

## 1 SENATE BILL NO. 187

2 INTRODUCED BY M. SWEENEY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN INCREASE IN THE MINIMUM WAGE; AND  
5 AMENDING SECTION 39-3-409, MCA."

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7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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9 **Section 1.** Section 39-3-409, MCA, is amended to read:10 **"39-3-409. Adoption of minimum wage rates -- exception.** (1) The minimum wage, except as  
11 provided in subsection (3), must be the greater of either:12 (a) the minimum hourly wage rate as provided under the federal Fair Labor Standards Act of 1938 (29  
13 U.S.C. 206(a)(1)), excluding the value of tips received by the employee and the special provisions for a training  
14 wage; or15 (b) ~~\$6.15~~ \$10 an hour in 2022, \$11 an hour in 2023, \$12 an hour in 2024, and after 2024 adjusted as  
16 provided in subsection (2), but, excluding the value of tips received by the employee and the special provisions  
17 for a training wage.

18 (2) (a) The minimum wage is subject to a cost-of-living adjustment, as provided in subsection (2)(b).

19 (b) ~~No~~ After January 1, 2024, no later than September 30 of each year, an adjustment of the wage  
20 amount specified in subsection (1) must be made based upon the increase, if any, from August of the preceding  
21 year to August of the year in which the calculation is made in the consumer price index, U.S. city average, all  
22 urban consumers, for all items, as published by the bureau of labor statistics of the United States department of  
23 labor.

24 (c) The wage amount established under this subsection (2):

25 (i) must be rounded to the nearest 5 cents; and

26 (ii) becomes effective as the new minimum wage, replacing the dollar figure specified in subsection (1),  
27 on January 1 of the following year.

28 (3) The minimum wage rate for a business whose annual gross sales are \$110,000 or less is \$4 an

1 hour."

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