

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 2275

By: Nollan

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5
6 AS INTRODUCED

7 An Act relating to labor; amending 40 O.S. 2011,
8 Section 165.2, which relates to protection of labor;
9 modifying payment of wages to include certain
10 employees; authorizing district to pay certain
11 employees by calendar months; providing for
12 codification; and providing an effective date.

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

14 SECTION 1. AMENDATORY 40 O.S. 2011, Section 165.2, is
15 amended to read as follows:

16 Section 165.2 Every employer in this state shall pay all wages
17 due the employees, other than exempt employees and employees of
18 nonprivate foundations qualified pursuant to 26 U.S.C. 509(a)(1) and
19 26 U.S.C. 170(b)(1)(A)(vi), at least twice each calendar month on
20 regular paydays designated in advance by the employer. State,
21 county and municipal employees, exempt employees, school district
22 employees and employees of nonprivate foundations qualified pursuant
23 to 26 U.S.C. 509(a)(1) and 26 U.S.C. 170(b)(1)(A)(vi) shall be paid
24 a minimum of once each calendar month. The amount due such

1 employees shall be paid in lawful money of the United States,
2 including payment by electronic means, and the employee shall not be
3 deemed to have waived any right or rights mentioned in this section
4 because of any contract to the contrary. With each payment of wages
5 earned by such employee, the employer shall issue to such employee a
6 brief itemized statement of any and all deductions therefrom. An
7 interval of not more than eleven (11) days may elapse between the
8 end of the pay period worked and the regular payday designated by
9 the employer. The employer shall be allowed three (3) days after
10 such payday in which to comply with this section.

11 No such employer shall issue, in payment of or as evidence of
12 indebtedness due an employee any check, cashier's check, draft, time
13 check, store order, scrip, or other acknowledgment of indebtedness
14 unless the same is payable or redeemable upon demand without
15 discount and for face value in lawful money of the United States.
16 If an employer pays an employee with a check which is subsequently
17 returned to the employee or an agent thereof by reason of the
18 refusal of the bank upon which such check was drawn to honor the
19 same due to insufficient funds or a stop payment notice, the
20 employer shall reimburse the employee for any fees or costs incurred
21 by the employee due to the refusal to honor the check within
22 fourteen (14) days of the employer's notice of the bank's refusal to
23 honor the check.

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1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 6-106.3 of Title 70, unless
3 there is created a duplication in numbering, reads as follows:

4 Any district may pay support employee salaries and benefits on
5 the basis of calendar months for twelve (12) months in the same
6 manner as provided for teachers in Title 70 of the Oklahoma
7 Statutes.

8 SECTION 3. This act shall become effective November 1, 2013.

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