

Amendment No.

## CHAMBER ACTION

SenateHouse

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Representative Nixon offered the following:

**Amendment (with title amendment)**

Remove lines 65-141 and insert:

**Section 4. Subsection (2) of section 450.045, Florida Statutes, is amended to read:**

450.045 Proof of identity and age; posting of notices.—

(2) Any person who hires, employs, or suffers to work any minor shall post at a conspicuous place on the property or place of employment, where it may be easily read, a poster notifying minors of the Child Labor Law, to be provided by the division upon request. Such poster must be written at an 8th grade reading level as determined by the Department of Education.

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14       **Section 5. Section 450.081, Florida Statutes, is amended**  
15 **to read:**

16       450.081 Hours of work in certain occupations.—

17       (1)(a) Minors 15 years of age or younger may 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.

21       2. For more than 15 hours in any one week when school is  
22 in 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 not be  
25 gainfully employed for more than 3 hours, unless there is no  
26 session of school the following day.

27       (c) During holidays and summer vacations, minors 15 years  
28 of age or younger may not be employed, permitted, or suffered to  
29 work before 7 a.m. or after 9 p.m., for more than 8 hours in any  
30 one day, or for more than 40 hours in any one week.

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

33       ~~1. before 6:30 a.m. or after 10 11 p.m. when school is~~  
34 ~~scheduled the following day.~~

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.~~

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~~3. For more than 30 hours in any one week when school is in session. However, a minor's parent or custodian, or the school superintendent or his or her designee, may waive the limitation imposed in this subparagraph on a form prescribed by the department and provided to the minor's employer.~~

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

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

(4) Minors 15 years of age or younger may not be employed, permitted, or suffered to work for more than 4 hours continuously without an interval of at least 30 minutes for a meal period; and for the purposes of this section law, a period of less than 30 minutes is not deemed to interrupt a continuous period of work. ~~Minors 16 and 17 years of age who are employed, permitted, or suffered to work for 8 hours or more in any one day as authorized by this section may not be employed, permitted, or suffered to work for more than 4 hours continuously without an interval of at least 30 minutes for a meal period.~~

(5) Subsections (1)-(4), except in accordance with federal law, do not apply to:

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62 (a) Minors 14, 15, 16, and 17 years of age who have  
63 graduated from high school or received a high school equivalency  
64 diploma.

65 (b) Minors who are within the compulsory school attendance  
66 age limit and who hold a valid certificate of exemption issued  
67 by the school superintendent or his or her designee pursuant to  
68 s. 1003.21(3).

69 (c) Minors enrolled in a public ~~an~~ educational institution  
70 who qualify on a hardship basis, such as economic necessity or  
71 family emergency. The school superintendent or his or her  
72 designee shall make such determination and issue a waiver of  
73 hours to the minor and the employer. The form and contents  
74 thereof shall be prescribed by the department.

75 (d) Minors 14, 15, 16, and 17 years of age who are in a  
76 home education program or are enrolled in an approved virtual  
77 instruction program in which the minor is separated from the  
78 teacher by time only.

79 (e) Minors in domestic service in private homes, minors  
80 employed by their parents, or pages in the ~~Florida~~ Legislature.

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

83 (6) ~~(7)~~ The presence of a minor in any place of employment  
84 during working hours is prima facie evidence of his or her  
85 employment therein.

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~~(7)-(8) A violation of this section is An employer who requires, schedules, or otherwise causes a minor to be employed, permitted, or suffered to work in violation of this section commits a violation of the law, punishable as provided in s. 450.141.~~

**Section 6. Section 450.166, Florida Statutes, is created to read:**

450.166 Notices.—

(1) Upon hiring a minor, an employer must provide the minor written notice that includes all of the following information:

(a) The minor's hourly, daily, weekly, or salary rate of pay, including overtime rates of pay.

(b) An explanation on how the minor's wages are calculated and how allowances such as tips or meals are determined.

(c) Designated paydays and the manner in which the minor will be paid.

(d) The employer's business name and address.

(e) A detailed list of any allowances the employer claims as being part of the minimum wage, including, but not limited to, tips, meals, or lodging deductions.

(2) The required notice must be written at an 8th grade reading level as determined by the Department of Education. An employer must provide to the minor the required notice in the

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110 language primarily spoken by the minor if the department has  
111 translated versions of such notice available.

112 (3) An employer must update such notice within 7 days  
113 after any change occurs that is not reflected on the minor's  
114 next pay stub or within 7 days after any change occurs if the  
115 change is not listed on the minor's pay stub for the next pay  
116 period.

117 **Section 7. Section 450.167, Florida Statutes, is created**  
118 **to read:**

119 450.167 Complaints, investigations, and penalties.—The  
120 department shall adopt rules to establish standards that  
121 employers who employ minors must adhere to, which standards must  
122 include all of the following:

123 (1) Procedures for reporting complaints relating to  
124 violations under this part.

125 (2) Procedures for investigating complaints relating to  
126 violations under this part.

127 (3) Penalties for violations of this part.

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129  
130 **T I T L E   A M E N D M E N T**

131 Remove lines 13-20 and insert:

132 providing applicability; amending s. 450.045, F.S.;

133 requiring a poster to be written at a specified

134 reading level determined by the Department of

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Education; amending s. 450.081, F.S.; revising certain employment restrictions for specified minors; revising the age at which certain employment restrictions do not apply, except in accordance with federal law; revising the exceptions to certain work restrictions; removing the authority of the Department of Business and Professional Regulation to grant a waiver of employment restrictions; waiver of employment restrictions; creating s. 450.166, F.S.; requiring employers, upon hiring a minor, to provide such minor a specified written notice; requiring such notice to be written at a specified reading level determined by the Department of Education; requiring the employer to provide such notice in the minor's primary language under certain circumstances; requiring the employer to update the notice within a specified timeframe; creating s. 450.167, F.S.; requiring the Department of Business and Professional Regulation to adopt rules to establish certain standards for certain employers; providing requirements for such standards; providing effective

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