

By: Representative Cummings

To: Labor; Appropriations

HOUSE BILL NO. 332

1 AN ACT TO ESTABLISH MISSISSIPPI'S WORKING PERSON'S ACT; TO
2 REQUIRE THAT A CERTAIN WAGE BE PAID BY EMPLOYERS DOING BUSINESS IN
3 THE STATE TO ANY EMPLOYEE WITHIN THEIR EMPLOYMENT; TO PROVIDE HOW
4 THE HOURLY RATE INCREASE SHALL BE CALCULATED; TO REQUIRE THE STATE
5 ECONOMIST TO ANNOUNCE THE HOURLY WAGE RATE INCREASE; TO AMEND
6 SECTION 25-3-40, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE
7 PRECEDING SECTION; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** This act shall be known as the "Mississippi
10 Working Person's Act."

11 **SECTION 2.** (1) Any employer doing business in the state
12 shall pay any employee within his employment at least: (a) Six
13 Dollars and Twenty-five Cents (\$6.25) per hour beginning on
14 January 15, 2007; and (b) Seven Dollars (\$7.00) per hour beginning
15 on January 15, 2008. On and after January 15, 2009, and January
16 15 of each succeeding calendar year, the hourly wage rate shall be
17 increased by applying the United States inflation rate for the
18 previous calendar year to the hourly wage rate established for the
19 previous calendar year and shall be effective on the date
20 announced by the State Economist as provided under subsection (2)
21 of this section. The United States inflation rate for a calendar
22 year shall be the Consumer Price Index for the calendar year for
23 all urban consumers as calculated by the Bureau of Labor
24 Statistics of the United States Department of Labor.

25 (2) The State Economist shall: (a) make an official
26 announcement of the hourly wage rate increase on January 15 of
27 each calendar year, or as soon thereafter as possible, (b) cause
28 the dissemination of such announcement to the news media in such
29 manner as such economist deems appropriate, and (c) file the same

30 with the Mississippi Department of Employment Security. The
31 hourly wage rate shall be effective from the date of the official
32 announcement by the State Economist.

33 (3) Notwithstanding any agreement to work for a lesser wage,
34 any employee receiving less than the wages provided in this
35 section shall be entitled to recover in a civil action the unpaid
36 balance of the full amount of wages as provided in this section.

37 (4) The provisions of this section shall not apply to
38 employers that employ five (5) or less employees or to summer
39 youth program participants. Summer youth program means any
40 employment created to employ persons eighteen (18) years or
41 younger only for the months of June 1 to August 31 of any calendar
42 year.

43 **SECTION 3.** Section 25-3-40, Mississippi Code of 1972, is
44 amended as follows:

45 25-3-40. * * * The Mississippi Compensation Plan shall be
46 amended to provide salary increases in such amounts and
47 percentages as might be recommended by the Legislative Budget
48 Office and as may be authorized by funds appropriated by the
49 Legislature for the purpose of granting incentive salary increases
50 as deemed possible dependent upon the availability of general and
51 special funds.

52 It is hereby declared to be the intent of the Mississippi
53 Legislature to implement certain wages as enacted by statutory
54 law * * *. It is the intent and purpose of this section to
55 maximize annual salary increases consistent with the availability
56 of funds as might be determined by the Mississippi Legislature at
57 its regular annual session and that all salary increases hereafter
58 be made consistent with the provisions of this section.

59 **SECTION 4.** This act shall take effect and be in force from
60 and after July 1, 2006.