

CHAPTER 1
SB 264 – FINAL VERSION

03/19/2015 0833s
1Apr2015... 1116h

2015 SESSION

15-0997
06/09

SENATE BILL **264**

AN ACT relative to tipped employees.

SPONSORS: Sen. Stiles, Dist 24; Sen. Fuller Clark, Dist 21; Sen. Prescott, Dist 23; Rep. F. Rice, Rock 21; Rep. Emerick, Rock 21; Rep. Moody, Rock 17

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill includes employees of certain ballrooms as tipped employees for purposes of the minimum hourly rate.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 relative to tipped employees.

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

1 1:1 Minimum Hourly Rate; Tipped Employees. Amend the introductory paragraph of RSA
2 279:21 to read as 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 that set forth in the federal
5 minimum wage law, as amended.

6 Tipped employees of a restaurant, hotel, motel, inn or cabin, **or ballroom** who customarily and
7 regularly receive more than \$30 a month in tips directly from the customers will receive a base rate
8 from the employer of not less than 45 percent of the applicable minimum wage. If an employee
9 shows to the satisfaction of the commissioner that the actual amount of wages received at the end of
10 each pay period did not equal the minimum wage for all hours worked, the employer shall pay the
11 employee the difference to guarantee the applicable minimum wage. The limitations imposed hereby
12 shall be subject to the following exceptions:

13 1:2 New Paragraph; Minimum Wage Law; Definitions; Ballroom. Amend RSA 279:1 by
14 inserting after paragraph XV the following new paragraph:

15 XVI. "Ballroom" means an indoor facility which has seating accommodations for at least 500
16 patrons, provides live entertainment, and is licensed by the New Hampshire liquor commission.

17 1:3 Effective Date. This act shall take effect upon its passage.

18

19 Approved: April 10, 2015

20 Effective Date: April 10, 2015