

FIRST REGULAR SESSION

# SENATE BILL NO. 10

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Pre-filed December 1, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0409S.011

## AN ACT

To repeal sections 290.512 and 290.517, RSMo, and to enact in lieu thereof two new sections relating to the minimum wage rates required to be paid to employees.

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

Section A. Sections 290.512 and 290.517, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 290.512 and 290.517, to read as follows:

290.512. 1. No employer of any employee who receives and retains compensation in the form of gratuities in addition to wages [is] **shall be** required to pay wages in excess of fifty percent of the [minimum] wage rate specified in [sections 290.500 to 290.530] **subsection 3 of section 290.502**, however, total compensation for such employee shall total at least the [minimum] wage **rate** specified in [sections 290.500 to 290.530] **subsection 3 of section 290.502**, the difference being made up by the employer.

2. If an employee receives and retains compensation in the form of goods or services as an incident of his employment and if he is not required to exercise any discretion in order to receive the goods or services, the employer is required to pay only the difference between the fair market value of the goods and services and the [minimum] wage **rate** otherwise required to be paid by [sections 290.500 to 290.530] **subsection 3 of section 290.502**. The fair market value of the goods and services shall be computed on a weekly basis. The director shall provide by regulation a method of valuing the goods and services received by any employee in lieu of the wages otherwise required to be paid under the provisions of [sections 290.500 to 290.530] **subsection 3 of section 290.502**. [He] **The director** shall also provide by regulation a method of determining those types of

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19 goods and services that are an incident of employment the receipt of which does  
20 not require any discretion on the part of the employee.

290.517. After a public hearing of which individual employees affected  
2 must be given reasonable notice, the director shall provide by regulation for the  
3 employment in any occupation, at wages lower than the wage rate applicable  
4 under [sections 290.500 to 290.530] **subsection 3 of section 290.502**, of such  
5 learners and apprentices as he finds appropriate to prevent curtailment of  
6 opportunities for employment. Such wage rate for learners and apprentices shall  
7 be not less than 90 cents less than the [minimum] wage **rate** established by  
8 [sections 290.500 to 290.530] **subsection 3 of section 290.502**. At no time may  
9 this provision be used for the purpose of evading the spirit and meaning of  
10 sections 290.500 to 290.530.

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Bill

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