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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To provide for increases in the Federal minimum wage, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. SCOTT of Virginia introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To provide for increases in the Federal minimum wage, and for other purposes.

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 “Raise the Wage Act  
5 of 2023”.

6 **SEC. 2. MINIMUM WAGE INCREASES.**

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

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

3                   “(A) \$9.50 an hour, beginning on the ef-  
4                   fective date under section 7 of the Raise the  
5                   Wage Act of 2023;

6                   “(B) \$11.00 an hour, beginning 1 year  
7                   after such effective date;

8                   “(C) \$12.50 an hour, beginning 2 years  
9                   after such effective date;

10                  “(D) \$14.00 an hour, beginning 3 years  
11                  after such effective date;

12                  “(E) \$15.50 an hour, beginning 4 years  
13                  after such effective date;

14                  “(F) \$17.00 an hour, beginning 5 years  
15                  after such effective date; and

16                  “(G) beginning on the date that is 6 years  
17                  after such effective date, and annually there-  
18                  after, the amount determined by the Secretary  
19                  under subsection (h);”.

20           (b) DETERMINATION BASED ON INCREASE IN THE  
21           MEDIAN HOURLY WAGE OF ALL EMPLOYEES.—Section  
22           6 of the Fair Labor Standards Act of 1938 (29 U.S.C.  
23           206) is amended by adding at the end the following:

24                   “(h)(1) Not later than each date that is 90 days be-  
25                   fore a new minimum wage determined under subsection

1 (a)(1)(G) is to take effect, the Secretary shall determine  
2 the minimum wage to be in effect under this subsection  
3 for each period described in subsection (a)(1)(G). The  
4 wage determined under this subsection for a year shall  
5 be—

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

8           “(B) increased from such amount by the annual  
9 percentage increase, if any, in the median hourly  
10 wage of all employees as determined by the Bureau  
11 of Labor Statistics; and

12           “(C) rounded up to the nearest multiple of  
13 \$0.05, if the amount after applying subparagraphs  
14 (A) and (B) is not a multiple of \$0.05.

15           “(2) In calculating the annual percentage increase in  
16 the median hourly wage of all employees for purposes of  
17 paragraph (1)(B), the Secretary, through the Bureau of  
18 Labor Statistics, shall compile data on the hourly wages  
19 of all employees to determine such a median hourly wage  
20 and compare such median hourly wage for the most recent  
21 year for which data are available with the median hourly  
22 wage determined for the preceding year.”.

23 **SEC. 3. TIPPED EMPLOYEES.**

24           (a) **BASE MINIMUM WAGE FOR TIPPED EMPLOYEES**  
25 **AND TIPS RETAINED BY EMPLOYEES.**—Section

1 3(m)(2)(A)(i) of the Fair Labor Standards Act of 1938  
2 (29 U.S.C. 203(m)(2)(A)(i)) is amended to read as fol-  
3 lows:

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

7 “(I) for the 1-year period beginning on the  
8 effective date under section 7 of the Raise the  
9 Wage Act of 2023, \$6.00 an hour;

10 “(II) \$8.00 an hour, beginning 1 year  
11 after such effective date;

12 “(III) \$10.00 an hour, beginning 2 years  
13 after such effective date;

14 “(IV) \$12.00 an hour, beginning 3 years  
15 after such effective date;

16 “(V) \$13.50 an hour, beginning 4 years  
17 after such effective date;

18 “(VI) \$15.00 an hour, beginning 5 years  
19 after such effective date;

20 “(VII) \$17.00 an hour, beginning 6 years  
21 after such effective date; and

22 “(VIII) for each succeeding 1-year period  
23 after the increase made pursuant to subclause  
24 (VII), the minimum wage in effect under sec-  
25 tion 6(a)(1); and”.

1 (b) TIPS RETAINED BY EMPLOYEES.—Section  
2 3(m)(2)(A) of the Fair Labor Standards Act of 1938 (29  
3 U.S.C. 203(m)(2)(A)) is amended—

4 (1) in the second sentence of the matter fol-  
5 lowing clause (ii), by striking “of this subsection,  
6 and all tips received by such employee have been re-  
7 tained by the employee” and inserting “of this sub-  
8 section. Any employee shall have the right to retain  
9 any tips received by such employee”; and

10 (2) by adding at the end the following: “An em-  
11 ployer shall inform each employee of the right and  
12 exception provided under the preceding sentence.”.

