

1.1 ..... moves to amend the ..... amendment (H2567A1) to H.F. No. 2567 as  
1.2 follows:

1.3 Page 1, line 9, delete "Exception" and insert "Exceptions" and before "The" insert "(a)"

1.4 Page 1, after line 23, insert:

1.5 "(b) The prohibition in this section does not apply to a contract for the receipt of a  
1.6 discretionary or unearned monetary payment, including a financial bonus, at the outset of  
1.7 employment that is not tied to specific job performance, provided that all of the following  
1.8 conditions are met:

1.9 (1) the terms of any repayment obligation are set forth in a separate agreement from the  
1.10 primary employment contract;

1.11 (2) the employee is notified that they have the right to consult an attorney regarding the  
1.12 agreement and provided with a reasonable time period of not less than five business days  
1.13 to obtain advice of counsel prior to executing the agreement;

1.14 (3) any repayment obligation for early separation from employment is not subject to  
1.15 interest accrual and is prorated based on the remaining term of any retention period, which  
1.16 shall not exceed two years from the receipt of payment;

1.17 (4) the worker has an option to defer receipt of the payment to the end of a fully served  
1.18 retention period without any repayment obligation; and

1.19 (5) separation from employment prior to the retention period was at the sole election of  
1.20 the employee, or at the election of the employer for misconduct."