

By: Representative Turner

To: Workforce Development

HOUSE BILL NO. 141
(As Passed the House)

1 AN ACT TO PROHIBIT A COUNTY, BOARD OF SUPERVISORS OF A
2 COUNTY, MUNICIPALITY OR GOVERNING AUTHORITY OF A MUNICIPALITY FROM
3 ESTABLISHING A MANDATORY, MINIMUM LIVING WAGE RATE, MINIMUM NUMBER
4 OF VACATION OR SICK DAYS, THAT WOULD REGULATE HOW A PRIVATE
5 EMPLOYER PAYS ITS EMPLOYEES; TO PROVIDE THAT THE LEGISLATURE FINDS
6 THAT THESE PROHIBITIONS ARE NECESSARY TO ENSURE AN ECONOMIC
7 CLIMATE CONDUCIVE TO NEW BUSINESS DEVELOPMENT AND JOB GROWTH IN
8 THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** (1) No county, board of supervisors of a county,
11 municipality or governing authority of a municipality is
12 authorized to establish a mandatory, minimum living wage rate,
13 minimum number of vacation or sick days, whether paid or unpaid,
14 that would regulate how a private employer pays its employees.
15 Each county, board of supervisors of a county, municipality or
16 governing authority of a municipality shall be prohibited from
17 establishing a mandatory, minimum living wage rate, minimum number
18 of vacation or sick days, whether paid or unpaid, that would
19 regulate how a private employer pays its employees.

20 (2) The Legislature finds that the prohibitions of
21 subsection (1) of this section are necessary to ensure an economic



22 climate conducive to new business development and job growth in
23 the State of Mississippi. We believe that inconsistent
24 application of wage and benefit laws from city to city or county
25 to county must be avoided. While not suggesting a state minimum
26 wage or minimum benefit package, any debate and subsequent action
27 on these matters should be assigned to the Mississippi Legislature
28 as provided in Section 25-3-40, and not local counties or
29 municipalities.

30 (3) The Legislature further finds that wages and employee
31 benefits comprise the most significant expense of operating a
32 business. It also recognizes that neither potential employees or
33 business patrons are likely to restrict themselves to employment
34 opportunities or goods and services in any particular county or
35 municipality. Consequently, local variations in legally required
36 minimum wage rates or mandatory minimum number of vacation or sick
37 leave days would threaten many businesses with a loss of employees
38 to local governments which require a higher minimum wage rate and
39 many other businesses with the loss of patrons to areas which
40 allow for a lower wage rate and more or less vacation or sick
41 days. The net effect of this situation would be detrimental to
42 the business environment of the state and to the citizens,
43 businesses and governments of the local jurisdictions as well as
44 the local labor markets.

45 (4) The Legislature concludes from these findings that, in
46 order for a business to remain competitive and yet attract and



47 retain the highest possible caliber of employees, and thereby
48 remain sound, an enterprise must work in a uniform environment
49 with respect to minimum wage rates, and mandatory minimum number
50 of vacation or sick leave days. The net impact of local
51 variations in mandated wages and mandatory minimum number of
52 vacation or sick leave days would be economically unstable and
53 create a decline and decrease in the standard of living for the
54 citizens of the state. Consequently, decisions regarding minimum
55 wage, living wage and other employee benefit policies must be made
56 by the state as provided in Section 25-3-40, so that consistency
57 in the wage market is preserved.

58 **SECTION 2.** The provisions of this act shall not impede or
59 supersede a municipality's authority granted under Sections
60 17-21-1, 17-21-5 and 17-21-7.

61 **SECTION 3.** This act shall not be construed to limit the
62 authority of counties and municipalities to grant tax exemptions
63 authorized by state law.

64 **SECTION 4.** This act shall take effect and be in force from
65 and after July 1, 2013.

