

SECOND REGULAR SESSION

# HOUSE BILL NO. 1765

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SANDER.

4261H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 290.502, RSMo, and to enact in lieu thereof one new section relating to the state minimum wage rate.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 290.502, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 290.502, to read as follows:

290.502. 1. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, effective January 1, 2007, every employer shall pay to each employee wages at the rate of \$6.50 per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher.

2. The minimum wage shall be increased or decreased on January 1, 2008, and on January 1 of successive years, by the increase or decrease in the cost of living. On September 30, 2007, and on each September 30 of each successive year, the director shall measure the increase or decrease in the cost of living by the percentage increase or decrease as of the preceding July over the level as of July of the immediately preceding year of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) or successor index as published by the U.S. Department of Labor or its successor agency, with the amount of the minimum wage increase or decrease rounded to the nearest five cents.

3. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, and notwithstanding subsection 1 of this section, effective January 1, 2019, every employer shall pay to each employee wages at the rate of not less than \$8.60 per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 applicable to those covered jobs in interstate commerce, whichever rate per hour is higher.  
19 Thereafter, the minimum wage established by this subsection shall be increased each year by  
20 \$.85 per hour, effective January 1 of each of the next four years, until it reaches \$12.00 per  
21 hour, effective January 1, 2023. Thereafter, the minimum wage established by this subsection  
22 shall be increased or decreased on January 1, 2024, and on January 1 of successive years, per  
23 the method set forth in subsection 2 of this section. If at any time the federal minimum wage  
24 rate is above or is thereafter increased above the minimum wage then in effect under this  
25 subsection, the minimum wage required by this subsection shall continue to be increased  
26 pursuant to this subsection , but the higher federal rate shall immediately become the  
27 minimum wage required by this subsection and shall be increased or decreased per the  
28 method set forth in subsection 2 for so long as it remains higher than the state minimum wage  
29 required and increased pursuant to this subsection.

30 4. For purposes of this section, the term "public employer" means an employer that is  
31 the state or a political subdivision of the state, including a department, agency, officer, bureau,  
32 division, board, commission, or instrumentality of the state, or a city, county, town, village,  
33 school district, or other political subdivision of the state. Subsection 3 of this section shall not  
34 apply to a public employer with respect to its employees. Any public employer that is subject  
35 to subsections 1 and 2 of this section shall continue to be subject to those subsections.

36 **5. Effective January 1, 2023, an employer may pay a probationary employee**  
37 **wages at a rate that is up to one dollar per hour lower than the rate otherwise required**  
38 **under this section; except that, wages paid to a probationary employee in a position that**  
39 **is a covered job in interstate commerce shall remain subject to the applicable prevailing**  
40 **federal minimum wage requirements otherwise provided for under this section. For**  
41 **purposes of this subsection, the term "probationary employee" shall include every**  
42 **employee who has been employed by his or her employer for twenty-eight or fewer**  
43 **calendar days.**

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