

## STATE FINAL PAYCHECK LAWS GUIDE

Employers in the United States of America are not required by federal law to give former employees their final paycheck immediately upon termination. Some states, however, may require immediate payment. The timeframes for distributing final paychecks vary based on which party initiates the employment separation in many states.

State	Statute	Involuntary Termination	Voluntary Termination
Alabama	No statute.	No statute.	No statute.
Alaska	Alaska Stat. § 23.05.140	Within three working days.	Next regular payday at least three days after employee gives notice.
Arizona	Ariz. Rev. Stat. Ann. § 23-353	Within seven working days or the end of the next regular pay period, whichever is sooner.	Paid in the usual manner, all wages are due no later than the regular payday for the pay period during which the termination occurred.
Arkansas	Arkansas Code § 11-4-405	Within seven days from discharge.	No statute.
California	Cal. Lab. Code §§ 201, 202, and 227.3	Immediately.	Within 72 hours, or immediately if employee has given at least 72 hours' notice.
Colorado	Colo. Rev. Stat. Ann. § 8-4-109	Immediately (within six hours of start of next workday, if payroll unit is closed; 24 hours if unit is offsite).	Next scheduled payday.
Connecticut	Conn. Gen. Stat. Ann. § 31-71c	Next business day after discharge.	Next scheduled payday.
Delaware	Del. Code Ann. tit. 19, § 1103	Next scheduled payday.	Next scheduled payday.
District of Columbia	D.C. Code § 32-1303	Next business day.	Next scheduled payday or within seven days, whichever is sooner.
Florida	No statute.	No statute.	No statute.
Georgia	No statute.	No statute.	No statute.
Hawaii	Haw. Rev. Stat. § 388-3	Immediately or next business day, if conditions prevent immediate payment.	Next scheduled payday or immediately, if employee gives one pay period's notice.

State	Statute	Involuntary Termination	Voluntary Termination
Idaho	Idaho Code §§ 45-606	Next payday or within 10 days business days, whichever is sooner. If employee makes a written request for earlier payment, within 48 hours (2 days) of receiving request (excluding weekends & holidays).	Next payday or within 10 business days whichever is sooner. If employee makes a written request for earlier payment, within 48 hours (2 days) of receiving request (excluding weekends & holidays).
Illinois	820 Ill. Comp. Stat. 115/5	At time of separation if possible, but no later than next payday.	At time of separation if possible, but no later than next payday.
Indiana	Ind. Code §§ 22-2-9-2 and 22-2-5-1	Next scheduled payday.	Next scheduled payday. If employee has not provided a forwarding address, employer may wait until 10 days after employee demands wages or until employee provides an address where the check may be mailed.
Iowa	Iowa Code Ann. § 91A.4	Next scheduled payday.	Next scheduled payday.
Kansas	Kan. Stat. Ann. § 44-315	Next scheduled payday.	Next scheduled payday.
Kentucky	Ky. Rev. Stat. Ann. § 337.055	Next scheduled payday or within 14 days, whichever is later.	Next scheduled payday or within 14 days, whichever is later.
Louisiana	La. Rev. Stat. Ann. § 23:631	Next payday or within 15 days, whichever is earlier.	Next payday or within 15 days, whichever is earlier.
Maine	Me. Rev. Stat. Ann. tit. 26, § 626	Next scheduled payday or within two weeks after demand, whichever is earlier.	Next scheduled payday or within two weeks after demand, whichever is earlier.
Maryland	Md. Lab. & Emp. Code Ann. § 3-505	Next scheduled payday.	Next scheduled payday.
Massachusetts	Mass. Ann. Laws Ch. 149 § 148	Day of discharge.	Next payday. If no scheduled payday, then the following Saturday.
Michigan	Mich. Comp. Laws §§ 408.475	As soon as the amount can with due diligence be determined.	If employee quits: as soon as the amount can with due diligence be determined.

