

Senate Bill No. 903

Passed the Senate August 19, 2010

Secretary of the Senate

Passed the Assembly August 16, 2010

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 200.5 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 903, Wright. Penalty collections: limitations.

Existing law provides that an action by the Division of Labor Standards Enforcement within the Department of Industrial Relations for collection of a statutory penalty or fee must be commenced within one year after the penalty or fee became final.

This bill would extend the period within which the division may commence a collection action, as defined, from one year to 3 years.

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

SECTION 1. Section 200.5 is added to the Labor Code, to read:

200.5. (a) Notwithstanding any provision of this code or Section 340 of the Code of Civil Procedure, to collect a civil penalty, fee, or penalty fee under this division, the Division of Labor Standards Enforcement shall commence an action within three years from the date the penalty or fee became final. Upon commencement of an action, the clerk of the superior court shall enter judgment immediately in conformity therewith.

(b) This section applies only to penalty assessments or fees that became final on or after the effective date of the act adding this section.

(c) For purposes of this section, "commence an action" means to file a request for entry of judgment on a civil penalty or fee with the clerk of the superior court of the relevant county.

Approved _____, 2010

Governor