

January 20, 2009

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1097

Page 1, line 10, after the period insert:

"2."

Page 1, line 12, after "covers" insert "unless the authorization clearly indicates that the period is in perpetuity or until revoked in writing or upon separation of employment"

Page 1, line 17, replace "2." with "3." and replace "shall" with "may"

Page 1, line 18, replace "stolen property" with "monetary damages resulting from a criminal act by the employee" and remove "the employee"

Page 1, line 19, replace "Voluntarily" with "The employee voluntarily"

Page 1, line 20, replace "1" with "2"

Page 1, line 21, replace "theft or" with "a crime resulting in monetary damages to the employer which is"

Page 1, line 22, remove "property or funds"

Page 1, line 23, remove "of theft" and replace the second "theft" with "crime"

Page 1, line 24, after "employment" insert "or the next regularly scheduled payday, whichever occurs later"

Page 2, line 2, replace "theft" with "crime"

Page 2, line 5, replace "theft" with "the alleged crime"

Page 2, line 6, replace "the value of the theft" with "an amount to be determined by the court"

Page 2, line 8, replace "value of the theft" with "loss incurred by the employer due to the crime"

Page 2, line 9, after "interest" insert ", at the rate established by section 47-14-09"

Page 2, after line 9, insert:

"4. This section may not be construed as prohibiting the withholding of amounts authorized in writing by the employee to be contributed by the employee to charitable organizations, to employer-sponsored retirement accounts, or qualified plans sponsored by the employer, nor may this section prohibit deductions authorized under a collective bargaining agreement, including dues or service fees not otherwise prohibited by law."

Renumber accordingly