



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1093 be amended to read as follows:

- 1 Page 2, delete lines 21 through 24, begin a new paragraph and
- 2 insert:
- 3 "~~(b) Except as provided in section 14 of this chapter,~~ An employer
- 4 may not employ or permit any minor less than sixteen (16) years of age
- 5 to work in any occupation during school hours on a school day."
- 6 Delete pages 3 through 4.
- 7 Page 5, delete lines 1 through 22, begin a new paragraph and insert:
- 8 "SECTION 4. IC 22-2-18.1-16, AS ADDED BY P.L.147-2020,
- 9 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 10 JULY 1, 2024]: Sec. 16. (a) Except as provided in subsection (b),
- 11 sections 17 through 22 of this chapter apply only to the employment of
- 12 a minor who is less than eighteen (18) years of age.
- 13 (b) Sections 17 through 22 of this chapter do not apply to the
- 14 following:
- 15 (1) A minor who is at least fourteen (14) years of age but less than
- 16 eighteen (18) years of age who:
- 17 (A) performs:
- 18 (i) farm labor; or
- 19 (ii) domestic service; ~~or~~
- 20 (B) acts as a
- 21 (i) caddie for a person playing the game of golf; or

- 1                   (ii) newspaper carrier:
- 2                   **(C) is employed to perform sports-attending services at**
- 3                   **professional sporting events as set forth in 29 CFR**
- 4                   **570.35(c)(2).**
- 5                   (2) A minor who is:
- 6                    (A) at least twelve (12) years of age but less than eighteen (18)
- 7                    years of age; and
- 8                    (B) employed or works as a youth athletic program referee,
- 9                    umpire, or official under section 13 of this chapter.
- 10                  (3) A minor less than eighteen (18) years of age who
- 11                  (A) works as an actor or performer if the provisions of section
- 12                  14 of this chapter are met; or
- 13                  (B) has graduated from high school."
- 14                  Page 5, delete lines 35 through 42.
- 15                  Delete page 6.
- 16                  Page 7, delete lines 1 through 3, begin a new paragraph and insert:
- 17                  "SECTION 13. IC 22-2-18.1-30, AS ADDED BY P.L.147-2020,
- 18                  SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 19                  JULY 1, 2024]: Sec. 30. (a) An employer that violates this chapter may
- 20                  be assessed the civil penalties described in this section by the
- 21                  department.
- 22                  (b) For an hour violation of not more than thirty (30) minutes under
- 23                  sections 17 through 20 of this chapter, a violation of section 18(4) of
- 24                  this chapter, or a posting violation under section 22 of this chapter the
- 25                  civil penalties are as follows:
- 26                    (1) A warning letter for any violations identified during an initial
- 27                    inspection.
- 28                    (2) Fifty dollars (\$50) per instance for a second violation
- 29                    identified in a subsequent inspection.
- 30                    (3) Seventy-five dollars (\$75) per instance for a third violation
- 31                    that is identified in a subsequent inspection.
- 32                    (4) One hundred dollars (\$100) per instance for a fourth or
- 33                    subsequent violation that is identified in an inspection subsequent
- 34                    to the inspection under subdivision (3) and that occurs not more
- 35                    than two (2) years after a prior violation.
- 36                  (c) For a failure to register or failure to register the correct number
- 37                  of minors employed under section 26 of this chapter, an hour violation
- 38                  of more than thirty (30) minutes under sections 17 through 20 of this
- 39                  chapter, an age violation under section 12 ~~or 14~~ of this chapter, each
- 40                  minor employed in violation of section 12(b) of this chapter, or a
- 41                  hazardous occupation violation under section 23 or 23.5 of this chapter
- 42                  the civil penalties are as follows:
- 43                    (1) A warning letter for any violations identified during an initial
- 44                    inspection.
- 45                    (2) One hundred dollars (\$100) per instance for each violation
- 46                    identified in a subsequent inspection.

- 1 (3) Two hundred dollars (\$200) per instance for a third violation
- 2 that is identified in a subsequent inspection.
- 3 (4) Four hundred dollars (\$400) per instance for a fourth or
- 4 subsequent violation that is identified in an inspection subsequent
- 5 to the inspection under subdivision (3) and that occurs not more
- 6 than two (2) years after a prior violation."
- 7 Renumber all SECTIONS consecutively.  
(Reference is to HB 1093 as printed January 18, 2024.)

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Representative Garcia Wilburn