

HOUSE BILL No. 2061

By Representative Powers

1-11

9 AN ACT concerning the minimum wage and maximum hours law; in-
10 creasing the minimum wage; amending K.S.A. 44-1203 and repealing
11 the existing section.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 44-1203 is hereby amended to read as follows: 44-
15 1203. (a) Except as otherwise provided in the minimum wage and maxi-
16 mum hours law, every employer shall pay to each employee wages at a
17 rate of not less than ~~\$2.65~~ \$7.25 an hour. ~~In calculating such minimum~~
18 ~~wage rate, an employer may include tips and gratuities received by an~~
19 ~~employee in an amount equal to not more than 40% of the minimum~~
20 ~~wage rate if such tips and gratuities have customarily constituted part of~~
21 ~~the remuneration of the employee and if the employee concerned actually~~
22 ~~received and retained such tips and gratuities. The secretary shall require~~
23 ~~each employer desiring approval of an allowance for gratuities to provide~~
24 ~~substantial evidence of the amounts of such gratuities on account of which~~
25 ~~the employer has taken an allowance pursuant to this section.~~

26 (b) The provisions of this section shall not apply to any employers
27 and employees who are covered under the provisions of section 6 of the
28 fair labor standards act of 1938 as amended (29 U.S.C.A. § 206), and as
29 amended by the fair labor standards amendments of 1974 and any other
30 acts amendatory thereof or supplemental thereto.

31 Sec. 2. K.S.A. 44-1203 is hereby repealed.

32 Sec. 3. This act shall take effect and be in force from and after its
33 publication in the statute book.