13 (c) SCHEDULED REPEAL OF SEPARATE MINIMUM  
14 WAGE FOR TIPPED EMPLOYEES.—

15 (1) TIPPED EMPLOYEES.—Section 3(m)(2)(A)  
16 of the Fair Labor Standards Act of 1938 (29 U.S.C.  
17 203(m)(2)(A)), as amended by subsections (a) and  
18 (b), is further amended by striking the sentence be-  
19 ginning with “In determining the wage an employer  
20 is required to pay a tipped employee,” and all that  
21 follows through “of this subsection.” and inserting  
22 “The wage required to be paid to a tipped employee  
23 shall be the wage set forth in section 6(a)(1).”.

24 (2) PUBLICATION OF NOTICE.—Subsection (i)  
25 of section 6 of the Fair Labor Standards Act of

1 1938 (29 U.S.C. 206), as added by section 5 and  
2 amended by section 6(b)(1), is further amended by  
3 striking “or in accordance with subclause (II) or  
4 (III) of section 3(m)(2)(A)(i),”.

5 (3) EFFECTIVE DATE.—The amendments made  
6 by paragraphs (1) and (2) shall take effect on the  
7 date that is 1 day after the date on which the hourly  
8 wage under subclause (VIII) of section 3(m)(2)(A)(i)  
9 of the Fair Labor Standards Act of 1938 (29 U.S.C.  
10 203(m)(2)(A)(i)), as amended by subsection (a),  
11 takes effect.

12 (d) PENALTIES.—Section 16 of the Fair Labor  
13 Standards Act of 1938 (29 U.S.C. 216) is amended—

14 (1) in the third sentence of subsection (b), by  
15 inserting “or used” after “kept”; and

16 (2) in the second sentence of subsection (e)(2),  
17 by inserting “or used” after “kept”.

18 **SEC. 4. NEWLY HIRED EMPLOYEES WHO ARE LESS THAN 20**  
19 **YEARS OLD.**

20 (a) BASE MINIMUM WAGE FOR NEWLY HIRED EM-  
21 PLOYEES WHO ARE LESS THAN 20 YEARS OLD.—Section  
22 6(g)(1) of the Fair Labor Standards Act of 1938 (29  
23 U.S.C. 206(g)(1)) is amended by striking “a wage which  
24 is not less than \$4.25 an hour.” and inserting the fol-  
25 lowing: “a wage at a rate that is not less than—

1           “(A) for the 1-year period beginning on the ef-  
2           fective date under section 7 of the Raise the Wage  
3           Act of 2023, \$6.00 an hour;

4           “(B) for each succeeding 1-year period until the  
5           hourly wage under this paragraph equals the wage  
6           in effect under section 6(a)(1) for such period, an  
7           hourly wage equal to the amount determined under  
8           this paragraph for the preceding year, increased by  
9           the lesser of—

10                   “(i) \$1.75; or

11                   “(ii) the amount necessary for the wage in  
12                   effect under this paragraph to equal the wage  
13                   in effect under section 6(a)(1) for such period;  
14                   and

15           “(C) for each succeeding 1-year period after the  
16           increase made pursuant to subparagraph (B)(ii), the  
17           minimum wage in effect under section 6(a)(1).”.

18           (b) SCHEDULED REPEAL OF SEPARATE MINIMUM  
19           WAGE FOR NEWLY HIRED EMPLOYEES WHO ARE LESS  
20           THAN 20 YEARS OLD.—

21                   (1) IN GENERAL.—Section 6(g) of the Fair  
22                   Labor Standards Act of 1938 (29 U.S.C. 206(g)), as  
23                   amended by subsection (a), shall be repealed.

24                   (2) PUBLICATION OF NOTICE.—Subsection (i)  
25                   of section 6 of the Fair Labor Standards Act of

1 1938 (29 U.S.C. 206), as added by section 5 and  
2 amended by sections 6(b)(1) and 3(e)(2), is further  
3 amended by striking “or subparagraph (B) or (C) of  
4 subsection (g)(1)”.

5 (3) EFFECTIVE DATE.—The repeal and amend-  
6 ment made by paragraphs (1) and (2), respectively,  
7 shall take effect on the date that is 1 day after the  
8 date on which the hourly wage under subparagraph  
9 (C) of section 6(g)(1) of the Fair Labor Standards  
10 Act of 1938 (29 U.S.C. 206(g)(1)), as amended by  
11 subsection (a), takes effect.

12 **SEC. 5. PUBLICATION OF NOTICE.**

13 Section 6 of the Fair Labor Standards Act of 1938  
14 (29 U.S.C. 206), as amended by section 2(b), is further  
15 amended by adding at the end the following:

16 “(i) Not later than 60 days prior to the effective date  
17 of any increase in the required wage determined under  
18 subsection (a)(1) or subparagraph (B) or (C) of subsection  
19 (g)(1), or in accordance with subclause (II) or (III) of sec-  
20 tion 3(m)(2)(A)(i) or section 14(c)(1)(A), the Secretary  
21 shall publish in the Federal Register and on the website  
22 of the Department of Labor a notice announcing each in-  
23 crease in such required wage.”.



