

**Department of Legislative Services**  
Maryland General Assembly  
2010 Session

**FISCAL AND POLICY NOTE**

House Bill 560  
Economic Matters

(Prince George's County Delegation)

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**Prince George's County - Labor and Employment - Minors of Age 13**  
**PG 303-10**

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This bill allows 13-year-old minor children to be employed in Prince George's County.

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**Fiscal Summary**

**State Effect:** None. The bill does not substantively change State activities or operations.

**Local Effect:** None. Prince George's County advises that the county is not likely to hire 13-year-old children due to the elevated liability associated with their employment.

**Small Business Effect:** Potential minimal.

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**Analysis**

**Current Law:** State law is modeled on the federal Fair Labor Standards Act (FLSA). With some exceptions, FLSA prohibits the employment of children younger than age 14. Minor children who are employed are subject to restrictions on the timing and duration of their work hours.

Federal and State law allows for child models, performers, and entertainers who are younger than age 14 to work if they are granted a special permit. The Commissioner of Labor and Industry may issue a special permit if, after investigation, the commissioner is satisfied that (1) the employment is not detrimental to the health or welfare of the minor; (2) the minor is adequately supervised; and (3) the education of the minor is not neglected.

FLSA and State law allow children younger than age 14 to work in nonhazardous employment, including as (1) a caddie on a golf course; (2) a sailing instructor; (3) a newspaper delivery person; (4) a counselor in a youth camp; (5) a farm worker; or (6) a domestic worker in or about a home. In general, federal and State child labor laws do not apply to children who work in their family businesses.

Employers who unlawfully employ a minor are guilty of a misdemeanor and may be fined up to \$10,000 and/or imprisoned for up to one year.

**Additional Comments:** The Department of Labor, Licensing, and Regulation advises that, because the bill conflicts with federal law, employers who hire 13-year-olds in Prince George's County are subject to enforcement action by the U.S. Department of Labor. For child labor violations, employers are subject to a civil penalty of up to \$11,000 per worker in violation of the child labor provisions. In addition, employers are subject to a civil penalty of \$50,000 for each violation that causes the death or serious injury of any minor employee; the penalty may be doubled, up to \$100,000, when the violations are determined to be willful or repeated.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Prince George's County; U.S. Department of Labor; Department of Labor, Licensing, and Regulation; Department of Legislative Services

**Fiscal Note History:** First Reader - March 1, 2010  
ncs/mcr

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