

HOUSE BILL No. 2018

By Representative Coleman

12-31

1 AN ACT concerning labor and employment; relating to increasing the
2 minimum wage; amending K.S.A. 2020 Supp. 44-1203 and repealing
3 the existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2020 Supp. 44-1203 is hereby amended to read as
7 follows: 44-1203. (a) Except as otherwise provided in the minimum wage
8 and maximum hours law, every employer shall pay to each employee
9 wages at a rate as follows:

10 ~~(1) Prior to January 1, 2010, employee wages shall be paid at a rate of~~
11 ~~not less than \$2.65 an hour; and~~

12 ~~(2) On and after January 1, 2010, and prior to January 1, 2022,~~
13 ~~employee wages shall be paid at a rate of not less than \$7.25 an hour;~~

14 ~~(2) on and after January 1, 2022, and prior to January 1, 2023,~~
15 ~~employee wages shall be paid at a rate of not less than \$8.25 an hour;~~

16 ~~(3) on and after January 1, 2023, and prior to January 1, 2024,~~
17 ~~employee wages shall be paid at a rate of not less than \$9.25 an hour;~~

18 ~~(4) on and after January 1, 2024, and prior to January 1, 2025,~~
19 ~~employee wages shall be paid at a rate of not less than \$10.25 an hour;~~

20 ~~(5) on and after January 1, 2025, and prior to January 1, 2026,~~
21 ~~employee wages shall be paid at a rate of not less than \$11.25 an hour;~~

22 ~~(6) on and after January 1, 2026, and prior to January 1, 2027,~~
23 ~~employee wages shall be paid at a rate of not less than \$12.25 an hour;~~

24 ~~(7) on and after January 1, 2027, and prior to January 1, 2028,~~
25 ~~employee wages shall be paid at a rate of not less than \$13.25 an hour;~~

26 ~~(8) on and after January 1, 2028, and prior to January 1, 2029,~~
27 ~~employee wages shall be paid at a rate of not less than \$14.25 an hour;~~

28 ~~(9) on and after January 1, 2029, and prior to January 1, 2030,~~
29 ~~employee wages shall be paid at a rate of not less than \$15.25 an hour;~~

30 ~~(10) on and after January 1, 2030, and prior to January 1, 2031,~~
31 ~~employee wages shall be paid at a rate of not less than \$16.25 an hour;~~

32 ~~(11) on and after January 1, 2031, and prior to January 1, 2032,~~
33 ~~employee wages shall be paid at a rate of not less than \$17.25 an hour;~~
34 ~~and~~

35 ~~(12) on and after January 1, 2032, and on and after January 1 of~~
36 ~~each year thereafter, employee wages shall be paid at the rate for the~~

1 *immediately preceding year; increased by 1.5%.*

2 (b) In calculating such minimum wage rate, an employer may include
3 tips and gratuities received by an employee if such tips and gratuities have
4 customarily constituted part of the remuneration of the employee and if the
5 employee concerned actually received and retained such tips and
6 gratuities. For employees receiving tips and gratuities, the employer shall
7 pay a minimum wage of: At least \$2.13 an hour *prior to January 1, 2022;*
8 *at least \$3.13 an hour on and after January 1 2022, and prior to January*
9 *1, 2023; at least \$4.13 an hour on and after January 1, 2023, and prior to*
10 *January 1, 2024; at least \$5.13 an hour on and after January 1, 2024, and*
11 *prior to January 1, 2025; at least \$6.13 an hour on and after January 1,*
12 *2025, and prior to January 1, 2026; at least \$7.13 an hour on and after*
13 *January 1, 2026, and prior to January 1, 2027; at least \$8.13 an hour on*
14 *and after January 1, 2027, and prior to January 1, 2028; at least \$9.13 an*
15 *hour on and after January 1, 2028, and prior to January 1, 2029; at least*
16 *\$10.13 an hour on and after January 1, 2029, and prior to January 1,*
17 *2030; at least \$11.13 an hour on and after January 1, 2030, and prior to*
18 *January 1, 2031; at least \$12.13 an hour on and after January 1, 2031,*
19 *and prior to January 1, 2032; and at least the rate for the immediately*
20 *preceding year increased by 1.5% on and after January 1, 2032, and on*
21 *and after January 1 of each year thereafter. If, when combined with the*
22 *minimum wage rate prescribed in this subsection, the amount of the*
23 *employee's tips and gratuities*~~are~~ *is:*

24 (1) At least equal to ~~\$7.25 an hour~~ *the minimum wage rate per hour*
25 *prescribed by subsection (a), no further payment is required by the*
26 *employer; or*

27 (2) ~~less than \$7.25 an hour~~ *the minimum wage rate per hour*
28 *prescribed by subsection (a), the employer must pay the employee the*
29 *difference between*~~\$7.25 an hour~~ *the minimum wage rate per hour*
30 *prescribed by subsection (a) and the actual hourly amount received by the*
31 *employee, determined by combining the amount of tips and gratuities*
32 *received by the employee with the minimum wage prescribed by this*
33 *subsection, paid by the employer.*

34 (c) The provisions of this section shall not apply to any employers
35 and employees who are covered under the provisions of the federal fair
36 labor standards act (~~29 U.S.C.A. U.S.C. § 201 et seq.~~), and any other acts
37 amendatory thereof or supplemental thereto.

38 Sec. 2. K.S.A. 2020 Supp. 44-1203 is hereby repealed.

39 Sec. 3. This act shall take effect and be in force from and after its
40 publication in the statute book.