State	Statute	Involuntary Termination	Voluntary Termination
Minnesota	Minn. Stat. §§ 181.11 and 181.14	Within 24 hours.	Next payday. If payday is less than five days after last day of work, employer may pay on the following payday or 20 days after last day of work, whichever is earlier.
Mississippi	No statute.	No statute.	No statute.
Missouri	Mo. Ann. Stat. § 290.110	Day of discharge.	No statute.
Montana	Mont. Code Ann. § 39-3-205	If laid off or terminated for cause: immediately. Employer may have a written policy extending this time to the next payday or within 15 days, whichever is earlier.	Next payday or within 15 days, whichever is earlier.
Nebraska	Neb. Rev. Stat. § 48-1230	Next scheduled payday or within two weeks, whichever is earlier.	Next scheduled payday or within two weeks, whichever is earlier.
Nevada	Nev. Rev. Stat. §§ 608.020 and 608.030	Immediately.	Next scheduled payday or within seven days, whichever is earlier.
New Hampshire	N.H. Rev. Stat. Ann. § 275:44	Within 72 hours. If employee is laid off, employer may wait until the next payday.	Next scheduled payday or within 72 hours, if employee gives one pay period's notice.
New Jersey	N.J. Stat. Ann. § 34:11-4.3	Next scheduled payday.	Next scheduled payday.
New Mexico	N.M. Stat. Ann. §§ 50-4-4, 50-4-5	Within five days.	Next payday.
New York	N.Y. Labor Laws § 191	Next scheduled payday.	Next scheduled payday.
North Carolina	N.C. Gen. Stat. § 95.25.7	Next scheduled payday.	Next scheduled payday.
North Dakota	N.D. Cent. Code § 34-14-03	Next payday.	Next payday.
Ohio	Ohio Rev. Code Ann. § 4113.15	First of the month for wages earned in the first half of prior month; fifteenth of the month for wages earned in second half of prior month.	First of the month for wages earned in the first half of prior month; fifteenth of the month for wages earned in second half of prior month.

State	Statute	Involuntary Termination	Voluntary Termination
Oklahoma	Okla. Stat. Ann. tit. 40, § 165.3	Next scheduled payday.	Next scheduled payday.
Oregon	Or. Rev. Stat. § 652.140	End of first business day after termination.	Immediately if employee has given 48 hours' notice (excluding weekends & holidays). Without notice, within five days or the next payday, whichever is the earliest.
Pennsylvania	43 Pa. Cons. Stat. Ann. § 260.5	Next scheduled payday.	Next scheduled payday.
Rhode Island	R.I. Gen. Laws § 28-14-4	Next scheduled payday.	Next scheduled payday.
South Carolina	S.C. Codified Laws § 41-10-50	Within 48 hours or next scheduled payday, but not more than 30 days.	No statute.
South Dakota	S.D. Codified Laws §§ 60-11-10 and 60-11-11	Next payday or when employee returns employer's property.	Next payday or when employee returns employer's property.
Tennessee	Tenn. Code. Ann. § 50-2-103	Next scheduled payday or within 21 days, whichever is later.	Next scheduled payday or within 21 days, whichever is later.
Texas	Texas Code Ann., Labor § 61.014	Within six days.	Next payday.
Utah	Utah Code Ann. § 34-28-5	Within 24 hours.	Next scheduled payday.
Vermont	Vt. Stat. Ann. tit. 21, § 342	Within 72 hours.	Next scheduled payday or, if no scheduled payday exists, the next Friday.
Virginia	Va. Code § 40.1-29	Next scheduled payday.	Next scheduled payday.
Washington	Wash. Rev. Code § 49.48.010	End of next pay period.	If employee quits: end of next pay period.
West Virginia	W. Va. Code § 21-5-4	Next scheduled payday.	Next scheduled payday.
Wisconsin	Wis. Stat. Ann. § 109.03	Next payday or within one month, whichever is earlier.	Next payday.
Wyoming	Wyo. Stat. Ann. § 27-4-104	Next scheduled payday.	Next scheduled payday.

Revised 10/2015

**Legal Disclaimer:** This document is intended for informational purposes only, and does not constitute legal information or advice. This information and all HR Support Center materials are provided in consultation with federal and state statutes and do not encompass other regulations that may exist, such as local ordinances. Transmission of documents or information through the HR Support Center does not create an attorney-client relationship. If you are seeking legal advice, you are encouraged to consult an attorney.