

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Danielson

- 1 Amend the Business, Labor, and Technology Committee Report, dated
- 2 April 20, 2022, page 2, strike lines 32 and 33.
- 3 Page 3 of the report, strike lines 10 through 13 and substitute
- 4 "COMPENSATION WAS WILLFUL".
- 5 Page 3 of the report, line 34, after "DEMANDED" insert "IN GOOD FAITH".
- 6 Page 4 of the report, line 8, after "DEMANDED" insert "IN GOOD FAITH".
- 7 Amend printed bill, page 4, lines 14 and 15, strike "**required - penalty.**"
- 8 and substitute "**required.**".
- 9 Page 6 of the bill, line 13, strike "(1)(a) introductory portion and".
- 10 Page 6 of the bill, strike lines 15 through 27.
- 11 Page 7 of the bill, strike lines 1 through 3 and substitute "**civil penalties**
- 12 **- payments to surviving spouse or heir.** (3) (a) If an employer refuses
- 13 to pay wages or compensation in".
- 14 Page 7 of the bill, line 4, strike "section," and substitute "section OR
- 15 SECTION 8-4-103 (1)(a),".
- 16 Page 7 of the bill, line 15, after "DIVISION" insert "IN GOOD FAITH".
- 17 Page 16 of the bill, line 15, after "4," insert "WITHIN SIXTY DAYS AFTER
- 18 RECEIVING A WRITTEN EMPLOYEE REQUEST OR UPON ITS OWN INITIATIVE,".
- 19 Page 16 of the bill, line 16, strike "ANY" and substitute "THE EMPLOYER
- 20 OR ANY OTHER".
- 21 Page 17 of the bill, after line 3 insert:
- 22 "(IV) THE NAMES OF ALL EMPLOYEES DETERMINED TO BE OWED
- 23 WAGES OR PENALTIES AND THE AMOUNTS DUE TO EACH NAMED
- 24 EMPLOYEE;".
- 25 Renumber succeeding subparagraphs accordingly.
- 26 Page 17 of the bill, line 22, strike "BE" and substitute "FOR PAST-DUE

- 1 WAGES AND PENALTIES, BE".
- 2 Page 17 of the bill, line 23, strike "DIVISION OR OTHER PAYEE" and
3 substitute "EMPLOYEE, EMPLOYEES, PAYEE,".
- 4 Page 17 of the bill, after line 25 insert:
5 "(B) FOR FINES, BE PAYABLE TO, TRANSMITTED TO, OR
6 TRANSFERRED TO THE DIVISION OR OTHER PAYEE OR TRANSFEREE
7 DESIGNATED BY THE DIVISION IN THE NOTICE AND SENT TO THE ADDRESS
8 INDICATED IN THE NOTICE OR OTHERWISE TRANSMITTED OR TRANSFERRED
9 AS SPECIFIED IN THE NOTICE;".
- 10 Reletter succeeding sub-subparagraphs accordingly.
- 11 Page 18 of the bill, after line 2 insert:
12 "(VII) A STATEMENT THAT, IF INSUFFICIENT ASSETS ARE
13 AVAILABLE TO COVER ALL AMOUNTS DETERMINED TO BE OWED BY THE
14 EMPLOYER, THE PERSON MUST FIRST PAY WAGES AND PENALTIES
15 DETERMINED TO BE DUE TO THE EMPLOYEE OR EMPLOYEES AND
16 THEREAFTER PAY FINES DETERMINED TO BE OWED TO THE STATE;".
- 17 Renumber succeeding subparagraphs accordingly.
- 18 Page 20 of the bill, line 24, strike "ONE HUNDRED" and substitute "FIFTY".
- 19 Page 21 of the bill, line 1, strike "UP TO THREE" and substitute "EQUAL TO
20 THE GREATER OF TWO".
- 21 Page 21 of the bill, line 2, strike "WAGES;" and substitute "WAGES OR TWO
22 THOUSAND DOLLARS;".
- 23 Page 23 of the bill, strike line 20 and substitute "(1)(h); **repeal** (1)(i); and
24 **add** (1)(j) and (1)(k) as follows:".
- 25 Page 23, line 27, strike "THE WORKER AND".
- 26 Page 24, strike line 1 and substitute:
27 "(j) THE WORKER AND EMPLOYEE PROTECTION UNIT, CREATED IN
28 PART 12 OF THIS ARTICLE 31;".
- 29 Reletter succeeding paragraph accordingly.

** *** ** *** **