

House File 397

S-3130

1 Amend House File 397, as passed by the House, as
2 follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. Section 92.2, subsection 1, unnumbered
6 paragraph 1, Code 2015, is amended to read as follows:

7 A person over ten and under sixteen years of age
8 cannot be employed, with or without compensation, in
9 street occupations or migratory labor as defined in
10 section 92.1, unless the person holds a work permit
11 issued pursuant to this chapter ~~and the school the~~
12 ~~person attends has certified that the person is~~
13 ~~regularly attending school and the potential employment~~
14 ~~will not interfere with the person's progress in~~
15 ~~school. A written agreement, as defined in section~~
16 ~~92.11, subsection 1, shall not be required for the~~
17 ~~issuance of a work permit under this section.~~

18 Sec. 2. Section 92.11, unnumbered paragraph 1, Code
19 2015, is amended to read as follows:

20 A work permit, except for migrant laborers, shall
21 be issued only by the ~~superintendent of schools or~~
22 ~~department of workforce development, or by a person~~
23 ~~authorized by said superintendent in writing, or,~~
24 ~~where there is no superintendent of schools, by a~~
25 ~~person authorized in writing by the local school board~~
26 ~~where such child resides, labor commissioner upon the~~
27 ~~application of the parent, guardian, or custodian of~~
28 ~~the child desiring such permit. The person authorized~~
29 ~~to issue work permits application shall not issue any~~
30 ~~such permit unless the person has received, examined,~~
31 ~~approved, and filed include the following:~~

32 Sec. 3. Section 92.11, subsection 1, Code 2015, is
33 amended to read as follows:

34 1. A ~~written agreement~~ statement from the person,
35 firm, or corporation into whose service the child under
36 sixteen years of age is about to enter, promising to
37 give such child employment, and describing the industry
38 ~~and in which the work to will be performed.~~

39 Sec. 4. Section 92.12, Code 2015, is amended to
40 read as follows:

41 **92.12 Migrant labor permits.**

42 1. Every person, firm, or corporation employing
43 migrant laborers shall obtain and keep on file,
44 accessible to any officer charged with the enforcement
45 of this chapter, a work permit, ~~prior to the employment~~
46 ~~of such migratory laborer.~~

47 2. Work permits for migrant workers shall be
48 issued by the ~~superintendent of schools, or the~~
49 ~~superintendent's designee, nearest the temporary~~
50 ~~living quarters of the family or by the department~~

1 ~~of workforce development, labor commissioner upon~~
2 ~~application of the parent or head of the migrant~~
3 ~~family. The person authorized to issue such permits~~
4 ~~for migratory workers application shall not issue~~
5 ~~such permit until the person has received, examined,~~
6 ~~and approved include documentation of proof of age as~~
7 ~~described in section 92.11, subsection 2.~~

8 3. One copy of the permit issued shall be given
9 to the employer to be kept on file for the length of
10 employment and upon termination of employment shall be
11 returned to the labor commissioner. ~~One copy of the~~
12 ~~permit shall be kept by the issuing officer, and one~~
13 ~~copy forwarded to the commissioner. The blank forms~~
14 ~~for the application for a work permit for migratory~~
15 ~~workers and the work permit for migratory workers shall~~
16 ~~be formulated by the commissioner and furnished by the~~
17 ~~commissioner to the issuing officer.~~

18 Sec. 5. Section 92.13, Code 2015, is amended to
19 read as follows:

20 **92.13 Optional refusal of permit.**

21 The labor commissioner ~~or the issuing officer~~ may
22 refuse to grant a permit if, in the commissioner's ~~or~~
23 ~~officer's~~ judgment, the best interests of the minor
24 would be served by such refusal and the commissioner
25 ~~or officer~~ shall keep a record of such refusals, and
26 the reasons therefor.

27 Sec. 6. Section 92.14, Code 2015, is amended to
28 read as follows:

29 **92.14 Contents of work permit.**

30 Every work permit shall state the date of issuance,
31 name, sex, the date and place of birth, the residence
32 of the child in whose name it is issued, ~~the color of~~
33 ~~hair and eyes, the height and weight,~~ the proof of age,
34 the school grade completed, the name and location of
35 the establishment where the child is to be employed,
36 the industry, ~~specified occupation, a brief description~~
37 ~~of duties for which the permit is issued, and that~~
38 the papers required for its issuance have been duly
39 examined, approved, and filed, ~~and that the person~~
40 ~~named therein has personally appeared before the~~
41 ~~officer issuing the permit and has been examined.~~

42 Sec. 7. Section 92.15, Code 2015, is amended to
43 read as follows:

44 **92.15 Duplicate Application to labor commissioner.**

45 ~~A duplicate of every such~~ An application for a work
46 permit issued pursuant to section 92.11 or section
47 92.12 shall be filled out and forwarded submitted to
48 the office of the labor commissioner within ~~one week~~
49 ~~three days~~ after it is issued the child begins work.

50 Sec. 8. Section 92.16, Code 2015, is amended to

1 read as follows:

2 **92.16 Forms for permits ~~furnished~~ formulated.**

3 The proper forms for the application for a work
4 permit, the work permit, the employer's agreement,
5 the school record, the certificate of age, and the
6 physician's certificate shall be formulated by the
7 labor commissioner ~~and furnished to the issuing~~
8 ~~authorities.~~

9 Sec. 9. Section 92.17, subsection 1, Code 2015, is
10 amended by striking the subsection.

11 Sec. 10. EFFECTIVE DATE. This Act takes effect
12 June 1, 2015.>

13 2. Title page, by striking lines 1 and 2 and
14 inserting <An Act relating to the state child labor law
15 and including effective date provisions.>

TONY BISIGNANO