



SPONSOR: Sen. Marshall & Sen. Henry
Sen. McDowell; Reps. Baumbach, Bentz, Heffernan,
Keeley, Kowalko, Osienski, Paradee

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE BILL NO. 10

AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO MINIMUM WAGE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 902, Title 19 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 902. Minimum wage rate [For current federal minimum wage, see 29 U.S.C. § 206(a)(1)(A)]

(a)(1) Except as may otherwise be provided under this chapter, every employer shall pay to every employee in any occupation wages of a rate:

~~(1) Not less than \$7.75 per hour effective June 1, 2014; and~~

~~(2)a.~~ Not less than \$8.25 per hour effective June 1, 2015.

b. Not less than \$8.75 per hour effective October 1, 2017.

c. Not less than \$9.25 per hour effective October 1, 2018.

d. Not less than \$9.75 per hour effective October 1, 2019.

e. Not less than \$10.25 per hour effective October 1, 2020. After October 1, 2020, the hourly rate required under this paragraph (a)(1)e. of this section increases by a percentage equal to the percentage of the cost-of-living adjustment as determined under the federal Social Security Act, 42 U.S.C. § 300 et seq. Every employer must pay such increase to every employee beginning no later than 90 days after the effective date of the corresponding increase in federal Social Security benefits.

~~(2) Upon the establishment of a federal minimum wage in excess of the state minimum wage, the minimum wage in this State shall be equal in amount to the federal minimum wage, except as may otherwise be provided under this chapter.~~ Except as otherwise may be provided under this chapter, if a federal minimum wage is established that exceeds the state minimum wage under paragraph (a)(1) of this section, every employer shall pay to every employee in an occupation wages of a rate equal to the federal minimum wage. If an employer is required to pay the federal minimum wage and the federal minimum wage is not increased in a subsequent year, the rate required under this paragraph increases by a percentage equal to the percentage of the cost-of-living adjustment as determined under the federal Social Security Act, 42

- 23 U.S.C. § 300 et seq. In such a circumstance, every employer must pay such increase to every employee beginning no later
24 than 90 days after the effective date of the corresponding increase in federal Social Security benefits.

SYNOPSIS

This Act increases the minimum wage required to be paid in this State by 50 cents a year beginning in 2017 and ending in 2020. After 2020, the minimum wage required to be paid in this State increases based on cost-of-living adjustments under the federal Social Security Act. This Act also makes technical corrections to conform to existing law related to the State's deferral to the federal minimum wage to the guidelines of the Delaware Legislative Drafting Manual. In addition, this Act requires that employers pay an increased minimum wage based on cost-of-living adjustments under the federal Social Security Act in any year in which the federal minimum wage does not increase.

Author: Senator Marshall