

Calendar No. 354

113TH CONGRESS
2D SESSION

S. 2223

To provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

IN THE SENATE OF THE UNITED STATES

APRIL 8, 2014

Mr. HARKIN (for himself, Mr. MERKLEY, Mr. REID, Mr. SANDERS, Ms. BALDWIN, Mr. MURPHY, Mr. MARKEY, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. CASEY, Mr. BENNET, Mr. LEAHY, Ms. STABENOW, Mr. SCHATZ, Mr. BOOKER, Ms. KLOBUCHAR, Mr. LEVIN, Mr. HEINRICH, Mrs. BOXER, Mrs. HAGAN, Mr. BEGICH, and Ms. HEITKAMP) introduced the following bill; which was read the first time

APRIL 9, 2014

Read the second time and placed on the calendar

A BILL

To provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Minimum Wage Fair-
3 ness Act”.

4 **SEC. 2. MINIMUM WAGE INCREASES.**

5 (a) MINIMUM WAGE.—

6 (1) IN GENERAL.—Section 6(a)(1) of the Fair
7 Labor Standards Act of 1938 (29 U.S.C. 206(a)(1))
8 is amended to read as follows:

9 “(1) except as otherwise provided in this sec-
10 tion, not less than—

11 “(A) \$8.20 an hour, beginning on the first
12 day of the sixth month that begins after the
13 date of enactment of the Minimum Wage Fair-
14 ness Act;

15 “(B) \$9.15 an hour, beginning 1 year after
16 that first day;

17 “(C) \$10.10 an hour, beginning 2 years
18 after that first day; and

19 “(D) beginning on the date that is 3 years
20 after that first day, and annually thereafter, the
21 amount determined by the Secretary pursuant
22 to subsection (h);”.

23 (2) DETERMINATION BASED ON INCREASE IN
24 THE CONSUMER PRICE INDEX.—Section 6 of the
25 Fair Labor Standards Act of 1938 (29 U.S.C. 206)
26 is amended by adding at the end the following:

1 “(h)(1) Each year, by not later than the date that
2 is 90 days before a new minimum wage determined under
3 subsection (a)(1)(D) is to take effect, the Secretary shall
4 determine the minimum wage to be in effect pursuant to
5 this subsection for the subsequent 1-year period. The wage
6 determined pursuant to this subsection for a year shall
7 be—

8 “(A) not less than the amount in effect under
9 subsection (a)(1) on the date of such determination;

10 “(B) increased from such amount by the annual
11 percentage increase in the Consumer Price Index for
12 Urban Wage Earners and Clerical Workers (United
13 States city average, all items, not seasonally ad-
14 justed), or its successor publication, as determined
15 by the Bureau of Labor Statistics; and

16 “(C) rounded to the nearest multiple of \$0.05.

17 “(2) In calculating the annual percentage increase in
18 the Consumer Price Index for purposes of paragraph
19 (1)(B), the Secretary shall compare such Consumer Price
20 Index for the most recent month, quarter, or year avail-
21 able (as selected by the Secretary prior to the first year
22 for which a minimum wage is in effect pursuant to this
23 subsection) with the Consumer Price Index for the same
24 month in the preceding year, the same quarter in the pre-
25 ceding year, or the preceding year, respectively.”.

1 (b) BASE MINIMUM WAGE FOR TIPPED EMPLOY-
 2 EES.—Section 3(m)(1) of the Fair Labor Standards Act
 3 of 1938 (29 U.S.C. 203(m)(1)) is amended to read as fol-
 4 lows:

5 “(1) the cash wage paid such employee, which
 6 for purposes of such determination shall be not less
 7 than—

8 “(A) for the 1-year period beginning on
 9 the first day of the sixth month that begins
 10 after the date of enactment of the Minimum
 11 Wage Fairness Act, \$3.00 an hour;

12 “(B) for each succeeding 1-year period
 13 until the hourly wage under this paragraph
 14 equals 70 percent of the wage in effect under
 15 section 6(a)(1) for such period, an hourly wage
 16 equal to the amount determined under this
 17 paragraph for the preceding year, increased by
 18 the lesser of—

