

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1253 Session of 2023

INTRODUCED BY BOYLE, KHAN, ISAACSON, KENYATTA, MADDEN, SANCHEZ, VENKAT, BELLMON, HILL-EVANS, GALLOWAY, HOHENSTEIN, NEILSON AND CIRESI, MAY 24, 2023

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MAY 24, 2023

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 29 U.S.C. Ch. 8 (relating to fair labor standards).

21 \* \* \*

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 Section 14.1 of the act is repealed:

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

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

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