

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0641.01 Yelana Love x2295

SENATE BILL 16-054

SENATE SPONSORSHIP

Merrifield, Carroll, Garcia, Guzman, Heath, Jones, Kerr, Todd

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING THE REPEAL OF THE PROHIBITION ON LOCAL
102 GOVERNMENTS ENACTING MINIMUM WAGE LAWS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill permits a unit of local government to enact laws with respect to the minimum wage within its jurisdiction.

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 **SECTION 1.** In Colorado Revised Statutes, 8-3-102, **repeal** (1)
2 (g) as follows:

3 **8-3-102. Legislative declaration - matter of statewide concern**
4 **- prohibition on local enactments.** (1) (g) ~~(f)~~ The general assembly
5 hereby finds and determines that the matters contained in this article have
6 important statewide ramifications for the labor force in this state. The
7 general assembly, therefore, declares that the matters contained in this
8 article are of statewide concern.

9 ~~(H) No unit of local government, whether by acting through its~~
10 ~~governing body or an initiative, a referendum, or any other process, shall~~
11 ~~enact any jurisdiction-wide law or ordinance with respect to minimum~~
12 ~~wages unless specifically authorized to do so by this article; except that~~
13 ~~a unit of local government may set minimum wages paid to its own~~
14 ~~employees.~~

15 ~~(H.5) Notwithstanding the provisions of subparagraph (H) of this~~
16 ~~paragraph (g), any local government regulation or law pertaining to~~
17 ~~minimum wages in effect as of January 1, 1999, shall remain in full force~~
18 ~~and effect until such law is repealed by the local government entity that~~
19 ~~enacted the law.~~

20 ~~(H) If it is determined by the officer or agency responsible for~~
21 ~~distributing federal moneys to a local government that compliance with~~
22 ~~this paragraph (g) may cause denial of federal moneys that would~~
23 ~~otherwise be available or would otherwise be inconsistent with~~
24 ~~requirements of federal law, this section shall be suspended, but only to~~
25 ~~the extent necessary to prevent denial of the moneys or to eliminate the~~
26 ~~inconsistency with federal requirements.~~

27 **SECTION 2.** In Colorado Revised Statutes, **repeal** 8-6-101.

1 **SECTION 3.** In Colorado Revised Statutes, 8-6-108.5, **amend** (3)
2 as follows:

3 **8-6-108.5. Minimum wage - rules.** (3) The director may issue
4 only such rules as are necessary to carry out the provisions of this article
5 and as are consistent with the purposes and intent of ~~section 8-6-101~~ and
6 section 15 of article XVIII of the state constitution; except that, if a
7 higher minimum wage rate is established by applicable federal law or
8 rules, the director's rules shall be consistent with such federal law or
9 rules.

10 **SECTION 4.** In Colorado Revised Statutes, 8-12-102, **repeal** (2)
11 as follows:

12 **8-12-102. Legislative declaration.** (2) ~~(a) The general assembly~~
13 ~~hereby finds and determines that certain issues related to youth~~
14 ~~employment in Colorado have important statewide ramifications for the~~
15 ~~labor force in this state. In particular, the general assembly declares that~~
16 ~~the issue of minimum wages, as it relates to youth employment in this~~
17 ~~state, is a matter of statewide concern.~~

18 ~~(b) No unit of local government, whether by acting through its~~
19 ~~governing body or an initiative, a referendum, or any other process, shall~~
20 ~~enact any jurisdiction-wide law or ordinance with respect to the minimum~~
21 ~~wages earned by young people unless otherwise specifically authorized~~
22 ~~to do so by this article; except that a unit of local government may enact~~
23 ~~such provisions with respect to its own employees.~~

24 **SECTION 5. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2016 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.