

118TH CONGRESS
1ST SESSION

H. R. 353

To amend the Fair Labor Standards Act of 1938 to provide for the preemption of certain State overtime laws for agricultural employees.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2023

Mr. WILLIAMS of New York (for himself, Ms. TENNEY, Ms. STEFANIK, Mr. MOLINARO, and Mr. LANGWORTHY) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Fair Labor Standards Act of 1938 to provide for the preemption of certain State overtime laws for agricultural employees.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protect Local Farms
5 Act”.

6 **SEC. 2. PREEMPTION OF CERTAIN STATE OVERTIME LAWS**
7 **FOR AGRICULTURAL EMPLOYEES.**

8 Section 18 of the Fair Labor Standards Act of 1938
9 (29 U.S.C. 218) is amended—

1 (1) in subsection (a), by striking “No provision
2 of this Act or of any order thereunder” and insert-
3 ing “Except as provided in subsection (c), no provi-
4 sion of this Act or of any order thereunder”; and

5 (2) by adding at the end the following:

6 “(c) The provisions of this Act shall preempt any
7 State law that provides for a maximum workweek for em-
8 ployees employed in agriculture of less than 60 hours.”.

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