

**CONFERENCE COMMITTEE REPORT
DIGEST FOR HB 2051**

Citations Affected: IC 20-8.1-4-4; IC 20-8.1-4-20; IC 20-8.1-4-23; IC 8.1-4-30; IC 20-8.1-4-31; IC 22-2-2-4.

Synopsis: Various labor matters. Provides that the employer of a child who is at least 16 years of age and less than 18 years of age must have parental consent on file in the employer's office for the child to work: (1) up to 40 hours per week during school weeks; and (2) 48 hours per week during a nonschool week. Provides that a child who is at least 17 years of age and less than 18 years of age may work until 1 a.m. the following day on a night followed by a school day only if the child's employer has the consent of the child's parent on file in the employer's office and not more often than two nonconsecutive school nights a week. Provides for a warning letter for a first violation of child labor laws and for fines for subsequent violations. Provides that half of the money in the employment of youth fund shall be used each year for the purpose of education regarding child labor laws. Provides that half of the money in the employment of youth fund shall be used for the expenses of hiring and salaries of additional inspectors to enforce child labor laws. Provides that an employee of a seasonal amusement or recreational establishment, an organized camp, or a religious or nonprofit educational conference center that is exempt under the Fair Labor Standards Act who is covered by the Indiana minimum wage law is not entitled to overtime wages for a work week longer than 40 hours. Provides that an accredited school is authorized to issue employment certificates for students enrolled in the accredited school and the accredited school shall designate an issuing officer who is responsible for issuing employment certificates. Provides that a resident of Indiana under 18 years of age who does not attend an accredited school shall obtain the employment certificate from the school corporation in which the person resides or from an issuing officer designated by the school corporation. (This conference committee report does the following: (1) Removes the provision that a nonpublic school is authorized to issue employment certificates for students enrolled in the nonpublic school and that the nonpublic school shall designate an issuing officer who is responsible for attendance or the monitoring of student grades. (2) Provides that a resident of Indiana who does not attend an accredited school shall obtain the employment certificate from the school corporation in which the student resides or from an issuing officer designated by the school corporation. (3) Provides that an employee of a seasonal amusement or recreational establishment, an organized camp, or a religious or nonprofit educational conference center that is exempt under the Fair Labor Standards Act who is covered by the Indiana minimum wage law is not entitled to overtime wages for a work week longer than 40 hours, effective January 1, 1999. (4) Makes conforming amendments.)

Effective: July 1, 1999.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 2051 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Page 1, line 3, after "each" insert "**accredited**".
- 2 Page 1, line 3, strike "corporation" and insert "**(as described in**
- 3 **IC 20-1-1-6(a)(5))**".
- 4 Page 1, line 8, strike "superintendent." and insert "**principal.**".
- 5 Page 1, line 10, strike "in" and insert "**by**".
- 6 Page 1, line 10, strike "corporation".
- 7 Page 1, line 13, strike "superintendent." and insert "**principal.**".
- 8 Page 1, delete lines 14 through 16.
- 9 Page 2, delete lines 1 through 2.
- 10 Page 4, between lines 21 and 22, begin a new paragraph and insert:
- 11 "SECTION 4. IC 20-8.1-4-30 IS AMENDED TO READ AS
- 12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 30. (~~Application~~) This
- 13 chapter applies to all persons under the age of eighteen (18) years who
- 14 are employed or are seeking employment in Indiana. A person under
- 15 eighteen (18) years of age who is a resident of Indiana and who
- 16 requires an employment certificate shall obtain it from the issuing
- 17 officers of the **accredited school corporation in which such (as**
- 18 **described in IC 20-1-1-6(a)(5)) that the person resides: attends. If a**
- 19 **resident of Indiana under eighteen (18) years of age who does not**
- 20 **attend an accredited school requires an employment certificate, the**
- 21 **person shall obtain the certificate from an issuing officer of the**
- 22 **school corporation in which the person resides or from an issuing**
- 23 **officer (as described in section 4 of this chapter) designated by the**
- 24 **school corporation in which the person resides.** A person under
- 25 eighteen (18) years of age who is not a resident of Indiana and who
- 26 requires an employment certificate to work in Indiana shall obtain it
- 27 from the issuing officer of the school corporation in which such person
- 28 is employed or is seeking employment. However, the judge of a court

1 with juvenile jurisdiction may suspend the application of this chapter
2 in cases involving juvenile delinquents or incorrigibles whenever, in
3 ~~his judgment, the opinion of the judge,~~ the welfare of any child
4 warrants this action."

5 Page 8, line 28, replace the effective date "[EFFECTIVE JULY 1,
6 1999]" with "[EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]".

7 Page 12, line 3, delete "(h)" and insert "(j)".

8 Page 12, line 19, delete "(a)" and insert "(j)".

9 Page 12, line 25, delete "(a)" and insert "(j)".

10 Page 13, line 4, delete "(a)" and insert "(j)".

11 Page 13, line 10, delete "(a)" and insert "(j)".

12 Page 15, after line 32, begin a new paragraph and insert:

13 "SECTION 6. **An emergency is declared for this act.**".

14 Renumber all SECTIONS consecutively.

(Reference is to EHB 2051 as reprinted April 8, 1999.)

Conference Committee Report
on
House Bill 2051

Signed by:

Senator Harrison

Representative Weinzapfel

Senator Bowser

Representative Becker

Senate Conferees

House Conferees