



April 13, 2011

**ENGROSSED  
HOUSE BILL No. 1538**

DIGEST OF HB 1538 (Updated April 11, 2011 1:57 pm - DI 113)

**Citations Affected:** IC 22-2.

**Synopsis:** Minimum wage required by local unit. Prohibits a local unit of government (unit) from establishing, mandating, or requiring a minimum wage that exceeds the state or federal minimum wage unless federal or state law provides otherwise. Allows a unit to establish wage rates in a contract to which the unit is a party.

**Effective:** July 1, 2011.

**Speedy**

(SENATE SPONSOR — SCHNEIDER)

January 20, 2011, read first time and referred to Committee on Employment, Labor and Pensions.

February 17, 2011, reported — Do Pass; Roll Call: yeas 55, nays 38.

March 28, 2011, read second time, amended, ordered engrossed.

March 29, 2011, engrossed.

March 30, 2011, read third time, passed. Yeas 58, nays 41.

**SENATE ACTION**

March 31, 2011, read first time and referred to Committee on Commerce and Economic Development.

April 12, 2011, reported favorably — Do Pass.

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EH 1538—LS 7139/DI 96+



April 13, 2011

First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

# ENGROSSED HOUSE BILL No. 1538

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A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 22-2-2-10.5 IS ADDED TO THE INDIANA CODE  
 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 3 1, 2011]: **Sec. 10.5. (a) As used in this section, "unit" has the**  
 4 **meaning set forth in IC 36-1-2-23.**  
 5 **(b) Unless federal or state law provides otherwise, a unit may**  
 6 **not:**  
 7 **(1) establish;**  
 8 **(2) mandate; or**  
 9 **(3) otherwise require;**  
 10 **a minimum wage that exceeds the minimum wage required by**  
 11 **section 4 of this chapter or by the federal minimum hourly wage**  
 12 **prescribed by 29 U.S.C. 206(a)(1).**  
 13 **(c) This section does not limit the authority of a unit to establish**  
 14 **wage rates in a contract to which the unit is a party.**

EH 1538—LS 7139/DI 96+



COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1538, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

GUTWEIN, Chair

Committee Vote: yeas 8, nays 5.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1538 be amended to read as follows:

Page 1, line 11, delete "chapter." and insert "**chapter or by the federal minimum hourly wage prescribed by 29 U.S.C. 206(a)(1).**".

(Reference is to HB 1538 as printed February 18, 2011.)

SPEEDY

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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Economic Development, to which was referred House Bill No. 1538, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1538 as printed March 29, 2011.)

YOUNG R MICHAEL, Chairperson

Committee Vote: Yeas 5, Nays 3.

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