

Senate Bill 273

By: Senators Wicks of the 34th, Jones II of the 22nd, Jackson of the 41st, Parent of the 44th, Orrock of the 36th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 4 of Title 34 of the Official Code of Georgia Annotated, relating to  
2 minimum wage, so as to revise certain provisions regarding the minimum wage law; to  
3 provide for an increase in the minimum wage; to provide for annual minimum wage  
4 increases to match the rising cost of living; to provide a credit toward the minimum wage for  
5 employers of tipped workers; to eliminate various eligibility exemptions from the minimum  
6 wage; to provide for related matters; to provide an effective date; to repeal conflicting laws;  
7 and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 4 of Title 34 of the Official Code of Georgia Annotated, relating to minimum wage,  
11 is amended by revising Code Section 34-4-3, relating to amount of minimum wage to be paid  
12 by employers, as follows:

13 "34-4-3.

14 (a)(1) Except as otherwise provided in this Code section, every employer, whether a  
15 person, firm, or corporation, shall pay to all covered employees a minimum wage which

16 shall be not less than ~~\$5.15~~ \$22.00 per hour for each hour worked in the employment of  
 17 such employer.

18 (2)(A) On January 1, 2026, and on January 1 of each successive year thereafter, the  
 19 minimum wage shall be adjusted upward to reflect the increase in the cost of living, if  
 20 any, as determined by the Georgia Department of Labor pursuant to subparagraph (B)  
 21 of this paragraph.

22 (B) On September 30, 2025, and on September 30 of each year thereafter, the Georgia  
 23 Department of Labor shall measure any change or note the lack of change in the cost  
 24 of living from the preceding July over July of the immediately preceding year. In  
 25 making such determination, the Georgia Department of Labor may utilize the  
 26 Consumer Price Index for Urban Wage Earners and Clerical Workers or such successor  
 27 index as published by the Bureau of Labor Statistics of the United States Department  
 28 of Labor or its successor agency.

29 (C) Each adjusted minimum wage rate calculated pursuant to subparagraph (B) of this  
 30 paragraph shall be published and shall take effect on the following January 1 of each  
 31 successive year.

32 (b) Employers of employees who meet the eligibility requirements for the tip credit under  
 33 the federal Fair Labor Standards Act of 1938, as amended, 29 U.S.C. Section 203(t), may  
 34 credit tips toward the satisfaction of up to 50 percent of the minimum wage provided by  
 35 this Code section.

36 ~~(b)(c)~~ This chapter shall not apply with respect to:

- 37 (1) Any employer that has sales of ~~\$40,000.00~~ \$50,000.00 per year or less;
- 38 (2) Any employer having five employees or less;
- 39 ~~(3) Any employer of domestic employees;~~
- 40 ~~(4) Any employer who is a farm owner, sharecropper, or land renter;~~
- 41 ~~(5) Any employee whose compensation consists wholly or partially of gratuities;~~
- 42 ~~(6)~~(3) Any employee who is a high school or college student;

43 ~~(7)~~(4) Any individual who is employed as a newspaper carrier; or  
44 ~~(8)~~(5) Any individual who is employed by a nonprofit child-caring institution or  
45 long-term care facility serving children or mentally disabled adults who are enrolled in  
46 such institution and reside in residential facilities of the institution, if such employee  
47 resides in such facilities, receives without cost board and lodging from such institution,  
48 and is compensated on a cash basis at an annual rate of not less  
49 than ~~\$10,000.00~~ \$15,000.00.

50 ~~(e)~~(d) This chapter shall not apply to any employer who is subject to the minimum wage  
51 provisions of any act of Congress as to employees covered thereby if such act of Congress  
52 provides for a minimum wage which is greater than the minimum wage which is provided  
53 for in this Code section."

54 **SECTION 2.**

55 This Act shall become effective on January 1, 2026.

56 **SECTION 3.**

57 All laws and parts of laws in conflict with this Act are repealed.