

1 SB297  
2 181329-1  
3 By Senator Livingston  
4 RFD: Fiscal Responsibility and Economic Development  
5 First Read: 09-MAR-17

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8 SYNOPSIS: Under existing child labor law, the fee for  
9 a Class I or Class II Child Labor Certificate  
10 issued by the Department of Labor is \$15 annually.

11 This bill would increase the fee for a Class  
12 I or Class II Child Labor Certificate to \$25  
13 annually.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT

18  
19 To amend Section 25-8-45, Code of Alabama 1975,  
20 relating to child labor laws; to increase the fee for a Class  
21 I or Class II Child Labor Certificate to \$25 annually.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 25-8-45 is amended to read as  
24 follows:

25 "§25-8-45.

26 "(a) No person under 16 years of age shall engage in  
27 any occupation mentioned in Section 25-8-39 unless he or she

1 has secured and has with him or her an eligibility to work  
2 form as provided in this chapter.

3 "(b) No person, entity, franchise, corporation, or  
4 division of a corporation shall employ, permit, or suffer to  
5 work any person 14 or 15 years of age in any occupation,  
6 except in agricultural service, unless the person, entity,  
7 franchise, corporation, or division of a corporation procures  
8 and keeps on file for the inspection by the officials charged  
9 with the enforcement of this chapter, an eligibility to work  
10 form for every person 14 or 15 years of age and a complete  
11 list of those persons 14 or 15 years of age employed therein.

12 "(c) Any person, entity, franchise, corporation, or  
13 division of a corporation that wishes to employ, permit, or  
14 suffer to work any minor 14 or 15 years of age in any  
15 occupation, except in agricultural service, shall obtain a  
16 Class I Child Labor Certificate from the department for each  
17 location where a person, entity, franchise, corporation, or  
18 division of a corporation wishes to employ a minor 14 or 15  
19 years of age. Such employment shall be in accordance with all  
20 other sections of this chapter.

21 "(d) The certificate shall allow the employment of  
22 minors 14 or 15 years of age to work only outside of school  
23 hours or during vacation periods and only in occupations not  
24 prohibited by this chapter for persons of these ages.

25 "(e) The employment of a minor 14 or 15 years of age  
26 shall be revoked or suspended by the department if the minor's  
27 regular school attendance and performance record is not

1 satisfactory to the head administrator or, if home schooled an  
2 instructor, of the school which the minor attends. The  
3 revocation or suspension shall be processed by the department  
4 upon notification by the school.

5 "(f) Any person, entity, franchise, corporation, or  
6 division of a corporation that wishes to employ, permit, or  
7 suffer to work any minor 16 or 17 years of age in any  
8 occupation, except in agricultural service, shall obtain a  
9 Class II Child Labor Certificate from the department for each  
10 location where a person, entity, franchise, corporation, or  
11 division of a corporation wishes to employ a minor 16 or 17  
12 years of age. Such employment shall be in accordance with all  
13 other sections of this chapter.

14 "(g) The department shall issue Class I and Class II  
15 Child Labor Certificates to any person, entity, franchise,  
16 corporation, or division of a corporation that applies to the  
17 department. The fee for a Class I or Class II Child Labor  
18 Certificate shall be ~~fifteen dollars (\$15)~~ twenty-five dollars  
19 (\$25). The certificates shall be issued annually.

20 "(h) (1) The application for the child labor  
21 certificate shall contain all of the following information  
22 specific to the location of the minor's employment:

23 "a. The name, address, and telephone number of the  
24 person, entity, franchise, corporation, or division of a  
25 corporation that wishes to employ, permit, or suffer to work  
26 any minor.

1            "b. The type of business or entity, the federal  
2 employer identification number, the names of all  
3 incorporators, owners, members, or partners of the business or  
4 entity.

5            "c. Any other information as required by department  
6 regulation.

7            "(2) The Class I and Class II Child Labor  
8 Certificates shall contain all of the following information:

9            "a. The name of the employer.

10           "b. The type of business the employer maintains.

11           "c. Any other information as required by department  
12 regulation.

13           "(3) If a person, entity, franchise, corporation, or  
14 division of a corporation, employs a minor between 14 and 17  
15 years of age without a proper child labor certificate, the  
16 person, entity, franchise, corporation, or division of a  
17 corporation shall pay a penalty of fifty dollars (\$50) and  
18 then shall obtain a certificate in the proper manner."

19           Section 2. This act shall become effective on the  
20 first day of the third month following its passage and  
21 approval by the Governor, or its otherwise becoming law.