

# Hall of the House of Representatives

88th General Assembly - Regular Session, 2011

## Amendment Form

\*\*\*\*\*

\*\*

### Subtitle of House Bill No. 1445

TO CREATE CRIMINAL PROCEDURES AND PENALTIES FOR FAILURE TO PROVIDE  
WAGES, FINAL COMPENSATION, OR WAGE SUPPLEMENTS TO AN EMPLOYEE.

\*\*\*\*\*

### Amendment No. 1 to House Bill No. 1445

Amend House Bill No. 1445 as originally introduced:

Page 1, delete line 29 and substitute the following:

"11-4-701. Definition.

As used in this subchapter, "employee" means a person who is or was employed for work or service performed for a period of time for which wages, salary, or remuneration for the work or services is to be paid at stated intervals or at the termination of the employment or for physical work actually performed by an independent contractor.

11-4-702. Failure to pay wages, final compensation, or wage"

AND

Page 1, line 31, delete "a reasonable time" and substitute "fourteen (14) business days"

AND

Page 2, line 1, delete "11-4-702" and substitute "11-4-703"

AND

Page 2, line 2, delete "11-4-701" and substitute "11-4-702"

AND

Page 2, line 8, delete "11-4-701" and substitute "11-4-702"

AND

Page 2, delete lines 14 and 15 and substitute the following:



"(3) It is not mandatory that all of the defendants under § 11-4-702 be charged in each count."

AND

Page 2, line 16, delete "11-4-701" and substitute "11-4-702"

AND

Page 2, line 32, delete "11-4-703" and substitute "11-4-704"

AND

Page 2, line 33, delete "11-9-102" and substitute "11-9-102(10)"

AND

Page 2, line 35, delete "11-4-701" and substitute "11-4-702"

AND

Page 3, line 2, delete "11-4-704" and substitute "11-4-705"

AND

Page 3, line 3, delete "11-4-701" and substitute "11-4-702"

AND

Page 3, line 5, delete "11-4-701" and substitute "11-4-702"

AND

Page 3, line 7, delete "11-4-701" and substitute "11-4-702"

AND

Page 3, line 8, delete "11-4-701" and substitute "11-4-702"

AND

Page 3, line 11, delete "11-4-701" and substitute "11-4-702"

AND

Page 3, line 30, delete "11-4-701" and substitute "11-4-702"

AND

Page 3, delete lines 34 and 35 and substitute the following:

"(B) Has caused to be instituted any proceeding under § 11-4-702; or"

AND

Page 4, line 1, delete "11-4-701" and substitute "11-4-702"

AND

Page 4, line 12, delete "11-4-701" and substitute "11-4-702"

AND

Page 4, line 25, delete "11-4-701" and substitute "11-4-702"

AND

Page 4, line 29, delete "11-4-701" and substitute "11-4-702"

AND

Page 4, line 31, delete "11-4-705" and substitute "11-4-706"

AND

Page 4, line 36, delete "11-4-701" and substitute "11-4-702"

AND

Page 5, line 3, delete "one (1) year" and substitute "three (3) years"

AND

Page 5, line 10, delete "11-4-701" and substitute "11-4-702"

AND

Page 5, delete line 20 and substitute the following:

"(3) In the sole discretion of the Director of the Department of Labor:

(A) Treat violations of § 11-4-702 under the procedures set out in §§ 11-4-303 and 11-4-304; or

(B) Refer violations of § 11-4-702 to the appropriate"

AND

Page 5, line 25, delete "11-4-701" and substitute "11-4-702"

AND

Page 5, line 27, delete "11-4-706" and substitute "11-4-707"

AND

Page 5, line 30, delete "11-4-701" and substitute "11-4-702"

The Amendment was read \_\_\_\_\_

By: Representative Nickels

MGF/CDS - 02/23/11 09:18

MGF247

\_\_\_\_\_  
Chief Clerk