



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-1392/P2
MDE:cdc&skw

DOA:.....Kirschbaum, BB0309 - Minimum Wage

FOR 2023-2025 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Minimum wage

This bill annually raises the minimum wage to be paid to most employees, from the effective date of the bill through January 1, 2027. After that date, the bill requires DWD to determine the percentage difference between the consumer price index for the preceding 12-month period and the consumer price index for the 12 months before the preceding 12-month period, adjust the minimum wages then in effect by that percentage difference, and publish that amount in the Wisconsin Administrative Register and on the DWD website.

The bill requires the secretary of workforce development to establish a committee to study options to achieve a \$15 per hour minimum wage and other options to increase compensation for workers in this state. Under the bill, the committee consists of nine members, with five appointed by the governor, and one each appointed by the speaker of the assembly, the assembly minority leader, the senate majority leader, and the senate minority leader. The committee is required to submit a report containing its recommendations for options to achieve a \$15 per hour minimum wage and other options to increase compensation to the governor and the appropriate standing committees of the legislature no later than October 1, 2024.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 104.01 (1h) of the statutes is created to read:

104.01 (1h) “Consumer price index” means the average of the consumer price index over each 12-month period for all urban consumers, U.S. city average, all items, not seasonally adjusted, as determined by the bureau of labor statistics of the U.S. department of labor.

SECTION 2. 104.035 (1) (a) of the statutes is renumbered 104.035 (1) (a) (intro.) and amended to read:

104.035 (1) (a) *Minimum rates.* (intro.) Except as provided in subs. (2) to (8) (8m), the minimum wage is as follows:

1. For wages earned prior to the effective date of this subdivision ... [LRB inserts date], \$7.25 per hour.

SECTION 3. 104.035 (1) (a) 2. of the statutes is created to read:

104.035 (1) (a) 2. For wages earned on or after the effective date of this subdivision ... [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

SECTION 4. 104.035 (1) (a) 3. of the statutes is created to read:

104.035 (1) (a) 3. For wages earned on or after January 1, 2025, and prior to January 1, 2026, \$9.25.

SECTION 5. 104.035 (1) (a) 4. of the statutes is created to read:

104.035 (1) (a) 4. For wages earned on or after January 1, 2026, and prior to January 1, 2027, \$10.25.

SECTION 6. 104.035 (2) (a) of the statutes is renumbered 104.035 (2) (a) (intro.) and amended to read:

104.035 (2) (a) *Minimum rates.* (intro.) Except as provided in subs. (2m) to ~~(8)~~ (8m), the minimum wage for a minor employee is as follows:

1. For wages earned prior to the effective date of this subdivision [LRB inserts date], \$7.25 per hour.

SECTION 7. 104.035 (2) (a) 2. of the statutes is created to read:

104.035 (2) (a) 2. For wages earned on or after the effective date of this subdivision [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

SECTION 8. 104.035 (2) (a) 3. of the statutes is created to read:

104.035 (2) (a) 3. For wages earned on or after January 1, 2025, and prior to January 1, 2026, \$9.25.

SECTION 9. 104.035 (2) (a) 4. of the statutes is created to read:

104.035 (2) (a) 4. For wages earned on or after January 1, 2026, and prior to January 1, 2027, \$10.25.

SECTION 10. 104.035 (2m) (a) of the statutes is renumbered 104.035 (2m) (a) (intro.) and amended to read:

104.035 (2m) (a) *Minimum rates.* (intro.) Except as provided in subs. (3) to ~~(8)~~ (8m), the minimum wage for an opportunity employee is as follows:

1. For wages earned prior to the effective date of this subdivision [LRB inserts date], \$5.90 per hour.

SECTION 11. 104.035 (2m) (a) 2. of the statutes is created to read:

104.035 (2m) (a) 2. For wages earned on or after the effective date of this subdivision [LRB inserts date], and prior to January 1, 2025, \$6.71 per hour.

SECTION 12. 104.035 (2m) (a) 3. of the statutes is created to read:

104.035 (2m) (a) 3. For wages earned on or after January 1, 2025, and prior to January 1, 2026, \$7.52.

