

AN ACT concerning employment.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

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

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

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

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

(b) As used in this Section:

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

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

(1) conducted on the public way; or

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

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

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

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

installation of tents; or hangings of banners.

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

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

(820 ILCS 205/0.5 new)

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

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

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

"Regional Superintendent of Schools" means the chief

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

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

Sec. 8. Authority to issue employment certificates.

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

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

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

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

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

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

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

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

and the person issuing it shall:

- (i) mail the original to the minor's employer,
- (ii) send copies to the State Department of Labor and to the minor's parent or legal guardian, and
- (iii) retain a copy in his files.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

If the issuing officer refuses to issue a certificate to a minor, the issuing officer shall send to the principal of the school last attended by the minor the name and address of the minor and the reason for the refusal to issue the certificate.

(Source: P.A. 87-895; 88-365.)

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