

By: Meza

H.B. No. 255

A BILL TO BE ENTITLED

AN ACT

relating to adjusting the minimum wage annually based on the consumer price index.

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. ADJUSTED MINIMUM WAGE. (a) In this section:

(1) "Adjusted minimum wage" means the federal minimum wage under Section 6, Fair Labor Standards Act of 1938 (29 U.S.C. Section 206), as adjusted under Subsection (c).

(2) "Consumer price index" means the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), published by the Bureau of Labor Statistics of the United States Department of Labor.

(b) Except as provided by Subsection (d) [~~Section 62.057~~], an employer shall pay to each employee the adjusted [~~federal~~] minimum wage [~~under Section 6, Fair Labor Standards Act of 1938 (29 U.S.C. Section 206)~~].

(c) On December 1 of each year, the comptroller shall determine the adjusted minimum wage to be paid under Subsection (b) for the next calendar year by increasing the adjusted minimum wage for that calendar year by the percentage increase, if any, in the consumer price index for the 12 months preceding that date. The comptroller shall compute the adjusted minimum wage to the nearest

1 cent.

2 (d) This section does not apply to compensation paid to a
3 person under Section 62.057.

4 (e) A reference in this code or another law to the minimum
5 wage established by state law means the adjusted minimum wage.

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 Section 62.151, Labor Code, is repealed.

7 SECTION 3. (a) On November 1, 2021, the comptroller of
8 public accounts shall set the adjusted minimum wage for purposes of
9 Section 62.051, Labor Code, as amended by this Act, at an amount
10 equal to the amount of the federal minimum wage under Section 6,
11 Fair Labor Standards Act of 1938 (29 U.S.C. Section 206), in effect
12 on that date.

13 (b) On December 1, 2021, the comptroller of public accounts
14 shall determine the first increase in the adjusted minimum wage, if
15 any, as required by Section 62.051(c), Labor Code, as added by this
16 Act.

17 SECTION 4. (a) Except as provided by Subsections (b) and
18 (c) of this section, this Act takes effect September 1, 2021.

19 (b) Section 62.051(b), Labor Code, as added by this Act,
20 takes effect January 1, 2022.

21 (c) Section 2 of this Act takes effect January 1, 2022.