

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 5. The Illinois Municipal Code is amended by
5 adding Section 11-5-11 as follows:

6 (65 ILCS 5/11-5-11 new)

7 Sec. 11-5-11. Portable audiovisual rigging at special
8 events.

9 (a) In municipalities that require permits for special
10 events, no person may perform, or employ, direct or allow a
11 person to perform, portable audiovisual rigging at a permitted
12 special event unless the person performing such work holds a
13 valid rigging certification from the Entertainment Technician
14 Certification Program operated by the Entertainment Services
15 and Technology Association.

16 (b) As used in this Section:

17 "Portable audiovisual rigging" means the temporary
18 installation or operation of portable mechanical rigging and
19 static rigging for the overhead suspension of portable
20 audiovisual equipment, including, but not limited to: audio,
21 video, lighting, backdrops, scenery, and other effects at a
22 special event. "Portable audiovisual rigging" does not include
23 freight handling or the transportation of heavy equipment.

1 "Special event" means a planned temporary aggregation of
2 attractions, including, but not limited to, public
3 entertainment, food and beverage service facilities, sales of
4 souvenirs or other merchandise, or similar attractions, that
5 is:

6 (1) conducted on the public way; or

7 (2) conducted primarily outdoors on property open to
8 the public, other than the public way, and which:

9 (A) includes activities that require the issuance
10 of a municipal temporary food establishment license,
11 municipal special event liquor license, or similar
12 license; or

13 (B) requires special municipal services,
14 including, but not limited to: street closures; the
15 provision of barricades, garbage cans, stages, or
16 special no parking signs; special electrical services;
17 or special police protection.

18 "Special event" does not include a parade or athletic
19 event for which a separate permit is required, a neighborhood
20 block party at which no food, beverages, or merchandise are
21 sold; indoor or outdoor events taking place on properties
22 owned by the Metropolitan Pier and Exposition Authority;
23 indoor or outdoor events taking place on hotel or convention
24 center property in the State; a citywide festival conducted
25 under an intergovernmental agreement authorized by ordinance;
26 a motion picture, film, or television production; the

1 installation of tents; or hangings of banners.

2 (c) A home rule municipality may not regulate portable
3 audiovisual rigging in a manner inconsistent with this
4 Section. This Section is a limitation under subsection (i) of
5 Section 6 of Article VII of the Illinois Constitution on the
6 concurrent exercise by home rule units of powers and functions
7 exercised by the State.

8 Section 10. The Child Labor Law is amended by adding
9 Section 0.5 and by changing Sections 8, 10, 11, and 12 as
10 follows:

11 (820 ILCS 205/0.5 new)

12 Sec. 0.5. Definitions. As used in this Act:

13 "District Superintendent of Schools" means an individual
14 employed by a board of education in accordance with Section
15 10-21.4 of the School Code and shall also include the chief
16 executive officer of a school district in a city with over
17 500,000 inhabitants.

18 "Duly authorized agent" means an individual who has been
19 designated by a Regional or District Superintendent of Schools
20 as their agent for the limited purpose of issuing employment
21 certificates to minors under the age of 16, and may include
22 officials of any public school district, charter school, or
23 any State-recognized, non-public school.

24 "Regional Superintendent of Schools" means the chief

1 administrative officer of an educational service region
2 pursuant to Section 3A-2 of the School Code.

3 (820 ILCS 205/8) (from Ch. 48, par. 31.8)

4 Sec. 8. Authority to issue employment certificates.

5 (a) Notwithstanding the provisions of this Act, the
6 Regional or District ~~City or County~~ Superintendent of Schools,
7 or their duly authorized agents, are authorized to issue an
8 employment certificate for any minor under sixteen (16) years
9 of age, said certificate authorizing and permitting the
10 appearance of such minor in a play or musical comedy with a
11 professional traveling theatrical production on the stage of a
12 duly licensed theatre wherein not more than two performances
13 are given in any one day and not more than eight performances
14 are given in any one week, or nine when a holiday occurs during
15 the week, or in a musical recital or concert: Provided, that
16 such minor is accompanied by his parent or guardian or by a
17 person in whose care the parent or guardian has placed the
18 minor and whose connection with the performance or with the
19 operation of the theatre in which the minor is to appear is
20 limited to the care of such minor or of minors appearing
21 therein: And provided further, that such minor shall not
22 appear on said stage or in a musical recital or concert, attend
23 rehearsals, or be present in connection with such appearance
24 or rehearsals, in the theatre where the play or musical comedy
25 is produced or in the place where the concert or recital is

