

FIRST REGULAR SESSION

SENATE BILL NO. 348

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR O'LAUGHLIN.

Read 1st time February 6, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1819S.01I

AN ACT

To repeal section 290.502, RSMo, and to enact in lieu thereof one new section relating to the minimum wage rate required to be paid to employees of private religious schools.

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

Section A. Section 290.502, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 290.502, to read as follows:

290.502. 1. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, effective January 1, 2007, every employer shall pay to each employee wages at the rate of \$6.50 per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher.

2. The minimum wage shall be increased or decreased on January 1, 2008, and on January 1 of successive years, by the increase or decrease in the cost of living. On September 30, 2007, and on each September 30 of each successive year, the director shall measure the increase or decrease in the cost of living by the percentage increase or decrease as of the preceding July over the level as of July of the immediately preceding year of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) or successor index as published by the U.S. Department of Labor or its successor agency, with the amount of the minimum wage increase or decrease rounded to the nearest five cents.

3. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, and notwithstanding subsection 1 of this section, effective January 1, 2019, every employer shall pay to each employee wages at the rate of not less than \$8.60 per hour, or wages at the same rate or rates set under the provisions

20 of federal law as the prevailing federal minimum wage applicable to those covered
21 jobs in interstate commerce, whichever rate per hour is higher. Thereafter, the
22 minimum wage established by this subsection shall be increased each year by
23 \$.85 per hour, effective January 1 of each of the next four years, until it reaches
24 \$12.00 per hour, effective January 1, 2023. Thereafter, the minimum wage
25 established by this subsection shall be increased or decreased on January 1, 2024,
26 and on January 1 of successive years, per the method set forth in subsection 2 of
27 this section. If at any time the federal minimum wage rate is above or is
28 thereafter increased above the minimum wage then in effect under this
29 subsection, the minimum wage required by this subsection shall continue to be
30 increased pursuant to this subsection, but the higher federal rate shall
31 immediately become the minimum wage required by this subsection and shall be
32 increased or decreased per the method set forth in subsection 2 for so long as it
33 remains higher than the state minimum wage required and increased pursuant
34 to this subsection.

35 4. **(1)** For purposes of this section, the term "public employer" means an
36 employer that is the state or a political subdivision of the state, including a
37 department, agency, officer, bureau, division, board, commission, or
38 instrumentality of the state, or a city, county, town, village, school district, or
39 other political subdivision of the state. Subsection 3 of this section shall not
40 apply to a public employer with respect to its employees. Any public employer
41 that is subject to subsections 1 and 2 of this section shall continue to be subject
42 to those subsections.

43 **(2)** For purposes of this section, the term "private school" means
44 any school operated by a religious organization as defined in section
45 407.453 that is not a public school as defined under section
46 160.011. Subsection 3 of this section shall not apply to employers that
47 are private schools, with respect to their employees. Any employer that
48 is a private school that is subject to subsections 1 and 2 of this section
49 shall continue to be subject to those subsections.

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