

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0471.01 Yelana Love x2295

HOUSE BILL 15-1300

HOUSE SPONSORSHIP

Moreno and Melton,

SENATE SPONSORSHIP

Merrifield,

House Committees

State, Veterans, & Military Affairs

Senate 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18 and effect until such law is repealed by the local government entity that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 ~~(HH)~~ 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 -**
25 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
26 the expiration of the ninety-day period after final adjournment of the
27 general assembly (August 5, 2015, if adjournment sine die is on May 6,

1 2015); except that, if a referendum petition is filed pursuant to section 1
2 (3) of article V of the state constitution against this act or an item, section,
3 or part of this act within such period, then the act, item, section, or part
4 will not take effect unless approved by the people at the general election
5 to be held in November 2016 and, in such case, will take effect on the
6 date of the official declaration of the vote thereon by the governor.

7 (2) This act applies to conduct occurring on or after the applicable
8 effective date of this act.