

# HOUSE BILL No. 4047

January 27, 2005, Introduced by Rep. Lemmons, Jr. and referred to the Committee on Employment Relations, Training and Safety.

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending section 7a (MCL 408.387a), as amended by 1997 PA 1.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 7a. (1) The minimum hourly wage rate of an employee  
2 ~~shall be \$2.65~~ **IS \$4.65** per hour if all of the following ~~occur~~  
3 **ARE MET:**

4           (a) The employee receives gratuities in the course of his or  
5 her employment.

6           (b) The gratuities described in subdivision (a) equal or  
7 exceed the difference between ~~\$2.65~~ **\$4.65** per hour and the  
8 minimum hourly wage established under section 4.

9           (c) The gratuities are proven gratuities as indicated by the

1 employee's declaration for **PURPOSES OF THE** federal insurance  
2 ~~contribution~~ **CONTRIBUTIONS** act, ~~purposes~~ **26 USC 3101 TO 3128.**

3 (d) The employee was informed by the employer of the  
4 provisions of this section.

5 (2) As used in this section, "gratuities" means tips or  
6 voluntary monetary contributions received by an employee from a  
7 guest, patron, or customer for services rendered to that guest,  
8 patron, or customer and that the employee reports to the employer  
9 for purposes of the federal insurance ~~contribution~~ **CONTRIBUTIONS**  
10 act, ~~chapter 21 of subtitle C of the internal revenue code of 1986,~~  
11 ~~26 U.S.C.~~ **USC** 3101 to 3128.