

SENATE BILL No. 153

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-33-3.

Synopsis: Employment of children. Establishes the conditions under which a child who is employed or works as a youth athletic program referee, umpire, or official is exempt from the requirements of the state's child labor law.

Effective: Upon passage.

Becker

January 7, 2013, read first time and referred to Committee on Pensions and Labor.

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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

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SENATE BILL No. 153



A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-33-3-6, AS ADDED BY P.L.1-2005, SECTION
 2 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 3 PASSAGE]: Sec. 6. (a) An employment certificate is not required for
 4 a child who is at least fourteen (14) years of age but less than eighteen
 5 (18) years of age to:
 6 (1) perform:
 7 (A) farm labor; or
 8 (B) domestic service; or
 9 (2) act as a:
 10 (A) caddie for a person playing golf; or
 11 (B) newspaper carrier.
 12 ~~However, this~~
 13 **(b) An employment certificate is not required for a child who is:**
 14 **(1) at least twelve (12) years of age but less than eighteen (18)**
 15 **years of age; and**
 16 **(2) employed as a youth athletic program referee, umpire, or**
 17 **official under section 31.5 of this chapter.**



1 **(c) An exemption under subsection (a) or (b)** applies only when a
 2 child is engaged in an occupation listed in this section during the hours
 3 when the child is not required to be in school.

4 **(d)** An employment certificate is not required for a child less
 5 than eighteen (18) years of age who:

6 (1) works as an actor or performer if the provisions of section 32
 7 of this chapter are met; or

8 (2) has graduated from high school.

9 SECTION 2. IC 20-33-3-31, AS ADDED BY P.L.1-2005,
 10 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 UPON PASSAGE]: Sec. 31. (a) **This subsection does not apply to a**
 12 **child who is employed as a youth athletic program referee, umpire,**
 13 **or official under section 31.5 of this chapter.** A child less than:

14 (1) fourteen (14) years of age may not be employed or allowed to
 15 work in any gainful occupation except as a farm laborer, domestic
 16 service worker, caddie for persons playing the game of golf, or
 17 newspaper carrier; and

18 (2) twelve (12) years of age may not be permitted to work at farm
 19 labor except on a farm operated by the child's parent.

20 (b) Except as provided in section 32 of this chapter, a person, firm,
 21 limited liability company, or corporation may not employ or permit any
 22 child less than eighteen (18) years of age to work in any occupation
 23 after 7:30 a.m. and before 3:30 p.m. on a school day unless the child
 24 presents to the employer a written exception issued by the school that
 25 the child attends.

26 SECTION 3. IC 20-33-3-31.5 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE UPON PASSAGE]: **Sec. 31.5. (a) If the conditions of**
 29 **subsections (b) and (c) are satisfied, a child who is less than**
 30 **eighteen (18) years of age is exempt from the requirements of this**
 31 **chapter whenever the child is employed or works as a youth**
 32 **athletic program referee, umpire, or official.**

33 **(b) A child must satisfy all of the following:**

34 (1) The child is at least twelve (12) years of age.

35 (2) The child is certified as a referee, umpire, or official by a
 36 national certification program.

37 (3) The child is a referee, umpire, or official for an age
 38 bracket younger than the child's own age.

39 **(c) In addition to the requirements of subsection (b), one (1) of**
 40 **the following must be satisfied:**

41 (1) The child:

42 (A) works with a person who is:

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1 (i) at least eighteen (18) years of age; and
2 (ii) also working as a referee, umpire, or official at the
3 same athletic event at which the child is working as a
4 referee, umpire, or official; and
5 (B) has on file with the person responsible for assigning the
6 child to officiate for the youth athletic program the
7 original or a copy of a written consent to the child's
8 employment as a referee, umpire, or official signed by the
9 child's parent or guardian.
10 (2) A child's parent or guardian is present during the athletic
11 event at which the child is working as a referee, umpire, or
12 official.
13 SECTION 4. An emergency is declared for this act.

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