

HB1108_L.001

HOUSE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Business Affairs and Labor.

After consideration on the merits, the Committee recommends the following:

HB09-1108 be amended as follows:

1 Amend printed bill, page 2, strike lines 13 through 25 and substitute the
2 following:

3 "(b) AN EMPLOYER IS SUBJECT TO THE PENALTIES SPECIFIED IN
4 SECTION 8-4-113 (1) IF THE EMPLOYER CAUSES AN EMPLOYEE'S CHECK,
5 DRAFT, OR ORDER TO NOT BE PAID BECAUSE THE EMPLOYER'S BANK DOES
6 NOT HONOR AN EMPLOYEE'S PAYCHECK UPON PRESENTMENT. THE
7 DIRECTOR MAY INVESTIGATE COMPLAINTS REGARDING ALLEGED
8 VIOLATIONS OF THIS PARAGRAPH (b)."

9 Page 3, strike lines 1 through 18 and substitute the following:

10 "**SECTION 2.** 13-21-109 (2) (a), Colorado Revised Statutes, is
11 amended to read:

12 **13-21-109. Recovery of damages for checks, drafts, or orders**
13 **not paid upon presentment.** (2) (a) If notice of nonpayment on
14 presentment of the check, draft, or order has been given in accordance
15 with ~~the provisions of~~ subsections (3) and (4) of this section and the total
16 amount due as set forth in the notice has not been paid within fifteen days
17 after such notice is given, instead of the amounts set forth in paragraph
18 (a) or (b) of subsection (1) of this section, the person shall be liable to the
19 holder or any assignee for collection for three times the face amount of
20 the check but not less than one hundred dollars AND, WITH REGARD TO A
21 PAYCHECK, ACTUAL DAMAGES CAUSED BY THE NONPAYMENT, INCLUDING
22 ASSOCIATED LATE FEES."

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