SECTION 13. 104.035 (2m) (a) 4. of the statutes is created to read:

104.035 (2m) (a) 4. For wages earned on or after January 1, 2026, and prior to January 1, 2027, \$8.33.

SECTION 14. 104.035 (3) (a) (intro.) of the statutes is amended to read:

104.035 (3) (a) *Minimum rates.* (intro.) Except as provided in subs. (4) to (8) (8m), if an employer of a tipped employee establishes by the employer's payroll records that, when adding the tips received by the tipped employee in a week to the wages paid to the tipped employee in that week, the tipped employee receives not less than the applicable minimum wage specified in sub. (1), (2), or (2m), the minimum wage for the tipped employee is as follows:

SECTION 15. 104.035 (3) (a) 1. of the statutes is amended to read:

104.035 (3) (a) 1. For wages earned by a tipped employee who is not an opportunity employee prior to the effective date of this subdivision ... [LRB inserts date], \$2.33 per hour.

SECTION 16. 104.035 (3) (a) 1d. of the statutes is created to read:

104.035 (3) (a) 1d. For wages earned by a tipped employee who is not an opportunity employee, on or after the effective date of this subdivision ... [LRB inserts date], and prior to January 1, 2025, \$2.65 per hour.

SECTION 17. 104.035 (3) (a) 1h. of the statutes is created to read:

104.035 (3) (a) 1h. For wages earned by a tipped employee who is not an opportunity employee, on or after January 1, 2025, and prior to January 1, 2026, \$2.97 per hour.

SECTION 18. 104.035 (3) (a) 1p. of the statutes is created to read:

104.035 (3) (a) 1p. For wages earned by a tipped employee who is not an opportunity employee, on or after January 1, 2026, and prior to January 1, 2027, \$3.29 per hour.

SECTION 19. 104.035 (3) (a) 2. of the statutes is amended to read:

104.035 (3) (a) 2. For wages earned by a tipped employee who is an opportunity employee prior to the effective date of this subdivision ... [LRB inserts date], \$2.13 per hour.

SECTION 20. 104.035 (3) (a) 2d. of the statutes is created to read:

104.035 (3) (a) 2d. For wages earned by a tipped employee who is an opportunity employee, on or after the effective date of this subdivision ... [LRB inserts date], and prior to January 1, 2025, \$2.42 per hour.

SECTION 21. 104.035 (3) (a) 2h. of the statutes is created to read:

104.035 (3) (a) 2h. For wages earned by a tipped employee who is an opportunity employee, on or after January 1, 2025, and prior to January 1, 2026, \$2.71 per hour.

SECTION 22. 104.035 (3) (a) 2p. of the statutes is created to read:

104.035 (3) (a) 2p. For wages earned by a tipped employee who is an opportunity employee, on or after January 1, 2026, and prior to January 1, 2027, \$3.00 per hour.

SECTION 23. 104.035 (4) (a) of the statutes is renumbered 104.035 (4) (a) (intro.) and amended to read:

104.035 (4) (a) *Minimum rates.* (intro.) Except as provided in subs. (7) ~~and (8)~~ to (8m), the minimum wage for an agricultural employee is as follows:

1. For wages earned prior to the effective date of this subdivision ... [LRB inserts date], \$7.25 per hour.

SECTION 24. 104.035 (4) (a) 2. of the statutes is created to read:

104.035 (4) (a) 2. For wages earned on or after the effective date of this subdivision ... [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

SECTION 25. 104.035 (4) (a) 3. of the statutes is created to read:

104.035 (4) (a) 3. For wages earned on or after January 1, 2025, and prior to January 1, 2026, \$9.25 per hour.

SECTION 26. 104.035 (4) (a) 4. of the statutes is created to read:

104.035 (4) (a) 4. For wages earned on or after January 1, 2026, and prior to January 1, 2027, \$10.25 per hour.

SECTION 27. 104.035 (5) of the statutes is renumbered 104.035 (5) (intro.) and amended to read:

104.035 (5) CAMP COUNSELORS. (intro.) The Except as provided in sub. (8m), the minimum wage for a counselor at a seasonal recreational or educational camp, including a day camp, is as follows:

(a) Prior to the effective date of this paragraph ... [LRB inserts date], \$350 per week if meals and lodging are not furnished, \$265 per week if only meals are furnished, and \$210 per week if both meals and lodging are furnished.

