DC BOARD OF ELECTIONS
NOTICE OF PUBLICATION OF REFERENDUM FORMULATIONS

At a public meeting held on Wednesday, October 22, 2025, the Board of Elections formulated the short title, summary statement, and legislative form of Referendum Measure No. 009, the "Referendum on the Tipped Minimum Wage Timeline Amendment Act of 2025."

Pursuant to D.C. Official Code § 1-1001.16(e)(1)(B), any registered qualified elector of the District of Columbia who objects to the summary statement, short title, and/or legislative form of the referendum measure as formulated by the Board may seek review in the Superior Court of the District of Columbia no later than 10 calendar days from the date such formulations are published in at least one newspaper of general circulation, stating objections and requesting appropriate changes. Registered qualified electors may also file objections regarding the referendum with the court on other grounds during this period, including the Board's determination that the proposed measure presents a proper subject for referendum.

Pursuant to D.C. Code § l-1001.16(d)(2)(B), the Board hereby publishes the aforementioned formulations as follows.

REFERENDUM MEASURE

NO. 009

SHORT TITLE

Referendum on the Tipped Minimum Wage Timeline Amendment Act of 2025

SUMMARY STATEMENT

Initiative 82 eliminated the tip credit by gradually raising the minimum wage for tipped workers to 100% of the standard minimum wage by 2027. In July 2025, the Council adopted an act that changes Initiative 82 to freeze the minimum wage for tipped workers at $10/hour until July 1, 2026, then gradually increases those wages to 75% of the standard minimum wage by 2034. Vote YES to permit the Council's changes to Initiative 82 to become law. Vote NO to reject the Council's changes and keep Initiative 82.

LEGISLATIVE TEXT

Shall the registered voters of the District of Columbia approve or reject sections 2221 through 2223 of Act 26-148?

SUBTITLE W. TIPPED MINIMUM WAGE

Sec. 2221. Short title.
This subtitle may be cited as the "Tipped Minimum Wage Timeline Amendment Act of

2025".

Sec. 2222. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Official Code § 32-1003) is amended as follows:

(1) Subsection (f) is amended as follows:

(A) Paragraph (3) is amended by striking the date "January 1, 2023" and inserting the date "May 1, 2023" in its place.

(B) Paragraph (6) is repealed.

(C) A new paragraph (6A) is added to read as follows:

"(6A) Except as provided in subsections (h) and (i) of this section, as of July 1, 2026, the tipped minimum wage shall be 56% of the minimum wage provided in subsection (a) of this section, with tips on top; provided, that the employee actually receives tips in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.".

(D) Paragraphs (7) and (8) are amended to read as follows:

"(7) Except as provided in subsections (h) and (i) of this section, as of July 1, 2028, the tipped minimum wage shall be 60% of the minimum wage provided in subsection (a) of this section, with tips on top; provided, that the employee actually receives tips in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

"(8) Except as provided in subsections (h) and (i) of this section, as of July 1, 2030, the tipped minimum wage shall be 65% of the minimum wage provided in subsection (a) of this section, with tips on top; provided, that the employee actually receives tips in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.".

(E) New paragraphs (9) and (10) are added to read as follows:

"(9) Except as provided in subsections (h) and (i) of this section, as of July 1, 2032, the tipped minimum wage shall be 70% of the minimum wage provided in subsection (a) of this section, with tips on top; provided, that the employee actually receives tips in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.

"(10) Except as provided in subsections (h) and (i) of this section, as of July 1, 2034, the tipped minimum wage shall be 75% of the minimum wage provided in subsection (a) of this section, with tips on top; provided, that the employee actually receives tips in an amount at least equal to the difference between the hourly wage paid and the minimum wage as set by subsection (a) of this section.".

(2) Subsection (i) is amended by striking the phrase ", and (7)" and inserting the phrase "(6A), (7), (8), (9), and (10)" in its place.

(b) Section 8a (D.C. Official Code § 32-1007.01) is amended as follows:

(1) Designate the existing text as subsection (a).

(2) A new subsection (b) is added to read as follows:

"(b)(1) The Office of the Chief Financial Officer, beginning on June 1, 2027, and every 2 years thereafter, shall publish a report on the economic trends affecting the restaurant industry and tipped full-service and limited-service restaurant workers in the District that:

"(A) Compares wages and salaries for tipped restaurant workers year over year;

"(B) Indicates the average gross receipts for restaurants in the District;

"(C) Analyzes the changes in wages for tipped restaurant workers year over year;

"(D) Compares the number of full-service and limited-service restaurants year over year; and

"(E) Indicates the total number of restaurants that claimed a retailer property tax relief credit pursuant to D.C. Official Code §§ 47-1807.14 and 47-1808.14 year over year.

"(2) Each report published pursuant to paragraph (1) of this subsection after the June 1, 2027, report, shall also include an analysis of the effect of section 70201 of the One Big Beautiful Bill Act, approved July 4, 2025 (Pub. L. No. 119-21; 139 Stat. 170), on tipped workers' overall tax liability to the District.

"(3) By January 1, 2036, the Office of the Chief Financial Officer shall publish a report analyzing the effect of the tipped minimum wage reaching 100% of the regular minimum wage on the restaurant industry and tipped workers in the District.".

(c) Section 9(b) (D.C. Official Code § 32-1008(b)), is amended as follows:

(1) Paragraph (6) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) A new paragraph (6A) is added to read as follows:

"(6A) Beginning on January 1, 2026, a list of sources of the employee's compensation in addition to base wages and gratuities, including bonuses, commissions on sales, any amount calculated as a percentage of service charges, or other sources; and".

Sec. 2223. Applicability.

Section 2222(a)(1) shall apply as of July 25, 2025.