

SB188\_L.007

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, & Technology.

SB19-188 be amended as follows:

- 1 Amend printed bill, page 19, line 7, strike "PREMIUMS," and substitute
- 2 "PREMIUMS AND".
  
- 3 Page 19, line 8, strike "(2)(d)," and substitute "(2)(d)."
  
- 4 Page 19, strike line 9 and substitute "MONEY IN THE".
  
- 5 Page 22, strike lines 20 through 27 and insert:
  - 6 "(5) (a) AN AGGRIEVED INDIVIDUAL MAY BRING A CLAIM AGAINST
  - 7 AN EMPLOYER FOR A VIOLATION OF THIS SECTION.
  - 8 (b) THE CLAIM MAY BE RESOLVED THROUGH MEDIATION IF THE
  - 9 AGGRIEVED INDIVIDUAL AND THE EMPLOYER EACH AGREE.
  - 10 (c) A CLAIM BROUGHT IN ACCORDANCE WITH THIS SECTION MUST
  - 11 BE FILED WITHIN TWO YEARS AFTER THE DATE ON WHICH THE AGGRIEVED
  - 12 INDIVIDUAL KNEW OR SHOULD HAVE KNOWN OF THE VIOLATION.
  - 13 (d) THE DIVISION SHALL RULE ON THE CLAIM WITHIN ONE
  - 14 HUNDRED EIGHTY DAYS AFTER THE CLAIM IS FILED. IF THE DIVISION FINDS
  - 15 THAT AN EMPLOYER HAS VIOLATED THIS SECTION, THE DIVISION MAY
  - 16 PROVIDE THE AGGRIEVED INDIVIDUAL WITH ECONOMIC DAMAGES,
  - 17 LIQUIDATED DAMAGES, ATTORNEY FEES, AND EQUITABLE RELIEF.
  - 18 (e) AN AGGRIEVED INDIVIDUAL SHALL NOT BRING A CIVIL ACTION
  - 19 IN A COURT OF COMPETENT JURISDICTION UNTIL A CLAIM BROUGHT UNDER
  - 20 THIS SECTION IS RESOLVED, MEDIATION IS COMPLETE, OR ONE HUNDRED
  - 21 EIGHTY DAYS ELAPSE FROM THE DATE ON WHICH THE CLAIM WAS FILED."
  
- 22 Page 27, line 20, after "(1)(b);" insert "AND".
  
- 23 Page 27, strike lines 22 through 24 and substitute "8-13.3-309 (2)(a).".

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