

## Department of Planning and Budget 2019 Fiscal Impact Statement

**1. Bill Number:** HB1687

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Krizek

**3. Committee:** Courts of Justice

**4. Title:** Nonpayment of wages; private cause of action by an employee.

**5. Summary:** Provides that an employee has a private cause of action against an employer who fails to pay wages to recover the amount of wages due plus interest at eight percent annually from the date the wages were due. If the court finds that the employer knowingly failed to pay wages, the court shall award the employee reasonable attorney fees and other costs. If the court finds that the employer's failure to pay wages was willful and with intent to defraud the employee, the court shall also award the employee three times the amount of wages due.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary. See Item 8.

**8. Fiscal Implications:** This bill grants an employee the right to sue their employer for failure to pay wages in accordance with the payment of wage statute. If the employee prevails, the employee is entitled to receive the wages owed, the prejudgment interest, attorney fees, and court costs. If the court finds the failure to pay wages was willful and with intent to defraud the employee, the employee is entitled to an additional award of the wages due.

It is anticipated that any expenditure impact from this bill for the court system and the Department of Labor and Industry can be absorbed within existing resources.

**9. Specific Agency or Political Subdivisions Affected:** Department of Labor and Industry; court system.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.