

1 AN ACT relating to wages.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 337.275 is amended to read as follows:

4 (1) (a) Except as may otherwise be provided by this chapter, every employer shall  
5 pay to each of his or her employees wages at a rate of not less than:

6 1. Nine dollars and fifty cents (\$9.50) an hour beginning on the effective  
7 date of this Act;

8 2. Eleven dollars (\$11) an hour beginning on July 1, 2027;

9 3. Twelve dollars and fifty cents (\$12.50) an hour beginning on July 1,  
10 2028;

11 4. Fourteen dollars (\$14) an hour beginning on July 1, 2029; and

12 5. Fifteen dollars (\$15) an hour beginning on July 1, 2030~~[five dollars~~  
13 ~~and eighty five cents (\$5.85) an hour beginning on June 26, 2007, not~~  
14 ~~less than six dollars and fifty five cents (\$6.55) an hour beginning July~~  
15 ~~1, 2008, and not less than seven dollars and twenty five cents (\$7.25) an~~  
16 ~~hour beginning July 1, 2009].~~

17 (b) If the federal minimum hourly wage as prescribed by 29 U.S.C. sec. 206(a)(1)  
18 is increased in excess of the minimum hourly wage in effect under this  
19 subsection, the minimum hourly wage under this subsection shall be increased  
20 to the same amount, effective on the same date as the federal minimum hourly  
21 wage rate. If the state minimum hourly wage is increased to the federal  
22 minimum hourly wage, it shall include only the federal minimum hourly rate  
23 prescribed in 29 U.S.C. sec. 206(a)(1) and shall not include other wage rates  
24 or conditions, exclusions, or exceptions to the federal minimum hourly wage  
25 rate. In addition, the increase to the federal minimum hourly wage rate does  
26 not extend or modify the scope or coverage of the minimum wage rate  
27 required under this chapter.

- 1 (2) (a) Notwithstanding the provisions of subsection (1) of this section, for any  
2 employee engaged in an occupation in which he or she customarily and  
3 regularly receives more than thirty dollars (\$30) per month in tips from  
4 patrons or others, the employer may pay as a minimum not less than five  
5 dollars (\$5) an hour beginning on the effective date of this Act.
- 6 (b) ~~If the hourly wage rate required to be paid a tipped employee under~~ the  
7 federal minimum hourly wage ~~law~~ as prescribed by 29 U.S.C. sec. 203 is  
8 increased in excess of the minimum hourly wage in effect under this  
9 subsection, the minimum hourly wage under this subsection shall be  
10 increased to the same amount, effective on the same date as the federal  
11 minimum hourly wage rate.
- 12 (c) The employer shall establish by his or her records that for each week where  
13 credit is taken, when adding tips received to wages paid, not less than the  
14 minimum rate prescribed in subsection (1) of this section~~[29 U.S.C. sec. 203]~~  
15 was received by the employee. No employer shall use all or part of any tips or  
16 gratuities received by employees toward the payment of the statutory  
17 minimum hourly wage as required by subsection (1) of this section~~[29 U.S.C.~~  
18 ~~sec. 203]~~. Nothing, however, shall prevent employees from entering into an  
19 agreement to divide tips or gratuities among themselves.