

SECOND REGULAR SESSION

# HOUSE BILL NO. 1424

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES ST. ONGE (Sponsor), FAITH, QUINN (7), COX, SANDER, RUESTMAN, FUNDERBURK, PAGE, SWINGER, MUSCHANY, RUZICKA, YAEGER, WELLS AND WILSON (130) (Co-sponsors).

Pre-filed December 13, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3481L.01I

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### AN ACT

To repeal section 290.505, RSMo, and to enact in lieu thereof one new section relating to overtime compensation, with an emergency clause.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 290.505, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 290.505, to read as follows:

290.505. 1. No employer shall employ any of his employees for a workweek longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

2. Employees of an amusement or recreation business that meets the criteria set out in 29 U.S.C. § 213(a) (3) must be paid one and one-half times their regular compensation for any hours worked in excess of fifty-two hours in any one-week period.

3. With the exception of employees described in subsection (2), the overtime requirements of subsection (1) shall not apply to employees who are exempt from federal minimum wage or overtime requirements [pursuant to 29 U.S.C. §§ 213(a)-(b)] **including, but not limited to, the exemptions or hour calculation formulas specified in 29 U.S.C. Sections 207 and 213, and any regulations promulgated thereunder.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13           **4. Except as may be otherwise provided under sections 290.500 to 290.530, this**  
14 **section shall be interpreted in accordance with the Fair Labor Standards Act, 29 U.S.C.**  
15 **Section 201, et seq., as amended, and the Portal to Portal Act, 29 U.S.C. Section 251, et seq.,**  
16 **as amended, and any regulations promulgated thereunder.**

          Section B. Because of the need to preserve federal standards relating to overtime  
2 payments to employees, section A of this act is deemed necessary for the immediate preservation  
3 of the public health, welfare, peace and safety, and is hereby declared to be an emergency act  
4 within the meaning of the constitution, and section A of this act shall be in full force and effect  
5 upon its passage and approval.

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