
A BILL FOR AN ACT

RELATING TO THE MINIMUM WAGE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

PART I

SECTION 1. Section 387-2, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The hourly wage of a tipped employee may be deemed to be increased on account of tips if the employee is paid not less than:

(1) 25 cents;

(2) 50 cents per hour beginning January 1, 2015; ~~and~~

(3) 75 cents per hour beginning January 1, 2016~~7~~;

(4) 50 cents per hour beginning January 1, 2023; and

(5) 25 cents per hour beginning January 1, 2024, through

December 31, 2024,

below the applicable minimum wage by the employee's employer and the combined amount the employee receives from the employee's employer and in tips is at least 50 cents more than the applicable minimum wage; provided that beginning January 1, 2015, the combined amount the employee receives from the



1 employee's employer and in tips is at least \$7.00 more than the
2 applicable minimum wage."

3 PART II

4 SECTION 2. Section 387-1, Hawaii Revised Statutes, is
5 amended as follows:

6 1. By amending the definition of "wage" to read:

7 "Wage" means (except as the department may provide under
8 section 387-11) legal tender of the United States or checks on
9 banks convertible into cash on demand at full face value thereof
10 and in addition thereto the reasonable cost as determined by the
11 department, to the employer of furnishing an employee with
12 board, lodging, or other facilities if such board, lodging, or
13 other facilities are customarily furnished by such employer to
14 the employer's employees. [~~Except for the purposes of the last~~
15 ~~sentence of section 387-2, "wage"~~] "Wage" shall not include tips
16 or gratuities of any kind."

17 2. By deleting the definition of "tipped employee".

18 [~~"Tipped employee" means any employee engaged in an~~
19 ~~occupation in which the employee customarily and regularly~~
20 ~~receives more than \$20 a month in tips."~~]



SECTION 3. Section 387-2, Hawaii Revised Statutes, is amended to read as follows:

"§387-2 Minimum wages. ~~[(a)]~~ Except as provided in section 387-9 and this section, every employer shall pay to each employee employed by the employer, wages at the rate of not less than:

- (1) \$6.25 per hour beginning January 1, 2003;
- (2) \$6.75 per hour beginning January 1, 2006;
- (3) \$7.25 per hour beginning January 1, 2007;
- (4) \$7.75 per hour beginning January 1, 2015;
- (5) \$8.50 per hour beginning January 1, 2016;
- (6) \$9.25 per hour beginning January 1, 2017; and
- (7) \$10.10 per hour beginning January 1, 2018.

~~[(b)] The hourly wage of a tipped employee may be deemed to be increased on account of tips if the employee is paid not less than:~~

- ~~(1) 25 cents;~~
- ~~(2) 50 cents per hour beginning January 1, 2015; and~~
- ~~(3) 75 cents per hour beginning January 1, 2016,~~

~~below the applicable minimum wage by the employee's employer and the combined amount the employee receives from the employee's~~



1 ~~employer and in tips is at least 50 cents more than the~~
2 ~~applicable minimum wage; provided that beginning January 1,~~
3 ~~2015, the combined amount the employee receives from the~~
4 ~~employee's employer and in tips is at least \$7.00 more than the~~
5 ~~applicable minimum wage.] "~~

6 PART III

7 SECTION 4. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 5. This Act shall take effect on July 1, 2022;
10 provided that part II shall take effect on January 1, 2025.

11 INTRODUCED BY: _____



JAN 24 2022



H.B. NO. 1959

Report Title:

Minimum Wage; Tip Credit; Adjustment; Repeal

Description:

Adjusts the tip credit beginning on 1/1/2023. Repeals the tip credit on 1/1/2025.

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