

SECOND REGULAR SESSION

SENATE BILL NO. 782

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS LOUDON AND KENNEDY.

Pre-filed December 1, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

3126S.011

AN ACT

To repeal section 290.505, RSMo, and to enact in lieu thereof one new section relating to overtime compensation, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 290.505, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 290.505, to read as follows:

290.505. 1. No employer shall employ any of his employees for a
2 workweek longer than forty hours unless such employee receives compensation
3 for his employment in excess of the hours above specified at a rate not less than
4 one and one-half times the regular rate at which he is employed.

5 2. Employees of an amusement or recreation business that meets the
6 criteria set out in 29 U.S.C. 213(a) (3) must be paid one and one-half times their
7 regular compensation for any hours worked in excess of fifty-two hours in any
8 one-week period.

9 3. With the exception of employees described in subsection (2), the
10 overtime requirements of subsection (1) shall not apply to employees who are
11 exempt from federal minimum wage or overtime requirements [pursuant to 29
12 U.S.C. §§ 213(a)-(b)] **including, but not limited to, the exemptions or hour
13 calculation formulas specified in 29 U.S.C. Sections 207 and 213, and
14 any regulations promulgated thereunder.**

15 4. **Except as may be otherwise provided under sections 290.500
16 to 290.530, this section shall be interpreted in accordance with the Fair
17 Labor Standards Act, 29 U.S.C. Section 201, et seq., as amended, and the
18 Portal to Portal Act, 29 U.S.C. Section 251, et seq., as amended, and any
19 regulations promulgated thereunder.**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

Section B. Because of the need to preserve federal standards relating to
2 overtime payments to employees, section A of this act is deemed necessary for the
3 immediate preservation of the public health, welfare, peace and safety, and is
4 hereby declared to be an emergency act within the meaning of the constitution,
5 and section A of this act shall be in full force and effect upon its passage and
6 approval.

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