

House File 91 - Introduced

HOUSE FILE 91

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A BILL FOR

1 An Act relating to the state minimum hourly wage.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 91D.1, subsection 1, Code 2019, is
2 amended to read as follows:

3 1. *a.* (1) The state hourly wage shall be at least ~~\$6.20~~
4 ~~as of April 1, 2007, and \$7.25 as of January 1, 2008~~ \$8.20 as
5 of July 1, 2019, \$9.15 as of July 1, 2020, \$10.10 as of January
6 1, 2021, \$11.05 as of July 1, 2021, and \$12.00 as of January 1,
7 2022.

8 (2) The state hourly wage, including the state hourly wage
9 for the first ninety calendar days of employment provided in
10 paragraph "d", shall be increased annually on July 1, beginning
11 July 1, 2022, by the same percentage as the cost-of-living
12 increase in federal social security benefits authorized during
13 the previous state fiscal year by the federal social security
14 administration pursuant to section 215 of the federal Social
15 Security Act, 42 U.S.C. §415.

16 *b.* Every employer, as defined in the federal Fair Labor
17 Standards Act of 1938, as amended to January 1, 2007, shall pay
18 to each of the employer's employees, as defined in the federal
19 Fair Labor Standards Act of 1938, as amended to January 1,
20 2007, the state hourly wage stated in paragraph "a", or the
21 current federal minimum wage, pursuant to 29 U.S.C. §206, as
22 amended, whichever is greater.

23 *c.* For purposes of determining whether an employee of a
24 restaurant, hotel, motel, inn, or cabin, who customarily and
25 regularly receives more than ~~thirty~~ sixty dollars a month in
26 tips is receiving the minimum hourly wage rate prescribed by
27 this section, the amount paid the employee by the employer
28 shall be deemed to be increased on account of the tips by an
29 amount determined by the employer, not to exceed forty percent
30 of the applicable minimum wage. An employee may file a written
31 appeal with the labor commissioner if the amount of tips
32 received by the employee is less than the amount determined by
33 the employer under this subsection.

34 *d.* An employer is not required to pay an employee the
35 applicable state hourly wage provided in paragraph "a" until the

1 employee has completed ninety calendar days of employment with
2 the employer. An employee who has completed ninety calendar
3 days of employment with the employer ~~prior to April 1, 2007, or~~
4 ~~January 1, 2008,~~ shall earn the applicable state hourly minimum
5 wage as of ~~that~~ the date of completion. An employer shall
6 pay an employee who has not completed ninety calendar days of
7 employment with the employer an hourly wage of at least ~~\$5.30~~
8 ~~as of April 1, 2007, and \$6.35 as of January 1, 2008~~ \$7.20 as
9 of July 1, 2019, \$8.05 as of July 1, 2020, \$8.85 as of January
10 1, 2021, \$9.70 as of July 1, 2021, and \$10.55 as of January 1,
11 2022.

12 e. A county or city may establish a minimum wage that
13 exceeds the state hourly wage and the federal minimum wage.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill increases the state minimum hourly wage to \$8.20 as
18 of July 1, 2019, \$9.15 as of July 1, 2020, \$10.10 as of January
19 1, 2021, \$11.05 as of July 1, 2021, and \$12.00 as of January
20 1, 2022. The bill increases the state minimum hourly wage for
21 employees employed for less than 90 days to \$7.20 as of July 1,
22 2019, \$8.05 as of July 1, 2020, \$8.85 as of January 1, 2021,
23 \$9.70 as of July 1, 2021, and \$10.55 as of January 1, 2022.

24 The bill increases the state minimum hourly wage, including
25 the minimum hourly wage established for employees employed for
26 less than 90 days, annually on July 1, beginning July 1, 2022,
27 by the same percentage as the cost-of-living increase in social
28 security benefits effective as of the previous December, as
29 authorized by the federal social security administration.

30 The bill increases the dollar amount of monthly tips an
31 employee must receive in order to be subject to an alternative
32 minimum wage calculation for employees who receive tips from
33 \$30 to \$60.

34 The bill authorizes a county or city to establish a minimum
35 wage that exceeds the state hourly wage and the federal minimum

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1 wage.