

HB 280 - AS AMENDED BY THE HOUSE

20Mar2025... 0452h

2025 SESSION

25-0630

06/09

HOUSE BILL **280**

AN ACT relative to wage payments.

SPONSORS: Rep. Turcotte, Straf. 4; Rep. Bernardy, Rock. 36; Rep. Hill, Merr. 2; Rep. Sirois, Hills. 32; Rep. Soti, Rock. 35; Rep. Granger, Straf. 2

COMMITTEE: Labor, Industrial and Rehabilitative Services

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ANALYSIS

This bill repeals the weekly or biweekly payment of wage methods and authorizes employers to choose the payment method of their employees.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struckthrough.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT relative to wage payments.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Payment of Wages; Weekly or Biweekly. Amend RSA 275:43, I and II to read as  
2 follows:

3 I. Every employer shall pay all wages due to employees within 8 days after the expiration of  
4 the work week if the employee is paid on a weekly basis, or within 15 days after the expiration of the  
5 work week if the employee is paid on a biweekly basis, except when permitted to pay wages less  
6 frequently as authorized by the commissioner pursuant to paragraph IV or IV-a(a), on regular  
7 paydays designated in advance by the employer and at no cost to the employee[:

8 (a) ~~In lawful money of the United States;~~

9 (b) ~~By electronic fund transfer;~~

10 (c) ~~By direct deposit with written authorization of the employee to banks of the~~  
11 ~~employee's choice;~~

12 (d) ~~By a payroll card provided that the employer shall provide to the employee at least~~  
13 ~~one free means to withdraw up to and including the full amount of the employee balance in the~~  
14 ~~employee's payroll card or payroll card account during each pay period at a financial institution or~~  
15 ~~other location convenient to the place of employment. None of the employer's costs associated with a~~  
16 ~~payroll card or payroll card account shall be passed on to the employee; or~~

17 (e) ~~With checks on a financial institution convenient to the place of employment where~~  
18 ~~suitable arrangements are made for the cashing of such checks by employees for the full amount of~~  
19 ~~the wages due; provided, however, that if an employer elects to pay employees as specified in~~  
20 ~~subparagraphs (b), (c), or (d), the employer shall offer employees the option of being paid as specified~~  
21 ~~in subparagraph (c), and further provided that all wages in the nature of health and welfare fund or~~  
22 ~~pension fund contributions required pursuant to a health and welfare fund trust agreement, pension~~  
23 ~~fund trust agreement, collective bargaining agreement, or other agreement adopted for the benefit of~~  
24 ~~employees and agreed to by the employer shall be paid by every such employer within 30 days of the~~  
25 ~~date of demand for such payment, the payment to be made to the administrator or other designated~~  
26 ~~official of the applicable health and welfare or pension trust fund.~~

27 II. ~~If an employer offers its employees the option of receiving wages by a payroll card, the~~  
28 ~~employer shall:~~

29 (a) ~~Provide to the employee written disclosure in plain language of all the employee's~~  
30 ~~wage payment options. The written disclosure shall state the terms and conditions of the payroll~~

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1 ~~card account option, including, but not limited to, the requirements set forth in this section and a~~  
2 ~~complete itemized list of all known fees that may be deducted from the employee's payroll card~~  
3 ~~account by the employer or card issuer. The disclosure shall also state whether third parties may~~  
4 ~~assess transaction fees in addition to the fees assessed by the employee's payroll card issuer or~~  
5 ~~issuers. In no event shall the employer provide payment of wages to a payroll card that has an~~  
6 ~~expiration date, unless the employer agrees to provide a replacement payroll card before the~~  
7 ~~expiration date at no cost to the employee.~~

8 ~~(b) Initiate payment of wages to an employee by electronic fund transfer to a payroll~~  
9 ~~card account only after the employee has voluntarily consented in writing to that method of~~  
10 ~~payment. Consent to payment of wages by electronic fund transfer to a payroll card account shall~~  
11 ~~not be a condition of hire or of continued employment. The written consent signed by the employee~~  
12 ~~shall include the terms and conditions of the payroll card account option.~~

13 ~~(c) Provide written notice of any change to any of the terms and conditions of the payroll~~  
14 ~~card or payroll card account, including but not limited to an itemized list of all fees that may have~~  
15 ~~changed, and obtain written assent from the employee that the employee voluntarily consents to~~  
16 ~~receive wages to a payroll card or payroll card account subject to the changes. The employer shall be~~  
17 ~~responsible for any increase in fees charged to the employee before the employer provides written~~  
18 ~~notice of such changes to the employee.~~

19 ~~(d) Provide the employee the option to discontinue receipt of wages by a payroll card or~~  
20 ~~payroll card account at any time, without penalty to the employee]. *The manner in which*~~  
21 ~~*payment is made shall be determined by the employer and employee. The employer shall,*~~  
22 ~~*on or before the first day of employment, inform the employee, in writing, the manner in*~~  
23 ~~*which payment shall be made. At anytime an employer intends to change its method of*~~  
24 ~~*payment, each employee shall be given written notice no less than 90 days prior to the*~~  
25 ~~*change.*~~

26 2 Repeal. RSA 273:11-a, III(b), relative to civil penalties by the labor commission, is repealed.

27 3 Effective Date. This act shall take effect 60 days after its passage.