

HB 58-FN - AS AMENDED BY THE HOUSE

16Mar2023... 0070h

2023 SESSION

23-0009

05/04

HOUSE BILL

***58-FN***

AN ACT prohibiting payment of subminimum wages.

SPONSORS: Rep. Schultz, Merr. 29; Rep. McWilliams, Merr. 30; Rep. Vail, Hills. 6; Rep. Schuett, Merr. 12; Rep. Goley, Hills. 21; Rep. Staub, Hills. 25; Rep. Newell, Ches. 4; Rep. Seibert, Hills. 21; Rep. Caplan, Merr. 8; Sen. Whitley, Dist 15; Sen. Prentiss, Dist 5

COMMITTEE: Labor, Industrial and Rehabilitative Services

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AMENDED ANALYSIS

This bill removes the authority for payment of a lower base wage for tipped employees.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT prohibiting payment of subminimum wages.

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

1        1 Minimum Wage Law; Hourly Rate. The introductory paragraph of RSA 279:21 is repealed and  
2 reenacted 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 paid by the employer at an hourly rate lower than that set  
5 forth in the federal minimum wage law, as amended, subject to the following exceptions:

6        2 Effective Date. This act shall take effect 60 days after its passage.

**HB 58-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT prohibiting payment of subminimum wages.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☐ Local                    ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<b>Expenditures</b>	\$0	\$0	\$0	\$0
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

**METHODOLOGY:**

This bill prohibits the payment of subminimum wages to an employee. The Department of Labor indicates that it is possible the bill could lead to an indeterminable increase in revenue resulting from fines assessed against employers' failing to comply with the adjusted remuneration requirements. Additionally, any potential increase in fines would likely dissipate after successive cycles of education and enforcement.

The Department states it is unlikely that the bill would have a material impact on expenditures at the state, county, or local level. In terms of state costs, the Department does not expect there would be a material impact on the Department's operational costs of administering protective legislation.

It is assumed that any fiscal impact would occur after FY 2023.

**AGENCIES CONTACTED:**

Department of Labor