



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2337/P1
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to repeal** 104.035 (3) (a) 1., 104.035 (3) (a) 2. and 104.045 (1); **to**
2 **renumber and amend** 104.035 (3) (a) (intro.); and **to amend** 104.045 (title)
3 of the statutes; **relating to:** elimination of tipped minimum wage.

Analysis by the Legislative Reference Bureau

This bill eliminates the tipped minimum wage for all employees, and requires that employers pay a minimum wage of \$7.25 to all employees who receive tips.

Generally, under current law, every wage paid by any employer to any employee must be at least the applicable minimum wage established under the statutes. However, if an employer of a tipped employee establishes that, when adding the tips received by the tipped employee in a week to the wages paid to the tipped employee in that week, the tipped employee receives not less than the applicable minimum wage (generally \$7.25 per hour), the minimum wage that the employer must pay the tipped employee is \$2.33 per hour or, with respect to an employee under 20 years of age in the first 90 consecutive days of employment with his or her employer (opportunity employee), \$2.13 per hour.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

