

# HOUSE BILL No. 4165

February 5, 2003, Introduced by Reps. Minore, Gielegthem, Zelenko, Murphy, Daniels, Hopgood, Gleason, Anderson, Adamini, Vagnozzi, Plakas, Condino, Accavitti, Clack, Dennis and Woodward and referred to the Committee on Employment Relations, Training and Safety.

A bill to amend 1964 PA 154, entitled  
"Minimum wage law of 1964,"  
by amending sections 4 and 7a (MCL 408.384 and 408.387a),  
section 4 as amended by 1997 PA 2 and section 7a as amended by  
1997 PA 1.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1       Sec. 4. (1) Subject to the exceptions specified in this  
2 act, the minimum hourly wage rate shall be:  
3       ~~(a) Beginning January 1, 1981, \$3.35.~~  
4       ~~(b) Beginning May 1, 1997, \$4.75.~~  
5       (a) ~~—(e)—~~ Beginning September 1, 1997, \$5.15.  
6       (b) Beginning September 1, 2003, \$5.65.  
7       (c) Beginning January 1, 2004, \$6.15.  
8       (2) Beginning January 1, 2005, the amount described in  
9 subsection (1)(c) shall be adjusted annually to reflect the

1 cumulative annual percentage change in the consumer price index.  
2 As used in this subsection, "consumer price index" means the most  
3 comprehensive index of consumer prices available for this state  
4 from the bureau of labor statistics of the United States  
5 department of labor.

6 Sec. 7a. (1) The minimum hourly wage rate of an employee  
7 shall be ~~-\$2.65 per hour~~ **1/2 the minimum hourly wage established**  
8 **under section 4** if all of the following occur:

9 (a) The employee receives gratuities in the course of his or  
10 her employment.

11 (b) The gratuities described in subdivision (a) equal or  
12 exceed the difference between ~~-\$2.65 per hour~~ **1/2 the minimum**  
13 **hourly wage** and the minimum hourly wage established under  
14 section 4.

15 (c) The gratuities are proven gratuities as indicated by the  
16 employee's declaration for federal insurance contribution act  
17 purposes.

18 (d) The employee was informed by the employer of the  
19 provisions of this section.

20 (2) As used in this section, "gratuities" means tips or  
21 voluntary monetary contributions received by an employee from a  
22 guest, patron, or customer for services rendered to that guest,  
23 patron, or customer and that the employee reports to the employer  
24 for purposes of the federal insurance contribution act, chapter  
25 21 of subtitle C of the internal revenue code of 1986, 26  
26 U.S.C. 3101 to 3128.