

SECOND REGULAR SESSION

# HOUSE BILL NO. 1623

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES KELLEY (127) (Sponsor), LANT, SPENCER, SCHIEBER,  
HICKS, DAVIS, BRATTIN, KIRKTON, SWEARINGEN, SCHUPP, MOON, REMOLE, BERRY,  
RICHARDSON, HOUGH AND ENTLICHER (Co-sponsors).

5658H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 290.505, RSMo, and to enact in lieu thereof one new section relating to employee wages.

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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Section A. Section 290.505, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 290.505, to read as follows: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. **(1) Except as provided in subdivision (2) of this subsection,** no employer shall employ any of his **or her** employees for a workweek longer than forty hours unless such employee receives compensation for his **or her** 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 **or she** is employed.

**(2) Any employer that pays wages in Missouri to an employee that is required to file a Missouri tax return may, as an alternative to paying required overtime wages, offer the employee the option of accruing compensatory leave time on an hour-for-hour basis. The employee shall indicate his or her agreement in writing to the employer.**

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)] **2 of this section,** the overtime requirements of subsection [(1)] **1 of this section** shall not apply to employees who are exempt from federal minimum wage or overtime requirements including, but not limited to, the

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.

16 exemptions or hour calculation formulas specified in 29 U.S.C. Sections 207 and 213, and any  
17 regulations promulgated thereunder.

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

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