

## DC BOARD OF ELECTIONS

### NOTICE OF PUBLIC HEARING RECEIPT AND INTENT TO REVIEW INITIATIVE MEASURE

The Board of Elections shall consider in a public meeting whether the proposed measure, the “District of Columbia Living Wage for All Amendment Act of 2026,” is a proper subject matter for initiative at the Board’s regular meeting on **Wednesday, March 4, 2026 at 10:30 a.m.**, at 1015 Half Street SE, Suite 750, Washington DC 20003. The Board will meet remotely. Members of the public can only access the meeting by using the following information:

Join from PC, Mac, iPad, or Android:

<https://us06web.zoom.us/j/82850264046>

Phone one-tap:

+13017158592,,82850264046# US (Washington DC) 13052241968,,82850264046#

+US

Join via audio:

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 646 931 3860 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

+1 408 638 0968 US (San Jose)

Webinar ID: 828 5026 4046

International numbers available: <https://us06web.zoom.us/j/82850264046>

In making a subject matter determination, the Board does not consider the merits of a proposed measure. Instead, it may consider only whether the proposed measure meets the subject matter requirements set forth in District of Columbia law. Specifically, the Board must reject the proposed measure if it determines that:

- The measure conflicts with or seeks to amend the Title IV of the DC Home Rule Act (“the District Charter”);

- The measure conflicts with the U.S. Constitution;
- The measure has not been properly filed;
- The verified statement of contributions (the measure committee’s statement of organization and report of receipts and expenditures) was not timely filed;
- The measure would authorize discrimination in violation of the DC Human Rights Act;
- The measure would negate or limit a budgetary act of the DC Council; or
- The measure would appropriate funds

Those who wish to testify at the hearing on the propriety of the proposed measure in light of the above-referenced criteria should contact the Board’s Office of the General Counsel at 202-727-2194 or [ogc@dcboe.org](mailto:ogc@dcboe.org) and provide their name, address, telephone number, and name of the organization represented (if any) by no later than Friday, February 27, 2026 at 4:00 p.m.. Any written testimony or memoranda should be submitted for the record to the Board’s Office of the General Counsel, 1015 Half Street SE, Suite 750, Washington, DC 20003 or at [ogc@dcboe.org](mailto:ogc@dcboe.org) by that date and time as well. All persons testifying shall be permitted a maximum of three minutes for oral presentations.

The Short Title, Summary Statement, and Legislative Text of the proposed initiative, as submitted to the Board by the proposer(s) of the measure, read as follows:

## **INITIATIVE MEASURE**

No. \_\_\_\_

## **SHORT TITLE**

District of Columbia Living Wage for All Amendment Act of 2026

## **SUMMARY STATEMENT**

If enacted, this Initiative would gradually increase the minimum wage to \$25.00 per hour for eligible employees by July 1, 2029 and gradually eliminate the credit for tips received by tipped workers. The “tipped minimum wage” for tipped workers (currently \$10.00 per hour, indexed to inflation) would gradually increase until July 1, 2031, when the base wage for tipped workers would match the regular minimum wage (currently \$17.95 per hour, proposed to increase to \$25.00 hour by July 1, 2029 and thereafter indexed to inflation). Service charges collected from customers by employers of tipped workers will belong to employees.

## **LEGISLATIVE TEXT**

BE IT ENACTED BY THE ELECTORS OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “District of Columbia Living Wage for All Amendment Act of 2026”.

**Sec. 2.** Resolution R26-0134, Effective June 3, 2025 is repealed.

**Sec. 3.** Sec. 3 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C.

Law 9-248; D.C. Official Code § 32-1002), as amended, is further amended by adding a new subsection (7B-1) to read as follows:

“(7B-1) The term ‘service charge’ means any fee or charge added to a customer’s bill and required to be paid by the customer (other than taxes), by an employer which employs employees who customarily receive tips or gratuities.”

**Sec. 4.** Sec. 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003), as amended, is further amended as follows:

(a) Subparagraph (A) of paragraph (a)(5) is amended to read as follows:

“(A)(1) Except as provided in subsection (h) of this section and subsection (B) of this paragraph, the minimum hourly wage for any employee of the District of Columbia or employee employed to perform services provided under contracts with the District of Columbia shall be as of:

- (i) July 1, 2016: \$11.50;
- (ii) July 1, 2017: \$12.50
- (iii) July 1, 2018: \$13.25
- (iv) July 1, 2019: \$14.00; and
- (v) July 1, 2020: \$15.00.”