19 “(i) \$0.95; or

20 “(ii) the amount necessary for the
 21 wage in effect under this paragraph to
 22 equal 70 percent of the wage in effect
 23 under section 6(a)(1) for such period,
 24 rounded to the nearest multiple of \$0.05;
 25 and

1 “(C) for each succeeding 1-year period
2 after the year in which the hourly wage under
3 this paragraph first equals 70 percent of the
4 wage in effect under section 6(a)(1) for the
5 same period, the amount necessary to ensure
6 that the wage in effect under this paragraph re-
7 mains equal to 70 percent of the wage in effect
8 under section 6(a)(1), rounded to the nearest
9 multiple of \$0.05; and”.

10 (c) PUBLICATION OF NOTICE.—Section 6 of the Fair
11 Labor Standards Act of 1938 (as amended by subsection
12 (a)) (29 U.S.C. 206) is further amended by adding at the
13 end the following:

14 “(i) Not later than 60 days prior to the effective date
15 of any increase in the minimum wage determined under
16 subsection (h) or required for tipped employees in accord-
17 ance with subparagraph (B) or (C) of section 3(m)(1), as
18 amended by the Minimum Wage Fairness Act, the Sec-
19 retary shall publish in the Federal Register and on the
20 website of the Department of Labor a notice announcing
21 the adjusted required wage.”.

22 (d) EFFECTIVE DATE.—The amendments made by
23 subsections (a) and (b) shall take effect on the first day
24 of the sixth month that begins after the date of enactment
25 of this Act.

1 **SEC. 3. EXTENSION OF INCREASED EXPENSING LIMITA-**
 2 **TIONS AND TREATMENT OF CERTAIN REAL**
 3 **PROPERTY AS SECTION 179 PROPERTY.**

4 (a) IN GENERAL.—

5 (1) DOLLAR LIMITATION.—Section 179(b)(1) of
 6 the Internal Revenue Code of 1986 is amended—

7 (A) by striking “in 2010, 2011, 2012, or
 8 2013” in subparagraph (B) and inserting
 9 “after 2009 and before 2017”, and

10 (B) by striking “2013” in subparagraph
 11 (C) and inserting “2016”.

12 (2) REDUCTION IN LIMITATION.—Section
 13 179(b)(2) of such Code is amended—

14 (A) by striking “in 2010, 2011, 2012, or
 15 2013” in subparagraph (B) and inserting
 16 “after 2009 and before 2017”, and

17 (B) by striking “2013” in subparagraph
 18 (C) and inserting “2016”.

19 (b) COMPUTER SOFTWARE.—Section
 20 179(d)(1)(A)(ii) of the Internal Revenue Code of 1986 is
 21 amended by striking “2014” and inserting “2017”.

22 (c) ELECTION.—Section 179(c)(2) of the Internal
 23 Revenue Code of 1986 is amended by striking “2014” and
 24 inserting “2017”.

25 (d) SPECIAL RULES FOR TREATMENT OF QUALIFIED
 26 REAL PROPERTY.—

1 (1) IN GENERAL.—Section 179(f)(1) of the In-
2 ternal Revenue Code of 1986 is amended by striking
3 “in 2010, 2011, 2012, or 2013” and inserting “after
4 2009 and before 2017”.

5 (2) CARRYOVER LIMITATION.—

6 (A) IN GENERAL.—Section 179(f)(4) of
7 such Code is amended by striking “2013” each
8 place it appears and inserting “2016”.

9 (B) CONFORMING AMENDMENT.—The
10 heading of subparagraph (C) of section
11 179(f)(4) of such Code is amended by striking
12 “2010, 2011 AND 2012” and inserting “YEARS
13 BEFORE 2016”.

14 (e) EFFECTIVE DATE.—The amendments made by
15 this section shall apply to taxable years beginning after
16 December 31, 2013.

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