

SB 519

THE STATE SENATE  
Thursday, February 10, 2005

Senate Bill No. 519

SENATE BILL NO. 519 - By: ADELSON of the Senate and MORRISSETTE of the House.

An Act relating to labor; amending 40 O.S. 2001, Section 197.2, which relates to the Oklahoma Minimum Wage Act; increasing the minimum wage; modifying exceptions; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 40 O.S. 2001, Section 197.2, is amended to read as follows:

Section 197.2 It shall be unlawful to employ workers in any industry or occupation within ~~the State of Oklahoma~~ this state under conditions of labor detrimental to their health or morals and it shall be unlawful to employ workers in any industry within ~~the State of Oklahoma~~ this state at wages which are not adequate for their maintenance. Except as otherwise provided in the Oklahoma Minimum Wage Act, no employer within ~~the State of Oklahoma~~ this state shall pay any employee a wage ~~of~~ less than the higher of Six Dollars and fifteen cents (\$6.15) or the current federal minimum wage for all hours worked.

SECTION 2. AMENDATORY 40 O.S. 2001, Section 197.4, is amended to read as follows:

Section 197.4 As used in this act:

1       ~~(a)~~ 1. "Commissioner" means the Commissioner of Labor;

2       ~~(b)~~ 2. "Wage" means compensation due to an employee by reason  
3 of his employment, payable in legal tender of the United States or  
4 checks on banks convertible into cash on demand at full face value,  
5 subject to such deductions, charges or allowances as may be  
6 permitted by law;

7       ~~(c)~~ 3. "Employ" includes to suffer or to permit to work;

8       ~~(d)~~ 4. "Employer" means any individual, partnership,  
9 association, corporation, business trust, or any person or group of  
10 persons, hiring more than ten full-time employees or equivalent at  
11 any one location or place of business; provided, however, if an  
12 employer has less than ten full-time employees or equivalent at any  
13 one location or place of business but does a gross business of more  
14 than One Hundred Thousand Dollars (\$100,000.00) annually, said  
15 employer shall not be exempt under the provisions of this act.

16       This act shall not apply ~~to employers subject to the Fair Labor~~  
17 ~~Standards Act of 1938, as amended, and who are paying the minimum~~  
18 ~~wage under the provisions of said act, nor~~ to employers whose  
19 employees are exempt under paragraph ~~(e)~~ 5 of this section; and

20       ~~(e)~~ 5. "Employee" includes any individual employed by an  
21 employer but shall not include:

22       ~~(1) An~~





1            j.    any individual employed in a feedstore operated  
2                            primarily for the benefit and use of farmers and  
3                            ranchers~~†~~, or

4            ~~(12) — Any~~

5            k.    any individual working as a reserve force deputy  
6                            sheriff.

7            SECTION 3. This act shall become effective November 1, 2005.

8            COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND LABOR, dated 2-7-05 -  
9            DO PASS, As Coauthored.