



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1258

Introduced 1/31/2023, by Rep. Joe C. Sosnowski - Jeff Keicher

SYNOPSIS AS INTRODUCED:

820 ILCS 205/3
820 ILCS 205/8

from Ch. 48, par. 31.3
from Ch. 48, par. 31.8

Amends the Child Labor Law. Provides that no minor under 16 years of age shall be employed, permitted, or allowed to work in any gainful occupation for more than 40 hours (rather than 48 hours) in any one week. Removes a provision limiting the hours of work for minors under the age of 16 to no more than 8 hours a day of combined work hours outside and in school. Provides that a minor 14 years or older who is employed in a recreational or educational activity while school is in session is limited to working 18 (rather than 24) hours in any week. Authorizes the Regional or District Superintendent of Schools to issue an employment certificate that permits a minor under 16 years of age to appear in a play or musical comedy with a professional traveling theatrical production if such minor shall not appear on stage or be present in rehearsals for more than 18 (rather than 24) hours in one week.

LRB103 00138 SPS 45142 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 3 and 8 as follows:

6 (820 ILCS 205/3) (from Ch. 48, par. 31.3)

7 (Text of Section before amendment by P.A. 102-832)

8 Sec. 3. Except as hereinafter provided, no minor under 16
9 years of age shall be employed, permitted, or allowed to work
10 in any gainful occupation mentioned in Section 1 of this Act
11 for more than 6 consecutive days in any one week, or more than
12 48 hours in any one week, or more than 8 hours in any one day,
13 or be so employed, permitted or allowed to work between 7 p.m.
14 and 7 a.m. from Labor Day until June 1 or between 9 p.m. and 7
15 a.m. from June 1 until Labor Day.

16 The hours of work of minors under the age of 16 years
17 employed outside of school hours shall not exceed 3 a day on
18 days when school is in session, nor shall the combined hours of
19 work outside and in school exceed a total of 8 a day; except
20 that a minor under the age of 16 may work both Saturday and
21 Sunday for not more than 8 hours each day if the following
22 conditions are met: (1) the minor does not work outside school
23 more than 6 consecutive days in any one week, and (2) the

1 number of hours worked by the minor outside school in any week
2 does not exceed 24.

3 A minor 14 or more years of age who is employed in a
4 recreational or educational activity by a park district,
5 not-for-profit youth club, or municipal parks and recreation
6 department while school is in session may work up to 3 hours
7 per school day twice a week no later than 9 p.m. if the number
8 of hours worked by the minor outside school in any week does
9 not exceed 24 or between 10 p.m. and 7 a.m. during that school
10 district's summer vacation, or if the school district operates
11 on a 12 month basis, the period during which school is not in
12 session for the minor.

13 (Source: P.A. 92-592, eff. 6-27-02.)

14 (Text of Section after amendment by P.A. 102-832)

15 Sec. 3. Except as hereinafter provided, no minor under 16
16 years of age shall be employed, permitted, or allowed to work
17 in any gainful occupation mentioned in Section 1 of this Act
18 for more than 6 consecutive days in any one week, or more than
19 40 ~~48~~ hours in any one week, or more than 8 hours in any one
20 day, or be so employed, permitted or allowed to work between 7
21 p.m. and 7 a.m. from Labor Day until June 1 or between 9 p.m.
22 and 7 a.m. from June 1 until Labor Day. Minors under 16 years
23 of age working under the provisions of Section 8.1 shall be
24 permitted to work until 10 p.m.

25 The hours of work of minors under the age of 16 years

1 employed outside of school hours shall not exceed 3 a day on
2 days when school is in session, ~~nor shall the combined hours of~~
3 ~~work outside and in school exceed a total of 8 a day;~~ except
4 that a minor under the age of 16 may work both Saturday and
5 Sunday for not more than 8 hours each day if the following
6 conditions are met: (1) the minor does not work outside school
7 more than 6 consecutive days in any one week, and (2) the
8 number of hours worked by the minor outside school in any week
9 does not exceed 18 ~~24~~.

