

SB 261-FN - AS INTRODUCED

2015 SESSION

15-1019
06/09

SENATE BILL **261-FN**

AN ACT establishing a state minimum wage.

SPONSORS: Sen. Soucy, Dist 18; Sen. Lasky, Dist 13; Sen. D'Allesandro, Dist 20;
Sen. Fuller Clark, Dist 21; Sen. Pierce, Dist 5; Sen. Feltes, Dist 15; Sen. Watters,
Dist 4

COMMITTEE: Finance

ANALYSIS

This bill establishes a state minimum hourly wage.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT establishing a state minimum wage.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Minimum Hourly Rate; 2016. Amend the introductory paragraph of RSA 279:21 to read as
2 follows:

3 279:21 Minimum Hourly Rate. Unless otherwise provided by statute, no person~~[, firm, or~~
4 ~~corporation]~~ shall employ any employee at an hourly rate lower than **\$8.25 or** that set forth in the
5 federal minimum wage law, as amended. Tipped employees of a restaurant, hotel, motel, inn or
6 cabin, who customarily and regularly receive more than \$30 a month in tips directly from the
7 customers will receive a base rate from the employer of not less than 45 percent of the applicable
8 minimum wage. If an employee shows to the satisfaction of the commissioner that the actual
9 amount of wages received at the end of each pay period did not equal the minimum wage for all
10 hours worked, the employer shall pay the employee the difference to guarantee the applicable
11 minimum wage. The limitations imposed hereby shall be subject to the following exceptions:

12 2 Minimum Hourly Rate; Version 2017. RSA 279:21 is repealed and reenacted to read as follows:

13 279:21 Minimum Hourly Rate. Unless otherwise provided by statute, no person shall employ
14 any employee at an hourly rate lower than \$9.00 or that set forth in the federal minimum wage law,
15 as amended. Tipped employees of a restaurant, hotel, motel, inn or cabin, who customarily and
16 regularly receive more than \$30 a month in tips directly from the customers will receive a base rate
17 from the employer of not less than 45 percent of the applicable minimum wage. If an employee
18 shows to the satisfaction of the commissioner that the actual amount of wages received at the end of
19 each pay period did not equal the minimum wage for all hours worked, the employer shall pay the
20 employee the difference to guarantee the applicable minimum wage. The limitations imposed hereby
21 shall be subject to the following exceptions:

22 3 Minimum Hourly Rate; Version 2018. RSA 279:21 is repealed and reenacted to read as follows:

23 279:21 Minimum Hourly Rate. Unless otherwise provided by statute, no person shall employ
24 any employee at an hourly rate lower than \$10.00 or that set forth in the federal minimum wage law,
25 as amended. Tipped employees of a restaurant, hotel, motel, inn or cabin, who customarily and
26 regularly receive more than \$30 a month in tips directly from the customers will receive a base rate
27 from the employer of not less than 45 percent of the applicable minimum wage. If an employee
28 shows to the satisfaction of the commissioner that the actual amount of wages received at the end of
29 each pay period did not equal the minimum wage for all hours worked, the employer shall pay the
30 employee the difference to guarantee the applicable minimum wage. The limitations imposed hereby
31 shall be subject to the following exceptions:

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1 4 Effective Date.

2 I. Section 2 of this act shall take effect January 1, 2017.

3 II. Section 3 of this act shall take effect January 1, 2018.

4 III. The remainder of this act shall take effect January 1, 2016.

SB 261-FN FISCAL NOTE

AN ACT establishing a state minimum wage.

FISCAL IMPACT:

The New Hampshire Association of Counties states this bill, **as introduced**, may increase county expenditures by an indeterminable amount in FY 2016 and each year thereafter. The New Hampshire Municipal Association states this bill may increase local expenditures by an indeterminable amount in FY 2016 and each year thereafter. There is no impact on state expenditures or state, county and local revenue.

METHODOLOGY:

The New Hampshire Association of Counties states this bill increases the minimum wage to \$8.25 an hour on January 1, 2016, to \$9.00 an hour on January 1, 2017, and to \$10.00 an hour on January 1, 2018. The Association states to the extent a county employer is paying an hourly wage less than required by this bill, they may have an increase costs. This bill will have no fiscal impact on county revenue.

The New Hampshire Municipal Association states this bill would cause an increase in wages for any employee who would otherwise be earning less than the new minimums. The Association states local expenditures may increase by an indeterminable amount to the extent the municipalities are not paying employees at the minimum wage. The Association anticipates any impact on expenditures will be minimal.

The Department of Administrative Services states this bill will have no impact on the state as the current minimum wage exceeds the amounts contained in the bill.

The Department of Labor states this bill will have no fiscal impact on the Department as it already has the systems in place to meet the requirements of this bill.