

## HOUSE BILL NO. HB0024

Minimum wage.

Sponsored by: Representative(s) Byrd, Connolly and Throne  
and Senator(s) Esquibel, F.

A BILL

for

1 AN ACT relating to labor and employment; increasing minimum  
2 wages; requiring employers to pay underpaid tipped wages in  
3 a specified time; providing a penalty; and providing for an  
4 effective date.

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

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8 **Section 1.** W.S. 27-4-202(a) and (b) is amended to  
9 read:

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11 **27-4-202. Minimum wage rates.**

12

13 (a) Every employer shall pay to each of his or her  
14 employees wages at a rate of not less than ~~five dollars and~~  
15 ~~fifteen cents (\$5.15)~~ nine dollars (\$9.00) per hour.

1  
2 (b) ~~Effective April 1, 2001 and thereafter,~~ All  
3 employers who employ tipped employees shall not pay less  
4 than ~~two dollars and thirteen cents (\$2.13)~~ five dollars  
5 (\$5.00) per hour to his tipped employees. Provided further,  
6 if the wage paid by the employer combined with the tips  
7 received by the employee during a given pay period does not  
8 equal at least the applicable minimum wage as prescribed in  
9 subsection (a) of this section, the employer shall pay the  
10 difference to the tipped employee. An employer that does  
11 not pay the difference to the tipped employee as required  
12 under this subsection within ten (10) days of submission of  
13 daily records by the employee is liable for three (3) times  
14 the amount due, but in no case less than one hundred  
15 dollars (\$100.00), plus court costs and reasonable  
16 attorneys fees. For the purposes of this act, all "tip"  
17 employees shall furnish monthly to their respective  
18 employers the daily record of tips required to be kept by  
19 "tip" employees under the laws of the United States and  
20 upon the forms prescribed by the internal revenue service  
21 of the United States treasury department. The daily record  
22 of tips shall constitute prima facie proof of the amount of  
23 tips received by the employee. Proof of a customary tipping

1 percentage of sales or service shall also be an admissible  
2 form of proof of the amount of tips. A "tip" employee is  
3 one who customarily and regularly receives more than thirty  
4 dollars (\$30.00) a month in tips.

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6           **Section 2.** W.S. 27-4-202(c) is repealed.

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8           **Section 3.** This act is effective July 1, 2015.

9

10 (END)