

AMENDED IN ASSEMBLY JANUARY 26, 2000

AMENDED IN ASSEMBLY JANUARY 12, 2000

AMENDED IN ASSEMBLY JANUARY 3, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 96**

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**Introduced by Assembly Member Shelley**

December 10, 1998

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An act to amend Section 1174.5 of the Labor Code, relating to wages and hours.

LEGISLATIVE COUNSEL'S DIGEST

AB 96, as amended, Shelley. Wages and hours.

Existing law requires employers to maintain and make available specified information and to allow access to specified labor officials, including members of the Industrial Welfare Commission, to their places of business, and subjects employers who willfully fail to do so to a civil penalty of \$500.

This bill would additionally subject an employer to that civil penalty for willfully failing to maintain accurate and complete records required by any applicable wage order of the commission. *However, an employer would not be subject to that civil penalty until July 1, 2001, for willfully failing to maintain accurate and complete records required by any wage order of the commission established pursuant to the Eight-Hour-Day Restoration and Workplace Flexibility Act of 1999 (Ch. 134, Stats. 1999).*

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 1174.5 of the Labor Code is  
 2 amended to read:  
 3 1174.5. (a) Any person employing labor who willfully  
 4 fails to maintain the records required by subdivision (c)  
 5 of Section 1174 or accurate and complete records  
 6 required by subdivision (d) of Section 1174 or accurate  
 7 and complete records required by any applicable wage  
 8 order of the commission, or to allow any member of the  
 9 commission or employees of the division to inspect  
 10 records pursuant to subdivision (b) of Section 1174, shall  
 11 be subject to a civil penalty of five hundred dollars (\$500).  
 12 (b) *Notwithstanding subdivision (a), until July 1, 2001,*  
 13 *no person employing labor shall be subject to the civil*  
 14 *penalty specified in subdivision (a) for willfully failing to*  
 15 *maintain accurate and complete records required by any*  
 16 *wage order of the commission established pursuant to the*  
 17 *Eight-Hour-Day Restoration and Workplace Flexibility*  
 18 *Act of 1999 (Ch. 134, Stats. 1999).*

