the Gramm-Leach-Bliley Act), the
8 earned wage access provider shall reimburse such
9 consumer for such fee.

10 (7) ADDITIONAL LIMITATIONS.—An earned
11 wage access provider may not—

12 (A) share any fees or tips that were re-
13 ceived from or charged to a consumer for
14 earned wage access services with the employer
15 of such consumer;

16 (B) accept payment of disbursed earned
17 wages, fees, or tips from a consumer through a
18 credit card of the consumer, unless such credit
19 card is provided to the consumer as a part of
20 the earned wage access service;

21 (C) require a consumer to pay a late fee,
22 deferral fee, interest, or any other penalty or
23 charge as a result of a failure by the consumer
24 to pay disbursed earned wages, fees, or tips re-
25 quested or applied by such provider; or

1 (D) furnish information to a consumer re-
2 porting agency (as defined in section 603 of the
3 Fair Credit Reporting Act (15 U.S.C. 1681a))
4 about a consumer's earned wage access services
5 activities.

6 (8) DISCLOSURE TO EMPLOYER.—An earned
7 wage access provider may disclose to an employer
8 with which such provider has a contract relating to
9 earned wage access services the date and amount of
10 a consumer's earned wage access transactions asso-
11 ciated with the earned wage access services. Subject
12 to applicable privacy laws, a provider may disclose
13 information necessary to perform under a contract
14 with an employer relating to additional products or
15 services.

16 (9) NON-DISCRIMINATION.—

17 (A) IN GENERAL.—It shall be unlawful for
18 any earned wage access provider to discriminate
19 against any consumer on the basis of race,
20 color, religion, national origin, sex (including on
21 the basis of pregnancy, childbirth, or related
22 medical conditions), marital status, or age when
23 offering earned wage access services.

24 (B) DEFINITIONS.—In this paragraph—

1 (i) the terms “race”, “color”, “reli-
2 gion”, “national origin”, “sex”, “marital
3 status”, and “age” have the same mean-
4 ing, respectively, as used in section 701 of
5 the Equal Credit Opportunity Act (15
6 U.S.C. 1691) and rules issued thereunder;
7 and

8 (ii) the terms “pregnancy”, “child-
9 birth”, and “related medical conditions”
10 have the same meaning, respectively, as
11 used in section 701(k) of the Civil Rights
12 Act of 1964 (42 U.S.C. 2000e(k).

13 (10) CONSUMER DATA PROTECTIONS.—Each
14 earned wage access provider shall be deemed a “fi-
15 nancial institution” for purposes of subtitle A of title
16 V of the Gramm-Leach-Bliley Act.

17 (b) RELATION TO STATE LAWS.—

18 (1) PRESERVATION OF STATE LAW.—Except as
19 provided in paragraph (2), nothing in this Act may
20 be construed as annulling, altering, affecting, or ex-
21 empting any person from complying with any State
22 law, except to the extent that a State law is incon-
23 sistent with the provisions of this Act, and then only
24 to the extent of the inconsistency.

1 (2) PREEMPTION.—No State or political sub-
2 division thereof may impose, maintain, or enforce
3 any laws, constitutions, statutes, regulations, orders,
4 or interpretations with respect to earned wage access
5 services that comply with this Act that—

6 (A) treat such services as credit, a loan,
7 debt, or a substantially similar product or serv-
8 ice;

9 (B) treat a provider of such services as a
10 creditor, lender, or provider of a substantially
11 similar product or service; or

12 (C) prohibits or substantially restricts the
13 offering or provision of earned wage access
14 services that comply with this Act.

15 (3) SAVINGS CLAUSE.—Nothing in this Act may
16 be construed to preempt, displace, or limit the au-
17 thority of a State or political subdivision thereof to
18 enforce laws of general applicability, including laws
19 relating to fraud, deceit, unfair or deceptive acts or
20 practices, contracts, property, or taxation.

21 (c) RULEMAKING.—Not later than 180 days after the
22 date of enactment of this Act, the Bureau shall issue such
23 rules as are necessary to carry out this Act.

24 (d) RULE OF CONSTRUCTION.—Earned wage access
25 services provided in compliance with this Act, and any fees

1 or tips received in connection with such services, may not
2 be considered credit, a loan, debt, an obligation, liability,
3 or consumer credit, and a person providing such services
4 shall not be considered a creditor or lender, and such fees
5 or tips shall not be considered interest or a finance charge,
6 under Federal law.

7 (e) DEFINITIONS.—In this section:

8 (1) BUREAU.—The term “Bureau” means the
9 Bureau of Consumer Financial Protection.

10 (2) CONSUMER.—The term “consumer” means
11 a natural person.

12 (3) EARNED WAGES.—

13 (A) IN GENERAL.—The term “earned
14 wages” means salary, wages, compensation, or
15 other income that a consumer or an employer
16 has represented and that an earned wage access
17 provider has reasonably determined have been
18 earned or have accrued to the benefit of the
19 consumer in exchange for the services provided
20 by the consumer, but that have not yet been
21 paid to the consumer by an employer.

