January 25, 2013

SENATE BILL No. 153

DIGEST OF SB 153 (Updated January 23, 2013 10:59 am - DI 102)

Citations Affected: IC 20-33.

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, Waltz

January 7, 2013, read first time and referred to Committee on Pensions and Labor.
January 24, 2013, reported favorably — Do Pass.

C o p y

January 25, 2013

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.

C o p y

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:

SECTION 1. IC 20-33-3-6, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) An employment certificate is not required for a child who is at least fourteen (14) years of age but less than eighteen (18) years of age to:

(1) perform:

(A) farm labor; or

(B) domestic service; or

(2) act as a:

(A) caddie for a person playing golf; or

(B) newspaper carrier.

~~However, this~~

(b) An employment certificate is not required for a child who is:

(1) at least twelve (12) years of age but less than eighteen (18) years of age; and

(2) employed as a youth athletic program referee, umpire, or official under section 31.5 of this chapter.

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

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

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

(2) has graduated from high school.

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

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

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

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

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

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

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

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

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

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

(1) The child:

(A) works with a person who is:

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(i) at least eighteen (18) years of age; and

(ii) also working as a referee, umpire, or official at the same athletic event at which the child is working as a referee, umpire, or official; and

(B) has on file with the person responsible for assigning the child to officiate for the youth athletic program the original or a copy of a written consent to the child's employment as a referee, umpire, or official signed by the child's parent or guardian.

(2) A child's parent or guardian is present during the athletic event at which the child is working as a referee, umpire, or official.

SECTION 4. **An emergency is declared for this act.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 153, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 153 as introduced.)

BOOTS, Chairperson

Committee Vote: Yeas 10, Nays 0.

C o p y