

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 391

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “amounts;” insert “authorizing an increase in a certain tip credit used by certain employers to compensate certain employees;”; and in line 8, strike “3-413” and substitute “3-413 and 3-419”.

AMENDMENT NO. 2

On page 1, strike beginning with “THE” in line 20 down through “OF” in line 21; after line 21, insert:

“(I) THE GREATER OF:”;

in line 22, strike “(i)” and substitute “1.”; in the same line, after the semicolon, insert “OR”; and in line 23, strike “(II)” and substitute “2.”.

On page 2, in line 1, strike the brackets; and in the same line, strike “(III)”.

AMENDMENT NO. 3

On page 2, after line 3, insert:

“3-419.

(a) (1) This section applies to each employee who:

(i) is engaged in an occupation in which the employee customarily and regularly receives more than \$30 each month in tips;

(ii) has been informed by the employer about the provisions of this

(Over)

section; and

(iii) has kept all of the tips that the employee received.

(2) Notwithstanding paragraph (1)(iii) of this subsection, this section does not prohibit the pooling of tips.

(b) Subject to the limitations in this section, an employer may include, as part of the wage of an employee to whom this section applies:

(1) an amount that the employer sets to represent the tips of the employee; or

(2) if the employee or representative of the employee satisfies the Commissioner that the employee received a lesser amount in tips, the lesser amount.

(c) The tip credit amount that the employer may include under subsection (b) of this section may not exceed [\$2.77] 50% OF THE MINIMUM WAGE ESTABLISHED UNDER § 3-413 OF THIS SUBTITLE FOR THE EMPLOYEE.”.