

1                                   A bill to be entitled  
 2           An act relating to employment and curfew of minors;  
 3           amending s. 450.081, F.S.; revising certain employment  
 4           restrictions for minors 16 and 17 years of age;  
 5           revising the age at which certain employment  
 6           restrictions apply; amending s. 877.25, F.S.;;  
 7           requiring a curfew adopted by county or municipal  
 8           ordinance to include certain exceptions; providing an  
 9           effective date.

10  
 11 Be It Enacted by the Legislature of the State of Florida:

12  
 13           Section 1. Section 450.081, Florida Statutes, is amended  
 14 to read:

15           450.081 Hours of work in certain occupations.—

16           (1) (a) Minors 15 years of age or younger may ~~shall~~ not be  
 17 employed, permitted, or suffered to work before 7 a.m. or after  
 18 7 p.m. when school is scheduled the following day or for more  
 19 than 15 hours in any one week. On any school day, minors 15  
 20 years of age or younger who are not enrolled in a career  
 21 education program may ~~shall~~ not be gainfully employed for more  
 22 than 3 hours, unless there is no session of school the following  
 23 day.

24           (b) During holidays and summer vacations, minors 15 years  
 25 of age or younger may ~~shall~~ not be employed, permitted, or

26 | suffered to work before 7 a.m. or after 9 p.m., for more than 8  
 27 | hours in any one day, or for more than 40 hours in any one week.

28 | (2) Minors 16 and 17 years of age may ~~shall~~ not be  
 29 | employed, permitted, or suffered to work before 6:00 ~~6:30~~ a.m.  
 30 | or after 11:00 p.m. ~~or for more than 8 hours in any one day~~ when  
 31 | school is scheduled the following day. ~~When school is in~~  
 32 | ~~session, minors 16 and 17 years of age shall not work more than~~  
 33 | ~~30 hours in any one week.~~ On any school day, minors 16 and 17  
 34 | years of age who are not enrolled in a career education program  
 35 | may ~~shall~~ not be gainfully employed during school hours unless  
 36 | the minor is in a home education program, is enrolled in an  
 37 | approved virtual instruction program, or the student no longer  
 38 | attends school pursuant to s. 1003.21.

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

42 | (4) Minors 15 ~~17~~ years of age or younger may ~~shall~~ not be  
 43 | employed, permitted, or suffered to work for more than 4 hours  
 44 | continuously without an interval of at least 30 minutes for a  
 45 | meal period; and for the purposes of this law, a ~~no~~ period of  
 46 | less than 30 minutes is not ~~shall be~~ deemed to interrupt a  
 47 | continuous period of work. Minors 16 or 17 years of age must be  
 48 | granted breaks and meal periods in the same manner as similarly  
 49 | permitted for employees who are 18 years of age or older.

50 | (5) ~~The provisions of~~ Subsections (1)-(4) do ~~shall~~ not

51 apply to:

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

54 (b) Minors who are within the compulsory school attendance  
55 age limit who hold a valid certificate of exemption issued by  
56 the school superintendent or his or her designee pursuant to ~~the~~  
57 ~~provisions of s. 1003.21(3)~~.

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

65 (d) Minors ~~Children~~ in domestic service in private homes,  
66 minors ~~children~~ employed by their parents, or pages in the  
67 Florida Legislature.

68 (6) The presence of a ~~any~~ minor in any place of employment  
69 during working hours is ~~shall be~~ prima facie evidence of his or  
70 her employment therein.

71 (7) Minors 16 and 17 years of age may be employed,  
72 permitted, or suffered to work the same number of hours as a  
73 person who is 18 years of age or older.

74 Section 2. Section 877.25, Florida Statutes, is amended to  
75 read:

76           877.25 Local ordinance required; effect.—Sections 877.20-  
77 877.24 do not apply in a county or municipality unless the  
78 governing body of the county or municipality adopts an ordinance  
79 that incorporates by reference ~~the provisions of~~ ss. 877.20-  
80 877.24. Sections 877.20-877.24 do not preclude county or  
81 municipal ordinances regulating the presence of minors, as  
82 defined in s. 450.012(3), in public places and establishments  
83 which provide restrictions more stringent or less stringent than  
84 the curfew imposed under s. 877.22. However, a curfew adopted by  
85 a county or municipal ordinance must also include the exceptions  
86 contained in s. 877.24.

87           Section 3. This act shall take effect July 1, 2024.