

By: Goodwin

H.B. No. 615

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) In this section, "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 (f) [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) the adjusted minimum wage as determined under Subsection (c).

(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 minimum wage paid under that subsection 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 cent.

(d) This subsection applies to wages paid by an employer for the 2022 and 2023 calendar years. Subsection (b) does not apply in

1 a year to which this subsection applies. An employer shall pay to
2 each employee:

3 (1) for the 2022 calendar year, not less than the
4 greater of:

5 (A) \$11.25 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 2023 calendar year, not less than the
9 greater of:

10 (A) \$15 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) Subsection (d) and this subsection expire January 1,
14 2024.

15 (f) This section does not apply to compensation paid to a
16 person under Section 62.057.

17 SECTION 2. Section 62.052(a), Labor Code, is amended to
18 read as follows:

19 (a) In determining the wage of a tipped employee, the amount
20 paid the employee by the employer may not be less than 50 percent of
21 [is] the amount required by [described as paid to a tipped employee
22 under] Section 62.051 [3(m), Fair Labor Standards Act of 1938 (29
23 U.S.C. Section 203(m))].

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 Section 62.151, Labor Code, is repealed.

25 SECTION 4. (a) On November 1, 2023, the comptroller of
26 public accounts shall set the adjusted minimum wage for purposes of
27 Section 62.051, Labor Code, as amended by this Act, at an amount

1 equal to the greater of:

2 (1) \$15 an hour; or

3 (2) the amount of the federal minimum wage under
4 Section 6, Fair Labor Standards Act of 1938 (29 U.S.C. Section 206),
5 in effect on that date.

6 (b) On December 1, 2023, the comptroller of public accounts
7 shall determine the first increase in the adjusted minimum wage, if
8 any, as required by Section 62.051(c), Labor Code, as added by this
9 Act.

10 SECTION 5. (a) Except as provided by Subsection (b) of this
11 section, this Act takes effect January 1, 2022.

12 (b) Section 62.051(b), Labor Code, as added by this Act,
13 takes effect January 1, 2024.