

REFERENCE TITLE: **minimum wage; increase**

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

SB 1758

Introduced by
Senator Quezada

AN ACT

REPEALING SECTION 23-362, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 1997, CHAPTER 51, SECTION 1; AMENDING SECTION 23-363, ARIZONA REVISED STATUTES; RELATING TO EMPLOYMENT PRACTICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Subject to the requirements of article IV, part 1, section 1,
4 Constitution of Arizona, section 23-362, Arizona Revised Statutes, as
5 amended by Laws 1997, chapter 51, section 1, is repealed.

6 Sec. 2. Subject to the requirements of article IV, part 1,
7 section 1, Constitution of Arizona, section 23-363, Arizona Revised
8 Statutes, is amended to read:

9 ~~23-363.~~ Minimum wage

10 A. Employers shall pay employees ~~no~~ NOT less than the minimum wage,
11 which shall be not less than:

12 ~~1. \$10 on and after January 1, 2017.~~

13 ~~2. \$10.50 on and after January 1, 2018.~~

14 ~~3. \$11 on and after January 1, 2019.~~

15 ~~4. \$12 on and after January 1, 2020~~ \$20 PER HOUR ON AND AFTER THE
16 EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION.

17 B. The minimum wage shall be increased on January 1, ~~2021~~ 2022 and
18 on January 1 of successive years, by the increase in the cost of living.
19 The increase in the cost of living shall be measured by the percentage
20 increase as of August of the immediately preceding year over the level as
21 of August of the previous year of the consumer price index (all urban
22 consumers, ~~U.S.~~ UNITED STATES city average for all items) or its successor
23 index as published by the ~~U.S.~~ UNITED STATES department of labor or its
24 successor agency, with the amount of the minimum wage increase rounded to
25 the nearest multiple of ~~five cents~~ \$.05.

26 C. For any employee who customarily and regularly receives tips or
27 gratuities from patrons or others, the employer may pay a wage up to \$3.00
28 per hour less than the minimum wage if the employer can establish by its
29 records of charged tips or by the employee's declaration for federal
30 insurance contributions act (FICA) purposes that for each week, when
31 adding tips received to wages paid, the employee received not less than
32 the minimum wage for all hours worked. Compliance with this ~~provision~~
33 SUBSECTION will be determined by averaging tips received by the employee
34 over the course of the employer's payroll period or any other period
35 selected by the employer that complies with regulations adopted by the
36 commission.

37 Sec. 3. Requirements for enactment; three-fourths vote

38 Pursuant to article IV, part 1, section 1, Constitution of Arizona,
39 section 23-362, Arizona Revised Statutes, as amended by Laws 1997, chapter
40 51, section 1 and repealed by this act, and section 23-363, Arizona
41 Revised Statutes, as amended by this act, are effective only on the
42 affirmative vote of at least three-fourths of the members of each house of
43 the legislature.