

# HOUSE BILL No. 5326

December 6, 2017, Introduced by Reps. Sabo, Elder, Durhal, Green, Brinks, Greimel, Faris, Singh, Sowerby, Love, Hertel, Lasinski, Geiss, Wittenberg, Zemke, Schor, Pagan, Chirkun, Phelps, Cochran, Yancey and Chang and referred to the Committee on Commerce and Trade.

A bill to amend 1978 PA 390, entitled

"An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,"

by amending section 15 (MCL 408.485).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 15. An employer who, with **THE** intent to defraud, fails to  
2 ~~make payment of~~ **PAY** the wages and fringe benefits due an employee  
3 as provided in this act ~~, is guilty of a misdemeanor,~~ **CRIME**  
4 punishable **AS FOLLOWS:**

5           **(A) FOR A FIRST VIOLATION, A MISDEMEANOR PUNISHABLE** by  
6 **IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR** a fine of not more than

1 \$1,000.00, ~~or imprisonment for not more than 1 year,~~ or both.

2 **(B) FOR A SECOND OR SUBSEQUENT VIOLATION, A FELONY PUNISHABLE**  
3 **BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A FINE OF NOT MORE**  
4 **THAN \$10,000.00, OR BOTH.**

5 Enacting section 1. This amendatory act takes effect 90 days  
6 after the date it is enacted into law.