

2018 Regular Session

HOUSE BILL NO. 192

BY REPRESENTATIVE BOUIE

EMPLOYMENT/WAGES: Establishes a state minimum wage rate

1 AN ACT

2 To enact Chapter 6-B of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 23:671 through 674, relative to minimum wage; to establish a state minimum
4 wage; to provide for enforcement; to provide for exceptions; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Chapter 6-B of Title 23 of the Louisiana Revised Statutes of 1950,
8 comprised of R.S. 23:671 through 674, is hereby enacted to read as follows:

9 CHAPTER 6-B. MINIMUM WAGE

10 §671. Minimum wage; establishment

11 A. Notwithstanding any other provision of law to the contrary, the state
12 minimum wage is established and beginning January 1, 2019, shall be set at fifteen
13 dollars per hour. Every employer in the state shall pay to each employee wages at
14 a rate of not less than fifteen dollars per hour for hours worked in a pay period
15 regardless of how the time at work is measured.

16 B. If at any time the federal minimum hourly wage rate set by Section 6 of
17 the federal Fair Labor Standards Act of 1938, or a successor federal law, is raised to
18 a level higher than the state minimum wage rate, then the state minimum wage rate
19 shall be increased to the level of the federal minimum wage rate.

1 §672. Enforcement

2 The Louisiana Workforce Commission shall enforce this Chapter and is
3 authorized and directed to promulgate rules and regulations in accordance with the
4 Administrative Procedure Act, R.S. 49:950 et seq., necessary for the implementation
5 of the provisions of this Chapter.

6 §673. Penalties

7 A. Whoever violates the provisions of this Chapter shall be fined not less
8 than five hundred dollars and not more than one thousand dollars per employee not
9 receiving minimum wage. Additionally, the employer shall pay the employee the
10 difference between the wages actually paid to the employee and the minimum wage
11 rate in effect at the time the employee was paid.

12 B. Penalties may be imposed by a ruling of the executive director pursuant
13 to an adjudicatory hearing held in accordance with the Administrative Procedure Act,
14 R.S. 49:950 et seq.

15 §674. Exceptions

16 The provisions of this Chapter shall not apply to student employees of the
17 state or student employees of state colleges and universities.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 192 Original

2018 Regular Session

Bouie

Abstract: Establishes a state minimum wage rate.

Proposed law establishes a state minimum wage and sets it at \$15 per hour beginning Jan. 1, 2019.

Proposed law requires that if the federal minimum wage is raised, the state minimum wage shall also be raised.

Proposed law provides a fine of not less than \$500 and not more than \$1,000 per employee for failure to pay minimum wage.

Proposed law further requires that an employer who fails to pay his employee minimum wage shall pay the employee the difference between what the employee was paid and minimum wage rate.

Proposed law provides that the La. Workforce Commission shall be in charge of enforcement of the minimum wage laws and authorizes the agency to promulgate rules and regulations necessary in its implementation.

Proposed law provides the procedure for the executive director of the La. Workforce Commission to impose penalties.

Proposed law excludes student workers employed with the state and with state colleges and universities from the minimum wage requirement.

Proposed law directs the La. Workforce Commission to promulgate rules for the enforcement of proposed law.

(Adds R.S. 23:671-674)