1 given, for more than a total of six (6) hours in any one day,
2 or on more than six (6) days in any one week, or for more than
3 a total of twenty-four (24) hours in any one week, or after the
4 hour of 11 postmeridian; and provided further, no such minor
5 shall be excused from attending school except as authorized
6 pursuant to Section 26-1 of the School Code. Application for
7 such certificate shall be made by the manager of the theatre,
8 or by the person in the district responsible for the musical
9 recital or concert, and by the parent or guardian of such minor
10 to the Regional or District ~~City or County~~ Superintendent of
11 Schools or his authorized agent at least fourteen (14) days in
12 advance of such appearance. The Regional or District ~~City or~~
13 ~~County~~ Superintendent of Schools or his agent may issue a
14 permit if satisfied that adequate provision has been made for
15 the educational instruction of such minor, for safeguarding
16 his health and for the proper moral supervision of such minor,
17 and that proper rest and dressing room facilities are provided
18 in the theatre for such minor.

19 (b) Notwithstanding the provisions of this Act, the ~~City~~
20 ~~or~~ Regional or District Superintendent of Schools, or their
21 duly authorized agents, are authorized to issue an employment
22 certificate for any minor under 16 years of age, such
23 certificate authorizing and permitting the appearance of such
24 minor as a model or in a motion picture, radio or television
25 production: Provided, that no such minor shall be excused from
26 attending school except as authorized pursuant to Section 26-1

1 of The School Code. The Department of Labor shall promulgate
2 rules and regulations to carry out the provisions of this
3 subsection. Such rules and regulations shall be designed to
4 protect the health and welfare of child models or actors and to
5 insure that the conditions under which minors are employed,
6 used or exhibited will not impair their health, welfare,
7 development or proper education.

8 (c) In situations where a minor from another state seeks
9 to obtain an Illinois employment certificate, the Department
10 shall work with a ~~City or~~ Regional or District Superintendent
11 of Schools, or the State Superintendent of Education, or his
12 or her duly authorized agents, to issue the certificate. ~~The~~
13 ~~Superintendent may waive the requirement in Section 12 of this~~
14 ~~Act that a minor submit his or her application in person, if~~
15 ~~the minor resides in another state.~~

16 (Source: P.A. 96-1247, eff. 7-23-10.)

17 (820 ILCS 205/10) (from Ch. 48, par. 31.10)

18 Sec. 10. Employment certificates shall permit employment
19 during the school vacation or outside of school hours. The
20 employment certificate shall be signed by the Regional or
21 District ~~City or County~~ Superintendent of Schools or their
22 duly authorized agents and shall be in such a form as to show
23 on its face the information and evidence required by Section
24 11 to be filed before the certificate is issued. An original
25 certificate and 3 copies of the certificate shall be issued

1 and the person issuing it shall:

2 (i) mail the original to the minor's employer,

3 (ii) send copies to the State Department of Labor and
4 to the minor's parent or legal guardian, and

5 (iii) retain a copy in his files.

6 (Source: P.A. 88-365.)

7 (820 ILCS 205/11) (from Ch. 48, par. 31.11)

8 Sec. 11. Employment certificate issuance; duration;
9 revocation.

10 (a) The employment certificate shall be issued by the
11 Regional or District ~~City or County~~ Superintendent of Schools
12 or by their duly authorized agents and shall be valid for a
13 period of one year. The person issuing these certificates
14 shall have authority to administer the oaths provided for
15 herein, but no fee shall be charged. It shall be the duty of
16 the school board or local school authority, to designate a
17 place or places where certificates shall be issued and
18 recorded, and physical examinations made without fee, as
19 hereinafter provided, and to establish and maintain the
20 necessary records and clerical services for carrying out the
21 provisions of this Act.

22 The issuing officer shall notify the principal of the
23 school attended by the minor for whom an employment
24 certificate for out of school work is issued by him.

25 The parent or legal guardian of a minor, or the principal

1 of the school attended by the minor for whom an employment
2 certificate has been issued may ask for the revocation of the
3 certificate by petition to the Department of Labor in writing,
4 stating the reasons he believes that the employment is
5 interfering with the best physical, intellectual or moral
6 development of the minor. The Department of Labor shall
7 thereupon revoke the employment certificate by notice in
8 writing to the employer of the minor.

9 (b) In situations where a minor from another state seeks
10 to obtain an Illinois employment certificate, the Department
11 shall work with a ~~City or~~ Regional or District Superintendent
12 of Schools, or the State Superintendent of Education, or his
13 or her duly authorized agents, to issue the certificate. ~~The~~
14 ~~Superintendent may waive the requirement in Section 12 of this~~
15 ~~Act that a minor submit his or her application in person, if~~
16 ~~the minor resides in another state.~~

17 (Source: P.A. 96-1247, eff. 7-23-10.)

