SLS 16RS-423

ORIGINAL

2016 Regular Session

SENATE BILL NO. 269

BY SENATOR PETERSON

EMPLOYMENT. Provides for an increase in the state minimum wage. (2/3-CA7s2.1)(8/1/16)

1	AN ACT
2	To enact Chapter 6-B of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised
3	of R.S. 23:671 through 674, relative to minimum wage; to establish a state minimum
4	wage; to provide for an annual increase of the minimum wage; to provide for
5	enforcement; to provide for exceptions; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. Chapter 6-B of Title 23 of the Louisiana Revised Statutes of 1950,
8	comprised of R.S. 23:671 through 674, is hereby enacted to read as follows:
9	CHAPTER 6-B. MINIMUM WAGE
10	<u>§671. Minimum wage; establishment</u>
11	A. Notwithstanding any other provision of law to the contrary, the state
12	minimum wage is established and set as follows:
13	(1) Beginning January 1, 2017, the minimum wage shall be set at eight
14	dollars per hour. Every employer in the state shall pay to each employee wages
15	at a rate of not less than eight dollars per hour for hours worked in a pay period
16	regardless of how the time at work is measured.
17	(2) Beginning January 1, 2018, the minimum wage shall be set at eight

Page 1 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	dollars and fifty cents per hour. Every employer in the state shall pay to each
2	employee wages at a rate of not less than eight dollars and fifty cents per hour
3	for hours worked in a pay period regardless of how the time at work is
4	measured.
5	B. If, at any time, the federal minimum hourly wage rate set by Section
6	6 of the federal Fair Labor Standards Act of 1938, or a successor federal law,
7	is raised to a level higher than the state minimum wage rate, then the state
8	minimum wage rate shall be increased to the level of the federal minimum wage
9	<u>rate.</u>
10	<u>§672. Enforcement</u>
11	The Louisiana Workforce Commission shall be responsible for the
12	enforcement of the Chapter and is authorized and directed to promulgate rules
13	and regulations pursuant to the provisions of the Administrative Procedures
14	Act necessary for the implementation of the provisions of this Chapter.
15	<u>§673. Penalties</u>
16	A. Whoever violates the provisions of this Chapter shall be fined not less
17	<u>than five hundred dollars and not more than one thousand dollars per employee</u>
18	not receiving minimum wage. The employer shall pay the employee the
19	difference between the wages actually paid to the employee and the minimum
20	wage rate in effect at the time the employee was paid.
21	B. Penalties may be imposed by a ruling of the executive director
22	pursuant to an adjudicatory hearing held in accordance with the Administrative
23	Procedure Act, R.S. 49:950 et seq.
24	§674. Exceptions
25	The provisions of this Chapter shall not apply to student employees of
26	the state or student employees of state colleges and universities.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

SB 269 Original

DIGEST 2016 Regular Session

Peterson

<u>Proposed law</u> establishes a state minimum wage and sets it at \$8.00 per hour beginning January 1, 2017.

<u>Proposed law</u> provides that the state minimum wage shall be \$8.50 per hour beginning on January 1, 2018.

<u>Proposed law</u> requires that if the federal minimum wage is raised, the state minimum wage shall also be raised to that level.

<u>Proposed law</u> provides a civil fine of not less than \$500 and not more than \$1,000 per employee for failure to pay minimum wage.

<u>Proposed law</u> further requires that an employer who fails to pay his employee minimum wage shall pay the employee the difference between what the employee was paid and minimum wage.

<u>Proposed law</u> provides that Louisiana Workforce Commission shall be in charge of enforcement of the minimum wage laws and authorizes the agency to promulgate rules and regulations necessary in its implementation.

<u>Proposed law</u> provides the procedure for the executive director of LWC to impose penalties by means of an adjudicatory hearing.

<u>Proposed law</u> excludes student workers employed by the state and by state colleges and universities from the minimum wage requirement.

Effective August 1, 2016.

(Adds R.S. 23:671-674)