

FILED FEB 14 1992

SENATE FILE 2143

BY COMMITTEE ON EDUCATION

approved (p. 344)

(SUCCESSOR TO SSB 2116)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the hours of employment of persons under the
 2 age of eighteen, restricting the hours of employment during
 3 the time when school is in session, restricting the hours that
 4 a person can be employed during a day, and providing an
 5 exemption from the hourly restriction for certain persons from
 6 a public school superintendent or the authorities in charge of
 7 a nonpublic school.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2143

1 Section 1. Section 92.2, subsections 1 and 2, Code
2 Supplement 1991, are amended to read as follows:

3 1. Notwithstanding section 92.7, a person with a permit to
4 engage in migratory labor shall only work between five a.m.
5 and ~~seven-thirty~~ seven p.m. from Labor Day through June 1, and
6 between five a.m. and nine p.m. for the remainder of the year.

7 2. Notwithstanding section 92.7, a person with a permit to
8 engage in street occupations shall only work between four a.m.
9 and ~~seven-thirty~~ seven p.m. when local public schools are in
10 session and between four a.m. and eight-thirty p.m. for the
11 remainder of the year.

12 Sec. 2. Section 92.7, Code Supplement 1991, is amended to
13 read as follows:

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14 92.7 UNDER SIXTEEN -- HOURS PERMITTED.

15 A person under sixteen years of age shall not be employed
16 with or without compensation, except as provided in sections
17 92.2 and 92.3, before the hour of seven a.m. or after seven
18 p.m., except during the period from June 1 through Labor Day
19 when the hours may be extended to nine p.m. If such person is
20 employed for a period of five hours or more each day, an
21 intermission of not less than thirty minutes shall be given.
22 Such a person shall not be employed for more than eight hours
23 in one day, exclusive of intermission, and shall not be
24 employed for more than forty hours in one week. The hours of
25 work of persons under sixteen years of age employed outside
26 school hours shall not exceed four in one day or ~~twenty-eight~~
27 fifteen in one week while school is in session.

28 Sec. 3. NEW SECTION. 92.7A SIXTEEN-YEAR-OLDS AND
29 SEVENTEEN-YEAR-OLDS -- HOURS PROHIBITED -- EXCEPTIONS.

30 1. A person sixteen or seventeen years of age, enrolled in
31 and attending an accredited school, shall not be employed with
32 or without compensation as follows:

33 a. Between the hours of nine p.m. and five a.m. during the
34 time when local public schools are in session.

35 b. For more than twenty hours per week when local public

1 schools are in session.

2 c. At times when the attendance policy of the school or
3 district requires that the person be in attendance at school.

4 2. A person who is sixteen or seventeen years of age, or
5 the parent, guardian, or legal custodian of the person, may
6 request that the person be granted an exemption from the
7 requirements of this section if the person or the parent,
8 guardian, or legal custodian of the person files a request
9 with the superintendent of the public school or the
10 authorities in charge of the nonpublic school that the person
11 who is sixteen or seventeen is attending, demonstrating that
12 compliance with the requirements of this section will create
13 an economic hardship for the person or the person's family.

14 Sec. 4. Section 92.8, subsection 20, Code 1991, is amended
15 to read as follows:

16 20. Occupations involving the transmission, distribution,
17 or delivery of goods or messages between the hours of ~~ten~~
18 ~~o'clock~~ nine p.m. and five ~~o'clock~~ a.m.

19 EXPLANATION

20 This bill amends several provisions relating to the
21 employment of persons under the age of 18.

22 Section 1 of the bill limits the evening hours during which
23 a person over 10 years and under 16 years of age may work in
24 street occupations or migratory labor during the time when
25 school is in session to no later than 7:00 p.m.

26 Section 2 limits the weekly number of hours that a person
27 under 16 may work outside of school hours while school is in
28 session to no more than 15 hours.

