

As Amended by Senate Committee

Session of 2005

SENATE BILL No. 122

By Committee on Commerce

1-27

10 AN ACT concerning payment of compensation; relating to payment
11 methods; electronic transfer and deposit; amending K.S.A. 44-314 and
12 repealing the existing section.
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 44-314 is hereby amended to read as follows: 44-
16 314. (a) Every employer shall pay all wages due to the employees of the
17 employer at least once during each calendar month, on regular paydays
18 designated in advance by the employer; ~~in~~.

19 (b) *The employer may designate the method by which employees re-*
20 *ceive wages, provided all wages shall be paid by one or more of the fol-*
21 *lowing methods **at no cost to employees:***

22 ~~(i)~~ (1) *In lawful money of the United States ~~or~~;*

23 ~~(ii)~~ (2) *with checks or drafts which are negotiable in the community*
24 *wherein the place of employment is located ~~or, with the written consent~~*
25 *of the employee;*

26 ~~(iii)~~ (3) *by electronic transfer or deposit to an employee's account at*
27 *a automated clearing house (ACH) member financial institution account*
28 *designated by the employee; or*

29 ~~(iv)~~ (4) *by payroll debit card **upon agreement by the employer and***
30 *the employee.*

31 (c) ~~As~~ ***Except as provided in paragraph (4) of subsection (b), an***
32 *employee may not have an option to refuse payment of wages by a method*
33 *designated by the employer and permitted under subsection (b) of this*
34 *section.*

35 ~~(b)~~ (d) *The end of the pay period for which payment is made on a*
36 *regular payday shall be not more than 15 days before such regular payday*
37 *unless a variance in such requirement is authorized by state or federal*
38 *law.*

39 Sec. 2. K.S.A. 44-314 is hereby repealed.

40 Sec. 3. This act shall take effect and be in force from and after its
41 publication in the statute book.