

HOUSE BILL NO. HB0257

Minimum wage for tipped employees.

Sponsored by: Representative(s) Bagby, Diercks and Robinson and Senator(s) Sessions

A BILL

for

1 AN ACT relating to labor and employment; increasing the  
2 minimum wage for tipped employees; and providing for an  
3 effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 27-4-202(b) is amended to read:

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9 **27-4-202. Minimum wage rates.**

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11 (b) Effective April 1, ~~2001~~2003 and thereafter, all  
12 employers who employ tipped employees shall not pay less  
13 than ~~two dollars and thirteen cents (\$2.13)~~four dollars  
14 (\$4.00) per hour to his tipped employees. Provided further,  
15 if the wage paid by the employer combined with the tips  
16 received by the employee during a given pay period does not

1 equal at least the applicable minimum wage as prescribed in  
2 subsection (a) of this section, the employer shall pay the  
3 difference to the tipped employee. For the purposes of this  
4 act, all "tip" employees shall furnish monthly to their  
5 respective employers the daily record of tips required to  
6 be kept by "tip" employees under the laws of the United  
7 States and upon the forms prescribed by the internal  
8 revenue service of the United States treasury department.  
9 The daily record of tips shall constitute prima facie proof  
10 of the amount of tips received by the employee. Proof of a  
11 customary tipping percentage of sales or service shall also  
12 be an admissible form of proof of the amount of tips. A  
13 "tip" employee is one who customarily and regularly  
14 receives more than thirty dollars (\$30.00) a month in tips.

15

16 **Section 2.** This act is effective April 1, 2003.

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(END)