

The House Committee on Industry and Labor offers the following substitute to HB 110:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 34-7-2 of the Official Code of Georgia Annotated, relating to
2 payment of employee wages by lawful money, checks, or credit transfer and selection of
3 payment dates by employer, so as to provide for the form of payment of wages upon the
4 discretion of the employer; to eliminate certain requirements relating to payment of wages
5 by payroll card accounts; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 34-7-2 of the Official Code of Georgia Annotated, relating to payment of
10 employee wages by lawful money, checks, or credit transfer and selection of payment dates
11 by employer, is amended by revising subsections (b) and (c) as follows:

12 "(b) Every person, firm, or corporation, including steam and electric railroads, but not
13 including farming, sawmill, and turpentine industries, employing skilled or unskilled
14 wageworkers in manual, mechanical, or clerical labor, including all employees except
15 officials, superintendents, or other heads or subheads of departments who may be
16 employed by the month or year at stipulated salaries, shall, upon the discretion of such
17 person, firm, or corporation, make wage and salary payments to such employees or to their
18 authorized representatives;

19 (1) By ~~by~~ lawful money of the United States;;

20 (2) By ~~by~~ check;;

21 (3) By credit to a payroll card account; or

22 ~~(3)(4)~~ With ~~with~~ the consent of the employee, by authorization of electronic credit
23 transfer to his or her account with a bank, trust company, or other financial institution
24 authorized by the United States or one of the several states to receive deposits in the
25 United States; ~~or~~

26 ~~(4) by credit to a payroll card account.~~

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

33 (c) A person, firm, or corporation that elects pursuant to subsection (b) of this Code
 34 section to make wage and salary payments by using credit to a payroll card account shall
 35 provide the employee with ~~each of the following:~~

36 ~~(1) A written explanation of any fees associated with the payroll card account offered~~
 37 ~~to the employee. For all employees employed on the date a person, firm, or corporation~~
 38 ~~elects to make such wage and salary payments by using credit to a payroll card account,~~
 39 ~~such written explanation shall be provided at least 30 days prior to the date such payroll~~
 40 ~~card account is to become available. For any employee hired after the date of such~~
 41 ~~election, the written explanation shall be provided at the time of hiring. A form shall be~~
 42 ~~provided simultaneously with the written explanation of fees allowing employees to opt~~
 43 ~~out of receiving such payments as credit to a payroll card account as provided in~~
 44 ~~paragraphs (2) and (3) of this subsection. Such form shall also be made generally~~
 45 ~~available to employees;~~

46 ~~(2) The ability to opt out of receiving such payments as credit to a payroll card account~~
 47 ~~by submitting in writing a request for a check; and~~

48 ~~(3) The ability to opt out of receiving such payments as credit to a payroll card account~~
 49 ~~by providing the proper designation and authorization for an electronic credit transfer."~~

50 **SECTION 2.**

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