

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 923 Session of 2021

INTRODUCED BY BOYLE, LEE, GALLOWAY, HOHENSTEIN, ISAACSON,  
 SANCHEZ, ZABEL, HANBIDGE, HILL-EVANS, CIRESI, SCHLOSSBERG,  
 DeLUCA, D. WILLIAMS, SIMS, NEILSON, O'MARA, DALEY, WEBSTER,  
 WARREN, KINSEY, BRADFORD, BRIGGS, GAINNEY AND McCLINTON,  
 MARCH 15, 2021

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MARCH 15, 2021

AN ACT

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

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

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

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

17 \* \* \*

18 (a.2) A municipality may adopt an ordinance that provides  
 19 for a greater wage rate than that required under subsection (a)  
 20 and the Fair Labor Standards Act of 1938 (52 Stat. 1060, 29

1 U.S.C. § 201 et seq.)

2 \* \* \*

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 Section 14.1 of the act is repealed:

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

7 (b) This section does not prohibit local regulation pursuant  
8 to an ordinance which was adopted by a municipality prior to  
9 January 1, 2006, and which remained in effect on January 1,  
10 2006.]

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