

HOUSE BILL No. 1331

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-2-6-5.

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.

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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.

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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**



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.

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