

AMENDED IN SENATE JUNE 29, 2004

AMENDED IN SENATE JUNE 17, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2832

Introduced by Assembly Member Lieber
~~(Coauthor: Senator Burton)~~
(Coauthors: Senators Burton, Kuehl, and Romero)

February 20, 2004

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 July 1, 2005, and \$7.75 as of 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 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 July 1, 2005, the minimum wage for all industries
5 shall be not less than seven dollars and twenty-five cents (\$7.25)
6 per hour; on and after July 1, 2006, the minimum wage for all
7 industries shall be not less than seven dollars and seventy-five
8 cents (\$7.75) per hour.

9 (b) Notwithstanding any other provision of this part, on and
10 after July 1, 2005, lodging and meal credits for all industries shall
11 be increased by ~~7.4%~~ 7.4 percent from the amounts of credit in
12 effect as of December 1, 2004. On and after July 1, 2006, the
13 credits shall be increased by ~~6.9%~~ 6.9 percent from the amounts
14 of credit in effect as of June 1, 2006.

15 (c) The commission shall, at a public meeting or meetings,
16 adopt orders regarding minimum wages and lodging and meal
17 credits consistent with this section without convening wage
18 boards, which orders shall be final and conclusive for all purposes.

19 (d) If the commission fails to adopt any of the orders, in
20 accordance with subdivision (c), by April 1, 2005, the Department
21 of Industrial Relations shall prepare wage orders establishing the
22 increased wages and credits required by subdivisions (a) and (b).
23 The department's orders shall be consistent in all other respects
24 with the applicable wage orders in effect as of December 31, 2004,
25 and shall carry the same legal effect as if adopted by the
26 commission. The department shall prepare the orders, publish
27 them in at least two newspapers, and print and distribute them to
28 all appropriate employers and courts, consistent with the
29 requirements under Section 1181 applicable to the commission for
30 the distribution of notice of hearings, no later than May 1, 2005.



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2 CORRECTIONS
3 **Heading — Line 2.**
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