

**34-40-103 Minimum wage -- Commission to review and modify minimum wage.**

- (1)
  - (a) The minimum wage for all private and public employees within the state shall be \$3.35 per hour.
  - (b) Effective April 1, 1990, the minimum wage shall be \$3.80 per hour.
- (2)
  - (a) After July 1, 1990, the commission may by rule establish the minimum wage or wages as provided in this chapter that may be paid to employees in public and private employment within the state.
  - (b) The minimum wage, as established by the commission, may not exceed the federal minimum wage as provided in 29 U.S.C. Sec. 201 et seq., the Fair Labor Standards Act of 1938, as amended, in effect at the time of implementation of this section.
  - (c) The commission:
    - (i) may review the minimum wage at any time;
    - (ii) shall review the minimum wage at least every three years; and
    - (iii) shall review the minimum wage whenever the federal minimum wage is changed.
- (3) The commission may provide for separate minimum hourly wages for minors.

Amended by Chapter 375, 1997 General Session