



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4285

Introduced 1/16/2024, by Rep. Travis Weaver

SYNOPSIS AS INTRODUCED:

820 ILCS 205/0.5	
820 ILCS 205/1	from Ch. 48, par. 31.1
820 ILCS 205/6	from Ch. 48, par. 31.6
820 ILCS 205/13	from Ch. 48, par. 31.13

Amends the Child Labor Law. Provides that a minor 14 or 15 years of age may work at an otherwise prohibited workplace if none of the minor's job duties: (1) require any education, formal training, certification, or license; (2) involve the use of any equipment or machinery that poses a substantial risk of causing any serious bodily injury or death; (3) involve the use of or proximity to hazardous materials; or (4) require the minor to work hours past curfew. Provides that every employer of minors between the ages of 14 and 16 years shall record the name of the parent or guardian who gives the minor permission to work. Provides that any employer, upon termination of the employment of a minor, shall immediately send by certified mail notification to the parent or guardian on record that the minor's employment has been terminated. Defines terms.

LRB103 35684 SPS 65759 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 5. The Child Labor Law is amended by changing
5 Sections 0.5, 1, 6, and 13 as follows:

6 (820 ILCS 205/0.5)

7 (Text of Section before amendment by P.A. 103-556)

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

9 "District Superintendent of Schools" means an individual
10 employed by a board of education in accordance with Section
11 10-21.4 of the School Code and shall also include the chief
12 executive officer of a school district in a city with over
13 500,000 inhabitants.

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

20 "Hazardous material" has the meaning set forth in Section
21 2.05 of the Hazardous Materials Emergency Act.

22 "Regional Superintendent of Schools" means the chief
23 administrative officer of an educational service region

1 pursuant to Section 3A-2 of the School Code.

2 (Source: P.A. 102-32, eff. 6-25-21.)

3 (Text of Section after amendment by P.A. 103-556)

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

5 "District Superintendent of Schools" means an individual
6 employed by a board of education in accordance with Section
7 10-21.4 of the School Code and shall also include the chief
8 executive officer of a school district in a city with over
9 500,000 inhabitants.

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

16 "Family" means a group of persons related by blood or
17 marriage, including civil partnerships, or whose close
18 relationship with each other is considered equivalent to a
19 family relationship by the individuals.

20 "Hazardous material" has the meaning set forth in Section
21 2.05 of the Hazardous Materials Emergency Act.

22 "Online platform" means any public-facing website, web
23 application, or digital application, including a mobile
24 application. "Online platform" includes a social network,
25 advertising network, mobile operating system, search engine,

1 email service, or Internet access service.

2 "Regional Superintendent of Schools" means the chief
3 administrative officer of an educational service region
4 pursuant to Section 3A-2 of the School Code.

5 "Vlog" means content shared on an online platform in
6 exchange for compensation.

7 "Vlogger" means an individual or family that creates video
8 content, performed in Illinois, in exchange for compensation,
9 and includes any proprietorship, partnership, company, or
10 other corporate entity assuming the name or identity of a
11 particular individual or family for the purposes of that
12 content creation. "Vlogger" does not include any person under
13 the age of 16 who produces his or her own vlogs.

14 (Source: P.A. 102-32, eff. 6-25-21; 103-556, eff. 7-1-24.)

15 (820 ILCS 205/1) (from Ch. 48, par. 31.1)

16 Sec. 1. Restricted occupations for minors.

17 (a) No minor under 16 years of age, except minors 14 or 15
18 years of age who are participating in federally funded work
19 experience career education programs under the direction of
20 the State Board of Education, at any time shall be employed,
21 permitted or allowed to work in any gainful occupation in
22 connection with any theater, concert hall or place of
23 amusement, or any mercantile institution, store, office,
24 hotel, laundry, manufacturing establishment, mill, cannery,
25 factory or workshop, restaurant, lunchroom, beauty parlor,

1 barber shop, bakery, or coal, brick or lumber yard, or in any
2 type of construction work within this State, unless the
3 minor's job duties satisfy the requirements of subsection (b),
4 ~~however, minors between 14 and 16 years of age may be employed,~~
5 ~~permitted, or allowed to work outside school hours and during~~
6 ~~school vacations but not in dangerous or hazardous factory~~
7 ~~work or in any occupation otherwise prohibited by law or by~~
8 ~~order or regulation made in pursuance of law.~~

9 (b) A minor 14 or 15 years of age may work at any place
10 listed in subsection (a) if none of the job duties:

11 (1) require any education, formal training,
12 certification, or license;

13 (2) involve the use of any equipment or machinery that
14 poses a substantial risk of causing any serious bodily
15 injury or death;

16 (3) involve the use of or proximity to hazardous
17 materials; or

18 (4) require the minor to work hours past curfew.

19 (c) No minor under 12 years of age, except members of the
20 farmer's own family who live with the farmer at his principal
21 place of residence, at any time shall be employed, permitted
22 or allowed to work in any gainful occupation in connection
23 with agriculture, except that any minor of 10 years of age or
24 more may be permitted to work in a gainful occupation in
25 connection with agriculture during school vacations or outside
26 of school hours.

1 (Source: P.A. 91-357, eff. 7-29-99.)

2 (820 ILCS 205/6) (from Ch. 48, par. 31.6)

3 Sec. 6. It shall be the duty of every employer of minors
4 between the ages of 14 and 16 years employed for or in
5 connection with any gainful occupation mentioned in Section 1
6 to keep a register upon the premises where the work is being
7 done on which register shall be recorded the name, age, and
8 place of residence of every minor between the ages of 14 and 16
9 years and the name of the parent or guardian who gives the
10 minor permission to work. It shall be unlawful for any person,
11 firm or corporation to hire or employ or to permit or allow to
12 work in or for or in connection with any of the gainful
13 occupations mentioned in Section 1, any minor between the ages
14 of 14 and 16 years unless there is first procured and placed on
15 file on the premises where the work is being done, employment
16 certificates issued as hereinafter provided and accessible to
17 the authorized officers and employees of the Department of
18 Labor, and to the truant officers and other school officials
19 charged with the enforcement of the compulsory education law.

20 (Source: P.A. 84-551.)

21 (820 ILCS 205/13) (from Ch. 48, par. 31.13)

22 Sec. 13. Every employer, during the period of employment
23 of a minor under 16 years of age, shall keep on file at the
24 place of employment an employment certificate issued for such

1 minor. Any employer, upon termination of the employment of
2 such minor, shall (i) immediately send by certified mail
3 notification to the parent or guardian on record that the
4 minor's employment has been terminated and (ii) immediately
5 return the certificate issued to the issuing officer. An
6 employment certificate shall be valid only for the employer
7 for whom issued, and a new certificate shall not be issued for
8 the employment of a minor under 16 years of age except on the
9 presentation of a new statement of intention to employ. The
10 failure of any employer to produce for inspection such
11 employment certificate for each minor in his establishment
12 shall be prima facie evidence that the minor is employed
13 without a certificate.

14 (Source: P.A. 78-607.)

15 Section 95. No acceleration or delay. Where this Act makes
16 changes in a statute that is represented in this Act by text
17 that is not yet or no longer in effect (for example, a Section
18 represented by multiple versions), the use of that text does
19 not accelerate or delay the taking effect of (i) the changes
20 made by this Act or (ii) provisions derived from any other
21 Public Act.