1 **5118-S AMH APP H2836.1**

2 **SSB 5118** - H COMM AMDS
3   By Committee on Appropriations

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5   On page 2, line 5, after "((~~,~~))" insert "<u>compensated at up to twice</u>
6 <u>the regular rate of pay</u>"

7   On page 2, line 15, after "<u>payment</u>" insert "<u>, including overtime</u>
8 <u>payments,</u>"

9   <u>EFFECT:</u>   Clarifies that: (1) Overtime pay is not excess
10 compensation if it is paid at a rate up to twice the regular rate of
11 pay; and (2) the portion of an overtime payment that exceeds twice the
12 regular rate of pay is excess compensation.

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16   On page 2, after line 32, insert the following:

17   <u>NEW SECTION.</u> **Sec. 2.** A new section, which shall be uncodified, is
18 added to chapter 41.50 RCW to read as follows:
19   The definition of "cash out" added to RCW 41.50.150(2)(a) by this
20 act is a clarification of the legislature's original intent regarding
21 the meaning of the term.   The definition of "cash out" applies
22 retroactively to payments made before the effective date of this act."

23   Renumber remaining section consecutively and correct title
24 accordingly.

25   <u>EFFECT:</u>   The definition of "cash out" added by this bill is a
26 clarification of the Legislature's original intent and is retroactive.
27 If litigation arises out of cash   outs made prior to this act's
28 effective date, the court will treat this bill as a clarification
29 rather than an amendment. This language was included in SHB 1082, the
30 House version of this bill.

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