

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 117 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 22-2-5-1 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) Every person,
- 5 firm, corporation, limited liability company, or association, their
- 6 trustees, lessees, or receivers appointed by any court, doing business in
- 7 Indiana, shall pay each employee at least semimonthly or biweekly, if
- 8 requested, the amount due the employee. The payment shall be made
- 9 in lawful money of the United States, by negotiable check, draft, or
- 10 money order, or by electronic transfer to the financial institution
- 11 designated by the employee. Any contract in violation of this
- 12 subsection is void.
- 13 (b) Payment shall be made for all wages earned to a date not more
- 14 than ten (10) **business** days prior to the date of payment. However, this
- 15 subsection does not prevent payments being made at shorter intervals
- 16 than specified in this subsection, nor repeal any law providing for
- 17 payments at shorter intervals. However, if an employee voluntarily
- 18 leaves employment, either permanently or temporarily, the employer
- 19 shall not be required to pay the employee an amount due the employee
- 20 until the next usual and regular day for payment of wages, as
- 21 established by the employer. If an employee leaves employment
- 22 voluntarily, and without the employee's whereabouts or address being
- 23 known to the employer, the employer is not subject to section 2 of this
- 24 chapter until:
- 25 (1) ten (10) **business** days have elapsed after the employee has

- 1 made a demand for the wages due the employee; or
- 2 (2) the employee has furnished the employer with the employee's
- 3 address where the wages may be sent or forwarded."
- 4 Renumber all SECTIONS consecutively.
(Reference is to ESB 117 as printed February 14, 2006.)

Representative Torr