



January 25, 2008

HOUSE BILL No. 1331

DIGEST OF HB 1331 (Updated January 23, 2008 1:49 pm - DI 96)

Citations Affected: IC 22-2.

Synopsis: Expense advances to driver employees. Authorizes an employer that is engaged in the transportation of property or household goods over public highways to deduct from wages earned by a driver employee in a subsequent pay period amounts advanced for business expenses that exceed amounts adequately substantiated. Provides that the deduction may not be considered a fine, wage deduction, or wage assignment.

Effective: January 1, 2008 (retroactive).

Oxley, Stilwell

January 15, 2008, read first time and referred to Committee on Roads and Transportation.
January 24, 2008, reported — Do Pass.

C
o
p
y

HB 1331—LS 6945/DI 102+



January 25, 2008

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

C
O
P
Y

HOUSE BILL No. 1331

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-2-6-5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2008 (RETROACTIVE)]: **Sec. 5. (a) This section**
4 **applies to an employer that:**
5 (1) **is engaged in the business of interstate or intrastate**
6 **transportation of property or household goods over public**
7 **highways in Indiana; and**
8 (2) **either:**
9 (A) **holds a registration issued by the Federal Motor**
10 **Carrier Safety Administration under 49 U.S.C. 13902; or**
11 (B) **is subject to the safety and certification requirements**
12 **of the department of state revenue under IC 8-2.1-24-1.**
13 (b) **An employer who advances amounts to a driver employee in**
14 **cash, by an electronic transfer, or by another means after January**
15 **1, 2008, may deduct from wages earned by the driver employee in**
16 **a subsequent pay period the amount of the advance that exceeds**
17 **the amount of business expenses that the driver employee**

HB 1331—LS 6945/DI 102+



1 adequately substantiates under the requirements applicable to
2 reimbursements under 26 U.S.C. 62(c).

3 (c) A deduction under subsection (b) may not be considered:
4 (1) a fine under IC 22-2-8-1;
5 (2) a wage deduction under this article; or
6 (3) a wage assignment under IC 22-2-7 or section 2 of this
7 chapter.

8 SECTION 2. An emergency is declared for this act.

**C
o
p
y**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1331, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

AUSTIN, Chair

Committee Vote: yeas 11, nays 0.

**C
o
p
y**

