

2016 Regular Session

HOUSE BILL NO. 425

BY REPRESENTATIVES BOUIE AND HUNTER

EMPLOYMENT/WAGES-MINIMUM: Allows any municipality with a population of over 320,000 to enact local minimum wage or employee benefit law

1 AN ACT

2 To amend and reenact R.S. 23:642(B), relative to the prohibition of local minimum wage
3 and employee benefits policy; to provide an exception for any municipality with a
4 population over three hundred twenty thousand; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:642(B) is hereby amended and reenacted to read as follows:

7 §642. Setting minimum wage or employee benefits; prohibited; exceptions

8 * * *

9 B. (1) Therefore, ~~pursuant to the police powers ultimately reserved to the~~
10 ~~state by Article VI, Section 9 of the Constitution of Louisiana,~~ no local governmental
11 subdivision shall establish a mandatory, minimum number of vacation or sick leave
12 days, whether paid or unpaid, or a minimum wage rate which a private employer
13 would be required to pay or grant employees.

14 (2) The provisions of this Section shall not apply to any municipality having
15 a population over three hundred twenty thousand, according to the most recent
16 federal decennial census.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 425 Original

2016 Regular Session

Bowie

Abstract: Provides an exception to the prohibition of local municipalities enacting laws relative to minimum wage or employee benefits for any municipality having a population over 320,000.

Present law provides that economic stability and growth are among the most important factors affecting the general welfare of the state's people and that local variation in legally required minimum wage rates and local mandates on vacation or sick leave days would be detrimental to the economic stability of the state.

Present law further provides that decisions regarding minimum wage and employee benefits policy must be made by the state if consistency in the wage market is to be preserved.

Present law provides that pursuant to the police powers which are reserved to the state by the constitution, no parish or municipality can establish its own minimum wage rate. Proposed law removes the provision regarding police powers and otherwise retains present law.

Proposed law provides that the provisions of present law regarding local minimum wage and employee benefit policies shall not apply to any municipality having a population over 320,000.

(Amends R.S. 23:642(B))