

REFERENCE TITLE: **minimum wage; younger workers**

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Second Regular Session  
2010

# **HCR 2043**

Introduced by  
Representative Hendrix

**A CONCURRENT RESOLUTION**

**ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO  
THE MINIMUM WAGE.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona, the  
2 Senate concurring:

3 1. Under the power of the referendum, as vested in the Legislature,  
4 the following measure, relating to the minimum wage, is enacted to become  
5 valid as a law if approved by the voters and on proclamation of the Governor:

6 AN ACT

7 AMENDING SECTION 23-363, ARIZONA REVISED STATUTES; RELATING TO  
8 THE MINIMUM WAGE.

9 Be it enacted by the Legislature of the State of Arizona:

10 Section 1. Section 23-363, Arizona Revised Statutes, is  
11 amended to read:

12 23-363. Minimum wage

13 A. Employers shall pay employees no less than the minimum  
14 wage, which shall be six dollars and seventy-five cents (\$6.75)  
15 an hour beginning on January 1, 2007.

16 B. The minimum wage shall be increased on January 1, 2008  
17 and on January 1 of successive years by the increase in the cost  
18 of living. The increase in the cost of living shall be measured  
19 by the percentage increase as of August of the immediately  
20 preceding year over the level as of August of the previous year  
21 of the consumer price index (all urban consumers, U.S. city  
22 average for all items) or its successor index as published by  
23 the U.S. department of labor or its successor agency, with the  
24 amount of the minimum wage increase rounded to the nearest  
25 multiple of five cents.

26 C. For any employee who customarily and regularly  
27 receives tips or gratuities from patrons or others, the employer  
28 may pay a wage up to \$3.00 per hour less than the minimum wage  
29 if the employer can establish by its records of charged tips or  
30 by the employee's declaration for federal insurance  
31 contributions act (FICA) purposes that for each week, when  
32 adding tips received to wages paid, the employee received not  
33 less than the minimum wage for all hours worked. Compliance  
34 with this provision will be determined by averaging tips  
35 received by the employee over the course of the employer's  
36 payroll period or any other period selected by the employer that  
37 complies with regulations adopted by the commission.

38 D. BEGINNING JANUARY 1, 2011 AND ENDING DECEMBER 31,  
39 2013, THE MINIMUM WAGE TO BE PAID AN EMPLOYEE WHO IS UNDER  
40 TWENTY-TWO YEARS OF AGE IS SEVENTY-FIVE PER CENT OF THE MINIMUM  
41 WAGE OTHERWISE PRESCRIBED IN THIS SECTION.

42 2. The Secretary of State shall submit this proposition to the voters  
43 at the next general election as provided by article IV, part 1, section 1,  
44 Constitution of Arizona.