

CHAPTER 16

LABOR AND INDUSTRY

HOUSE BILL 07-1001

BY REPRESENTATIVE(S) Marshall, Benefield, Borodkin, Buescher, Carroll M., Carroll T., Casso, Cerbo, Fischer, Gagliardi, Green, Hodge, Kefalas, Kerr A., Labuda, Levy, Madden, McGihon, Merrifield, Pommer, and Soper;
also SENATOR(S) Fitz-Gerald, Bacon, Keller, Shaffer, Tochtrop, Tupa, and Williams.

AN ACT

CONCERNING COLORADO'S MINIMUM WAGE, AND, IN CONNECTION THEREWITH, MAKING STATUTORY CHANGES AS REQUIRED BY RECENTLY ADOPTED CONSTITUTIONAL PROVISIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 8-6-106, Colorado Revised Statutes, is amended to read:

8-6-106. Determination of minimum wage and conditions. The director shall determine the minimum wages sufficient for living wages for persons of ordinary ability, including minimum wages sufficient for living wages, whether paid according to time rate or piece rate; the minimum wages sufficient for living wages for learners and apprentices; standards of conditions of labor and hours of employment not detrimental to health or morals for workers; and what are unreasonably long hours. IN ALL SUCH DETERMINATIONS, THE DIRECTOR SHALL BE BOUND BY THE PROVISIONS OF THIS ARTICLE AND OF SECTION 15 OF ARTICLE XVIII OF THE STATE CONSTITUTION; EXCEPT THAT, IF A HIGHER MINIMUM WAGE RATE IS ESTABLISHED BY APPLICABLE FEDERAL LAW OR RULES, THE DIRECTOR SHALL BE BOUND BY SUCH FEDERAL LAW OR RULES.

SECTION 2. 8-6-108.5 (3), Colorado Revised Statutes, is amended to read:

8-6-108.5. Minimum wage. (3) The director may issue only such ~~regulations~~ **RULES** as are necessary to carry out the provisions of this article and as are consistent with the purposes and intent of section 8-6-101 AND SECTION 15 OF ARTICLE XVIII OF THE STATE CONSTITUTION; EXCEPT THAT, IF A HIGHER MINIMUM WAGE RATE IS ESTABLISHED BY APPLICABLE FEDERAL LAW OR RULES, THE DIRECTOR'S RULES SHALL BE CONSISTENT WITH SUCH FEDERAL LAW OR RULES.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 14, 2007