

HOUSE BILL 467

K3

4lr0107

By: **Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

Introduced and read first time: January 27, 2014

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 26, 2014

CHAPTER _____

1 AN ACT concerning

2 **Labor and Employment – Employment of Minors**

3 FOR the purpose of repealing certain provisions of law regarding the issuance of a
4 work permit by the Commissioner of Labor and Industry or a county
5 superintendent of schools; authorizing a parent or guardian of a minor to apply
6 for a work permit by completing a certain online application; authorizing the
7 Commissioner to issue a work permit under certain circumstances; making
8 conforming changes; and generally relating to the employment of minors and
9 the Commissioner of Labor and Industry.

10 BY repealing and reenacting, with amendments,
11 Article – Labor and Employment
12 Section 3–206
13 Annotated Code of Maryland
14 (2008 Replacement Volume and 2013 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Labor and Employment**

18 3–206.

19 [(a) A work permit shall be issued:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (1) by the Commissioner; or

2 (2) in accordance with the requirements of the Commissioner, by a
3 county superintendent of schools or designee of the superintendent.

4 (b) Before issuing a work permit, the issuing officer shall confirm the age of
5 the minor for whom the permit is sought by examining:

6 (1) a baptismal certificate for the minor;

7 (2) a birth certificate or other official government document that
8 attests to the age of the minor; or

9 (3) a school record for the minor.

10 (c) The official to whom an application for a work permit is submitted shall
11 issue the work permit, by signing and dating the application, if:

12 (1) the document submitted under subsection (b) of this section attests
13 to the age stated on the application; and

14 (2) the employment is allowed under this subtitle for the minor for
15 whom the permit is sought.]

16 **(A) A PARENT OR GUARDIAN OF A MINOR MAY APPLY FOR A WORK**
17 **PERMIT BY COMPLETING AN ONLINE APPLICATION THAT INCLUDES:**

18 **(1) VERIFICATION OF THE MINOR'S AGE;**

19 **(2) A DESCRIPTION OF THE WORK TO BE PERFORMED BY THE**
20 **MINOR;**

21 **(3) APPROVAL BY THE PARENT OR GUARDIAN OF THE MINOR'S**
22 **EMPLOYMENT; AND**

23 **(4) ANY OTHER INFORMATION THE COMMISSIONER MAY**
24 **REQUIRE.**

25 **(B) AFTER REVIEWING AN ONLINE APPLICATION FOR A WORK PERMIT,**
26 **THE COMMISSIONER MAY ISSUE THE PERMIT IF THE EMPLOYMENT IS ALLOWED**
27 **UNDER THIS SUBTITLE FOR THE MINOR FOR WHOM THE PERMIT IS SOUGHT.**

1 [(d)] (C) (1) [An official] **THE COMMISSIONER** may issue a work permit
2 that authorizes a minor to be employed in an occupation that otherwise would be
3 restricted under § 3–213 of this subtitle, if the minor:

4 (i) is exempted, under § 7–301(d)(2)(i) of the Education Article,
5 from attendance in public school because the emotional, mental, or physical condition
6 of the minor makes instruction detrimental to the progress of the minor;

7 (ii) is to be employed only in office work;

8 (iii) is to be employed in work that is performed outside of all
9 rooms where goods are manufactured or processed; or

10 (iv) is to be employed in work that a county school system
11 obtains and supervises as part of a work–study, student–learner, or similar program
12 for which the employment is an integral part of the course of study.

13 (2) [An official] **THE COMMISSIONER** shall issue a work permit that
14 authorizes a minor to be employed:

15 (i) in an occupation that otherwise would be restricted under §
16 3–213 of this subtitle if the minor is granted an exception by the Commissioner
17 because, after investigation, the Commissioner determines that neither the work nor
18 the work site where the work is to be performed is hazardous to the minor; or

19 (ii) in an occupation that otherwise would be restricted under §
20 3–213(c)(1) or (2) of this subtitle, if the minor:

21 1. has completed a course of study in that occupation at
22 an accredited school and has been graduated from the school; or

23 2. is granted an exception by the Commissioner because
24 employment in that occupation is part of a work–study, student–learner, or apprentice
25 program under a federal, State, or local governmental agency.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2014.