

2015 -- H 5590

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES

Introduced By: Representatives Tobon, Melo, Abney, Solomon, and Coughlin

Date Introduced: February 25, 2015

Referred To: House Labor

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 28-14-10.1 of the General Laws in Chapter 28-14 entitled "Payment  
2 of Wages" is hereby amended to read as follows:

3           **28-14-10.1. Payment of wages directly to employee's account in financial institution.**

4       -- (a) Notwithstanding any other provision of law, upon written [or electronic](#) request an employee  
5 of a state agency or any other employer may authorize a disbursing officer to make payment by  
6 sending to a financial organization designated by the employee a check or credit in the amount of  
7 net pay due to the employee drawn in favor of the organization and for credit to the checking  
8 account of the employee or for deposit in the savings account of the employee or for the purchase  
9 of shares for the employee.

10           (b) If more than one employee to whom a payment is to be made designates the same  
11 financial organization, the disbursing officer shall make the payment by sending to the  
12 organization a check or credit that is drawn in favor of the organization for the total amount  
13 designated by those employees and by specifying the amount to be credited to the account of each  
14 of those employees.

15           (c) "State agency" means any department, agency, board, office, or commission in state  
16 government.

17           (d) "Financial organization" means any bank, savings bank, savings and loan association  
18 or similar institution, or federal or state chartered credit union.

19           (e) ["Payroll card account" means an account that is directly or indirectly established](#)

1 through an employer to which transfers of the employee's wages, salary or other compensation  
2 are made, and which carries the consumer protections that apply to payroll card accounts under  
3 the Electronic Fund Transfer Act 15 U.S.C. § 1693 et seq., and Regulation E, 29 C.F.R. Part  
4 1005, as may be amended.

5 (f) If an employer pays wages to an employee by credit to a payroll account:

6 (1) Exempt as provided in subsection (f)(2) of this section, the employee must be able to  
7 make at least one withdrawal from the payroll card account in each pay period without charge for  
8 any amount up to and including the full amount of the employee's net wages for the pay period.

9 (2) If the employee's wages are paid more frequently than weekly, the employee must be  
10 able to make at least one withdrawal from the payroll card account each week without charge for  
11 any amount up to and including the full amount of the employee's net wages for that week.

12 (3) Employees who receive wages by credit to a payroll card account must be provided  
13 with a means of checking their payroll card account balances through an automated telephone  
14 system and one additional electronic means, without cost, irrespective of the number of inquiries  
15 made.

16 ~~(e)~~(g) The provisions of this section shall be with the consent of the employer.

17 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would allow, subject to an employer's consent, an employee to set up a payroll  
2 card account with his or her financial institution which can accept electronic transfer credit of  
3 wages from the employer.

4           This act would take effect upon passage.

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