*** § 1053. Enforcement.** 1. Notwithstanding any other provision of law, an employee who is sued by an employer seeking to enforce the provisions of a promissory note made null and void by this article shall be able to recover attorney's fees upon a successful defense.

2. An employee or prospective employee who is aggrieved by a violation of this article may file a complaint with the commissioner. Any employer determined by the commissioner to have violated this article shall be fined by the commissioner not less than one thousand dollars and not more than five thousand dollars for each violation. In assessing the amount of the penalty, the commissioner shall give due consideration to the size of the employer's business, the good faith basis of the employer to believe that its conduct was in compliance with the law, the gravity of the violation, and the history of previous violations. Each employee or prospective employee whom an employer required to execute an employment promissory note or against whom an employer seeks to enforce such a note shall constitute a separate violation of this article.

* NB Effective December 19, 2026