10 A minor 14 or more years of age who is employed in a
11 recreational or educational activity by a park district,
12 not-for-profit youth club, or municipal parks and recreation
13 department while school is in session may work up to 3 hours
14 per school day twice a week no later than 9 p.m. if the number
15 of hours worked by the minor outside school in any week does
16 not exceed 18 ~~24~~ or between 10 p.m. and 7 a.m. during that
17 school district's summer vacation, or if the school district
18 operates on a 12 month basis, the period during which school is
19 not in session for the minor.

20 (Source: P.A. 102-832, eff. 1-1-23.)

21 (820 ILCS 205/8) (from Ch. 48, par. 31.8)

22 Sec. 8. Authority to issue employment certificates.

23 (a) Notwithstanding the provisions of this Act, the
24 Regional or District Superintendent of Schools, or their duly
25 authorized agents, are authorized to issue an employment

1 certificate for any minor under sixteen (16) years of age,
2 said certificate authorizing and permitting the appearance of
3 such minor in a play or musical comedy with a professional
4 traveling theatrical production on the stage of a duly
5 licensed theatre wherein not more than two performances are
6 given in any one day and not more than eight performances are
7 given in any one week, or nine when a holiday occurs during the
8 week, or in a musical recital or concert: Provided, that such
9 minor is accompanied by his parent or guardian or by a person
10 in whose care the parent or guardian has placed the minor and
11 whose connection with the performance or with the operation of
12 the theatre in which the minor is to appear is limited to the
13 care of such minor or of minors appearing therein: And
14 provided further, that such minor shall not appear on said
15 stage or in a musical recital or concert, attend rehearsals,
16 or be present in connection with such appearance or
17 rehearsals, in the theatre where the play or musical comedy is
18 produced or in the place where the concert or recital is given,
19 for more than a total of six (6) hours in any one day, or on
20 more than six (6) days in any one week, or for more than a
21 total of 18 ~~twenty-four (24)~~ hours in any one week, or after
22 the hour of 11 postmeridian; and provided further, no such
23 minor shall be excused from attending school except as
24 authorized pursuant to Section 26-1 of the School Code.
25 Application for such certificate shall be made by the manager
26 of the theatre, or by the person in the district responsible

1 for the musical recital or concert, and by the parent or
2 guardian of such minor to the Regional or District
3 Superintendent of Schools or his authorized agent at least
4 fourteen (14) days in advance of such appearance. The Regional
5 or District Superintendent of Schools or his agent may issue a
6 permit if satisfied that adequate provision has been made for
7 the educational instruction of such minor, for safeguarding
8 his health and for the proper moral supervision of such minor,
9 and that proper rest and dressing room facilities are provided
10 in the theatre for such minor.

11 (b) Notwithstanding the provisions of this Act, the
12 Regional or District Superintendent of Schools, or their duly
13 authorized agents, are authorized to issue an employment
14 certificate for any minor under 16 years of age, such
15 certificate authorizing and permitting the appearance of such
16 minor as a model or in a motion picture, radio or television
17 production: Provided, that no such minor shall be excused from
18 attending school except as authorized pursuant to Section 26-1
19 of The School Code. The Department of Labor shall promulgate
20 rules and regulations to carry out the provisions of this
21 subsection. Such rules and regulations shall be designed to
22 protect the health and welfare of child models or actors and to
23 insure that the conditions under which minors are employed,
24 used or exhibited will not impair their health, welfare,
25 development or proper education.

26 (c) In situations where a minor from another state seeks

1 to obtain an Illinois employment certificate, the Department
2 shall work with a Regional or District Superintendent of
3 Schools, or the State Superintendent of Education, or his or
4 her duly authorized agents, to issue the certificate.

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

6 Section 95. No acceleration or delay. Where this Act makes
7 changes in a statute that is represented in this Act by text
8 that is not yet or no longer in effect (for example, a Section
9 represented by multiple versions), the use of that text does
10 not accelerate or delay the taking effect of (i) the changes
11 made by this Act or (ii) provisions derived from any other
12 Public Act.