

Regular Session, 2014

SENATE BILL NO. 123

BY SENATOR NEVERS

EMPLOYMENT. Constitutional amendment to provide, with certain exemptions, for a state minimum wage effective January 1, 2015. (2/3-CA13s1(A))

1 A JOINT RESOLUTION

2 Proposing to add Article XII, Section 17 of the Constitution of Louisiana, relative to the
3 establishment of a state minimum wage; to provide relative to employers with fifty
4 full-time employees or more; to provide for a minimum hourly wage; to provide
5 relative to employees eighteen years of age and older; to provide that the legislature
6 shall provide for certain definitions and exemptions; to provide relative to certain
7 student employees; to provide relative to certain tip credits available to employers;
8 and to specify an election for submission of the proposition to electors and provide
9 a ballot proposition.

10 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
11 elected to each house concurring, that there shall be submitted to the electors of the state, for
12 their approval or rejection in the manner provided by law, a proposal to add Article XII,
13 Section 17 of the Constitution of Louisiana, to read as follows:

14 **§17. State Minimum Hourly Wage**

15 **Section 17. On and after January 1, 2015, every employer with fifty or**
16 **more full-time employees shall pay to each employee eighteen years of age and**
17 **older a minimum hourly wage of not less than nine dollars and fifty cents per**

1 **hour, thereafter annually adjusted for inflation, or the federal minimum wage,**
 2 **whichever is higher. The legislature shall provide for definitions and for certain**
 3 **exemptions from the minimum wage requirement to include but not be limited**
 4 **to student employees as defined in State Civil Service Rule 1.5.1 and allowing**
 5 **an employer to take a tip credit toward its minimum wage obligation for tipped**
 6 **employees equal to the difference between the required cash wage and the**
 7 **required minimum wage.**

8 Section 2. Be it further resolved that this proposed amendment shall be submitted
 9 to the electors of the state of Louisiana at the statewide election to be held on November 4,
 10 2014.

11 Section 3. Be it further resolved that on the official ballot to be used at said election
 12 there shall be printed a proposition, upon which the electors of the state shall be permitted
 13 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
 14 follows:

15 Do you support an amendment to establish effective January 1, 2015 that
 16 every employer with fifty or more employees shall pay each employee
 17 eighteen years of age and older a minimum hourly wage of nine dollars and
 18 fifty cents an hour, adjusted each year after that for inflation, or the federal
 19 minimum wage, whichever is higher, and to require the legislature to provide
 20 for definitions and certain exemptions, including but not limited to student
 21 employees and allowing an employer to take a tip credit toward its minimum
 22 wage obligation for tipped employees equal to the difference between the
 23 required cash wage and required minimum wage?

24 (Adds Article XII, Sec. 17)

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Julie J. Baxter.

DIGEST

Nevers (SB 123)

Proposed constitutional amendment provides that, effective January 1, 2015, every employer with 50 or more full-time employees shall pay to each employee 18 years of age and older a minimum hourly wage of not less than \$9.50 per hour, thereafter annually adjusted for

inflation, or the federal minimum wage, whichever is higher.

Proposed constitutional amendment further provides that the legislature shall provide for definitions and for certain exemptions from the minimum wage requirement to include but not be limited to student employees and allowing an employer to take a tip credit toward its minimum wage obligation for tipped employees equal to the difference between the required cash wage and the required minimum wage.

Specifies submission of the amendment to the voters at the statewide election to be held on November 4, 2014.

(Adds Const. Art. XII, Sec. 17)