

118TH CONGRESS  
1ST SESSION

# S. 2914

To amend the Fair Labor Standards Act of 1938 to exempt certain employees engaged in outdoor recreational outfitting or guiding services from maximum hours requirements.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26 (legislative day, SEPTEMBER 22), 2023

Mr. DAINES (for himself and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Fair Labor Standards Act of 1938 to exempt certain employees engaged in outdoor recreational outfitting or guiding services from maximum hours requirements.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXEMPTION WITH RESPECT TO CERTAIN EM-**  
2 **PLOYEES ENGAGED IN OUTDOOR REC-**  
3 **REATIONAL OUTFITTING OR GUIDING SERV-**  
4 **ICES.**

5 Section 13(b) of the Fair Labor Standards Act of  
6 1938 (29 U.S.C. 213(b)) is amended by inserting after  
7 paragraph (3) the following:

8 “(4) any employee principally engaged in out-  
9 door recreational outfitting or guiding services and  
10 employed by an employer principally engaged in the  
11 business of providing such outfitting or guiding serv-  
12 ices that—

13 “(A) does not operate for more than seven  
14 months in any calendar year; or

15 “(B) had average receipts for any six  
16 months of the preceding calendar year that  
17 were not more than  $33\frac{1}{3}$  per centum of its av-  
18 erage receipts for the other six months of such  
19 year; or”.

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