

House Bill 1501

By: Representatives Leverett of the 33rd, Williamson of the 115th, and Hatchett of the 150th

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 2 of Title 39 of the Official Code of Georgia Annotated, relating to
2 regulation of employment of minors, so as to repeal certain provisions relating to
3 employment certificate requirements for minors; to prohibit requiring such certificates of
4 employment; to provide for definitions; to provide for the issuance of certificates of age upon
5 request; to provide requirements for the issuance of certificates of age, blank forms, and
6 authorized issuing officers; to authorize the employment of minors for certain work; to
7 provide for related matters; to provide for an effective date; to repeal conflicting laws; and
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 2 of Title 39 of the Official Code of Georgia Annotated, relating to regulation of
12 employment of minors, is amended by repealing Code Section 39-2-11, relating to
13 employment certificates required and requirements for issuance, Code Section 39-2-11.1,
14 relating to employment of minors 14 years of age or older during school vacation months for
15 care of lawns, gardens, and shrubbery, Code Section 39-2-12, relating to employment
16 certificates' contents, availability of blank forms, and filing of duplicate copies, Code Section

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17 39-2-13, relating to disposition of employment certificates upon termination of employment
18 or failure to appear for work for 30 days and requirements as to issuance of subsequent
19 certificates, and Code Section 39-2-14, relating to revocation of employment certificates by
20 Commissioner of Labor, and by adding new Code sections to read as follows:

21 "39-2-11.

22 (a) Notwithstanding any other provision of this chapter or any rule or regulation of the
23 Commissioner of Labor adopted pursuant to the provisions of Code Section 39-2-2 to the
24 contrary, a minor 14 years of age or over may be employed during the months of vacation
25 from school in the care and maintenance of lawns, gardens, and shrubbery owned or leased
26 by the employer of such minor, including the operation of equipment in connection
27 therewith, provided that the minor is:

28 (1) Covered by an accident and sickness insurance plan or a workers' compensation
29 insurance policy or plan provided by the employer; and

30 (2) Only permitted to care for and maintain those lawns, gardens, and shrubbery that are
31 owned or leased by the employer.

32 (b) The work authorized by subsection (a) of this Code section includes the care and
33 maintenance of lawns, gardens, and shrubbery on the grounds of mills or factories
34 described in Code Section 39-2-1 and on the grounds of any other factory, mill, or business
35 where employment of the minor within the factory, mill, or business is otherwise prohibited
36 by the provisions of this chapter or by rules and regulations of the Commissioner of Labor.

37 39-2-12.

38 (a) As used in this Code section, the term:

39 (1) 'Political subdivision' means a county, municipal corporation, consolidated
40 government, or local authority.

41 (2) 'State government entity' means a state office, agency, authority, department,
42 commission, board, division, instrumentality, or institution.

43 (b) No state government entity or political subdivision shall by rule, regulation, practice,
44 or other means require:

45 (1) A minor under 18 years of age to be issued an employment certificate or a certificate
46 of age as a condition of employment; or

47 (2) An employer to obtain an employment certificate or a certificate of age from a minor
48 under 18 years of age as a condition of employment.

49 (c) Nothing in this Code section shall preclude the Department of Labor from issuing a
50 certificate of age upon request as provided for under Code Section 39-2-13.

51 39-2-13.

52 (a) A minor or the parents, guardian, or other person having custody of a minor may
53 request a certificate of age for the purpose of verifying to an employer that such minor is
54 of the appropriate age under this chapter to engage in employment.

55 (b) A certificate of age may be issued by the Department of Labor or an appropriate
56 issuing officer who shall be one of the following:

57 (1) If enrolled in a public school, the school superintendent or some member of his or her
58 staff authorized by him or her, in the county or city where the minor resides;

59 (2) If enrolled in a licensed private school, the principal administrative officer thereof
60 or some member of his or her staff authorized by him or her; or

61 (3) If enrolled in a home study program, the person, parent, or guardian providing the
62 home study program.

63 (c) No certificate of age shall be issued to any minor until the minor shall have submitted
64 to the Department of Labor or issuing officer a certified copy of a birth certificate.

65 (d) Certificates of age shall state the full name, date, and place of birth of the minor; the
66 name and address of the parents, guardian, or other person having custody of such minor;
67 and that the minor has appeared before the issuing officer and presented the evidence of
68 age required by subsection (c) of this Code section.

69 (e) Blank forms of certificates of age shall be made available by the Commissioner of
70 Labor to school superintendents of public schools in the respective cities and counties, to
71 principal administrative officers of private schools, and to persons, parents, or guardians
72 providing home study programs.

73 (f) A duplicate copy of each certificate of age shall be filed with the Commissioner of
74 Labor within 30 days from its issuance.

75 39-2-14.

76 The Commissioner of Labor shall be authorized to investigate the true age of any minor
77 employed, hear evidence, and require the production of relevant books, documents, or other
78 records."

79 **SECTION 2.**

80 This Act shall become effective upon its approval by the Governor or upon its becoming law
81 without such approval.

82 **SECTION 3.**

83 All laws and parts of laws in conflict with this Act are repealed.