



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-5173/1  
MIM:cdc

## 2019 ASSEMBLY BILL 840

January 30, 2020 - Introduced by Representatives SCHRAA, BOWEN, BALLWEG, BROOKS, DITTRICH, FELZKOWSKI, KULP, SKOWRONSKI, WICHGERS and ZIMMERMAN, cosponsored by Senators BERNIER, FEYEN, JACQUE, KAPENGA and NASS. Referred to Committee on State Affairs.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1 **AN ACT to amend** 104.045 (1) of the statutes; **relating to:** counting of tips for  
2 tipped employees and granting rule-making authority.

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*Analysis by the Legislative Reference Bureau*

This bill requires the Department of Workforce Development to promulgate rules allowing an employer to require tipped employees to use an electronic signature or other electronic means that uniquely identifies the employee when acknowledging the counting of tips toward fulfillment of the employer's obligation to pay the minimum wage.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3 **SECTION 1.** 104.045 (1) of the statutes is amended to read:  
4 104.045 (1) The counting of tips or similar gratuities toward fulfillment of the  
5 employer's obligation under this chapter s. 104.035 (3). The rules promulgated  
6 under this subsection shall allow an employer to require a tipped employee to use an  
7 electronic signature or other electronic means that uniquely identifies the employee

**ASSEMBLY BILL 840**

**SECTION 1**

1 to acknowledge the counting of tips or similar gratuities for purposes of s. 104.035

2 (3). In this subsection, “electronic signature” has the meaning given in s. 137.11 (8).

3 (END)