



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB2032

Introduced 2/1/2023, by Rep. Gregg Johnson

#### 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.

LRB103 27283 SPS 53654 b

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 2024 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, 2025 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.