

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,".

\*\* \*\*