

SECOND REGULAR SESSION

# HOUSE BILL NO. 2377

100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE FITZWATER.

5305H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 290.502, RSMo, and to enact in lieu thereof one new section relating to the state minimum wage rate.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 290.502, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 290.502, to read as follows:

290.502. 1. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, effective January 1, 2007, every employer shall pay to each employee wages at the rate of \$6.50 per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher.

2. The minimum wage shall be increased or decreased on January 1, 2008, and on January 1 of successive years, by the increase or decrease in the cost of living. On September 30, 2007, and on each September 30 of each successive year, the director shall measure the increase or decrease in the cost of living by the percentage increase or decrease as of the preceding July over the level as of July of the immediately preceding year of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) or successor index as published by the U.S. Department of Labor or its successor agency, with the amount of the minimum wage increase or decrease rounded to the nearest five cents.

3. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, and notwithstanding subsection 1 of this section, effective January 1, 2019, every employer shall pay to each employee wages at the rate of not less than \$8.60 per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 to those covered jobs in interstate commerce, whichever rate per hour is higher. Thereafter, the  
19 minimum wage established by this subsection shall be increased each year by \$.85 per hour,  
20 effective January 1 of each of the next four years, until it reaches \$12.00 per hour, effective  
21 January 1, 2023. Thereafter, the minimum wage established by this subsection shall be increased  
22 or decreased on January 1, 2024, and on January 1 of successive years, per the method set forth  
23 in subsection 2 of this section. If at any time the federal minimum wage rate is above or is  
24 thereafter increased above the minimum wage then in effect under this subsection, the minimum  
25 wage required by this subsection shall continue to be increased pursuant to this subsection, but  
26 the higher federal rate shall immediately become the minimum wage required by this subsection  
27 and shall be increased or decreased per the method set forth in subsection 2 for so long as it  
28 remains higher than the state minimum wage required and increased pursuant to this subsection.

29       4. **(1)** For purposes of this section, the term "public employer" means an employer that  
30 is the state or a political subdivision of the state, including a department, agency, officer, bureau,  
31 division, board, commission, or instrumentality of the state, or a city, county, town, village,  
32 school district, or other political subdivision of the state. Subsection 3 of this section shall not  
33 apply to a public employer with respect to its employees. Any public employer that is subject  
34 to subsections 1 and 2 of this section shall continue to be subject to those subsections.

35       **(2) For purposes of this section, the term "private school" means any nonpublic**  
36 **school or school operated by a religious organization as defined in section 407.453 that is**  
37 **not a public school as defined under section 160.011. Subsection 3 of this section shall not**  
38 **apply to employers that are private schools with respect to their employees. Any employer**  
39 **that is a private school that is subject to subsections 1 and 2 of this section shall continue**  
40 **to be subject to those subsections.**

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