

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, & Technology.

SB22-161 be amended as follows:

- 1 Amend printed bill, page 10, line 10, strike "If," and substitute "(a) THE
- 2 DIVISION OR COURT, AS APPLICABLE, MAY AWARD THE EMPLOYER
- 3 REASONABLE COSTS INCURRED IN THE ADMINISTRATIVE CLAIM OR CIVIL
- 4 ACTION IF, WITHIN FOURTEEN DAYS AFTER A WRITTEN DEMAND LETTER IS
- 5 SENT OR AN ADMINISTRATIVE CLAIM OR A CIVIL ACTION IS SENT TO OR
- 6 SERVED ON THE EMPLOYER FOR UNPAID WAGES OR COMPENSATION:
  - 7 (I) THE EMPLOYER MAKES FULL LEGAL TENDER OF ALL AMOUNTS
  - 8 DEMANDED FOR ALL EMPLOYEES; AND
  - 9 (II) THE EMPLOYEES RECEIVING SUCH TENDER:
    - 10 (A) ARE HIGHLY COMPENSATED EMPLOYEES, AS DEFINED IN THE
    - 11 ANNUAL COLORADO OVERTIME AND MINIMUM PAY STANDARDS (COMPS)
    - 12 ORDER ADOPTED BY THE DIRECTOR, WHO PROCEED WITH AN
    - 13 ADMINISTRATIVE CLAIM OR CIVIL ACTION SEEKING MORE THAN FIFTY
    - 14 THOUSAND DOLLARS IN WAGES OR COMPENSATION PER EMPLOYEE; AND
    - 15 (B) ULTIMATELY FAIL TO RECOVER A TOTAL SUM THAT IS
    - 16 GREATER THAN THE AMOUNT THE EMPLOYER TENDERED.
- 17 (b) If,".

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