

HOUSE BILL No. 2581

By Committee on Commerce and Economic Development

1-31

1 AN ACT concerning deductions from wages; prohibiting deductions for
2 political purposes; amending K.S.A. 2011 Supp. 44-319 and repealing
3 the existing section.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2011 Supp. 44-319 is hereby amended to read as
7 follows: 44-319. (a) No employer may withhold, deduct or divert any
8 portion of an employee's wages unless: (1) The employer is required or
9 empowered to do so by state or federal law; (2) the deductions are for
10 medical, surgical or hospital care or service, without financial benefit to
11 the employer, and are openly, clearly and in due course recorded in the
12 employer's books; (3) the employer has a signed authorization by the
13 employee for deductions for a lawful purpose accruing to the benefit of the
14 employee; or (4) the deductions are for contributions attributable to
15 automatic enrollment, as defined in K.S.A. 2011 Supp. 44-319a, and
16 amendments thereto, in a retirement plan established by the employer
17 described in sections 401(k), 403(b), 408, 408A or 457 of the internal
18 revenue code.

19 (b) *Subject to the provisions of subsection (c)*, nothing in this section
20 shall be construed as prohibiting the withholding of amounts authorized in
21 writing by the employee to be contributed by the employee to charitable
22 organizations; nor shall this section prohibit deductions by check-off of
23 dues to labor organizations or service fees, where such is not otherwise
24 prohibited by law.

25 (c) *For the purposes of this section, the term "deduction for a lawful*
26 *purpose accruing to the benefit of the employee" shall not include any*
27 *deduction, or portion thereof, which is or will be used, either directly or*
28 *indirectly, for making any contribution to any political committee as such*
29 *term is described in K.S.A. 2011 Supp. 25-4143, and amendments thereto.*

30 (d) *The employee's signed authorization required by paragraph (3) of*
31 *subsection (a) shall be:*

32 (1) *In writing;*

33 (2) *freely given by the employee; and*

34 (3) *obtained without intimidation or fear of discharge or other*
35 *disciplinary action by the employer for failure to permit the deduction.*

36 Sec. 2. K.S.A. 2011 Supp. 44-319 is hereby repealed.

1 Sec. 3. This act shall take effect and be in force from and after its
2 publication in the statute book.
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