

113TH CONGRESS
1ST SESSION

H. R. 1010

To provide for an increase in the Federal minimum wage.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2013

Mr. GEORGE MILLER of California (for himself, Mr. ANDREWS, Mr. BARBER, Ms. BASS, Mrs. BEATTY, Mr. BECERRA, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWNLEY of California, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Ms. CASTOR of Florida, Ms. CHU, Mrs. CHRISTENSEN, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONYERS, Mr. COURTNEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTCH, Mr. DINGELL, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. ENYART, Ms. ESTY, Mr. FARR, Mr. FATTAH, Ms. FUDGE, Mr. GARAMENDI, Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Mr. KENNEDY, Mr. KILDEE, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Ms. MOORE, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mrs. NEGRETE McLEOD, Mr. NOLAN, Ms. NORTON, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. PETERS of Michigan, Ms. PINGREE of Maine, Mr. POCAN, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. SHERMAN, Ms. SLAUGHTER, Mr. SIRES, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Mr. TIERNEY, Mr. TONKO, Ms. TSONGAS, Ms. VELÁZQUEZ, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VISCLOSKY, Mr. VEASEY, Mr. WALZ, Ms. WATERS, Mr. WAXMAN, Mr. WELCH, and Ms. WILSON of Florida) intro-

duced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To provide for an increase in the Federal minimum wage.

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 “Fair Minimum Wage
 5 Act of 2013”.

6 **SEC. 2. MINIMUM WAGE INCREASES.**

7 (a) MINIMUM WAGE.—

8 (1) IN GENERAL.—Section 6(a)(1) of the Fair
 9 Labor Standards Act of 1938 (29 U.S.C. 206(a)(1))
 10 is amended to read as follows:

11 “(1) except as otherwise provided in this sec-
 12 tion, not less than—

13 “(A) \$8.20 an hour, beginning on the first
 14 day of the third month that begins after the
 15 date of enactment of the Fair Minimum Wage
 16 Act of 2013 Act;

17 “(B) \$9.15 an hour, beginning 1 year after
 18 that first day;

19 “(C) \$10.10 an hour, beginning 2 years
 20 after that first day; and

1 “(D) beginning on the date that is 3 years
2 after that first day, and annually thereafter, the
3 amount determined by the Secretary pursuant
4 to subsection (h);”.

5 (2) DETERMINATION BASED ON INCREASE IN
6 THE CONSUMER PRICE INDEX.—Section 6 of the
7 Fair Labor Standards Act of 1938 (29 U.S.C. 206)
8 is amended by adding at the end the following:

9 “(h)(1) Each year, by not later than the date that
10 is 90 days before a new minimum wage determined under
11 subsection (a)(1)(D) is to take effect, the Secretary shall
12 determine the minimum wage to be in effect pursuant to
13 this subsection for the subsequent 1-year period. The wage
14 determined pursuant to this subsection for a year shall
15 be—

16 “(A) not less than the amount in effect under
17 subsection (a)(1) on the date of such determination;

18 “(B) increased from such amount by the annual
19 percentage increase in the Consumer Price Index for
20 Urban Wage Earners and Clerical Workers (United
21 States city average, all items, not seasonally ad-
22 justed), or its successor publication, as determined
23 by the Bureau of Labor Statistics; and

24 “(C) rounded to the nearest multiple of \$0.05.

1 “(2) In calculating the annual percentage increase in
2 the Consumer Price Index for purposes of paragraph
3 (1)(B), the Secretary shall compare such Consumer Price
4 Index for the most recent month, quarter, or year avail-
5 able (as selected by the Secretary prior to the first year
6 for which a minimum wage is in effect pursuant to this
7 subsection) with the Consumer Price Index for the same
8 month in the preceding year, the same quarter in the pre-
9 ceding year, or the preceding year, respectively.”.

10 (b) BASE MINIMUM WAGE FOR TIPPED EMPLOY-
11 EES.—Section 3(m)(1) of the Fair Labor Standards Act
12 of 1938 (29 U.S.C. 203(m)(1)) is amended to read as fol-
13 lows:

14 “(1) the cash wage paid such employee, which
15 for purposes of such determination shall be not less
16 than—

17 “(A) for the 1-year period beginning on
18 the first day of the third month that begins
19 after the date of enactment of the Fair Min-
20 imum Wage Act of 2013, \$3.00 an hour;

21 “(B) for each succeeding 1-year period
22 until the hourly wage under this paragraph
23 equals 70 percent of the wage in effect under
24 section 6(a)(1) for such period, an hourly wage
25 equal to the amount determined under this

1 paragraph for the preceding year, increased by
2 the lesser of—

3 “(i) \$0.95; or

4 “(ii) the amount necessary for the
5 wage in effect under this paragraph to
6 equal 70 percent of the wage in effect
7 under section 6(a)(1) for such period,
8 rounded to the nearest multiple of \$0.05;
9 and

10 “(C) for each succeeding 1-year period
11 after the year in which the hourly wage under
12 this paragraph first equals 70 percent of the
13 wage in effect under section 6(a)(1) for the
14 same period, the amount necessary to ensure
15 that the wage in effect under this paragraph re-
16 mains equal to 70 percent of the wage in effect
17 under section 6(a)(1), rounded to the nearest
18 multiple of \$0.05; and”.

19 (c) PUBLICATION OF NOTICE.—Section 6 of the Fair
20 Labor Standards Act of 1938 (as amended by subsection
21 (a)) (29 U.S.C. 206) is further amended by adding at the
22 end the following:

23 “(i) Not later than 60 days prior to the effective date
24 of any increase in the minimum wage determined under
25 subsection (h) or required for tipped employees in accord-

1 ance with subparagraph (B) or (C) of section 3(m)(1), as
2 amended by the Fair Minimum Wage Act of 2013, the
3 Secretary shall publish in the Federal Register and on the
4 website of the Department of Labor a notice announcing
5 the adjusted required wage.”.

6 (d) EFFECTIVE DATE.—The amendments made by
7 subsections (a) and (b) shall take effect on the first day
8 of the third month that begins after the date of enactment
9 of this Act.

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