1 **SEC. 6. PROMOTING ECONOMIC SELF-SUFFICIENCY FOR IN-**  
2 **DIVIDUALS WITH DISABILITIES.**

3 (a) WAGES.—

4 (1) TRANSITION TO FAIR WAGES FOR INDIVID-  
5 UALS WITH DISABILITIES.—Subparagraph (A) of  
6 section 14(c)(1) of the Fair Labor Standards Act of  
7 1938 (29 U.S.C. 214(c)(1)) is amended to read as  
8 follows:

9 “(A) at a rate that equals or exceeds, for each  
10 year, the greater of—

11 “(i)(I) \$5.00 an hour, beginning on the ef-  
12 fective date under section 7 of the Raise the  
13 Wage Act of 2023;

14 “(II) \$7.50 an hour, beginning 1 year  
15 after such effective date;

16 “(III) \$10.00 an hour, beginning 2 years  
17 after such effective date;

18 “(IV) \$12.50 an hour, beginning 3 years  
19 after such effective date;

20 “(V) \$15.50 an hour, beginning 4 years  
21 after such effective date; and

22 “(VI) the wage rate in effect under section  
23 6(a)(1), beginning 5 years after such effective  
24 date; or

25 “(ii) if applicable, the wage rate in effect  
26 on the day before the date of enactment of the

1           Raise the Wage Act of 2023 for the employ-  
2           ment, under a special certificate issued under  
3           this paragraph, of the individual for whom the  
4           wage rate is being determined under this sub-  
5           paragraph.”.

6           (2) PROHIBITION ON NEW SPECIAL CERTIFI-  
7           CATES; TRANSITION ASSISTANCE.—

8                   (A) IN GENERAL.—Section 14(c) of the  
9           Fair Labor Standards Act of 1938 (29 U.S.C.  
10           214(c)) is amended by adding at the end the  
11           following:

12                   “(6) PROHIBITION ON NEW SPECIAL CERTIFI-  
13           CATES.—Notwithstanding paragraph (1), the Sec-  
14           retary shall not issue a special certificate under this  
15           subsection to an employer that was not issued a spe-  
16           cial certificate under this subsection before the date  
17           of enactment of the Raise the Wage Act of 2023.

18                   “(7) TRANSITION ASSISTANCE.—Upon request,  
19           the Secretary shall provide—

20                           “(A) technical assistance and information  
21           to employers issued a special certificate under  
22           this subsection for the purposes of—

23                                   “(i) assisting such employers to com-  
24           ply with this subsection, as amended by  
25           the Raise the Wage Act of 2023; and

1           “(ii) ensuring continuing employment  
2           opportunities for individuals with disabili-  
3           ties receiving a special minimum wage  
4           rate under this subsection; and

5           “(B) information to individuals employed  
6           at a special minimum wage rate under this sub-  
7           section, which may include referrals to Federal  
8           or State entities with expertise in competitive  
9           integrated employment.”.

10           (B) EFFECTIVE DATE.—The amendments  
11           made by this paragraph shall take effect on the  
12           date of enactment of this Act.

13           (3) SUNSET.—Section 14(c) of the Fair Labor  
14           Standards Act of 1938 (29 U.S.C. 214(c)), as  
15           amended by paragraph (2), is further amended by  
16           adding at the end the following:

17           “(8) SUNSET.—Beginning on the day after the  
18           date on which the wage rate described in paragraph  
19           (1)(A)(i)(VI) takes effect, the authority to issue spe-  
20           cial certificates under paragraph (1) shall expire,  
21           and no special certificates issued under paragraph  
22           (1) shall have any legal effect.”.

23           (b) PUBLICATION OF NOTICE.—

24           (1) AMENDMENT.—Subsection (i) of section 6  
25           of the Fair Labor Standards Act of 1938 (29 U.S.C.

1       206), as added by section 5, is amended by striking  
2       “or section 14(c)(1)(A)”.

3           (2) **EFFECTIVE DATE.**—The amendment made  
4       by paragraph (1) shall take effect on the day after  
5       the date on which the wage rate described in para-  
6       graph (1)(A)(i)(VI) of section 14(c) of the Fair  
7       Labor Standards Act of 1938 (29 U.S.C. 214(c)), as  
8       amended by subsection (a)(1), takes effect.

9       **SEC. 7. GENERAL EFFECTIVE DATE.**

10       Except as otherwise provided in this Act, this Act and  
11       the amendments made by this Act shall take effect on the  
12       first day of the third month that begins after the date  
13       of the enactment of this Act.