22 (B) SERVICES PROVIDED.— Services pro-
23 vided by the consumer include any services pro-
24 vided—

1 (i) on an hourly, project-based, piece-
2 work, salaried, or other basis; or

3 (ii) when the consumer is acting as a
4 contractor of the employer.

5 (4) EARNED WAGE ACCESS PROVIDER.—

6 (A) IN GENERAL.—The term “earned wage
7 access provider” means a person who provides
8 earned wage access services to consumers.

9 (B) EXCLUSIONS.—The term “earned
10 wage access provider” does not include—

11 (i) a person who is not obligated to
12 provide access to earned wages as part of
13 an earned wage access service;

14 (ii) an employer that offers a portion
15 of salary, wages, or compensation earned
16 by a consumer directly to such consumer
17 prior to a normally scheduled pay date or
18 as such wages are accrued, irrespective of
19 any scheduled periodic pay cycle;

20 (iii) a financial institution (as defined
21 in section 509 of the Gramm-Leach-Bliley
22 Act) that permits a consumer to access
23 amounts associated with an electronic fund
24 transfer from the consumer’s employer or
25 a payroll services vendor of the employer

1 for which the financial institution has re-
2 ceived information but which has not yet
3 settled; or

4 (iv) a payroll service vendor in its ca-
5 pacity as a facilitator of wage payments to
6 a consumer by an employer, exclusive of
7 any earned wage access services that such
8 vendor may provide.

9 (5) EARNED WAGE ACCESS SERVICES.—The
10 term “earned wage access services” means the deliv-
11 ery of earned wages to a consumer based on—

12 (A) employment, income, or attendance
13 data obtained directly or indirectly from the
14 employer of such consumer or a payroll service
15 vendor, or other vendors, contracted by the em-
16 ployer of such consumer; or

17 (B) representations made by the consumer
18 and the reasonable determination of the earned
19 wages of such consumer by an earned wage ac-
20 cess provider, based on information made avail-
21 able or accessible to the provider by the con-
22 sumer.

23 (6) EMPLOYER.—The term “employer”—

24 (A) means a person who employs a con-
25 sumer, or any other person who is contractually

1 obligated to pay a consumer salary, wages, com-
2 pensation, or other income in exchange for serv-
3 ices provided to the person or on the person's
4 behalf; and

5 (B) does not include—

6 (i) a customer of a person; or

7 (ii) a person whose obligation to pay
8 salary, wages, compensation, or other in-
9 come to a consumer is not based on the
10 services provided for or on behalf of that
11 person.

12 (7) FEE.—The term “fee” means—

13 (A) a fee for delivery, or expedited delivery,
14 of proceeds to a consumer; or

15 (B) a subscription, participation, or mem-
16 bership fee for earned wage access services or
17 a group of services that includes earned wage
18 access services.

19 (8) PAYROLL SERVICE VENDOR.—The term
20 “payroll service vendor” means a vendor contracted
21 directly or indirectly by an employer to facilitate
22 payment of employee wages in accordance with Fed-
23 eral, State, and local law, including the Fair Labor
24 Standards Act of 1938, or to provide or verify em-
25 ployment, income, or attendance data.

1 (9) TIP.—The term “tip” means any gratuity,
2 donation, or other voluntary payment that is—

3 (A) made by a consumer to an earned
4 wage access provider;

5 (B) provided gratuitously and without any
6 consequence for nonpayment;

7 (C) not subject to negotiation, and

8 (D) in an amount determined by the con-
9 sumer.

10 (10) STATE.—The term “State” means each of
11 the several States, the District of Columbia, and any
12 territory of the United States.

13 **SEC. 3. CONFORMING AMENDMENTS.**

14 (a) CONSUMER FINANCIAL PROTECTION ACT OF
15 2010.—Section 1002 of the Consumer Financial Protec-
16 tion Act of 2010 (12 U.S.C. 5481) is amended—

17 (1) in paragraph (12)—

18 (A) in subparagraph (Q), by striking
19 “and” at the end;

20 (B) in subparagraph (R), by striking the
21 period at the end and inserting “; and”; and

22 (C) by adding at the end the following:

23 “(S) the Earned Wage Access Consumer
24 Protection Act.”; and

25 (2) in paragraph (15)(A)—

1 (A) by redesignating clauses (x) and (xi)
2 as clauses (xi) and (xii), respectively; and

3 (B) by inserting after clause (ix) the fol-
4 lowing:

5 “(x) providing earned wage access
6 services, as defined in section 2 of the
7 Earned Wage Access Consumer Protection
8 Act;”.

9 (b) TRUTH IN LENDING ACT.—Section 103 of the
10 Truth in Lending Act (15 U.S.C. 1602) is amended—

11 (1) in subsection (f), by striking “defer its pay-
12 ment” and inserting “defer its payment, but does
13 not include earned wage access services as defined in
14 the Earned Wage Access Consumer Protection
15 Act.”; and

16 (2) in subsection (g), by adding at the end the
17 following: “The term creditor does not include
18 earned wage access providers as such term is defined
19 in the Earned Wage Access Consumer Protection
20 Act.”.

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