

AMENDED IN SENATE JUNE 17, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2832**

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**Introduced by Assembly Member Lieber**  
(Coauthor: Senator Burton)

February 20, 2004

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An act to add Section 1182.12 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2832, as amended, Lieber. Minimum wage.

Under existing law, the Industrial Welfare Commission is authorized to determine minimum wages in accordance with a prescribed procedure that includes the selection of wage boards to consider and make recommendations regarding wage issues. The current minimum wage for all industries is \$6.75 per hour.

This bill would set the minimum wage at \$7.25 as of ~~January~~ July 1, 2005, and \$7.75 as of ~~January~~ July 1, 2006, and would, *as of July 1, 2005, increase lodging and meal credits for all industries by 7.4% from the amounts of credit in effect December 1, 2004, and, as of July 1, 2006, increase the credits by 6.9% from the amounts in effect June 1, 2006. The bill also would require the commission to adopt consistent ~~minimum~~ wage orders without convening wage boards no later than April 1, 2005.*

*If the commission fails to adopt wage orders, this bill would require the Department of Industrial Relations to prepare and distribute wage orders giving effect to the prescribed changes in the minimum wage and meal and lodging credits no later than May 1, 2005.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1182.12 is added to the Labor Code, to  
2 read:  
3 1182.12. (a) Notwithstanding any other provision of this  
4 part, on and after ~~January~~ July 1, 2005, the minimum wage for all  
5 industries shall be not less than seven dollars and twenty-five cents  
6 (\$7.25) per hour; on and after ~~January~~ July 1, 2006, the minimum  
7 wage for all industries shall be not less than seven dollars and  
8 seventy-five cents (\$7.75) per ~~hour. The Industrial Welfare~~  
9 ~~Commission~~ hour.  
10 (b) *Notwithstanding any other provision of this part, on and*  
11 *after July 1, 2005, lodging and meal credits for all industries shall*  
12 *be increased by 7.4% from the amounts of credit in effect as of*  
13 *December 1, 2004. On and after July 1, 2006, the credits shall be*  
14 *increased by 6.9% from the amounts of credit in effect as of June*  
15 *1, 2006.*  
16 (c) *The commission shall, at a public ~~meeting, adopt minimum~~*  
17 *~~wage orders~~ meeting or meetings, adopt orders regarding*  
18 *minimum wages and lodging and meal credits consistent with this*  
19 *section without convening wage boards, which ~~wage~~ orders shall*  
20 *be final and conclusive for all purposes.*  
21 (d) *If the commission fails to adopt any of the orders, in*  
22 *accordance with subdivision (c), by April 1, 2005, the Department*  
23 *of Industrial Relations shall prepare wage orders establishing the*  
24 *increased wages and credits required by subdivisions (a) and (b).*  
25 *The department's orders shall be consistent in all other respects*  
26 *with the applicable wage orders in effect as of December 31, 2004,*  
27 *and shall carry the same legal effect as if adopted by the*  
28 *commission. The department shall prepare the orders, publish*  
29 *them in at least two newspapers, and print and distribute them to*  
30 *all appropriate employers and courts, consistent with the*  
31 *requirements under Section 1181 applicable to the commission for*  
32 *the distribution of notice of hearings, no later than May 1, 2005.*

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