



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0127

Introduced 1/14/2021, by Rep. Michael Halpin

SYNOPSIS AS INTRODUCED:

New Act

Creates the Low-Wage Employer Cost Recoupment Act. Directs the Department of Labor to impose a surcharge upon employers that pay employees wages that are less than the amount that would disqualify a single person from being eligible for federal Supplemental Nutrition Assistance Program benefits. Imposes a surcharge in an amount equal to the annual value of the amount of federal Supplemental Nutrition Assistance Program benefits for which a single person would be eligible multiplied by the number of employees whose wages do not disqualify a person from eligibility for federal Supplemental Nutrition Assistance Program benefits. Effective immediately.

LRB102 02766 KTG 12773 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Low-Wage Employer Cost Recoupment Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of Labor.

8 "Director" means the Director of Labor.

9 "Employee" means any individual employed or permitted to
10 work by an employer.

11 "Employer" has the meaning ascribed to that term in the
12 Minimum Wage Law.

13 "Wage" means compensation due to an employee by reason of
14 his or her employment.

15 Section 10. Low-wage employer surcharge.

16 (a) An employer that employs any employee (1) who was
17 listed on the employer's payroll for at least 90 calendar days
18 prior to the completion of the most recent calendar quarter,
19 beginning with the first calendar quarter of 2022 and (2)
20 whose wages paid by the employer during the quarter were less
21 than the amount that would disqualify a single person from
22 being eligible for federal Supplemental Nutrition Assistance

1 Program benefits shall pay a surcharge to the Department of
2 Labor.

3 (b) The Department shall determine the number of the
4 employer's employees whose wages are less than the amount that
5 would disqualify a single person from being eligible for
6 federal Supplemental Nutrition Assistance Program benefits.
7 The Director shall then impose a surcharge in the amount of the
8 annual value of the Supplemental Nutrition Assistance Program
9 benefits for which a single person would be eligible
10 multiplied by the number of those employees.

11 (c) The Department shall notify the employer of the amount
12 of the surcharge no later than January 31, 2023 and each
13 January 31 thereafter.

14 Section 15. Payment of surcharge. An employer that has
15 been notified of the imposition of a surcharge under Section
16 10 shall pay the surcharge to the Department in 10 equal
17 monthly installments due on the first day of each month
18 beginning on March 1 of each year.

19 Section 20. Rulemaking authority. The Department may adopt
20 rules necessary to implement the provisions of this Act.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.