MISSISSIPPI LEGISLATURE
REGULAR SESSION 2013
By: Representative Turner
To: Workforce Development

HOUSE BILL NO. 141
(As Passed the House)

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

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

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

(2) The Legislature finds that the prohibitions of subsection (1) of this section are necessary to ensure an economic
climate conducive to new business development and job growth in the State of Mississippi. We believe that inconsistent application of wage and benefit laws from city to city or county to county must be avoided. While not suggesting a state minimum wage or minimum benefit package, any debate and subsequent action on these matters should be assigned to the Mississippi Legislature as provided in Section 25-3-40, and not local counties or municipalities.

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

(4) The Legislature concludes from these findings that, in order for a business to remain competitive and yet attract and
retain the highest possible caliber of employees, and thereby
remain sound, an enterprise must work in a uniform environment
with respect to minimum wage rates, and mandatory minimum number
of vacation or sick leave days. The net impact of local
variations in mandated wages and mandatory minimum number of
vacation or sick leave days would be economically unstable and
create a decline and decrease in the standard of living for the
citizens of the state. Consequently, decisions regarding minimum
wage, living wage and other employee benefit policies must be made
by the state as provided in Section 25-3-40, so that consistency
in the wage market is preserved.

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

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

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