

By: Goodwin

H.J.R. No. 80

A JOINT RESOLUTION

1 proposing a constitutional amendment establishing an increased
2 minimum wage.

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

4 SECTION 1. Article XVI, Texas Constitution, is amended by
5 adding Section 29 to read as follows:

6 Sec. 29. (a) An employer in this state shall pay to an
7 employee for services performed by the employee not less than the
8 greater of:

9 (1) \$15 an hour; or

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

12 (b) Subsection (a) of this section does not apply to:

13 (1) wages paid to an individual to whom Section
14 62.057, Labor Code, applies, as that section existed on January 1,
15 2020; or

16 (2) an employer to which an exemption under Subchapter
17 D, Chapter 62, Labor Code, applies, as that subchapter existed on
18 January 1, 2020.

19 (c) The legislature by general law may repeal or otherwise
20 limit but may not expand the applicability of Section 62.057, Labor
21 Code, or an exemption under Subchapter D, Chapter 62, Labor Code,
22 that is in effect on January 1, 2020.

23 (d) This subsection applies to wages paid by an employer for
24 the 2020 and 2021 calendar years. Subsection (a) of this section

1 does not apply in a year to which this subsection applies. Except
2 as provided by Section 62.057, Labor Code:

3 (1) for the 2020 calendar year, an employer shall pay
4 to each employee not less than the greater of:

5 (A) \$10 an hour; or

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

8 (2) for the 2021 calendar year, an employer shall pay
9 to each employee not less than the greater of:

10 (A) \$12.50 an hour; or

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

13 (e) This section takes effect January 1, 2020.

14 (f) Subsections (d) and (e) of this section and this
15 subsection expire January 1, 2022.

16 SECTION 2. This proposed constitutional amendment shall be
17 submitted to the voters at an election to be held November 5, 2019.
18 The ballot shall be printed to permit voting for or against the
19 proposition: "The constitutional amendment establishing a minimum
20 wage of the greater of \$15 an hour or the federal minimum wage."