

HB 280 - AS INTRODUCED

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

ANALYSIS

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

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 card~~
9 ~~account only after the employee has voluntarily consented in writing to that method of payment.~~
10 ~~Consent to payment of wages by electronic fund transfer to a payroll card account shall not be a~~
11 ~~condition of hire or of continued employment. The written consent signed by the employee shall~~
12 ~~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].~~

21 ***The manner in which payment is made shall be determined by the employer. The employer***
22 ***shall, on or before the first day of employment, inform the employee, in writing, the manner***
23 ***in 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.