(b) A new subparagraph (A)(2) of paragraph (a)(5) is added to read as follows:

“(A)(2) Except as provided in subsection (h) of this section and subparagraph (B) of this paragraph, the minimum hourly wage for any employee who works in the District of Columbia and is not an employee of the District of Columbia or an employee employed to perform services provided under contracts with the District of Columbia shall be as of:

- (i) July 1, 2026: \$20.00;
- (ii) July 1, 2027: \$21.75;
- (iii) July 1, 2028: \$23.50; and
- (iv) July 1, 2029: \$25.00.”

(c) Subparagraph (A) of paragraph (a)(6) is amended to read as follows:

“Except as provided in subsection (h) of this section, beginning on July 1, 2021, and no later than July 1 of each successive year, the minimum wage provided in subparagraph (A)(1) of this paragraph, and, beginning on July 1, 2030, and no later than July 1 of each successive year, the minimum wage provided in subparagraph (A)(2) of this paragraph, shall be increased in proportion to the annual average increase, if any, in the Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical Area published by the Bureau of Labor Statistics of the United States Department of Labor for the previous calendar year. Any increase under this paragraph shall be adjusted to the nearest multiple of \$.05.”

(d) Paragraph (f)(6) is amended to read as follows:

“(f)(6) Except as provided in subsections (h) and (i) of this section, as of July 1, 2025, the tipped minimum wage shall be not less than \$10.00 an hour, 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) Paragraph (f)(7) is amended to read as follows:

“(f)(7) Except as provided in subsections (h) and (i) of this section, as of July 1, 2026, the tipped minimum wage shall be not less than \$13.00 an hour, 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.”

(f) Paragraph (f)(8) is amended to read as follows:

“(f)(8) Except as provided in subsections (h) and (i) of this section, as of July 1, 2027, the tipped minimum wage shall be not less than \$16.00 an hour, 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.”

(g) Subsection (f) is amended by adding at the end thereof the following new paragraphs (9), (10), (11) and (12) to read as follows:

“(9) Except as provided in subsections (h) and (i) of this section, as of July 1, 2028, the tipped minimum wage shall be not less than \$19.00 an hour, 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, 2029, the tipped minimum wage shall be not less than \$22.00 an hour, 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.

“(11) Except as provided in subsections (h) and (i) of this section, as of July 1, 2030, the tipped minimum wage shall be not less than \$25.00 an hour, 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.”

“(12) Except as provided in subsections (h) and (i) of this section, as of July 1, 2031, the tipped minimum wage shall be not less than the minimum wage as set by subsection (a) of this section, with tips on top.”

(h) Paragraph 3 of subsection (g) is amended to read as follows:

“(g) All gratuities, tips and service charges received by the employee or collected by the employer have been remitted to the employees who performed services directly for the customers from whom the fee was collected, in addition to such employees’ wages, and the employer has prominently disclosed the amount or rate of any service charge to the customer in a manner visible to the customer before the customer places an order; and provided that, the distribution of such gratuities, tips and service charges has occurred as follows:

“(1) If a gratuity, tip or service charge has been collected by the employer from a customer who obtained table service, such gratuity, tip or service charge has been remitted to those employees to those employees who directly provided service to that table;

“(2) If a gratuity, tip or service charge has been collected by an employer from a customer who received catering services from such employer for a meeting or event, the gratuities, tips and service charges have been distributed equally among all employees who rendered any services in connection with such meeting or event;

“(3) No portion of any gratuity, tip or service fee has been distributed to any supervisory or managerial employees; except that, the parties to a bona fide collective bargaining agreement may establish rules for the distribution of gratuities, tips and service charges different from those set out in paragraphs (1), (2) and (3).”

(i) Subsection (i) is amended to read as follows:

- (i) The provisions of subsections (f)(2), (3), (4), (5), (6), (6A), (7), (8), (9), (10), (11) and (12) of this section shall not apply to employees of the District of Columbia, or to employees employed to perform services provided under contracts with the District of Columbia. Those employees shall continue to be subject to the minimum wage requirements of this chapter as they existed before February 23, 2023, including but not limited to the minimum hourly wage set by subparagraph (A)(1) of paragraph (a)(5) as increased by subparagraph (A) of paragraph (a)(6), and to the requirements of all other applicable laws, regulations, or policies relating to wages or benefits, including subchapter X-A of Chapter 2 of Title 2.

**Sec. 5.** This act shall take effect following a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.