

as long as it is effective and for at least two years thereafter. An employee hired on or after July 1, 2005, may be required, as a condition of employment, 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, paragraph b, Code Supplement 2007, is amended to read as follows:

b. If the employer fails to ~~send pay~~ 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 pay~~ the wages on or by the regular payday. The overdraft charges may be the basis for a claim under section 91A.10 and for damages under section 91A.8.

Approved May 7, 2008

CHAPTER 1137

WORKERS' COMPENSATION BENEFITS — SETTLEMENTS AND EMPLOYER SURCHARGES

S.F. 2303

AN ACT relating to workers' compensation provisions for continued medically related benefits in certain settlements of workers' compensation claims and to funding of the second injury fund and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 85.35, Code 2007, is amended by adding the following new subsection:
NEW SUBSECTION. 5A. The parties to any settlement made pursuant to this section may agree that the employee has the right to benefits pursuant to section 85.27 under such terms and conditions as agreed to by the parties in the settlement, for a specified period of time after the settlement has been approved by the workers' compensation commissioner. During that specified period of time, the commissioner shall have jurisdiction of the settlement for the purpose of adjudicating the employee's entitlement to benefits provided for in section 85.27 as agreed upon in the settlement.

Sec. 2. Section 85.65A, subsection 5, Code 2007, is amended by striking the subsection.

Sec. 3. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 7, 2008