

Amendment to SB 137

1 Amend the bill by replacing section 1 with the following:

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3 1 Minimum Hourly Rate; Tipped Employees. Amend the introductory paragraph of RSA 279:21
4 to read as follows:

5 Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee
6 at an hourly rate lower than that set forth in the federal minimum wage law, as amended. Tipped
7 employees of a restaurant, ***cigar bar as defined in RSA 178:20-a, II***, hotel, motel, inn or cabin, or
8 ballroom who customarily and regularly receive more than \$30 a month in tips directly from the
9 customers will receive a base rate from the employer of not less than ~~[45 percent of the applicable~~
10 ~~minimum wage]~~ ***the minimum direct wage as set forth in the federal minimum wage law, as***
11 ***amended, but in no case less than \$3.27 per hour.*** If ***such*** an employee shows to the satisfaction
12 of the commissioner that the actual amount of wages received at the end of each pay period did not
13 equal the minimum wage for all hours worked, the employer shall pay the employee the difference to
14 guarantee the ~~[applicable]~~ ***federal statutory*** minimum wage. The limitations imposed hereby shall
15 be subject to the following exceptions: