

State and Federal Legal Authority Addressing Payroll Cards

(as of January 3, 2022)

State Legal Authority Expressly Addressing Payroll Cards		
Jurisdiction	Statutes or Regulations	Agency Guidance
Alabama	None	None
Alaska	None	None
Arizona	Ariz. Rev. Stat. § 23-351	None
Arkansas	Ark. Code Ann. § 11-4-403	None
California	None	California Division of Labor Standards Enforcement, DLSE Opinion Letter 2008.07.07 (July 7, 2008)
Colorado	Colo. Rev. Stat. § 8-4-102	Colorado Dept. of Labor and Employment, Methods of Payment
Connecticut	Conn. Gen. Stat. §§ 31-71b, 31-71k	None
Delaware	19 Del. Admin. Code 1324-2.0	None
District of Columbia	None	None
Florida	Fla. Stat. § 532.01 Fla. Stat. § 448.24 (labor pools)	None
Georgia	Ga. Stat. §34-7-2	None
Hawaii	Haw. Rev. Stat. §§ 388-2, 388-5.7	Hawaii Dept of Labor and Industrial Relations, Wage Standards Division, Direct Deposits, Debit Cards, Electronic Pay Statements.
Idaho	None	None
Illinois	820 ILCS 115/4, 115/14.5; 56 Ill. Adm. Code § 300.600	Illinois Department of Labor, Form of Payment FAQ
Indiana	None	None
Iowa	Iowa Code § 91A.3	Iowa Workforce Development, Wage Frequently Asked Questions
Kansas	Kan. Stat. § 44-314	None

State Legal Authority Expressly Addressing Payroll Cards

Jurisdiction	Statutes or Regulations	Agency Guidance
Kentucky	Ky. Rev. Stat. § 337.010	None
Louisiana	None	None
Maine	26 Maine Rev. Stat. § 663 (addressing ATM cards or other means)	None
Maryland	Md. Lab. & Emp. Code § 3-502	None
Massachusetts	None	None
Michigan	MCLS § 408.476; Mich. Admin. Code R. 408.9035	Michigan Department of Licensing and Regulatory Affairs, Wage and Hour Division, Informational Sheet: Record Keeping Requirements
Minnesota	Minn. Stat. §§ 177.23; 177.255	Minnesota Department of Labor and Industry, Labor Standards, Payroll Cards in Minnesota
Mississippi	None	None
Missouri	1 CSR 10-8.010 (public employees)	None
Montana	None	Montana Department of Labor & Industry, Electronic Payments ,
Nebraska	Neb. Rev. Stat. §§ 48-1229; 48-1230	None
Nevada	Nev. Rev. Stat. § 608.120; Nev. Admin. Code § 608.135	None
New Hampshire	N.H. Rev. Stat. §§ 275:42; 275:43	None
New Jersey	N.J. Stat. Ann. § 34:11-4.2a; N.J. Admin. Code 12:55-2.4	New Jersey Department of Labor and Workforce Development, Wage & Hour Compliance FAQs for Employers
New Mexico	None	None
New York	12 NYCRR 192-2.3	None
North Carolina	None	North Carolina Department of Labor, Debit-Payroll Card Payment and Direct Deposit ,
North Dakota	N.D. Cent. Code Ann. § 34-14-02	None

State Legal Authority Expressly Addressing Payroll Cards

Jurisdiction	Statutes or Regulations	Agency Guidance
Ohio	None	None
Oklahoma	40 Okla. Stat. § 165.2;	Okla. AG Op. No. 9-31; Oklahoma Department of Labor, Frequently Asked Questions ,
Oregon	Or. Rev. Stat. § 652.110; § 292.026 (state employees);	Bureau of Labor and Industries, Paychecks
Pennsylvania	7 Pa. Stat. §§ 6121.1, 6122, 6122.1	None
Puerto Rico	Laws of P.R. 29 §§ 171, 173, 176	P.R. AG Op. No. 2006-1
Rhode Island	R.I. Gen. Law § 28-14-10.1	None
South Carolina	None	None
South Dakota	S.D. Code § 60-11-9	None
Tennessee	Tenn. Code § 50-2-103	None
Texas	Tex. Labor Code § 61.017	Texas Workforce Commission, Electronic Fund Transfer of Wages
Utah	UT Code § 34-28-3; UT Admin. Code R610-3-22	None
Vermont	21 Vt. Stat. § 342	None
Virginia	Va. Code Ann. § 40.1-29	Virginia Department Labor and Industries, Field Operations Manual
Washington	Wash. Rev. Code § 41.04.240 (applying only to higher ed employees)	Washington State Department of Labor and Industries, Getting Paid
West Virginia	W.Va. Code § 21-5-3	West Virginia Division of Labor, Acceptable Methods for Meeting Payroll ,
Wisconsin	None	None
Wyoming	None	None

Federal Regulations Expressly Addressing Payroll Cards

Agency	Regulation and Guidance
Consumer Financial Protection Bureau (CFPB)	Electronic Fund Transfers (Regulation E) 12 CFR Part 1005
	Prepaid Accounts Final Rule, 81 Fed.Reg. 83934 (Nov. 22, 2016)
	Prepaid Accounts Final Rule – Delay of Effective Date, 82 Fed.Reg. 13782 (Mar. 15, 2017)
	Prepaid Accounts Final Rule – Amendments, 83 Fed.Reg. 6364 (Feb. 13, 2018)
	Payroll Card Accounts, CFPB Bulletin 2013-10 (Sept. 12, 2013)
Federal Deposit Insurance Corp. (FDIC)	Insurability of Funds Underlying Stored Value Cards and Other Nontraditional Access Mechanisms, 73 Fed.Reg. 67155 (Nov. 11, 2008)