By: Veasey

H.B. No. 2326

A BILL TO BE ENTITLED

1   AN ACT

2 relating to the minimum wage.

3   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4   SECTION 1.   Section 62.051, Labor Code, is amended to read as

5 follows:

6   Sec. 62.051. MINIMUM WAGE.   (a)   Except as otherwise

7 provided by this section [Section 62.057], an employer shall pay to

8 each employee not less than $7.00 an hour on or after October 1,

9 2009.

10   (b)   Notwithstanding Subsection (a), and except as provided

11 by Subsection (c), an employer shall pay to each employee not less

12 than the greater of:

13   (1)   the minimum wage established under Subsection (a);

14 or

15   (2)   the amount set as the federal minimum wage under

16 Section 6, Fair Labor Standards Act of 1938 (29 U.S.C. Section 206)

17 plus 25 cents an hour.

18   (c)   Beginning on October 1, 2010, an employer shall pay to

19 an employee not less than the minimum wage established under

20 Subsection (d).

21   (d)   On June 1, 2010, and every five years thereafter, the

22 commission   shall   adjust   the   minimum   wage   established   under

23 Subsection (b) for inflation. The adjusted minimum wage rate shall

24 be computed to the nearest cent using the consumer price index for

1 urban wage earners and clerical workers (CPI-W), as computed by the

2 United States Department of Labor for the preceding 12 months, or an

3 analogous index adopted by the commission by rule. The commission

4 by rule shall:

5   (1) describe the process used in computing inflation

6 rates and the procedure for determining the level of inflation used

7 in the commission's computations; and

8   (2) based on the computations under Subdivision (1),

9 set the state minimum wage for the subsequent calendar year.

10   (e) This section does not apply to compensation paid to a

11 person under Section 62.057.

12   SECTION 2. Section 62.151, Labor Code, is repealed.

13   SECTION 3. This Act takes effect September 1, 2009.