

HOUSE No. 3135

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act protecting wages of employees who receive wages through an electronic wage card.

PETITION OF:

NAME:

Tackey Chan

DISTRICT/ADDRESS:

2nd Norfolk

HOUSE No. 3135

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 3135) of Tackey Chan relative to wages of employees who receive wages through an electronic wage card. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3813 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act protecting wages of employees who receive wages through an electronic wage card.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 149 of the General Laws, as appearing in the 2014
2 official edition, is hereby amended by inserting after the word “apparel,” in line 99, the following
3 words:

4 Payroll card account means a prepaid account that is directly or indirectly established
5 through an employer to which transfers of the employee's wages, salary or other compensation
6 are made, and which carries the consumer protections that apply to payroll card accounts under
7 the Electronic Fund Transfer Act 15 U.S.C. § 1693 et seq., and Regulation E, 29 C.F.R. Part
8 1005, including the compulsory use provision, as may be amended.

9 SECTION 2. Section 148 of chapter 149 of is hereby amended in line 107 by inserting
10 after the word “reasonable” the following words: Any employer paying wages by payroll card
11 account shall provide the employee with the ability to make at least one withdrawal from the
12 payroll card account in each pay period, but not more frequently than once per week, without
13 charge for any amount up to and including the full amount of the employee's net wages for the
14 pay period. Any fees associated with usage of the card after the card’s initial transaction shall be
15 disclosed in advance to the employee, except that the employer is not responsible for disclosing
16 third party fees that are not within control of the employer. Employees who receive wages by
17 credit to a payroll card account must be provided with a means of checking their payroll card
18 account balances, either, through an automated telephone system, or online through the use of
19 the Internet, without cost, irrespective of the number of inquiries made.