

**HOUSE** \_\_\_\_\_ **AMENDMENT NO.** \_\_\_\_\_

**Offered By**

1 AMEND House Committee Substitute for House Bill No. 61, Section 290.502, Page 1, Line 17,  
2 by inserting the following after all of said Line:

3 “290.512. 1. [No employer of any employee who receives and retains compensation in the  
4 form of gratuities in addition to wages is required to pay wages in excess of fifty percent of the  
5 minimum wage rate specified in sections 290.500 to 290.530, however, total compensation for  
6 such employee shall total at least the minimum wage specified in sections 290.500 to 290.530, the  
7 difference being made up by the employer] An employer may not apply tips or gratuities bestowed  
8 on employees as a credit toward payment of the minimum hourly wage required by section  
9 290.502.

10 2. If an employee receives and retains compensation in the form of goods or services as an  
11 incident of his employment and if he is not required to exercise any discretion in order to receive  
12 the goods or services, the employer is required to pay only the difference between the fair market  
13 value of the goods and services and the minimum wage otherwise required to be paid by sections  
14 290.500 to 290.530. The fair market value of the goods and services shall be computed on a  
15 weekly basis. The director shall provide by regulation a method of valuing the goods and services  
16 received by any employee in lieu of the wages otherwise required to be paid under the provisions  
17 of sections 290.500 to 290.530. He shall also provide by regulation a method of determining  
18 those types of goods and services that are an incident of employment the receipt of which does not  
19 require any discretion on the part of the employee.”; and

20  
21 Further amend said bill by amending the title, enacting clause, and intersectional references  
22 accordingly.