AN ACT

Amending the act of January 17, 1968 (P.L.11, No.5), entitled "An act establishing a fixed minimum wage and overtime rates for employees, with certain exceptions; providing for minimum rates for learners and apprentices; creating a Minimum Wage Advisory Board and defining its powers and duties; conferring powers and imposing duties upon the Department of Labor and Industry; imposing duties on employers; and providing penalties," further providing for minimum wages; and repealing provisions relating to preemption.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 4 of the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, is amended by adding a subsection to read:

Section 4. Minimum Wages.--Except as may otherwise be provided under this act:

* * *

(a.2) A municipality may adopt an ordinance that provides for a greater wage rate than that required under subsection (a) and the Fair Labor Standards Act of 1938 (52 Stat. 1060, 29 U.S.C. § 201 et seq.).

* * *
Section 2. Section 14.1 of the act is repealed:

[Section 14.1. Preemption.--(a) Except as set forth in subsection (b), this act shall preempt and supersede any local ordinance or rule concerning the subject matter of this act.

(b) This section does not prohibit local regulation pursuant to an ordinance which was adopted by a municipality prior to January 1, 2006, and which remained in effect on January 1, 2006.]

Section 3. This act shall take effect in 60 days.