

By: Representatives Hines, Banks, Buck,
Evans, Fleming, Fredericks

To: Labor; Appropriations

HOUSE BILL NO. 1428

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

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

9 SECTION 1. (1) (a) Any employer doing business in the
10 state and employs more than five (5) employees shall pay any
11 employee within his employment at least:

12 (i) Six Dollars and Fifteen Cents (\$6.15) per hour
13 beginning on July 1, 2006; and

14 (ii) Seven Dollars and Fifteen Cents (\$7.15) per
15 hour beginning on January 1, 2007.

16 (b) Any employer doing business in the state and only
17 employs five (5) or less employees shall pay any employee within
18 his employment at least:

19 (i) Five Dollars and Fifty Cents (\$5.50) per hour
20 beginning on July 1, 2006; and

21 (ii) Six Dollars (\$6.00) per hour beginning on
22 January 1, 2007.

23 (c) On and after January 1, 2008, and January 1 of each
24 succeeding calendar year, the hourly wage rate shall be increased
25 by applying the United States inflation rate for the previous
26 calendar year to the hourly wage rate established for the previous
27 calendar year and shall be effective on the date announced by the
28 State Economist as provided under subsection (2) of this section.
29 The United States inflation rate for a calendar year shall be the

30 Consumer Price Index for the calendar year for all urban consumers
31 as calculated by the Bureau of Labor Statistics of the United
32 States Department of Labor.

33 (2) The State Economist shall: (a) make an official
34 announcement of the hourly wage rate increase on January 1 of each
35 calendar year, or as soon thereafter as possible, (b) cause the
36 dissemination of such announcement to the news media in such
37 manner as such economist deems appropriate, and (c) file the same
38 with the Mississippi Department of Employment Security. The
39 hourly wage rate shall be effective from the date of the official
40 announcement by the State Economist.

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

45 **SECTION 2.** Section 25-3-40, Mississippi Code of 1972, is
46 amended as follows:

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

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

61 **SECTION 3.** This act shall take effect and be in force from
62 and after July 1, 2006.