



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB6014

Introduced 2/10/2010, by Rep. Deborah L. Graham

SYNOPSIS AS INTRODUCED:

820 ILCS 205/8
820 ILCS 205/11

from Ch. 48, par. 31.8
from Ch. 48, par. 31.11

Amends the Child Labor Law. Provides that in situations where a minor from another state seeks to obtain an Illinois employment certificate, the Department of Labor shall work with a City or Regional Superintendent of Schools, or the State Superintendent of Education, or his or her duly authorized agents, to issue the certificate. Provides that the Superintendent may waive the requirement of the Act that a minor submit his or her application in person, if the minor resides in another state. Effective immediately.

LRB096 15715 RLC 30952 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 8 and 11 as follows:

6 (820 ILCS 205/8) (from Ch. 48, par. 31.8)

7 Sec. 8. Authority to issue employment certificates.

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

1 shall not appear on said stage or in a musical recital or
2 concert, attend rehearsals, or be present in connection with
3 such appearance or rehearsals, in the theatre where the play or
4 musical comedy is produced or in the place where the concert or
5 recital is given, for more than a total of six (6) hours in any
6 one day, or on more than six (6) days in any one week, or for
7 more than a total of twenty-four (24) hours in any one week, or
8 after the hour of 11 postmeridian; and provided further, no
9 such minor shall be excused from attending school except as
10 authorized pursuant to Section 26-1 of the School Code.
11 Application for such certificate shall be made by the manager
12 of the theatre, or by the person in the district responsible
13 for the musical recital or concert, and by the parent or
14 guardian of such minor to the City or County Superintendent of
15 Schools or his authorized agent at least fourteen (14) days in
16 advance of such appearance. The City or County Superintendent
17 of Schools or his agent may issue a permit if satisfied that
18 adequate provision has been made for the educational
19 instruction of such minor, for safeguarding his health and for
20 the proper moral supervision of such minor, and that proper
21 rest and dressing room facilities are provided in the theatre
22 for such minor.

23 (b) Notwithstanding the provisions of this Act, the City or
24 Regional Superintendent of Schools, or their duly authorized
25 agents, are authorized to issue an employment certificate for
26 any minor under 16 years of age, such certificate authorizing

1 and permitting the appearance of such minor as a model or in a
2 motion picture, radio or television production: Provided, that
3 no such minor shall be excused from attending school except as
4 authorized pursuant to Section 26-1 of The School Code. The
5 Department of Labor shall promulgate rules and regulations to
6 carry out the provisions of this subsection. Such rules and
7 regulations shall be designed to protect the health and welfare
8 of child models or actors and to insure that the conditions
9 under which minors are employed, used or exhibited will not
10 impair their health, welfare, development or proper education.

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

19 (Source: P.A. 84-436; 84-675.)

20 (820 ILCS 205/11) (from Ch. 48, par. 31.11)

21 Sec. 11. Employment certificate issuance; duration;
22 revocation.

23 (a) The employment certificate shall be issued by the City
24 or County Superintendent of Schools or by their duly authorized
25 agents and shall be valid for a period of one year. The person

1 issuing these certificates shall have authority to administer
2 the oaths provided for herein, but no fee shall be charged. It
3 shall be the duty of the school board or local school
4 authority, to designate a place or places where certificates
5 shall be issued and recorded, and physical examinations made
6 without fee, as hereinafter provided, and to establish and
7 maintain the necessary records and clerical services for
8 carrying out the provisions of this Act.

9 The issuing officer shall notify the principal of the
10 school attended by the minor for whom an employment certificate
11 for out of school work is issued by him.

12 The parent or legal guardian of a minor, or the principal
13 of the school attended by the minor for whom an employment
14 certificate has been issued may ask for the revocation of the
15 certificate by petition to the Department of Labor in writing,
16 stating the reasons he believes that the employment is
17 interfering with the best physical, intellectual or moral
18 development of the minor. The Department of Labor shall
19 thereupon revoke the employment certificate by notice in
20 writing to the employer of the minor.

21 (b) In situations where a minor from another state seeks to
22 obtain an Illinois employment certificate, the Department
23 shall work with a City or Regional Superintendent of Schools,
24 or the State Superintendent of Education, or his or her duly
25 authorized agents, to issue the certificate. The
26 Superintendent may waive the requirement in Section 12 of this

1 Act that a minor submit his or her application in person, if
2 the minor resides in another state.

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

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.