

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 150

Representatives McNally, White, E.

Cosponsors: Representatives Upchurch, Brent, Rader, Brownlee, Lett, Brennan, Mohamed, Troy, Russo, Grim, Miller, J., Somani, Jarrells, Brewer, Sims, Robinson, Cockley, Baker, Synenberg, Isaacsohn, Abdullahi, Piccolantonio

To amend sections 4109.08, 4109.13, and 4109.99 of 1
the Revised Code to enact the Clock Out Kids Act 2
to require school employees to report certain 3
minor labor law violations, to increase 4
penalties for certain minor labor law 5
violations, and to create the Minor Labor Law 6
Enforcement Fund; and to make an appropriation. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4109.08, 4109.13, and 4109.99 of 8
the Revised Code be amended to read as follows: 9

Sec. 4109.08. (A) No minor shall be employed unless the 10
employer keeps on the premises a complete list of all minors 11
employed by the employer at a particular establishment and a 12
printed abstract to be furnished by the director of commerce 13
summarizing the provisions of this chapter. 14

The list and abstract shall be posted in plain view in a 15
conspicuous place which is frequented by the largest number of 16
minor employees, and to which all minor employees have access. 17

(B) An enforcement official may require any employer, in 18
or about whose establishment an employee apparently under 19
eighteen years of age is employed and whose age and schooling 20
certificate is not on file with the director of commerce as 21
required by section 3331.01 of the Revised Code, to furnish the 22
enforcement official satisfactory evidence that the employee is 23
in fact eighteen years of age or older. The enforcement official 24
shall require from the employer the same evidence of age of the 25
employee as is required by section 3331.02 of the Revised Code 26
upon the issuance of an age and schooling certificate. No 27
employer shall fail to produce the evidence. 28

(C) Any employee apparently under eighteen years of age, 29
working in any occupation or establishment with respect to which 30
there are restrictions by rule or law governing the employment 31
of minors, with respect to whom the employer has not furnished 32
satisfactory evidence that the person is at or above the age 33
required for performance of employment with the employer after 34
being requested to do so, and who refuses to give to an 35
enforcement official the employee's name, age, and place of 36
residence may be taken into custody and charged with being an 37
unruly child or other appropriate charge under Chapter 2151. or 38
2152. of the Revised Code. 39

(D) No person shall, with the intent to assist a minor to 40
procure employment, make a false statement by any means, 41
including by submitting falsified forms electronically, to any 42
employer or to any person authorized to issue an age and 43
schooling certificate. 44

(E) A school employee shall immediately report to the 45
school's principal or the principal's designee when the employee 46
is aware or has a reasonable suspicion based on specific facts 47

that a person under sixteen years of age who attends the school 48
is employed in a manner that violates section 4109.07 of the 49
Revised Code. The principal or the designee shall report the 50
knowledge or suspicion to the director of commerce. As used in 51
this division, "school employee" has the same meaning as in 52
section 3313.7112 of the Revised Code. 53

Sec. 4109.13. (A) ~~The administrator of the bureau of~~ 54
~~employment services~~ director of commerce shall designate 55
enforcement officials to enforce this chapter. 56

(B) An enforcement official, upon discovery of a violation 57
of this chapter and after notice to the employer, shall make a 58
complaint against the offending employer in any court of 59
competent jurisdiction. 60

(C) Enforcement officials shall make complaint by filing a 61
complaint before a court having competent jurisdiction against 62
any person violating any law relating to the employment of 63
minors. This section shall not be construed to limit the right 64
of other persons to make those complaints. 65

(D) County courts, municipal courts, and juvenile courts 66
have jurisdiction to try offenses under this chapter. Juvenile 67
courts have exclusive original jurisdiction to try offenses 68
under section 3321.38 of the Revised Code. 69

(E) No person or enforcement official instituting 70
proceedings under this section shall be required to file or give 71
security for the costs. If a defendant is acquitted, the judge 72
before whom the case is brought shall certify the costs to the 73
county auditor. The county auditor shall examine the amount and, 74
if necessary, correct it. The county auditor shall issue a 75
warrant on the county treasurer in favor of the persons to whom 76

the costs are due. 77

~~(F) Fines~~ (F) (1) Except as provided in division (F) (2) of 78
this section, fines collected for violations of this chapter and 79
section 3321.38 of the Revised Code shall be paid into the funds 80
of the school district in which the offense was committed. 81

