

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB22-161 be amended as follows:

- 1 Amend the Business, Labor, and Technology Committee Report, dated  
2 April 20, 2022, page 4, lines 1 and 2, strike "DIVISION OR COURT, AS  
3 APPLICABLE," and substitute "COURT".
- 4 Page 4 of the report, line 2, after "COSTS" insert "AND ATTORNEY FEES".
- 5 Page 4 of the report, line 3, strike "THE ADMINISTRATIVE CLAIM OR" and  
6 substitute "A".
- 7 Page 4 of the report, lines 4 and 5, strike "OR AN ADMINISTRATIVE CLAIM  
8 OR" and substitute "TO OR".
- 9 Page 4 of the report, line 5, strike "SENT TO OR".
- 10 Page 4 of the report, line 9, strike "TENDER:" and substitute "TENDER  
11 ULTIMATELY".
- 12 Page 4 of the report, strike lines 10 through 14.
- 13 Page 4 of the report, line 15, strike "(B) ULTIMATELY".
- 14 Page 5 of the report, line 14, strike ""Section 6 of this act takes" and  
15 substitute ""Sections 6, 7, 8, and 9 of this act take".
- 16 Page 5 of the report, line 17, strike "section 6 of this act takes" and  
17 substitute "sections 6, 7, 8, and 9 of this act take".
- 18 Amend printed bill, page 10, strike line 22 and substitute: "employer:  
19 (I) The court, IN A CIVIL ACTION, may award the".
- 20 Page 10 of the bill, strike line 24 and substitute "CIVIL action; AND  
21 (II) THE DIVISION, IN AN ADMINISTRATIVE CLAIM, MAY AWARD THE  
22 EMPLOYEE REASONABLE COSTS INCURRED IN THE ADMINISTRATIVE CLAIM  
23 AND MAY ALSO AWARD ATTORNEY FEES TO AN EMPLOYEE WHO RECOVERS  
24 MORE THAN FIVE THOUSAND DOLLARS IN UNPAID WAGES IN THE  
25 ADMINISTRATIVE CLAIM.  
26 (c) If an employer fails or refuses to".
- 27 Page 11 of the bill, line 12, strike "(A) BEFORE JANUARY 1, 2023, the"  
28 and substitute "The".

1 Page 11 of the bill, strike lines 16 through 19.

2 Page 12 of the bill, strike lines 13 through 21 and substitute:

3 "(2) (a) (I) If one or more employees files a wage complaint with  
4 the division claiming unpaid wages or compensation of seven thousand  
5 five hundred dollars or less per employee, exclusive of penalties and  
6 fines, the division shall investigate the wage complaint. THE DIVISION  
7 MAY INVESTIGATE ANY WAGE COMPLAINT MADE ON BEHALF OF A GROUP  
8 OF SIMILARLY SITUATED EMPLOYEES. IF THE DIVISION DECLINES TO  
9 INVESTIGATE A GROUP COMPLAINT, SIMILARLY SITUATED EMPLOYEES MAY  
10 CONSENT IN WRITING TO PARTICIPATE AS PARTIES TO THAT COMPLAINT,  
11 AND THE DIVISION MAY PURSUE A DIRECT INVESTIGATION INFORMED BY  
12 AND CONCURRENT WITH THAT COMPLAINT. The division shall initiate the  
13 administrative procedure by sending a notice of complaint to the  
14 employer by mail or electronic means in accordance with rules as the  
15 director may promulgate when the complaint states a claim for relief. The  
16 notice of the complaint must include:".

17 Page 22 of the bill, lines 21 and 22, strike "SIX MONTHS," and substitute  
18 "TWELVE MONTHS, BEGINNING JANUARY 1, 2024,".

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