CHAPTER NO. 492

HOUSE BILL NO. 579

INTRODUCED BY FAGG, DOZIER, MANNING

IN THE HOUSE

February 6, 1979

Introduced and referred to Committee on State Administration.

Committee recommend bill do pass. Report adopted.

Second reading, do pass

Correctly engrossed.

as amended.

February 20, 1979

February 21, 1979

February 22, 1979

Third reading, passed. Transmitted to second house.

Introduced and referred to

Committee on Labor and Employment Relations.

Committee recommend bill

be concurred in as amended.

Motion pass consideration.

IN THE SENATE

February 23, 1979

March 16, 1979

March 19, 1979

March 20, 1979

March 23, 1979

Second reading, concurred in as amended.

Report adopted.

Third reading, concurred in as amended.

IN THE HOUSE

March 24, 1979

Returned from second house. Concurred in as amended. March 26, 1979
March 26, 1979
March 29, 1979
March 30, 1979
March 30, 1979
On motion, consideration passed until the 71st Legislative Day.
Second reading, amendments adopted.
Third reading, amendments adopted. Sent to enrolling.

Reported correctly enrolled.

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LC 1349/01

Howe BILL NO. 579 1 INTRODUCED BY FACTER Dein Manning z 3 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT AN 4 EMPLOYEE SEPARATED FROM EMPLOYMENT SHALL RECEIVE HIS FINAL 5 PAYCHECK ON THE NEXT REGULAR PAYDAY FOR THE PAY PERIOD 6 DURING WHICH HE WAS SEPARATED FROM EMPLOYMENT OR 15 DAYS 7 FROM THE DATE OF SEPARATION, WHICHEVER OCCURS FIRST: 8 AMENDING SECTION 39-3-205, MCA." 9 10 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NONTANA: Section 1. Section 39-3-205, NCA, is amended to read: 12 13 #39-3-205. Payment of wages when employee separated from employment prior to payday. Whenever any employee is 14 15 separated from the employ of any employer, all the unpaid 16 wages of such employee shall become due and payable within-3 17 days on the next regular payday for the pay period during 18 which the employee was separated from employment or 15 days from the date of Separation from employment, whichever 19 20 occurs first, either through the regular pay channels or by 21 mail if requested by the employee. Howevery--where--an employers-poyroll-checks-originate-at-on-office-outside-the 22 statey-the-time-provided-herein-for-payment-of--wages--shall 23 24 be-extended-for-3-additional-days."

-End-

HB 577 INTRODUCED BILL HB 0579/02

HOUSE BILL NO. 579 1 2 INTRODUCED BY FAGG. DOZIER. MANNING 3 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT AN A 4 5 PUBLIC EMPLOYEE SEPARATED FROM EMPLOYMENT SHALL RECEIVE HIS FINAL PAYCHECK ON THE NEXT REGULAR PAYDAY FOR THE PAY PERIOD 6 7 DURING WHICH HE WAS SEPARATED FROM EMPLOYMENT OR 15 DAYS FROM THE DATE OF SEPARATION, WHICHEVER DCCURS FIRST; 8 9 AMENDING SECTION 39-3-205, MCA." 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 12 Section 1. Section 39-3-205. MCA, is amended to read: 13 *39-3-205. Payment of wages when employee separated from employment prior to payday. Whenever any employee is 14 15 separated from the employ of any employer, all the unpaid

16 wages of such employee shall become due and payable within-3 17 days HITHIN 3 DAYS . EXCEPT FOR EMPLOYEES OF THE STATE OF 18 HONTANA AND ITS POLITICAL SUBDIVISIONS WHO WOULD BE PAID OD 19 the next regular payday for the pay period during which the 20 employee was separated from employment or 15 days from the 21 date of separation from employment. whichever occurs first, 22 either through the regular pay channels or by mail if 23 requested by the employee. Howevery--where--employer*s 24 payroll-checks-originate-at-an-office-outside-the-statev-the

25 time-provided-herein-for-payment-of-wages-shell-be-extended

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- 2 CHECKS OBIGINATE AT AN OFFICE OUTSIDE THE STATE, THE TIME
- 3 PROVIDED HEREIN EOR PAYMENT OF WAGES SHALL BE EXTENDED FOR 3
- 4 ADDIIIONAL_DAYS."

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-End-

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HOUSE BILL NO. 579 1 INTRODUCED BY FAGG. DOZIER. MANNING 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT AN A 4 PUBLIC EMPLOYEE SEPARATED FROM EMPLOYMENT SHALL RECEIVE HIS 5 FINAL PAYCHECK ON THE NEXT REGULAR PAYDAY FOR THE PAY PERIOD 6 DURING WHICH HE WAS SEPARATED FROM EMPLOYMENT OR 15 DAYS 7 FROM THE DATE OF SEPARATION. WHICHEVER OCCURS FIRST: e PROVIDING FOR INHEDIATE PAYNENT UPON SEPARATION FROM 3 10 EMPLOYMENT IN CERTAIN CASES: AMENDING SECTION 39-3-205. 11 HCA." 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 13 Section 1. Section 39-3-205, NCA, is amended to read: 14 15 "39-3-205. Payment of wages when employee separated from employment prior to payday. Whenever (1)_EXCEPT_AS 16 17 PROVIDED IN SUBSECTION (2), WHENEVER any employee is 18 separated from the employ of any employer, all the unpaid 19 wages of such employee shall become due and payable within-3 doys WITHIN 3 DAYS. EXCEPT FOR EMPLOYEES OF THE STATE OF 20 21 MONTANA AND ITS POLITICAL SUBDIVISIONS, WHO WOULD BE PAID OD 22 the next regular payday for the pay period during which the employee was separated from employment or 15 days from the 23 24 date_of_separation_from_employments_whichever_occurs_first+ 25 either through the regular pay channels or by mail if

	1	requested by the employee. Howeverywhere-an-employer*s
	2	payroff-checks-originate-at-en-office-outside-the-state-the
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	4	for3-additional-days. <u>HOWEVER, WHERE AN EMPLOYER'S PAYROLL</u>
	5	CHECKS_DRIGINATE_AL_AN_DEELCE_OUTSIDE_THESTATEATHETIME
	6	PROVIDED HEREIN EOR PAYMENT OF MAGES SHALL BE EXTENDED FOR 3
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	9	ENCLOYMENT_BY_THE ENCLOYERS ALL THE UNCAID WASES OF THE
1	0	EMPLOYEE SHALL_BECOME DUE AND PAYABLE IMMEDIATELY UPON SUCH
1	1	SEPARALION."

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-End-

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HB 579

REFERENCE BILL

SENATE STANDING COMMITTEE REPORT (Labor & Employment Relations)

That House Bill No. 579, third reading bill, be amended as follows:

1. Title, line 9. Following: line 8 Insert: "PROVIDING FOR IMMEDIATE PAYMENT UPON SEPARATION FROM EMPLOYMENT IN CERTAIN CASES;"

2. Page 1, line 14.
Following: "payday."
Strike: "Whenever"
Insert: "Except as provided in subsection (2), whenever"

due and payable immediately upon such separation."

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3. Page 2. Following: line 4 Insert: "(2) When an employee is separated from employment by the employer, all the unpaid wages of the employee shall become

SENATE COMMITTEE OF THE WHOLE

That House Bill No. 579, third reading bill, be amended as follows: 1. Amendment number 3, line 1 of the inserted paragraph. Following: "separated" Insert: "for cause"

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