

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0667.01 Kristen Forrestal x4217

HOUSE BILL 18-1106

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HOUSE SPONSORSHIP

Williams D., Humphrey, Neville P.

SENATE SPONSORSHIP

(None),

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House Committees

State, Veterans, & Military Affairs

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE ABILITY TO WAIVE MINIMUM WAGE REQUIREMENTS.

Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Current law establishes and requires an annual adjustment of the minimum wage for certain employees. The bill allows an applicant for employment or an employee to negotiate a different wage that is agreeable to the employer and the applicant or employee. The bill requires employers to post a notice of the right to negotiate wages.

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Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 8-6-106.5 as  
3 follows:

4 **8-6-106.5. Waiver of minimum wage.** (1) NOTWITHSTANDING  
5 ANY OTHER PROVISION OF LAW TO THE CONTRARY, AN APPLICANT FOR  
6 EMPLOYMENT OR AN EMPLOYEE OF AN EMPLOYER MAY CHOOSE TO WAIVE  
7 THE CONSTITUTIONAL MINIMUM WAGE RIGHT AND NEGOTIATE A WAGE  
8 THAT IS AGREEABLE TO THE APPLICANT OR EMPLOYEE AND THE EMPLOYER.

9 (2) AN EMPLOYER SHALL POST AND MAINTAIN A NOTICE TO INFORM  
10 APPLICANTS AND EMPLOYEES THAT THEY HAVE THE RIGHT TO NEGOTIATE  
11 WAGES AS SPECIFIED IN THIS SECTION. THE NOTICE MUST BE  
12 CONSPICUOUSLY POSTED AT A WORK LOCATION.

13 **SECTION 2. Act subject to petition - effective date.** This act  
14 takes effect at 12:01 a.m. on the day following the expiration of the  
15 ninety-day period after final adjournment of the general assembly (August  
16 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
17 referendum petition is filed pursuant to section 1 (3) of article V of the  
18 state constitution against this act or an item, section, or part of this act  
19 within such period, then the act, item, section, or part will not take effect  
20 unless approved by the people at the general election to be held in  
21 November 2018 and, in such case, will take effect on the date of the  
22 official declaration of the vote thereon by the governor.