

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 337, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, between lines 4 and 5, begin a new paragraph and insert:
2 "SECTION 3. IC 20-33-3-32, AS ADDED BY P.L.1-2005,
3 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 32. This chapter may not prevent a child of any
5 age from singing, playing, or performing in a studio, circus, theatrical,
6 or musical exhibition, concert, or festival, in radio and television
7 broadcasts, or as a live or photographic model. Employment certificates
8 are not required for employment or appearances set forth in this
9 section, but a child less than eighteen (18) years of age may not be
10 employed except under the following conditions:
11 (1) The activities described in this section must not:
12 (A) be detrimental to the life, health, safety, or welfare of the
13 child; or
14 (B) interfere with the schooling of the child.
15 Provision shall be made for education equivalent to full-time
16 school attendance in the public schools for children less than
17 sixteen (16) years of age.
18 (2) A:
19 (A) parent; or

- 1 **(B) person who:**
 2 **(i) is at least eighteen (18) years of age; and**
 3 **(ii) has received permission from the child's parent to**
 4 **accompany the child;**
 5 shall accompany a child less than sixteen (16) years of age at all
 6 rehearsals, appearances, and performances.
 7 (3) The employment or appearance may not be in a cabaret, dance
 8 hall, night club, tavern, or other similar place."
 9 Page 2, line 18, after "(c)" delete "A" and insert "**For a**".
 10 Page 2, line 18, after "(b)" insert ",".
 11 Page 2, line 18, strike "is a hazardous occupation violation".
 12 Page 2, line 19, strike "subject to".
 13 Page 2, line 19, delete "sections 40.3 and".
 14 Page 2, line 19, strike "41 of this chapter." and insert "**an individual**
 15 **who is an employer, a firm, a limited liability company, or a**
 16 **corporation is subject to the following civil penalties to be assessed**
 17 **by the department of labor:**
 18 **(1) Fifty dollars (\$50) for the first violation.**
 19 **(2) Two hundred fifty dollars (\$250) for the second violation.**
 20 **(3) One thousand dollars (\$1,000) for the third and**
 21 **subsequent violations."**
 22 Page 3, line 38, delete "or 36(b)".
 23 Page 3, line 39, delete "is" and insert "**may be**".
 24 Page 3, line 41, delete "One" and insert "**Up to one**".
 25 Page 3, line 42, delete "Five" and insert "**Up to five**".
 26 Page 4, between lines 32 and 33, begin a new paragraph and insert:
 27 "SECTION 11. IC 20-33-3-42, AS ADDED BY P.L.1-2005,
 28 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2012]: Sec. 42. (a) There is established an employment of
 30 youth fund to educate affected parties on the purposes and contents of
 31 this chapter and the responsibilities of all parties under this chapter.
 32 (b) One-half (1/2) of the employment of youth fund each year shall
 33 be used for the purpose of the education provision of this subsection,
 34 and may be used to award grants to provide educational programs. The
 35 remaining one-half (1/2) of the employment of youth fund shall be used
 36 each year for the expenses of hiring and salaries of additional
 37 inspectors to enforce this chapter under section 39 of this chapter.
 38 (c) The employment of youth fund shall be administered by the

1 department of labor. The expenses of administering the employment of
 2 youth fund shall be paid from money in the fund. The treasurer of state
 3 shall invest the money in the employment of youth fund not currently
 4 needed to meet the obligations of the fund in the same manner as other
 5 public funds may be invested. Interest that accrues from these
 6 investments shall be deposited in the employment of youth fund.
 7 Money in the employment of youth fund at the end of a state fiscal year
 8 does not revert to the state general fund.

9 (d) Revenue received from civil penalties under this ~~section~~ **chapter**
 10 shall be deposited in the employment of youth fund.

11 (e) All inspectors hired to enforce this chapter shall also be
 12 available to educate affected parties on the purposes and contents of
 13 this chapter and the responsibilities of all parties under this chapter.".

14 Page 5, delete lines 15 through 42.

15 Delete pages 6 through 17.

16 Renumber all SECTIONS consecutively.

(Reference is to SB 337 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

Boots

Chairperson