

WARNING

IT IS A FELONY FOR ANYONE TO SIGN AN INITIATIVE OR REFERENDUM PETITION WITH ANY NAME OTHER THAN HIS OWN, OR KNOWINGLY TO SIGN HIS NAME MORE THAN ONCE FOR THE MEASURE, OR TO SIGN THE PETITION WHEN HE IS NOT A LEGAL VOTER.

FILED

INITIATIVE PETITION

OCT 27 2023

To the Honorable J. Kevin Stitt, Governor of Oklahoma:

OKLAHOMA SECRETARY
OF STATE

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the next regular general election (or at a special election as may be called by the Governor), and each for himself or herself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; and my first name, last name, zip code, house number, and month and day of my birth are correctly written on this form. The time for filing this petition expires ninety (90) days from _____. The question we herewith submit to our fellow voters is: Shall the following law be approved?

An Act relating to the minimum wage; amending 40 O.S. 2021, Sections 197.2 and 197.4, and repealing 40 O.S. 2021, Section 197.5, all provisions of the Oklahoma Minimum Wage Act; setting minimum wages for certain years; providing for a yearly increase in the minimum wage thereafter based on the cost of living; providing for liberal construction, non-retroactivity, and severability; eliminating certain exemptions; exempting employees of the State; providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

Section 1. AMENDATORY. 40 O.S. 2021, Section 197.2, is amended to read as follows:

A. It shall be unlawful to employ workers in any industry or occupation within the State of Oklahoma under conditions of labor detrimental to their health or morals and it shall be unlawful to employ workers in any industry within the State of Oklahoma at wages which are not adequate for their maintenance.

B. Except as otherwise provided in the Oklahoma Minimum Wage Act, no employer within the State of Oklahoma shall pay any employee a wage of less than: ~~the current federal minimum wage for all hours worked.~~

- (1) beginning January 1, 2025, \$9 per hour for all hours worked;
- (2) beginning January 1, 2026, \$10.50 per hour for all hours worked;
- (3) beginning January 1, 2027, \$12 per hour for all hours worked;
- (4) beginning January 1, 2028, \$13.50 per hour for all hours worked; and
- (5) beginning January 1, 2029, \$15 per hour for all hours worked.

C. Beginning January 1, 2030, and on January 1 of successive years, the minimum wage for all hours worked shall be increased by the increase in the cost of living, if any. The increase in the cost of living shall be measured by the annual percentage increase, as of August of the preceding year, in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-

W) or its successor index, as published by the U.S. Department of Labor or its successor agency, with the amount of minimum wage increase rounded to the nearest cent.

D. This Act shall be liberally construed in favor of its purposes and shall not limit any law, policy, standard, or regulation that requires payment of higher or supplemental wages or benefits to any employees or other working individuals. This Act shall not be construed to apply retroactively.

E. The provisions of this Act are severable and, if any part or provision hereof is void, invalid, or unconstitutional, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions hereof, and the remaining provisions hereof shall continue in full force and effect.

Section 2. AMENDATORY. 40 O.S. 2021, Section 197.4, is amended to read as follows:

As used in this act:

- (a) "Commissioner" means the Commissioner of Labor;
- (b) "Wage" means compensation due to an employee by reason of his employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to such deductions, charges or allowances as may be permitted by law;
- (c) "Employ" includes to suffer or to permit to work;
- (d) "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons, hiring more than ten full-time employees or equivalent at any one location or place of business; provided, however, if an employer has less than ten full-time employees or equivalent at any one location or place of business but does a gross business of more than One Hundred Thousand Dollars (\$100,000.00) annually, said employer shall not be exempt under the provisions of this act.

~~This act shall not apply to employers subject to the Fair Labor Standards Act of 1938, as amended, and who are paying the minimum wage under the provisions of said act, nor to employers whose employees are exempt under paragraph (e) of this section.~~

- (e) "Employee" includes any individual employed by an employer but shall not include:

~~(1) An individual employed on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement or maintenance of such farm and its tools and equipment;~~

~~(2) Any individual employed in domestic service in or about a private home;~~

~~(3) (1) Any individual employed by the United States government;~~

(2) Any individual employed by the State of Oklahoma;

~~(4)~~(3) Any individual working as a volunteer in a charitable, religious or other nonprofit organization;

~~(5)~~ Any newspaper vendor or carrier;

~~(6)~~(4) Any employee of any carrier subject to regulation by Part I of the Interstate Commerce Act;

~~(7)~~ Any employee of any employer who is subject to the provisions of any Federal Fair Labor Standards Act or to any Federal Wage and Hour Law now in effect or enacted hereafter; and who is paying the minimum wage under the provisions of this act;

~~(8)~~(5) Any employee employed in a bona fide executive, administrative or professional capacity, or in the capacity of outside salesman;

~~(9)~~ Any person employed as part time employee not on permanent status. A part time employee is defined as an employee who is employed less than twenty five (25) hours a week;

~~(10)~~ Any person who is less than eighteen (18) years of age and is not a high school graduate or a graduate of a vocational training program, and any person who is less than twenty-two (22) years of age and who is a student regularly enrolled in a high school, college, university or vocational training program;

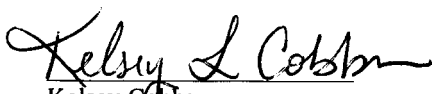
~~(11)~~ Any individual employed in a feedstore operated primarily for the benefit and use of farmers and ranchers; or

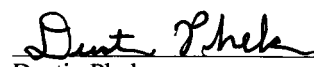
~~(12)~~(6) Any individual working as a reserve force deputy sheriff.

Section 3. REPEALER. 40 O.S. 2021, Section 197.5, is hereby repealed.

Section 4. This Act shall become effective on the January 1 following its approval by the People of Oklahoma.

Name and Address of Proponents


Kelsey Cobb
601 S. Macomb Ave.
El Reno, OK 73036


Dustin Phelan
808 E. 483rd
Salina, OK 74365