(2) The minor labor law enforcement fund is created in the 82
state treasury. Fines collected pursuant to division (G) of 83
section 4109.99 of the Revised Code shall be deposited to the 84
credit of the fund. The director of commerce shall use the fund 85
to administer and enforce this chapter. 86

Sec. 4109.99. (A) Whoever violates section 4109.04, 87
division (C) of section 4109.07, division (A), (B), or (D) of 88
section 4109.08, section 4109.11, or division (B) of section 89
4109.12 of the Revised Code is guilty of a minor misdemeanor. 90

(B) Whoever violates section 4109.05 of the Revised Code 91
is guilty of a misdemeanor of the third degree. 92

(C) Whoever violates section 4109.03, division (A), (B), 93
or (D) of section 4109.07, or section 4109.10 of the Revised 94
Code is guilty of a minor misdemeanor on a first offense and a 95
misdemeanor of the third degree on each subsequent offense. 96

(D) Whoever violates division (A) of section 4109.12 of 97
the Revised Code is guilty of a minor misdemeanor for each day 98
the violation continues. 99

(E) Whoever violates division (A) of section 4109.21 of 100
the Revised Code is guilty of a misdemeanor of the fourth degree 101
on a first offense and a first degree misdemeanor on each 102
subsequent offense. If, however, the violation on a first 103
offense contains aggravating circumstances, including, but not 104
limited to, threats to a minor, reckless operation of a motor 105

vehicle, or abandonment of or endangerment to a minor but not 106
including circumstances that are the basis of a felony violation 107
of section 2919.22 of the Revised Code, then the person is 108
guilty of a misdemeanor of the first degree. If the offender 109
previously has been convicted under this section and if the 110
subsequent offense contains aggravating circumstances other than 111
circumstances that are the basis of a felony violation of 112
section 2919.22 of the Revised Code, then the person is guilty 113
of a felony of the fourth degree. 114

(F) Whoever violates division (F) of section 4109.22 of 115
the Revised Code shall be assessed a civil penalty of up to one 116
thousand seven hundred thirty dollars for each violation. 117

(G) (1) An employer that knowingly violates section 4109.07 118
of the Revised Code shall be fined fifty thousand dollars. 119

(2) An employer who employs more than one person in 120
violation of division (G) (1) of this section shall be fined 121
separately for each person so employed. A fine under division 122
(G) (1) of this section is in addition to any other penalty 123
described in this section. 124

Section 2. That existing sections 4109.08, 4109.13, and 125
4109.99 of the Revised Code are hereby repealed. 126

Section 3. All items in this act are hereby appropriated 127
as designated out of any moneys in the state treasury to the 128
credit of the designated fund. For all operating appropriations 129
made in this act, those in the first column are for fiscal year 130
2026 and those in the second column are for fiscal year 2027. 131
The operating appropriations made in this act are in addition to 132
any other operating appropriations made for these fiscal years. 133

Section 4. 134

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A		COM DEPARTMENT OF COMMERCE		
B	Dedicated Purpose Fund Group			
C	5AL1 800658	Minor Labor Law Enforcement	\$150,000	\$150,000
D	TOTAL DPF Dedicated Purpose Fund Group		\$150,000	\$150,000
E	TOTAL ALL BUDGET FUND GROUPS		\$150,000	\$150,000

MINOR LABOR LAW ENFORCEMENT 136

The foregoing appropriation item 800658, Minor Labor Law Enforcement, shall be used by the Department of Commerce to hire staff necessary to enforce Chapter 4109. of the Revised Code pertaining to state law governing the employment of minors. 137
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On the effective date of this act, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$300,000 cash from the General Revenue Fund to the Minor Labor Law Enforcement Fund (Fund 5AL1). 141
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Section 5. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the manner in which appropriation accounts shall be maintained. Expenditures from operating appropriations contained in this act shall be accounted for as though made in, and are subject to all applicable provisions of the main operating appropriations act of the 136th General Assembly. 145
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Section 6. This act shall be known as the Clock Out Kids	154
Act.	155