

SB1031/497074/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1031
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “time;” insert “requiring each appointing authority to calculate and report certain payroll information to the Central Payroll Bureau;”; in the same line, strike “the Bureau” and substitute “each appointing authority”; in line 6, strike “and” and substitute “; requiring the Bureau to provide to each employee”; strike beginning with “requiring” in line 7 down through “changes;” in line 8; in line 8, strike “authorizing” and substitute “requiring”; in line 10, strike “Bureau does not pay the employee” and substitute “appointing authority does not report certain payroll information”; in line 11, strike “up to” and substitute “within”; in the same line, strike “years” and substitute “days”; in the same line, after “occurs;” insert “providing for a certain exception;”; in line 12, strike “the Bureau” and substitute “an appointing authority”; in the same line, after “circumstances;” insert “defining a certain term;”; and in line 14, after “date” insert “for an action that occurred during a certain period of time; providing for the termination of this Act”.

AMENDMENT NO. 2

On page 3, in line 6, strike “ALL WAGES DUE”; in the same line, strike “TWO” and substitute “2”; after line 10, insert:

“(D) EACH APPOINTING AUTHORITY SHALL ACCURATELY AND TIMELY CALCULATE AND REPORT TO THE CENTRAL PAYROLL BUREAU THE PAYROLL INFORMATION FOR EACH EMPLOYEE.”;

strike beginning with “THE” in line 12 down through “COMPTROLLER” in line 13 and substitute “EACH APPOINTING AUTHORITY”; in line 13, strike the colon and substitute a comma; in line 14, strike “(1)”; in lines 15, 16, and 17, strike “(I)”, “(II)”, and “(III)”,

(Over)

respectively, and substitute “**(1)**”, “**(2)**”, and “**(3)**”, respectively; in line 17, strike “; AND” and substitute a period; in line 18, strike “**(2)**” and substitute “**(B) THE CENTRAL PAYROLL BUREAU OF THE OFFICE OF THE STATE COMPTROLLER SHALL PROVIDE FOR EACH EMPLOYEE,**”; strike in their entirety lines 20 through 23, inclusive; and strike beginning with the first “THE” in line 25 down through “EMPLOYEE” in line 26 and substitute “**AN APPOINTING AUTHORITY DOES NOT REPORT PAYROLL INFORMATION**”.

On page 4, in line 1, strike “AT STEP TWO OF” and substitute “**UNDER**”; in line 2, strike “**§ 12-204**” and substitute “**TITLE 12, SUBTITLE 2**”; in line 3, after “**(B)**” insert “**(1)**”; in the same line, strike “NOTWITHSTANDING” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AND NOTWITHSTANDING**”; in the same line, strike “**§ 12-203(B)**” and substitute “**§ 12-203**”; in line 4, strike “MAY” and substitute “**SHALL**”; strike beginning with “UP” in line 4 down through “WHICH” in line 5 and substitute “**WITHIN 20 DAYS AFTER**”; after line 5, insert:

“(2) IF THE FAILURE TO PAY IS NOT KNOWN TO, OR DISCOVERED BY, THE EMPLOYEE WITHIN 20 DAYS AFTER THE FAILURE TO PAY OCCURS, A GRIEVANCE UNDER SUBSECTION (A) OF THIS SECTION MAY BE INITIATED NO LATER THAN 6 MONTHS AFTER THE DATE ON WHICH THE FAILURE TO PAY OCCURRED.”;

in line 6, strike “PARAGRAPH (2)” and substitute “**PARAGRAPHS (2) AND (3)**”; strike beginning with “IN” in line 6 down through “UNDER” in line 7 and substitute “**IF A GRIEVANCE IS INITIATED IN ACCORDANCE WITH**”; in line 7, after “SECTION” insert a comma; in the same line, after “TO” insert “**WAGES AND**”; strike beginning with “IN” in line 8 down through “PAY” in line 9; and strike in their entirety lines 11 through 15, inclusive, and substitute:

“(2) IF THE GRIEVANCE WAS FILED:

(I) IN THE FIRST 3 BUSINESS DAYS OF A PAY PERIOD, THEN DAMAGES SHALL START IN THE FOLLOWING REGULAR PAY PERIOD; OR

(II) AFTER THE THIRD BUSINESS DAY OF A PAY PERIOD, THEN THE DAMAGES SHALL START IN THE SECOND REGULAR PAY PERIOD FOLLOWING THE PAY PERIOD IN WHICH THE EMPLOYEE WAS NOT PAID THE EMPLOYEE’S FULL WAGE.

(3) THE DAMAGES UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) MAY NOT BEGIN UNTIL AT LEAST 1 REGULAR PAY PERIOD HAS ELAPSED SINCE THE EMPLOYEE WAS NOT PAID THE EMPLOYEE’S FULL WAGE DUE FOR A PAY PERIOD;

(II) SHALL INCREASE PER PAY PERIOD BY 30% OF THE WAGE THAT THE APPOINTING AUTHORITY FAILED TO REPORT;

(III) SHALL CONTINUE UNTIL THE PAY PERIOD WHEN THE APPOINTING AUTHORITY REPORTS THE MISSING WAGES AND DAMAGES, IF ANY, TO THE CENTRAL PAYROLL BUREAU; AND

(IV) MAY NOT EXCEED 3 TIMES THE AMOUNT OF WAGE DUE THAT THE APPOINTING AUTHORITY FAILED TO REPORT FOR A PAY PERIOD.”

On page 5, in line 2, after “law,” insert “on or before July 31, 2017,”; in line 4, strike “on or before July 31, 2017” and substitute “for an action that occurred on or after March 16, 2016, but before July 1, 2017”; and in line 6, after “2017.” insert “It shall remain effective for a period of 2 years and, at the end of June 30, 2019, with no further”

(Over)

SB1031/497074/1 **Finance Committee**
Amendments to SB 1031
Page 4 of 4

action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.