

HOUSE BILL NO. HB0218

Minimum wage-federal minimum amount.

Sponsored by: Representative(s) Petroff and Madden and
Senator(s) Hastert

A BILL

for

1 AN ACT relating to labor and employment; setting the
2 minimum wage to the federal minimum wage as specified;
3 providing a definition; and providing for an effective
4 date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 27-4-201(a) by creating a new
9 paragraph (vii) and 27-4-202(a), (b) and by creating a new
10 subsection (d) are amended to read:

11

12 **27-4-201. Definitions.**

13

14 (a) As used in this act:

15

1 (vii) "Tipped employee" includes any employee
2 who customarily and regularly receives more than thirty
3 dollars (\$30.00) in tips each month.

4
5 **27-4-202. Minimum wage rates.**

6
7 (a) Every employer shall pay to each of his ~~or her~~
8 employees wages at a rate of not less than ~~five dollars and~~
9 ~~fifteen cents (\$5.15) per hour~~ the federal minimum wage as
10 provided in the Fair Labor Standards Act.

11
12 (b) ~~Effective April 1, 2001 and thereafter, all~~
13 Employers who employ tipped employees shall not pay less
14 than ~~two dollars and thirteen cents (\$2.13) per hour to his~~
15 the federal minimum wage for tipped employees. Provided
16 further, if the wage paid by the employer combined with the
17 tips received by the employee during a given pay period
18 does not equal at least the applicable minimum wage as
19 prescribed in subsection (a) of this section, the employer
20 shall pay the difference to the tipped employee. For the
21 purposes of this act, all ~~"tip"~~ tipped employees shall
22 furnish monthly to their respective employers the daily
23 record of tips required to be kept by ~~"tip"~~ tipped

1 employees under the laws of the United States and upon the
2 forms prescribed by the internal revenue service of the
3 United States treasury department. The daily record of tips
4 shall constitute prima facie proof of the amount of tips
5 received by the employee. Proof of a customary tipping
6 percentage of sales or service shall also be an admissible
7 form of proof of the amount of tips. ~~A "tip" employee is~~
8 ~~one who customarily and regularly receives more than thirty~~
9 ~~dollars (\$30.00) a month in tips.~~

10
11 (d) Federal exceptions to the federal minimum wage
12 included in the Fair Labor Standards Act and any rates
13 specified by those exceptions shall apply to the rates
14 specified under subsections (a) and (b) of this section.

15
16 **Section 2.** W.S. 27-4-202(c) is repealed.

17
18 **Section 3.** This act is effective July 1, 2015.

19
20 (END)