HLS 20RS-200 ORIGINAL

2020 Regular Session

HOUSE BILL NO. 94

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BY REPRESENTATIVE GREEN

EMPLOYMENT/WAGES-MINIMUM: Establishes a state minimum wage rate

AN ACT

2	To enact Chapter 6-B of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised
3	of R.S. 23:671 through 674, relative to minimum wage; to establish a state minimum
4	wage; to provide for enforcement; to provide for exceptions; and to provide for
5	related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. Chapter 6-B of Title 23 of the Louisiana Revised Statutes of 1950,
8	comprised of R.S. 23:671 through 674, is hereby enacted to read as follows:
9	CHAPTER 6-B. MINIMUM WAGE
0	§671. Minimum wage; establishment
1	A. Notwithstanding any other provision of law to the contrary, the state
12	minimum wage is established and beginning January 1, 2021, shall be set at nine
13	dollars per hour. Every employer in the state shall pay to each employee wages at
4	a rate of not less than nine dollars per hour for hours worked in a pay period
15	regardless of how the time at work is measured.
16	B. If at any time the federal minimum hourly wage rate set by Section 6 of
17	the federal Fair Labor Standards Act of 1938, or a successor federal law, is raised to
18	a rate higher than the state minimum wage rate, then the state minimum wage rate
9	shall be increased to the rate of the federal minimum wage rate

1	§672. Enforcement
2	The Louisiana Workforce Commission shall enforce this Chapter and is
3	authorized and directed to promulgate rules and regulations in accordance with the
4	Administrative Procedure Act, R.S. 49:950 et seq., necessary for the implementation
5	of the provisions of this Chapter.
6	§673. Penalties
7	A. Whoever violates the provisions of this Chapter shall be fined not less
8	than five hundred dollars and not more than one thousand dollars per employee not
9	receiving minimum wage. Additionally, the employer shall pay the employee the
10	difference between the wages actually paid to the employee and the minimum wage
11	rate in effect at the time the employee was paid.
12	B. Penalties may be imposed by a ruling of the executive director pursuant
13	to an adjudicatory hearing held in accordance with the Administrative Procedure Act,
14	R.S. 49:950 et seq.
15	§674. Exceptions
16	The provisions of this Chapter shall not apply to student employees of the
17	state or student employees of state colleges and universities.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 94 Original

2020 Regular Session

Green

Abstract: Establishes a state minimum wage rate.

<u>Proposed law</u> establishes a state minimum wage and sets it at \$9 per hour beginning Jan. 1, 2021.

<u>Proposed law</u> requires that if the federal minimum wage is raised, the state minimum wage shall also be raised.

<u>Proposed law</u> provides a fine of not less than \$500 and not more than \$1,000 per employee for failure to pay minimum wage.

<u>Proposed law</u> further requires that an employer who fails to pay his employee minimum wage shall pay the employee the difference between what the employee was paid and minimum wage rate.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

ORIGINAL HB NO. 94

<u>Proposed law</u> provides that the La. Workforce Commission shall be in charge of enforcement of the minimum wage laws and authorizes the agency to promulgate rules and regulations necessary in its implementation.

<u>Proposed law</u> provides the procedure for the executive director of the La. Workforce Commission to impose penalties.

<u>Proposed law</u> excludes student workers employed with the state and with state colleges and universities from the minimum wage requirement.

(Adds R.S. 23:671-674)