

HB 58-FN - AS INTRODUCED

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

ANALYSIS

This bill prohibits the payment of subminimum wages to an employee.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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. RSA 279:21 is repealed and reenacted to read as follows:
2 279:21 Minimum Hourly Rate. Unless otherwise provided by statute, no person, firm, or
3 corporation shall employ any employee paid by the employer at an hourly rate lower than that set
4 forth in the federal minimum wage law, as amended.
- 5 2 Minimum Wage Law; Payment of Subminimum Wages. Amend RSA 279:22 to read as follows:
6 279:22 Payment of Subminimum Wages. Except as provided in RSA 279:22-aa and RSA 279:26-
7 a, no person shall employ [~~any individual with a disability~~] **another person** as an employee at an
8 hourly rate lower than that set forth in RSA 279:21.
- 9 3 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
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<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