# H.B. NO. III

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#### A BILL FOR AN ACT

RELATING TO MINIMUM WAGE.

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

1 SECTION 1. The legislature finds that an appropriate 2 minimum wage helps Hawaii's workers meet basic needs. The legislature finds that an appropriate minimum wage helps 3 4 Hawaii's economy by giving low wage workers more purchasing 5 power in Hawaii's marketplace. The legislature further finds 6 that, according to the department of business, economic 7 development, and tourism, the income required to achieve 8 self-sufficiency in Hawaii differs in each county. 9 The purpose of this Act is to ensure that counties may 10 appropriately respond to local economic conditions by 11 authorizing counties to establish a county minimum wage by 12 ordinance. 13 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended

14 by adding a new section to be appropriately designated and to 15 read as follows:

16 "<u>\$46-</u> <u>County minimum wage.</u> Each county may establish a
17 minimum wage higher than the rate established by section



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1	<u>387-2(a).</u>	A county electing to establish a higher minimum wage
2	rate shal	1 do so by ordinance."
3	SECT	ION 3. Section 387-2, Hawaii Revised Statutes, is
4	amended t	o read as follows:
5	"§38	7-2 Minimum wages. (a) Except as provided in section
6	387-9 and	this section[ $ au$ ] or when a higher minimum wage rate is
7	establish	ed by county ordinance, every employer shall pay to
8	each empl	oyee employed by the employer, wages at the rate of not
9	less than	:
10	(1)	\$6.25 per hour beginning January 1, 2003;
11	(2)	\$6.75 per hour beginning January 1, 2006;
12	(3)	\$7.25 per hour beginning January 1, 2007;
13	(4)	\$7.75 per hour beginning January 1, 2015;
14	(5)	\$8.50 per hour beginning January 1, 2016;
15	(6)	\$9.25 per hour beginning January 1, 2017;
16	(7)	\$10.10 per hour beginning January 1, 2018;
17	(8)	\$12.00 per hour beginning October 1, 2022;
18	(9)	\$14.00 per hour beginning January 1, 2024;
19	(10)	\$16.00 per hour beginning January 1, 2026; and
20	(11)	\$18.00 per hour beginning January 1, 2028.

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1 The hourly wage of a tipped employee may be deemed to (b) 2 be increased on account of tips if the employee is paid no less 3 than: 4 (1)25 cents; 5 (2) 50 cents per hour beginning January 1, 2015; 6 (3) 75 cents per hour beginning January 1, 2016; 7 (4) \$1.00 per hour beginning October 1, 2022; 8 (5) \$1.25 per hour beginning January 1, 2024; and 9 \$1.50 per hour beginning January 1, 2028, (6) 10 below the applicable minimum wage by the employee's employer and 11 the combined amount the employee receives from the employee's 12 employer and in tips is at least 50 cents more than the 13 applicable minimum wage; provided that beginning January 1, 2015, the combined amount the employee receives from the 14 15 employee's employer and in tips is at least \$7.00 more than the 16 applicable minimum wage. 17 (c) If a county ordinance established pursuant to section 18 establishes a higher rate for the minimum wage rate in §46-19 this section, each employer shall pay to each employee employed 20 by the employer in that county, wages at a rate not less than 21 the rate established by the county ordinance."



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1	SECTION 4. Section 387-5, Hawaii Revised Statutes, is
2	amended to read as follows:
3	"§387-5 Duty of director; employees, salaries. The
4	director of labor and industrial relations shall enforce this
5	chapter $[-]$ and any county ordinance establishing a minimum wage
6	rate adopted pursuant to section §46 The director may
7	appoint such assistants and such clerical, stenographic, and
8	other help as may be necessary for the proper enforcement of
9	this chapter subject to any civil service act relating to state
10	employees. The salaries of all of the foregoing appointees and
11	employees shall be as fixed by law."
12	SECTION 5. Statutory material to be repealed is bracketed
13	and stricken. New statutory material is underscored.
14	SECTION 6. This Act shall take effect on July 1, 2023.
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INTRODUCED BY:

By Request JAN 1 7 2023



#### Report Title:

Maui County Council Package; Minimum Wage; County Powers

#### Description:

Authorizes each county to establish a higher minimum wage than the state minimum wage.

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