



## State Subminimum Wage Elimination Bill Template

This draft language is intended to serve as a model and is meant to guide and educate. Before submitting this language to any legislative office, bill drafter, or elected official, please contact NDSS staff at [policy@ndss.org](mailto:policy@ndss.org).

### *Preamble:*

*WHEREAS, a significant number of workers in our state are currently subject to subminimum wages, which can limit their economic opportunities and create an unfair two-tiered wage system;*

*WHEREAS, a fair and equitable workplace should provide all workers with equal pay for equal work;*

*WHEREAS, a gradual phasing out of subminimum wages will allow employers to adjust to the change while ensuring all workers receive a living wage;*

*NOW, THEREFORE, BE IT ENACTED BY THE [State Legislature]:*

### Section 1. Short Title

This Act shall be known as the "[State Name] Fair Wage for All Act."

### Section 2. Definitions

For the purposes of this Act:

- "Subminimum wage" means any wage authorized by federal or state law that is less than the applicable minimum wage.
- "Individual with a disability" means an individual with a disability as defined by the Americans with Disabilities Act of 1990.

### Section 3. Gradual Elimination of Subminimum Wages

(a) Every employer shall pay to each of its employees wages at a rate not less than the federal minimum wage.

(b) Beginning on [date], every employer shall pay to each of its employees at a rate not less than the greater of:

- the federal minimum wage; or
- [percentage]% of the [State Name] minimum wage.

(c) [Continue defining the gradual wage increases for subsequent years, using specific dates and wage amounts or calculations based on the state minimum wage.]

(d) From and after [date], every employer shall pay to each of its employees wages at a rate not less than the greater of:



- the adjusted state hourly minimum wage; or
- the federal minimum wage.

(e) By [date], and annually thereafter, the [State Labor Department] shall establish the adjusted state hourly minimum wage that shall be in effect during the 12-month period commencing on the following [date]. The Commissioner shall set the adjusted state hourly minimum wage at the sum of:

- the amount of the state hourly minimum wage rate that is in effect on the date such adjustment is made; and
- a percentage of the amount described in clause (i) that is equal to the percentage by which the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, or a successor index as calculated by the U.S. Department of Labor, has increased during the most recent calendar year for which such information is available.

The amount of each annual adjustment shall not be less than zero.

#### Section 5. Enforcement

The [State Labor Department] shall be responsible for enforcing the provisions of this Act. (Define clearly)

Section 6. Reporting: [State Department] shall report findings and effectiveness annually to [State Legislature/Public Document].

#### Section 7. Effective Date

This Act shall take effect on [date].