

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 73

BY SENATOR BOSO

[Introduced February 8, 2017; referred to the Committee
on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §21-5-3a, relating to permitting employers to have compulsory direct deposits
3 of wages paid to employees provided certain conditions are met.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §21-5-3a, to read as follows:

ARTICLE 5. WAGE PAYMENT AND COLLECTION.

§21-5-3a. Direct deposit of wages by employers; conditions.

1 Notwithstanding any provision of this code to the contrary, every person, firm or
2 corporation doing business in this state may require its employees to be paid their wages or
3 salaries by direct deposit or electronic transfer if the following conditions are met:

4 (1) Regulation E of the Electronic Fund Transfer Act (EFTA), 15 U.S.C. §1693 et seq., of
5 1978 is complied with;

6 (2) Employees have the ability to withdraw their entire net pay without having to pay a fee
7 to the financial institution; and

8 (3) It does not violate a collective bargaining agreement or other labor contract.

NOTE: The purpose of this bill is to permit employers to have compulsory direct deposits of wages paid to employees provided certain conditions are met.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.