

**HOUSE . . . . . No. 3813**

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The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act to protect 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.