

By Senator Burgess

23-00392B-24

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1                                   A bill to be entitled  
2       An act relating to the employment of minors; amending  
3       s. 450.081, F.S.; removing certain employment  
4       restrictions for minors 16 and 17 years of age;  
5       revising the age at which certain employment  
6       restrictions apply; authorizing the Department of  
7       Business and Professional Regulation to grant waivers  
8       of certain employment restrictions; specifying  
9       applicable penalties for noncompliant employers;  
10      making technical changes; providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14       Section 1. Section 450.081, Florida Statutes, is amended to  
15 read:

16       450.081 Hours of work in certain occupations.—

17       (1) (a) Minors 15 years of age or younger may ~~shall~~ not be  
18 employed, permitted, or suffered to work:

19       1. Before 7 a.m. or after 7 p.m. when school is scheduled  
20 the following day. ~~Or~~

21       2. For more than 15 hours in any one week when school is in  
22 session.

23       (b) On any school day, minors 15 years of age or younger  
24 who are not enrolled in a career education program may ~~shall~~ not  
25 be gainfully employed for more than 3 hours, unless there is no  
26 session of school the following day.

27       (c) ~~(b)~~ During holidays and summer vacations, minors 15  
28 years of age or younger may ~~shall~~ not be employed, permitted, or  
29 suffered to work before 7 a.m. or after 9 p.m., for more than 8

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30 hours in any one day, or for more than 40 hours in any one week.

31 (2) (a) Minors 16 and 17 years of age may ~~shall~~ not be  
32 employed, permitted, or suffered to work:

33 1. Before 5:30 a.m. ~~6:30 a.m.~~ or after 12 a.m. ~~11:00 p.m.~~  
34 when school is scheduled the following day. ~~or~~

35 2. For more than 8 hours in any one day when school is  
36 scheduled the following day, except when the day of work is on a  
37 holiday or Sunday.

38 3. For more than 30 hours in any one week when school is in  
39 session, ~~minors 16 and 17 years of age shall not work more than~~  
40 ~~30 hours in any one week.~~

41 (b) On any school day, minors 16 and 17 years of age who  
42 are not enrolled in a career education program may ~~shall~~ not be  
43 gainfully employed during school hours.

44 (3) Minors 15 ~~17~~ years of age or younger may ~~shall~~ not be  
45 employed, permitted, or suffered to work in any gainful  
46 occupation for more than 6 consecutive days in any one week.

47 (4) Minors 15 ~~17~~ years of age or younger may ~~shall~~ not be  
48 employed, permitted, or suffered to work for more than 4 hours  
49 continuously without an interval of at least 30 minutes for a  
50 meal period; and for the purposes of this law, a ~~no~~ period of  
51 less than 30 minutes is not ~~shall be~~ deemed to interrupt a  
52 continuous period of work.

53 ~~The provisions of Subsections (1)-(4)~~ do ~~shall~~ not  
54 apply to:

55 (a) Minors 16 and 17 years of age who have graduated from  
56 high school or received a high school equivalency diploma.

57 (b) Minors who are within the compulsory school attendance  
58 age limit and who hold a valid certificate of exemption issued

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59 by the school superintendent or his or her designee pursuant to  
60 ~~the provisions of s. 1003.21(3).~~

61 (c) Minors enrolled in an a public educational institution  
62 who qualify on a hardship basis, such as economic necessity or  
63 family emergency. ~~Such determination shall be made by~~ The school  
64 superintendent or his or her designee shall make such  
65 determination and issue, and a waiver of hours ~~shall be issued~~  
66 to the minor and the employer. The form and contents thereof  
67 shall be prescribed by the department.

68 (d) Minors 16 and 17 years of age who are in a home  
69 education program or are enrolled in an approved virtual  
70 instruction program in which the minor is separated from the  
71 teacher by time only.

72 (e) Minors ~~Children~~ in domestic service in private homes,  
73 minors ~~children~~ employed by their parents, or pages in the  
74 Florida Legislature.

75 (6) The department may grant a waiver of the restrictions  
76 imposed by this section pursuant to s. 450.095.

77 (7) ~~(6)~~ The presence of a any minor in any place of  
78 employment during working hours is ~~shall be~~ prima facie evidence  
79 of his or her employment therein.

80 (8) An employer who requires, schedules, or otherwise  
81 causes a minor to be employed, permitted, or suffered to work in  
82 violation of this section commits a violation of the law,  
83 punishable as provided in s. 450.141.

84 Section 2. This act shall take effect July 1, 2024.