

By: Ellis

S.B. No. 68

A BILL TO BE ENTITLED

AN ACT

relating to the minimum wage, including authorizing a county or municipality to establish a minimum wage.

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

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

Sec. 62.051. MINIMUM WAGE. (a) Except as provided by Section 62.057, an employer shall pay to each employee not less than the greater of:

(1) the federal minimum wage under Section 6, Fair Labor Standards Act of 1938 (29 U.S.C. Section 206); or

(2) if applicable, the greater of:

(A) the minimum wage established by the municipality in which the employee performs services for the employer; or

(B) the minimum wage established by the county in which the employee performs services for the employer.

(b) A municipality or county may adopt a minimum wage to be paid by an employer to each employee for services performed in the municipality or county.

SECTION 2. Section 62.0515, Labor Code, is amended to read as follows:

Sec. 62.0515. [~~APPLICATION OF MINIMUM WAGE TO CERTAIN GOVERNMENTAL ENTITIES,~~] CERTAIN AGREEMENTS WITH GOVERNMENTAL

1 ENTITIES. (a) ~~[Except as otherwise provided by this section, the~~
2 ~~minimum wage provided by this chapter supersedes a wage established~~
3 ~~in an ordinance, order, or charter provision governing wages in~~
4 ~~private employment, other than wages under a public contract.~~

5 ~~[(b) This section does not apply to any state or federal job~~
6 ~~training or workforce development program.~~

7 ~~[(c) This section does not apply to a minimum wage~~
8 ~~established by a governmental entity that applies to a contract or~~
9 ~~agreement, including a non-annexation agreement, entered into by a~~
10 ~~governmental entity and a private entity.]~~ A private entity that
11 enters into a contract or agreement, including a non-annexation
12 agreement, with a governmental entity, under the terms of which the
13 private entity agrees to comply with a minimum wage that is greater
14 than the minimum wage established by Section 62.051 ~~[the~~
15 ~~governmental entity]~~, is subject to the terms of that contract or
16 agreement, and those terms apply to and may be enforced against a
17 general contractor, subcontractor, developer, and other person
18 with which the private entity contracts in order to comply with the
19 provisions of the original contract or agreement.

20 (b) ~~[(d)]~~ For purposes of this section, "governmental
21 entity" includes a municipality, a county, a special district or
22 authority, a junior college district, or another political
23 subdivision of this state.

24 SECTION 3. Section 62.151, Labor Code, is repealed.

25 SECTION 4. This Act takes effect September 1, 2015.