

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1792
95TH GENERAL ASSEMBLY

4193L.05C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 290, RSMo, by adding thereto one new section relating to minimum wage law, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 290, RSMo, is amended by adding thereto one new section, to be
2 known as section 290.503, to read as follows:

**290.503. 1. (1) In lieu of the minimum wage rate prescribed in section 290.502, any
2 employer may pay any employee of such employer a wage rate that is not less than seventy-
3 five percent of the Missouri minimum wage rate prescribed in section 290.502 for the first
4 ninety days of employment so long as such wage is not lower than the applicable minimum
5 wage provided under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. Section
6 201, et seq. However, this subsection shall not apply to a seasonal employee who returns
7 to work for substantially the same employer within an eighteen-month period.**

**8 (2) No employer shall take any action to displace employees (including partial
9 displacements such as reduction in hours, wages, or employment benefits) for purposes of
10 hiring individuals at wages authorized in subdivision (1) of this subsection. Complaints
11 of violations of this subsection may be made to the attorney general who shall investigate
12 such allegations. Any employer who knowingly violates this subsection shall be guilty of
13 a class D felony. The attorney general or any employee injured by a violation of this
14 subsection may also bring a civil action to recover actual damages on behalf of such
15 employee. The court may, in its discretion, award punitive damages not to exceed treble
16 the amount of actual damages, award attorney fees to the prevailing party including the
17 attorney general, and provide such equitable relief as it deems necessary or proper.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **(3) This subsection shall only apply to employees who have not attained eighteen**
19 **years of age except as provided in subsection 1 of this section.**

20 **2. Under section 23.253 of the Missouri sunset act:**

21 **(1) The provisions of the new program authorized under this section shall**
22 **automatically sunset three years after the effective date of this section; and**

23 **(2) This section shall terminate on September first of the calendar year immediately**
24 **following the calendar year in which the program authorized under this section is sunset.**

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