18 (820 ILCS 205/12) (from Ch. 48, par. 31.12)

19 Sec. 12. The person authorized to issue employment
20 certificates shall issue a certificate only after examining
21 and approving the written application and other papers
22 required under this Section. The application shall be signed
23 by the applicant's parent or legal guardian. The application
24 shall be submitted in person by the minor desiring employment,
25 unless the issuing officer determines that the minor may

1 utilize a remote application process. The minor shall be
2 accompanied by his or her parent, guardian, or custodian,
3 whether applying in person or remotely. The following papers
4 shall be submitted with the application:

5 1. A statement of intention to employ signed by the
6 prospective employer, or by someone duly authorized by him,
7 setting forth the specific nature of the occupation in which
8 he intends to employ such minor and the exact hours of the day
9 and number of hours per day and days per week during which the
10 minor shall be employed.

11 2. Evidence of age showing that the minor is of the age
12 required by this Act, which evidence shall be documentary, and
13 shall be required in the order designated, as follows:

14 a. a birth certificate or transcript thereof furnished
15 by the State or County or a signed statement of the
16 recorded date and place of birth issued by a registrar of
17 vital records, or other officer charged with the duty of
18 recording births, such registration having been completed
19 within 10 years after the date of birth;

20 b. a certificate of baptism, or transcript thereof,
21 duly certified, showing the date of birth and place of
22 baptism of the child;

23 c. other documentary proof of age (other than a school
24 record or an affidavit of age) such as a bona fide record
25 of the date and place of the child's birth, kept in the
26 Bible in which the records of births, marriages and deaths

1 in the family of the child are preserved; a certificate of
2 confirmation or other church ceremony at least one year
3 old, showing the age of the child and the date and place of
4 the confirmation or ceremony; or a certificate of arrival
5 in the United States, issued by the United States
6 Immigration Officer, showing the age of the child; or a
7 life insurance policy at least one year old showing the
8 age of the child;

9 d. If none of the proofs of age described in items a, b
10 and c are obtainable, and only in that case, the issuing
11 officer may accept a certificate signed by a physician,
12 who shall be a public health officer or a public school
13 physician, stating that he has examined the child and that
14 in his opinion the child is at least of the age required by
15 this Act. The certificate shall show the height and weight
16 of the child, the condition of the child's teeth, and any
17 other facts concerning the child's physical development
18 revealed by the examination and upon which his opinion as
19 to the child's age is based, and shall be accompanied by a
20 school record of age.

21 3. A statement on a form approved by the Department of
22 Labor and signed by the principal of the school that the minor
23 attends, or during school holidays when the principal is not
24 available, then by the Regional or District Superintendent of
25 Schools ~~regional superintendent of schools~~ or by a person
26 designated by him for that purpose, showing the minor's name,

1 address, social security number, grade last completed, and the
2 names of his parents, provided that the statement shall be
3 required only in the case of a minor who is employed on school
4 days outside school hours, or on Saturdays or other school
5 holidays during the school term.

6 4. A statement of physical fitness signed by a public
7 health or public school physician who has examined the minor,
8 certifying that the minor is physically fit to be employed in
9 all legal occupations or to be employed in legal occupations
10 under limitations specified. If the statement of physical
11 fitness is limited, the employment certificate issued thereon
12 shall state clearly the limitations upon its use, and shall be
13 valid only when used under the limitations so stated.

14 In any case where the physician deems it advisable he may
15 issue a certificate of physical fitness for a specified period
16 of time, at the expiration of which the person for whom it was
17 issued shall appear and be re-examined before being permitted
18 to continue work.

19 Examinations shall be made in accordance with the
20 standards and procedures prescribed by the State Director of
21 the Department of Labor, in consultation with the State
22 Director of the Department of Public Health and the State
23 Superintendent of Education, and shall be recorded on a form
24 furnished by the Department of Labor. When made by public
25 health or public school physicians, the examination shall be
26 made without charge to the minor. In case a public health or

1 public school physician is not available, a statement from a
2 private physician who has examined the minor may be accepted,
3 provided that the examination is made in accordance with the
4 standards and procedures established by the Department of
5 Labor.

6 If the issuing officer refuses to issue a certificate to a
7 minor, the issuing officer shall send to the principal of the
8 school last attended by the minor the name and address of the
9 minor and the reason for the refusal to issue the certificate.
10 (Source: P.A. 87-895; 88-365.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.