

105TH CONGRESS  
1ST SESSION

# H. R. 2357

To amend the Fair Labor Standards Act of 1938 to provide that a State or local government may not, in their minimum wage laws, ordinances, regulations, or orders, preclude a tip credit or require a certain tip credit.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1997

Mr. RIGGS (for himself, Mr. RAMSTAD, Mr. CUNNINGHAM, Mr. McKEON, Mr. CAMPBELL, and Mr. BILBRAY) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Fair Labor Standards Act of 1938 to provide that a State or local government may not, in their minimum wage laws, ordinances, regulations, or orders, preclude a tip credit or require a certain tip credit.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Tipped Wage Parity  
5       Act”.

1 **SEC. 2. RELATION TO OTHER LAWS.**

2       Section 18 of the Fair Labor Standards Act of 1938  
3 (29 U.S.C. 218) is amended by redesignating subsection  
4 (b) as subsection (c) and by adding after subsection (a)  
5 the following:

6       “(b) No law, ordinance, regulation, or order estab-  
7 lished or enforced by a State or a political subdivision of  
8 a State shall prohibit an employer from applying a tip  
9 credit as authorized by section 3(m) if the employer pays  
10 cash wages to tipped employees that are no less than the  
11 minimum cash wage required by such law, ordinance, reg-  
12 ulation, or order on the date of the enactment of this sub-  
13 section.”.

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