

ARKANSAS SENATE
86th General Assembly - Regular Session, 2007
Amendment Form

Subtitle of Senate Bill No. 248

"AN ACT TO ESTABLISH REGULAR AND UNIFORM WAGE POLICIES FOR
EMPLOYERS AND EMPLOYEES."

Amendment No. 1 to Senate Bill No. 248.

Amend Senate Bill No. 248 as originally introduced:

Page 2, line 8, delete "For" and substitute "(a) For"

AND

Page 2, delete lines 17 and 18 and substitute the following:

"42 U.S.C. 9902(2), as it existed on January 1, 2007.

(b) On January 1 of each year thereafter, the Director of the Department of Labor shall adjust the amount in controversy by adding to the previous year's figure the percentage increase or decrease in the Consumer Price Index for All Urban Consumers or its successor as published by the United State Department of Labor for the previous year."

AND

Page 2, line 30, delete "(b)" and substitute "(b)(1)"

AND

Page 2, line 34, delete "Every" and substitute "Except as provided in subdivision (b)(2) of this section, every"

AND

Page 2, delete line 36 and substitute the following:

"which such wages were earned.

(2)(A) An employer may pay all wages due to a high-ranking employee monthly or as determined by written agreement between the employer and the high-ranking employee.

(B) As used in this subsection (b)(2), "high-ranking employee" means an employee who:

(i) Is at least a ten percent (10%) owner of the corporation, partnership, or other organization;



(ii) Is in the top ten percent (10%) of employees when ranked by compensation and receives at least one hundred fifty thousand dollars (\$150,000) in annual compensation from the employer; or

(iii) Is an officer whose annual compensation from the employer exceeds one hundred thirty thousand dollars (\$130,000)."

AND

Page 3, delete lines 21 through 23 and substitute the following:

"(b)(1)(A)(i) The wages of all ~~All~~ employees shall be paid in currency or by check or electronic direct deposit into the employee's account.

(ii) Payment by debit card shall not be an authorized form of payment."

AND

Page 3, delete lines 24 through 29 and substitute the following:

"(B)(i) The employer may opt out of payment by electronic direct deposit by providing the employer a written statement requesting payment by check.

(ii) An employer requiring payment by electronic direct deposit shall notify employees of their right to opt out."

AND

Page 3, delete lines 30 through 32 and substitute the following:

"(C)(i) Whatever the form of payment, wages shall be redeemable for cash and payable on demand without discount or deduction from the face amount of the wages at an established place of business in the state."

AND

Page 3, line 33, delete "or debit card"

AND

Page 3, line 35, delete "on" and substitute "on or be attached to"

AND

Page 4, line 2, delete "time" and substitute "time within the past one (1) year"

AND

Page 6, line 10, delete "three (3)" and substitute "seven (7)"

AND

Page 6, delete line 11 and substitute the following:

"calendar days of termination."

AND

Page 6, delete lines 30 and 31 and substitute the following:
“to be paid by check by mail to the mailing address provided in the employee’s written request or to the employee’s last known mailing address if no address is provided in the employee’s written request.”

AND

Page 7, delete lines 14 and 15 and substitute the following:
“(2) For medical or other health insurance, life insurance, disability benefits, retirement benefits, or union dues; or”

AND

Page 7, line 17, delete “made” and substitute “made or at the time the first deduction is made for a recurring deduction of the same amount”

AND

Page 8, line 10, delete “each” and substitute “each individual or group”

AND

Delete SECTION 10 in its entirety

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Madison

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Secretary