



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

April 21, 2006

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
L O C A L

Dear Mr. Secretary:

I hereby transmit:

**House File 2508**, an Act relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa Wage Payment Collection law and providing for retroactive applicability.

**House File 2624**, an Act extending the statute of limitations for the filing of an indictment or information in a felony or aggravated or serious misdemeanor proceeding involving DNA profiling.

The above House Files are hereby approved this date.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thomas J. Vilsack".

Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House





HOUSE FILE 2508

AN ACT

RELATING TO DIRECT DEPOSIT OF WAGES AND CREATING AN EXCEPTION TO THE PAYDAY INFORMATION EMPLOYERS ARE REQUIRED TO PROVIDE EACH EMPLOYEE UNDER THE IOWA WAGE PAYMENT COLLECTION LAW AND PROVIDING FOR RETROACTIVE APPLICABILITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 91A.3, subsection 3, unnumbered paragraph 1, Code Supplement 2005, is amended to read as follows:

The wages paid under subsection 1 shall be sent to the employee by mail or be paid at the employee's normal place of employment during normal employment hours or at a place and hour mutually agreed upon by the employer and employee, or the employee may elect to have the wages sent for direct deposit, on or by the regular payday of the employee, into a financial

~~institution designated by the employee. An employer shall not require a current employee to participate in direct deposit. The employer~~ employee hired on or after July 1, 2005, may require be required, as a condition of hire employment, a new employee to sign up for to participate in direct deposit of the employee's wages in a financial institution of the employee's choice unless any of the following conditions exist:

Sec. 2. Section 91A.3, subsection 3, Code Supplement 2005, is amended by adding the following new unnumbered paragraph after paragraph c:

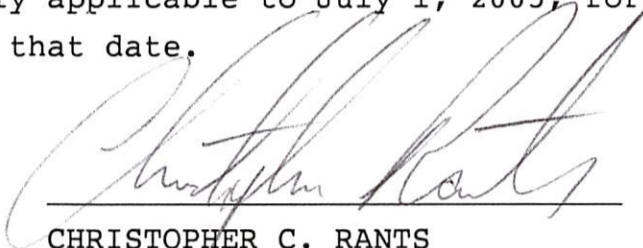
NEW UNNUMBERED PARAGRAPH. If the employer fails to send an employee's wages for direct deposit on or by the regular payday in accordance with this subsection, the employer is liable for the amount of any overdraft charge if the overdraft is created on the employee's account because of the employer's failure to send the wages on or by the regular payday.

Sec. 3. Section 91A.6, subsection 4, Code Supplement 2005, is amended to read as follows:

4. On each regular payday, the employer shall send to each employee by mail or shall provide at the employee's normal place of employment during normal employment hours a statement showing the hours the employee worked, the wages earned by the employee, and deductions made for the employee. However, the employer need not provide information on hours worked for employees who are exempt from overtime under the federal Fair Labor Standards Act, as defined in 29 C.F.R. pt. 541, unless the employer has established a policy or practice of paying to or on behalf of exempt employees overtime, a bonus, or a payment based on hours worked, whereupon the employer shall send or otherwise provide a statement to the exempt employees showing the hours the employee worked or the payments made to the employee by the employer, as applicable. An employer who provides each employee access to view an electronic statement of the employee's earnings and provides the employee free and unrestricted access to a printer to print the employee's statement of earnings, if the employee chooses, is in compliance with this subsection.

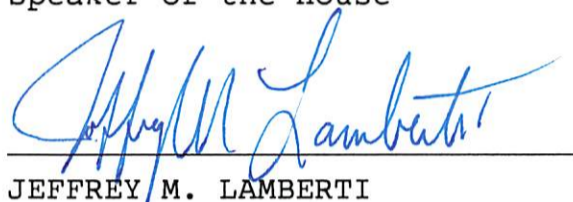
Sec. 4. RETROACTIVE APPLICABILITY. The section of this Act which amends section 91A.3, subsection 3, unnumbered

paragraph 1, is retroactively applicable to July 1, 2005, for employees hired on or after that date.



CHRISTOPHER C. RANTS

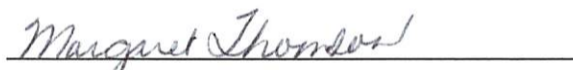
Speaker of the House



JEFFREY M. LAMBERTI

President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2508, Eighty-first General Assembly.



MARGARET THOMSON

Chief Clerk of the House

Approved April 21, 2006



THOMAS J. VILSACK

Governor