

# Senate Bill 409

Sponsored by Senator FERRIOLI (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Repeals minimum wage increases that have not yet become operative. Authorizes Wasco and Josephine Counties to avoid adjustments for inflation until wage rate is equal to that of nonurban counties.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the repeal of prospective minimum wage increases; creating new provisions; amending  
3 ORS 653.025; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 653.025, as amended by section 1, chapter 12, Oregon Laws 2016, is amended  
6 to read:

7 653.025. (1) Except as provided in *[subsections (2) and (3)]* **subsection (2)** of this section, ORS  
8 652.020 and the rules of the Commissioner of the Bureau of Labor and Industries issued under ORS  
9 653.030 and 653.261, for each hour of work time that the employee is gainfully employed, no em-  
10 ployer shall employ or agree to employ any employee at wages computed at a rate lower than:

11 (a) For calendar year 2003, \$6.90.

12 (b) From January 1, 2004, to June 30, 2016, a rate adjusted for inflation as calculated by the  
13 commissioner.

14 (c) From July 1, 2016, to June 30, 2017, \$9.75.

15 *[(d) From July 1, 2017, to June 30, 2018, \$10.25.]*

16 *[(e) From July 1, 2018, to June 30, 2019, \$10.75.]*

17 *[(f) From July 1, 2019, to June 30, 2020, \$11.25.]*

18 *[(g) From July 1, 2020, to June 30, 2021, \$12.]*

19 *[(h) From July 1, 2021, to June 30, 2022, \$12.75.]*

20 *[(i) From July 1, 2022, to June 30, 2023, \$13.50.]*

21 *[(j) (d) After June 30, [2023] 2017, beginning on July 1 of each year, a rate adjusted annually*  
22 *for inflation as described in subsection [(5)] (3) of this section.*

23 *[(2) If the employer is located within the urban growth boundary of a metropolitan service district*  
24 *organized under ORS chapter 268, except as provided by ORS 652.020 and the rules of the commis-*  
25 *sioner issued under ORS 653.030 and 653.261, for each hour of work time that the employee is gainfully*  
26 *employed, no employer shall employ or agree to employ any employee at wages computed at a rate*  
27 *lower than:]*

28 *[(a) From July 1, 2016, to June 30, 2017, \$9.75.]*

29 *[(b) From July 1, 2017, to June 30, 2018, \$11.25.]*

30 *[(c) From July 1, 2018, to June 30, 2019, \$12.]*

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 [(d) From July 1, 2019, to June 30, 2020, \$12.50.]

2 [(e) From July 1, 2020, to June 30, 2021, \$13.25.]

3 [(f) From July 1, 2021, to June 30, 2022, \$14.]

4 [(g) From July 1, 2022, to June 30, 2023, \$14.75.]

5 [(h) After June 30, 2023, an employer described in this subsection shall pay an employee no less  
6 than \$1.25 per hour more than the minimum wage determined under subsection (1)(j) of this section]

7 [(3)] (2) If the employer is located within a nonurban county as described in section 2, chapter  
8 12, Oregon Laws 2016, except as provided by ORS 652.020 and the rules of the commissioner issued  
9 under ORS 653.030 and 653.261, for each hour of work time that the employee is gainfully employed,  
10 no employer shall employ or agree to employ any employee at wages computed at a rate lower than:

11 (a) From July 1, 2016, to June 30, 2017, \$9.50.

12 [(b) From July 1, 2017, to June 30, 2018, \$10.]

13 [(c) From July 1, 2018, to June 30, 2019, \$10.50.]

14 [(d) From July 1, 2019, to June 30, 2020, \$11.]

15 [(e) From July 1, 2020, to June 30, 2021, \$11.50.]

16 [(f) From July 1, 2021, to June 30, 2022, \$12.]

17 [(g) From July 1, 2022, to June 30, 2023, \$12.50.]

18 [(h) After June 30, 2023, an employer described in this subsection shall pay an employee no less  
19 than \$1 per hour less than the minimum wage determined under subsection (1)(j) of this section]

20 (b) After June 30, 2017, beginning on July 1 of each year, a rate adjusted annually for  
21 inflation as described in subsection (3) of this section.

22 [(4) The commissioner shall adopt rules for determining an employer's location under subsection  
23 (2) of this section.]

24 [(5)(a)] (3)(a) The Oregon minimum wage shall be adjusted for inflation as provided in paragraph  
25 (b) of this subsection.

26 (b) No later than April 30 of each year, beginning in [2023] 2018, the commissioner shall calcu-  
27 late an adjustment of the wage amount specified in [subsection (1)(j)] subsections (1)(d) and (2)(b)  
28 of this section based upon the increase, if any, from March of the preceding year to March of the  
29 year in which the calculation is made in the U.S. City Average Consumer Price Index for All Urban  
30 Consumers for All Items as prepared by the Bureau of Labor Statistics of the United States De-  
31 partment of Labor or its successor.

32 (c) The wage amount as adjusted under this subsection shall be rounded to the nearest five  
33 cents.

34 (d) The wage amount as adjusted under this subsection becomes effective as the new Oregon  
35 minimum wage amount, replacing the minimum wage amount specified in [subsection (1)(j)] sub-  
36 sections (1) and (2) of this section, on July 1 of the year in which the calculation is made.

37 **SECTION 2. Section 3 of this 2017 Act is added to and made a part of ORS chapter 653.**

38 **SECTION 3. Notwithstanding ORS 653.025, an employer located in Josephine or Wasco**  
39 **County shall maintain a minimum wage rate that is equal to the rate in effect on July 1,**  
40 **2016, without adjustment for inflation, until the date on which the rate in those counties is**  
41 **less than or equal to the rate applicable to counties listed in section 2, chapter 12, Oregon**  
42 **Laws 2016, after which Josephine and Wasco Counties shall maintain a rate equal to nonur-**  
43 **ban counties as described in section 2, chapter 12, Oregon Laws 2016.**

44 **SECTION 4. This 2017 Act being necessary for the immediate preservation of the public**  
45 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**

1 **on its passage.**

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