29 Section 3 provides that persons 16 or 17 years of age are
30 not to be employed between 9:00 p.m. and 5:00 a.m. on a school
31 night, more than 20 hours a week when schools are in session,
32 or when a 16-year-old or 17-year-old is required to be at
33 school under the school's attendance policy. An exemption to
34 the requirements may be made by a public school superintendent
35 or the authorities in charge of a nonpublic school for

1 economic hardship.

2 Section 4 provides that persons under the age of 18 are not
3 to be engaged in occupations involving the transmission,
4 distribution, or delivery of goods or messages between the
5 hours of 9:00 p.m. and 5:00 a.m.

6 This bill may create a state mandate under chapter 25B.

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SENATE FILE 2143
FISCAL NOTE

A fiscal note for Senate File 2143 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2143 amends several provisions relating to the employment of persons under the age of 18. The changes include:

1. Section 1 prohibits persons between the ages of 10 and 16 from working past 7:00 p.m. in street occupations or migratory labor.
2. Section 2 limits the number of hours per week that a person under 16 may work outside of school hours while school is in session to no more than 15 hours.
3. Section 3 prohibits persons 16 or 17 years of age from being employed between the hours of 9:00 p.m. and 5:00 a.m. on a school night, more than 20 hours a week when schools are in session, or when a 16-year-old or 17-year-old is required to be at school under the school's attendance policy. An exemption may be made by a public school superintendent or appropriate authorities of a nonpublic school for economic hardship.
4. Section 4 prohibits persons under the age of 18 from being engaged in occupations involving the transmission, distribution, or delivery of goods or messages between the hours of 9:00 p.m. and 5:00 a.m.

Fiscal Impact:

This bill has no fiscal impact to the State or to local governments.

Sources: Department of Education
Department of Employment Services (LSB 5594sv, MAS)

FILED MARCH 10, 1992

BY DENNIS PROUTY, FISCAL DIRECTOR

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SENATE FILE 2143

S-5084

1 Amend Senate File 2143 as follows:
2 1. Page 2, line 18, by inserting after the word
3 "a.m." the following: "during the time when school is
4 in session".

By MIKE CONNOLLY

S-5084 FILED FEBRUARY 20, 1992

SENATE FILE 2143

S-5098

1 Amend Senate File 2143 as follows:
2 1. Page 2, by inserting after line 13 the fol-
3 lowing:
4 "____. This section shall not apply to an
5 emancipated minor. For purposes of this section
6 "emancipated minor" means a person under the age of
7 eighteen who is absent from the home of the person's
8 parents or legal custodians with the consent of the
9 parents, the legal custodians, or the court; is self-
10 supporting; and has assumed a new relationship
11 inconsistent with being a part of the family of the
12 parents or legal custodians."
13 2. By renumbering as necessary.

By MIKE CONNOLLY

S-5098 FILED FEBRUARY 26, 1992

SENATE FILE 2143

S-5100

1 Amend Senate File 2143 as follows:
2 1. Page 1, line 30, by striking the word "A" and
3 inserting the following: "Except for employment in a
4 street occupation as defined under section 92.1, a".

By LARRY MURPHY
HARRY SLIFE

S-5100 FILED FEBRUARY 27, 1992

SENATE FILE 2143

S-5120

1 Amend Senate File 2143 as follows:

2 1. Page 2, by inserting after line 13 the
3 following:

4 "____. A person who is sixteen or seventeen years
5 of age, who is maintaining at least a three and two-
6 tenths percent grade point average on a four point
7 scale at the school that the person is attending,
8 shall be granted an exemption from the requirements of
9 this section."

10 2. By renumbering as necessary.

By RAY TAYLOR

S-5120 FILED MARCH 2, 1992

CONNOLLY, CH.
HORN
KRAMER 2/4/92

SSB 2116
EDUCATION Now

SENATE FILE 2143
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY CHAIR-
PERSON CONNOLLY)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
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2116

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