

**INITIATIVE PETITION**

WARNING

It is a felony for anyone to sign any initiative or referendum petition with any name other than his own, or to knowingly sign his name more than once for the measure, or to sign such petition when he is not a qualified elector.

INITIATIVE PETITION

TO: The Honorable Lawrence Denney, Secretary of State of the State of Idaho:

"We, the undersigned citizens and qualified electors of the State of Idaho, respectfully demand that the following proposed law, to-wit:

**AN INITIATIVE AMENDING MINIMUM WAGE LAW BY INCREASING THE  
GENERAL MINIMUM WAGE AND MINIMUM WAGE OF TIPPED EMPLOYEES.**

AN INITIATIVE AMENDING CHAPTER 15, TITLE 44, IDAHO CODE; INCREASING MINIMUM WAGE RATE APPLICABLE TO MOST NON-EXEMPT EMPLOYEES ANNUALLY FOR FOUR (4) CONSECUTIVE YEARS; ESTABLISHING FORMULA FOR SUBSEQUENT YEARS TO ANNUALLY ADJUST MINIMUM WAGE RATE IN DIRECT PROPORTION TO INCREASES IN SPECIFIED FEDERAL CONSUMER PRICE INDEX; INCREASING MINIMUM WAGE AMOUNT OF DIRECT WAGES PAID TO TIPPED EMPLOYEES ANNUALLY FOR FOUR (4) CONSECUTIVE YEARS; PROVIDING ON JANUARY 1 OF EACH YEAR FOLLOWING THE FOURTH YEAR MINIMUM WAGE FOR TIPPED EMPLOYEES SHALL NOT BE LESS THAN THREE DOLLARS AND NINETY CENTS (\$3.90) LESS THAN GENERAL MINIMUM WAGE; REPEALING SUBSECTIONS (3) AND (4) OF SECTION 44-1502, IDAHO CODE, REMOVING ALLOWANCE FOR EMPLOYERS TO PAY A MINIMUM WAGE RATE OF FOUR DOLLARS AND TWENTY-FIVE CENTS (\$4.25) TO EMPLOYEES UNDER AGE OF TWENTY (20) FOR A PERIOD OF NINETY (90) DAYS AFTER INITIALLY EMPLOYED; AND ADDING NEW SUBSECTION (3) OF SECTION 44-1502, IDAHO CODE, PROVIDING COUNTIES AND MUNICIPALITIES WITH AUTHORITY TO INCREASE THE MINIMUM WAGE RATE ABOVE THE MINIMUM WAGE RATE PROVIDED IN THIS SECTION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 44-1502, Idaho Code, be, and the same is hereby amended to read as follows:

44-1502. MINIMUM WAGES. (1) Except as ~~hereinafter~~ otherwise provided in this section, no employer shall pay to any of his employees any wages computed at a rate of less than seven dollars and twenty-five cents (\$7.25) per hour for employment. The amount of the minimum wage shall conform to, and track with, the federal minimum wage; provided however, the amount of minimum wage shall rise as follows to the extent not exceeded by the federal minimum wage: as of June 1, 2021, to eight dollars and seventy-five cents (\$8.75) per hour for employment; as of June 1, 2022, to nine dollars and seventy-five cents (\$9.75) per hour for employment; as of June 1, 2023, to ten dollars and seventy-five cents (\$10.75) per hour for employment; and as of June 1, 2024 to twelve dollars (\$12.00) per hour for employment. Beginning September 30, 2024, and on each succeeding September 30, the director of the department of commerce shall calculate an adjusted minimum wage rate in direct proportion to the increase, if any, in the United States Department of Labor's consumer price index for Urban Wage Earners and Clerical Workers (CPI-W), or a successor index, for the period of July 1 of the previous calendar year to June 30 of the current calendar year. Such adjusted minimum wage shall take effect on January 1 of the following year, and no employer shall pay to any of his employees any wages computed at a rate of less than such adjusted minimum wage.

(2) In determining the wage of a tipped employee, the amount of direct wages paid by an employer to the employee shall be deemed to be increased on account of tips actually received by the employee; provided however, the direct wages paid to the employee by the employer shall not be in an amount less than ~~three dollars and thirty-five cents (\$3.35) an hour~~; as of June 1, 2021, four dollars and eighty-five cents (\$4.85) per hour for employment; as of June 1, 2022, five dollars and eighty-five cents (\$5.85) per hour for employment; as of June 1, 2023, six dollars and eighty-five cents (\$6.85) per hour for employment; and as of June 1, 2024, eight dollars and ten cents (\$8.10) per hour for employment. Beginning January 1, 2025, and on each January 1 thereafter, the direct wages paid to the employee by the employer shall be not less than minimum wage minus \$3.90. If the tips actually received by the employee combined with the direct wages paid by the employer do not at least equal the minimum wage, the employer must make up the difference. In the event a dispute arises between the employee and the employer with respect to the amount of tips actually received by the employee, it shall be the employer's burden to demonstrate the amount of tips actually received by the employee. Any portion of tips paid to an employee, which is shared with other employees under a tip pooling or similar arrangement, shall not be deemed, for the purpose of this section, to be tips actually received by the employee.

(3) Counties named in Chapter 1 of Title 31, Idaho Code, and municipal corporations governed by Title 50, Idaho Code, may establish and enforce minimum wage laws higher than the minimum wages provided in this section.

~~(3) In lieu of the rate prescribed by subsection (1) of this section, an employer may pay an employee who has not attained twenty (20) years of age a wage which is not less than four dollars and twenty-five cents (\$4.25) an hour during the first ninety (90) consecutive calendar days after such employee is initially employed. No employer may take any action to displace employees (including partial displacements such as reduction in hours, wages or employment benefits) for purposes of hiring individuals at the wage authorized in this subsection.~~

~~(4) No political subdivision of this state, as defined by section 6-902, Idaho Code, shall establish by ordinance or other action minimum wages higher than the minimum wages provided in this section.~~

END.

shall be submitted to the qualified electors of the State of Idaho, for their approval or rejection at the regular general election, to be held on the third (3<sup>rd</sup>) day of November, A.D. 2020, and each for himself says: I have personally signed this petition; I am a qualified elector of the State of Idaho; my residence and legislative district are correctly written after my name."

Signature	Printed Name	Residence Street and Number	City or Post Office	Date	Official Use Only Legislative District
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					

STATE OF IDAHO  
SS  
County of \_\_\_\_\_

I, \_\_\_\_\_, being first duly sworn, say: That I am a resident of the State of Idaho and at least eighteen (18) years of age: that every person who signed this sheet of the foregoing petition signed his or her name thereto in my presence: I believe that each has stated his or her name, address and residence correctly, that each signer is a qualified elector of the State of Idaho, and a resident of the county of \_\_\_\_\_.

Signed \_\_\_\_\_  
Post-office address \_\_\_\_\_

(Notary Seal)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signed \_\_\_\_\_  
Notary Public

Residing at \_\_\_\_\_ My Commission expires on \_\_\_\_\_

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