

## HOUSE BILL NO. HB0050

Minimum wage for tipped employees.

Sponsored by: Representative(s) Bagby and Goggles and  
Senator(s) Sessions

A BILL

for

1 AN ACT relating to labor and employment; increasing the  
2 minimum wage for tipped employees; and providing for an  
3 effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 27-4-202(b) is amended to read:

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9 **27-4-202. Minimum wage rates.**

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11 (b) Effective April 1, ~~2001~~2006 and thereafter, all  
12 employers who employ tipped employees shall not pay less  
13 than ~~two dollars and thirteen cents (\$2.13)~~four dollars  
14 (\$4.00) per hour to his tipped employees. Provided  
15 further, if the wage paid by the employer combined with the  
16 tips received by the employee during a given pay period

1 does not equal at least the applicable minimum wage as  
2 prescribed in subsection (a) of this section, the employer  
3 shall pay the difference to the tipped employee. For the  
4 purposes of this act, all "tip" employees shall furnish  
5 monthly to their respective employers the daily record of  
6 tips required to be kept by "tip" employees under the laws  
7 of the United States and upon the forms prescribed by the  
8 internal revenue service of the United States treasury  
9 department. The daily record of tips shall constitute  
10 prima facie proof of the amount of tips received by the  
11 employee. Proof of a customary tipping percentage of sales  
12 or service shall also be an admissible form of proof of the  
13 amount of tips. A "tip" employee is one who customarily  
14 and regularly receives more than thirty dollars (\$30.00) a  
15 month in tips.

16

17 **Section 2.** This act is effective April 1, 2006.

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19

(END)