

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 257

AMENDMENT NO. A50
(to be filled in by
Principal Clerk)

S257-ALR-4 [v.5]

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Amends Title [NO]
Second Edition

Date _____, 2025

Senator Batch

moves to amend the bill on page 31, lines 7-8, by inserting the following between the lines:

"RAISE STATE MINIMUM WAGE AND INDEX FOR AUTOMATIC INCREASES/INCREASE TIPPED EMPLOYEE MINIMUM

SECTION 5.12 G.S. 95-25.3 reads as rewritten:

"§ 95-25.3. Minimum wage.

(a) Minimum Wage. -- Every employer shall pay to each employee who in any workweek performs any work, wages of at least six dollars and fifteen cents (\$6.15) per hour or the minimum wage the amount set forth in paragraph 1 of section 6(a) of the Fair Labor Standards Act, 29 U.S.C. 206(a)(1), as that wage may change from time to time, whichever is higher, except as otherwise provided in this section or the amount set forth below in this subsection, whichever is higher:

- (1) Effective January 1, 2026, wages of at least nine dollars (\$9.00) per hour.
(2) Effective January 1, 2027, wages of at least ten dollars and fifty cents (\$10.50) per hour.
(3) Effective January 1, 2028, wages of at least twelve dollars (\$12.00) per hour.
(4) Effective January 1, 2029, wages of at least thirteen dollars and fifty cents (\$13.50) per hour.
(6) Effective January 1, 2029, and annually thereafter, the amount determined by the Commissioner of Labor under subsection (a1) of this section.

(a1) Beginning January 1, 2030, and annually thereafter, the minimum wage shall be adjusted by the percentage increase, if any, in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), Southern Region, as published by the U.S. Department of Labor, Bureau of Labor Statistics for the 12-month period ending the prior August.

(a2) Publication of Adjustment. The Commissioner of Labor shall calculate and publish the adjusted minimum wage no later than November 1 of each year. The wage shall be rounded to the nearest five cents.

(a3) Federal Minimum Wage Floor. If the federal minimum wage exceeds the minimum wage established under this section, the higher federal wage shall apply.

(a4) Rulemaking and Implementation. The Commissioner of Labor may adopt rules necessary to implement this section.

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1 (f) Tipped Workers. -- ~~Tips earned by a tipped employee may be counted as wages only~~
2 ~~up to the amount permitted in section 3(m) of the Fair Labor Standards Act, 29 U.S.C. 203(m),~~
3 ~~if the tipped employee is notified in advance, is permitted to retain all tips and the employer~~
4 ~~maintains accurate and complete records of tips received by each employee as such tips are~~
5 ~~certified by the employee monthly or for each pay period. Even if the employee refuses to certify~~
6 ~~tips accurately, tips may still be counted as wages when the employer complies with the other~~
7 ~~requirements of this section and can demonstrate by monitoring tips that the employee regularly~~
8 ~~receives tips in the amount for which the credit is taken.~~ Employees who receive tips may be paid
9 a base wage no less than fifty percent (50%) of the minimum wage established under this section,
10 provided that the combination of tips and base wage meets or exceeds the applicable minimum
11 wage. Employers are responsible for making up any shortfall. Tip pooling shall also be
12 permissible among employees who customarily and regularly receive tips; however, no
13 employee's tips may be reduced by more than fifteen percent (15%) under a tip pooling
14 arrangement.

15

16 (h) The Commissioner of Labor may adopt rules necessary to implement this section.".
17

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
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