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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/25/2015	.	
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The Committee on Commerce and Tourism (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete line 24
and insert:
to defraud or deceive such person. For purposes of this
paragraph:

1. Intent to defraud or deceive is presumed if:

a. The employer or party absconded without paying for the
service or expressly refused to pay for the service in
circumstances in which payment is ordinarily made immediately



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11 upon rendering of the service; or
12 b. The employer or party failed to make payment under a
13 service agreement within 10 days after receiving notice
14 demanding payment. Notice shall be in writing, sent by
15 registered or certified mail with return receipt requested or by
16 telegram with report of delivery requested, and addressed to the
17 employer or party at his or her known address or the address
18 shown on the service agreement. If written notice meets such
19 requirements, it is presumed that the notice was received no
20 later than 5 days after it was sent.

21 2. If payment is made periodically, the intent to abscond
22 without paying for a service may be formed at any time during or
23 before a pay period. The partial payment of wages, alone, is not
24 sufficient evidence to negate the employer's or party's intent
25 to abscond without paying for a service.

26
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 Between lines 5 and 6

30 insert:

31 providing a presumption of intent to defraud, deceive,
32 or abscond;