

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 727
Apr 11, 2019
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10400-LR-112A

Short Title: Wage & Hour Withholding Changes. (Public)

Sponsors: Representatives K. Hall, D. Hall, Jones, and Szoka (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT RELATING TO THE WITHHOLDING OF WAGES BY EMPLOYERS INCIDENT
3 TO EMPLOYEE THEFT AND OTHER WRONGDOING.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 95-25.8(e) reads as rewritten:

6 "(e) Notwithstanding subsections ~~(a)~~(a), (b), and (c), above, if criminal process has issued
7 against an employee, an employee has been indicted, or an employee has been arrested pursuant
8 to Articles 17, 20, and 32 of Chapter 15A of the General Statutes for a charge incident to a cash
9 shortage, inventory shortage, or damage to an employer's property, an employer may withhold
10 ~~or divert a portion of~~ the employee's wages in order to recoup the amount of the cash shortage,
11 inventory shortage, or damage to the employer's property, without the written authorization
12 required by this section, ~~but the amount of such withholdings shall comply with the provisions~~
13 ~~of subsection (b) of this section.~~ If the criminal process or indictment is dismissed or
14 the employee is not found guilty, then the amount deducted shall be reimbursed to the employee by
15 the employer."

16 **SECTION 2.** This act is effective when it becomes law and applies to wages earned
17 on or after that date.

