## SLS 19RS-317

## ORIGINAL

2019 Regular Session

SENATE BILL NO. 60

BY SENATOR CARTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EMPLOYMENT. Constitutional amendment to provide, with certain exceptions, for a state minimum wage effective August 1, 2020. (2/3 - CA13s1(A))

1	AN ACT
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	<u>§17. State Minimum Hourly Wage</u>
15	Section 17. Every employer with fifty or more full-time employees shall
16	pay each employee eighteen years or older wages which are equal to the state's
17	minimum wage. The hourly rate of the state minimum wage will never be a rate

Page 1 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	lower than the federal minimum wage.
2	Beginning August 1, 2020, the state minimum wage shall be not less than
3	nine dollars per hour or the federal minimum wage, whichever is higher. Each
4	subsequent year, the state minimum wage shall be adjusted for inflation;
5	therefore, beginning August 1, 2021, the amount of the state minimum wage
6	shall be the amount which equals the state minimum wage which was in effect
7	on August 1, 2020 but which amount is adjusted for inflation or the federal
8	minimum wage, whichever is higher.
9	The legislature shall provide for definitions and for certain exemptions
10	from the minimum wage requirement to include but not be limited to bona fide
11	student employees and allowing an employer to take a tip credit toward its
12	minimum wage obligation for tipped employees equal to the difference between
13	the required cash wage and the required minimum wage.
14	Section 2. Be it further resolved that this proposed amendment shall be submitted
15	to the electors of the state of Louisiana at the statewide election to be held on October 12,
16	2019.
17	Section 3. Be it further resolved that on the official ballot to be used at said election
18	there shall be printed a proposition, upon which the electors of the state shall be permitted
19	to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
20	follows:
21	Do you support an amendment to establish a state minimum wage which
22	would require every employer with fifty or more employees to pay each
23	employee eighteen years or older a minimum hourly wage of nine dollars
24	beginning August 1, 2020, adjusted annually for inflation, or the federal
25	minimum wage, whichever is higher?
26	(Adds Article XII, Sec. 17)

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

SB 60 Original

## DIGEST 2019 Regular Session

Carter

Proposed constitutional amendment establishes a state minimum wage.

<u>Proposed constitutional amendment</u> provides that, effective Aug. 1, 2020, every employer with 50 or more full-time employees shall pay to each employee 18 years of age and older the state minimum wage which is not less than \$9.00 per hour.

<u>Proposed constitutional amendment</u> provides that, for each year after Aug. 1, 2020, the state minimum wage shall be adjusted annually for inflation and the rate shall be the adjusted rate or the federal minimum wage, whichever is higher.

<u>Proposed constitutional amendment</u> 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 bona fide 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 Oct. 12, 2019.

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