

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1336

By: Adkins

AS INTRODUCED

An Act relating to labor; amending 40 O.S. 2001, Section 165.2, as amended by Section 2, Chapter 160, O.S.L. 2002 (40 O.S. Supp. 2002, Section 165.2), which relates to semimonthly payment of wages on regular paydays; providing certain method of payment of wages due to an employee; modifying certain employer requirement; providing certain exception to redeemability; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 40 O.S. 2001, Section 165.2, as amended by Section 2, Chapter 160, O.S.L. 2002 (40 O.S. Supp. 2002, Section 165.2), is amended to read as follows:

Section 165.2 Every employer in this state shall pay all wages due the employees, other than exempt employees and employees of nonprivate foundations qualified pursuant to 26 U.S.C. 509(a)(1) and 26 U.S.C. 170(b)(1)(A)(vi), at least twice each calendar month on regular paydays designated in advance by the employer. State, county and municipal employees, exempt employees, and employees of nonprivate foundations qualified pursuant to 26 U.S.C. 509(a)(1) and 26 U.S.C. 170(b)(1)(A)(vi) shall be paid a minimum of once each calendar month. The amount due such employees shall be paid in lawful money of the United States or by electronically depositing funds into any account in the name of the employee to which the employee has access or making funds available to the employee through any electronic means that provides the employee access to funds upon demand, and the employee shall not be deemed to have waived any right or rights mentioned in this section because of any

contract to the contrary. With each payment of wages earned by ~~such~~ the employee, the employer shall issue or make available electronically to ~~such~~ the employee a brief itemized statement of any and all deductions therefrom. An interval of not more than eleven (11) days may elapse between the end of the pay period worked and the regular payday designated by the employer. The employer shall be allowed three (3) days after such payday in which to comply with this section.

No such employer shall issue, in payment of or as evidence of indebtedness due an employee any check, cashier's check, draft, debit check, time check, store order, scrip, or other acknowledgment of indebtedness unless the same is payable or redeemable upon demand without discount except those fees a bank or any entity may impose for check cashing services and for face value in lawful money of the United States.

SECTION 2. This act shall become effective November 1, 2003.

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