

AMENDED IN SENATE MARCH 31, 1998

**SENATE BILL**

**No. 1514**

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**Introduced by Senator Solis**

February 6, 1998

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An act to amend ~~Section~~ *Sections 2676 and 2678* of the Labor Code, relating to garment manufacturing.

LEGISLATIVE COUNSEL'S DIGEST

SB 1514, as amended, Solis. Garment manufacture: registration: penalties.

*Existing law establishes that any person engaged in the business of garment manufacturing who is not registered with the Labor Commissioner is guilty of a misdemeanor.*

*This bill would exempt from that provision of law persons who do not employ any workers.*

Existing law imposes civil penalties on persons, as defined, engaged in the garment manufacturing business, for specified violations relating to garment industry workers, registration, and records. Existing law imposes those civil penalties for each "affected employee" in the amount of \$100 for each affected employee for the initial violation, and \$200 for each affected employee for subsequent violations.

This bill would establish a \$500 civil penalty for those violations if the person in violation does not employ any workers.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. *Section 2676 of the Labor Code is*  
2 *amended to read:*

3 2676. Any person engaged in the business of garment  
4 manufacturing who is not registered is guilty of a  
5 misdemeanor, *except as provided in subdivision (d) of*  
6 *Section 2678.*

7 SEC. 2. Section 2678 of the Labor Code is amended to  
8 read:

9 2678. (a) A penalty, as provided in subdivision (c),  
10 may be imposed against any person for any of the  
11 following:

12 (1) Failure to comply within 15 days of any judgment  
13 due for violation of any labor laws applicable to garment  
14 industry workers.

15 (2) Failure to comply with the registration  
16 requirements of this part.

17 (3) Failure to comply with Section 2673 or any section  
18 enumerated in Section 2675.

19 (b) The order imposing the penalty may be served  
20 personally or by registered mail in accordance with  
21 subdivision (c) of Section 11505 of the Government Code.  
22 The order shall be in writing and shall describe the nature  
23 of the violation, including reference to the statutory  
24 provisions, rules, or regulations alleged to have been  
25 violated.

26 (c) The penalties shall be a civil penalty of one  
27 hundred dollars (\$100) for each affected employee for  
28 the initial violation and a civil penalty of two hundred  
29 dollars (\$200) for each affected employee for the second  
30 or subsequent violation. ~~¶~~

31 (d) *If a person is subject to civil penalties for a violation*  
32 *described in subdivision (a), but does not employ one or*  
33 *more workers, the civil penalty shall be five hundred*  
34 *dollars (\$500), and the person shall not be guilty of a*  
35 *misdemeanor as specified in Section 2676.*

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