

# S.B. 139

## MINIMUM WAGE PROVISIONS

Senator **Howard A. Stephenson** proposes the following amendments:

1. *Page 1, Lines 11 through 19:*

11 This bill:

12 { ~~prohibits a county, city, or town when contracting from considering whether or not a~~  
13 ~~person who pays that person's employees a wage that exceeds the federal minimum~~  
14 ~~wage;~~ }

15 ▶ prohibits a county, city, or town when contracting for the direct purchase of goods and  
services from giving a preference to a

16 person who pays that person's employees a wage that exceeds the federal minimum  
17 wage;

18 ▶ clarifies language related to federally funded projects; { ~~and~~ }

▶ clarifies that the restrictions apply to any entity created by a city, town, or county; and

19 ▶ makes technical changes.

2. *Page 2, Lines 41 through 52:*

41 (3) (a) If a city, town, or county contracts with a person for the direct purchase of goods or  
services, in awarding or otherwise

42 executing that contract, the city, town, or county may not { ~~:~~

43 ~~— (i) consider whether or not the person who contracts with the city, town, or county pays~~  
44 ~~that person's employees a wage that exceeds the minimum wage as provided in 29 U.S.C. 201~~  
45 ~~et seq., Fair Labor Standards Act of 1938; or~~

46 ~~— (ii) }~~ give any preferential treatment to a person on the basis that the person pays that  
person's employees a wage

47 that exceeds the minimum wage as provided in 29 U.S.C. 201 et seq., Fair Labor Standards Act  
48 of 1938.

49 (b) This Subsection (3) does not apply when federal law requires the consideration of  
50 whether a person pays the person's employees a specified wage to persons working on projects  
51 funded in whole or in part by federal funds.

52 (c) This Subsection (3) applies to contracts executed on or after May 2, 2005.

(4)(a) The restrictions of this section on a city, town, or county apply to any entity created by the city,  
town, or county.

(b) This Subsection (4) applies to contracts executed on or after May 2, 2005.