SECTION 28. 104.035 (5) (b) of the statutes is created to read:

104.035 (5) (b) On or after the effective date of this paragraph ... [LRB inserts date], and prior to January 1, 2025, \$398.28 per week if meals and lodging are not furnished, \$301.55 per week if only meals are furnished, and \$238.97 per week if both meals and lodging are furnished.

SECTION 29. 104.035 (5) (c) of the statutes is created to read:

104.035 (5) (c) On or after January 1, 2025, and prior to January 1, 2026, \$446.56 per week if meals and lodging are not furnished, \$338.50 per week if only meals are furnished, and \$267.94 per week if both meals and lodging are furnished.

SECTION 30. 104.035 (5) (d) of the statutes is created to read:

104.035 (5) (d) On or after January 1, 2026, and prior to January 1, 2027, \$494.84 per week if meals and lodging are not furnished, \$375.09 per week if only meals are furnished, and \$296.91 per week if both meals and lodging are furnished.

SECTION 31. 104.035 (6) of the statutes is renumbered 104.035 (6) (intro.) and amended to read:

104.035 (6) GOLF CADDIES. (intro.) The Except as provided in sub. (8m), the minimum wage for a golf caddy is as follows:

(a) Prior to the effective date of this paragraph [LRB inserts date], \$10.50 for caddying 18 holes and \$5.90 for caddying 9 holes.

SECTION 32. 104.035 (6) (b) of the statutes is created to read:

104.035 (6) (b) On or after the effective date of this paragraph [LRB inserts date], and prior to January 1, 2025, \$11.95 for caddying 18 holes and \$6.71 for caddying 9 holes.

SECTION 33. 104.035 (6) (c) of the statutes is created to read:

104.035 (6) (c) On or after January 1, 2025, and prior to January 1, 2026, \$13.40 for caddying 18 holes and \$7.52 for caddying 9 holes.

SECTION 34. 104.035 (6) (d) of the statutes is created to read:

104.035 (6) (d) On or after January 1, 2026, and prior to January 1, 2027, \$14.85 for caddying 18 holes and \$8.33 for caddying 9 holes.

SECTION 35. 104.035 (8m) of the statutes is created to read:

104.035 **(8m)** MINIMUM WAGE ADJUSTMENTS. Effective on January 1, 2027, and effective on each January 1 thereafter, the department shall revise the minimum wages established under subs. (1) to (6). The department shall determine the revised minimum wage by calculating the percentage difference between the consumer price index for the 12-month period ending on the last day of the last month for which that information is available and the consumer price index for the 12-month period ending on the last day of the month 12 months prior to that month, adjusting the minimum wages then in effect by that percentage difference. The department shall annually have the revised amount published in the Wisconsin Administrative Register and on the department's website.

SECTION 36. 227.01 (13) (Lw) of the statutes is created to read:

227.01 **(13)** (Lw) Adjusts the minimum wage under s. 104.035 (8m).

SECTION 9150. Nonstatutory provisions; Workforce Development.

(1) MINIMUM WAGE STUDY COMMITTEE.

(a) The secretary of workforce development shall establish a minimum wage study committee under s. 15.04 (1) (c). The committee shall consist of the following:

1. Five members appointed by the governor.
2. One member appointed by the speaker of the assembly.
3. One member appointed by the minority leader of the assembly.
4. One member appointed by the majority leader of the senate.
5. One member appointed by the minority leader of the senate.

(b) The committee created under par. (a) shall study options to achieve a \$15 per hour minimum wage and other options to increase compensation for workers in this state.

(c) No later than October 1, 2024, the committee created under par. (a) shall submit to the governor and the appropriate standing committees of the legislature in the manner provided under s. 13.172 (3) a report that includes recommendations regarding the options for achieving a \$15 per hour minimum wage and other means of increasing worker compensation in this state.

(d) The minimum wage study committee terminates upon submission of the report under par. (c).

(END)