

107TH CONGRESS
1ST SESSION

H. R. 1441

To amend the Fair Labor Standards Act of 1938 to provide an exemption to States which adopt certain minimum wage laws.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2001

Mr. DEMINT (for himself, Mr. STENHOLM, and Mr. ARMEY) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Fair Labor Standards Act of 1938 to provide an exemption to States which adopt certain minimum wage laws.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Minimum Wage State
5 Flexibility Act of 2001”.

6 **SEC. 2. STATE MINIMUM WAGE.**

7 Section 6 of the Fair Labor Standards Act of 1938
8 (29 U.S.C. 206) is amended by adding at the end the fol-
9 lowing:

1 “(h)(1) An employer in a State that adopts minimum
2 wage legislation that conforms to the requirement of para-
3 graph (2) shall not be required to pay its employees at
4 the minimum wage prescribed by subsection (a)(1).

5 “(2) Paragraph (1) shall apply in a State that adopts
6 minimum wage legislation that—

7 “(A) sets a rate or rates that are not less than
8 \$5.15 an hour; and

9 “(B) applies that rate or those rates to not
10 fewer than the employees performing work within
11 the State that would otherwise be covered by the
12 minimum wage rate prescribed by subsection
13 (a)(1).”.

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