

By: Thompson of Harris

H.B. No. 105

A BILL TO BE ENTITLED

AN ACT

relating to the 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 Sections 62.052 and ~~Section~~ 62.057, an employer shall pay to each employee not less than the greater of:

(1) \$10.10 an hour; or

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

(b) This subsection applies to wages paid by an employer for the 2018, 2019, 2020, and 2021 calendar years. Subsection (a) does not apply in a year to which this subsection applies. Except as provided by Sections 62.052 and 62.057:

(1) for the 2018 and 2019 calendar years, an employer shall pay to each employee not less than the greater of:

(A) \$8.25 an hour; or

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

(2) for the 2020 and 2021 calendar years, an employer shall pay to each employee not less than the greater of:

(A) \$9.25 an hour; or

(B) the federal minimum wage under Section 6,

1 Fair Labor Standards Act of 1938 (29 U.S.C. Section 206).

2 (c) Subsection (b) and this subsection expire January 1,
3 2022.

4 SECTION 2. Section 62.052, Labor Code, is amended by
5 amending Subsection (a) and adding Subsections (c) and (d) to read
6 as follows:

7 (a) In determining the wage of a tipped employee, the amount
8 paid the employee by the employer may not be less than ~~[is]~~ the
9 amount described as paid to a tipped employee under Section 3(m),
10 Fair Labor Standards Act of 1938 (29 U.S.C. Section 203(m)), plus
11 \$2.85 an hour.

12 (c) This subsection applies to wages paid by an employer for
13 the 2018, 2019, 2020, and 2021 calendar years. Subsection (a) does
14 not apply in a year to which this subsection applies. In determining
15 the wage of a tipped employee, the amount paid the employee by the
16 employer may not be less than the amount described as paid to a
17 tipped employee under Section 3(m), Fair Labor Standards Act of
18 1938 (29 U.S.C. Section 203(m)), plus:

19 (1) for the 2018 and 2019 calendar years, \$1 an hour;
20 and

21 (2) for the 2020 and 2021 calendar years, \$2 an hour.

22 (d) Subsection (c) and this subsection expire January 1,
23 2022.

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 Section 62.151, Labor Code, is repealed.

25 SECTION 4. This Act takes effect January 1, 2018.