

House Bill 947

By: Representatives Clark of the 98th, Hamilton of the 24th, Golick of the 40th, Barr of the 103rd, Peake of the 141st, and others

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 1 of Chapter 7 of Title 34 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to master and servant, so as to provide for the payment
3 of wages by credit to a prepaid debit card; to require employers to offer employees certain
4 choices relating to the payment of wages; to provide for related matters; to provide for an
5 effective date; to repeal conflicting laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Article 1 of Chapter 7 of Title 34 of the Official Code of Georgia Annotated, relating to
9 general provisions relative to master and servant, is amended by revising Code Section
10 34-7-2, relating to payment of wages by lawful money, checks, or credit transfer and
11 selection of payment dates by employer, as follows:

12 "34-7-2.

13 (a) As used in this Code section, the term 'payment card network' means any organization,
group, system, or other collection of individuals or entities that is organized to allow
participants to accept or make payments for goods or services using a credit card, debit
card, or any other payment device.

17 (b) Every person, firm, or corporation, including steam and electric railroads, but not
18 including farming, sawmill, and turpentine industries, employing skilled or unskilled
19 wageworkers in manual, mechanical, or clerical labor, including all employees except
20 officials, superintendents, or other heads or subheads of department who may be employed
21 by the month or year at stipulated salaries, shall make wage and salary payments to such
22 employees or to their authorized representatives (1) by lawful money of the United States,
23 (2) by check, or (3) with the consent of the employee, by authorization of electronic credit
24 transfer to his or her account with a bank, trust company, or other financial institution
25 authorized by the United States or one of the several states to receive deposits in the United
26 States, or (4) by credit to a prepaid debit card issued through a payment card network from

which the employee is able to withdraw or transfer funds. Such payments shall be made on such dates during the month as may be decided upon by such person, firm, or corporation; provided, however, that the dates so selected shall be such that the month will be divided into at least two equal periods; and provided, further, that the payments made on each such date shall in every case correspond to the full net amount of wages or earnings due the employees for the period for which the payment is made.

33 (c) A person, firm, or corporation who elects pursuant subsection (b) of this Code section
34 to make wage and salary payments using a prepaid debit card shall give the employee the
35 option of being paid by electronic credit transfer in lieu of credit to a prepaid debit card;
36 provided, however, that if an employee does not designate and authorize an account at a
37 bank, trust company, or other financial institution for electronic credit transfer within seven
38 days of receiving notice in writing of the option to choose between both methods of
39 payment and an explanation of any fees associated with both methods of payment, then
40 such person, firm, or corporation may make wage and salary payments to such employee
41 by prepaid debit card."

SECTION 2.

43 This Act shall become effective upon its approval by the Governor or upon its becoming law
44 without such approval.

SECTION 3.

46 All laws and parts of laws in conflict with this Act are repealed.